

*****July 5, 2023 *****

The Board of County Commissioners met in a regular session on Wednesday, July 5, 2023. Commissioner Kaaz, Commissioner Doug Smith, Commissioner Mike Smith, Commissioner Culbertson and Commissioner Stieben are present; Also present: Andrew Dedeke, County Sheriff; Mark Loughry, County Administrator; David Van Parys, Senior County Counselor; Misty Brown, Deputy County Counselor; John Jacobson, Planning and Zoning Director; Amy Allison, Planning & Zoning Deputy Director; Bill Noll, Infrastructure and Construction Services

Residents: John Matthews, John Wagner

PUBLIC COMMENT:

There was no public comment.

ADMINISTRATIVE BUSINESS:

Commissioner Stieben discussed citizen concerns regarding speed limits on different road surfaces.

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

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to pull the check registry from the consent agenda for Wednesday, July 5, 2023 as presented.

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

A motion was made by Commissioner Culbertson and seconded by Commissioner Mike Smith to accept the check register section of the consent agenda for Wednesday, July 5, 2023 as presented.

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

Amy Allison presented Resolution 2023-15, a rezone request from RR-5 to RR-2.5 located at 24971 and 00000 Tonganoxie Drive.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve Resolution 2023-15, a rezone request from RR-5 to RR-2.5 located at 24971 & 00000 Tonganoxie Drive.

Motion passed, 5-0.

Ms. Allison presented Resolution 2023-16, a rezone request from RR-5 to Planned Unit Development located at 17271 and 17251 Hollingsworth Road.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Culbertson to approve Resolution 2023-16, a rezone request from RR-5 to Planned Unit Development located at 17271 & 17251 Hollingsworth Road.

Motion passed, 5-0.

Ms. Allison presented Resolution 2023-17, a request from a special use permit for Faster Dynamics.

A motion was made by Commissioner Mike Stieben and seconded by Commissioner Mike Smith to conditionally approve Resolution 2023-17, a special use permit for Faster Dynamics, an auto service and repair shop located at 00000 George Road with 3- year date certain on Jan 1, 2026.

Motion passed, 3-2. Commissioners Kaaz and Doug Smith voting nay.

Mark Loughry presented information regarding changes to a road improvement agreement.

A motion was made by Commissioner Mike Smith and seconded by Commissioner Kaaz to approve a road improvement agreement.

Motion passed, 4-1, Commissioner Doug Smith nay.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Culbertson to approve Board Order 2023-4, memorializing the findings previously made by the Board upon the hearing of the matter of the vacation of an unused portion of State Street.

Motion passed 5-0.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith to approve a first amendment to contract for certain improvements to 155th Street as it lies in the city of Basehor and the waiver by the city of Basehor of connection fees for Sewer District #5.

Motion passed 5-0.

Discussion took place regarding the 2024 Leavenworth County budget.

A motion was made by Commissioner Stieben that the two positions that were funded by ARPA within the County Attorney's Office, that we reclaim the \$160,000.00 to the General Fund of the budget from his proposed 2024 budget.

Motion dies for lack of a second.

A motion was made by Commissioner Stieben to reduce the County Attorney's proposed 2024 budget by \$160,000.00.

Motion dies for lack of a second.

It was the consensus of the Board to meet with the County Attorney prior to the next Board meeting.

John Wagner commented on a non-agenda item.

A motion was made by Commissioner Doug Smith and seconded by Commissioner Mike Smith that the 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 the Board resume open meeting at 11:05 a.m. Present in the executive meeting will be Commissioners Culbertson, Kaaz, Mike Smith, Doug Smith and Mike Stieben, Senior County Counselor, Misty Brown, David Van Parys, and Mark Loughry.

Motion passed, 5-0.

The Board returned to regular session at 11:05 a.m. No action was taken and no decisions were made. The subject was limited to the legal interests of the County.

Commissioner Stieben attended the 4th of July parade for the city of Basehor.

Commissioner Culbertson met with constituents regarding the statement he made at the last meeting regarding taxation. He attended the city of Easton fireworks show.

Commissioner Mike Smith attended the city of Lansing's 4th of July celebration.

Commissioner Kaaz attended a conference for drug court and participated in a KCATA meeting via Zoom.

Commissioner Doug Smith attended the Basehor City Council meeting and the 4th of July parade in Basehor.

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

Motion passed, 5-0.

The Board adjourned at 11:09 a.m.

Final Approved