

*****June 2, 2021 *****

The Board of County Commissioners met in a regular session on Wednesday, June 2, 2021. Commissioner Mike Smith, Commissioner Doug Smith, Commissioner Kaaz and Commissioner Culbertson are present; Commissioner Stieben is present by phone; Also present: Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Krystal Voth, Planning and Zoning Director;

Residents: Kevin and Andrea Boden, Kelly Meyer, Colleen Keller, Tony Hill, Greg Ledford, AW Himpel, Charity Briggs, Ryan Gant, Dennis Taylor, John Matthews, Joe Herring

PUBLIC COMMENT:

Kelly Meyer, Colleen Keller, Charity Briggs and Joe Herring commented on agenda items.

ADMINISTRATIVE BUSINESS:

Mark Loughry reported the United Way recognized the staff of Leavenworth County for their participation in the last fund-raising campaign.

Commissioner Doug Smith requested to remove the Ackerland Plat from the consent agenda.

Commissioner Kaaz requested to remove the check registry from the consent agenda.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the consent agenda for Wednesday, June 2, 2021 minus Ackerland Hill plat and the check registry.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to accept the check registry of the consent agenda.

Motion passed 4-0, Commissioner Kaaz abstained.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to accept the Ackerland Hill plat.

Motion passed, 4-0, Commissioner Doug Smith abstained.

Krystal Voth presented Resolution 2021-15, a rezoning request from RR-5 and B-3 to B-3 located on the corner of 207th and Springdale Road.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to deny the rezoning of Resolution 2021-15, a request to rezone a parcel from expanding to B-3 zoning.

Motion passed, 5-0.

A motion was made by Commissioner Culbertson and seconded by Commissioner Kaaz to waive the 1-year requirement for re-application for a rezoning specifically for a special use permit.

Motion passed, 5-0.

Ms. Voth presented Resolution 2021-16, a rezoning request from RR-5 to RR 2.5 located at the intersection of 177th Terrace and Seymore Road.

A motion was made by Commissioner Culbertson and seconded by Commissioner Doug Smith to approve Resolution 2021-16, a request to rezone a tract from 5 acre to 2.5 acre residential.

Motion passed, 5-0.

Ms. Voth presented Resolution 2021-17, a special use permit for an indoor baseball training facility.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to deny Resolution 2021-17, a special use permit for an indoor training facility for youth baseball.

Motion passed, 3-2 Commissioner Culbertson and Commissioner Stieben voted nay.

Ms. Voth presented Resolution 2021-18, amendments to articles 41 and 43 of the Leavenworth County Zoning and Subdivision Regulations.

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to table Resolution 2021-18 for two weeks to direct staff to come up with a footage for realignment of the intersection.

Motion passed, 5-0.

Commissioner Kaaz inquired if the Golden Factors explanation was needed for the denial of the special use permit for the baseball facility.

A motion was made by Commissioner Kaaz and seconded by Commissioner Doug Smith to reopen the denial of Resolution 2021-17, a special use permit for the Boden baseball facility, indoor training facility.

Motion failed, 3-2 Commissioner Kaaz and Commissioner Doug Smith voted aye.

Commissioner Kaaz met with a representative from United Way and participated in the Leavenworth City Council meeting.

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

Commissioner Culbertson attended the County Fire Chiefs meeting.

Commissioner Doug Smith will be attending the Kansas Association of Counties Annual Conference in Liberal, KS next week.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to recess for a closed executive meeting for discussion 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 the Board resume open session at 10:20 a.m. in the meeting room of the Board. Present in the executive meeting will be Commissioners Jeff Culbertson, Vicky Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor, David Van Parys and County Administrator Mark Loughry.

Motion passed, 5-0.

The Board returned to regular session at 10:20 a.m. No decisions were made and the subject was limited to the legal interests of the County.

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

Motion passed, 5-0.

The Board adjourned at 10:20 a.m.