

We encourage everyone to view the meeting live via YouTube.

***Leavenworth County  
Board of County Commissioners***

***Regular Meeting Agenda***  
300 Walnut Street, Suite 225  
Leavenworth, KS 66048  
May 3, 2023  
9:00 a.m.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
- III. ROLL CALL
- IV. PUBLIC COMMENT: Public Comment shall be limited to 15 minutes at the beginning of each meeting for agenda items **only** and limited to three minutes per person. Comments at the end of the meeting shall be open to any topic of general interest to the Board of County Commissioners and limited to five minutes per person. There should be no expectation of interaction by the Commission during this time.

Anyone wishing to make comments either on items on the agenda or not are encouraged to provide their comments in writing no later than 8:00 AM the Monday immediately preceding the meeting. These comments will be included in the agenda packet for everyone to access and review. This allows the Commission to have time to fully consider input and request follow up if needed prior to the meeting.
- V. ADMINISTRATIVE BUSINESS:
  - a) Economic Development Week Proclamation
  - b) Mental Health Awareness Month Proclamation
- VI. CONSENT AGENDA: The items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, it will be removed from the Consent Agenda and considered separately.

- a) Approval of the minutes of the meeting of April 26, 2023
- b) Approval of the schedule for the week May 8, 2023
- c) Approval of the check register
- d) Approve and sign the OCB's
- e) Approve letter to Senator Moran

VII. FORMAL BOARD ACTION:

- a) Consider a motion to approve Resolution 2023-9, creating the formation of Fire District #2 and rescinding Resolution 2023-6.
- b) Consider a motion to approve Resolution 2023-7, a special use permit for Rock Hard Yard Art located at 20624 Golden Road.
- c) Consider a motion to approve Resolution 2023-8, an amendment to Article 19 of the Leavenworth County Zoning and Subdivision Regulations removing discrepancies pertaining to public and private utilities.
- d) Case Number DEV-23-047, a temporary special use permit for Whiskey Ridge Event Center;
  - **OPEN PUBLIC HEARING**
  - **CLOSE PUBLIC HEARING**
  - Consider a motion to approve Case Number DEV-23-047, issuing a temporary special use permit for Whiskey Ridge Event Center for two events to be held on May 7<sup>th</sup> and May 27<sup>th</sup>, 2023 located at 19051 Tonganoxie Drive.
- e) Consider a motion to approve chemical dust control for a portion of George Road during the K-16 safety improvement project through KDOT funding in an amount of \$19,609.00.

VIII. PRESENTATIONS AND DISCUSSION ITEMS: presentations are materials of general concern where no action or vote is requested or anticipated.

IX. ADDITIONAL PUBLIC COMMENT IF NEEDED

X. ADJOURNMENT

**WORK SESSION TO DISCUSS JUVENILE  
COMMUNITY CORRECTIONS**

# LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE

## **Monday, May 1, 2023**

- 12:00 p.m.      2023 Law Day Observance  
• Justice Center, 601 S. 3<sup>rd</sup> St., Courtroom #2
- 5:30 p.m.      Joint meeting with the city of Tonganoxie  
• Tonganoxie City Hall, 526 E. 4<sup>th</sup> St., Tonganoxie, KS 66086

## **Tuesday, May 2, 2023**

## **Wednesday, May 3, 2023**

- 9:00 a.m.      Leavenworth County Commission meeting  
• Commission Meeting Room, 300 Walnut, Leavenworth KS

## **Thursday, May 4, 2023**

## **Friday, May 5, 2023**

- 11:30 a.m.      Lansing Mayor State of the City Address and Business Appreciation Lunch  
• Lansing Community Center, 800 1<sup>st</sup> Terrace, Lansing, KS

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM



## **PROCLAMATION**

### **ECONOMIC DEVELOPMENT WEEK**

May 8 - May 12, 2023

**Whereas** communities rely on economic development professionals to promote economic well-being and quality of life; for the communities within Leavenworth County that means coordinating activities that create, retain, and expand jobs in order to facilitate growth, enhance wealth, and provide a stable tax base; and

**Whereas** economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

**Whereas**, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, and a variety of other institutions; and

**Whereas**, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

**Whereas**, economic developers work with the communities within Leavenworth County, Kansas.

**NOW THEREFORE BE IT RESOLVED** that Leavenworth County recognizes May 8 through May 12, 2023, as Economic Development Week, and reminds individuals of the importance of this community celebration which supports expanding business opportunities and making lives better.

**Dated** this 3<sup>rd</sup> day of March, 2023

By: \_\_\_\_\_

Name:

## **Mental Health Awareness Month**

“Proclamation Declaring May as Mental Health Awareness Month”

**WHEREAS**, nearly one in five adults and one in five adolescents in the United States live with a mental illness; and

**WHEREAS**, Mental health impacts a person’s emotional, social, environmental, financial and overall well-being, with significant disparities among racially and ethnically diverse communities; and

**WHEREAS**, suicide is now the second leading cause of death for 15-to-24-year-olds, with teenagers experiencing a 17.3% increase in the use of anxiety medications since 2010; and

**WHEREAS**, one third of the United States population lives in a county designated as a mental health professional shortage area; and

**WHEREAS**, an estimated 44% of residents detained in jails are suffering from a mental illness, often with co-occurring substance use disorders; and

**WHEREAS**, Leavenworth County and all counties serve as a safety net for residents in need, first responders, and operator of crisis lines, public hospitals and detention centers.; and

WHEREAS, the Guidance Center has opened the Guiding Lights Crisis Stabilization Center providing a flexible, secure and structured treatment space to meet varying mental health and substance disorder needs.

**NOW, THEREFORE, LET IT BE PROCLAIMED**, THAT the Leavenworth County Board of Commissioners declares May as Mental Health Awareness Month in Leavenworth County to highlight the critical role of the county in providing crucial behavioral health services and resources to its residents; and Be It Further

**PROCLAIMED**, The Leavenworth County Board of Commissioners continues its commitment to partner with our community members to ensure that all mental health services are accessible, valuable and culturally appropriate for all residents

**Dated** this 3<sup>rd</sup> day of March, 2023

By: \_\_\_\_\_

Name:

\*\*\*\*\*April 26, 2023 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, April 26, 2023. Commissioner Kaaz, Commissioner Doug Smith, , Commissioner Culbertson are present; Commissioner Stieben is present by phone; Commissioner Mike Smith is absent; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Aaron Yoakam, Buildings and Grounds Director; Jamie VanHouten, Community Corrections Director; Connie Harmon, Council on Aging Director; Monica Swigart, Human Resources Director; Jamie Miller, EMS/Health Dept. Director; Tom Cole, Economic Development Administrator; Edd Hingula, Leavenworth County Commissioner; John Richmeier, Leavenworth Times

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATIVE BUSINESS:**

Commissioner Stieben inquired if representatives have reached out about House Bill 2036.

Mark Loughry reported Representative Buehler sent an email.

The Board briefly discussed House Bill 2036.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to accept the consent agenda for Wednesday, April 26, 2023 as presented.***

***Motion passed, 4-0.***

Aaron Yoakum requested to award bid to Barkley Asphalt Company for mill/overlay and patchwork to the Health Department parking lot.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to award the bid to Barkley Asphalt Company for mill and overlay at the Health Department parking lot in an amount not to exceed \$130,000.00 with \$100,000.00 funded through the ELC grant.***

***Motion passed, 4-0.***

Jamie VanHouten requested to renew the Adult Corrections Advisory Board appointments.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve the request to renew the Adult Corrections Board appointments as recommended.***

***Motion passed, 4-0.***

Ms. VanHouten requested to renew the Juvenile Corrections Advisory Board appointments.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve the request to renew the Juvenile Corrections Board appointments as recommended.***

***Motion passed, 4-0.***

Ms. VanHouten requested approval of the application of the FY24 Adult Comprehensive Plan grant.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve the application for the FY24 Adult Comprehensive Plan grant.***

***Motion passed, 4-0.***

Ms. VanHouten requested approval of the FY23 Adult Comprehensive Plan Budget Amendment.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve the FY23 Adult Comprehensive Plan Budget Amendment receiving an additional \$19,618.93.***

***Motion passed, 4-0.***

Ms. VanHouten presented the quarterly report for the Adult and Juvenile Community Corrections.

Connie Harmon presented the quarterly report for Council on Aging.

Monica Swigart presented the quarterly report for Human Resources.

Jamie Miller presented the quarterly report for EMS and the Health Department.

Tom Cole presented the quarterly report for Economic Development.

Commissioner Culbertson updated the Board on issues he is working on the Property Tax Task Force and also attended the MARC meeting.

Commissioner Doug Smith attended the MARC meeting and the Leavenworth County 4-H Foundation Awards banquet. He will attend the Basehor City Council meeting, the JCAB meeting and the Fairmount Township meeting.

Commissioner Kaaz served lunch to the volunteers of the Council on Aging. She also participated the Women in History event, the Workforce Partnership meeting and attended the Leavenworth City Commission meeting. She will attend the KCATA meeting this afternoon.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to adjourn.***

***Motion passed, 4-0.***

The Board adjourned at 10:42 a.m.

# **LEAVENWORTH COUNTY COMMISSIONERS MEETING SCHEDULE**

**Monday, May 8, 2023**

**Tuesday, May 9, 2023**

**Wednesday, May 10, 2023**

9:00 a.m.      Leavenworth County Commission meeting  
• Commission Meeting Room, 300 Walnut, Leavenworth KS

**Thursday, May 11, 2023**

12:00 p.m.      LCDC meeting

**Friday, May 12, 2023**

ALL SUCH OTHER BUSINESS THAT MAY COME BEFORE THE COMMISSION

ALL MEETINGS ARE OPEN TO THE PUBLIC

COMMENTS SHOULD BE OF GENERAL INTEREST OF THE PUBLIC AND SUBJECT TO THE RULES OF DECORUM

START DATE: 04/22/2023    END DATE: 04/28/2023

warrants by vendor

TYPES OF CHECKS SELECTED: \* ALL TYPES

				P.O.NUMBER	CHECK#					
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-203	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	30.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-208	WASTE MGMT - SHERIFF DUMPSTER	589.22	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-07-208	FIRST ADVANTAGE BACKGROUND CHE	27.54	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-210	AT&T LVSO 1313	267.71	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-07-210	AT&T SO 5018	92.46	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-07-210	AT&T WIRELESS 1005	5,742.30	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-07-210	AT&T LVSO 1313	285.64	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-211	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	493.56	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-07-216	CHARTER - INTERNET FOR EOC	74.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-218	LVSO:WARD:UNIFORMS,OFC/JAN SUP	39.90	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-219	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	160.96	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-07-219	CHARTER - INTERNET FOR MENTAL	182.01	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-07-223	4-36 FREESTATE ELEC:SIRENS,QUA	435.60	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-262	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	5.98	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-301	LVSO:WARD:UNIFORMS,OFC/JAN SUP	380.38	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-301	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	65.61	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-301	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	75.10	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-350	LVSO:WARD:UNIFORMS,OFC/JAN SUP	539.43	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-350	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	133.22	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-355	LVSO:WARD:UNIFORMS,OFC/JAN SUP	89.88	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-355	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	146.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-356	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	188.31	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-357	LVSO:WARD:UNIFORMS,OFC/JAN SUP	170.46	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-357	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	241.69	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-359	LVSO:WARD:UNIFORMS,OFC/JAN SUP	99.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-360	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	266.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-360	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	25.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-07-360	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	297.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-11-203	CO ATTY TT:NDCAA, KCDA CONF	4,201.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-11-205	KTA MARCH CHARGES	15.50	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-11-211	CO ATTY NT:TVL, SUPPLIES	491.56	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-11-301	CO ATTY NT:TVL, SUPPLIES	2,349.59	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-14-210	SPECTRUM - COUNTY COMMUNICATIO	1,302.06	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-14-210	SPECTRUM - COUNTY COMMUNICATIO	154.25	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-14-220	BG:SPEC BLDG:CTHSE,JC,CUSHING,	359.37	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-14-220	TONGANOXIE WATER EMS 9102, ANN	52.48	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-14-220	FREESTATE ELEC SVC 725 LAMING	850.27	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-14-228	CLERKS: AMAZON - BUDGET SUPPLI	110.28	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-14-228	CLERKS: AMAZON - BUDGET SUPPLI	7.91	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-14-234	QUADIENT - QTRLY LEASE PMT 10	741.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-14-247	IRON MOUNTAIN SHREDDING - COUR	14.98	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-14-332	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	54.40	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-14-332	LVSO:TNG,TVL,JAIL MAINT,SUPPLI	39.86	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-18-213	IS LM:POTS LINES,SOFTWARE MAIN	1,686.37	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-18-213	SPECTRUM - COUNTY ACCESS	2,860.78	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-18-254	IS LM:POTS LINES,SOFTWARE MAIN	405.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-18-409	COA EQUIP/INSTALL, IS RADIO EX	3,420.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-19-217	DIST CT JC:LEGAL NOTICE,STANDI	156.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334081	102992 AP	04/28/2023	3-001-5-19-220	IRON MOUNTAIN SHREDDING (DC,CO	159.20	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-19-301	DIST CT SC:PLANNER, RECORDING	106.57	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-19-301	DIST CT JC:LEGAL NOTICE,STANDI	579.96	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	COMMERCE BANK-COMMER	334026	102936 AP	04/27/2023	3-001-5-23-209	COSTAR- MARCH INVOICE	400.00	

FMWARRPTR2	LEAVENWORTH COUNTY										4/27/23	16:01:27
DCOX	WARRANT REGISTER - BY FUND / VENDOR										Page	3
START DATE: 04/22/2023    END DATE: 04/28/2023												
TYPES OF CHECKS SELECTED: * ALL TYPES												

warrants by vendor



TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#							
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		2,275.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		2,275.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		2,275.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		2,275.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		2,275.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		2,275.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		2,275.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		25.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		25.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		25.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		50.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		26.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		26.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		175.00		
5824	FRONTIER	FORENSIC MEDICAL HOLDINGS OF K	334035	102945 AP	04/27/2023	3-001-5-13-271	INV 21920 MARCH AUTOPSIES		99.00		
							*** VENDOR	5824 TOTAL		20,926.00	
4465	GRONIS	GRONIS HARDWARE INC	334036	102946 AP	04/27/2023	3-001-5-07-301	JAIL MAINT, SHF - KEYS		6.58		
4465	GRONIS	GRONIS HARDWARE INC	334036	102946 AP	04/27/2023	3-001-5-07-301	JAIL MAINT, SHF - KEYS		19.47		
4465	GRONIS	GRONIS HARDWARE INC	334036	102946 AP	04/27/2023	3-001-5-07-301	JAIL MAINT, SHF - KEYS		27.96		
							*** VENDOR	4465 TOTAL		54.01	
6014	GUERRA,JOSE	JOSE GUERRA	334037	102947 AP	04/27/2023	3-001-5-11-240	APPEAL 2019-JC-000213		600.00		
<del>58</del>	<del>HENKE-MANUFACTURING</del>	<del>HENKE-MANUFACTURING CORP</del>	<del>334039</del>	<del>102949 AP</del>	<del>04/27/2023</del>	<del>3-001-5-14-336</del>	<del>NOX-WEED-VEH MAINT, FUEL</del>		<del>954.39</del>		
<del>58</del>	<del>HENKE-MANUFACTURING</del>	<del>HENKE-MANUFACTURING CORP</del>	<del>334039</del>	<del>102949 AP</del>	<del>04/27/2023</del>	<del>3-001-5-53-308</del>	<del>NOX-WEED-VEH MAINT, FUEL</del>		<del>2,492.18</del>		
							*** VENDOR	58 TOTAL		3,386.67	
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	334043	102953 AP	04/27/2023	3-001-5-11-203	2022-2023 DUES (THOMPSON,LYON,		170.00		
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	334043	102953 AP	04/27/2023	3-001-5-11-203	2022-2023 DUES (THOMPSON,LYON,		170.00		
2017	KANSAS BAR	KANSAS BAR ASSOCIATION	334043	102953 AP	04/27/2023	3-001-5-11-203	2022-2023 DUES (THOMPSON,LYON,		170.00		
							*** VENDOR	2017 TOTAL		510.00	
26400	KANSAS GAS	KANSAS GAS SERVICE	333994	102918 AP	04/25/2023	3-001-5-14-220	510614745 2007004 82 GAS TRANS		1,026.40		
26400	KANSAS GAS	KANSAS GAS SERVICE	333994	102918 AP	04/25/2023	3-001-5-32-392	510614745 2007004 82 GAS TRANS		1,770.87		
26400	KANSAS GAS	KANSAS GAS SERVICE	333994	102918 AP	04/25/2023	3-001-5-33-392	510614745 1562996 18 GAS TRANS		610.90		
26400	KANSAS GAS	KANSAS GAS SERVICE	333994	102918 AP	04/25/2023	3-001-5-33-392	510614745 1562996 18 GAS TRANS		136.97		
							*** VENDOR	26400 TOTAL		3,545.14	
3197	KLM	LEAGUE OF KS MUNICIPALITIES	334045	102955 AP	04/27/2023	3-001-5-09-307	2023 KANSAS LOCAL GOVERNMENT L		232.15		
1842	KONE INC	KONE INC	334046	102956 AP	04/27/2023	3-001-5-31-220	N40131062 ELEVATOR MAINT MARCH		129.86		
1842	KONE INC	KONE INC	334046	102956 AP	04/27/2023	3-001-5-32-262	N40131062 ELEVATOR MAINT MARCH		519.46		
1842	KONE INC	KONE INC	334046	102956 AP	04/27/2023	3-001-5-33-262	N40131062 ELEVATOR MAINT MARCH		1,179.86		
							*** VENDOR	1842 TOTAL		1,829.18	
168	LCHS	LEAVENWORTH CO HUMANE SOCIETY	334049	102959 AP	04/27/2023	3-001-5-07-266	MARCH HOUSING OF DOGS/CATS PER		1,378.12		
6876	LEAV CITY	CITY OF LEAVENWORTH	334050	102960 AP	04/27/2023	3-001-5-07-253	71640 ANIMAL CONTROL FEES		1,160.00		
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	334052	102962 AP	04/27/2023	3-001-5-07-305	LVSHERIFF - JAIL SUPPLIES, OFF		440.00		
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	334052	102962 AP	04/27/2023	3-001-5-07-359	LVSHERIFF - JAIL SUPPLIES, OFF		2,708.00		
4755	LEAV PAPER	LEAVENWORTH PAPER AND OFFICE S	334052	102962 AP	04/27/2023	3-001-5-07-359	LVSHERIFF - JAIL SUPPLIES, OFF		463.70		
							*** VENDOR	4755 TOTAL		3,611.70	
383	LYON CHRISTOPHER	CHRISTOPHER LYON	334054	102964 AP	04/27/2023	3-001-5-11-211	REIM TRAVL - VETERAN COURT TNG		467.96		
10869	MAIN ST AU	MAIN STREET AUTO BODY	334055	102965 AP	04/27/2023	3-001-5-07-213	SHERIFF - TOWING OF 14 FORD EX		85.00		
2059	MIDWEST OFFICE TECH	MIDWEST OFFICE TECHNOLOGY INC	334058	102968 AP	04/27/2023	3-001-5-11-303	OPL305_K COPIES		22.52		
24927	NOTARY PUB	NOTARY PUBLIC UNDERWRITERS OF	333995	102919 AP	04/25/2023	3-001-5-07-203	BOND/FILING FEE-JESSICA SANDER		75.00		
24927	NOTARY PUB	NOTARY PUBLIC UNDERWRITERS OF	333995	102919 AP	04/25/2023	3-001-5-07-203	BOND/FILING FEE-JESSICA SANDER		24.00		
24927	NOTARY PUB	NOTARY PUBLIC UNDERWRITERS OF	333995	102919 AP	04/25/2023	3-001-5-07-203	BOND/FILING FEE-JESSICA SANDER		10.00		
24927	NOTARY PUB	NOTARY PUBLIC UNDERWRITERS OF	333995	102919 AP	04/25/2023	3-001-5-07-203	BOND/FILING FEE-JESSICA SANDER		9.95		
							*** VENDOR	24927 TOTAL		118.95	

will be to public works

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TYPES OF CHECKS SELECTED: \* ALL TYPES

			P.O.NUMBER	CHECK#							
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-108-5-00-384	HEALTH DEPT:CONTR,PP,PF,WIC,PH	4,720.51			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-108-5-00-601	HEALTH DEPT:CONTR,PP,PF,WIC,PH	311.28			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-108-5-00-604	HEALTH DEPT:CONTR,PP,PF,WIC,PH	11,423.37			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-108-5-00-606	HEALTH DEPT JH:WIC	83.47			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-108-5-00-606	HEALTH DEPT:CONTR,PP,PF,WIC,PH	487.00			
								*** VENDOR	648 TOTAL	21,191.20	
								TOTAL FUND 108		25,499.89	
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209	ES&S	ELECTION SYSTEMS & SOFTWARE	334032	102942 AP	04/27/2023	3-117-5-00-303	35541 SVC CONTRACTS HW/FW/ELEC	2,772.00			
209	ES&S	ELECTION SYSTEMS & SOFTWARE	334032	102942 AP	04/27/2023	3-117-5-00-303	35541 SVC CONTRACTS HW/FW/ELEC	2,520.00			
								*** VENDOR	209 TOTAL	5,292.00	
								TOTAL FUND 117		5,292.00	
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648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-119-5-00-253	REG OF DEEDS:CONF REG,TRAVEL	50.00			
								TOTAL FUND 119		50.00	
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648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-123-5-00-301	COMM CORR GED TESTING,ID'S,SUP	115.21			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-123-5-00-301	COMM CORR GED TESTING,ID'S,SUP	420.00			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-123-5-00-301	FIRSTNET - COMM CORR WIRELESS	50.23			
								*** VENDOR	648 TOTAL	585.44	
7098	QUILL CORP	QUILL CORP	334068	102978 AP	04/27/2023	3-123-5-00-301	5645204 COMMUNITY CORRECTIONS	64.58			
								TOTAL FUND 123		650.02	
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648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-126-5-00-210	FIRSTNET - COMM CORR WIRELESS	288.65			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-126-5-00-225	IRON MOUNTAIN SHREDDING (DC,CO	14.98			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-126-5-00-321	COMM CORR SUPPLIES	6.99			
								*** VENDOR	648 TOTAL	310.62	
9635	DASH	DASH MEDICAL GLOVES	334029	102939 AP	04/27/2023	3-126-5-00-226	533802 VINYL GLOVES - COMM COR	29.90			
								TOTAL FUND 126		340.52	
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648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-127-5-00-3	COMM CORR YOUTH CLOTHES,SUPPLY	164.25			
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-127-5-00-3	COMM CORR SUPPLIES	71.75			
								*** VENDOR	648 TOTAL	236.00	
7098	QUILL CORP	QUILL CORP	334068	102978 AP	04/27/2023	3-127-5-00-3	5645204 COMMUNITY CORRECTIONS	48.99			
7098	QUILL CORP	QUILL CORP	334068	102978 AP	04/27/2023	3-127-5-00-3	5645204 COMMUNITY CORRECTIONS	8.67			
								*** VENDOR	7098 TOTAL	57.66	
								TOTAL FUND 127		293.66	
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4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	334016	102921 AP	04/27/2023	3-133-5-00-215	4-57 4013-01993 UNIFORM RENTAL	220.68			
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	334016	102921 AP	04/27/2023	3-133-5-00-215	4-57 4013-01993 UNIFORM RENTAL	220.68			
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	334016	102921 AP	04/27/2023	3-133-5-00-312	4-57 4013-01993 UNIFORM RENTAL	191.36			
4120	ACE IMAGEWEAR	AAA LAUNDRY & LINEN SUPPLY CO	334016	102921 AP	04/27/2023	3-133-5-00-312	4-57 4013-01993 UNIFORM RENTAL	191.36			
								*** VENDOR	4120 TOTAL	824.08	
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	76.60			
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	13.99			
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	19.79			
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	50.97			
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	229.40			
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	39.09			
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	39.09			
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	39.09			
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL,+	24.18			

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TYPES OF CHECKS SELECTED: * ALL TYPES									
		P.O.NUMBER		CHECK#					
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL, +	68.98	
151	AUTO ZONE	AUTO ZONE	334019	102924 AP	04/27/2023	3-133-5-00-360	4-58 673089 FILTERS, OIL, +	582.06-	
*** VENDOR								151 TOTAL	19.12
5345	B & D RADI	B & D RADIATOR	334020	102925 AP	04/27/2023	3-133-5-00-360	4-59 RADIATOR	400.00	
4136	BRANDT FAB	BRANDT FABRICATING	334021	102926 AP	04/27/2023	3-133-5-00-326	4-60 RECTANGLE TUBING	520.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-201	4-38 SAFETY,BRIDGE,OFFICE SUPP	22.30	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-203	4-38 SAFETY,BRIDGE,OFFICE SUPP	35.25	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-210	4-1 PW DATA, ADMIN PHONE	393.11	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-133-5-00-251	4-36 FREESTATE ELEC:SIRENS,QUA	65.32	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-301	4-38 SAFETY,BRIDGE,OFFICE SUPP	556.44	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-309	4-39 AREVALO/WILLIAMS,EVANS,PE	535.12	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-311	4-39 AREVALO/WILLIAMS,EVANS,PE	204.91	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-312	4-39 AREVALO/WILLIAMS,EVANS,PE	121.11	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-326	4-39 AREVALO/WILLIAMS,EVANS,PE	720.00	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-326	4-39 AREVALO/WILLIAMS,EVANS,PE	479.96	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-326	4-38 SAFETY,BRIDGE,OFFICE SUPP	661.90	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-360	4-39 AREVALO/WILLIAMS,EVANS,PE	4,216.06	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-360	4-39 AREVALO/WILLIAMS,EVANS,PE	11.30	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-360	4-39 AREVALO/WILLIAMS,EVANS,PE	123.76	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-363	4-38 SAFETY,BRIDGE,OFFICE SUPP	145.98	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-364	4-38 SAFETY,BRIDGE,OFFICE SUPP	907.38	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-365	4-39 AREVALO/WILLIAMS,EVANS,PE	159.96	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-365	4-39 AREVALO/WILLIAMS,EVANS,PE	79.99	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-365	4-39 AREVALO/WILLIAMS,EVANS,PE	3,431.18	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-133-5-00-440	4-39 AREVALO/WILLIAMS,EVANS,PE	169.63	
*** VENDOR								648 TOTAL	13,040.66
571	CONTECH	QUIKRETE HOLDINGS	334027	102937 AP	04/27/2023	3-133-5-00-325	4-41 740886 ROAD CULVERTS	3,414.40	
233	CUMMINS CENTRAL POWE	CUMMINS CENTRAL POWER	334028	102938 AP	04/27/2023	3-133-5-00-360	4-42 102132 TURBOCHARGER ACTUAT	335.40	
233	CUMMINS CENTRAL POWE	CUMMINS CENTRAL POWER	334028	102938 AP	04/27/2023	3-133-5-00-360	4-42 102132 TURBOCHARGER ACTUAT	335.40-	
233	CUMMINS CENTRAL POWE	CUMMINS CENTRAL POWER	334028	102938 AP	04/27/2023	3-133-5-00-360	4-42 102132 TURBOCHARGER ACTUAT	308.48	
*** VENDOR								233 TOTAL	308.48
1104	DIGITAL DOLPHIN	DIGITAL DOLPHIN SUPPLIES	334031	102941 AP	04/27/2023	3-133-5-00-301	4-43 PUBLIC WORKS - CE254A COL	21.99	
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-133-5-00-361	4-44 300467 ROCK	195.18	
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-133-5-00-361	4-44 300467 ROCK	157.11	
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-133-5-00-361	4-44 300467 ROCK	1,134.97	
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-133-5-00-361	4-44 300467 ROCK	770.65	
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-133-5-00-361	4-44 300467 ROCK	776.73	
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-133-5-00-361	4-62 300467 ROCK	791.70	
*** VENDOR								434 TOTAL	3,826.34
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	334041	102951 AP	04/27/2023	3-133-5-00-361	4-46 218331 AB3 ROCK	172.19	
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	334044	102954 AP	04/27/2023	3-133-5-00-364	4-47 SAFETY BOOTS FOR CHANDLER	120.00	
537	LEAV TIMES	CHERRYROAD MEDIA INC	334053	102963 AP	04/27/2023	3-133-5-00-208	4-48 30313 PUB BID FOR BRIDGE	23.57	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-63 95988 KIT-BOWL,FILTERS,IN	123.46	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-63 95988 KIT-BOWL,FILTERS,IN	484.86	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-63 95988 KIT-BOWL,FILTERS,IN	295.08	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-63 95988 KIT-BOWL,FILTERS,IN	2,950.36	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-63 95988 KIT-BOWL,FILTERS,IN	53.47	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-63 95988 KIT-BOWL,FILTERS,IN	123.46	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-63 95988 KIT-BOWL,FILTERS,IN	117.06	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-49 95988 PUMP/TURBO KITS, IN	222.53	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-49 95988 PUMP/TURBO KITS, IN	251.33	
232	MHC KENWORTH	MHC KENWORTH-OLATHE	334056	102966 AP	04/27/2023	3-133-5-00-360	4-49 95988 PUMP/TURBO KITS, IN	1,475.18	

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		START DATE: 04/22/2023    END DATE: 04/28/2023								
TYPES OF CHECKS SELECTED: * ALL TYPES										
			P.O.NUMBER	CHECK#						
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-18 300467 ROCK	335.72		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-18 300467 ROCK	9,465.37		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-18 300467 ROCK	2,916.21		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-18 300467 ROCK	2,749.72		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-18 300467 ROCK	4,753.30		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	11,063.61		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	15,226.73		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	9,971.43		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	14,822.72		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	9,782.67		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	2,912.92		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	484.62		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	14,348.31		
434	HAMM QUARR	HAMM QUARRIES	334038	102948 AP	04/27/2023	3-137-5-00-312	4-15 300467 ROCK	1,063.59		
*** VENDOR								434 TOTAL	99,896.92	
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	334041	102951 AP	04/27/2023	3-137-5-00-312	4-16 218331 ROCK	771.20		
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	334041	102951 AP	04/27/2023	3-137-5-00-312	4-16 218331 ROCK	576.48		
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	334041	102951 AP	04/27/2023	3-137-5-00-312	4-16 218331 ROCK	226.03		
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	334041	102951 AP	04/27/2023	3-137-5-00-312	4-16 218331 ROCK	872.18		
369	HOLLIDAY	HOLLIDAY SAND & GRAVEL CO	334041	102951 AP	04/27/2023	3-137-5-00-312	4-16 218331 ROCK	1,161.07		
*** VENDOR								369 TOTAL	3,606.96	
TOTAL FUND 137									108,458.68	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-138-5-00-206	FIRSTNET - COMM CORR WIRELESS	107.96		
7098	QUILL CORP	QUILL CORP	334068	102978 AP	04/27/2023	3-138-5-00-301	5645204 COMMUNITY CORRECTIONS	141.98		
TOTAL FUND 138									249.94	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-144-5-00-2	COA:PALS,CONSUMABLES,L&L,TNG,V	170.70		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-144-5-00-2	COA:DEAN:VOL RECOGNITION,PET B	218.84		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-144-5-00-2	COA:REINDL,PALS,MTG,VOLUNTEER	93.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-144-5-00-2	COA PALS VET BILLS	454.97		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-144-5-00-3	COA:DEAN:VOL RECOGNITION,PET B	135.90		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-144-5-00-3	COA:REINDL,PALS,MTG,VOLUNTEER	331.86		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-144-5-00-3	PALS:PET FOOD,SUPPLIES	760.00		
*** VENDOR								648 TOTAL	2,165.27	
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	333993	102917 AP	04/25/2023	3-144-5-00-3	PET FOOD/SUPPLIES MARCH INVOI	412.39		
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	333993	102917 AP	04/25/2023	3-144-5-00-3	PET FOOD/SUPPLIES MARCH INVOI	19.99		
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	333993	102917 AP	04/25/2023	3-144-5-00-3	PET FOOD/SUPPLIES MARCH INVOI	80.91		
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	333993	102917 AP	04/25/2023	3-144-5-00-3	PET FOOD/SUPPLIES MARCH INVOI	100.70		
19474	KANSAS COUNTRY STORE	KANSAS COUNTRY STORE	333993	102917 AP	04/25/2023	3-144-5-00-3	PET FOOD/SUPPLIES MARCH INVOI	122.80-		
*** VENDOR								19474 TOTAL	491.19	
TOTAL FUND 144									2,656.46	
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-202	COA:PALS,CONSUMABLES,L&L,TNG,V	554.49		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-145-5-00-204	COA EQUIP/INSTALL, IS RADIO EX	1,306.33		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-145-5-00-208	IRON MOUNTAIN SHREDDING (DC,CO	55.95		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-210	COA ROSS BACKGROUND CHECKS	140.00		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-211	COA HERZOG:EVENTS,C1,CONSUMABL	286.67		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-213	COA TUTTLE:VEH MAINT	217.33		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-252	COA:REINDL,PALS,MTG,VOLUNTEER	12.75		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-252	COA:KIEFER:L&L,MTG EXPENSE	21.98		
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-253	COA:DEAN:VOL RECOGNITION,PET B	15.50		

TYPES OF CHECKS SELECTED: \* ALL TYPES

				P. O. NUMBER	CHECK#							
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-253	COA:REINDL,PALS,MTG,VOLUNTEER	67.19				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-253	COA:HARMON:VOLUNTEER RECOG,PRO	75.08				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-254	COA:HARMON:VOLUNTEER RECOG,PRO	38.12				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-254	COA HERZOG:EVENTS,C1,CONSUMABL	8.69				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-260	COA:PALS,CONSUMABLES,L&L,TNG,V	59.98				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-260	GOA:GATES:CHORE EQUIP & MAINT	245.04				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-301	COA:PALS,CONSUMABLES,L&L,TNG,V	52.00				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-302	COA HERZOG:EVENTS,C1,CONSUMABL	8.95				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-306	COA:PALS,CONSUMABLES,L&L,TNG,V	44.85				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-345	COA:PALS,CONSUMABLES,L&L,TNG,V	251.20				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-345	COA HERZOG:EVENTS,C1,CONSUMABL	14.26				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-750	COA:PALS,CONSUMABLES,L&L,TNG,V	3,490.78				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-00-750	COA:KIEFER:L&L,MTG EXPENSE	20.50				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-05-202	COA:PALS,CONSUMABLES,L&L,TNG,V	12.43				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-05-301	COA:PALS,CONSUMABLES,L&L,TNG,V	23.62				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-05-301	COA HERZOG:EVENTS,C1,CONSUMABL	6.17				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-06-301	COA:PALS,CONSUMABLES,L&L,TNG,V	35.03				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-06-321	COA:PALS,CONSUMABLES,L&L,TNG,V	23.36				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-07-202	COA:PALS,CONSUMABLES,L&L,TNG,V	1.91				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-07-302	COA:PALS,CONSUMABLES,L&L,TNG,V	3.63				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-07-302	COA HERZOG:EVENTS,C1,CONSUMABL	.85				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-145-5-07-321	COA:PALS,CONSUMABLES,L&L,TNG,V	21.02				
								*** VENDOR	648 TOTAL	7,115.66		
537	LEAV TIMES	CHERRYROAD MEDIA INC	334053	102963 AP	04/27/2023	3-145-5-00-209	19780 COUNCIL ON AGING - PD TW	7.19-				
								TOTAL FUND 145	7,108.47			
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648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-146-5-00-218	IRON MOUNTAIN SHREDDING - COUR	64.62				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-146-5-00-301	CO TREAS SPECIAL(MV)	1,453.03				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-146-5-00-301	CO TREAS SPECIAL(MV)	392.21				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-146-5-00-301	CO TREAS SPECIAL(MV)	445.39				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-146-5-00-301	CO TREAS SPECIAL(MV)	97.98				
								*** VENDOR	648 TOTAL	2,453.23		
								TOTAL FUND 146	2,453.23			
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648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-147-5-00-3	COA:PONTBRIANT:MEMORIAL COMMOD	92.24				
								TOTAL FUND 147	92.24			
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5900	CIRBA SOLUTIONS	CIRBA SOLTUIONS SERVICES US, L	334080	102991 AP	04/28/2023	3-160-5-00-208	SMARTRECYCLE SYSTEM	115.95				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-160-5-00-202	SOLID WASTE:PPE,TNG,HHW, OFFIC	319.96				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334081	102992 AP	04/28/2023	3-160-5-00-204	HAMM INC - MARCH LANDFILL CHAR	84,412.49				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-160-5-00-208	SOLID WASTE:PPE,TNG,HHW, OFFIC	218.00				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-160-5-00-213	SOLID WASTE:PPE,MAINT	282.42				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-160-5-00-301	SOLID WASTE:PPE,TNG,HHW, OFFIC	133.97				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-160-5-00-303	SOLID WASTE:PPE,TNG,HHW, OFFIC	243.75				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-160-5-00-305	SOLID WASTE:PPE,MAINT	74.95				
648	COMMERCE BANK-COMMER	COMMERCE BANK-COMMERCIAL CARDS	334026	102936 AP	04/27/2023	3-160-5-00-305	SOLID WASTE:PPE,TNG,HHW, OFFIC	248.34				
								*** VENDOR	648 TOTAL	85,933.88		
86	EVERGY	EVERGY KANSAS CENTRAL INC	334033	102943 AP	04/27/2023	3-160-5-00-210	ELEC SVC SOLID WASTE	313.17				
86	EVERGY	EVERGY KANSAS CENTRAL INC	334033	102943 AP	04/27/2023	3-160-5-00-210	ELEC SVC SOLID WASTE	32.72				
86	EVERGY	EVERGY KANSAS CENTRAL INC	334033	102943 AP	04/27/2023	3-160-5-00-210	ELEC SVC SOLID WASTE	287.03				
								*** VENDOR	86 TOTAL	632.92		
22605	HINCKLEY S	HINCKLEY SPRINGS	334040	102950 AP	04/27/2023	3-160-5-00-263	5869900 WATER DELIVERY SOLID W	150.88				

START DATE: 04/22/2023    END DATE: 04/28/2023

warrants by vendor



TYPES OF CHECKS SELECTED: \* ALL TYPES

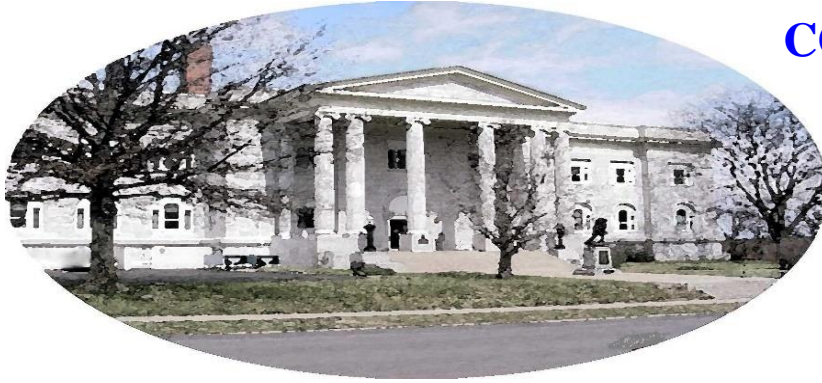
FUND SUMMARY

001	GENERAL	159,108.72
104	DRUG PROSECUTOR'S FUND	507.96
108	COUNTY HEALTH	25,499.89
117	CO CLERK TECHNOLOGY	5,292.00
119	ROD TECHNOLOGY	50.00
123	JUVENILE CRIME PREVENTION	650.02
126	COMM CORR ADULT	340.52
127	COMM CORR ADULT NON GRANT	293.66
133	ROAD & BRIDGE	55,212.94
136	COMM CORR JUVENILE	1,040.25
137	LOCAL SERVICE ROAD & BRIDGE	108,458.68
138	JUV INTAKE & ASSESSMENT	249.94
144	PALS (PETS AND LOVING SENIORS	2,656.46
145	COUNCIL ON AGING	7,108.47
146	COUNTY TREASURER SPECIAL	2,453.23
147	MEMORIALS (COA)	92.24
160	SOLID WASTE MANAGEMENT	91,347.37
174	911	1,211.70
195	JUVENILE DETENTION	152.09
212	SEWER DISTRICT 2:   TIMBERLAKES	975.00
406	ATTORNEY TRAINING	1,175.58
510	PAYROLL CLEARING	6,174.19
	TOTAL ALL FUNDS	470,050.91

Consent Agenda 5-3-2023  
Checks 4/22-4/28

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## COUNTY OF LEAVENWORTH

Board of County Commissioners

300 Walnut, Suite 225

Leavenworth, Kansas 66048-2815

(913)684-0417

Fax (913) 680-2742

Email: [bocc@leavenworthcounty.gov](mailto:bocc@leavenworthcounty.gov)

May 3, 2023

The Honorable Jerry Moran  
United State Senate  
521 Dirksen Senate Office Building  
Washington, DC 20510

Dear Senator Moran:

As the Commissioners of Leavenworth County, KS, we write with great appreciation for your ongoing support of our efforts to improve the lives and well-being of our residents.

To that end, we thank you for moving our Congressionally-Directed Spending request forward to the Transportation-Housing and Urban Development Appropriations Subcommittee. You and your staff have worked steadfastly with county leadership and staff to make the County Road 30 Connector Project a reality and we are highly encouraged that our project was selected.

As you know, the \$2.0 million project will further develop County Road 30 as a regional connector serving rural residents of Leavenworth and Atchison Counties. The expansion and upgrade of County Road 30 will serve as a major connector to new job opportunities for rural residents in the suburban Kansas City region.

Infrastructure connectivity continues to be a keystone for economic growth in Leavenworth County. Once completed, this project will connect the western portions of the County to fast-growing communities in the state, KDOT roadway networks, the Kansas City metropolitan interstate system, and rapidly expanding job centers in the region. Your support of this project will help address regional economic and workforce development needs, increase roadway safety, and improve access for rural residents throughout the region.

Once again, thank you for your ongoing support of Leavenworth County. We look forward to our continued work together on this critical project.

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Vicky Kaaz, Chairperson  
2nd District

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Jeff Culbertson, Member  
1<sup>st</sup> District

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Mike Smith, Member  
4<sup>th</sup> District

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Doug Smith, Member  
3<sup>rd</sup> District

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Mike Stieben, Member  
5<sup>th</sup> District

# Leavenworth County Request for Board Action

**Date:** April 27, 2023

**To:** Board of County Commissioners

**From:** David Van Parys, County Counselor

**Department Head Approval:**

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☐ **Legal Review** ☐

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**Action Requested:** Consideration of a Resolution regarding the formation of Leavenworth County Fire District 2.

**Recommendation:** Approval

**Analysis:** This resolution rescinds Resolution 23-06 and begins anew the process to form Leavenworth County Fire District No. 2 which is expected to encompass the boundaries of the Reno and Sherman Townships, including the City of Linwood but not any part of the city of De Soto. The resolution sets a public hearing on May 31, 2023 and directs staff to ensure the publication of all statutory notices. A proposed interlocal agreement is attached as Exhibit A to the resolution and sets out the intent of the parties regarding the supervision of Fire District No. 2 and to levy a tax not to exceed 5.7 mills as a baseline of funding for Fire District No. 2 operations.

**Alternatives:** Table, Deny or Approve

**Budgetary Impact:**

- ☐ Not Applicable
- ☐ Budgeted item with available funds
- ☐ Non-Budgeted item with available funds through prioritization
- ☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:** Incidental publication costs

**Additional Attachments:**

Resolution  
Exhibit A Proposed Interlocal Agreement  
Map

PUBLICATION: 5/6/23; 5/13/23; 5/20/23

RESOLUTION NO. 2023-09

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
LEAVENWORTH, KANSAS REGARDING FORMATION OF LEAVENWORTH  
COUNTY FIRE DISTRICT NO. 2; RESCINDING RESOLUTION NO. 23-06.**

WHEREAS, the Board of County Commissioners is committed to providing adequate fire-fighting resources using a fiscally responsible approach that meets the needs of the citizens of the County; and

WHEREAS, K.S.A. section 19-3601 authorizes and empowers a Board of County Commissioners to organize one or more fire districts and to include within the fire district a city of the third class, pursuant to procedures set forth in statute; and

WHEREAS, the Boards of both Reno Township and Sherman Township, as well as the City Council of the City of Linwood, Kansas, have requested and proposed the formation of a new Leavenworth County Fire District, to be known as Fire District No. 2, County of Leavenworth, Kansas ("Fire District No. 2"), to efficiently provide fire-protection services to the areas encompassed by those entities; and

WHEREAS, pursuant to K.S.A. 19-3612a, the Board of County Commissioners has determined that it is in the best interests of the county to place the supervision and operation of the anticipated Fire District No. 2 under the supervision of a fire district board of trustees; and

WHEREAS, pursuant to K.S.A. 19-3612a(b), the Board of County Commissioners intends to delegate its authority to appoint the members of the fire district board of trustees to a joint board to be appointed by the governing bodies Reno and Sherman Townships and the City of Linwood, such board of trustees to be vested with all of the powers vested in the Board of County Commissioners pursuant to K.S.A. 19-3601 through 19-3606, and amendments thereto, with regard to the supervision and operation of said Fire District No. 2 to the fullest extent allowed by statute; and

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, SITTING IN REGULAR SESSION, DOES HEREBY RESOLVE:

1. That the organization and formation of Fire District No. 2, County of Leavenworth, Kansas, encompassing the entirety of Reno Township, Sherman Township and the City of Linwood, Kansas, except as described below, is advisable in the public interest for protection of lives and property from the hazards of fire.

2. That the boundaries of said Fire District No. 2 are coextensive with the boundaries of Reno and Sherman Townships, and the City of Linwood, Kansas, excluding the portion of Sherman Township that is, as of the date of this Resolution, encompassed within the city limits of De Soto, Kansas.
3. That, it is to the best interests of Leavenworth County to place the supervision of Fire District No. 2 under a fire district board of trustees and, upon formation of said Fire District No. 2, the Board of County Commissioners shall, pursuant to interlocal agreement as authorized by K.S.A. 19-3612a, delegate its authority to appoint said board of trustees to a Joint Board consisting of the governing bodies of Reno and Sherman Township Boards and the City of Linwood, and to delegate to such board of trustees all of the powers of this Board of County Commissioners with regard to the supervision and operation of said Fire District No. 2 to the fullest extent allowed by statute.
4. Further, that upon formation of said Fire District No. 2, the Board of County Commissioners shall, pursuant to an interlocal agreement and as authorized by K.S.A. 19-3612a, delegate the powers and duties of the County Clerk and County Treasurer with regards to the secretary and treasurer position with said board of trustees, to persons deemed qualified and appointed by the Joint Board referenced herein to serve as such subject to requirements set out by state law;
5. That it is the intent of the parties to the proposed Interlocal Agreement that the Fire District 2 Board of Trustees levy a tax not to exceed 5.7 mills as a baseline of funding for the operations of Fire District No. 2; provided, however, that Reno and Sherman Townships will not separately levy any tax for purposes of fire protection that would be duplicative of, or in addition to, the Fire District No. 2 mill levy.
6. That a public hearing on the advisability of organizing Fire District No. 2 as set forth in this resolution shall be held at 9:00 a.m. May 31, 2023, or at such other date that allows for adequate notice pursuant to K.S.A. 19-3602, at the Leavenworth County courthouse in the offices of the board of county commissioners, 300 Walnut, Suite 225, Leavenworth, Kansas, following publication of this resolution and a map of the proposed boundaries pursuant to statute.
7. That Resolution No. 23-06 is hereby rescinded.

Staff is authorized and directed to prepare and publish the statutory notices and prepare all other necessary and appropriate documentation to accomplish the formation of said Fire District No. 2, County of Leavenworth, KS, as described above.

ADOPTED the 3<sup>rd</sup> day of May, 2023.

BOARD OF COUNTY COMMISSIONERS  
OF LEAVENWORTH COUNTY, KANSAS

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VICKY KAAZ, CHAIR

---

JEFF CULBERTSON, MEMBER

---

MIKE SMITH, MEMBER

---

DOUG SMITH, MEMBER

---

MIKE STIEBEN, MEMBER

ATTEST:\_\_\_\_\_

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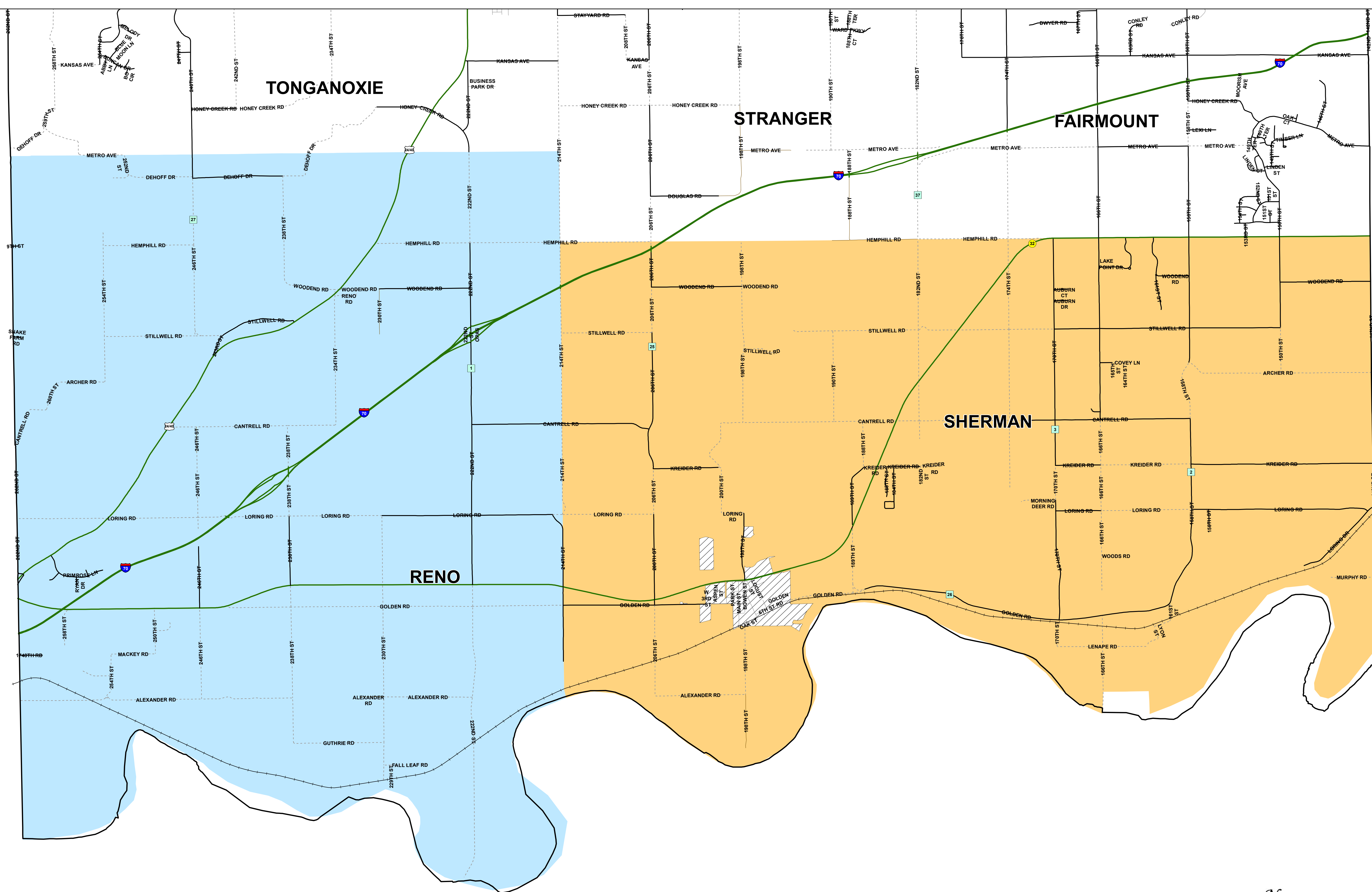
JANET KLASINSKI, CLERK

## **NOTICE OF PUBLIC HEARING**

(To be published on May 6, 13 and 20, 2023)

Please take notice that, pursuant to K.S.A. 19-3602, the Board of County Commissioners of Leavenworth County, Kansas (the “Board”) intends to hold a public hearing on the advisability of organizing Fire District No. 2, County of Leavenworth, Kansas, as set forth in the Resolution adopted by the Board during its regular meeting of May 3, 2023 which is reprinted herewith. A map showing the territory of the proposed district is included with this Notice. The public hearing will take place at 9:00 a.m. May 31, 2023, at the Leavenworth County courthouse in the offices of the Board of County Commissioners, 300 Walnut, Suite 225, Leavenworth, Kansas.





Disclaimer: Map is projected in real world coordinates.  
However, it is not intended for legal purposes.  
Accuracy can not be guaranteed.



**Legend**

- Railroads
- Linwood
- TOWNSHIP**
- RENO
- SHERMAN

**AN INTERLOCAL AGREEMENT FOR THE ESTABLISHMENT OF A JOINT BOARD,  
A FIRE DISTRICT BOARD OF TRUSTEES AND THE FUNDING AND OPERATION  
OF FIRE DISTRICT NO. 2, COUNTY OF LEAVENWORTH, KANSAS**

COME NOW THE PARTIES TO THIS INTERLOCAL AGREEMENT: the Board of County Commissioners of Leavenworth County, Kansas, hereinafter, "County Commissioners" or "Board of County Commissioners,"; Reno Township, Leavenworth County, Kansas, hereinafter "Reno Township"; Sherman Township, Leavenworth County, Kansas, hereinafter "Sherman Township" and the City of Linwood, Leavenworth County, Kansas, hereinafter "City of Linwood." The aforementioned parties recite and agree to the following:

**1. AUTHORITY**

This agreement is entered into pursuant to the provisions of K.S.A. 12-2904 and amendments thereto.

**2. TERM**

The term of this agreement shall be for an initial period of 25 years from the date of execution. Execution of this agreement shall be accomplished by the signing of this agreement by all parties. Date of execution will be the date the last signature is inscribed on this agreement. Upon the expiration of the initial term of this agreement the agreement shall automatically renew for three succeeding 25-year terms unless terminated by any party using the procedure provided for in this agreement.

**3. PURPOSE AND NAME**

That the purpose of this agreement is to provide for the operation and funding of a Fire District to be formed in the County of Leavenworth pursuant to the provisions of K.S.A. 19-3601 et seq. The name of the Fire District shall be "Fire District No. 2, County of Leavenworth, Kansas," hereinafter, "Fire District 2" or the "Fire District."

**4. AREA OF SERVICE**

The Fire District 2 shall encompass and service the area within the boundaries of Reno Township and Sherman Township, inclusive of the City of Linwood, all located in Leavenworth County, Kansas.

**5. APPOINTMENT OF JOINT BOARD TO NAME FIRE DISTRICT 2 BOARD OF TRUSTEES**

The Board of County Commissioners, pursuant to K.S.A. 19-3612a and amendments thereto, agrees to delegate its authority to appoint the members of the Fire District 2 Board of Trustees to a Joint Board consisting of the governing bodies of Reno

Township, Sherman Township, and the City of Linwood (hereinafter “Joint Board.”) The Joint Board shall have the authority to appoint a seven-member Fire District 2 Board of Trustees (“Board of Trustees”) as follows: 3 members shall be appointed by Reno Township Board from among its duly elected or appointed members; 3 members shall be appointed by Sherman Township Board from among its duly elected or appointed members; and 1 member shall be appointed by Linwood City Council from among its duly elected or appointed members.

The length of term to be served by a Fire District 2 Board of Trustees member shall be coextensive with that member’s term as an elected or appointed member of the respective governing body.

## **6. FIRE DISTRICT GOVERNING BOARD**

The Fire District 2 Board of Trustees, as duly appointed pursuant to the procedures set out above, shall be granted all powers vested in the Board of County Commissioners pursuant to K.S.A. 19-3601 et seq. and amendments thereto, to the fullest extent contemplated by K.S.A. 19-3612a, with regard to management, operation, funding and governance of the affairs of Fire District 2. Pursuant to K.S.A. 19-3601, the Board of County Commissioners shall and is hereby delegating the powers and duties of the County Clerk and County Treasurer with regards to the secretary and treasurer position with the Fire District Board of Trustees, to person it deems qualified to serve as such. The secretary and treasurer of the Fire District 2 Board of Trustees shall execute a good and sufficient surety bond issued by a surety company authorized to do business in Kansas in an amount fixed by the Fire District 2 Board of Trustees which shall not be less than the amount of money such person or persons will be responsible for at any one time. Said bond shall be reviewed annually, and if necessary, adjusted by the Fire District 2 Board of Trustees.

### **a. Qualifications**

Any appointee to the Fire District 2 Board of Trustees must be a duly elected or appointed member of the elected bodies constituting the Joint Board (Sherman and Reno Township boards; Linwood City Council).

### **b. Ex Officio member**

The Fire Chief of Fire District 2 shall serve as a non-voting advisor to the Fire District 2 Board of Trustees.

### **c. Quorum**

A quorum of the Fire District 2 Board of Trustees shall consist of four members.

### **d. Voting Requirements**

## Fire District No. 2 Interlocal Agreement

Conducting official business of/by the Fire District 2 Board of Trustees shall require a quorum present. Attendance via Zoom, telephone or other electronic means shall constitute presence, to the maximum extent allowed by the Kansas Open Meetings Act.

A simple majority of a quorum is required for approval or disapproval of official business of the Fire District 2 Board of Trustees, unless such action is otherwise limited herein.

### e. Special Voting Requirements

A vote by five members of the seven-member Fire District 2 Board of Trustees shall be required prior to any of the following acts being undertaken by the Board of Trustees:

1. Levy of taxes, subject to paragraph 7 below.
2. Entry into contracts for property or services in excess of \$5,000, or such other amount as may be deemed appropriate by a five-member majority of the Fire District 2 Board of Trustees.
3. Acquisition or disposition of real property.
4. Issuance of any bonds, including general obligation bonds and no-fund warrants.
5. Entry into any lease purchase agreement.
6. Creation of any indebtedness on the part of Fire District 2.
7. Expenditure of Fire District 2 funds in excess of \$5,000, or such other amount as may be deemed appropriate by a five-member majority of the Fire District 2 Board of Trustees.
8. Execution of any agreement with any entity other than the parties to this agreement for fire protection services.
9. The establishment of any permanent employee positions with Fire District 2, including any that may be filled by prior Township employees.
10. The hiring and/or termination of any permanent employee of Fire District 2, including any prior Township employees.
11. Establishment of salaries and other employment benefits to compensate Fire District 2 employees.
12. The adoption or modification of the operational policies and bylaws of Fire District 2.
13. Exercise of eminent domain.

### f. Representation of Entire Fire District No. 2

Each member of the Fire District 2 Board of Trustees so appointed shall represent the whole of the District and shall act in the best interests of the entire Fire District.

### g. Vacancies on the Fire District Board of Trustees

In the event a vacancy occurs on the Fire District 2 Board of Trustees, the entity that appointed the Board member causing the vacancy shall within thirty (30) days, convene and appoint a new member in accordance with the terms of this agreement.

h. Creation and Adoption of Bylaws

Within thirty (30) days of the establishment of the Fire District 2 Board of Trustees, the members shall meet to establish bylaws for the Fire District, which shall include provisions for Officers from among the Board of Trustees' membership, including a Treasurer as described herein.

**7. FUNDING**

It is the intent of the parties to this agreement, by and through the Fire District 2 Board of Trustees, to levy a tax not to exceed 5.7 mills to fund the Fire District 2 as a baseline of funding, pursuant to K.S.A. 19-3612d. Provided, however, that Reno and Sherman Townships will not separately levy any tax for purposes of fire protection that would be duplicative of, or in addition to, the Fire District 2 mill levy.

Public notice of the proposed Fire District 2 mill levy shall be included in the publication of the Board of County Commissioners' resolution proposing the formation of Fire District 2, pursuant to K.S.A. 19-3602 and 19-3612d.

Subject to the foregoing paragraphs, the ongoing operation of the Fire District from year to year shall be funded through the provisions of K.S.A. 19-3601 et seq., including K.S.A. 19-3610; through any additional contributions to the Fire District by any of the parties to the agreement; and through any other method provided for by law. A Treasurer for the Fire District shall maintain the financial records of the Fire District and assist the Fire District 2 Board of Trustees in the preparation of the budget for the Fire District. The budget shall be submitted and approved pursuant to K.S.A. 19-3606.

**8. TITLE TO PROPERTY**

a. Title in name of Fire District.

On or after January 1, 2024 any equipment, vehicle, building, personalty or real property acquired by the Fire District, by purchase, contribution or otherwise, except as otherwise provided below, shall be owned solely by the Fire District.

b. Lease by Fire District

Reno and Sherman Townships agree to lease to the Fire District 2 Board of Trustees, for use by the Fire District 2, the buildings, equipment and vehicles previously utilized by the Township Fire Departments, for the duration of this agreement, on such terms as may be set by the Fire District 2 Board of Trustees. The Fire District 2 Board of Trustees may also elect to purchase property belonging to the Townships as the Board deems appropriate, subject to paragraph 6(e).

In addition, the Fire District 2 Board of Trustees shall be responsible, during the term of this agreement, for the payment of any debt service on the equipment, buildings and vehicles so leased and shall adequately insure and maintain such equipment, buildings and vehicles. In the event that any leased equipment, building or vehicle is damaged or destroyed the insurance proceeds shall first be applied to any repairs, where appropriate, then to the payment of any outstanding debt attributable to the item; any remaining proceeds shall become the property of the Fire District.

c. Inventory

Upon entry into this agreement, an inventory of items owned by the parties and leased to the Fire District shall be conducted by the Fire District 2 Board of Trustees and a copy of such inventory shall be provided to each of the parties. An inventory shall be undertaken each year on the 31<sup>st</sup> day of December by the Fire District, as to items which belong to Reno Township or Sherman Township, and those which have been purchased by the Fire District. Copies of the annual inventories shall be distributed to the parties and maintained by the Fire District 2 Board of Trustees.

**9. INSURANCE**

- a. For purposes of this Agreement, to the extent permitted by law and without waiving any of the immunities set out under K.S.A. 75-6101 cited as the Kansas Tort Claims Act , the Fire District 2 agrees to indemnify and hold harmless the Board of County Commissioners, Reno and Sherman Township Boards, the Linwood City Council, their respective individual members, and each individual member of the Fire District Board of Trustees, from any and all liability, of any character whatsoever resulting in any claim or cause of action arising out of any action or failure to act, by Fire District 2 personnel during the performance of fire-protection service or the failure to perform any fire-protection services.
- b. It is agreed that the Fire District 2 Board of Trustees shall maintain liability insurance at all times in an amount determined by the Fire District Board of Trustees to sufficiently protect the Fire District.
- c. The Fire District 2 Board of Trustees shall maintain sufficient insurance on property, both real and personal, utilized by the Fire District to protect such property against loss, theft or damage.

**10. TERMINATION**

## Fire District No. 2 Interlocal Agreement

- a. Upon petition pursuant to K.S.A. 19-3604, the Board of County Commissioners may disorganize the Fire District at any time after 4 years from the date of publication of the final resolution for the first organization of the Fire District.

- b. Notice

Upon the expiration of the initial 25-year term set forth in paragraph 2 of this agreement, or at the expiration of any subsequent 25-year term, any party may terminate this agreement by providing to the other parties written notice of its intention to terminate the agreement. Such notice shall not be effective unless received by the other parties not less than eighteen (18) months prior to expiration of the 25-year term.

- c. Disposition of Property

In the event of the termination of this agreement by any Party or the disorganization of the Fire District upon petition pursuant to K.S.A. 19-3604, the property utilized and or owned by the Fire District shall be disposed of as follows:

1. Any real or personal property being leased to the Fire District by either Reno or Sherman Township shall be returned to the leasing Township at the expiration of the agreement's term.
2. All other assets of the Fire District shall be apportioned between Sherman Township and Reno Township based upon the assessed valuation of each Township as compared to the assessed valuation of the Fire District as a whole. In so apportioning the assets, the parties shall utilize accepted accounting and depreciation practices to value the assets of the Fire District and shall attempt to reach an agreement as to the value and apportionment of the assets of the Fire District. The Fire District 2 Board of Trustees may use any other method of apportionment that is agreed upon by a 5-member majority of the Fire District 2 Board of Trustees. In the event that no agreement can be reached, the parties shall submit to binding arbitration on the matter through the American Arbitration Association, with each Township to bear its own costs of such arbitration.

- d. Apportionment of Liabilities

In the event that there exists any liability of the Fire District at the time of the termination of this agreement, Reno Township and Sherman Township shall jointly be responsible for the discharge of that liability. In determining each party's respective obligation in discharging said liability, each party shall contribute toward the discharge of the liability of the Fire District based upon a

comparison of the assessed valuation of each Township compared to the assessed valuation of the Fire District as a whole, or based on such other method as may be agreed upon by a 5-member majority of the Fire District 2 Board of Trustees.

**11. LEGAL SERVICES**

The Fire District No. 2 Board of Trustees may hire and retain an attorney, or attorneys, to represent the legal interest of the Fire District. No attorney representing a party to this agreement shall serve as the attorney for the Fire District without written waiver and consent of the parties and the Fire District.

**12. ASSUMPTION OF EXISTING FIRE PROTECTION AGREEMENT**

The parties agree that all agreements of Reno or Sherman Township regarding fire protection, existing at the time of entry into this agreement and binding upon any party to this agreement, shall be assumed and honored by the Fire District.

**13. MODIFICATION**

This Agreement may be modified by the parties only through the adoption and execution of a subsequent interlocal agreement signed by all parties to this agreement. Should the Office of the Attorney General require any modifications to this Agreement as a condition of approval, the Parties will work in good faith to revise this Agreement accordingly and will proceed with the organization of the Fire District 2 until any such requested modifications have been resolved.

**14. SEVERABILITY OF AGREEMENT**

If any term or provision of this Agreement shall be held invalid or unenforceable, then the remainder of the agreement shall not be affected thereby and each other term and provisions of this agreement shall be valid and enforceable to the fullest extent permitted by law.

**15. CHOICE OF LAW**

Any dispute arising from this agreement shall be governed by the laws of the State of Kansas.

**SIGNATURE PAGES FOLLOW**



Fire District No. 2 Interlocal Agreement

WHEREFORE IT IS SO AGREED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

FOR THE RENO TOWNSHIP, LEAVENWORTH COUNTY, KANSAS

\_\_\_\_\_

ATTEST:\_\_\_\_\_

Fire District No. 2 Interlocal Agreement

WHEREFORE IT IS SO AGREED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

FOR THE SHERMAN TOWNSHIP, LEAVENWORTH COUNTY, KANSAS

\_\_\_\_\_

ATTEST:\_\_\_\_\_

Fire District No. 2 Interlocal Agreement

WHEREFORE IT IS SO AGREED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

FOR THE CITY OF LINWOOD, LEAVENWORTH COUNTY, KANSAS

\_\_\_\_\_

ATTEST:\_\_\_\_\_

Fire District No. 2 Interlocal Agreement

WHEREFORE IT IS SO AGREED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

FOR THE BOARD OF LEAVENWORTH COUNTY COMMISSIONERS

\_\_\_\_\_  
VICKY KAAZ, 2ND DISTR

\_\_\_\_\_  
JEFF CULBERTSON, 1ST DISTR

\_\_\_\_\_  
DOUG SMITH, 3RD DISTR

\_\_\_\_\_  
MIKE SMITH 4TH DISTR

\_\_\_\_\_  
MIKE STEIBEN, 5TH DISTR.

ATTEST:\_\_\_\_\_  
JANET KLASINSKI, CLERK

OFFICE OF THE ATTORNEY GENERAL  
OF THE STATE OF KANSAS

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023

\_\_\_\_\_

**Leavenworth County  
Request for Board Action  
Resolution 2023-07  
Special Use Permit Rock Hard Yard Art**

**Date:** May 3, 2023

**To:** Board of County Commissioners

**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review ☐ Administrator Review ☒ Legal Review ☒**

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**Action Requested:** Approve Resolution 2023-07, a request for a Special Use Permit for Rock Hard Yard Art. This is the first Special Use Permit request for this business.

**Analysis:** The applicant is requesting a Special Use Permit for a Retail Sales & Services business. The proposed use is an outdoor yard art retail business. All business operations are proposed to be outdoors with a display area for merchandise. No screening is proposed aside from an existing tree line along Golden Road. The property currently has a single-family residence with accessory structures. The business is already in operation. Upon receiving a violation letter, the applicant contacted the department and began the Special Use Permit process.

The general hours of operation are proposed to be Friday-Sunday from 10:00 AM until 4:00PM. The property owner anticipated an average of 5 visitors per day. The applicant will use a tractor to load and unload the merchandise. No commercial vehicles will visit the site for delivery of merchandise. Applicant stated that all merchandise is transported to the property via personal vehicle. Signage is proposed for this application. Per the information provided, the sign would require a sign permit. No bathroom access is proposed with this application. The proposed use is allowed with a special use permit. Staff recommends denial as this proposal does not match the Comprehensive Plan.

**Planning Commission Recommendation:** The Planning Commission voted 7-0 (2 absent) to recommend approval of Resolution 2023-07 (Case No. DEV-23-027) of a Special Use Permit for Rock Hard Yard Art.

**Alternatives:**

1. Approve Resolution 2023-07 (Case No. DEV-23-027), Special Use Permit for Retail Sales & Services Business for Rock Hard Yard Art, with Findings of Fact, and with or without conditions; or
2. Deny Resolution 2023-07 (Case No. DEV-23-027), Special Use Permit for Retail Sales & Services Business for Rock Hard Yard Art, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2023-07 (Case No. DEV-23-027), Special Use Permit for Retail Sales & Services Business for Rock Hard Yard Art, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

- ☒ Not Applicable
- ☐ Budgeted item with available funds
- ☐ Non-Budgeted item with available funds through prioritization
- ☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:**

\$0.00

**Additional Attachments:** Staff Report, Planning Commission Minutes

**LEAVENWORTH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
STAFF REPORT**

CASE NO: DEV-23-027 Rock Hard Yard Art

May 3, 2023

**REQUEST: Regular Agenda**

☐ Zoning Amendment      ☒ Special Use Permit  
☐ Temporary Special Use Permit

**STAFF REPRESENTATIVE:**

AMY ALLISON  
DEPUTY DIRECTOR

**SUBJECT PROPERTY: 20624 GOLDEN ROAD**



**APPLICANT/APPLICANT AGENT:**

JENNIFER STEWART  
ROCK HARD YARD ART  
20624 GOLDEN RD  
LINWOOD, KS 66052

**PROPERTY OWNER:**

SEE APPLICANT

**CONCURRENT APPLICATIONS:**

N/A

**LAND USE**

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:  
RESIDENTIAL (2.5-ACRE MIN)

**LEGAL DESCRIPTION:**

All that part of the East ½ of the Southeast ¼ of Section 15, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, lying South of the Kansas City Kaw Valley Railroad right of way now abandoned and is now Kansas Highway K-32, less any part thereof taken or used for road purposes.

SUBDIVISION: N/A

FLOODPLAIN: N/A

**PLANNING COMMISSION RECOMMENDATION: APPROVAL WITH CONDITION**

**PROPERTY INFORMATION**

**ACTION OPTIONS:**

1. Approve Resolution 2023-07 (Case No. DEV-23-027), Special Use Permit for Retail Sales & Services Business for Rock Hard Yard Art, with Findings of Fact, and with or without conditions; or
2. Deny Resolution 2023-07 (Case No. DEV-23-027), Special Use Permit for Retail Sales & Services Business for Rock Hard Yard Art, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2023-07 (Case No. DEV-23-027), Special Use Permit for Retail Sales & Services Business for Rock Hard Yard Art, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

PARCEL SIZE: 4.7 ACRES

PARCEL ID NO:  
225-15-0-00-00-010.00

BUILDINGS:  
EXISTING: SINGLE FAMILY HOUSE &  
ACCESSORY STRUCTURES

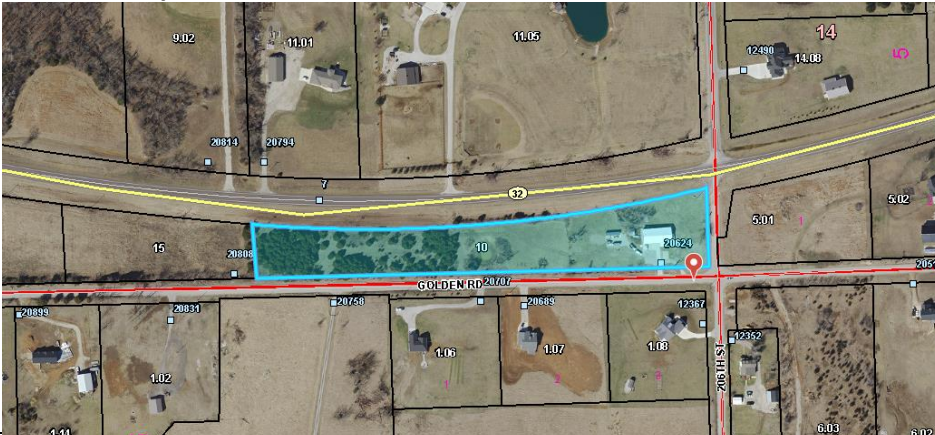
**PROJECT SUMMARY:**

Request for Special Use Permit to operate a Retail Sales & Services Business for Rock Hard Yard Art on the property located at 20624 Golden Road.

ACCESS/STREET:

GOLDEN ROAD  
COUNTY LOCAL  
±25' WIDE, PAVED

**Location Map:**



**UTILITIES**

SEWER: SEPTIC

FIRE: SHERMAN

WATER: RWD #10

ELECTRIC: EVERGY

**NOTICE & REVIEW:**

STAFF REVIEW: 3/13/2023

NEWSPAPER NOTIFICATION:  
3/21/2023

NOTICE TO SURROUNDING  
PROPERTY OWNERS:  
3/21/2023



FACTORS TO BE CONSIDERED:		
<i>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Special Use Permit request:</i>	Met	Not Met
<p><b>1. Character of the Neighborhood:</b>  <i>Density: Surrounding properties range in size from 2.5 to 61 acres.</i></p> <p><i>Nearby City Limits: The City of Linwood is approximately a ¼ mile to the East.</i></p> <p><i>Initial Growth Management Area: This parcel is not located within the Urban Growth Area.</i></p>	✓	
<p><b>2. Zoning and uses of nearby property:</b>  <i>Adjacent Uses: Most of the adjacent parcels are residential in nature.</i></p> <p><i>Adjacent Zoning: Adjacent parcels are zoned RR-2.5 and one parcel is zoned PUD. The property was approved for a machine shop that may still be in operation. Two properties with Special Use Permits are located within ¼ mile, Leach Auto Repair and Carver Event Barn.</i></p>	✓	
<p><b>3. Suitability of the Property for the uses to which is has been restricted:</b>  <i>The property is 4.7 acres in size with three frontages; K-32 (no access), 206<sup>th</sup> Street and Golden Road. Both 206<sup>th</sup> Street and Golden Road are paved County Local roads. The property abuts a State Highway. The proposed use is for an outdoor yard art sales business with the entire business being located within the front yard of the property (Golden Rd frontage). The applicant has provided a site plan that shows 8 parking spaces for potential clients. The display area is fenced in, as shown in the attached photos.</i></p> <p><i>The property has been a single-family residence since the 1940s. Due to its shape, it would be difficult to use the property for agricultural purposes. The proposed use is permitted with a Special Use Permit in the RR-2.5 district.</i></p>	✓	
<p><b>4. Extent to which removal of the restrictions will detrimentally affect nearby property:</b>  <i>The use is unlikely to detrimentally impact neighboring parcels.</i></p> <p><i>Noise: Additional noise may be anticipated due to the outdoor activities. The applicant will utilize a tractor to load and unload the merchandise. Staff recommends placing a condition that all noise shall be limited to 60 dBs, as measured from the property line.</i></p> <p><i>Traffic: Additional traffic is anticipated for the application. Customers will visit the site. The applicant predicts 10 additional trips on days of operation which would increase traffic by 120 trips per month. The owner is the only employee of the business. No off-premises employees are proposed. The proposed traffic did not require a traffic impact study to be performed.</i></p> <p><i>Lighting: The applicant indicated that security lighting will be used on the premises. Staff recommends placing a condition that all lighting shall be 0.00 foot-candles, as measured from the property line.</i></p> <p><i>Outdoor Storage: The applicant is proposing to have an outdoor display area where their merchandise is stored. This storage area is visible from the Golden Road right-of-way. An existing tree line screens some of the display area however no additional screening is proposed. Staff recommends additional</i></p>	<p>✓ (Condition 13)</p> <p>✓</p> <p>✓ (Condition 12)</p> <p>✓ (Condition 9)</p>	

<p><i>screening, either via fence or landscaping be installed to screen from the right-of-way.</i></p> <p><i>Parking: The site plan shows parking for up to 10 spaces. Staff recommends that the proposed parking on the circle drive be removed as it would block vehicular movement on the property. The site plan shows an additional 8 spaces which meets the county's parking standards.</i></p> <p><i>Visitors/Employees: The applicant anticipates approximately 5 visitors a day during the hours of operation (Friday through Sunday, 10 am to 4 pm). They are not proposing any additional off-site employees.</i></p> <p><i>Waste: The applicant does not store chemicals, lubricants, oils or other chemicals on the property for the business. Any waste generated from the property must be disposed of in compliance with all applicable local, state and federal laws.</i></p>	<p>✓ (Condition 11)</p> <p>✓</p> <p>✓ (Condition 14)</p>	
<p><b>5. Length of time the property has been vacant as zoned:</b></p> <p><input type="checkbox"/> Vacant:</p> <p><input checked="" type="checkbox"/> Not Vacant: <i>A single family house has been on the property since the 1940s.</i></p>	<p>✓</p>	
<p><b>6. Relative gain to economic development, public health, safety and welfare:</b></p> <p><i>The proposed application would allow for another business to be located within Leavenworth County. There does not appear to be any detrimental effects to the public health, safety or welfare.</i></p>	<p>✓</p>	
<p><b>7. Conformance to the Comprehensive Plan:</b></p> <p><i>Future Land Use Map: The property is designated as Residential (2.5-acre Min).</i></p> <p><i>Section 4 Land Use and Development Plan Strategies: The proposed use is not compatible with the future land use designation.</i></p>		<p>✓</p>

#### STAFF COMMENTS:

The applicant is requesting a Special Use Permit for a Retail Sales & Services business. The proposed use is an outdoor yard art retail business. All business operations are proposed to be outdoors with a display area for merchandise. No screening is proposed aside from an existing tree line along Golden Road. The property currently has a single-family residence with accessory structures. The business is already in operation. Upon receiving a violation letter, the applicant contacted the department and began the Special Use Permit process.

The general hours of operation are proposed to be Friday-Sunday from 10:00 AM until 4:00PM. The property owner anticipated an average of 5 visitors per day. The applicant will use a tractor to load and unload the merchandise. No commercial vehicles will visit the site for delivery of merchandise. Applicant stated that all merchandise is transported to the property via personal vehicle. Signage is proposed for this application. Per the information provided, the sign would require a sign permit. No bathroom access is proposed with this application. The proposed use is allowed with a special use permit. Staff recommends denial as this proposal does not match the Comprehensive Plan.

#### STAFF RECOMMENDED CONDITIONS:

1. The Special Use Permit shall be subject to the written narrative and site plan provided on February 17, 2023 and additional information provided on March 6, 2023.
2. The business shall operate from 10:00AM until 4:00PM, Friday through Sunday.
3. Outdoor storage of materials shall be screened from view with either landscaping or fencing.
4. The fencing and landscaping shall remain in working and appropriate order.
5. An updated site plan removing the two parking spaces from the circle drive shall be provided to the Planning & Zoning Department prior to Special Use Permit taking effect.

6. The applicant must comply with the following memorandums:
  - a. Kansas Department of Transportation – Steve Taylor, dated February 22, 2023
7. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
8. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations. No Attention-getting device shall be permitted with this approval.
9. No on-street parking shall be allowed.
10. Any light generated from the proposed business shall be limited to 0 foot-candles, as measured from the property line.
11. Any noise generated from the proposed business shall be limited to 60 dBs, as measured from the property line.
12. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
13. Applicant shall not cause or allow any public nuisance to exist on the subject property
14. That the Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. Rock Hard Yard Art, and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.
15. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
16. After approval of this SUP by the Board of County Commissioners all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office before the Special Use Permit shall take effect.

**ATTACHMENTS:**

A: Application & Narrative

B: Zoning Map

C: Memorandums

## SPECIAL USE PERMIT APPLICATION

Leavenworth County Planning Department  
300 Walnut, St., Suite 212  
County Courthouse  
Leavenworth, Kansas 66048  
913-684-0465

FEB 17 2023

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>ROCK HARD YARD ART</u>	NAME _____
ADDRESS <u>20624 GOLDEN RD</u>	ADDRESS _____
CITY/ST/ZIP <u>LINWOOD KS 66052</u>	CITY/ST/ZIP _____
PHONE <u>913-221-2289</u>	PHONE _____
EMAIL <u>ROCKHARDYARDART@GMAIL.COM</u>	EMAIL _____
CONTACT PERSON <u>JENNIFER STEWART</u>	CONTACT PERSON _____

PROPERTY INFORMATION	
PID: <u>2251500000010000</u>	Zoning District: <u>RR-2.5</u>
Address of property <u>20624 GOLDEN RD</u>	Parcel size <u>4.7 ACRES</u>
Current use of the property <u>RESIDENTIAL</u>	
Does the owner live on the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

I, the undersigned am the (circle one) owner, duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Special Use Permit as indicated above. I hereby agree to "cease and desist" the operation of the activity upon denial of the permit by the Board of County Commissioners.	
Signature <u>Jennifer Stewart</u>	Date <u>02/15/2023</u>

ATTACHMENT A

### PROPOSED SPECIAL USE PERMIT INFORMATION

Name of Business ROCK HARD YARD ART

Existing and Proposed Structures RESIDENTIAL BUILDING

Number of structures used for Special Use Permit 0

Will the use require parking? ☒ Yes ☐ No How many parking spaces are proposed/available? 10

Is the proposed use seasonal? ☒ Yes ☐ No

If yes, what months will the use be active? APRIL through NOVEMBER  
Month Month

Reason for requesting a Special Use Permit: REQUIRED BY COUNTY

#### Estimated Traffic

*In this section, you are determining the impact your proposed use will have on the county roadways. A vehicle visiting your site is to be considered two trips because the visitor/employee/user will use the roadways twice. If you are planning to expand the use that may generate additional traffic during the duration of the permit, provide the traffic generation for the full expansion.*

How many total Passenger vehicle trips (both entering and exiting) will be generated by the Special Use Permit?

Daily 10 Weekly 30 Monthly 120

If applicable, how many total Commercial (delivery, heavy trucks, equipment, etc.) vehicle trips (both entering and exiting) will be generated by the Special Use Permit?

Daily 0 Weekly 0 Monthly 0

If applicable, describe Seasonal trips not accounted for above: What type (Passenger and Commercial) vehicle trips, how many trips per vehicle type in the seasonal timeframe, and describe the seasonal time frame (months, weeks, or days in a calendar year.

Passenger: Months \_\_\_\_\_ Weeks \_\_\_\_\_ Days \_\_\_\_\_

Commercial: Months \_\_\_\_\_ Weeks \_\_\_\_\_ Days \_\_\_\_\_

When are trips to the site expected to occur (i.e. throughout the day, limited certain hours, etc.)? If applicable, separate occurrences by vehicle type (Passenger, Commercial, Seasonal Passenger, and Seasonal Commercial):

THROUGHOUT THE DAY DURING BUSINESS HOURS

What is the anticipated route(s) from the nearest State Highway to the Site? KANSAS 32 TO 206TH STREET, SOUTH TO GOLDEN ROAD, WEST TO BUSINESS LOCATION AT 20624 GOLDEN ROAD

#### Special Use Permit Renewal

Describe any change to operations since the SUP was last issued including traffic trips compared to this SUP:

N/A

Have you added any buildings since the SUP was last issued? ☐ Yes ☒ No Any parking? ☐ Yes ☒ No

**ATTACHMENT B**



# **ROCK HARD YARD ART BUSINESS NARRATIVE**

Location: 20624 Golden Rd, Linwood, KS 66052

Current use: Residential

Proposed Use: Residential with yard art retail business in the yard. I'd like to sell concrete statues, metal art and pottery yard decor.

Employees/Hours of operation: I will be open Fridays, Saturdays and Sundays, 10am to 4pm, April through November. I will have no additional employees, and intend to run this as a side income from my traditional full time employment.

Signs: The current sign I am planning is a 4' by 8' pallet sign with the name ROCK HARD YARD ART and a temporary open flag, displayed only during business hours to let passersby know the yard art is available for purchase. It will be placed at the corner of 206<sup>th</sup> and Kansas 32 Highway. I'm not planning a permanent sign as this is my primary residence and don't want the additional cost.

Chemicals used/lubricants/oils/fluids/odors: these categories will not apply. I'm simply operating as a retailer, not a manufacturer of the yard art to be sold.

Sewage disposal: I will not offer public restrooms. This is an outdoor business.

Water supply: Additional water will not be required. This is simply an outdoor decor retail business.

Noise/sound: I intend to only be open on weekends during the day. This should not cause additional noise to distress the neighbors.

Outdoor displays/accessory buildings: I will have a few large concrete and metal art statues visible from Kansas 32 Highway on display on a rotating basis as they are sold. On the site plan, the inventory available for purchase will be displayed within a fenced in area to the west of the residential building. Only one of the existing accessory buildings will be used.

Equipment: I have a tractor to help customers load concrete statues in their vehicles. It's currently stored in the residential building.

Alcohol Service: I will not serve alcohol or any beverages.

Dust control: I live on a dust abatement roadway that was poorly chip and sealed. There is no controlling the dust that naturally occurs. This business will not add to that uncontrollable dust.

Emergency/Safety: I will have fire extinguishers readily available near the display area. I have a weather radio. In the event of forecast severe weather during normal business hours, I will close the business to customers as I will not have a tornado shelter. I have the contact numbers to emergency response saved in my personal mobile device.

Security Lighting: I will have security lighting installed along with security cameras.

Parking: As indicated on the site plan, I believe the current set up of my large driveway has sufficient off street parking for 10 vehicles.

Traffic: There will be no employees driving to the site and I do not intend to have inventory delivered. I intend to drive to the wholesalers to collect inventory myself in my personal vehicle. I will not offer delivery to avoid the wear and tear on my personal vehicles.

Future plans: Should this take off, I would like to expand my business hours to add an additional day, (probably Thursdays) during the week to capitalize on the traffic that travels along Kansas 32 Highway.

## ROCK HARD YARD ART

1. REVISED PLANS NEEDED – Update site plan to show the dimensions of the area designated for outdoor display and the parking area. Include location and dimension of parking stalls.
  - A. See attached document
2. REVISED PLANS NEEDED – The narrative indicated that one accessory structure will be used for the purposes of the proposed business. Please show the location of the accessory structure and update the narrative to indicate what will be stored in the accessory structure.
  - A. See attached document. The accessory structure will house overstock and not accessible to customers.
3. REVISED PLANS NEEDED – Future Plans suggest that the business may be extended into Thursdays. If that is your long-term plan, Staff recommends amending your business days and hours to reflect that. That type of change would require amending your special use permit at a later date.
  - A. Upon further reflection, Thursdays will not be a future endeavor. We will only be open Fridays, Saturdays and Sundays, from 10a-4p.
4. ADDITIONAL INFORMATION REQUIRED – The narrative indicated that there is outdoor storage of finished products. Will this be screened from the public right-of-way? Please provide pictures of current display area.
  - A. See attached document.
5. CONDITION OF APPROVAL - Any noise generated from the business operation shall not exceed 65 dB at the property line.
  - A. No noise will be generated other than the use of the tractor, which also maintains the property.

## PUBLIC WORKS COMMENTS

1. From the application, the SUP has estimated daily traffic of 10 trips. Page 2 of the narrative indicates off street parking for 10 vehicles. 10 trips equate to 5 vehicles. 10 parking stalls would indicate 20 trips at peak hours. Verify. If daily trips are different from the submitted application, revise the weekly and monthly trips on the application also.
  - A. The application has the correct estimate of daily traffic. My home has a large existing driveway/parking area to accommodate the four doors of the garage and allow for turn around room for my vehicles. The 5 vehicles/day estimate is the average daily traffic during open business days in 2022, even accounting for days when there were 0 vehicles.
2. From the application, the SUP has no estimated traffic for commercial vehicles. Narrative indicates the use of a tractor to load concrete statues. Is a commercial vehicle used to deliver inventory to the site for the business? If a commercial vehicle is used, revise application to account for said trips.
  - A. No commercial vehicles will be used. The tractor on the narrative is a farm tractor that is also used to maintain the property. My personal vehicle will be used to collect inventory from suppliers. We will not expect any deliveries for the business.
3. Page 1 of the narrative states no additional employees. Is the applicant the only employee? If not, is employee(s) trips coming to the SUP site accounted for in the application? If employee(s) are not accounted for in the application, revise the weekly and monthly trips.



A. There will be no employees.

4. Is the designated parking area existing or is the parking area being expanded?

A. The designated parking area is existing.

5. Page 2 of the narrative describes expansion of hours in the future. The additional expansion would be Thursdays. Page 1 of the narrative describes days of business on Fridays, Saturdays, and Sundays. Is it the intent to include Thursday as a business day with the SUP application? If so, please revise page 1 of the narrative to include Thursday and verify estimated trips in the application to include Thursday business.

A. Upon further reflection, Thursdays will not be a future endeavor. We will only be open Fridays, Saturdays and Sundays, from 10a-4p.

Initial Public Work Comments (Comments may change based on the review of the above requested additional information):

1. Page 1 of the narrative discusses a sign and temporary open flag. A separate application will be required for signage.

A. The sign will be a banner that will be strung between two posts that is removable and only displayed during business hours.

**EXISTING  
STRUCTURE**

**DISPLAY AREA  
88' X 40'**

**PARKING SPOTS AVAILABLE FROM  
EXISTING DRIVEWAY  
EACH SPOT IS 11' X 20'**

Rock Hard Yard Art  
Gift shop

*Your paragraph text*

Google





View from Golden Rd





SPINNERS  
SMALL \* \$120  
MEDIUM \* \$140  
LARGE \* \$160

View in front of display  
area





**PUBLIC HEARING**  
CASE NUMBER DEV-23-027  
REQUESTING Special Use Permit -  
Retail Sales & Services  
HEARING DATE Wed. April 12, 2023 @ 5:30 pm  
PUBLIC HEARING AT LEAVENWORTH COUNTY COURTHOUSE  
300 WALNUT STREET, LEAVENWORTH, KANSAS 66048  
LEAVENWORTH COUNTY PLANNING & ZONING DEPARTMENT  
913-684-0469 pz@leavenworthcounty.gov



SPEED  
LIMIT  
35

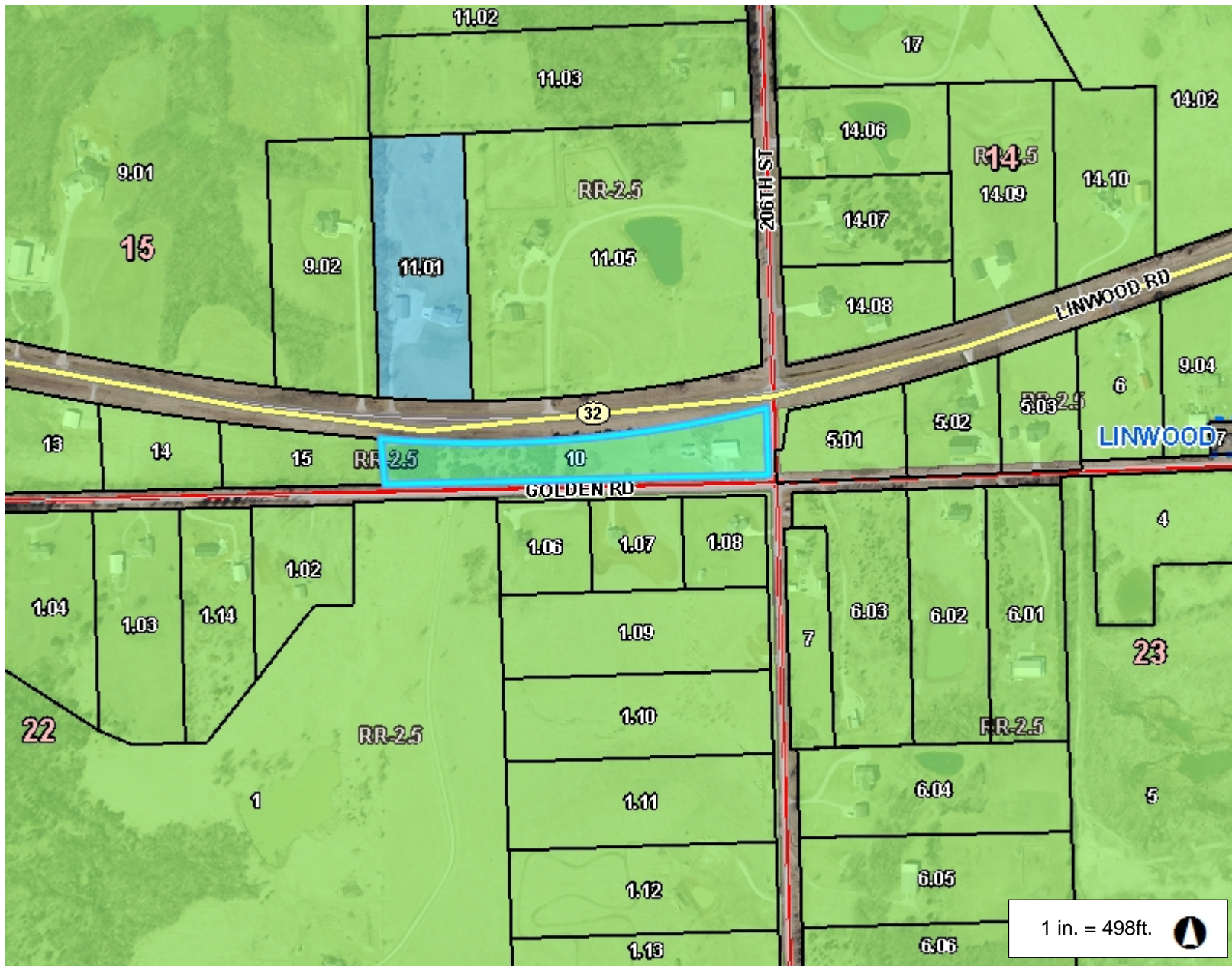








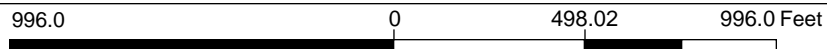
<p><b>DEV-23-027 Rock Hard Yard Art</b></p>
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### Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3
- PUD
- R-1

## Notes



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



## Allison, Amy

---

**From:** Anderson, Kyle  
**Sent:** Tuesday, February 21, 2023 2:51 PM  
**To:** Allison, Amy  
**Subject:** RE: RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

Our office received a phone call concerning a business operating without a SUP. After a site check, it was discovered that the business had grown beyond what was discussed in April of 2022 when they withdrew their original SUP application. A letter explaining this was mailed to the property owners. They quickly called us for an explanation and applied for the Special Use Permit. It does not appear there was intent to operate around the regulations. The business just grew quickly and there was a slight miscommunication in the point at which the permit would be needed.

Kyle Anderson  
Environmental Technician/Code Enforcement  
Leavenworth County Planning & Zoning  
300 Walnut St. Ste. 212  
Leavenworth, KS 66048  
913-684-1084

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, February 21, 2023 1:45 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'Andrew Holder' <aholder@fpsslaw.com>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'stfrchief@yahoo.com' <stfrchief@yahoo.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'Steven Taylor [KDOT]' <Steven.Taylor@ks.gov>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

Good Afternoon,

The Department of Planning and Zoning has received an application for a Special Use Permit regarding a retail sales business at 20624 Golden Road. The request is for a lawn art business.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, March 1, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [AAllison@leavenworthcounty.gov](mailto:AAllison@leavenworthcounty.gov)

Thank you,

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757

## Allison, Amy

---

**From:** Boone Heston <Boone.Heston@evergy.com>  
**Sent:** Wednesday, February 22, 2023 3:16 PM  
**To:** Allison, Amy  
**Subject:** FW: DEV-23-027 Special Use Permit – Lawn Art Retail Business  
**Attachments:** 2023.02.17 Application.pdf; 2023.02.17 Site Map.pdf; 2023.02.17 Narrative.pdf

Internal Use Only

Good afternoon,

No concerns on this from Evergy.

Thanks,

Boone Heston  
Evergy  
Supervisor, Field Design  
Lawrence Service Center  
[Boone.Heston@evergy.com](mailto:Boone.Heston@evergy.com)  
O 785-508-2590

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, February 21, 2023 1:45 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'Andrew Holder' <aholder@fpsslaw.com>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'stfrchief@yahoo.com' <stfrchief@yahoo.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; 'Steven Taylor [KDOT]' <Steven.Taylor@ks.gov>; Design Group Lawrence Service Center <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

**\*\*WARNING:** This email originated from an external source outside of Evergy. Think before you click on links or attachments!\*\*

---

Good Afternoon,

The Department of Planning and Zoning has received an application for a Special Use Permit regarding a retail sales business at 20624 Golden Road. The request is for a lawn art business.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, March 1, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@leavenworthcounty.gov](mailto:Aallison@leavenworthcounty.gov)

## Allison, Amy

---

**From:** Steven Taylor [KDOT] <Steven.Taylor@ks.gov>  
**Sent:** Wednesday, February 22, 2023 11:25 AM  
**To:** Allison, Amy  
**Subject:** RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

All signage, displays, flags, etc. will be placed on permittees property and not within KDOT R/W.

Steve Taylor  
Kansas Department of Transportation  
Utility Coordinator  
District 1 Area 3  
650 north K-7 Highway  
Bonner Springs, Ks.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, February 21, 2023 1:45 PM  
**To:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'Andrew Holder' <aholder@fpsslaw.com>; 'Mitch Pleak' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'stfrchief@yahoo.com' <stfrchief@yahoo.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; Steven Taylor [KDOT] <Steven.Taylor@ks.gov>; 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>  
**Cc:** PZ <PZ@leavenworthcounty.gov>  
**Subject:** RE: DEV-23-027 Special Use Permit – Lawn Art Retail Business

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

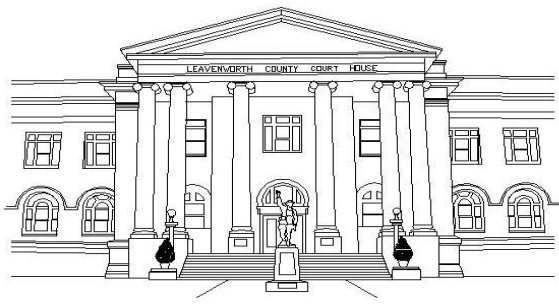
Good Afternoon,

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The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, March 1, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@leavenworthcounty.gov](mailto:Aallison@leavenworthcounty.gov)

Thank you,



# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

---

March 9, 2023

### **Lawn Art Retail Business SUP DEV-23-027 – Public Works Review**

The Public Works Department have reviewed the following documents:

- 2023.02.17 SUP Application.
- 2023.02.17 Narrative.
- 2023.02.17 Site Map
- 2023.03.06 Photos (2 Each)
- 2023.03.06 Site Map Update
- 2023.03.06 SUP Additional Information

Below are comments from the received documents listed above. Direct any questions to Amy Allison at [aallison@leavenworthcounty.gov](mailto:aallison@leavenworthcounty.gov).

206<sup>th</sup> Street and Golden Road are hard surfaced roadways.

Review of aerial images doesn't indicate any concerns with sight distance.

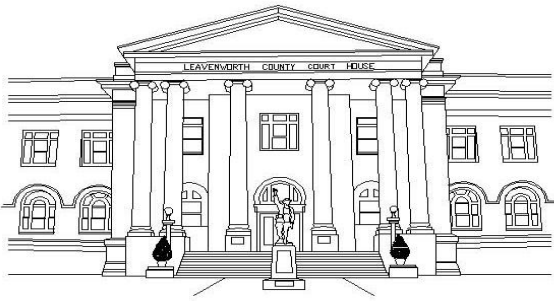
### **Comment Responses:**

1. Olsson Comment (2.28.23): From the application, the SUP has estimated daily traffic of 10 trips. Page 2 of the narrative indicates off street parking for 10 vehicles. 10 trips equate to 5 vehicles. 10 parking stalls would indicate 20 trips at peak hours. Verify. If daily trips are different from the submitted application, revise the weekly and monthly trips on the application also.

Applicant Response (3.06.23): The application has the correct estimate of daily traffic. My home has a large existing driveway/parking area to accommodate the four doors of the garage and allow for turn around room for my vehicles. The 5 vehicles/day estimate is the average daily traffic during open business days in 2022, even accounting for days when there were 0 vehicles.

Olsson Response (3.09.23): No further comment.

2. Olsson Comment (2.28.23): From the application, the SUP has no estimated traffic for commercial vehicles. Narrative indicates the use of a tractor to load concrete statues. Is a commercial vehicle used to deliver inventory to the site for the business? If a commercial vehicle is used, revise application to account for said trips.



# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

---

Applicant Response (3.06.23): No commercial vehicles will be used. The tractor on the narrative is a farm tractor that is also used to maintain the property. My personal vehicle will be used to collect inventory from suppliers. We will not expect any deliveries for the business.

Olsson Response (3.09.23): No further comment.

3. Olsson Comment (2.28.23): Page 1 of the narrative states no additional employees. Is the applicant the only employee? If not, is employee(s) trips coming to the SUP site accounted for in the application? If employee(s) are not accounted for in the application, revise the weekly and monthly trips.

Applicant Response (3.06.23): There will be no employees.

Olsson Response (3.09.23): No further comment.

4. Olsson Comment (2.28.23): Is the designated parking area existing or is the parking area being expanded?

Applicant Response (3.06.23): The designated parking area is existing.

Olsson Response (3.09.23): No further comment.

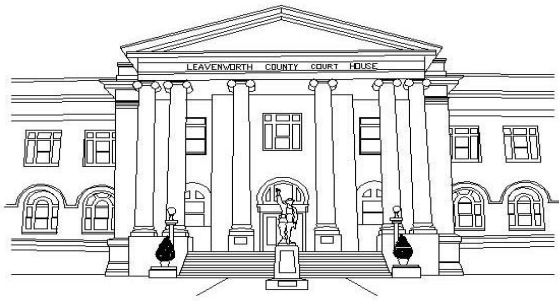
5. Olsson Comment (2.28.23): Page 2 of the narrative describes expansion of hours in the future. The additional expansion would be Thursdays. Page 1 of the narrative describes days of business on Fridays, Saturdays, and Sundays. Is it the intent to include Thursday as a business day with the SUP application? If so, please revise page 1 of the narrative to include Thursday and verify estimated trips in the application to include Thursday business.

Applicant Response (3.06.23): Upon further reflection, Thursdays will not be a future endeavor. We will only be open Fridays, Saturdays and Sundays, from 10a-4p.

Olsson Response (3.09.23): No further comment.

6. Olsson Comment (2.28.23): Page 1 of the narrative discusses a sign and temporary open flag. A separate application will be required for signage.

Applicant Response (3.06.23): The sign will be a banner that will be strung between two posts that is removable and only displayed during business hours.



# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

---

Olsson Response (3.09.23): Verify with Planning and Zoning Department if a sign application is required.

## Allison, Amy

---

**From:** Van Parys, David  
**Sent:** Tuesday, April 4, 2023 12:12 PM  
**To:** Allison, Amy; Brown, Misty  
**Subject:** RE: DEV-23-027 SUP Conditions

Amy, Thanks for sending this for review. I would like to suggest that the conditions for all SUPs include language making the creation or maintenance of a public nuisance on the property grounds for revocation of the permit, consenting to the entry onto the subject premises by county staff to conduct inspections to ensure compliance and outlining the possibility of revocation of the permit for non-compliance with all or any of the conditions. The proposed Whiskey Ridge SUP contains these, I believe.

---

**From:** Allison, Amy <AAllison@leavenworthcounty.gov>  
**Sent:** Tuesday, April 4, 2023 10:59 AM  
**To:** Brown, Misty <MBrown@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>  
**Subject:** DEV-23-027 SUP Conditions

Good Morning DVP and Misty,

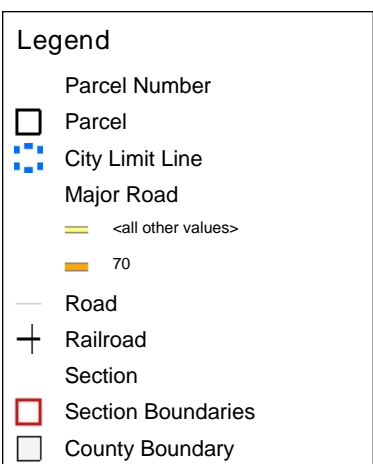
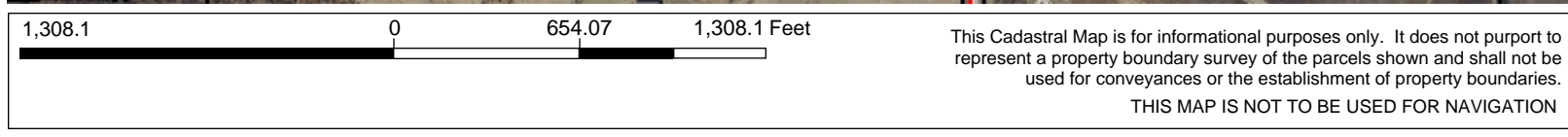
Attached is the draft staff report and conditions for an upcoming Special Use Permit case. I know we typically don't have legal review until before the BOCC meeting but figured you may want to start reviewing at this stage to insure that all conditions have been addressed and written well.

Let me know if you have any questions.  
Thanks!

Amy Allison, AICP  
Deputy Director  
Planning & Zoning  
Leavenworth County  
913.364.5757



## Notification Map



## Notes



## Leavenworth Times Affidavit of Publication

County of Leavenworth  
State of Kansas  
NOTICE OF PUBLIC  
HEARING

Notice is hereby given for the Leavenworth County Planning Commission to hold a public hearing regarding an application (DEV-23-027) for a Special Use Permit for Retail Sales & Service for Rock Hard Yard Art, an outdoor yard art retail business; such use being listed in Article 19, Table of Uses, in the Leavenworth County Zoning and Subdivision Regulations.

The Special Use Permit (DEV-23-027) request is for the following described property:

All that part of the East 1/4 of the Southeast 1/4 of Section 15, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, lying South of the Kansas City Kaw Valley Railroad right of way now abandoned and is now Kansas Highway K-32, less any part thereof taken or used for road purposes.

Request submitted by Jennifer Stewart

Address: 20624 Golden Road, Linwood KS 66052  
Parcel ID number: 225-15-0-00-00-010.00

The hearing will be held on Wednesday the 12th day of April, 2023 at 5:30 p.m., in the Meeting Room, located on the second floor of the Leavenworth County Courthouse, 300 Walnut Street, Leavenworth, Kansas. Further information is available, including the full legal description, for inspection during regular business hours in the Leavenworth County Planning & Zoning Department.

We encourage public input. If you wish to provide comments in writing instead of in person, written comments must be received no later than noon Tuesday, April 11, 2023.

Amy Allison, Secretary  
Leavenworth County Planning Commission Publish by 3/22/2023

Published in the Leavenworth Times, March 21, 2023.

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 21<sup>st</sup> day of March, 2023.

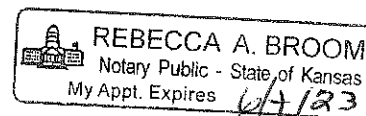
WITNESS my hand this 21st day of March, 2023.

Tammy Lawson  
Legal Representative

Subscribe and sworn before me, this 21 day of Mar, 2023.

Rebecca A. Broom  
Notary Public

My Commission Expires: 6/7/23



## **RESOLUTION 2023-07**

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a Retail Sales and Services Business – Rock Hard Yard Art on the following described property:

All that part of the East ½ of the Southeast ¼ of Section 15, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, lying South of the Kansas City Kaw Valley Railroad right of way now abandoned and is now Kansas Highway K-32, less any part thereof taken or used for road purposes more commonly known as 20624 Golden Road.

WHEREAS, it is hereby found and determined that a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 16<sup>th</sup> day of February, 2023, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 12<sup>th</sup> day of April, 2023; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 3<sup>rd</sup> day of May, 2023, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 3<sup>rd</sup> day of May, 2023, and incorporated herein by reference;

That Case No. DEV-23-027, Special Use Permit for a Retail Sales and Services Business – Rock Hard Yard Art approved subject to the following conditions:

1. The Special Use Permit shall be subject to the written narrative and site plan provided on February 17, 2023 and additional information provided on March 6, 2023.
2. The business shall operate from 10:00AM until 4:00PM, Friday through Sunday.
3. Outdoor storage of materials shall be screened from view with either landscaping or fencing.
4. The fencing and landscaping shall remain in working and appropriate order.
5. An updated site plan removing the two parking spaces from the circle drive shall be provided to the Planning & Zoning Department prior to Special Use Permit taking effect.
6. The applicant must comply with the following memorandums:
  - a. Kansas Department of Transportation – Steve Taylor, dated February 22, 2023

7. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
8. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations. No Attention-getting device shall be permitted with this approval.
9. No on-street parking shall be allowed.
10. Any light generated from the proposed business shall be limited to 0 foot-candles, as measured from the property line.
11. Any noise generated from the proposed business shall be limited to 60 dBs, as measured from the property line.
12. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
13. Applicant shall not cause or allow any public nuisance to exist on the subject property
14. That the Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. Rock Hard Yard Art, and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.
15. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable.
16. After approval of this SUP by the Board of County Commissioners all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Office before the Special Use Permit shall take effect.

located in Section 15, Township 12 South, Range 21, also known as 20624 Golden Road, parcel no. 225-15-0-00-00-010.00 in Leavenworth County, Kansas.

Adopted this 3<sup>rd</sup> day of May, 2023  
Board of County Commission  
Leavenworth, County, Kansas

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Vicky Kaaz, Chairman

ATTEST

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Jeff Culbertson, Member

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Janet Klasinski

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Mike Smith, Member

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Doug Smith, Member

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Mike Stieben, Member

**Leavenworth County  
Request for Board Action  
Resolution 2023-08  
Case No. DEV-23-037 Proposed Amendment to the 2006 Leavenworth County  
Zoning and Subdivision Regulations – Article 19**

**Date:** May 3, 2023

**To:** Board of County Commissioners

**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☒ **Legal Review** ☒

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**Action Requested:** Approve a Case No. DEV-23-037, Proposed Amendment to the Leavenworth County Zoning and Subdivision Regulations – Article 19.

**Analysis:** This is a request to consider a proposed amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations. The proposed amendment is for the following Article 19 – Table of Uses.

Staff is requesting the Planning Commission and the Board of County Commissioners amend the Table of Uses to remove discrepancies pertaining to Public and Private Utilities.

**Recommendation:** The Planning Commission voted 7-0 (2 absences) to recommend approval of Case No. DEV-23-037 Amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations – Article 19.

**Alternatives:**

1. Approve Resolution 2023-08 (DEV-23-037) - Amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations – Article 19, with Findings of Fact, and with or without conditions; or
2. Deny Resolution 2023-08 (DEV-23-037) - Amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations – Article 19, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2023-08 (DEV-23-037) - Amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations – Article 19, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

**Budgetary Impact:**

- ☒ Not Applicable
- ☐ Budgeted item with available funds
- ☐ Non-Budgeted item with available funds through prioritization
- ☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:**

\$0.00

**Additional Attachments:** Staff Report, Planning Commission Minutes

# Leavenworth County Board of County Commissioners Language Amendment Table of Uses: Public Utility Discrepancies

**Staff Report – Board of County Commissioners**

**May 3, 2023**

**GENERAL INFORMATION:**

**Applicant:** Leavenworth County Planning & Zoning

**Planner:** Amy Allison

**ANALYSIS:**

It has come to the attention of the Planning & Zoning Department that a few discrepancies exist within the current Land Use Table. The majority of the inconsistencies pertains to Public and Private Utilities. In the below table, staff has identified all of the various land use categories which pertain to public and private utilities, as well as the zoning districts in which they are allowed, permitted by a special use permit or not permitted at all.

**Water Towers**

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Public Utilities: drinking water towers and standpipes, drinking water treatment facilities, drinking water treatment monofills, drinking water well houses, wastewater lift stations, wastewater treatment facilities	A						A	A				A
Public/Private utility substation including, but not limited to: cable, electric, fiber optics, natural gas, oil or petroleum products, telephone, and water tower	S	S	S	S	S	S	A	A	S	S	S	A

**Electric Substations**

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Public Utilities: Electric Substation	S						A	A				
Public/Private utility substation including, but not limited to: cable, electric, fiber optics, natural gas, oil or petroleum products, telephone, and water tower	S	S	S	S	S	S	A	A	S	S	S	A
Electrical Substations	S	S	S	S	S	A	A	A	S	S	S	S

After reviewing the history of the current land use table, staff has determined that when the Land Use Table was amended in 2020, some uses were added or changed. However, it appears that other similar land uses were not amended or removed accordingly. Based on research, staff has determined that the below list of uses reflects the intention of the 2020 amendments. It is Staff's recommendation that the Planning Commission recommend approval of the following list and either remove or amend the remaining land use categories to eliminate any conflicts within the table.

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Electrical Substations	S	S	S	S	S	A	A	A	S	S	S	S
Public Utilities: Electric Substation	S	-	-	-	-	-	A	A	-	-	-	-
Public Utilities: drinking water towers and standpipes, drinking water treatment facilities, drinking water treatment monofills, drinking water well houses, wastewater lift stations, wastewater treatment facilities	A						A	A				A
Public/Private utility substation including, but not limited to: cable, electric, fiber optics, natural gas, oil or petroleum products, telephone, and private water towers	S	S	S	S	S	S	A	A	S	S	S	A

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#### PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends approval (7-0 with 2 absences) of Case No.DEV-23-037, proposed amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations.

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#### ACTION OPTIONS:

1. Approve Resolution 2023-08 (DEV-23-037) - Amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations – Article 19, with Findings of Fact, and with or without conditions; or
2. Deny Resolution 2023-08 (DEV-23-037) - Amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations – Article 19, with Findings of Fact; or
3. Revise or Modify the Planning Commission Recommendation to Resolution 2023-08 (DEV-23-037) - Amendment to the 2006 Leavenworth County Zoning and Subdivision Regulations – Article 19, with Findings of Fact; or
4. Remand the case back to the Planning Commission.

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#### ATTACHMENTS:

Correspondence

## RESOLUTION 2023-08

A resolution of the Leavenworth County Kansas Board of County Commission, to amend the following articles of the 2006 Zoning and Subdivision Regulations:

### Article XX– Table of Uses

S = Special Use Permit	RR- 2.5/5	R- 1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR- 1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
<del>Electrical Substations</del>	S	S	S	S	S	A	A	A	S	S	S	S
<del>Public Utilities: Electric Substation</del>	S	-	-	-	-	-	A	A	-	-	-	-
Public Utilities: drinking water towers and standpipes, drinking water treatment facilities, drinking water treatment monofills, drinking water well houses, wastewater lift stations, wastewater treatment facilities	A						A	A				A
Public/Private utility substation including, but not limited to: cable, electric, fiber optics, natural gas, oil or petroleum products, telephone, and private water towers	S	S	S	S	S	S	A	A	S	S	S	A

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the amendment of the Leavenworth County Zoning and Subdivision Regulations the 12<sup>th</sup> day of April, 2023; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the amendment be approved, as set forth; and

WHEREAS, the Board of County Commission considered, in session on 3<sup>rd</sup> day of May, 2023, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 3<sup>rd</sup> day of May, 2023 and incorporated herein by reference;

That the amendments listed herein be approved:

Adopted this 3<sup>rd</sup> day of May, 2023  
Board of County Commission  
Leavenworth, County, Kansas



\_\_\_\_\_  
Vicky Kaaz, Chairman

ATTEST

\_\_\_\_\_  
Jeff Culbertson, Member

\_\_\_\_\_  
Janet Klasinski

\_\_\_\_\_  
Mike Smith, Member

\_\_\_\_\_  
Doug Smith, Member

\_\_\_\_\_  
Mike Stieben, Member

**\*\*\*Hearing Required\*\*\***  
**Leavenworth County**  
**Request for Board Action**  
**Case No. DEV-23-047**  
**Temporary Special Use Permit for Whiskey Ridge**

**Date:** May 3, 2023

**To:** Board of County Commissioners

**From:** Planning & Zoning Staff

**Department Head Review:** John Jacobson, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☐ **Administrator Review** ☒ **Legal Review** ☒

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**Action Requested:** Approve a request for a TSUP for two events located at 19051 Tonganoxie Dr., Tonganoxie, KS 66086.

**Analysis:** Whiskey Ridge, LLC is requesting a TSUP for two events to be held at the property stated above. The two events will be held on May 7<sup>th</sup> and May 27<sup>th</sup>. The applicant anticipates that both events will have up to 250 attendees. The events will begin at noon and end at 11 pm. Clean-up will occur that evening and also the following mornings. They anticipate 10 people will be on the premises for clean-up. The applicant has an existing structure that these events will be held out of with an existing parking lot that can hold up to 180 cars. Food and Alcoholic beverages will be provided by a third party. The applicant is proposing a fire watch to include a two-person team and a fully operational fire truck to be present during the events and clean-up.

**Recommendation:** Staff recommends approval for Case No. DEV-23-047, TSUP for Whiskey Ridge LLC to hold two events, subject to the following condition:

1. The hours of operation for the events shall be limited to 12:00 PM to 11:00 PM on May 7 and May 27, 2023;
2. The hours of operation for clean up shall be limited to 8:00 AM to 12:00 PM on May 8 and May 28, 2023;
3. There shall be no on-street parking allowed;
4. Traffic shall not queue onto the public road network when entering the site;
5. Lighting generated from the events shall be limited to 0.00 foot-candles net gain, as measured from the property line;
6. Noise generated from the events shall be limited to 60 dBS, as measured from the property line;
7. Fire watch personnel shall be on duty during any and all times the building may be occupied.
8. The applicant shall comply with all Local, State and Federal Requirements.
9. The TSUP shall be limited to the Narrative received on April 12, 2023 and additional information provided on April 25, 2023.
10. The applicant shall comply with follow memorandums:
  - a. Chuck Magaha, Emergency Management – April 18, 2023
11. Failure to comply with all conditions shall void the Temporary Special Use Permit.

**Alternatives:**

1. Deny Case No. DEV-23-047, TSUP for Whiskey Ridge LLC to hold two events; or
2. Modify the conditions for Case No. DEV-23-047, TSUP for Whiskey Ridge LLC to hold two events.

**Budgetary Impact:**

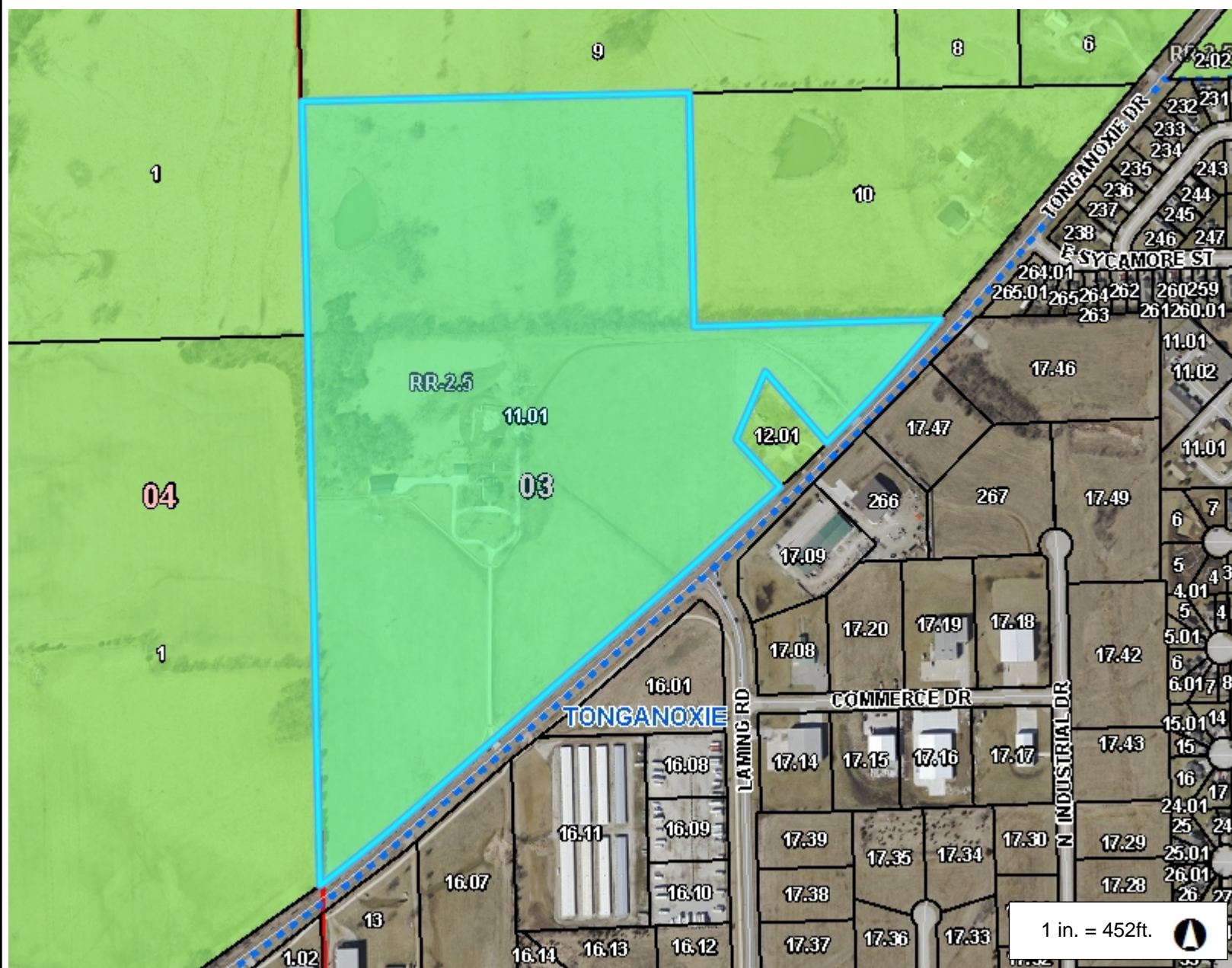
- ☒ Not Applicable
- ☐ Budgeted item with available funds
- ☐ Non-Budgeted item with available funds through prioritization
- ☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:**

\$0.00

**Additional Attachments:** Aerial, Narrative, Site Plan

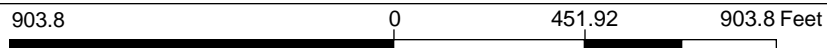
DEV-22-155 Whiskey Ridge Event Center



### Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3
- PUD
- R-1

## Notes



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



# TEMPORARY SPECIAL USE PERMIT APPLICATION

## Including Fireworks Stands

FOR THE UNINCORPORATED AREA OF  
LEAVENWORTH COUNTY, KANSAS

**A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO SUBMITTAL OF ANY  
APPLICATION**

**This is an application for a Special Event Permit. This form must be completed and filed in accordance with the Leavenworth County Zoning & Subdivision Regulations. An incomplete application will not be accepted. The non-refundable application fee, as set by the Board of County Commissioners, shall accompany this request.**

**DEADLINE:** All application materials shall be submitted at least thirty (30) days prior to the event.

**Application Requirements** - The following items are required, upon submittal, for a Temporary Special Use Permit:

- a) Payment of application fee.
- b) A completed application form. (**Attachment A**)
- c) Owner Authorization (**Attachment B**)
- d) A site plan that includes facilities used, parking areas, traffic flow, and any other required information.
- e) All required supporting documents, including, but not limited to a Narrative and traffic information, that was detailed by the Planning and Zoning Staff during or after the Pre-application meeting.
- f) In the event that Sheriff/Deputy presence is needed to control traffic, the applicant shall coordinate payment and scheduling directly with the Sheriff's department. This documentation shall be included with the application submittal.
- g) A tax clearance certificate from the state and a paid tax receipt from Leavenworth County.

### Notes

- a) The application shall require review and approval by the Road and Bridge Superintendent if the event is to be held on public roads or public rights-of-way.
- b) Not more than three (3) Temporary Special Use Permits per parcel shall be granted each year. (BOCC Resolution 2015-35; September 24, 2015).
- c) Temporary Special Use Permit Types 4 & 5 must be approved by the Board of County Commissioners.
- d) Review of a submitted application is subject to the Professional Review Fee Reimbursement policy, see **Attachment C**. (BOCC Resolution 2020-46, November 18, 2020)

**Written Narrative Description:** A written narrative description of the proposed use must be submitted that addresses, at minimum:

- A description of the event and the proposed infrastructure needed for the event.
- Any reasons that the proposed event could cause conflict with other parcels surrounding the site in question.
- The steps to be taken to cause the event to be compatible with other parcels near the site in question.
- The hours of operation, traffic routes and expected traffic volumes, staffing levels, methods of operation, and available/proposed off-street parking.
- The number of parking spaces available on the property and the reasoning behind the number provided.
- The duration of the event.
- Any other such reasonable information about the proposed use that would be necessary or helpful for the impact of the proposed event to be fully evaluated and considered.

For more information contact:  
Leavenworth County Department of Planning and Zoning  
300 Walnut St., Suite 212  
Leavenworth, Kansas 66048  
[pz@leavenworthcounty.gov](mailto:pz@leavenworthcounty.gov)  
913-684-0465



APR 12 2023

APPLICANT INFORMATION

Applicant: DAN / LINDY LYNCH  
Authorized Agent: \_\_\_\_\_  
Mailing Address: 19751 219th St. TONGANOXIE, KS 64606  
Company or Group: WHISKEY RIDGE, LLC  
Phone Number: (413) 481-6847 (413) 488-4306  
Email Address: danlynch@lynchresidential.com claryg@gmail.com

EVENT INFORMATION – ALL property owners must be listed on this form.

Record Owner of Property: ORISON, LLC  
Location: 19051 TONGANOXIE, DR, TONGANOXIE, KS 64606  
Type of Event or Use: WEDDING / REUNION  
Date of Event or Use: 5/7/2023 5/27/2023  
Hours of Operation: 12am - 11pm 12am - 11pm

Event Type (circle one):

Type 1. Fund-raising or non-commercial events for nonprofit religious, educational, or community service organizations; including any on-site signs and structures used in conjunction with the event.

Operating Budget? ☐ Yes ☒ No Percent of proceeds to charity: \_\_\_\_\_%

Type 2. Fund-raising or non-commercial events for for-profit organizations: including any on-site signs and structures used in conjunction with the event

Type 3. Fireworks stands either non-profit or for-profit: including any on-site signs and structures used in conjunction with the event.

Type 4. Public or private events intended primarily for entertainment or amusement, such as concerts, festivals, carnivals, circuses or parades, or as temporary "one-time" activities of a generally short durations, particularly such activities as "locational" work by film companies.

Type 5. The temporary placement of a laydown yard, portable asphalt or concrete plant and attendant materials and equipment during construction work on any public road or public infrastructure. All other temporary uses that are similar to the listed uses in function, traffic-generating capacity, and effects on other land uses.

Number of Guests: 200 / 200 Sheriff Approval: ☐ Yes ☐ No ☒ N/A  
Number of Parking Spaces: 350 Number of Vehicles: 200 / 200  
Number of Employees/Staff: 2-4

I (We), realize that this application cannot be processed unless it is completely filled in, submitted with all relevant and/or requested documentation and accompanied by the appropriate fee.

ORISON LLC - DAN LYNCH  
Property Owner printed name  
[Signature]  
Signature of Property Owner  
(if different from applicant)

CINDY LYNCH  
Applicant / Authorized Agent printed name  
[Signature]  
Signature of Applicant / Authorized Agent

ATTACHMENT A

SUBJECT	ISSUED BY	EFFECTIVE DATE	REVISION
<b>Professional Review Fees Reimbursement</b>	Board of County Commissioners	11.25.2020	1.0

**A. PURPOSE:**

Leavenworth County has recently experienced significant increases in growth and development within the unincorporated areas of the County. As such, the County has obtained outside consulting services in order to effectively and efficiently review development applications.

These services have proven to be effective and necessary to the orderly and safe development of Leavenworth County. Due to the increase in developments and the magnitude of many of these developments, the County has incurred significant review fees which have been paid out of the Planning and Zoning Budget and the Public Works Budget. The intention of this policy is to continue to provide quality reviews of development applications while holding the developer/applicant responsible for costs incurred which are greater than \$2,500.

**B. POLICY:**

Development applications submitted to the Planning and Zoning Department shall be assessed an application fee per the adopted Fee Schedule. The application fee is intended to account for the public notification process, initial Staff review and writing of the Staff Report. The applicant shall be responsible for the cost of the Professional Review Fees whenever the fees exceed \$2,500.

**C. PROCEDURES:**

Upon submittal of an application the developer shall pay an application fee. The developer should expect to incur additional fees if the development has unusual conditions that warrant extensive engineering review or is a subdivision with an internal roadway. The applicant will be responsible for paying all incurred fees (over \$2,500) prior to the application for development being executed. Further, in the event an applicant does not pay the fees, the County shall accept no further development applications from said applicant until all delinquent fees have been paid.

Effective 11.25.2020

\_\_\_\_\_  
BOCC Chairman – Doug Smith

\_\_\_\_\_  
11.25.2020

Date of Adoption

Both events will take place on the grounds of 19051 Tonganoxie Dr, Tonganoxie, KS, in or around the venue barn known as Whiskey Ridge. A "fire watch", two person team with fully operational fire truck will be present from one hour prior to the official start time of the event until the end of the event.

May 7th

This event is a wedding that consists of 200 - 250 people. Ten to fifteen people will arrive to set up around noon and the venue should have people in it all day until 11pm when they will disperse. A few may clean up that night but the majority of the clean up will be Sunday morning. Approximately ten people will be present to clean up. We have a parking lot available for 180 cars. Food will be served at the event by caterers hired by the wedding party. A warming kitchen is available for their use.

May 27th

This event is an anniversary party/family reunion for the Huebner Family that owned 19051 Tonganoxie Dr for several decades before we purchased it. They are expecting 200 - 250 people. Ten to fifteen people will arrive to set up around noon and the venue should have people in it all day until 11pm when they will disperse. A few may clean up that night but the majority of the clean up will be Sunday morning. Approximately ten people will be present to clean up. The event will be catered by someone of the Huebner's choosing.



## OWNER AUTHORIZATION

I/WE DAN / LINDY LYNCH, hereby referred to as the  
"Undersigned", being of lawful age, do hereby on this 12<sup>th</sup> day of APRIL, 2023, make the following  
statements, to wit:

1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property

See Attachment "A" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize \_\_\_\_\_  
\_\_\_\_\_ (Hereinafter referred to as "Applicant"), to act on my/our behalf for  
the purpose of making application with the Planning Office of Leavenworth County, Kansas, \_\_\_\_\_  
19051 21<sup>st</sup> St, Tonganoxie, KS (common address) the subject real property, or portion thereof,  
and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of  
Applicant in the application process.

3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County  
Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively  
referred to as the "County"), free and harmless from and against any and all claims, losses, penalties,  
damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false,  
fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all  
claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character  
(hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this  
authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned,  
hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at  
my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and  
expenses related thereto, even if such claims are groundless, false or fraudulent.

4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose  
signature appears below for and on behalf of the corporation or partnership has in fact the authority to so  
bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Owner

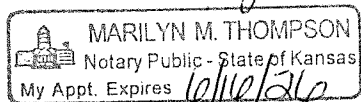
Owner

STATE OF KANSAS  
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 12<sup>th</sup> day of April, 2023

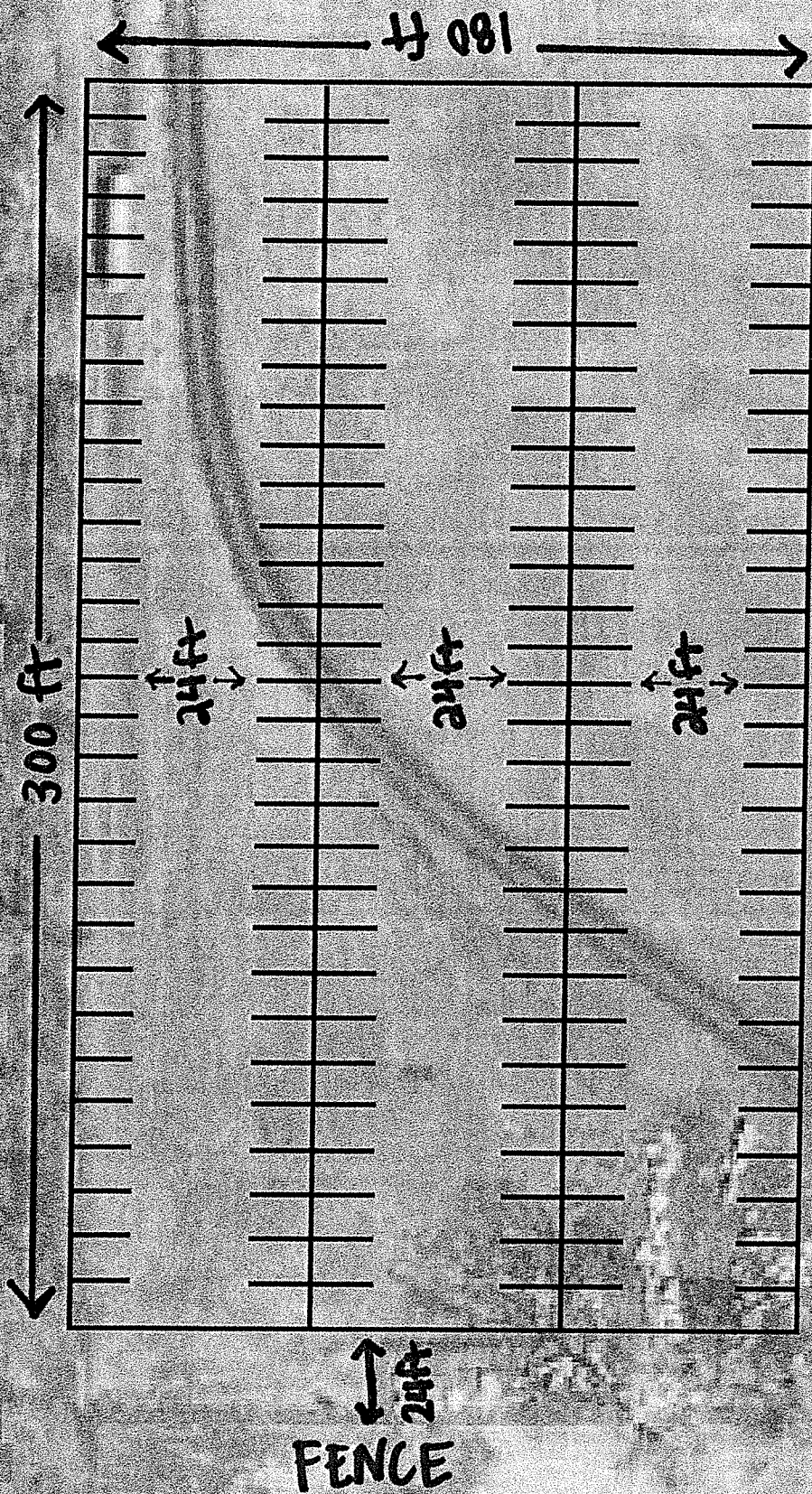
by Dan Lynch + Cindy Lynch

My Commission Expires June 16, 2026



Marilyn M. Thompson  
Notary Public

ATTACHMENT B



PARKING SPACES  
10 ft wide  
186 ft long

30 SPACES PER ROW  
6 ROWS

180 PARKING SPACES TOTAL  
ABOUT 1.24 ACRES  
(54,000 sq ft)

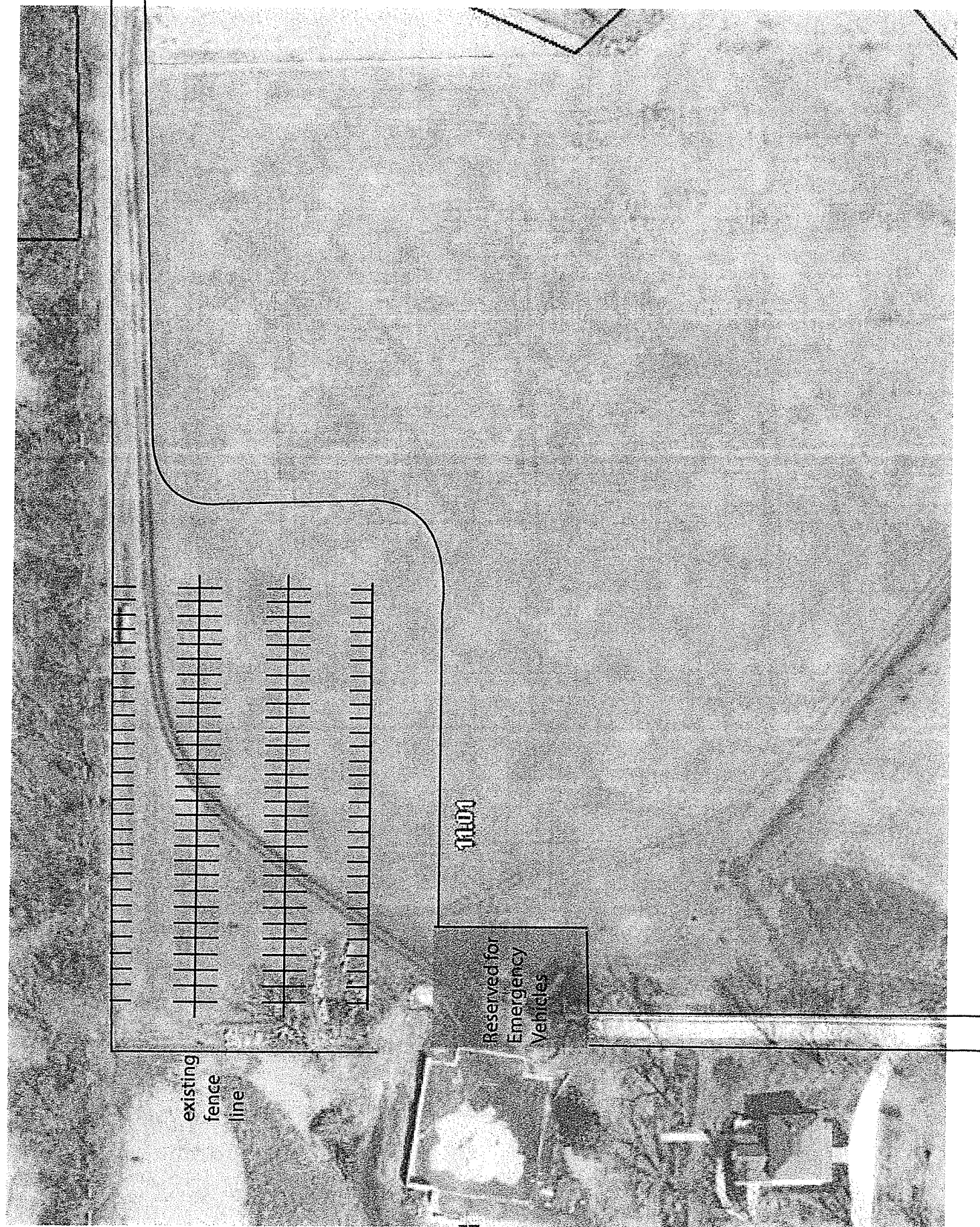
111111



existing  
fence  
line

1100

Reserved for  
Emergency  
Vehicles



## Narrative for TSUP 4/25/2023

### Follow up on Leavenworth County Planning and Zoning Review

1. Certificate of Tax Clearance attached.
2. Catering and bar service will be handled by 3rd party vendors with appropriate and active licensing.
3. The facility has three women's stalls, one men's stall, 2 urinals, and a full bathroom in the groom's room.
4. No on street parking.
5. There is an access road leading to the venue parking.
6. Lighting requirements from previous SUP still stand.
7. Noise requirements from previous SUP still stand.
8. Fire Watch personnel (2) will be on duty during events, pre-events and clean up.

### Follow up on Leavenworth County Public Works Review

1. Parking lot provides parking for 180 vehicles. Both events are expecting up to 250 people.  $250 / 2 \text{ people per car} = 125 \text{ cars} + 10 \text{ cars for staff/cleanup} = 135 \text{ cars}$ .
2.  $135 \text{ cars coming and going (x2)} = 270 \text{ total trips}$ .
3. The proposed drive access location is the same as proposed in the Whiskey Ridge SUP DEV-22-155 application.
4. The drive to the venue has been widened to 20 feet to accommodate two way traffic. The drive will not be gated.

### Follow up on Chuck Magaha review.

1. Our contingent plan for severe weather is to have a weather radio on site to monitor. If a tornado warning is called we would move all guests to the kitchen, storage room, and bathrooms which are all interior without windows. We may also use the basement in the main house to take cover.
2. In case of a fire, there are seven doors marked with lighted Exit signs that will be used to evacuate guests. We also have two large garage doors at either end of the venue that can be opened electronically or manually to help with evacuation.
3. We have a microphone to address guests about dangers and alarms in case of fire.
4. Emergency responders at Stranger Township and Tonganoxie Fire Department have our emergency contact information.
5. Per RWD #9, a fire hydrant and 6" water line running to our property is not feasible. The water line would have to be run from the main line at Parallel and Tonganoxie Drive (approximately 4,000 feet). We have opted to install a holding tank and pump at the property for use with fire sprinklers.



Laura Kelly, Governor  
Mark A. Burghart, Secretary  
[www.ksrevenue.org](http://www.ksrevenue.org)

# CERTIFICATE OF TAX CLEARANCE

Whiskey Ridge, LLC

ISSUE DATE  
04/25/2023

TRANSACTION ID  
TNDY-5687-23E3

CONFIRMATION NUMBER  
C6JF-N38G-C6E4

**TAX CLEARANCE VALID THROUGH 07/24/2023**

*Verification of this certificate can be obtained on our website, [www.ksrevenue.org](http://www.ksrevenue.org),  
or by calling the Kansas Department of Revenue at 785-296-3199*

# ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
0062	
DATE 4-6-2023	

MOTOR CARRIER OPERATOR <b>Dan Lynch</b>	INSPECTOR'S NAME (PRINT OR TYPE) <b>Tim Bowlin</b>
ADDRESS <b>19251 219th</b>	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input checked="" type="checkbox"/> YES
CITY, STATE, ZIP CODE <b>Tomball TX 76086</b>	VEHICLE IDENTIFICATION (VIN) AND COMPLETE <input type="checkbox"/> LIC. PLATE NO. <input checked="" type="checkbox"/> VIN <input type="checkbox"/> OTHER <b>4ENBAAA80P1002853</b>
VEHICLE TYPE <input type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input checked="" type="checkbox"/> (OTHER) <b>Fire Engine</b>	INSPECTION AGENCY/LOCATION (OPTIONAL) <b>Talman Auto &amp; Body LLC</b>

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
<input checked="" type="checkbox"/>			1. BRAKE SYSTEM	<input checked="" type="checkbox"/>			4. FUEL SYSTEM	<input checked="" type="checkbox"/>			9. FRAME
<input checked="" type="checkbox"/>			a. Service Brakes	<input checked="" type="checkbox"/>			a. Visible leak	<input checked="" type="checkbox"/>			a. Frame Members
<input checked="" type="checkbox"/>			b. Parking Brake System	<input checked="" type="checkbox"/>			b. Fuel tank filler cap missing	<input checked="" type="checkbox"/>			b. Tire and Wheel Clearance
<input checked="" type="checkbox"/>			c. Brake Drums or Rotors	<input checked="" type="checkbox"/>			c. Fuel tank securely attached	<input checked="" type="checkbox"/>			c. Adjustable Axle Assemblies (Sliding Subframes)
<input checked="" type="checkbox"/>			d. Brake Hose								
<input checked="" type="checkbox"/>			e. Brake Tubing				5. LIGHTING DEVICES	<input checked="" type="checkbox"/>			10. TIRES
<input checked="" type="checkbox"/>			f. Low Pressure Warning Device	<input checked="" type="checkbox"/>			All lighting devices and reflectors required by Section 393 shall be operable.	<input checked="" type="checkbox"/>			a. Tires on any steering axle of a power unit.
<input checked="" type="checkbox"/>			g. Tractor Protection Valve					<input checked="" type="checkbox"/>			b. All other tires.
<input checked="" type="checkbox"/>			h. Air Compressor				6. SAFE LOADING	<input checked="" type="checkbox"/>			11. WHEELS AND RIMS
<input checked="" type="checkbox"/>			i. Electric Brakes	<input checked="" type="checkbox"/>			a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.	<input checked="" type="checkbox"/>			a. Lock or Side Ring
<input checked="" type="checkbox"/>			j. Hydraulic Brakes				b. Protection against shifting cargo	<input checked="" type="checkbox"/>			b. Wheels and Rims
<input checked="" type="checkbox"/>			k. Vacuum Systems					<input checked="" type="checkbox"/>			c. Fasteners
			2. COUPLING DEVICES				7. STEERING MECHANISM	<input checked="" type="checkbox"/>			d. Welds
			a. Fifth Wheels	<input checked="" type="checkbox"/>			a. Steering Wheel Free Play				12. WINDSHIELD GLAZING
			b. Pintle Hooks				b. Steering Column				Requirements and exception as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions)
			c. Drawbar/Towbar Eye	<input checked="" type="checkbox"/>			c. Front Axle Beam and All Steering Components Other Than Steering Column	<input checked="" type="checkbox"/>			13. WINDSHIELD WIPERS
			d. Drawbar/Towbar Tongue	<input checked="" type="checkbox"/>			d. Steering Gear Box				Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
			e. Safety Devices	<input checked="" type="checkbox"/>			e. Pitman Arm				List any other condition which may prevent safe operation of this vehicle.
			f. Saddle-Mounts	<input checked="" type="checkbox"/>			f. Power Steering				
			3. EXHAUST SYSTEM				g. Ball and Socket Joints				
			a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.	<input checked="" type="checkbox"/>			h. Tie Rods and Drag Links				
			b. A bus exhaust system leaking or discharging to the atmosphere in violation of standards (1), (2) or (3).	<input checked="" type="checkbox"/>			i. Nuts				
			c. No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.	<input checked="" type="checkbox"/>			j. Steering System				
				<input checked="" type="checkbox"/>			8. SUSPENSION				
				<input checked="" type="checkbox"/>			a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.				
				<input checked="" type="checkbox"/>			b. Spring Assembly				
				<input checked="" type="checkbox"/>			c. Torque, Radius or Tracking Components.				

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: ☒ OK, ☒ NEEDS REPAIR, ☒ IF ITEMS DO NOT APPLY, \_\_\_\_\_ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION REPORT ACCORDANCE WITH 49 CFR 396.

# ANNUAL PUMP SERVICE TEST

Name: Spencer Wright

Date: 4/7/23

Tested By: Spencer Wright

## Apparatus Information:

Year: <u>1995</u>	Make: <u>OK</u>	Model:	Serial #:	Unit #:
Engine Make: <u>Hatz</u>	Engine Model:	Engine Serial #:	Engine Hours:	Mileage:
Pump Make: <u>Hatz</u>	Pump Model: <u>QSMG/50-23</u>	Pump Serial #: <u>41NPA156P100453</u>	Pump Hours:	Pump Capacity: <u>1500 GPM</u>
Gear Ratio: Engine to Pump: Capacity			70%	50%
Transmission Gear Used: <u>Over</u> Capacity			70%	50%
			Hand Speed Counter Ratio to Engine: <u>2.28</u>	

## Test Conditions:

Dry Pump Primed in 42 seconds Atmospheric Pressure: 30.27

Hard Suction Hose Size: 6" Temperature: Air: 65 Water: 45

Lift from water level to the middle of suction intake manifold on apparatus: Feet: \_\_\_\_\_ Inches: \_\_\_\_\_

Location of test site: Central water

Engine Oil Pressure: 20 Engine Water Temperature: 16 PSI

## FIRST TEST 150 PSIG: NET PUMP PRESSURE (NPP): 150 100% TEST 20 MINUTE DURATION

Time	1/2 Speed Counter	Tach. Reading	Pump PSI Reading	Pump in. Reading	Pitot Gauge Reading	Pump Mode	Tip Size	No:	Hose Layout Size:	Lengths:
Start		1425	150	7	81		2.5			
:05		1425	150	7	81		2.5			
:10		1425	150	7	81		2.5			
:15		1425	150	7	81		2.5			
:20		1425	150	7	81		2.5			

## SECOND TEST 165 PSIG: NET PUMP PRESSURE (NPP): \_\_\_\_\_ 100% OVERLOAD TEST 5 MINUTE DURATION

Time	1/2 Speed Counter	Tach. Reading	Pump PSI Reading	Pump in. Reading	Pitot Gauge Reading	Pump Mode	Tip Size	No:	Hose Layout Size:	Lengths:
Start										
:05										

Truck too old for overload test

## THIRD TEST 200 PSIG: NET PUMP PRESSURE (NPP): 200 70% TEST 10 MINUTE DURATION

Time	1/2 Speed Counter	Tach. Reading	Pump PSI Reading	Pump in. Reading	Pitot Gauge Reading	Pump Mode	Tip Size	No:	Hose Layout Size:	Lengths:
Start		1580	200	6	78		2			
:05		1580	200	6	78		2			
:10		1580	200	6	78		2			



19051 Tonganoxie Drive  
Tonganoxie, Kansas 66086  
Unplatted (58.7 acres)  
1920300000011010  
Onsite Wastewater System Design (Chamber System)  
For Orison LLC ("Digger" Jim Manderscheid)  
March 23, 2023 page 1 of 2



Existing residence with four bedrooms (short-term stays) and event building for approximately 300 people/event.

Estimated flow:

Residence with four bedrooms – no proposed change to existing system, separate from event building system.

Proposed event building, approximately 300 guests/event and one event per week

Onsite kitchen, but no onsite food preparation, catering only

Event space has one kitchen sink, bar sink, shower, five lavatory sinks, four toilets, two urinals

Peak flow/event = 300 people/event x 3 gpd/meal served [1] = 900 gal/event (dinning hall, catered)

Average flow = peak flow/6 days\* = 900 gpd/6 days\* = 150 gpd (\* sized for 1 events/week)

Site soils [2]: 7303 Martin silty clay loam, 3 to 7% slopes (house, event building, onsite wastewater system)  
7252 Grundy silty clay loam, 1 to 3% slopes (southeast of site towards Tonganoxie Drive)  
NRCS Rating for septic tank absorption field: very limited  
Reasons for rating: Slow water movement, depth to saturated zone

Soil profile by Digger Jim 8/4/21, two holes located northeast of proposed event space, south of tree line

0" – 15" very dark grayish brown color, no redoximorphic features, silty clay loam texture, moderate blocky structure, moist friable consistency, many roots, easy to dig, conv. system loading rate 0.4 gpd/ft<sup>2</sup>  
15" – 41" dark yellowish brown color, no redoximorphic features, clay loam texture, weak blocky structure, moist firm consistency, few roots, harder to dig, conventional system loading rate 0.2 gpd/ft<sup>2</sup>  
41" – 63" very dark grayish brown color, "few mottles", clay loam texture, weak blocky structure, moist firm consistency, no roots, harder to dig, conventional system loading rate 0.2 gpd/ft<sup>2</sup>

Design Loading rate: 0.2 gpd/ft<sup>2</sup> based on soil profile

Note: Area of soil profile location used for gravel parking lot for event building. Onsite wastewater system (1,500 gal septic tank with three, 100 ft chamber absorption laterals) installed mid-July 2022 and per accessory building permit #SEW-22-139. Soil profile 8/4/21 approximately 300 ft north of installed onsite wastewater system. If event building wastewater system is expanded in the future, recommend new soil profile south of system installed July 2022.

Residence with four bedroom (short-term stays) – no proposed change to existing system

Event building system:

Calculated absorption area: 150 gpd / 0.2 gpd/ft<sup>2</sup> = 750 sf

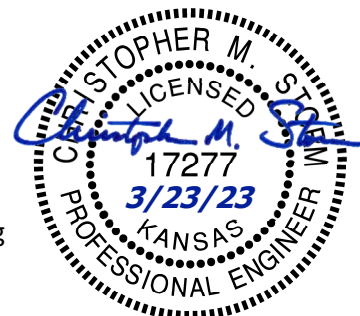
Based 3 ft camber width, required chamber lateral length = 750 sf / 3 ft = 250 ft

Total chamber lateral installed = 300 ft, installed system should have sufficient capacity for events

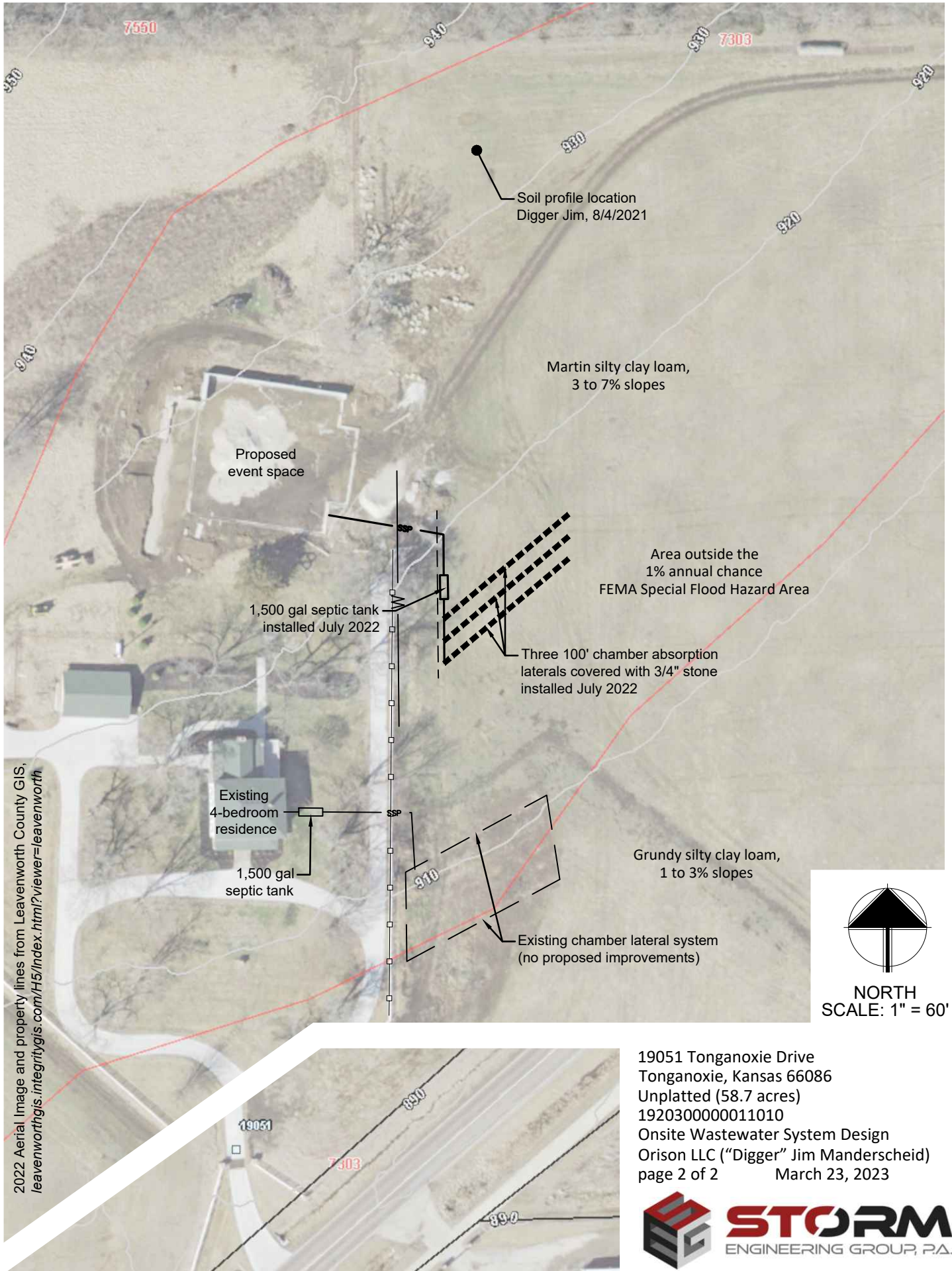
Note: Onsite wastewater system may be overloaded by seasonal precipitation, more frequent events, and higher than estimated water usage. Recommend monitoring system prior to events and during wet weather to ensure system is functioning properly.

[1] Office of Water, Office of Research and Development, U.S. Environmental Protection Agency. Onsite Wastewater Treatment System Manual, EPA/625/R-00/008, Table 3-5, February 2002.

[2] Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>, Accessed July 7, 2021.







19051 Tonganoxie Drive  
Tonganoxie, Kansas 66086  
Unplatted (58.7 acres)  
1920300000011010  
Onsite Wastewater System Design  
Orison LLC ("Digger" Jim Manderscheid)  
page 2 of 2 March 23, 2023



## Sight Distance Check

The sight distance for the entrance to a proposed event center located at 19051 TONGANOXIE DR, Tonganoxie, KS 66086 was checked for conformance to AASHTO standards.

The entrance will be located on the west side of Tonganoxie Drive north of Laming Road. Tonganoxie Drive is classified as an arterial roadway with a posted speed limit of 55 mph.

A site visit was conducted on January 4, 2023 to field verify the actual sight distances at the entrance. The AASHTO requirements for sight distance are shown in the following exhibits.

Metric				US Customary			
Design speed (km/h)	Stopping sight distance (m)	Intersection sight distance for passenger cars		Design speed (mph)	Stopping sight distance (ft)	Intersection sight distance for passenger cars	
		Calculated (m)	Design (m)			Calculated (ft)	Design (ft)
20	20	41,7	45	15	80	165,4	170
30	35	62,6	65	20	115	220,5	225
40	50	83,4	85	25	155	275,6	280
50	65	104,3	105	30	200	330,8	335
60	85	125,1	130	35	250	385,9	390
70	105	146,0	150	40	305	441,0	445
80	130	166,8	170	45	360	496,1	500
90	160	187,7	190	50	425	551,3	555
100	185	208,5	210	55	495	606,4	610
110	220	229,4	230	60	570	661,5	665
120	250	250,2	255	65	645	716,6	720
130	285	271,1	275	70	730	771,8	775
				75	820	826,9	830
				80	910	882,0	885

Note: Intersection sight distance shown is for a stopped passenger car to turn left onto a two-lane highway with no median and grades 3 percent or less. For other conditions, the time gap must be adjusted and required sight distance recalculated.

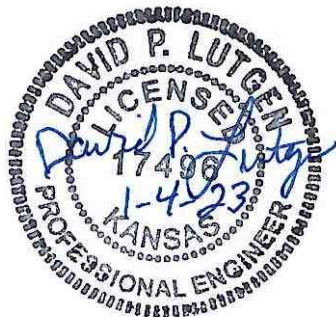
**Exhibit 9-55. Design Intersection Sight Distance—Case B1—Left Turn From Stop**

Metric				US Customary			
Design speed (km/h)	Stopping sight distance (m)	Intersection sight distance for passenger cars		Design speed (mph)	Stopping sight distance (ft)	Intersection sight distance for passenger cars	
		Calculated (m)	Design (m)			Calculated (ft)	Design (ft)
20	20	36.1	40	15	80	143.3	145
30	35	54.2	55	20	115	191.1	195
40	50	72.3	75	25	155	238.9	240
50	65	90.4	95	30	200	286.7	290
60	85	108.4	110	35	250	334.4	335
70	105	126.5	130	40	305	382.2	385
80	130	144.6	145	45	360	430.0	430
90	160	162.6	165	50	425	477.8	480
100	185	180.7	185	55	495	525.5	530
110	220	198.8	200	60	570	573.3	575
120	250	216.8	220	65	645	621.1	625
130	285	234.9	235	70	730	668.9	670
				75	820	716.6	720
				80	910	764.4	765

Note: Intersection sight distance shown is for a stopped passenger car to turn right onto or cross a two-lane highway with no median and grades 3 percent or less. For other conditions, the time gap must be adjusted and required sight distance recalculated.

**Exhibit 9-58. Design Intersection Sight Distance—Case B2—Right Turn from Stop and Case B3—Crossing Maneuver**

The sight distance at the entrance meets the AASHTO requirements. Vehicles turning left onto Tonganoxie Drive have an unobstructed view that extends south past Laming Road. For vehicles turning to the right, the view is unobstructed to the E Sycamore Street intersection.







1 in. = 400ft.

## Notes

A vertical scale bar with markings at 0, 400.0, and 800.0 Feet.

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION







# MEMO

**To:** Krystal Voth  
**From:** Chuck Magaha  
**Subject:** Event Center Whiskey Ridge  
**Date:** April 18, 2023

Krystal, thank you for the opportunity in review the recent special use permit submitted by Dan and Cindy Lynch for an event center on their property. The suggestion I have would be the requirement of a contingent plan for the applicant in all hazard planning pertaining to their facility. The center would be responsible to provide safe shelter in the event of dangerous weather or other emergencies as they have provided some details of the location in the existing site. The applicant needs to consider fire protection, IE. Escape routes posted, notification procedures and emergency contacts to be posted throughout the facilities. The applicant needs to be able to address the public during severe weather, sheltering in the event of tornados or high winds or flood. An all hazard weather radio needs to be placed in the facility and monitored for impending alerts that may affect the area. Smoke detectors placed throughout the gathering points of the center. A sign posted on the outside of the facility of emergency contacts for emergency responders to make contact if the applicant is not present during the emergency. I would like to see a Fire Hydrant placed at the base of the land owners driveway along Tonganoxie Drive for fire suppression on a 6" water line. I have no further comments to make at this time.



## Allison, Amy

---

**From:** Johnson, Melissa  
**Sent:** Wednesday, April 19, 2023 10:33 AM  
**To:** Allison, Amy  
**Subject:** FW: DEV-23-047, Whiskey Ridge TSUP

---

**From:** Rural Water District 9 lvrwd9 <lvrwd9@gmail.com>  
**Sent:** Wednesday, April 19, 2023 10:32 AM  
**To:** Johnson, Melissa <MJohnson@leavenworthcounty.gov>  
**Cc:** Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; MPleak@olsson.com; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; stfdchief1760@gmail.com; Amanda Holloway (amanda.holloway@freestate.coop) <amanda.holloway@freestate.coop>; chief1860@ttrfd.com; gbrajkovic@tonganoxie.org  
**Subject:** Re: DEV-23-047, Whiskey Ridge TSUP

**Notice:** This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

At this time, LVRWD9 does not have any issues with Whiskey Ridge receiving a temporary special use permit.

On Wed, Apr 12, 2023 at 3:14 PM Johnson, Melissa <[MJohnson@leavenworthcounty.gov](mailto:MJohnson@leavenworthcounty.gov)> wrote:

Good Afternoon,

The Department of Planning & Zoning has received an application for a Temporary Special Use Permit regarding a Wedding/Event Center (Whiskey Ridge) business at 19051 Tonganoxie Dr., Tonganoxie, KS 66086 (PID 192-03-0-00-00-011.01).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, April 21<sup>st</sup>, 2023.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at [Aallison@leavenworthcounty.gov](mailto:Aallison@leavenworthcounty.gov)

Thank you,



Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

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Thanks and have a great day,

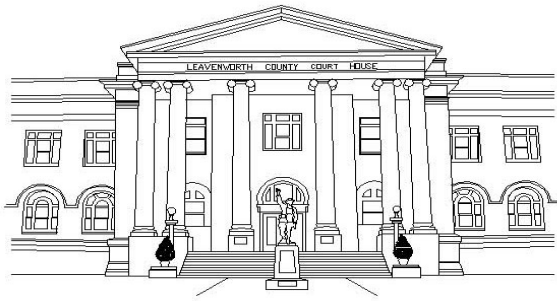


**RURAL WATER DISTRICT 9**

**Karen Armstrong**

District Manager

913-845-3571



# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

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April 27, 2023

### **Whiskey Ridge TSUP DEV-22-155 – Public Works Review**

The Public Works Department have reviewed the following documents:

- 2023.04.12 TSUP Application.
- 2023.04.12 Narrative of Both Events.
- 2023.04.12 Site Plan for Events.
- 2023.04.25 Narrative TSUP #2

### **Whiskey Ridge SUP DEV-22-155 – Associated Documents**

The Public Works Department have reviewed the following documents:

- 2023.01.05 Sight Distance Memo

Below are responses from the received documents listed above. Direct any questions to Amy Allison at [aallison@leavenworth.gov](mailto:aallison@leavenworth.gov).

Tonganoxie Rd. is a two-lane hard surfaced roadway.

### **Public Work Comment Responses:**

1. Olsson Comment (4.13.23): Application provides a parking lot for 180 vehicles. Narrative indicates 200-250 estimated people will be attending the event, 10-15 event staff, and 10 staff for cleanup. During each event, the largest estimated people at the event is 265. Confirm the estimated riders per vehicle for the event in coordination with the available parking stalls onsite.

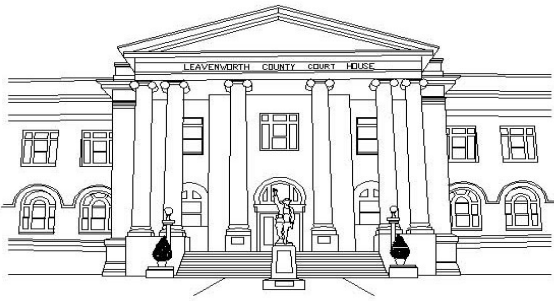
Applicant Response (4.25.23): Parking lot provides parking for 180 vehicles. Both events are expecting up to 250 people.  $250/2$  people per car = 125 cars + 10 cars for staff/cleanup = 135 cars.

Olsson Response (4.27.23): No further comment.

2. Olsson Comment (4.13.23): Confirm the total number of expected trips associated with the maximum capacity event (250 attendees). Using ridership number provided in comment 1 (above), total trips should include attendees plus event staff (total trips equals entering and exiting).

Applicant Response (4.25.23):  $135 \text{ cars coming and going (x2)} = 270 \text{ total trips}$ .

Olsson Response (4.27.23): No further comment.



# COUNTY OF LEAVENWORTH

## Department of Public Works

300 Walnut, Suite 007

Leavenworth, Kansas 66048-2815

Phone (913) 684-0470

Fax (913) 684-0473

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- 
3. Olsson Comment (4.13.23): Confirm the proposed drive access location is the same as proposed in the Whiskey Ridge SUP DEV-22-155 application and associated sight distance check memo dated 01.04.23. The SUP application accesses Tonganoxie Drive north of Laming Road.

Applicant Response (4.25.23): The proposed drive access location is the same as proposed in the Whiskey Ridge SUP DEV-22-155 application.

Olsson Response (4.27.23): No further comment.

4. Olsson Comment (4.13.23): Per applicant response dated 12.06.22 for the Whiskey Ridge SUP DEV-22-155, the existing driveway to the north of the venue and home will be graveled to 20 ft wide to accommodate two-way traffic in and out of the main venue parking lot. The drive is not proposed to be gated per the previous application. Confirm said improvements and gate removal will apply with this TSUP.

Applicant Response (4.25.23): The drive to the venue has been widened to 20 feet to accommodate two way traffic. The drive will not be gated.

Olsson Response (4.27.23): No further comment.



Josh Pierce Service Superintendent & Sales josh@247fire.net cell: 913-680-5415  
Bill Eagan Project Manager, Safety & Sales bill@247fire.net cell: 816-785-3785  
David Kendrick Sales david@247fire.net cell: 913-238-0695  
Joby Chambers Sales & Service joby@247fire.net cell: 913-940-9574  
Amanda Eagan Accounting, Office Admin, Owner amanda@247fire.net  
Office: 816-230-3473 Fax: 888-651-4655

1145 NW 850th Rd  
Odessa, MO 64076

**WOSB (Woman-Owned Small Business)**  
**Missouri Certified WBE #11165**

## EXHIBITA

**Date: 3/27/23**

Name: Lynch Real Estate

Address: 19051 Tonganoxie Rd

City/State: Tonganoxie, Ks 66086

Attn: Dan Lynch

Phone: 913 481 6847

Email: danlynch@lynchresidential.com

Project: Evet Venue

*24/7 Fire Protection, LLC proposes to furnish the necessary labor, materials, design and equipment in accordance with the following scope of work and general conditions as set forth in the following standards – AIA A410-1997, AIA A101-1997 or AIA A201-1997 as such pertains to this agreement.*

### **SCOPE OF WORK**

- *Installation to begin at flange coming through wall from tank installed by others.*
- *Installation of sprinkler system shall comply with NFPA 13 and all AHJ.*
- *Install single dry system to supply fire sprinkler protection to entire the building.*
- *Riser to include dry valve, control valve with tamper switch, main drain, and outside horn and strobe.*
- *Installation of fire pump with suction supplied by tank.*
- *Fire pump to include control panel, sensing line, control valves, test header, and check valves.*
- *All piping 2" and smaller to be black schedule 10 with grooved ends and welded outlets.*
- *All piping 2 ½" and larger to be black schedule 10 with grooved ends and welded outlets.*
- *Sprinklers to be dry barreled recessed chrome pendent located center of acoustical tile.*
- *Sprinklers in exposed to be brass upright sprinklers.*
- *System piping to be hydrostatically tested at 200 psi for 2 hours.*
- *Taxes included in quote.*
- *PE stamped drawings and permits included.*



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1145 NW 850th Rd  
Odessa, MO 64076

**WOSB (Woman-Owned Small Business)**  
**Missouri Certified WBE #11165**

**Date: 10/23/22**

Project: Event Venue

#### EXHIBIT A

#### Exclusions

- *Underground piping installation.*
- *Flushing of underground piping.*
- *Installation of water storage tank*
- *Patching and painting*
- *Alarm wiring.*
- *Electrical*
- *Fire extinguishers.*

**Total Base Price: \$157,902.00**

*One Hundred Fifty-Seven Thousand Nine Hundred Two Dollars and Zero Cents*

Accepted by: \_\_\_\_\_

Date: \_\_\_\_\_

*4/19/2023*

Thank you for the opportunity to provide this quotation. Should you have any questions or require additional information, your call is welcome. We look forward to working with you on another successful project.

Sincerely,

*Josh Pierce*

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. This proposal may be withdrawn if not accepted within 30 days.

**Leavenworth County  
Request for Board Action  
KDOT Dust Control Agreement**

**Date:** April 27, 2023

**To:** Board of County Commissioners

**From:** Public Works

**Department Head Review:** Bill Noll, Reviewed

**Additional Reviews as needed:**

**Budget Review** ☒ **Administrator Review** ☐ **Legal Review** ☐

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**Action Requested:** Approval of the unofficial detour for KDOT Project KA-5520-01 for chemical dust control.

**Analysis:** The K-16 Hwy. safety improvement project start date/closure date is projected to be May 8<sup>th</sup>, 2023. This agreement provides the county \$19,609 in funding for chemical dust control on the gravel road portion of George Road east of K-16. This agreement is late in coming. I have contacted Scotwood Industries to be placed on their schedule as soon as possible. It is very likely that the project will begin prior to the application of the dust control being sprayed on the road. King's Construction was awarded the project with KDOT.

**Recommendation:** Approval.

**Budgetary Impact:**

- ☒ Not Applicable
- ☐ Budgeted item with available funds
- ☐ Non-Budgeted item with available funds through prioritization
- ☐ Non-Budgeted item with additional funds requested

**Total Amount Requested:**

NA

**Additional Attachments:** KDOT Agreement

PROJECT NUMBER: 16 52 KA - 5520 - 01  
(Rte) (Cnty) (Juris) (Project) (Stage)

LPA: Leavenworth County

**UNOFFICIAL DETOUR ROUTE**

**AGREEMENT**

**THIS AGREEMENT**, is by and between the Secretary of Transportation of the State of Kansas, (the "Secretary") and Leavenworth County, (the "LPA"), collectively referred to as the "Parties."

**RECITALS:**

- A. The Secretary desires to close all or part of State Highway No. K-16 ("the State Route") to construct KDOT Project No. 16-52 KA-5520-01 (the "Project").
- B. To build the Project, the Secretary will detour traffic from the State Route through an official state route detour ("State Detour") or will carry traffic through the State Route; however, the LPA road system will experience increased vehicular traffic on multiple routes due to the Project and/or due to the length of the State Detour.
- D. The Parties acknowledge that in lieu of the State Detour or the State Route, as applicable, State Route traffic will use multiple routes on the LPA road system, including but not limited to: George Road, Hatchell Road, 251st Street, Parallel Road with largest impact being George Road. (the "Unofficial Detour Route(s)").
- E. The LPA desires to provide and maintain standard local route conditions on the Unofficial Detour Route(s).

**NOW THEREFORE**, the Parties agree to the following terms and provisions.

**ARTICLE I**

**DEFINITIONS:**

- 1. "**Agreement**" means this written document, including all attachments and exhibits, evidencing the legally binding terms and conditions of the agreement between the Parties.
- 2. "**Effective Date**" means the date this Agreement is signed by the Secretary or the Secretary's designee.
- 3. "**KDOT**" means the Kansas Department of Transportation, an agency of the State of Kansas, with its principal place of business located at 700 SW Harrison Street, Topeka, KS, 66603-3745.
- 4. "**Local Route Condition**" means the condition of the route (roads and bridges) needed to maintain local traffic as determined by the Kansas county in which the detour(s) is located.



5. **“LPA” or “Local Public Authority”** means Leavenworth County, Kansas, with its place of business located at 300 Walnut Street Leavenworth.
6. **“Parties”** means the Secretary of Transportation and KDOT, individually and collectively, and the LPA.
7. **“Secretary”** means the Secretary of Transportation of the State of Kansas, and his or her successors and assigns.

## ARTICLE II

### SECRETARY RESPONSIBILITIES:

1. **Compensation.** The Secretary agrees to furnish the following compensation to the LPA:

\$19,609 for dust control on George Road based on a quote provided to KDOT on 11/3/2022.

2. **Basis for Compensation.** The routes selected as detours will experience increased vehicular traffic as a result of the Project. Compensation is based on the reasonable costs associated with increased vehicular traffic, or reasonable costs for additional maintenance or other repair action to return the Unofficial Detour Route(s) to standard local route conditions, as determined by the Secretary.
3. **Reimbursement Payments.** If the compensation in Article I, paragraph 1 is monetary in nature, the Secretary agrees to make partial payments to the LPA for amounts not less than \$1,000 and no more frequently than monthly, not to exceed any stated maximum amount. Such payments will be made after receipt of proper billing and supporting documentation.

## ARTICLE III

### LPA RESPONSIBILITIES:

1. **Consideration.** The LPA agrees to accept the compensation identified above in Article I, paragraph 1 as full payment and consideration for the increase in traffic on the Unofficial Detour Routes for the duration of the Project and/or for the duration the State Detour remains in use under the terms of this Agreement

2. **Scope of Maintenance.** The compensation identified above in Article I, paragraph 1 is intended to assist in the additional costs to the LPA to maintain the Unofficial Detour Route(s) due to increased vehicular traffic, to include the following maintenance work or repair action:

Dust control.



3. **Road Maintenance.** Through its own forces or a third party, the LPA will continue to maintain the Unofficial Detour Route(s) for the traveling public's safety, including those persons using such routes in lieu of the State Detour or the State Route. Nothing in this Agreement is intended to modify the LPA's existing and continuing obligations for the LPA roadways.

4. **Indemnification.** To the extent permitted by law and subject to the maximum liability provisions of the Kansas Tort Claims Act (K.S.A. § 75-6101, *et seq.*) as applicable, the LPA will defend, indemnify, hold harmless, and save the Secretary and the Secretary's authorized representatives from any and all costs, liabilities, expenses, suits, judgments, damages to persons or property, or claims of any nature whatsoever arising out of or in connection with the provisions or performance of this Agreement by the LPA, the LPA's employees, agents, or subcontractors. The LPA shall not be required to defend, indemnify, hold harmless, and save the Secretary for negligent acts or omissions of the Secretary or the Secretary's authorized representatives or employees.

## ARTICLE IV

### GENERAL PROVISIONS:

1. **Term.** This Agreement will be in full force and effect upon the Effective Date and will continue until such time the Project no longer restricts the flow of traffic on the State Route or upon the LPA's receipt of the compensation specified under Article I, paragraph 1, whichever event occurs later. The expiration of this Agreement does not relieve the LPA of its rights and obligations to the Secretary existing at the time of expiration and any representations, warranties, covenants, and indemnities made by the LPA in this Agreement will survive the expiration of this Agreement.

2. **Incorporation of Documents.** Any related route maps, plans, estimates, maintenance agreements, or related other related Project documents are incorporated by this reference and made a part of this Agreement.

3. **Contractual Provisions.** The provisions found in the current version of the "Contractual Provisions Attachment (Form DA-146a)," which is attached hereto, are hereby incorporated into and made a part of this Agreement.

4. **Binding Agreement.** This Agreement and all supplemental or subagreements entered into under the provisions of this Agreement shall be binding upon the Secretary and the LPA and their successors in office.

5. **Claim Preclusion.** This Agreement precludes claims for additional compensation which exceeds or varies from what is provided in Article II arising from or relating to use of the LPA roads as an Unofficial Detour Route(s).

6. **Headings.** All headings in this Agreement have been included for convenience of reference only and are not to be deemed to control or affect the meaning or construction or the provisions herein.

7. **No Third-Party Beneficiaries.** No third-party beneficiaries are intended to be created by this Agreement and nothing in this Agreement authorizes third parties to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

8. **Severability.** If any provision of this Agreement is held invalid, the invalidity does not affect other provisions which can be given effect without the invalid provision, and to this end the provisions of this Agreement are severable.

9. **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

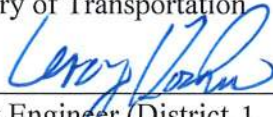
IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their duly authorized officers.

LOCAL PUBLIC AUTHORITY(LPA):

KANSAS DEPARTMENT OF TRANSPORTATION  
Secretary of Transportation

By: \_\_\_\_\_  
AUTHORIZED LOCAL OFFICIAL

By:

  
District Engineer (District 1 ) Date 4/25/23

ATTEST:

\_\_\_\_\_  
CLERK

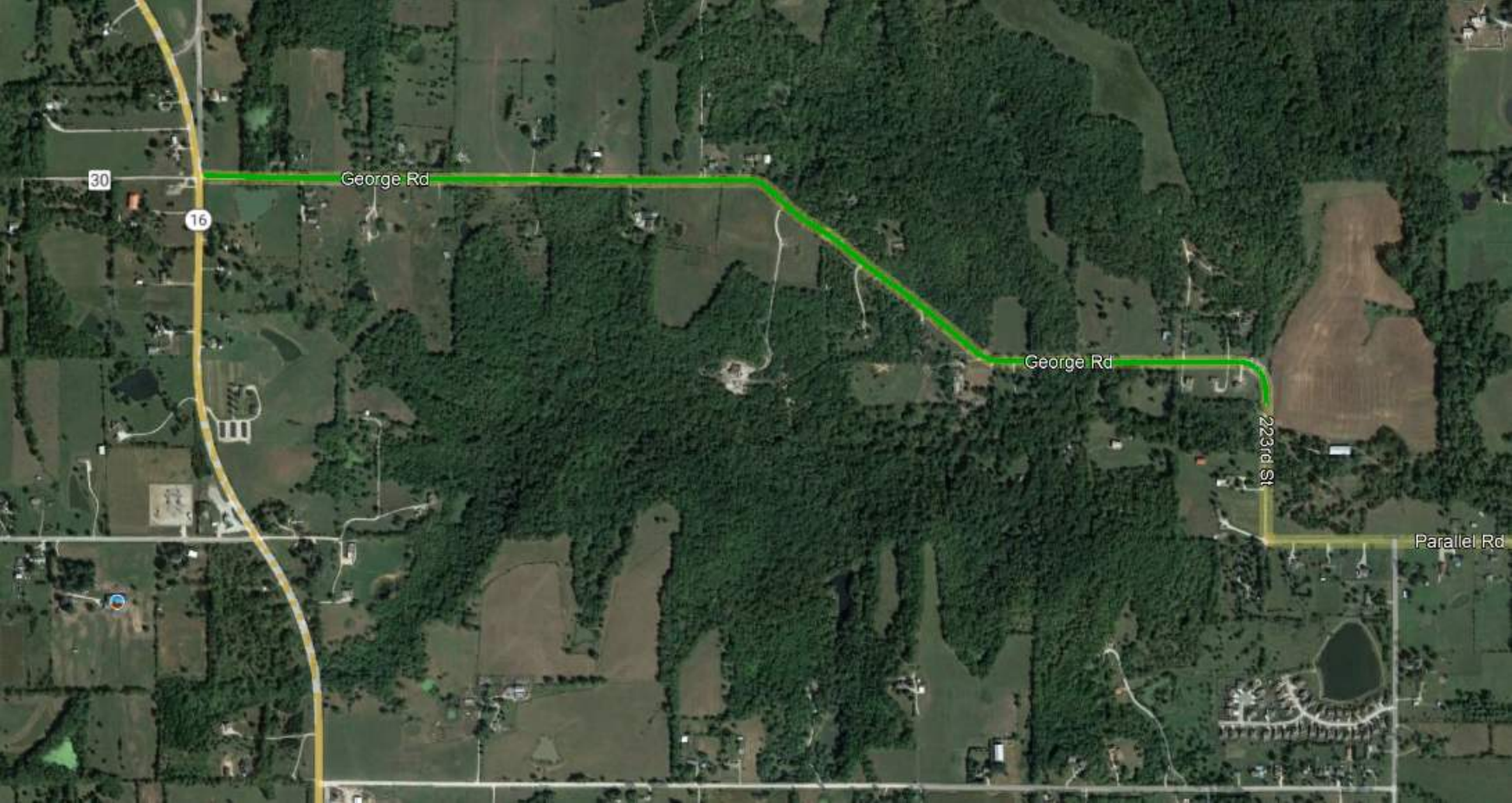
**CONTRACTUAL PROVISIONS ATTACHMENT**

**Important:** This form contains mandatory contract provisions and must be attached to or incorporated in all copies of any contractual agreement. If it is attached to the vendor/contractor's standard contract form, then that form must be altered to contain the following provision:

"The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 07-19), which is attached hereto, are hereby incorporated in this contract and made a part thereof."

The parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

1. **Terms Herein Controlling Provisions:** It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated. Any terms that conflict or could be interpreted to conflict with this attachment are nullified.
2. **Kansas Law and Venue:** This contract shall be subject to, governed by, and construed according to the laws of the State of Kansas, and jurisdiction and venue of any suit in connection with this contract shall reside only in courts located in the State of Kansas.
3. **Termination Due To Lack Of Funding Appropriation:** If, in the judgment of the Director of Accounts and Reports, Department of Administration, sufficient funds are not appropriated to continue the function performed in this agreement and for the payment of the charges hereunder, State may terminate this agreement at the end of its current fiscal year. State agrees to give written notice of termination to contractor at least thirty (30) days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided in this contract, except that such notice shall not be required prior to ninety (90) days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided State under the contract. State will pay to the contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any such equipment. Upon termination of the agreement by State, title to any such equipment shall revert to contractor at the end of the State's current fiscal year. The termination of the contract pursuant to this paragraph shall not cause any penalty to be charged to the agency or the contractor.
4. **Disclaimer Of Liability:** No provision of this contract will be given effect that attempts to require the State of Kansas or its agencies to defend, hold harmless, or indemnify any contractor or third party for any acts or omissions. The liability of the State of Kansas is defined under the Kansas Tort Claims Act (K.S.A. 75-6101, *et seq.*).
5. **Anti-Discrimination Clause:** The contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001, *et seq.*) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111, *et seq.*) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101, *et seq.*) (ADA), and Kansas Executive Order No. 19-02, and to not discriminate against any person because of race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or political affiliation that is unrelated to the person's ability to reasonably perform the duties of a particular job or position; (b) to include in all solicitations or advertisements for employees, the phrase "equal opportunity employer"; (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (e) that a failure to comply with the reporting requirements of (c) above or if the contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration; (f) Contractor agrees to comply with all applicable state and federal anti-discrimination laws and regulations; (g) Contractor agrees all hiring must be on the basis of individual merit and qualifications, and discrimination or harassment of persons for the reasons stated above is prohibited; and (h) if it is determined that the contractor has violated the provisions of any portion of this paragraph, such violation shall constitute a breach of contract and the contract may be canceled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration.
6. **Acceptance Of Contract:** This contract shall not be considered accepted, approved or otherwise effective until the statutorily required approvals and certifications have been given.
7. **Arbitration, Damages, Warranties:** Notwithstanding any language to the contrary, no interpretation of this contract shall find that the State or its agencies have agreed to binding arbitration, or the payment of damages or penalties. Further, the State of Kansas and its agencies do not agree to pay attorney fees, costs, or late payment charges beyond those available under the Kansas Prompt Payment Act (K.S.A. 75-6403), and no provision will be given effect that attempts to exclude, modify, disclaim or otherwise attempt to limit any damages available to the State of Kansas or its agencies at law, including but not limited to the implied warranties of merchantability and fitness for a particular purpose.
8. **Representative's Authority To Contract:** By signing this contract, the representative of the contractor thereby represents that such person is duly authorized by the contractor to execute this contract on behalf of the contractor and that the contractor agrees to be bound by the provisions thereof.
9. **Responsibility For Taxes:** The State of Kansas and its agencies shall not be responsible for, nor indemnify a contractor for, any federal, state or local taxes which may be imposed or levied upon the subject matter of this contract.
10. **Insurance:** The State of Kansas and its agencies shall not be required to purchase any insurance against loss or damage to property or any other subject matter relating to this contract, nor shall this contract require them to establish a "self-insurance" fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101, *et seq.*), the contractor shall bear the risk of any loss or damage to any property in which the contractor holds title.
11. **Information:** No provision of this contract shall be construed as limiting the Legislative Division of Post Audit from having access to information pursuant to K.S.A. 46-1101, *et seq.*
12. **The Eleventh Amendment:** "The Eleventh Amendment is an inherent and incumbent protection with the State of Kansas and need not be reserved, but prudence requires the State to reiterate that nothing related to this contract shall be deemed a waiver of the Eleventh Amendment."
13. **Campaign Contributions / Lobbying:** Funds provided through a grant award or contract shall not be given or received in exchange for the making of a campaign contribution. No part of the funds provided through this contract shall be used to influence or attempt to influence an officer or employee of any State of Kansas agency or a member of the Legislature regarding any pending legislation or the awarding, extension, continuation, renewal, amendment or modification of any government contract, grant, loan, or cooperative agreement.



30

16

George Rd

George Rd

223rd St

Parallel Rd





**SCOTWOOD INDUSTRIES LLC**

12980 Metcalf Ave Suite 240  
Overland Park, KS 66213  
1-800-844-2022

Kansas Department of Transportation  
Bonner Springs District  
650 N. K-7 Highway  
Bonner Springs, KS 66012

**Attn: Ryan Barrett**

**Ph: 785-640-9340**

**Email: [ryan.barrett@ks.gov](mailto:ryan.barrett@ks.gov)**

Product Quoted	*4,300 Gal. Min.	Delivery Locations L02 325
DustGard® Magnesium Chloride Solution (MgCl <sub>2</sub> )	\$1.52/Gallon Delivered & Applied	KDOT Project Leavenworth County Tonganoxie, KS

- ♦ Recommended road preparation (blading & pre-wetting) with an application rate of 0.50/gal sq. yd. Customer is responsible for road preparation unless otherwise noted.
- ♦ Demurrage is \$125.00 per hour after the first two hours of spray time.
- ♦ Pricing does not include sales tax.
- ♦ Pricing is subject to change.
- ♦ Terms net 30 days.
- ♦ Weekend/Holiday delivery fee of \$250.00 is not included in the above pricing.
- ♦ Charges will apply if truck is turned around, once in transit.

\* Pricing only applies to orders meeting the minimum number of gallons, which is per truckload. If the minimum number of gallons per truckload is not met, a different price will be figured and will apply to the less-than-minimum quantity shipment.

**Sales Contact: Greg Stiles**  
**785-640-4793**

**Quotation effective: October 2022**

**Please send orders to: [orders@scotwoodindustries.com](mailto:orders@scotwoodindustries.com)**