

*****March 16, 2022*****

The Board of County Commissioners met in a regular session on Wednesday, March 16, 2022. Commissioner Mike Smith, Commissioner Culbertson, Commissioner Kaaz and Commissioner Doug Smith are present; Commissioner Stieben is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Bill Noll, Infrastructure and Construction Services; Aaron Yoakam, Buildings and Grounds Director; John Richmeier, Leavenworth Times

Residents: AW Himpel, John Matthews

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATIVE BUSINESS:

Commissioner Kaaz indicated Tonganoxie has received a \$1.5 million-dollar rescue land grant through the Department of Commerce for the water tower.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the consent agenda for Wednesday, March 16, 2022 as presented.

Motion passed, 5-0.

Bill Noll requested to award bid to Dondlinger's Construction for the E-18 bridge replacement project.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the bid from Dondlinger for bridge E-18 replacement project in an amount not to exceed \$1,061,966.80.

Motion passed, 5-0.

Aaron Yoakam requested to award bid to Sands Construction for the remodel of the K-State Extension area of the Cushing Building.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to award bid to Sands Construction for the K-State Extension remodel at the Cushing Building not to exceed the amount of \$690,000.00.

Motion passed, 5-0.

David Van Parys requested to remove the 10:30 a.m. agenda item for the County Board of Health.

Commissioner Kaaz attended the Port Authority meeting indicating Chris Donnelly will be the new chairman and Doug Schimke as vice chair. She will also attend two NEK-CAP meetings tomorrow.

The Commissioners will be participating in the St. Patrick's Day parade tomorrow.

Commissioner Doug Smith attended the Basehor City Council meeting last week.

Commissioner Stieben attended the State Republican convention.

Commissioner Culbertson attended the Leavenworth City Commission meeting. He reported House Bill 2606 is still circulating in Topeka but no final vote as been taken. The bill would rescind previous law that passed to not pay the LAVTR funds back to the county.

The Board adjourned until 10:00 a.m. to review Resolution 2019-10, a special use permit for Flatlands C&D landfill.

The Board reconvened at 10:00 a.m.

Residents in attendance: Christy Britz, Shawn Britz, Mason Britz, Gary Green, Brandon Willis, Mason Pauge, Bruce Britz, Anthony Goff, Lloyd Crook, Karen Crook, David Hennessey, John Wagner, Sharon Wagner, Ashley Richter, Howard Crook, Jeremy Crook, Angel Keller, Greg List, Kara Luginbill, Tammy Jones, Kent Edmonds, Derrick Fee

Krystal Voth and David Van Parys presented a brief overview that outlines the general issues with regards to the special use permit for Flatlands.

Residents Greg List, Howard Crook, Brandon Willis, Tammy Jones, Sharon Wagner, John Wagner, Mike Goetz, Derrick Fee, Ashlee Richter and Ross Boden, attorney for Flatlands all commented.

The Board recessed until 11:20 a.m. due to Mr. Van Parys' appearance needed in District Court for a hearing.

The Board reconvened at 11:20 a.m.

The Board recessed until 11:30 a.m. due to Mr. Van Parys still at hearing in District Court.

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The Board recessed until 11:45 a.m. due to Mr. Van Parys still at hearing in District Court.

The Board reconvened at 11:45 a.m.

Ross Boden, attorney for Flatlands continued public comment.

Commissioner Jeff Culbertson read a statement pertaining to the history of the landfill and issues that he has discussed with the business owners.

Mr. Van Parys discussed possible options with the Board.

Christy Britz, owner of Flatland commented.

A motion was made by Commissioner Culbertson that following the approval process we ask Planning and Zoning to start the rescinding of the special use permit for Flatlands.

Motion dies for lack of a second.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to recess the hearing until next week to give opportunity for the parties to communicate and report back at the hearing and reconvene next week.

The Board set the time for the hearing at 9:00 a.m.

Motion passed, 4-1, Commissioner Culbertson voting nay.

*A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to adjourn.
Motion passed, 4-0. Commissioner Stieben did not vote.*

The Board adjourned at 1:00 p.m.

Final Approved