

\*\*\*\*\*March 29, 2023 \*\*\*\*\*

The Board of County Commissioners met in a regular session on Wednesday, March 29, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Amy Allison, Planning and Zoning Deputy Director; Bill Noll, Infrastructure and Construction Services; John Richmeier, Leavenworth Times

Residents: Eric McMillin, John Matthews, Pat Barnhardt, Chip DeMoss, John Groves, Joe Herring, Cindy Lynch

PUBLIC COMMENT:

Eric McMillin and Chip DeMoss commented on agenda items.

ADMINISTRATIVE BUSINESS:

Commissioner Kaaz read a proclamation recognizing April as Child Abuse Prevention Month.

Commissioner Mike Smith indicated he would like to start having work sessions with the cities again.

Commissioner Stieben reported there has been another violation at Flatlands.

Commissioner Stieben inquired about the new process for large developers.

Mark Loughry indicated that any new large development would require a development agreement be approved before the application of a special use permit.

***A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the consent agenda for Wednesday, March 29, 2023 as presented.***

***Motion passed, 5-0.***

Pat Barnhardt with the Leavenworth County-Cities Drug and Alcohol Abuse Council presented recommendations for allocations from the special alcohol funds.

***A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve the recommendation for allocations from the Leavenworth County-Cities Drug and Alcohol Abuse Council as presented.***

***Motion passed, 5-0.***

Mr. Loughry presented an agreement between Leavenworth County and The Guidance Center for mental health services.

***A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to approve the agreement between Leavenworth County and The Guidance Center.***

***Motion passed, 5-0.***

Amy Allison updated the Board on Resolution 2023-4, a request for a special use permit for Whiskey Ridge Event Center indicating the Board of Building Codes denied the request.

*A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to approve to conditionally approve a special use permit for Whiskey Ridge subject to the resolution being presented next week subject to the contract that was referenced being submitted for staff review.*

The Whiskey Ridge special use permit discussion was suspended for the Senior County Counselor to draft a motion.

*Commissioner Mike Smith withdrew his motion and Commissioner Doug Smith withdrew his second.*

Bill Noll requested authorization to sign and accept the Federal Fund Exchange allocated to Leavenworth County at the state rate of \$0.90 to the \$1.00 federal funds.

*A motion was made by Commissioner Doug Smith and seconded by Commissioner Stieben to authorize Public Works to sign and accept the Federal Fund Exchange allocated to Leavenworth County at the state rate of \$0.90 to the \$1.00 federal funds.*

*Motion passed, 5-0.*

Mr. Loughry presented an updated public comment policy.

*A motion was made by Commissioner Mike Smith and seconded by Commissioner Doug Smith to table this matter for two weeks.*

*Motion passed, 5-0.*

David Van Parys requested approval of an agreement for release of a lease at 1830 S. Broadway building.

*A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve an agreement for the release of a lease at 1830 S. Broadway building.*

*Motion passed, 5-0.*

*A motion was made by Commissioner Mike Smith and seconded by Commissioner Stieben that this Board conditionally approve the application by Orison LLC for a special use permit to operate a facility commonly known as Whiskey Ridge. The conditions to which this conditional approval is subject to are as follows: 1.) Compliance with conditions set out by staff in previously submitted resolution regarding this application. 2.) That with respect to compliance with the building codes adopted by the County, Orison LLC be allowed to on a temporary basis only operate without an installed engineered sprinkler system approved by the State Fire Marshall subject to the following conditions: A) that prior to the approval by the State Fire Marshall for a sprinkler system at the facility, not less than two fire fighters along with a township fire truck with firefighting equipment be present on site during all hours of operation. That this presence be confirmed by an agreement to present to staff not later than 5:00 p.m. Friday, March 31, 2023. B) That Orison LCC comply with any directive or order of the State Fire Marshall. C) That Orison undertake affirmative action to have an engineered sprinkler system installed at the premises not later than six months from the date of this motion, subject to extension upon showing good cause. D) That this approval be considered to be a temporary special use permit that expires April 5, 2023 to be replaced by a special resolution granting conditional approval of a special use permit.*

*Motion passed, 3-1, Commissioner Kaaz voting nay, Commissioner Culbertson abstained*

*A motion was made by Commissioner Kaaz and seconded by Commissioner Stieben to table the consideration of a resolution for a special use permit for Whiskey Ridge to 9:00 a.m. April 5, 2023.*

*Motion passed, 4-0, Commissioner Culbertson abstained.*

Commissioner Mike Smith attended the State of the City address in Basehor.

Commissioner Doug Smith attended the State of the City address in Basehor. He also attended a Fairmount township board meeting and the Basehor City Council meeting. He will also attend Keith Rickard's retirement ceremony at the Guidance Center. He also attended the Leavenworth County Livestock Buyer's Association Event.

Commissioner Stieben attended the Fire District #2 meeting and attended the proclamation signing at Jet Produce for Agriculture Month in Kansas along with Commissioner Kaaz.

Commissioner Kaaz attended the Leavenworth City Commission, participated in the KCATA meeting and will attend the retirement ceremony for Keith Rickard.

Commissioner Stieben mentioned an open house at Jet Produce on April 15<sup>th</sup>.

Commissioner Culbertson commented he is continuing ways to figure out how to lower taxes on Senator Tyson taskforce.

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

The Board adjourned at 10:46 a.m.