

*****March 31, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, March 31, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Stieben, Commissioner Kaaz and Commissioner Culbertson are present; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director

Residents: Joe Herring, Chris and Sara Gast; Scott Hughes, John Matthews

PUBLIC COMMENT:

Scott Hughes commented on an agenda item.

ADMINISTRATIVE BUSINESS:

Commissioner Mike Smith read a proclamation recognizing COVID-19 Hero's Week.

Mark Loughry reported the Health Department held a clinic last week administering 1850 first time vaccinations indicating next week they will set up an evening clinic.

Mr. Loughry indicated the Governor will be issuing a new mask order tomorrow and the Board will need to schedule a special meeting if the intention is to opt out.

It was the consensus of the Board to hold a special meeting tomorrow at 4:30 p.m. to address the mask ordinance.

Commissioner Doug Smith inquired about President Biden's multi trillion-dollar infrastructure package.

Mr. Loughry indicated there has not been any guidance given yet.

Commissioner Stieben requested an update on the private prison situation.

Mr. Loughry indicated nothing has changed at the federal level.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the consent agenda for Wednesday, March 31, 2021 as presented.

Motion passed, 5-0.

Krystal Voth presented Resolution 2021-10, a request for a special use permit for Gast Auto Repair.

The applicant, Chris Gast spoke.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Resolution 2021-10, a special use permit for Gast Auto Repair, subject to all conditions including no more than 6 customer cars outside the fence viewable from the road and for a 10- year period.

Commissioner Kaaz indicated the motion did not limit to the maximum of ten cars.

Commissioner Culbertson withdrew his motion and Commissioner Doug Smith withdrew his second.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Resolution 2021-10, a special use permit for Gast Auto Repair, subject to all conditions including no more than six customer cars outside the fence viewable from the road and for a 10- year period. Commissioner Culbertson amended the motion to add 18 total customer cars on the property.

Motion passed, 4-1 Commissioner Kaaz voting nay.

David Van Parys indicated the motion did not include a resolution number.

A motion was made by Commissioner Culbertson and seconded by Commissioner Stieben to approve Resolution 2021-10, a special use permit for Gast Auto Repair subject to all conditions.

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

Ms. Voth presented Resolution 2021-11, amending articles 3 and 18 of the 2006 Zoning and Subdivision Regulations.

A motion was made by Commissioner Stieben and seconded by Commissioner Kaaz to approve Resolution 2021-11, text amendments to the 2006 Leavenworth County Zoning and Subdivision Regulations, articles 3 and 18.

Motion passed, 5-0.

Ms. Voth requested appointment of members to the Building Codes Appeals board.

Mr. Loughry reported John Zimbelman received two votes, Justin Burgoon has one vote and Marcus Radulescu received one vote.

A motion was made by Commissioner Stieben and seconded by Commissioner Mike Smith to appoint the following members to the Building Code of Appeals committee: John Jacobson, Tim Smith, Dale Thomas, Zachary Stoltenberg and John Zimbelman.

Motion passed, 4-0, Commissioner Culbertson abstained.

Joe Herring commented on a non-agenda item.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith that this Board recess for a closed executive meeting for the discussion of a subject 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 10:15a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug Smith and Stieben, Senior County Counselor David Van Parys and County Administrator Mark Loughry.

Motion passed, 5-0.

The Board returned to regular session at 10:15 a.m. No action was taken and no decisions were made. Subject was limited to attorney-client privileges.

Commissioner Kaaz announced the Courthouse building will be lit up blue for the month of April for Child Abuse Prevention month.

Commissioner Stieben reminded everyone this is the last date to schedule an appeal on property taxes.

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

Commissioner Mike Smith mentioned the work session with the Planning Commission went well.

Commissioner Culbertson updated the Board on the progress of the Easton landfill issue.

Commissioner Kaaz encouraged everyone to thank the people within the community that work with preventing the abuse of children.

Don Navinisky commented.

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

Motion passed, 5-0.

The Board adjourned at 10:25 a.m.

Final Approved