

*****December 27, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, December 27, 2023. Commissioner Kaaz, Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Stieben and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Janet Klasinski, County Clerk; John Jacobson, Planning and Zoning Director; Amy Allison, Planning and Zoning Deputy Director; Edd Hingula, Leavenworth City Commissioner; John Richmeier, Leavenworth Times

Residents: Joe Herring

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported an emergency purchase was made over the weekend when a water heater went out at the Cushing Building.

Commissioner Stieben spoke about local service roads funds.

Commissioner Doug Smith requested the check register removed from the consent agenda.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to accept the consent agenda for Wednesday, December 27, 2023 minus the check register.

Motion passed, 4-0, Commissioner Culbertson abstained.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to approve the check registry.

Motion passed, 3-0, Commissioners Culbertson and Doug Smith abstained.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben to appoint Commissioner Vicky Kaaz to the NEK-CAP Board of Directors for year 2024.

Motion passed, 4-0 Commissioner Kaaz abstained.

Janet Klasinski presented the budget amendments to the Courthouse General Fund.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve budget amendments to the Courthouse General Funds.

Motion passed, 5-0.

Ms. Klasinski presented the budget amendments to the Special Other Funds Fund.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve budget amendments to the Special Other Funds.

Motion passed, 5-0.

Ms. Klasinski presented Board Order 2023-6, transferring funds from the Courthouse General Fund to the Employee Benefit Funds.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to approve Board Order 2023-6, transferring funds from the Courthouse General Fund to the Employee Benefit Funds.

Motion passed, 5-0.

Amy Allison presented Case DEV-23-120, a plat for Highland Meadows.

A motion was made by Commissioner Stieben and seconded by Commissioner Doug Smith that the proposed final plat as outlined in Case DEV-23-120, Highland Meadows, be approved with conditions and that the plat is compliant with the County Zoning and Subdivision Regulations as set forth in the staff report as adopted by the Planning Commission and as substantiated by the facts, testimony and evidence presented be accepted by this Board and that the conditions set forth in the staff report be made part of this approval.

Motion passed, 5-0.

Ms. Allison presented Case DEV-23-145, final plat for Garden Villa.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith that the proposed final plat as outlined in Case DEV-23-145, Garden Villa, be approved with conditions and that the plat is compliant with the County Zoning and Subdivision Regulations as set forth in the staff report as adopted by the Planning Commission and as substantiated by the facts, testimony and evidence presented be accepted by this Board and that the conditions set forth in the staff report be made part of this approval.

Motion passed, 5-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben that this Board recess for a closed executive meeting for the discussion of potential litigation involving the legal interests of the County as justified by K.S.A. 75-4319(B)(2) for consultation with legal counsel for the Board which would be deemed privileged in the attorney-client relationship and that Board resume open meeting at 10:15 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor, David Van Parys and County Administrator Mark Loughry and others that may be called by the Board.

Motion passed, 5-0.

The Board returned to regular session at 10:15 a.m. No action was taken and no decisions were made. The subject was limited to the legal interests of the County.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to add the relocation agreement with Rural Water District #9 to next week's agenda subject to the water districts submission of a complete agreement including all exhibits.

Motion passed, 3-1, Commissioner Doug Smith abstained and Commissioner Stieben voted nay.

A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to add the consideration of the proposed annexation by the city of Tonganoxie to next week's agenda.

Motion passed, 5-0.

Commissioner Kaaz attended the Transit Authority meeting last week.

Commissioner Culbertson will testify on January 11 in Topeka regarding LAVTR and on January 17 on the disabled veteran's issue.

Commissioner Stieben will be speaking at 6:30 p.m. on January 11 at the Linwood Public Library.

*A motion was made by Commissioner Kaaz and seconded by Commissioner Mike Smith to adjourn.
Motion passed, 5-0.*

The Board adjourned at 10:20 a.m.

Final Approved