

County Commission  
January 6, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr. and Commissioner Robert Hendricks. Also present were County Clerk Shane J. Shields and Commissioner-elect Eldon Gracy. Commissioner Robert Courtney was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed the minutes for December 30 and 31. They were unanimously approved with one amendment.

Marshall Love met with the Commission and requested an extension for his project under the Neighborhood Revitalization Plan. Mr. Love recounted the history of his project, which included two buildings and the circumstances of a previous extension granted. After discussion, the Commission unanimously determined that no further extension could be made and the second building would not be eligible for the NRP.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission for the opening of vehicle bids. The Commission explained that due to the budget reductions from the State the replacement of vehicles might not take place for 2003. Sheriff Gilkey expressed concern about not replacing the vehicles. The Commission proceeded to open the bids that were submitted for review. Bids were received from Koehn Motors, Rusty Eck Ford, Kline Motors, Countryside Motors, Parks Motors, Zeller Motors and Rock Chevrolet. The Commission requested Sheriff Gilkey to review all of the bids for the required specifications and report back to them.

Ed Larson met with the Commission to request the closing of a road. Road and Bridge Director Melvin Matlock was also present. The Commission asked that he submit a letter of request to vacate the road and then the required procedural steps would be followed. A public hearing is required.

Road and Bridge Director Matlock met with the Commission. He reviewed what funds and how they have been available to aid in the budget reductions. The Commission authorized a Special Highway/Bridge Improvement fund in December of 2000. If funds are available at the end of the year, they can be transferred to the special fund. The fund was created to begin building a reserve for major projects, such as the Belle Plaine South road. Due to the budget reductions, \$160,000 was used to help fund the 2003 budget. The Road and Bridge funds of \$139,000 available this year to assist the Employee Benefit fund came from overtime funds not used. Director Matlock advised that an 8% cost is built in for possible overtime created for snow and ice removal. That total amount was not used in 2002 so there were funds available to reimburse for a portion of the benefit and insurance costs for the department.

Harold Cooney spoke by phone with Commissioner Hendricks regarding a zoning issue.

The Commissioners recessed for lunch at 12:05 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. The Commission discussed the zoning issue involving Mr. Cooney. The issue was referred to District Court and there is a pending case. Counselor Potucek advised that any issues would now have to be addressed in the court system.

The Commission spoke with Commissioner Courtney by phone and several items of the day were briefly discussed.

Sheriff Gilkey met again, briefly, with the Commission. He returned the vehicle bids to the Commission and advised that Countryside Motors was the low bid. The Commission made no final decision regarding the bids.

County Counselor Potucek returned the signed contract between the County and Chisholm Trail Museum for storage space.

Jere Schwerdtfeger, Administrator for Slate Creek Good Samaritan Center, met with the Commission. He reported on two items cited in the last inspection of the facility, the walk-in freezer and kitchen flooring. The walk-in freezer

was an item on the five-year plan, but Administrator Schwerdtfeger and Maintenance Director Yoder developed an alternative to address the problem. The alternative is to purchase five upright freezers in place of the walk-in. Administrator Schwerdtfeger advised the flooring has been patched and that Director Yoder is checking on vinyl flooring. The Commission advised that they would review information when provided by Director Yoder.

There being no further business, the Board of County Commissioners adjourned at 2:36 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Chairman

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Shane J. Shields, County Clerk

County Commission  
January 7, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr. and Commissioner Robert Hendricks. Also present was County Clerk Shane J. Shields. Commissioner Robert Courtney was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

Commissioner-elect Eldon Gracy was present for the meeting.

State Representative Bill McCreary met with the Commission. The status of the State budget and its affect on local budgets was discussed. Representative McCreary advised after a review of State finances last week it was reported that the State will experience a deficit of around 750 million over the next eighteen months. Among the topics discussed were the transportation bill, higher education bill, delinquent tax collections, and Community College tuition. He also commended the Commission for not joining the lawsuit filed against Governor Graves.

The Commission reviewed and unanimously approved tax change orders abating \$134.07 and adding \$46.64.

There being no further business, the Board of County Commissioners adjourned at 11:50 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Chairman

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Shane J. Shields, County Clerk

County Commission  
January 13, 2003 9:00 a.m.

The Board of County Commissioners met in the main courtroom of the Sumner County Courthouse. District Court Judge R. Scott McQuin administered the oath of office to Commissioner Gene Bongiorno Jr. and Commissioner-elect Eldon Gracy. Commissioner Robert Courtney and County Clerk Shane J. Shields were also present.

The Board of County Commissioners returned and met in regular session in the Commission room of the Sumner County Courthouse. County Clerk Shane J. Shields was present. The meeting was opened with the Pledge of Allegiance.

At 9:30 a.m., the Commission held a public hearing regarding adoption of the proposed Environmental Code. Planning and Director Jon Bristor, Assistant Director Mary Jenkins, Field Technician Cliff Bales, and Planning and Zoning Board member Ed Larson were present. Gary Simpson and Robert Goode were also present. A discrepancy was noted on the public hearing notice that was published. It indicated the correct date of the hearing, but cited the day as Tuesday. The Commission's meeting agenda, which was distributed to the media listed the correct date and day. The Commission proceeded with the public hearing.

Director Bristor presented the environmental code for Commission review and adoption. The code was finalized by the sub-committee that was appointed for the purpose of revising the existing code. It was then submitted to the Kansas Department of Health and Environment for the required approval. KDHE approved the code with several recommended changes. Only one of the changes was incorporated, which related to the distance of a water well from a house. The hearing was opened for public comment.

Mr. Goode and Mr. Simpson offered comment on a number of issues within and relating to the code. Mr. Goode first questioned how the code would affect his desire to restore a privy on his property for historical purposes. Director Bristor advised that, as long as there is no intent to use the privy, the code would not apply. Richard Basehor, of the Kansas Department of Health and Environment, who had just arrived at the meeting, also confirmed that, if the privy was not going to be used, no regulations would apply. Mr. Goode advised his intent would not be to use the privy after restoration.

Other issues addressed related to the definitions of several terms contained within the code including waste material, nuisance, and hearing officer. Both Goode and Simpson expressed their opinion that limitations should be placed on who can file a complaint, such as a neighbor or a resident within a specified distance. Lengthy discussion was held regarding the issues. The Commission made several decisions regarding the code.

During the discussion, Chairman Bongiorno moved that a signed complaint from a resident of the township or a resident within one mile of the property in question is necessary. Commissioner Gracy seconded the motion and the vote was taken 2 to 1 with Commissioner Courtney voting no. The Commission unanimously approved to strike the definition of refuse from section 4-1 and striking the word refuse in section 4-2. After further discussion, Chairman Bongiorno moved to rescind the motion placing limitations on the complaining party. Commissioner Courtney seconded the motion and it was unanimously approved. The Commission unanimously approved changing the words "unlicensed change" to "unpermitted" and changing "license" to "permit" in another section. The appeals process was also reviewed.

The appeals process within the code was discussed. The code is based on and follows State law and Kansas Department of Health and Environment codes so there was some question as to whether a local appeals process was needed. Commissioner Courtney recommended that the sub-committee members be notified of any significant changes that were going to be considered. Mr. Goode and Mr. Simpson indicated that they had additional comments they wished to make and they protested the opening back up to the public for a complaint to be filed. The Commission unanimously determined to table the matter until January 28, at 9:30 a.m., at which time the public hearing would be continued.

Road and Bridge Director Melvin Matlock met with the Commission. Also present was Superintendent Larry Whitham and Administrative Assistant Joyce Reynolds. Director Matlock submitted an annual lease contract for the Commission's review and approval. The contract is for one of the sites where materials are stored. He also

presented a map showing the number of bridge structures built in 2002 and their locations. There were 52 structures built in 2002 and 43 in 2001. Director Matlock provided a report on the landfill operations and financial status.

Director Matlock also discussed the memorandum regarding various methods to reduce the budget. The Commission distributed the memo last week to inform all county employees of the ideas being considered. He provided reports relating to some of the ideas. Director Matlock reviewed some steps already taken to reduce or hold his department's budget and his recommendations regarding the options being evaluated. He also briefly discussed the workers compensation claims for his department over the past several years.

The Commission further discussed employee merit raises. After discussion, the Commission unanimously agreed that all salaries and hourly wages are frozen until further notice. The release of merit increases will be considered at a later date with an evaluation of the budget status.

The Commissioners recessed for lunch at 11:59 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. He reviewed the extension of the contract with CornerBank for the purchase of the former AV Central building. The extension allows for the additional time needed for the financing option. It was unanimously approved and the Chairman was authorized to sign it.

The Commission received the invoice for membership in the Kansas Association of Counties. After discussion, the Commission unanimously determined that they would not join KAC for 2003 due to KAC's decision to file the lawsuit against the State. The Commission will continue to support the educational opportunities offered by KAC.

The Commission reviewed and unanimously approved the minutes for January 6 and 7.

The Commission spoke with Steve Smith, of Universal Construction. They confirmed with him an increase in the projected costs for the law enforcement/jail project recommended by the architect. Mr. Smith confirmed a 5% increase due to labor and material price increases.

The Commission reviewed and unanimously approved the Community Corrections claims for December in the amount of \$24,309.87.

County Clerk Shields reported that Renn and Company had provided the property insurance information requested at a previous meeting. If the county followed the recommended increases in replacement value for the five buildings involved, there would be a cost increase of \$339.00. If insured for actual cash value, the cost would decrease by \$3,168.00. The Commission unanimously agreed to insure the buildings for 2003 for the actual cash value except for the Raymond Frye Complex. The complex will continue to be insured for replacement value.

The Commission met with Maintenance Director Gary Yoder. Replacement of the walk-in freezer at the Slate Creek Good Samaritan Center was considered. The alternative, as discussed last week, of purchasing five upright freezers was reviewed. The county has the option to purchase the freezers from Sears through the Good Samaritan Society's commercial account. The Commission spoke with Jere Schwerdtfeger, Administrator for Slate Creek. The Commission asked that local bids be obtained for the freezers. The Commission will then make a final determination.

At 3:44 p.m., upon unanimous vote the Commission entered into an executive session with Director Yoder until 4:00 p.m. to discuss non-elected personnel. At 4:00 p.m., upon unanimous vote the executive session was extended five minutes. At 4:05 p.m., the Commission reconvened in open session.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,595.06 and added tax orders in the amount \$311.06.

The Commission reviewed and unanimously approved the mid-month claims for January in the amount of \$166,546.95.

There being no further business, the Board of County Commissioners adjourned at 5:06 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Chairman

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Shane J. Shields, County Clerk

County Commission  
January 14, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr., Commissioner Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed the contract agreement with the firm of Parman, Tanner, Soule and Jackson for the completion of the 2002 audit. The contract was unanimously approved and the Chairman was authorized to sign it.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. The Commission first discussed an issue involving the compensation of the trustees. Sheriff Gilkey explained that he is required to compensate the inmates that work as trustees and that is accomplished by allowing them to purchase items through a process similar to commissary. Since the month in question the amount allowed for compensation has been reduced from \$15.00 per week to \$10.00 per week and limitations have been placed on what can be purchased. Insurance issues relating to inmates performing outside work for the county and other cities were discussed. Sheriff Gilkey also reviewed the work release program and the inmate phone system for Commissioner Gracy's benefit.

Sheriff Gilkey discussed the replacement of vehicles. He advised that he understands the budget situation, but it is his hope that the situation does not return where serious maintenance problems begin occurring. He advised that he has an excellent maintenance program, but there are five cars that have near or over 100,000 miles.

The Commission held a work session to review the proposed environmental code. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were also present.

The Commissioners recessed for lunch at 11:59 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commission met with John Haas, of Ranson Financial Consultants, and Sheriff Gerald Gilkey. County Counselor Jack Potucek and Karen Collier, of the Wellington Daily News were also present. The special use permit application by the County for the former AV Central building was approved by the City of Wellington. Mr. Haas explained that the required steps for the proposed financing method for the project could now be initiated. A number of issues relating to the financing and the project itself were reviewed. Mr. Haas and Sheriff Gilkey had also developed a graph showing the inmate population for the period from January 2000 to date. Steve Smith, of Universal Construction, was also contacted by phone and several issues were discussed. Also discussed were the dates set for public information meetings to be held. The tentative dates are February 6 and 11. Mr. Haas then submitted the resolution of intent for the Commission's review and adoption.

The Commission unanimously adopted Resolution 2003-01, a Resolution determining the advisability of financing the (A) acquisition and renovation of existing building for use as a County law enforcement center; (B) the installation of a fire escape system in the existing county courthouse; and (C) renovation of District courtroom in the existing county courthouse by the execution and delivery of a lease purchase agreement; and repealing Resolution No. 2002-07 of the county, which created a Public Building Commission. The Resolution states that the estimated cost of not to exceed \$7,500,000, including financing costs. The resolution will be published, as required, for two consecutive weeks in the official county newspaper. It will be published in the Conway Springs Star on January 16 and 23. The Commission also directed that it be published one time in the other county newspapers. The thirty-day protest period begins after the final publication. A protest petition would require registered voter signatures equal to 5% of the total votes cast in the last General election for the Secretary of State. County Clerk Shields confirmed the number would be 403. If a valid petition is submitted an election would have to be called. The Commission had previously indicated the question, if required, would be added to the April 1 City/School General election. This procedure is necessary because Kansas Statutes do not provide a way for the Commission to submit the question without a petition given the current bonding authority.

Counselor Potucek met with the Commission regarding the proposed Harper County landfill. He submitted the invoice received from Attorney Robert Eye for the services of Edward Marks, hydrogeologist of Terrane Resources

Company. The Commission directed Counselor Potucek to contact Attorney Eye and request a detailed summary of findings from the hydrogeologist.

The Commission received information from Jere Schwerdtfeger, Administrator for Slate Creek Good Samaritan Center, regarding bids for freezers. The bid provided by Brownlee Heating & Air, Inc. was lower than purchasing through a commercial account. The Commission unanimously approved the bid of \$2,535 and notified Maintenance Director Yoder to proceed with the purchase and installation.

There being no further business, the Board of County Commissioners adjourned at 3:21 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Chairman

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Shane J. Shields, County Clerk

County Commission  
January 21, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr., Commissioner Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed the minutes for January 13 and 14. They were unanimously approved with amendments.

Treasurer Carolyn Heasty met with the Commission. She submitted a prepared resolution, regarding a peak deposit security agreement, for the Commission's review and adoption. The resolution declares a Peak Depository Period beginning January 21, 2003 for a period of 60 days due to tax collections. The Commission unanimously approved and adopted Resolution 2002-03.

Sheriff Gerald Gilkey met with the Commission regarding vehicles. He reported that he has been investigating the possibility of restoration of a number of the patrol vehicles if new ones are not purchased. The company is out of state, but a local company may be able to do the same work. The estimated average restoration price for a Ford Crown Victoria was \$11,995 to \$13,995 per vehicle. A new vehicle costs approximately \$21,000. The restoration process would provide two to three additional years of adequate service. The Commission determined the immediate goal is to obtain another year of service out of the current vehicles. The Commission asked for a specific list of what work is needed on the five cars scheduled for replacement in 2003 and the maintenance history for each one. The Commission advised they would review the information and consider all options.

Keith Mortimer met with the Commission regarding Township issues. He discussed two road problems, one in Ryan Township and one in Chikaskia Township. Mr. Mortimer expressed his belief that the Township system is badly broken in Sumner County. The Commission discussed the research they had completed in the past regarding the Township Road system. At that time, it was determined that it was not cost effective for the County. The Commission also had concerns about reponse to weather conditions that could strand people. The possibility of combining some of the townships was discussed. Mr. Mortimer also discussed problems that he perceives with the Ryan Township Board. The Commission advised they would have Road and Bridge Director Melvin Matlock contact him to discuss the road issues.

Janet Donley, Director for the Sumner Board for Senior Services, met with the Commission. She reported that the Provide-a-Ride program traveled over 24,651.30 miles for 2002. There are volunteers from seven cities that provide rides to seniors in need. Director Donley discussed the previous suggestion of the Commission to hold a benefit dinner for the volunteers. The Commission approved proceeding with the dinner. They felt the cost for a dinner to show appreciation was far outweighed by the services provided by the volunteers. Several other senior issues were briefly discussed.

The Commission held a staff meeting with the Department Directors regarding the 2003 budget. All Directors were present, except County Counselor Jack Potucek due to a funeral. The proposed budget by the State of Kansas, which includes no demand transfers to cities and counties, means an unexpected \$402,759 reduction for the County's General fund in 2003. A number of options to deal with the shortfall were considered as well as options to increase revenue. The Commission requested the Director's to meet and formulate plans to respond to the reduction in funds. The Directors advised that they would do so and meet again with the Commission next week.

The Commissioners recessed for lunch at 12:02 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. He reported that he was proceeding with research regarding the reimbursement of the expenses for the housing of juveniles. He was also still working with Sheriff Gilkey regarding the per diem costs charged for the housing of adult inmates. The Commission also discussed the lease agreement between the County and the Good Samaritan Society regarding the Slate Creek Center.

Darrel Adams, Publisher, and Karen Collier, City Editor, for the Wellington Daily News met with the Commission. The proposed tabloid insert for distribution in all of the newspapers in the county was reviewed. Additional information to include in the insert was discussed. They advised they would return next week with further revisions to the insert.

Planning and Zoning Director Jon Bristor met with the Commission regarding the renewal of the permit for the Slate Valley Sewer District. Don Scott, President for the Sewer District, was also present. Ed Dillingham and Rod Geisler with the Kansas Department of Health and Environment were contacted by phone to discuss the issue. It was recently discovered that a permit issued in 1984 was in the name of the Sumner County Commissioners and not specifically the Slate Valley Sewer District. The KDHE officials were contacted to confirm how to change to the Sewer District itself. They advised that permits for a sewer district created by a county are usually only issued to the Board of County Commissioners. Several issues relating to the sewer district and the recent KDHE inspection were discussed. Mr. Scott and Director Bristor will continue to work on the several issues involved.

Wellington Township Trustee Pete Gaskill met with the Commission. He advised that the City of Wellington wants to annex one half mile of 20<sup>th</sup> Avenue north from Hillside west. Mr. Gaskill submitted an agreement, Consent to Annexation, that must be signed by the Commissioners and the Township Board members. The Commission unanimously approved the consent to annexation and it was signed.

Bill Bolin, Executive Director for the South Central Kansas Economic Development District, met with the Commission. He reviewed the Board of Directors membership composition for the district. The current composition formula, which was set when SCKEDD was formed, creates a board of 83 members. Due to the size, the executive committee researched alternative formula for composition of the Board. The Commission approved to follow the recommendation of the Executive Committee of the South Central Kansas Economic Development District, Inc. to change the membership composition of SCKEDD's Board of Directors. The change will affect Article III, Section 2, Part B of SCKEDD's Amended By-Laws, and Article IV (a) of the Amended Articles of Incorporation. The change is from the present formula of a minimum of one basic representative, being an elected official or his or her designated representative, from each county, with an additional representative or representatives appointed from each said county on the basis of one per 15,000 population or fraction thereof to the following; a minimum of one basic representative, being an elected official or his or her designated representative, from each county, with an additional representative or representatives appointed from said county on the basis of counties with twenty percent or more of SCKEDD's population having four (4) additional representatives, counties with six to nineteen percent of SCKEDD's population having two (2) additional representatives, and counties with two to five percent of SCKEDD's population have one (1) additional representative.

Bob Parks met briefly with the Commission regarding the proposed Harper County landfill. He provided some additional documents that may be pertinent to the landfill issue. The Commission will give the documents to Counselor Potucek for forwarding on to Attorney Robert Eye.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$10,414.74 and added tax orders in the amount of \$1,079.62.

There being no further business, the Board of County Commissioners adjourned at 5:06 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Chairman

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Shane J. Shields, County Clerk

County Commission  
January 27, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr., Commissioner Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields.

The Commission reviewed and unanimously approved the minutes for January 21 with one amendment.

Community Corrections Director Lou Bradbury met with the Commission regarding the quarterly 30<sup>th</sup> Judicial District Juvenile Justice Authority programs. CASA Director Tammy Bradbury was also present. He submitted the latest reports for the Commission's review and approval. Director Bradbury advised that the most recent budget reductions would be reflected in the next quarterly reports. The overall reduction to the Prevention programs was 16.2 % and to the Graduated Sanctions programs a 12% reduction. The reports were unanimously approved and the Chairman was authorized to sign them.

Jere Schwerdtfeger, Administrator for Slate Creek Good Samaritan Center, met with the Commission. He provided several financial reports for general information. Operations of the center were discussed. The planned remodeling of the front entrance and office area was reviewed. A portion of the remodeling is also for compliance with the new Federal HIPAA regulations. The total estimate for the remodeling is approximately \$32,000. After discussion, the Commission asked that Administrator Schwerdtfeger and Director Yoder work together to obtain current bids for the project for review. Budget status would be a consideration before any final decision.

The Department Directors met with the Commission regarding the 2003 budget. The Directors present included Planning and Zoning Director Jon Bristor, Appraiser Della Rowley, Register of Deeds Geraldine McEachern, CASA Director Tammy Bradbury, Noxious Weeds Director Robin Walcher, Information Services Director Doug Stice, Treasurer Carolyn Heasty, Maintenance Director Gary Yoder, E911 Director James Reed, Road and Bridge Director Melvin Matlock and Administrative Assistant Joyce Reynolds, Sheriff Gerald Gilkey, Health Director Vivian Wing, County Clerk Shields, and Economic Development Director Linda Jolly. They provided a report, as was requested last week, to address the 2003 budget shortfall due to the State's deleting the demand transfers. The report identified funds from a number of areas that, in total, would address the shortfall. A number of those Directors identifying budgeted funds provided reports summarizing the impact to their department in making the reductions. The final determination, as to what specific reductions to make, will have to be made by the Commission based upon the impact to projects and services. Sufficient funds were identified to alleviate, at this time, the consideration of staff reductions and/or a work week reduction.

Appraiser Rowley, Treasurer Heasty, Register of Deeds McEachern, Information Services Director Stice and Clerk Shields met with the Commission. They submitted a proposal to purchase software that would provide public access to tax and parcel information via the County's website. The proposal would also provide revenue to the county. There is certain information that would only be available to statutorily authorized individuals, such as fee appraisers, mortgage companies, etc... After review and discussion the Commission unanimously authorized the purchase of the software.

The Commissioners recessed for lunch at 12:03 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Sheriff Gilkey and Undersheriff Jerry Osborn met with the Commission. They provided the 2002 transport records. The Chairman also signed a grant application, previously authorized. Sheriff Gilkey reported that he was continuing to research the program involving commercial sponsorship of a patrol vehicle.

County Counselor Jack Potucek met with the Commission. Sheriff Gilkey and Undersheriff Osborn remained present. Counselor Potucek submitted a letter received from the Wellington Fire Chief expressing a concern regarding the water supply at the proposed law enforcement/jail site. Counselor Potucek reviewed the steps taken in the process of considering the water supply needs. The architect and designer were in direct contact with State fire officials during the process. The Commission authorized the Counselor to contact the architect and designer to address the concerns.

Karen Collier, City Editor for the Wellington Daily News met with the Commission. Counselor Potucek, Sheriff Gilkey and Undersheriff Osborn remained present. The revisions made to the proposed insert for all of the Sumner County newspapers were reviewed and discussed. A format and additional revisions for the insert were considered. The insert will be finalized as soon as possible.

Sheriff Gilkey remained present to meet with the Commission. Also present was Deputy Russell Whorley. Deputy Whorley was presented a Certificate of Recognition for serving forty years as a commissioned law enforcement officer in Sumner County. Thirty years of that time was with the Sheriff's Department.

Appraiser Della Rowley and staff member Carolyn Farley met with the Commission regarding a Neighborhood Revitalization case previously considered. The specifics of the case were reviewed along with information from the Appraiser and the Planning and Zoning offices. After review, the Commission unanimously agreed to uphold the previous decision made, which was that the applicant would have to provide a copy of the receipt for the NRP application fee for the situation involved. If a receipt could not be produced his project could not be considered under the plan.

Chairman Bongiorni and Commissioner Gracy left with Road and Bridge Director Melvin Matlock to view the 1200 block of 70<sup>th</sup> Street South. The public hearing to consider closing the road is set for Tuesday. Commissioner Courtney had previously viewed the road individually last week.

There being no further business, the Board of County Commissioners adjourned at 4:50 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorni Jr., Chairman

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Shane J. Shields, County Clerk

County Commission  
January 28, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr., Commissioner Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

At 9:30 a.m., the Commission reopened the public hearing for the consideration of the Environment Code. The hearing had been continued from January 13, 2003. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins and Field Technician Cliff Bales were present. Also present were members of the Planning Board including Twyla Wagner, Ed Larson and Ted Rieckenberg. Citizens present included Gary Simpson and Robert Goode. The Environmental Code was removed from its tabled status and the public hearing was reopened upon unanimous decision. Director Bristor reviewed the areas discussed in the previous meeting and the proposed revisions. He reported that information had been sent to each sub-committee member that participated in the development of the code. He advised that he had received one response, from Rick Hamlin, who indicated he had no problem with the changes. The Commission had been contacted by Henry Ancell who also had no problem with the changes.

Director Bristor also reviewed several of the attachments that were proposed. They will be included to provide complete information on requirements and provide a direct reference to State statutes. Several changes were made to maintain uniformity with State statutes. The Planning Board members in attendance expressed their support for the code. Mr. Simpson posed a question on the attachment regarding lagoon fencing. Mr. Goode voiced that he wanted to protest the whole thing because it is no good. He referenced the issue involving the "Oath of Office" for several of the officials involved that he raised last year. Mr. Simpson restated his objection to the complaint process. There was discussion held on several of the issues.

Chairman Bongiorno advised that since the committee worked on the code for over a year, it should be adopted. The Commission unanimously approved closing the public hearing. The Commission then unanimously directed that the Environmental Code be resubmitted to the Kansas Department of Health and Environment, that the existing code is in full force and effect, and upon receipt of approval from KDHE another public hearing be set for adoption of the new code.

Mr. Simpson also voiced a complaint that he believes the County Clerk is not accurately reflecting him in the minutes. Commission Courtney explained that the Clerk prepares the minutes, but the Commission approves them. If there is a complaint it needs to be addressed with the Commission. No specific information was given to the Commission about the minutes.

John Haas, of Ranson Financial Consultants, met with the Commission. Sheriff Gerald Gilkey was also present. Karen Collier, City Editor for the Wellington Daily News, was also present. Content and format for the informational meetings scheduled for the Improvement projects were reviewed. The financial information was discussed in detail. The information needs to address the costs related to the improvements required if a new jail is not built. Those are improvements to meet existing fire codes. The information will be finalized for the insert. The meetings are scheduled for February 6 and again on February 11, at 7:00 p.m. They will be held at the former AV Central or Elks building, which is the proposed site for the law enforcement/jail facility. The Commissioners are encouraging those planning on attending to bring their own seating. There will only be a limited number of chairs available.

At 11:03 a.m., the Commission held a public hearing for the consideration to vacate the 1200 block of W. 70<sup>th</sup> Street South between Milan Road and Bluff Road. A request to vacate the road had been submitted by Ed Larson who was present for the hearing. A number of other individuals were also present for the hearing as was Road and Bridge Director Melvin Matlock. County Clerk Shields reported that the required legal notice of the hearing was made and the required notices were mailed. He also provided the Commission with a letter received from Michael Andra expressing his opposition to the closing of the road. The Commission opened the hearing for public comment.

Chikaskia Township Trustee Gary Wolff submitted a letter on behalf of the Township Board opposing the closing. He also cited the reasons for their opposition. Oran Sellers also spoke in opposition to the closing. Mr. Larson explained his reasons for requesting closure of the road. Commissioner Courtney asked several questions relating to the road in question. The Commission unanimously expressed their opinion that the road should not be closed. The request for closure was denied unanimously.

John Haas, Sheriff Gilkey and Undersheriff Osborn met again briefly with the Commission. Further information and scheduling of meetings were further discussed.

The Commissioners recessed for lunch at 12:21 p.m.

The Commissioners reconvened in open session at 1:30 p.m. Commissioner Courtney was not present as he was attending a meeting in Wichita with the Chairman of the State Workforce Board concerning funding for the South Central Kansas Workforce Board.

County Counselor Jack Potucek met again briefly with the Commission. He reported that he had not yet received a report from Attorney Robert Eye regarding the Harper County landfill.

There being no further business, the Board of County Commissioners adjourned at 2:28 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Chairman

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Shane J. Shields, County Clerk

County Commission  
February 3, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr., Commissioner Robert Courtney and Commissioner Eldon Gracy. Also present was Deputy County Clerk Denise A. Brown.

The Commission discussed the planned public meetings regarding the Law Enforcement/Jail project.

The Commission reviewed the minutes for January 27 and 28. They were approved with an amendment.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$5,179.28 and added tax orders in the amount of \$422.08.

Stan Gilliland met with the Commission to discuss the Four Rivers Community Health Organization and health care through out the county. Four Rivers is an organization of health agencies within the counties of Cowley, Harper and Sumner. Mr. Gilliland explained some of the new programs that are being offered. He expressed concern that the Sumner County Health Department was not participating due to budget restraints. The Commission advised that they would discuss the issue with the new Health Director.

Planning and Zoning Director Jon Bristor met with the Commission regarding an environment issue along the Arkansas River. The property involved is in the Holiday Lakes sub-division. It was determined that County Counselor Potucek would be consulted about the issue.

Treasurer Carolyn Heasty met with the Commission and provided an update on the investments made in January with the financial institutions in the county. She also reported that the 2001 delinquency tax rate was 2.6732%.

The Commissioners recessed for lunch at 12:10 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission and provided a brief update on several items. Planning and Zoning Director Bristor was also present and the environmental issue was further discussed. Counselor Potucek will research the issue and report back to the Commission next week.

Health Department Director Vivian Wing met with the Commission regarding a personnel issue. At 2:30 p.m., upon unanimous vote the Commission entered into executive session with Director Wing for ten minutes to discuss non-elected personnel. At 2:40 p.m., the Commission reconvened in open session.

The Commission discussed with Director Wing the Four Rivers Community Health Organization. The Health Department staffing level and the current county hiring procedures were also discussed.

The Commission met again with County Counselor Potucek. At 3:00 p.m., the Commission upon unanimous vote entered in executive session with County Potucek until 3:25 to discuss an attorney-client privileged matter. At 3:25, upon unanimous vote the executive session was extended five minutes. At 3:30 p.m., the Commission reconvened in open session.

At 3:55 p.m., the Commission recessed to go to the Road and Bridge Department to attend an employee recognition ceremony scheduled at 4:00 p.m.

Several Road and Bridge Department and Landfill employees were recognized for their years of service. Larry Bacon, Tom Burkhart, Diana Dry and Jack Walker were recognized for five years of service, Jeff Ford for ten years, Pat Barkley, Nita Simonton and Larry Subera for fifteen years, and Jack Cowell for twenty-five years of services.

There being no further business, the Board of County Commissioners adjourned at 4:33 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Chairman

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Denise A Brown Deputy County Clerk

County Commission  
February 4, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr., Commissioner Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Shirley and Susan Musson, representing the Wellington Community Food Bank, Inc., met with the Commission. They provided information regarding the mission and operations of the Food Bank. They cited the tremendous need that they are attempting to meet in our area. They inquired if there were any type of assistance that the County could possibly provide. They advised one need, other than monetary, is storage space. They are in need of space to store dry goods. Reverend Sallie Shore, President for the Food Bank Board of Directors, also arrived at the meeting.

The Commission inquired as to the assistance provided outside of Wellington. Information provided showed that the Food Bank has and is giving assistance to families in nearly every city in the county. The Commission advised that they would review and consider if any space could be offered. Monetary assistance would not be possible for 2003. They also asked that they prepare information that would assist the Commission in considering monetary assistance for 2004. Commissioner Gracy asked for some type of informational brochure that he could distribute to several organizations he is involved in. He also inquired if they would consider including residents of the county or other cities on their Board of Directors. Mrs. Musson said they had talked about that in the past and would consider it further.

The Commissioners recessed for lunch at 12:12 p.m.

The Commissioners reconvened in open session at 1:30 p.m. Deputy County Clerk Denise Brown was now present to take the minutes.

The Commission reviewed and unanimously approved added tax orders in the amount of \$36.00.

County Counselor Jack Potucek met with the Commission. He reported that he had reviewed the contract between the State of Kansas and the County regarding the State Health Insurance Plan. He approved the contract as to form and content. Chairman Bongiorno was unanimously authorized to sign the contract. The contract is the first step to initiate participation in the State plan beginning July 1, 2003.

There being no further business, the Board of County Commissioners adjourned at 3:25 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Chairman

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Shane J. Shields, County Clerk

County Commission  
February 10, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. Commissioner Robert Courtney was not present as he was attending a Regional Economic Area Partnership meeting in Wichita. The meeting was opened with the Pledge of Allegiance.

The minutes for February 3 and 4 were reviewed and unanimously approved with one amendment.

Dawn Hartman met with the Commission regarding a project under the Neighborhood Revitalization Program. Also present were Deputy County Appraiser Laurie Walta and staff member Carolyn Farley. The specifics of the individual case were reviewed. The project, a storage shed, is complete other than the sides and the doors. After discussion, the Commission unanimously determined that the project would be considered as complete for the 2003 tax year. Mrs. Hartman said she would agree to that determination. The decision made by the Commission was consistent with previous similar cases.

Economic Development Director Linda Jolly met with the Commission. Various economic development issues and opportunities were discussed including the Neighborhood Revitalization Plan.

Commissioner Courtney arrived from the REAP meeting at 10:13 a.m.

The discussion with Director Jolly covering a variety of economic development issues was continued.

Oxford Chief of Police Jody Trott and E911 Director James Reed met with the Commission. Chief Trott also serves as the Chairman of the E911 Advisory Board. He provided the recommendations for board members from the Law Enforcement and the Emergency Medical Service Associations. The law enforcement recommended member was Belle Plaine Chief Ken Winters and the EMS recommended member was Conway Springs Assistant Director James Brozovich. An issue regarding permanent member status was discussed. After discussion, the Commission unanimously approved the adoption of the amended by-laws for the Sumner County E911 Communications Center Advisory Board and they approved the board member appointments as recommended. Chief Trott as well as the entire Advisory Board and Director Reed were commended for their work and accomplishments in furthering the cooperation of all of the emergency services.

Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins met with the Commission. The issue involving noise complaints from oil wells without proper mufflers was reviewed. There has been legislation introduced at the State level on the issue. A local citizen had asked if a letter could be provided citing the steps taken by the County to attempt to address the issue. Director Bristor will gather the information for the preparation of a letter. He was also asked to contact the citizen, Dan Russ, to confirm some additional information.

The Commission unanimously authorized the contribution of \$300.00 to each Project Prom group in the county that submits a request. The contribution will be made from the Alcohol and Drug Program fund. Contributions have been made to the Project Prom programs for the past several years.

Eddie Roberts met briefly with the Commission. The meeting planned for this evening in Caldwell to discuss the proposed Law Enforcement/Jail project was discussed. Commissioners Gracy and Courtney will be attending the meeting.

The Commissioners recessed for lunch at noon.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met briefly with the Commission. He reported that he had not yet received contact from Attorney Robert Eye regarding the proposed Harper County landfill. Attorney Eye was still in California and should return Wednesday.

Commissioner Courtney provided a report on the REAP meeting. The REAP organization unanimously adopted a resolution in support of greater protection for the Equus Beds Aquifer. The resolution urges Governor Sebelius to direct and support efforts by the Kansas Department of Health and Environment and other State agencies to continue to recognize the importance of the Equus Beds aquifer to the future of South Central Kansas and direct and support the development and adoption of science based, site-specific water quality regulations, particularly in sensitive groundwater areas such as the Equus Beds Auifer. He also provided a copy of the annual report for the 2002 activities of REAP.

Road and Bridge Director Melvin Matlock and Engineering Superintendent Nita Simonton met with the Commission. The proposed contract with Cook, Flatt and Strobel Engineers, P.A. for the annual bridge inspections was discussed. Director Matlock confirmed that a request for proposal was sent out to several firms. The Commission unanimously approved the contract with Cook, Flatt and Strobel.

Director Matlock also reported that he had talked with Shirley Musson regarding storage space for the Food Bank. He had found a small space that could be used on a temporary basis, but it was not sufficient to meet the needs of the Food Bank.

The Commission discussed the re-organization of the Board. Commissioner Gracy moved that Commissioner Courtney serve as Chairman for 2003. Chairman Bongiorno seconded the motion and the vote was unanimous. Chairman Courtney moved that Commissioner Bongiorno serve as Vice-Chairman. Commissioner Gracy seconded the motion and the vote was unanimous. The Commission also unanimously determined that Robert's Rules of Order would be followed. The Commission unanimously adopted the Code of Ethical Conduct for County Commissioners.

County Clerk Shields discussed a personnel issue with the Commission. At 3:42 p.m., upon unanimous vote the Commission entered into executive session with Shields until 4:00 p.m. to discuss non-elected personnel. At 3:48 p.m., the Commission reconvened in open session.

The Commission reviewed and unanimously approved the mid-month claims for February in the amount of \$334,934.67.

The Commission reviewed and unanimously approved one tax abatement order in the amount of \$527.86.

County Counselor Potucek met again briefly with the Commission. He reported on the environmental issue along the Arkansas River in the Holiday Lakes sub-division that he was asked to research last week. He advised that a corrected property deed was previously issued to the owner involved a year ago. The deed sent to the owner has not been filed.

The Commission reviewed and unanimously approved the January claims for Community Corrections in the amount of \$32,673.93.

Chairman Courtney will attend Kansas County Government Day activities in the morning in Topeka in representation of Sumner County.

There being no further business, the Board of County Commissioners adjourned at 4:26 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
February 11, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. Chairman Courtney was not present as he was attending Kansas County Government Day activities at the capital building in Topeka. The meeting was opened with the Pledge of Allegiance.

Melvin Johnson talked with the Commission by phone regarding his project under the Neighborhood Revitalization Program. County Appraiser Della Rowley and staff member Carolyn Farley were also present. Specific details of his project were reviewed. After discussion, the Commission recommended that he re-apply for the NRP and they informed him that the application would have to be made before the end of February. Mr. Johnson is currently out of state so the application form will be mailed to him.

Health Department Director Vivian Wing and In-Home Services Director Laura Rettig, met with the Commission. The services under the Senior Care Act were discussed. There is currently a client waiting list. The Certified Home Health Aide and Homemaker positions provide many of the services under the act. Director Wing proposed hiring part time personnel to the previously authorized staffing levels for the two positions. There is funding available and the services do generate fees. The Commission unanimously authorized Director Wing to fill the existing authorized part time positions.

Director Wing and In-Home Services Director Rettig discussed the Health Insurance Portability and Accountability Act. There are extensive requirements to meet the regulations in the act. Director Wing advised that Rettig would be designated as the Privacy Officer for the HIPAA requirement. There will be further steps necessary to comply with the regulations that may involve other departments. Review and determination of what is specifically necessary will continue.

Director Wing and Emergency Management Director Jeff Welshans discussed the regionalization efforts for the preparedness and bio-terrorism grant. A region designated as the South Central Metro Region has been formed with a number of counties participating. The purpose is to develop, implement, and evaluate a regional initiative for the purposes of mutual assistance and to enhance the delivery of services and resources as related to requirements and focus areas in the Kansas Department of Health and Environment Public Health Preparedness and Bio-terrorism Grant. The Metro region, with Sedgwick County participating, will provide extensive training opportunities at a reduced cost. They submitted the final agreement for the Commission's approval. The contract must be returned by February 19. The Commission will ask County Counselor Potucek to review the contract.

Emergency Management Director Jeff Welshans provided an update on activities. He also advised that he is now currently serving 24 hours per week in the Air Force Guard at McConnell. He is available for call and response to any emergency in the county. A contingency plan was discussed for continued leadership if Director Welshans is called to full active duty. Director Welshans also reviewed plans for several of the upcoming emergency management exercises.

County Counselor Potucek met with the Commission. He reviewed the agreement for the South Central Metro Region for the preparedness and bio-terrorism grant. He approved the agreement as to legal form.

The Commissioners recessed for lunch at 11:56 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

There being no further business, the Board of County Commissioners adjourned at 1:54 p.m.

Commissioner Gracy will attend the Economic Development Committee meeting at 3:00 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
February 18, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields.

Commissioner Gracy provided a brief report on the Economic Development Committee meeting that he attended last week. Commissioner Bongiorno reported on the jail meeting held in Mulvane and a road issue in the Peck area. Chairman Courtney provided a report on several issues.

County Appraiser Della Rowley and Tom McAlister met with the Commission regarding a Neighborhood Revitalization Plan project. Mr. McAlister discussed a possible project for a property in Wellington. An issue relating to the NRP application requirement that a building permit must be issued before the application was considered. Appraiser Rowley explained how past similar situations have been handled, but the complication in this case is that the program ends February 28. After lengthy discussion, the Commission unanimously determined that the NRP application requirements would have to be met.

Linda Mirt, of the County Extension Office, met with the Commission. She provided information on the Walk Kansas 2003 program. The program is a health initiative to encourage the habit of regular exercise with a fitness challenge. Teams of six individuals agree to walk or exercise thirty minutes or 1.75 miles each week. At the end of eight weeks they will have walked the 423 miles across Kansas. The progress for each county will be posted on the Internet. Mrs. Mirt also provided a brief report on the two other programs, Building Health Families and Bread in a Bag.

The Commission reviewed the minutes for February 10 and 11. The minutes were unanimously approved with amendments.

Community Corrections Director Lou Bradbury met with the Commission. CASA Director Tammy Bradbury was also present. Director Bradbury was asked to discuss a recent Wichita news article about an audit of the JJA programs in other districts of the State. The 30<sup>th</sup> District was not one of those audited in the most recent report. Director Bradbury advised that several of the items cited in the audit report are already being done in our District. Funding issues for the JJA core programs were discussed.

Judge Thomas Graber met with the Commission regarding equipment issues for the court system. He advised that there are still two computers that need to be replaced in order to be compatible with the software system mandated by the State. The estimated cost is approximately \$2,397. Judge Graber also discussed a situation involving postage costs. To resolve the issue requires that a printer is replaced for about \$1,900. The chairs in the jury room were also discussed. Due to their poor condition and becoming a possible safety issue he recommended that they be replaced. Replacement of the chairs was budgeted for 2003. After discussion, the Commission determined that the purchases should proceed.

The Commissioners recessed for lunch at 12:03 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. He reported that Attorney Robert Eye had returned from California and that he had talked with him. Attorney Eye advised that he would obtain and forward the final hydrogeologist report as soon as possible.

The Commission talked with Employers Mutual Company Attorney Mike Kanaly by phone. At 1:47 p.m., upon unanimous vote the Commission entered into executive session with Mr. Kanaly until 2:15 p.m. to discuss an attorney-client privileged matter. Counselor Potucek and County Clerk Shields remained present for the session. At 2:15 p.m., upon unanimous vote the executive session was extended to 2:30 p.m. At 2:30 p.m., the executive session was unanimously extended until 2:40 p.m. The Commission reconvened in open session at 2:34 p.m.

Royce Cook, John Sclickau, and Shortie Schmidt met with the Commission regarding the proposed Harper County landfill issue. The current status of the proposed landfill was discussed. Chairman Courtney advised that notice was received in the mail today that the Kansas Department of Health and Environment public hearing has been set for April 2 and 3. Those present also discussed House Bill No. 2246, which was introduced in the State legislature. The bill deals with landfills and adds requirements for the determination of the placement of a landfill. They asked if the Commission, either as a board or a single member, would be willing to testify at the hearing for bill. The hearing is scheduled for next Tuesday. Chairman Courtney was asked to represent the Commission at the hearing next week in Topeka.

The Commission reviewed the agreement presented last week by Health Department Director Vivian Wing and Emergency Management Director Jeff Welshans. The agreement was for participation in the South Central Metro Region for the purposes of mutual assistance and to enhance the delivery of services and resources relating to public health awareness and bio-terrorism. Chairman Courtney was unanimously authorized to sign the agreement.

Personnel hiring procedures were reviewed and the commission feels the policy and procedure manual must be followed. This will be reviewed at the next staff meeting.

The Commission received correspondence from the Geulph Township Board. The Trustee and Treasurer recommended James Ryan for appointment to the vacant Clerk position. The individual elected to the position has not taken the Oath of Office and has moved out of the township. The Commission unanimously approved the appointment of James Ryan to the position.

Economic Development Director Linda Jolly talked with the Commission by phone. She inquired about the use of the Raymond Frye complex for a State Historical Society and State Commerce awards banquet. The Commission determined that, since it is a statewide function and no fee to attend is charged, the rental fee would be waived. Commissioner Gracy was asked to confirm the information with Director Jolly before a final decision was made.

The Commission discussed the tragic event of the small airplane crash that occurred over the weekend. Both Emergency Management Director Welshans and Undersheriff Osborn gave them reports on the event and search activities. The Commission commended the professionalism and cooperation of the various departments and personnel in conducting the lengthy search efforts. The time and effort of the many individual volunteers was also commended.

There being no further business, the Board of County Commissioners adjourned at 4:13 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
February 24, 2003 1:30 p.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for February 18.

Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission regarding a project under the Neighborhood Revitalization Plan. The project involved a house that was damaged by fire. After discussion, the Commission authorized the Appraiser to adjust the assessment due to the circumstances involved.

At 1:52 p.m., the Commission entered into executive session with County Clerk Shields until 2:10 p.m. to discuss non-elected personnel. At 2:04 p.m., the Commission reconvened in open session.

Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins met with the Commission. They provided the proposed revised permit and inspection fee schedule for planning and zoning services. The Planning Commission had unanimously recommended the new fee schedule. Director Bristor advised that the final fees proposed are comparable on average to other similar counties. After lengthy discussion, the Commission advised they would take the proposal under advisement for further review.

Director Bristor discussed the proposed contact from Riggs Associates for professional planning services to review and update county zoning and sub-division regulations. He advised that the Planning Commission wished to encourage the County to proceed with the next step in the process. The Commission expressed their commitment to proceed with the next step, but funding is an issue that must be considered. Director Bristor was asked to research if any grants would be available for the work.

Treasurer Carolyn Heasty met with the Commission regarding the Special Auto fund. The currently proposed State legislation affecting the fund, as well as the Register of Deed's technology fund, was discussed. The legislation was created due to recent problems in Shawnee and Sedgwick counties. Treasurer Heasty advised that the Kansas County Treasurer's Association executive committee issued a statement last week that they do not condone the actions of the Shawnee County Treasurer. Treasurer Heasty asked for the Commission's support in opposing the legislation. After discussion, the Commission unanimously authorized Chairman Courtney to draft a letter to the Kansas Association of Counties encouraging their efforts to mediate the specific problem between the Treasurers and Commissioners Associations without the need for legislative action.

The Commission returned a phone call to David Yearout. Planning and Zoning Director Jon Bristor was also present. Mr. Yearout discussed HB2112, which gives counties the option to have county code courts. He asked the Commission to consider contacting their legislators in support of the bill. The Commission advised that they have not been supportive of the bill. Mr. Yearout reviewed the details of the proposed legislation and what it would provide. After discussion, the Commission determined that they still do not wish to support the county code court proposal.

The Commission further discussed the proposed new Planning and Zoning fee schedule. They met again with Director Bristor to discuss several specific areas.

The Commission reviewed and unanimously approved tax abatement orders for prior years in the amount of \$1,806.88.

There being no further business, the Board of County Commissioners adjourned at 4:34 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
February 25, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission met with Planning and Zoning Director Jon Bristol. They discussed and finalized changes to the proposed new Planning and Zoning fee schedule.

The Commission met with E911 Director James Reed. The status of the NCIC connection costs was discussed. The State had previously determined that they would stop paying the costs in January. Director Reed reported that notification from the State now indicates that they will continue to pay the cost until July 1, 2003. It was also found that the existing statute relating to the issue actually states that the cost is to be paid by the local entity. The Commission also discussed the latest legislative issues relating to cellular phones. The Commission and Director Reed agreed that there are some problems with the currently proposed negotiated legislation.

Economic Development Director Linda Jolly met with the Commission. At 10:45 a.m., upon unanimous vote the Commission entered into executive session with Director Jolly until 11:00 a.m. to discuss confidential data relating to financial affairs of a corporation. At 11:00 a.m., the Commission reconvened in open session.

Sheriff Gerald Gilkey met with the Commission. County Counselor Jack Potucek was also present. The reimbursement of the expenses for juvenile housing costs was discussed. According to State statute, the expenses are the responsibility of the parents or guardian of the juvenile. The reimbursement has never been pursued in this county. The procedures currently used by Finney County were reviewed. Sheriff Gilkey also advised that he has recently sent billing statements for the expenses of several juvenile housings. Sheriff Gilkey and Counselor Potucek will research the issue further.

The Commission also discussed with Sheriff Gerald Gilkey currently proposed legislation relating to the housing of adult inmates. They also discussed the notification sent by the Sheriff to the cities regarding the service contracts. They asked for a copy of the letter.

The Commission met with County Counselor Jack Potucek. They spoke with Employers Mutual Insurance Companies Attorney Mike Kanaly. At 11:30 a.m., upon unanimous vote the Commission entered into executive session with Attorney Kanaly until 11:45 a.m. regarding an attorney-client privileged matter. Counselor Potucek and Clerk Shields remained present for the session. The Commission reconvened in open session at 11:45 a.m.

Counselor Potucek reported that he had talked with Attorney Robert Eye regarding the report on the proposed Harper County landfill from the hydro-geologist retained by the county. Attorney Eye advised that the report would not be available until the second week in March. He advised that there is an inconclusive circumstance that the hydro-geologist wants to further review.

The Commission reviewed and unanimously approved current year tax abatements in the amount of \$6,530.62 and prior year abatements for \$3,122.58.

The Commission reviewed and unanimously approved the claims for the end of February in the amount of \$382,564.01.

There being no further business, the Board of County Commissioners adjourned at 12:08 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Bob Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 3, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Cole Smith met briefly with the Commission regarding Planning and Zoning issues.

The minutes for February 24 and 25 were reviewed and unanimously approved.

The Commission discussed various legislative issues currently being considered by the State and that may affect local jurisdictions.

Health Department Director Vivian Wing met with the Commission regarding the bio-terrorism grant.

Emergency Management Director Jeff Welshans met with the Commission and advised that he has been called to active military duty. The activation will be for up to a year and will be at McConnell. The continuity of operations for his department was discussed. The bio-terrorism and Department of Justice grants were discussed as well as the planned disaster exercises. Director Welshans advised that the Sedgwick and Cowley County Emergency Management offices have confirmed that they would have personnel available for consultation and some assistance. Operational and personnel issues were discussed in specific detail. Director Welshans will still be available during evenings and weekends. The Commission will further discuss several issues with County Counselor Potucek.

Appraiser Della Rowley and staff member Carolyn Farley met with the Commission regarding two Neighborhood Revitalization Plan projects. For one of the projects it was confirmed, as in a previous case, that simply moving a mobile home from one location to another does not qualify for the plan. The second project involved a property transaction that had not been completed yet, but the individual has obtained a building permit and made an NRP application prior to the deadline.

The Commission met with Darrel Adams and Karen Collier of the Wellington Daily News. The Commission discussed their desire to educate the public on the entire budgeting process from the beginning to the end. Mr. Adams advised that they would attempt to provide more in depth reporting on the process for the public.

The Commission also discussed the status of the Law Enforcement Center/Jail project with Mr. Adams and Ms. Collier. Eddie Roberts was also present. Mr. Adams advised that they would be doing news articles to provide full information to the public relating to all areas of the project.

Eddie Roberts discussed several issues regarding the Law Enforcement Center/Jail project.

The Commissioners recessed for lunch at 12:20 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Potucek met with the Commission and briefly reviewed several issues. Information regarding the former AV Central building was discussed. It was confirmed that the 2002 county appraised value of the building was \$389,000. The contract entered into for the County to purchase the property was \$450,000. The contract is contingent upon approved financing. An independent appraisal of the property was provided during the negotiations for purchase.

Russell and Maxine Mauck met with the Commission to discuss a road problem. The problem involves the Township or County not maintaining a road near their property. They had met with the Commission on the same issue about two years ago. The problem exists due to the road being considered private. Mr. Mauck continues to question why the Township will not maintain the road when there was a period of time in the past when they did. The Commission advised that they would review the issue with Road and Bridge Director Melvin Matlock. They advised Mr. Mauck that legal action might be the only option left for him to take.

The Commission spoke by phone with Emergency Management Director Welshans. The Commission unanimously approved that Director Welshans will receive 25% of his current set salary while he is on military leave. The decision was made due to the unique situation where he will be able to continue to a portion of his work and responsibilities during the evenings and weekends. If circumstances change, the arrangement will have to be re-evaluated.

The Commission spoke by phone with Road and Bridge Director Matlock regarding the road issue. He confirmed that the problem relates to the road not being considered as public. In two previous investigations on the issue, Mr. Mauck was advised of the steps required by statute that need to be taken to designate the road as public. Also, even once the steps are met; it remains the Township's option as to whether they wish to assume maintenance of the road. The Commission asked Director Matlock to provide written information, which will then be forwarded to Mr. Mauck.

The Commission reviewed and unanimously approved a prior tax abatement order in the amount of \$27.16.

There being no further business, the Board of County Commissioners adjourned at 4:14 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 4, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorni Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Road and Bridge Director Melvin Matlock met with the Commission. Also present were Road and Bridge Superintendent Larry Whitham, Engineering Superintendent Nita Simonton and Administrative Assistant Joyce Reynolds. Long-term budget issues and maintenance of roads were discussed. Director Matlock reported that over the past several years the Road and Bridge department has had a reduction in revenue of approximately \$2,659,000. The reduction has been due to various reasons and overall county budget issues. In order to remain within the current plans and complete the Belle Plaine south road in 2005, a levy increase of 2.5 to 3 mills will be needed until 2005. The five-year plan for the State to obtain their funding must be submitted by April 7.

Director Matlock discussed a personnel issue with the Commission. The Commission also approved the waiver of the fee for the use of the Raymond Fyre complex for the annual township meeting.

Health Department Director Vivian Wing and Home Health Director Jan Brody met with the Commission. Staffing in the Home Health Department was discussed as well as personnel issues relating to part time employees. The Commission unanimously approved for Brody to remain in the Home Health Director position. Director Wing also provided a revised agreement for participation in the South Central Metro Region to address homeland security issues. The Commission unanimously approved the agreement.

County Counselor Jack Potucek met with the Commission. The Commission contacted Attorney Robert Eye by phone. At 10:49 a.m., upon unanimous vote the Commission entered into executive session with Attorney Eye until 11:15 a.m. to discuss an attorney-client privileged matter. Counselor Potucek and County Clerk Shields remained present for the session. At 11:15 a.m., upon unanimous vote the executive session was extended ten minutes. At 11:25 a.m., the session was extended five additional minutes. The Commission reconvened in open session at 11:30 a.m.

John Haas, of Ranson Financial Consultants, met with the Commission regarding the Law Enforcement Center/Jail project. Roger Mericle, of CornerBank, was also present. The timetable now involved with the required election was discussed. If the election is successful, the financing for the closing of the purchase of the former AV Central building would take approximately sixty days to finalize. It was determined that the contract with CornerBank would be amended to allow for the additional time.

Commissioner Gracy discussed the issue of a sales tax relating to the project. Mr. Haas explained that a sales tax was a financing option considered. Chairman Courtney and Commissioner Bongiorni both agreed. A sales tax, if implemented, would be an extra tax that would have to be paid even if it was not needed. The financing method proposed allows the cost to be budgeted. When the housing of inmates from other counties generates revenue; the budget can be reduced, thus reducing the cost to the taxpayers. If the amount needed cannot be absorbed by the current mill levy and the housing of other inmates, the Commission at a future time, can make the case to the public and ask for them to vote on a county-wide sales tax.

If the question on April 1 to renovate the AV Central building for a law enforcement/jail facility, to construct a fire escape on the east side of the courthouse, and to renovate the courthouse for a second jury courtroom is defeated, the Commission will not pose the question again. The Commission will levy the necessary funds to pay other counties for housing prisoners, the necessary costs for transportation, and the cost for construction of the fire escape to meet the fire code. The renovation for a second jury courtroom will be canceled.

The Commission unanimously approved the Notice of Election for the special question to be placed on the April General Election ballot.

The Commissioners recessed for lunch at 12:25 p.m.

The Commissioners reconvened in open session at 1:30 p.m.

Jarrold Bush, of teenESTEEM, met with the Commission regarding a grant application. Mr. Bush explained some details regarding the grant and that teenESTEEM is expanding into substance abuse problems. The grant is offered through the Juvenile Justice Authority and makes \$100,000 available to coalitions. The grant does require a match, which can either be cash or in kind. TeenESTEEM is asking that the County continue the in kind contribution of rent utilities for the teenESTEEM office. After discussion, the Commission unanimously approved a \$7,200 in kind contribution to the Sumner County Community Partnership Grant.

The Commission reviewed the finalized new fee schedule for Planning and Zoning and Sanitation. The Commission unanimously approved Resolution 2002-03 establishing the new fees.

The Commission discussed repair to the roof of one of the fair buildings. A member of the Fair board obtained one bid for repair. The Commission will attempt to obtain additional bids for consideration.

Mrs. Waldon met briefly with the Commission regarding a zoning issue. The Commission recommended that a complaint be signed or the residents could enforce the existing covenants for the development.

The Commissioners will be attending the annual Township meeting on Wednesday, March 5.

There being no further business, the Board of County Commissioners adjourned at 3:34 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 10, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Eldon Gracy was not present as he was out of state.

The Commission reviewed the minutes for March 3 and 4. They were unanimously approved with amendments.

The Commission discussed current legislative issues affecting local government. The legislative maneuvering that has occurred regarding solid waste landfills was discussed. Other legislation regarding 911 and tax issues were discussed.

The Commission discussed statistics of the Provide-A-Ride program. In 2002, there were 239 volunteer drivers. They provided 644 rides and traveled 24,651 miles. A banquet was recently held for the volunteers in appreciation of the time and service.

Health Department Director Vivian Wing met with the Commission regarding an auto insurance issue. The use of private vehicles by employees during the course of their duties was discussed. Employees are reimbursed a rate for mileage, but the County does not provide any insurance coverage. The Commission will review the issue with County Counselor Jack Potucek.

Road and Bridge Director Melvin Matlock met with the Commission. Administrative Assistant Joyce Reynolds was also present. Director Matlock discussed an issue relating to the solid waste contract with H.E.W. and the transfer station. The Commission recommended that the information be provided to the Administrator for the South Central Solid Waste Authority. That Board should consider the issue since it may affect all member counties.

Director Matlock discussed a bridge material issue. He advised that they have a number of used structural beams that they would like to sell. The Commission unanimously authorized Director Matlock to sell the materials. A notice for request for bids will be prepared and distributed.

Director Matlock also discussed budget and financing issues relating to the Belle Plaine South and Dalton Roads. He advised that maintenance costs for the entirety of both roads have ranged from \$66,000 to \$124,000 per year over the past several years. The need to place the Belle Plaine South project on the definite five-year plan was further discussed. Placing the project on the plan would provide more of an assurance that the State-funding portion would be allocated. A number of other budget issues relating to long-term financing were considered.

The Commissioners recessed for lunch at 12:03 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Sheriff Gerald Gilkey and County Counselor Jack Potucek met with the Commission. Courthouse Security Officer Daryl Mayfield was also present. The program for commercial sponsorship of patrol vehicles was discussed. Counselor Potucek advised that he had reviewed the program information and there does not appear to be any legal issues that would create any problem. Sheriff Gilkey advised the plan would be to replace the ten road patrol vehicles with commercially sponsored vehicles. After discussion, the Commission unanimously authorized Sheriff Gilkey to proceed with the program. The next step is to submit a contract for the program. Sheriff Gilkey advised that it is unknown how soon the vehicles would be available.

Sheriff Gilkey also discussed the markings of the patrol vehicles under the commercial program and the current patrol vehicles. The Sheriff and the sponsor agree upon the commercial markings for the vehicles. He also discussed changing the markings on the current patrol vehicles due to visibility concerns. The cost would be \$230 per vehicle for ten vehicles. Chairman Courtney questioned what level of priority the change in markings holds compared to other needed equipment. He also asked that the Sheriff consider waiting until the last quarter of the year to confirm the status of the budget.

The Commission discussed a Township road issue with Counselor Potucek. A complaint was received regarding the dust created by the materials placed on the road by the township.

The Commission unanimously approved the Community Corrections claims for February in the amount of \$24,088.11.

There being no further business, the Board of County Commissioners adjourned at 2:47 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 11, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission met with Appraiser Della Rowley and her staff member Carolyn Farley. The Commission asked to review the appraisal appeal process. On a recent informational program on public television, legislators indicated that taxpayers should contact their local County Commissioners, although they could not provide the Kansas statute that provides the County Commission any authority to change anything. Appraiser Rowley provided the statutes relating to the appeal process. There is the option where the County Commission can serve as the Board of Equalization for appeal hearings. For the Commission to do so extensive training is required and the Department of Revenue must accredit the Commission members. A few years ago, the State revised the appeal process and provided a step where it goes before the Small Claims Division of Board of Tax Appeals. The Commission chose to follow that option, which places the taxpayer before an independent and subjective party. Appraiser Rowley advised that information about the appeal process is always available for the taxpayer in her office.

Planning and Zoning Director Jon Bristor met with the Commission. Assistant Director Mary Jenkins, Planning and Zoning Attorney Mike Brown, County Counselor Jack Potucek, and a number of members of the Planning Board were also present. Director Bristor explained the purpose of the meeting is to review the status and confirm any direction that the Commission has regarding the zoning regulation about oil pumps. The Commission adopted a zoning regulation in 2001 that states "Any existing or new oil pumps utilizing petroleum based engines for operation will have operable or functioning mufflers adequate to muffle sound as to not allow sound to exit the property." The Commission reviewed the intended purpose for the regulation. The Commission and those present agreed that it was adopted with good intentions, but enforcement is difficult. There is also no State law relating to the same specific circumstances. Attorney Brown advised that every property owner always has the right to pursue action in District Court if another party aggrieves them. After lengthy discussion the Commission unanimously directed implementation for the steps to rescind the regulation. They also placed a moratorium on the enforcement of the current regulation.

Health Department Director Vivian Wing and Sedgwick County Bio-terrorism Director Troy Mead met with the Commission. E911 Director James Reed and Planning and Zoning Director Bristor were also present. The Commission discussed the bio-terrorism grant and plans. Director Mead was asked if could provide assistance and availability to Director Wing regarding to the bio-terrorism grant and plan. The Commission advised that a financial arrangement would be considered; Mr. Mead explained that his compensation is already covered under the grant creating the position. Director Mead confirmed that he would be able to provide assistance to Director Wing and act as a resource.

Director Wing also submitted the annual health grants relating to the Health Department for the Commission's review and approval.

Sumner Mental Health Chief Executive Officer Greg Olsen met with the Commission and provided an annual report. He advised that he does not anticipate requesting any additional funding for 2004. Mr. Olsen also discussed the legislative movement for statewide consolidation of services. He expressed his belief that consolidation would not be beneficial. Sumner Mental Health operates, for the most part, as a private business with approximately 90% of their budget is generated from the fees for services. Specific services relating to addictions and domestic violence were discussed. Services that generate revenue compared to those that do not, but which are mandated, were also discussed.

The Commission spoke with Don Attebury, Administrator for the South Central Solid Waste Authority. The issue relating to the contract with H.E.W. was discussed. Mr. Attebury advised he had spoken with the owner of the company who advised that the problem encountered was being resolved.

The Commissioners recessed for lunch at 11:57 a.m.

The Commissioners reconvened in open session at 1:30 p.m.

E911 James Reed met with the Commission regarding a personnel issue. At 1:33 p.m., the Commission upon unanimous vote entered into executive session with Director Reed until 1:45 p.m. to discuss non-elected personnel. County Clerk Shields remained present for the session. The Commission reconvened in open session at 1:45 p.m.

County Counselor Jack Potucek and Sheriff Gerald Gilkey met with the Commission. A proposed resolution relating to the fee charged for the housing of prisoners was reviewed. The fee for those charged through the District Court and by the other municipalities in the county would remain the same. The fee for those sentenced to State confinement or Federal prisoners would increase. The Commission directed Sheriff Gilkey to research what current legislation may exist relating to the issue before a final decision was made.

The Commission discussed with Counselor Potucek a number of the properties that are scheduled for the next tax sale. The sale should occur sometime around May of this year.

The Township road issue considered yesterday was further discussed with Counselor Potucek.

Dr. Howard Schneider met with the Commission regarding the law enforcement/jail facility. He voiced a number of opinions that he had been told regarding the proposed project. He expressed several ideas for the financing and building of a jail facility. He discussed a number of other jail facilities that were recently built in other counties. Dr. Schneider said that he had talked with District Judge Thomas Graber regarding the courtroom. He understands and agrees with Judge Graber that there is a need for a second jury courtroom. He expressed his opinion that the facility could be placed on the grounds of the existing courthouse. The Commission thanked Dr. Schneider for his time and input. Further steps to address the jail issue will have to be determined after the April 1<sup>st</sup> election.

Sheriff Gilkey submitted the prepared contract for the commercial sponsorship of patrol vehicles. Chairman Courtney was unanimously authorized to sign the contract.

Chairman Courtney was unanimously authorized to sign the grant applications for the Health Department.

Sheriff Gilkey introduced Randy Wells, of the Burlington Northern Santa Fe Railroad. Mr. Wells is involved in the railroad crossing safety program. He complimented the Sheriff's Department and all of the law enforcement agencies in the county for the cooperation and involvement in the safety program.

The Commission discussed the repair of the roof for the 4H building at the fairgrounds in Caldwell. They unanimously approved a bid from Conklin Roofing in the amount of \$5,671 for the repair. Due to the uniqueness of the product and the ten year warranty, no other bids were obtained.

The Commission reviewed and unanimously approved the claims for mid-March in the amount of \$204,129.99.

There being no further business, the Board of County Commissioners adjourned at 4:04 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 17, 2003 10:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Chairman Robert Courtney was not present as he was attending a Regional Economic Area Partnership meeting in Wichita.

The Commission reviewed the minutes for March 10 and 11. They were unanimously approved with amendments.

Chairman Courtney arrived at the meeting at 10:12 a.m.

The Commission reviewed a Cereal Malt Beverage application submitted by Anil Bhula d/b/a/ as Economy Inn and Restaurant. The Township Board had recommended approval of the license. The Commission unanimously approved the license and the Chairman was authorized to sign it.

Chairman Courtney provided a report on the REAP meeting he attended. The Fair Fares campaign was a topic at the meeting. The lower air fares out of Wichita due to the Air Trans and Frontier airlines entering the market was discussed. REAP members stressed the need for continued public support for the benefit of economic development for the south central region. Another topic was the continuation of efforts to develop a regional concept for economic development and benefits.

The Commission spoke with Bill Bider, of the Kansas Department of Health and Environment, to confirm information. Chairman Courtney had been given information from a citizen that Waste Connections had sold their permit for the proposed Harper County landfill. Mr. Bider advised that he was not aware of that information and that it could not be done. No permit has been issued and anyone else, at this point, would be considered a new applicant in the process with a number of steps required to be repeated.

The Commissioners recessed for lunch at 12:05 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. The proposed Harper County landfill and the scheduled Kansas Department of Health and Environment hearing in April were discussed. Counselor Potucek will confirm several issues with Attorney Robert Eye and the hydrogeologist.

The Commission met with Sheriff Gerald Gilkey. Airing of the informational video regarding the existing jail was discussed. Sheriff Gilkey advised that the video will air in Wellington, but the cable services in the other cities do not have the capability to air it.

The Commission received correspondence from the board of the Oxford Rural Township Fire District #3. The letter advised that board member John Cooper had moved outside the district and the board recommended Lawrence Slack to fill the position. The Commission unanimously approved the appointment of Lawrence Slack to the position.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$677.18.

There being no further business, the Board of County Commissioners adjourned at 3:24 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 18, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Road and Bridge Director Melvin Matlock met with the Commission regarding a portion of Meridian Avenue where complaints of excessive dust have been received. The portion is London Township's responsibility to maintain. Director Matlock advised the township had asked for recommendations in the past due to problems with the road. He reviewed the recommendations provided and what actual work the township completed. Cost has been an issue for the township to consider in the past. Director Matlock advised that if the Commission would allow the township to repay the county for the work over a period of years, the county could possibly assist them. After discussion, the Commission unanimously agreed to authorize the Road and Bridge Department the ability to negotiate financial payment arrangements with Townships when they are in need of assistance to address specific road problems. The Commission shall be notified of any arrangements made. Director Matlock will contact the London Township board about the issue.

The Commission reviewed and unanimously approved tax abatements for prior years in the amount of \$596.58. Also approved were current year abatements in the amount of \$552.21 and added taxes for \$545.98.

Cole Smith met with the Commission and the status of State legislation relating to zoning issues was discussed.

The Commissioners recessed for lunch at 12:05 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commission met with County Counselor Jack Potucek. Counselor Potucek advised that he had confirmed with Attorney Robert Eye the arrangements for attending the public hearing regarding the Harper County landfill.

Counselor Potucek submitted the prepared Resolution regarding the inmate housing fees. The fees were discussed last week. Sheriff Gilkey reported that he had not found any current proposed legislation that would affect the issue. The Commission unanimously adopted Resolution 2003-04. The daily fee for housing those charged through District Court and by other municipalities in the county remains at \$40.00 and for those sentenced to State confinement and Federal prisoners the fee increases to \$50.00.

Travis Riggings and Marilyn Bryant, of Infinitec, Inc., met with the Commission. They provided information on a new format for offering computer training to all county departments.

There being no further business, the Board of County Commissioners adjourned at 2:37 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 24, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Chairman Robert Courtney was not present due to being out of state.

Darrel Adams, Wellington Daily News publisher, met with the Commission. Informational articles and advertisements regarding the proposed Law Enforcement Center/Jail were discussed and considered.

The minutes for March 17 and 18 were reviewed and unanimously approved.

Sheriff Gerald Gilkey met with the Commission. Several issues relating to the Law Enforcement Center/Jail were discussed.

Noxious Weeds Director Robin Walcher met with the Commission. She submitted the annual noxious weed eradication report for the Commission's review. The report is required annually by the State. Director Walcher reported that tests are showing that Johnson grass has a 20% resistance rate to the products currently being used. She is researching various other products that can be used.

At 11:00 a.m., the Commission held a public hearing regarding a petition submitted requesting the formation of the Peck Improvement District. Present for the hearing were Al Reiss, of Reiss & Goodness Engineers, Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and County Counselor Jack Potucek. Also present were several residents of the proposed district Dennis and Michelle Langlois, Mary West and Christi DeWitt. The Commission holds a public hearing to consider the approving the formation of an improvement district. In this case, an Interlocal agreement with Sedgwick is also required since the proposed district also covers area in that county. The Sedgwick County Commission had already approved of the district and the Interlocal agreement.

County Clerk Shields advised that the petition had been deemed valid and the notices required by statute for the public hearing were made. The Commission discussed various issues relating to the proposed district. The statutes involved in the process to form a district were reviewed. Counselor Potucek and Clerk Shields both agreed that the statutes directing the Commission's actions relating to the first election of officers for this district were not very clear. Several specific areas were considered. The Commission advised that they were not opposing the formation of the district, but would like their required steps clarified. After discussion, the Commission determined that they would table the request and reopen the public hearing next Monday, at 10:00 a.m. Counselor Potucek will conduct a further legal review of the statutes.

The Commissioners recessed for lunch at 11:56 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Counselor Potucek met with the Commission. Several current issues were briefly reviewed and discussed.

There being no further business, the Board of County Commissioners adjourned at 2:12 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 25, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Darrel Adams, Wellington Daily News publisher, met with the Commission. Informational articles and advertisements regarding the proposed Law Enforcement Center/Jail were discussed and considered.

Bill Bolin, Executive Director for the South Central Kansas Economic Development District, met with the Commission. He reviewed and explained proposed changes in the Articles of Incorporation. Director Bolin also advised that their records show that Sumner County has three principal delegates to the Board of Directors. Under the changed Articles and by-laws, Sumner County can only have two delegates and two alternates. Two of the individuals must be elected officials or their representatives. The four appointments need to be made effective for July 1, 2003. The Commission agreed that they would ask the Sumner County Economic Development Committee for recommendations for the SCKEDD appointments. He also presented a listing of all of the projects and loans done in Sumner County, and a listing of all of the dues paid by the County for the period of 1973 through 2002. The result is a return of \$249.74 on every dollar of dues paid. After discussion, the Commission unanimously approved the change in the Articles of Incorporation for SCKEDD with an effective date of July 1, 2003.

Economic Development Director Linda Jolly provided a brief report to the Commission. She reported that an opportunities assessment has been initiated for Caldwell. Assessments have previously been completed for Oxford and South Haven.

The Commission discussed the County Education Solution proposal from Infinitec, Inc. County Clerk Shields and Information Services Director Doug Stice reported the proposal was discussed by several of the Department Directors and the recommendation was that it would be beneficial for the county. Chairman Courtney was unanimously authorized to sign the agreement with Infinitec.

The Commission met with Information Services Director Doug Stice for annual evaluation purposes. At 10:19 a.m., the Commission upon unanimous vote entered into executive session with Director Stice until 11:00 a.m. to discuss non-elected personnel. At 11:00 a.m., the Commission reconvened in open session.

County Counselor Jack Potucek met with the Commission. He reported that he had spoken with Attorney Robert Eye regarding issues relating to the Harper County landfill. He also had spoken with the Sedgwick County Counselor's office regarding the Peck Improvement District and the first election of officers.

The Commission discussed the possibility for the future consideration of a countywide sales tax in relation to the jail issue. A county is required by statute to have the permission of the legislature to pose a sales tax question to the citizens. The Commission advised that contact had been made with Senator Greta Goodwin who agreed that she would attempt to attach legislative wording to an existing bill. Doing so now would have the required legislative approval already completed if it is determined a sales tax is needed. Any actual sales tax question would still go before the voters.

Sue Alloway met briefly with the Commission. She discussed a road problem with a culvert in Eden Township. The Commissioners advised her that they would be in the area in the afternoon with Road and Bridge Director Matlock and they would view the area.

The Commission unanimously approved the claims for the end of March in the amount of \$227,213.34.

The Commissioners recessed for lunch at 12:02 p.m.

The Commissioners reconvened in session at 1:30 p.m. Commissioner Bongiorni was not present. Chairman Courtney and Commissioner Gracy left with Road and Bridge Director Matlock to view several different road locations in the northern portion of the county.

There being no further business, the Board of County Commissioners adjourned at 4:10 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
March 31, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for March 24 and 25.

Several legislative issues were briefly reviewed and discussed.

At 10:00 a.m., upon unanimous vote the Commission reopened the public hearing for the formation of the Peck Improvement District. The matter was tabled from last week due to the need to clarify several of the procedural steps required by statute. Al Reiss, of Reiss & Goodness Engineers, Planning and Zoning Director Jon Bristol, Assistant Director Mary Jenkins, and County Counselor Jack Potucek were present. Several of the same citizens from last week were also present. Counselor Potucek reported that he had spoken with a Sedgwick County Assistant County Counselor regarding the matter. The proposed district includes property in both counties. The recommendation was made that both Counselors and the Election Officers for both counties review the procedural steps required. Counselor Potucek advised the Commission there was no reason why they could not act on the request to form the district and enter into the interlocal agreement with Sedgwick County.

The Commission further discussed the proposed district and Mr. Reiss explained several relating items. The Commission confirmed that there is no financial exposure to the County, only to the Improvement District itself. After discussion, the Commission unanimously agreed to enter into the interlocal agreement with Sedgwick County and the Chairman was authorized to sign it. The Sedgwick County Commission had previously approved the document. The Commission also unanimously approved Resolution 2003-05 creating the Peck Improvement District. The election date and procedures for the first election of directors for the district will be determined after further consultation between the County Counselors and Election Officers.

Al Reiss, Director Bristol and Assistant Director Jenkins met with the Commission regarding the Slate Valley Sewer District. Don Scott, President of the sewer district, and Larry Mangan, Wellington City Engineer, were also present. Possible resolutions to the District's problem with its sewer system were considered. Mr. Reiss advised that the most permanent option and less costly would be to connect to the Wellington system at the treatment plant. City Engineer Mangan advised that the current city policy requires the property owners involved to consent to annexation in order to receive City services. At some point in the past the area was already on City electrical and water service. The steps to initiate any process with the City to consider the option and what other requirements with the Kansas Department of Health and Environment were discussed. Mr. Reiss will submit a proposed contract to the Commission for engineering services relating to the district. The permitting license for the district is in the name of the Board of County Commissioners. Further research will also be conducted as to the options available.

Emergency Management Director Jeff Welshans met with the Commission. He reported that the initial meeting for the Department of Justice grant was held last week. There were approximately twenty-two representatives of area emergency service agencies present. A priority list of needs was developed. Other equipment issues relating to emergency management operations were discussed.

The Commissioners recessed for lunch at 11:51 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. The Commission contacted Attorney Robert Eye and Ned Marks, hydro geologist, by conference call. At 1:31 p.m., upon unanimous vote the Commission entered into executive session until 2:00 p.m. with the parties present in person and by phone to discuss an attorney-client privileged matter. At 2:00 p.m., upon unanimous vote the executive session was extended until 2:15 p.m. At 2:15 p.m., the session was unanimously extended to 2:25 p.m. At 2:22 p.m., the Commission reconvened in open session.

The Commission met with Planning and Zoning Director Jon Bristor for annual evaluation purposes. At 2:34 p.m., the Commission entered executive session with Director Bristor until 3:30 p.m. to discuss non-elected personnel. At 3:03 p.m., the Commission reconvened in open session.

The Commission noted the receipt of letters of commendation for three E911 dispatchers from Director James Reed. Tessa Caudillo, Donna Thomas and Sherry Sanders were each commended for their professionalism relating to traumatic emergency calls they had each recently handled.

The Commission unanimously approved tax abatement orders in the amount of \$5,825.79.

Community Corrections Director Lou Bradbury met with the Commission. CASA Director Tammy Bradbury was also present. Several items relating to Juvenile Justice Authority issues and programs were discussed. Director Bradbury inquired about applying for the same block grant as was done last year for the 30<sup>th</sup> Judicial District. The total matching amount for this year would be \$2,611, with the Sumner County portion about fifty percent of that total. After discussion, the Commission unanimously authorized Director Bradbury to apply for the grant.

Director Bradbury discussed options for the prevention programs if there are further reductions in funds from the State. He also informed the Commission of a staff re-organization to deal with budget reductions.

Sheriff Gerald Gilkey met briefly with the Commission. He reported that over 100 agencies had applied for the commercial sponsorship of patrol cars program.

The Commissioners along with a number of the Department Directors will be attending a Kansas Association of Counties budgetary workshop Thursday. The Commissioners will be attending the public meeting Wednesday evening regarding the proposed Harper County landfill at Chaparral High School. Chairman Courtney and Commissioner Gracy will also attend the Thursday night meeting.

There being no further business, the Board of County Commissioners adjourned at 4:38 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 1, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Jere Schwerdtfeger, Administrator for Slate Creek Good Samaritan Center, and Maintenance Director Gary Yoder met with the Commission. The previously planned renovation of the front entryway of the building was discussed. They recommended to the Commission that the renovation and the heating and cooling portions be consolidated for project bid purposes. Bidding each portion separately could result in two contractors and problems in the coordination of the work. Details of the project were reviewed. After discussion, the Commission unanimously authorized the work to be bid as one project.

Noxious Weeds Director Robin Walcher met with the Commission. The annual eradication and the annual management report she submitted were further reviewed. A number of specific areas were discussed. The development of a resistance to chemical treatment by some noxious weeds was considered. Several current weed issues were discussed. Both of the annual reports were unanimously approved and signed.

Health Director Vivian Wing and In-Home Services Director Laura Rettig met with the Commission. Compliance with the Health Insurance Portability and Accountability Act was discussed. They submitted a prepared resolution designating the County as the "covered entity" and the Health Department as the "hybrid entity" for purposes of HIPAA compliance. County Counselor Potucek reviewed and approved the resolution as to form. Several minor revisions will be added to the resolution and it will be resubmitted to the Commission.

County Counselor Jack Potucek met with the Commission. An insurance issue was briefly discussed. The next scheduled tax sale and some of the properties still remaining in the sale were discussed.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$33.48.

There being no further business, the Board of County Commissioners adjourned at 11:45 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 7, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Eldon Gracy was not present as he was out of state.

The Commission reviewed the minutes for March 31 and April 1. The minutes were unanimously approved with one amendment.

The Commission discussed the meetings regarding the Harper County landfill. The hydro geologist retained by the Commission testified at the meetings. He determined that there does appear to be legal standing for Sumner County to oppose the landfill site in Harper County.

The Commission reviewed and unanimously approved the Community Corrections claims for March in the amount of \$23,948.33.

The Commission reviewed the proposed resolution regarding compliance with the Health Insurance Portability and Accountability Act. The resolution designates the County as the covered entity and the Health Department as the hybrid entity for purposes of HIPAA compliance. Resolution 2003-06 was unanimously approved.

Gray Miller met with the Commission regarding a property access issue. Also present were Keith Cox, John Smith and Al Hemming. Mr. Cox had sold the property involved to Mr. Miller and other two individuals. The public road to the property no longer exists due to the encroachment of the Arkansas River. Mr. Cox had a verbal agreement with an adjoining landowner in order to access the property. The landowner now is not allowing access to the new owners. Mr. Smith asked that the County enforce the easement rights and re-establish the legal road. The Commission advised that they would consult with County Counselor regarding the matter.

The Commission met with Sheriff Gerald Gilkey. A number of issues relating to the law enforcement/jail project were discussed. All agreed that the general public opinion is that a jail is needed, but the majority did not accept the proposal that was made. Some of the opposing opinions voiced related to the purchase price of the building and the proposed location. The Commission and Sheriff Gilkey agreed that the existing site remains the best alternative as it provides space to expand in the future. A second option would be to review the possibility of locating on the existing courthouse grounds. One issue originally discussed was that locating on the existing grounds would not provide for a podular design, which reduces the number of personnel required and long-term operational costs. A third option would be to consider a new site. Sheriff Gilkey discussed the option of a site. Several other issues relating to the overall project were considered.

Bob Park met with the Commission. A number of issues relating to the proposed Harper County landfill were discussed.

The Commission recessed until 11:30 a.m. Commissioner Bongiorno left to go to the Wellington Daily News for a photograph relating to the Project Prom project.

The Commissioners recessed for lunch at 11:54 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. Also present were Sheriff Gerald Gilkey, John Haas, of Ranson Financial Consultants, and Norris Fletcher, of Burns Fletcher Gill Architects. Counselor Potucek reported that he had been in contact with the State Fire Marshal to inform them of the election results regarding the jail project. He advised the Fire Marshal that the Commission would be continuing to aggressively work to resolve the issue.

The various issues raised leading up to the election regarding the law enforcement/jail project were discussed. Issues relating to the building purchase, the site of the building, and the methods of paying for the entire project

were reexamined. The Commission's goal is to address the issues and come to a conclusion on how to proceed to best meet the long-term needs of Sumner County. The issues will be further discussed when Commissioner Gracy is present.

There being no further business, the Board of County Commissioners adjourned at 4:01 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 8, 2003 9:00 am

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Eldon Gracy was not present as he was out of state.

John Saunders met with the Commission and discussed issues relating to the proposed Harper County landfill.

Roger Mericle and Bruce Schwyhart of CornerBank met with the Commission. County Counselor Jack Potucek, Sheriff Gerald Gilkey and Norris Fletcher, of Burns Fletcher Gill Architects, were also present. The status of the jail project relating to the former AV Central building was considered. The Commission discussed their responsibility is to analyze the public opinion and issues from the election. One of the issues raised was the purchase price of the building. The Commission inquired if they determined to continue to consider the existing proposal, would there be any possible re-negotiating of the price. Mr. Schwyhart indicated that they would consider any offer made, but they do intend on offering the building for sale through a Realtor. If the decision were made, consideration would also have to be given to the timetable for the availability of funds. The Commission thanked both Mr. Schwyhart and Mr. Mericle for their patience and for CornerBank working with the county in this situation.

The Commission further discussed a number of issues relating to the jail project. No decisions were made.

County Counselor Potucek discussed an issue relating to the tax sale that is scheduled for May. The Commission discussed several issues relating to the proposed Harper County landfill.

The Commission reviewed and unanimously approved a tax abatement order in the amount of \$490.26.

There being no further business, the Board of County Commissioners adjourned at 11:55 a.m. Chairman Courtney advised he would be attending the South Central Solid Waste Authority meeting in Winfield in the afternoon.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 14, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Gene Bongiorno Jr. was not present as he was out of state.

Information Services Director Doug Stice and Appraiser Della Rowley met with the Commission regarding information services and Geographic Information System needs. GIS project management was discussed, which \$10,000 was budgeted for in 2003. The Land Integration System was further considered. The system would link all of the various software programs to provide for uniform addressing in all files. There would be some personnel time dedicated to maintenance of the addressing. A position was proposed that would address the needs identified. The position, with the qualifications required, would also reduce the cost of services from R & S Digital for GIS services. A need for a computer technician was previously identified, but was not authorized in 2002 or 2003 due to budget considerations. The proposed position, with other duties assigned, would resolve that need. Director Stice and Appraiser Rowley advised the proposal has already been discussed with the GIS Steering Committee. After discussion, the Commission asked for a specific cost benefit analysis and an evaluation of existing job descriptions.

Noxious Weeds Director Robin Walcher met with the Commission. She submitted the chemical bids that were received for opening. Three companies submitted bids. They were from Vegetation Management Supply, Inc., Van Diest Supply Co., and UAP Timberland. The Commission requested Director Walcher to review the bids submitted and consolidate them by chemical type. She will return with the bid information tomorrow.

Road and Bridge Director Melvin Matlock met with the Commission. He reported that he had met with Kansas Department of Transportation officials last week to inquire if there were any other funding available to assist on the Belle Plaine South Road. The State advised that there was none. KDOT officials recommended submitting a letter regarding the project in an attempt for consideration of another funding source. The source would only provide a portion of the total needed.

Director Matlock discussed the road access issue in Palestine Township from last week. He had discussed the issue with the Township board members and with County Counselor Jack Potucek. The board members had already met with Counselor Potucek. Counselor Potucek advised that the road involved is a township road and, therefore, would have to be resolved by the Township. Some of the past history of the issue was reviewed. The Commission will make contact with Gray Miller and advise him that he needs to work with the Palestine Township board to resolve the issue.

Director Matlock also discussed a policy issue regarding the donation of sick leave. The Commission unanimously agreed that the employee wishing to donate sick leave could authorize the Road and Bridge Administrative Assistant to submit the form to the Clerk's office. The policy as written requires the employee to directly submit the form.

The minutes for April 7 and 8 were reviewed and unanimously approved.

The Commissioners recessed for lunch at 11:55 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commission unanimously approved Resolution 2003-07 appointing Marvin Simonton to the Planning and Zoning Board of Zoning Appeals. Robert Bakken had resigned from the board since he had moved out of the county.

County Counselor Jack Potucek met with the Commission. Counselor Potucek and the Commission spoke by phone with Attorney Robert Eye regarding the proposed Harper County landfill. The authorization for the hydrogeologist to submit written comments was discussed. Additional billing from the hydrogeologist for his work was considered. Mr. Eye was also asked to submit a statement for his work to date.

Counselor Potucek discussed an issue involving property scheduled for the next tax sale. The property was formerly owned by a railroad and was then purchased by Rails to Trails. The Rails to Trails has not paid the property tax, therefore, the properties are going to tax sale. Counselor Potucek had confirmed that there is no clause in the property deeds for reversion of the land to the former landowner. There has also not been sufficient time elapsed for the consideration of abandonment for the current landowner. The Commission wishes to return the property to the original landowner/s, but there is no direct legal method to do so under the existing circumstances. A number of adjoining property owners has scheduled a meeting tomorrow evening. Counselor Potucek and Commissioner Gracy plan on attending the meeting.

Counselor Potucek discussed the road access issue in Palestine Township. He confirmed that the Township board members had met with him in a meeting, which was scheduled prior to the parties involved meeting with the Commission last week. Counselor Potucek confirmed that any authority to resolve the issue is the Township's.

The Commission discussed the issues considered last week regarding the law enforcement center/jail project. The Commission will further discuss and consider the next steps to take next week when all Commission members are present.

The Commission reviewed and unanimously approved a tax abatement order in the amount of \$51.86.

The Commission reviewed and unanimously approved the claims for mid-April in the amount of \$244,448.62.

There being no further business, the Board of County Commissioners adjourned at 4:29 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 15, 2003

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debbie Norris. Commissioner Gene Bongiorno Jr. was not present as he was out of state.

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. She reported that Jesse Addis, of Conway Springs, had been certified as a Silver Haired Legislature candidate in Sumner County. Director Donley also inquired about investing \$1,000 in the Senior Care Act Program for an estimated return of \$3,000. The funds received in the past have been used to help the elderly purchase equipment needed in their homes that is not covered by Medicare. She advised a letter of approval would be needed from the Commission for submittal on or before May 1. The Commission authorized the use of the \$1,000 for match to obtain the grant.

Director Donley also inquired if the Senior Services was included in the county audit. The Commission talked, by phone, with county auditor Elliott Jackson regarding the issue. He advised that once funds are distributed to the Sumner Board they are not encompassed within the county's audit. If the Commission would wish the Sumner Board's expenditures included in the overall audit, the existing contract for auditing services would need to be expanded. Director Donley reported that a grant application was made through the Federal Emergency Management Association. If approved, the funds would be used to assist the elderly in need with their utilities.

Director Donley asked why the Sumner Board has not received the full amount of levied budgeted dollars for the past several years. The Commission confirmed, as Treasurer Carolyn Heasty had advised previously, taxes that are not paid or are delinquent reduce the dollars available. Only cash collected can be distributed and it may not always reach the amount budgeted. She also inquired what could be done to obtain additional funding for any wage increase for herself and her staff. The Commission advised that the Sumner Board would need to submit a request for any additional funding along with justification. Chairman Courtney praised the Senior Services Board for their budgeting over the past six years. He noted the Board has provided more services with the same amount of money, which shows good management. The Senior Board can ask for up to one mill in levied money and currently is at less than one half a mill. The Commission commended Director Donley and her staff for their leadership and council with the Senior Services Board.

The Commission received a phone call from Jim Willis, Public Works Director for Blackwell, Oklahoma. He expressed appreciation on behalf of the City of Blackwell for the Commission's involvement in the Harper County landfill issue. The Commission also thanked him for the concern expressed by his city. Mr. Willis asked permission to contact the hydrogeologist working for Sumner County to aide the City of Blackwell in sending their comments to the Kansas Department of Health and Environment regarding the proposed landfill.

Noxious Weeds Director Robin Walcher met with the Commission. She submitted a spreadsheet for the chemical bids submitted and opened last week from three companies. After review, the Commission unanimously approved the lowest bid for each chemical type that was submitted.

Deputy County Appraiser Laurie Walta met with the Commission. She submitted a request from Appraiser Della Rowley regarding use of the county travel vehicle. The Commission unanimously approved the request.

There being no further business, the Board of County Commissioners adjourned at 11:30 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 21, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for April 14 and 15 with amendments.

Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Economic Development Director Linda Jolly met with the Commission. Possible options for grant funds to accomplish the next step regarding the comprehensive plan were considered. A CDBG grant would require matching funds of \$5,000. Due to funding concerns, it was determined that no action would be taken at this time.

A meeting was held regarding the Slate Valley Sewer District. Director Bristor, Assistant Director Mary Jenkins, Al Reiss, of Reiss & Goodness Engineers, and Don Scott, President of the Slate Valley Sewer District were present. Two officials of the Kansas Department of Health and Environment, John Goetz and Zack Phillips, and Wellington City Engineer Larry Mangan were also present. Mr. Goetz explained the problems that were discovered in a routine inspection of the lagoons. KDHE attempts to conduct an inspection about every 5 years. Mr. Goetz discussed possible resolutions to the problems. City Engineer Mangan confirmed that for the District to join the City an agreement for consent to annex would be required. Mr. Scott advised that most of the residents he had talked with, at this point, do not wish to be annexed by the City. Mr. Goetz advised that KDHE usually recommends that an existing district join a City system if the option is available.

The Commission discussed the need to formulate projected costs for the options to resolve the problem. Steve Yearout, Vice President for the Sewer District, was now present. Mr. Goetz confirmed that the first date given was June 1, at which time submittal of plan would be required. He indicated an extension of some time could be granted, if needed. Mr. Reiss advised that he could prepare a preliminary engineering report and address the cost issues for the options. Mr. Mangan advised he would also discuss the issue at the next City Council meeting. If the City has no desire to annex the area, the only option left would be to repair the lagoons.

Mr. Reiss advised that he had a contract for submittal to the Commission to perform the services for the preliminary engineering report. The Commission advised the contract would have to be reviewed by the County Counselor before consideration for approval. Dan Arndt, who was now present, questioned what property survey would be used regarding the lagoons. He advised that he owns property on three sides of the existing lagoons and there are conflicting survey reports. Mr. Reiss advised that there would be certain legal steps that would be followed. The Commission advised they would have Counselor Potucek review the proposed contract.

Health Department Director Vivian Wing met with the Commission. She discussed the Health Advisory Board meetings and appointments to the Board. She will consider other recommendations for the Board. Director Wing also discussed training related to the bio-terrorism grant. She informed them of a conference in Torrance, California, for bio-terrorism relating to public health and other natural disasters. The cost would be covered by the bio-terrorism grant funds. She advised this was the first conference she has become aware of that dealt more in depth with the public health area. It would also meet license requirements she is required to have. The Commission asked that she confirm if similar training would become available at any closer location. Commissioners' Bongiorno and Gracy concurred that if a closer location is not an option, they approved her attendance to the conference.

Director Wing discussed a personnel issue with the Commission. The Commission unanimously approved the replacement of the vacant W.I.C. Clerk position.

E911 Director James Reed met with the Commission to provide an update on department operations. He submitted a copy of a letter from Nine One One, Inc., advising that they will no longer support the County's 911-phone system. Director Reed advised that he is continuing to build funds to update the system, but sufficient funds are not yet available.

Director Reed also discussed the countywide paging system and acquisition of pagers. He advised that \$60,000 in funding is available for pagers. The requests for the minimum numbers of pagers to initiate the system have been received and the cost would be approximately \$97,000. Therefore, total incorporation of all agencies into the system will not occur this year. Director Reed reviewed the plans to address the purchase and placement of pagers. He also discussed that Mulvane and Wellington are purchasing pagers with their own City funding. The county will purchase the pagers in one group, which will provide cost savings to all three entities.

Director Reed discussed the revenue generated from the 911-phone tax. There continues to be a slight decline in the revenue received that could be attributed to several factors. A large factor is the increasing use of cellular telephone by citizens to replace their existing residential phones. The decrease in the tax-generated revenue may continue to become a factor in future years.

The Commissioners recessed for lunch at 12:10 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission regarding several issues. The Slate Valley Sewer District was discussed. Counselor Potucek will review the statutes relating to the Sewer District. Counselor Potucek also discussed the Peck Improvement District. He advised that, upon his request last Friday; the County Clerk had attempted to arrange a conference call with the Sedgwick County Election Commissioner regarding the first election of officers for the District. Clerk Shields reported that the Sedgwick County Commissioner was on vacation and would not be available until at least April 25.

Counselor Potucek provided a review of the meeting he attended last week regarding property that will be included in the next delinquent property tax sale. Commissioner Gracy had also attended the meeting.

County Clerk Shields reviewed issues regarding the State insurance plan. Two meetings are scheduled for all employees to attend on Wednesday. A representative from the State will be present to review the plans available. Enrollment documents will be completed for an effective date of July 1, 2003. Clerk Shields confirmed several items with the Commission.

The Commission discussed the jail and fire escape issues. The Commission agreed that they would tour several jail facilities. They will consider facilities identified by the public over the past few weeks and other facilities comparable to Sumner County's size and needs. The fire escape for the courthouse remains an issue that is on a timeline for a required resolution. Although, if any decision were made to construct a jail that would adjoin the courthouse, the plan for a fire escape would be impacted. The Commission determined that they would tour several other facilities and continue to review the issues raised during the election process.

The Commission met again with Counselor Potucek. Issues involving the contractual agreement with Burns Fletcher Gill Architects were discussed.

The Commission also discussed their plans to tour other facilities with Counselor Potucek. He confirmed that since the tours would be made to gather information for a future decision, there would be no open meetings problem. The Commission would not be making any actual decisions during the tours. The Commission requested that Counselor Potucek, if possible, Sheriff Gerald Gilkey, and County Clerk Shields accompany them on the tours. The Commission asked Sheriff Gilkey to attempt to schedule tours of the Harvey and Saline County jails for next Tuesday.

The Commission reviewed quotes provided by Renn and Company regarding changing the auto insurance. The current auto coverage is \$50 comprehensive/\$250 collision. The Commission unanimously determined to change the auto coverage to \$500 comprehensive/\$500 collision.

There being no further business, the Board of County Commissioners adjourned at 4:47 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 22, 2003 8:30 a.m.

The Board of County Commissioners met at the Raymond Frye Complex for the spring planning session with all departments. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The following personnel were present; Doug Norris, Futures Unlimited, Carolyn Jones, District Court, Geraldine McEachern, Register of Deeds, Shirley Adams, Sumner Board for Senior Services, Doug Stice, Information Services, Danetta Cook, Appraiser's office, Gary Yoder, Maintenance, Melvin Matlock, Road and Bridge, Jon Bristor Planning and Zoning, Lou Bradbury, Community Corrections and JJA, Tammy Bradbury, CASA, Jami Ternes, County Attorney's office, Linda Jolly, Economic Development, James Reed, E911, Robin Walcher, Noxious Weeds, Vivian Wing, Health, Ed LeValley, Extension office, Jack Potucek, County Counselor, Carolyn Heasty, Treasurer, and Gerald Gilkey, Sheriff. The meeting was opened with the Pledge of Allegiance.

The items for discussion were how the 2002 and 2003 budget cuts have impacted each department, if any. Provide an overview of how they perceive their needs for 2004. Also, comments on how they view multi-year budgeting and what Sumner County may need to do differently. Each Director or representative present provided a brief review of budget issues for their department or agency. All comments regarding the multi-year budgeting were positive and that it should be continued. Budget planning for major purchases and/or equipment replacements spreads the impact over a number of years instead of a single year.

Sheriff Gerald Gilkey and Deputy Jerry Blunk met briefly with the Commission. An incident, which occurred earlier in the day, involving a property access issue in Palestine Township was discussed. The Commission confirmed that the last information provided to one of the parties was that a

The Commissioners recessed for lunch at 12:10 p.m.

The Commissioners reconvened in open session at 1:30 p.m. in the Commission room of the Sumner County Courthouse.

The Commission met with Planning and Zoning Director Jon Bristor. County Counselor Jack Potucek was also present. The SlateValley Sewer District was discussed. Counselor Potucek approved the contract with Reiss & Goodness Engineers as to form.

The Commission discussed with Counselor Potucek the status of the contract with the architectural firm for the proposed jail, which failed. The Commission asked Counselor Potucek to prepare correspondence to both Norris Fletcher of the architectural firm. Correspondence will also be sent to the State Fire Marshall's office to provide a status report.

The Commission spoke, by phone, with Al Reiss, of Reiss and Goodness Engineers. His proposed contractual services involving the Slate Valley Sewer District were discussed. After discussion, the Commission unanimously approved the contract with Reiss and Goodness and the Chairman was authorized to sign the contract.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$82.46 and added tax orders for \$21.18.

There being no further business, the Board of County Commissioners adjourned at 4:39 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 28, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed the minutes for April 21 and 22. They were unanimously approved with amendments.

Health Department Director Vivian Wing met with the Commission and discussed a contractual issue.

E911 Director James Reed met with the Commission regarding criminal justice computer system connectivity. He received correspondence from the Kansas Bureau of Investigation advising that they would continue to pay the connecting line cost to each county. The county would have to begin paying the router cost, which would be approximately \$2,400 per year. The first notice from the KBI was that they would no longer cover any part of the cost, which would be about \$5,000 per year. Director Reed discussed budgeting for the cost next year knowing that decisions of the State could change. It was decided to budget for the total cost as a precaution.

The Commission discussed with Director Reed the disaster exercise that was conducted in Mulvane on Saturday. Director Reed was present at the exercise and provided a brief review of the event.

Sheriff Gerald Gilkey met with the Commission. He confirmed that tours of the Saline County Jail and the Harvey County jail are scheduled for tomorrow. Sheriff Gilkey also discussed a computer issue with the Commission.

The Commissioners recessed for lunch at 11:51 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. A conference call was held with Sedgwick County Election Commissioner Marilyn Chapman and Sedgwick County Assistant County Counselor Bob Parnacott. The statutes regarding the first election for the newly formed Peck Improvement District were discussed. The Counselors provided a legal opinion on the procedures. After review, it was determined that there will be a period of time provided for anyone who wishes to file as a candidate as a Director for the District. The election is then held eight weeks after that filing deadline. After the legal issues were addressed it was determined that Election Commissioner Chapman and County Clerk Shields would be allowed time to finalize a date and confirm availability of the voting location. They will also research and provide a recommendation to the Commission for the five election workers that the Commission must appoint as required by statute.

Counselor Potucek and Geographic Information Services Technician Deanne Swaggart met with the Commission. The properties that remain in the delinquent property tax sale scheduled for next Monday, May 5th, were reviewed.

Community Corrections Director Lou Bradbury met with the Commission regarding Juvenile Justice Authority quarterly reports. CASA Director Tammy Bradbury was also present. Director Bradbury submitted the annual application for adult funding for the Commission's approval. The application was unanimously approved and it was signed. The Juvenile Justice Authority quarterly reports for all programs in the district were also reviewed. The reports were approved and initialed by the Commissioners.

The Commission reviewed and unanimously approved the claims for the end of April in the amount of \$191,707.42.

There being no further business, the Board of County Commissioners adjourned at 3:09 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
April 29, 2003 8:00 a.m.

The Board of County Commissioners did not meet in regular session in the Commission room of the Sumner County Courthouse. The Board traveled to Saline County and Harvey County to tour the jail facility of each county. Members present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. County Clerk Shane J. Shields, Sheriff Gerald Gilkey and Detention Coordinator John Moore accompanied the Commission on the tour.

The Commission returned at approximately 5:25 p.m.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
May 5, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commission Chairman Robert Courtney was not present as he was out of state.

The Commission reviewed and unanimously approved the minutes for April 28 and 29.

The minutes of April 22 were also discussed. There was a sentence not completed in the minutes that related to Sheriff Gilkey and Deputy Jerry Blunk meeting with the Commission. The Commission unanimously approved an amendment to the April 22 minutes for finalizing the sentence. It was determined that the final wording would be "any authority to resolve the issue would lie with Palestine Township".

Road and Bridge Director Melvin Matlock and Administrative Assistant Joyce Reynolds met with the Commission. A landfill issue was first discussed. Director Matlock advised that arrangements were made to close the landfill on a Saturday to complete necessary repairs. He advised they had not been contacted and were not aware that Argonia had scheduled their citywide clean up for the same day. Once it became known arrangements were made with Argonia to address their needs for the clean up, although the loads they indicated would be necessary were never brought in.

Several other issues relating to the landfill were also discussed including equipment replacement of the backhoe. Replacement is overdue as it was delayed from last year due to budget concerns. Director Matlock advised there are just enough funds in the equipment reserve fund for replacement of the backhoe. The dozer for the landfill will need to be replaced within the next couple of years. Director Matlock discussed the county policy limit of \$5,000 where bids are required. He recommended that, at some time in the future, the amount should be raised to \$10,000. With the quantity of supplies ordered, a higher limit would provide a possibility of cost savings.

Director Matlock also discussed 2004 budget preparation issues. He advised that he planned on preparing the Road and Bridge budget showing a two-step increase for employees and an increase in fuel costs unless there any different instructions. The Commission did not provide any different instructions.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission regarding a COPS Fast grant. He advised that the application deadline is June 6<sup>th</sup>. The application is not a commitment, but just the initial step. The grant is for three years with a 25% match the first year, a 40% grant the second year and a 50% grant the last year.

Sheriff Gilkey also provided a brief report on prisoner transportation for April. There were 191 hours of personnel time for transporting and 8,968 miles were driven.

County Extension Agent Ed LeValley met with the Commission. He discussed the need to replace the amplifier and wireless microphone that is used in the auditorium in the Raymond Frye complex. Attempts have been made several times to repair the amplifier, but it continues to malfunction. Replacing both items would cost approximately \$400. The Commission advised that they would consider the request and discuss it next week.

Appraiser Della Rowley met briefly with the Commission and discussed operational issues.

The Commission reviewed tax abatement orders in the amount \$4,714.26 and added tax orders in the amount of \$3,495.42. All of the orders were unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 11:56 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
May 6, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commission Chairman Robert Courtney was not present as he was out of state.

Gary Montre, of Welborn Sales, Inc., met briefly with the Commission.

County Clerk Shields discussed the resolution adopted in 2001 regarding the procedures for submittal of applications for the Sale of Fireworks. The resolution sets the application submittal deadline as prior to June 1.

Road and Bridge Director Melvin Matlock met with the Commission regarding a personnel issue. He advised of a position that is currently vacant due to an employee who is not able to work due to a non-work related injury. There will also be a position that will become vacant due to the retirement of an employee in August. Director Matlock asked for authorization to hire a position at this time to fill the injured employee's position. In August, the individual would then be moved to the position made vacant due to retirement. The Commission unanimously authorized the current hiring of the position.

County Counselor Jack Potucek met briefly with the Commission. He reported that he had not yet received a billing statement from Attorney Robert Eye regarding his work relating to the Harper County landfill.

An application for a license to retail cereal malt beverage was reviewed. The applicant was Tom Vargas and the location is the Mid-America Drag Strip. Clerk Shields advised that a notice had been sent to the Walton Township Clerk by registered mail as required. According to statute, the Township may within ten days file advisory recommendations as to the granting of the license. The notice was returned unclaimed to the Clerk's office. Since there was no response the application is now forwarded to the Commission. The Commission attempted to call two of the Township officials, but was unable to make contact. A message was left for the Township Clerk. The Commission determined that no decision would be made until contact is made with officials of the Township.

At 10:20 a.m., the Commission left with Road and Bridge Director Matlock to tour the Sumner County landfill and transfer station. The Commissioners returned to the Commission room at 11:15 a.m.

The Commissioners recessed for lunch at 11:30 a.m. They advised that they would be attending the D.A.R.E. camp at the Memorial Auditorium in Wellington over the lunch hour.

The Commissioners reconvened in open session at 1:30 p.m.

Vic Thompson met with the Commission regarding assessed valuations. County Appraiser Della Rowley was also present. Mr. Thompson first complimented the Commission for their involvement and actions in opposing the proposed Harper County landfill. He also complimented them on their continuation of efforts in pursuing a resolution to the jail issue. He provided a letter expressing his opinions and thoughts on the jail issue.

Mr. Thompson then discussed assessed valuation and several tax issues. He provided a copy of a five year assessed valuation table from the Kansas State Department of Education. Information from the table was discussed and Mr. Thompson discussed what he believes it to reflect. He asked for clarification of what the data really shows someone. He was informed that the valuation in the table was the total value for the Unified School Districts. The total value includes real estate, personal property; State assessed utilities, oil and gas. A lengthy discussion was held on tax issues, the appraisal process, budget surplus, and Mr. Thompson's appraisal.

Mr. Thompson advised he didn't have any answers, but was just trying to find out why taxes are higher in this area. He said he could not find a suitable answer. Jarod Nance, who was present observing the Commission meeting, also entered the discussion and offered an opinion on the tax issue.

Dan Russ met briefly with the Commission. He questioned what the reasons were for the Commission's desire to delete the zoning regulation relating to the noise from oil well pumps. Commissioner Bongiorno advised that one of the reasons was the Commission's intent to leave the issue to State law. Currently there is not a State law relating specifically to the noise of oil well pumps. Mr. Russ would like to see the regulation remain, but he suggested alternative wording to address the issue. He asked the Commission to provide some type of written documentation indicating that they wish the regulation to remain enacted so he could present it at the Planning and Zoning Commission meeting later in the week. The Commission did not provide any documentation and did not indicate any desire to keep the regulation in force.

Mr. Thompson continued a short discussion relating to the tax issues.

There being no further business, the Board of County Commissioners adjourned at 2:29 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
May 12, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Chairman Robert Courtney was not present as he was attending a Regional Economic Area Partnership meeting in Wichita.

The Commission reviewed and unanimously approved the minutes for May 5 and 6.

The Commission reviewed and unanimously approved the Community Corrections claims for the month of April in the amount of \$22,565.74.

Chairman Courtney arrived from the REAP meeting at 9:59 a.m.

The Commission reviewed the retail cereal malt beverage application submitted by Tom Vargas, d/b/a/ as Mid America Drag Strip. The Commission had delayed taking any action on the application from last week. Commissioner Gracy advised he had spoken with Walton Township Clerk Joe Neises who indicated no concerns about the application. After discussion, the Commission unanimously approved the issuance of a license.

Chairman Courtney discussed a number of Regional Economic Area Partnership issues. He discussed grant issues and the future plans of REAP. The Commission unanimously appointed Commissioner Bongiorno as the alternate representative to REAP.

County Clerk Shields discussed the first election of officers for the Peck Improvement District. The date of July 29 was proposed as the election date, which would make a candidate-filing deadline of noon on June 3. Five individuals were recommended to the Commission for appointment, all residing within the District with three in Sumner County and two in Sedgwick County. The Commission unanimously approved July 29, 2003, as the election date and the appointment of Georgia Hendry, Fern Bohanon and Maudie Lou Welch as Judges for the election and Mona Langlois and Cathy Hagerman as Clerks for the election. A legal notice will also be made of the election date and the filing deadline.

The Commission received a letter of resignation from Attorney Mike Brown. He informed them that he was resigning as the attorney for the Planning and Zoning Commission effective at the end of May. The Commission accepted the resignation and will consider a replacement.

Maintenance Director Gary Yoder and Slate Creek Good Samaritan Center Administrator Jere Schwerdtfeger met with the Commission. They provided three bids that were submitted for remodeling of the administrative area at the Center. The remodeling and the need for it had been discussed in previous meetings. The bids received were from Conco Construction for \$49,880, The CGL Company for 38,200, and Johnson Brothers Construction, Inc. for \$36,660. After discussion, the Commission unanimously approved the bid from Johnson Brothers Construction contingent upon the providing of the required bond and required insurance as per the request for proposal.

The Commission discussed an issue with Director Yoder regarding Sumner Memorial Gardens. Replacement of the pole settings for the Avenue of Flags was considered. It was determined that replacement would be worked on sometime after Memorial Day for completion prior to next year.

The Commissioners recessed for lunch at 11:57 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. Also present were Sheriff Gerald Gilkey and Jail Supervisor Steve Colwell. The commercial sponsorship program for patrol vehicles was briefly discussed. Sheriff Gilkey advised that he had received communication that the program officials had received the initial documents submitted by the Sheriff. Additional program documents would be mailed to Sheriff Gilkey.

Counselor Potucek discussed issues relating to the delinquent personal property tax sale that was conducted last week. Specific tax issues relating to a property in Wellington with Special Assessments was considered. Counselor Potucek will have further contact with the Wellington City Manager on the issue.

Counselor Potucek also discussed an issue regarding the Harper County landfill. He reported that the Harper County Commission had contacted the hydrogeologist used by Sumner County. They made inquiries about using the report and/or his services regarding the proposed landfill. After discussion, the Commission unanimously approved that the report produced could be shared with Harper County. They advised that any time spent by the hydrogeologist on any direct request from Harper County would be at the expense of that Commission.

Jeff Schroeder and Charlie Sparks met with the Commission regarding a property access issue. Mr. Sparks had previously purchased property after a tax sale process. There is no access to the property and Mr. Schroeder inquired if some type of easement could be granted to gain access. County Counselor Potucek advised that the County has no standing to dictate access issues since the property is located within the City of Wellington. Counselor Potucek acknowledged the property was available after the tax sale process and that any ingress and/or egress issues must be worked out within the entity where the property is located and/or property owners involved.

Health Department Director Vivian Wing met with the Commission regarding personnel. She submitted a proposal for temporary Homemaker positions. Temporary help has been used in the past during the summer months to supplement the work force during vacations of personnel. The Commission unanimously approved two temporary homemaker positions.

The Commission discussed the request last week from County Extension Agent Ed LeValley regarding the replacement of the amplifier and microphone used in the meeting room of the Raymond Frye complex. After discussion, the Commission unanimously approved the replacement of the equipment.

E911 Director James Reed met with the Commission regarding the bids on pagers. Two bids were received, one from Mobile Radio Service and the other from First Wireless, Inc. The low bid was from Mobile Radio Service for a total amount of \$77,210. The county's portion of that amount would be \$50,400 with the remainder for the pagers for the City of Wellington and the City of Mulvane. The county saved approximately \$9,100 by purchasing the pager together and each entity also saved an amount. The bid included a five-year extended warranty on the pagers. The Commission unanimously approved the bid from Mobile Radio Service. The benefits provided in volunteer time by the use of pagers were also discussed.

The Commission reviewed and unanimously approved the May mid-month claims in the amount of \$208,228.42.

The Commission spoke by phone with Norris Fletcher, of Burns Fletcher Gill Architects. Mr. Fletcher inquired about visiting with the Commission about remaining as the architect for any jail project. The Commission advised that they are still in the process of viewing other jails and determining what their futures steps will be.

The Commission reviewed and unanimously approved a tax abatement order for the amount of \$262.96.

The Commission will travel tomorrow to view jail facilities in Allen and Neosho counties.

There being no further business, the Board of County Commissioners adjourned at 4:23 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
May 13, 2003 8:00 a.m.

The Board of County Commissioners traveled to Allen and Neosho counties to view their jail facilities. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present were County Clerk Shane J. Shields, Sheriff Gerald Gilkey and Detentions Coordinator John Moore.

The Commission went first to Allen County. They met with the Allen County Board of County Commissioners at 10:30 a.m. Construction on their jail facility is just beginning. Planning, design and construction issues of the Allen County facility were discussed.

The Commission then traveled to Neosho County and toured the jail and Sheriff's office facility there. It has been in operations for approximately a year.

The Commission returned at approximately 5:20 p.m.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
May 19, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met briefly with the Commission. Sheriff Gilkey reported that he had spoken with the Sheriff of Ottawa County. It was reported that an individual representing himself as a member of the Sumner County Jail committee had toured the Ottawa County jail. Sheriff Gilkey confirmed that no member of the previously appointed jail committee is still conducting any inspections of jail facilities. It is believed the incident would also relate to an individual representing himself as a Sumner County Commissioner to gain access to the Neosho County jail a few months ago. No Sumner County Commissioner had visited the Neosho County jail until last week.

Several Department Directors and representatives met with the Commission. Those present included Road and Bridge Director Melvin Matlock, E911 Director James Reed, Maintenance Director Gary Yoder, Register of Deeds Geraldine McEachern, Treasurer Carolyn Heasty, Planning and Zoning Director Jon Bristor, Appraiser Della Rowley, Undersheriff Jerry Osborn and Road and Bridge Administrative Assistant Joyce Reynolds. The hold that was placed at the beginning of the year on merit increases for all personnel was discussed. The Commission placed the hold at the beginning of the year for evaluation on a monthly basis. The Directors held their monthly meeting last week and reviewed the budget situation. The State budget has now been finalized and no other direct funding sources to the county were affected. Merit increases for employees were originally budgeted for 2004.

The Commission discussed the possibility of merit increases. Chairman Courtney voiced his opinion that he had not seen anything that would show that we are in a cash position to show that we can release wages. Commissioner Bongiorno said he is willing to review the release of merit increases, but would like to wait further into the budgeting process. All departments are to submit their proposed 2004 budgets by June 6.

The Commission met with Road and Bridge Director Matlock, Engineering Superintendent Nita Simonton and Administrative Assistant Reynolds. The Commission asked Superintendent Simonton to research the zoning setbacks required for the existing courthouse grounds. The Commission would like to confirm the space available in comparison to a podular designed jail facility similar to Neosho County's. Information provided by the first architect, ACI Boland, that was used by the county indicated that sufficient space was not available for a podular design. The podular design provides savings in operational costs compared to a linear designed facility.

Director Matlock also discussed an issue relating to a recent bid process for bridge materials. He reviewed the information regarding the incident and that the vendor involved had made accusations of unfair treatment. Director Matlock had already discussed the issue with County Counselor Jack Potucek who will be sending a letter to the individual involved.

Commissioner Gracy discussed a road issue in Avon Township with Director Matlock. Superintendent Simonton was already aware of the issue and had discussed it with the Township officials. The township has taken steps to address the issue, but not to the extent of satisfaction of the individual involved.

Mike Sweany met with the Commission regarding his project under the Neighborhood Revitalization Plan. Appraiser Della Rowley was also present. The status of his project was discussed. The deadline for the project is June 10. After discussion, the Commission determined that no extension would be granted. The project would be closed out on June 10 as 100% complete, which has been how similar cases have been resolved. Mr. Sweany agreed with the plan.

Mary Simons spoke with the Commission by telephone regarding zoning case #03PC-03 that is scheduled for hearing later in the day. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were also present. Ms. Simons expressed concerns regarding the case. The Commission advised that they would consider any

information she provides at the hearing. She also expressed her thanks to Assistant Director Jenkins for her assistance in obtaining the information regarding the case.

The Commissioners recessed for lunch at 12:02 p.m.

The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. The Commission asked Counselor Potucek to review the statutes relating to the Special Auto fund and advise them of any procedural options that could be implemented regarding compensation and/or expenditures. They discussed procedures similar to the one used for the Sheriff requesting confidential money out of the Special Law Enforcement fund for drug investigations.

At 2:30 p.m., the Commission held public hearings on four planning and zoning cases. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, several members of the Planning Commission, and a number of other individuals were present. Director Bristor advised that the Planning Commission previously heard all four cases with eight members present.

The first case heard was #02PC-03. The applicant was the Board of County Commissioners and it was for an amendment to text. The proposed amendment was for a deletion of Item E under prohibited uses in Section 19-111. Item E reads, "Any existing or new oil pumps utilizing petroleum based engines for operation will have operable and functioning mufflers to muffle sound as to not allow sound to exit the property." Director Bristor reported that the Planning Commission had unanimously approved the case. Chairman Courtney provided a brief review of why the regulation was originally implemented. The meeting was opened for public comment.

Dan Russ spoke in opposition to the case. He voiced his support of the maintaining the regulation or, at least, a modification of the wording to make it more enforceable. Mr. Russ reviewed his specific incident regarding complaints of noise from oil wells in the area of his residence. He recounted the steps he has taken to resolve the problem, but has not received satisfactory cooperation from the oil companies. He also expressed his opinion of a conflict of interest of Planning and Zoning Attorney Mike Brown and a member of the Planning Commission regarding the issue. Director Bristor was asked if there had been any other similar noise complaints due to oil well pumps across the county and he advised there had been none. After lengthy discussion the meeting was closed for public comment.

The Commission further discussed the issues involved. Chairman Courtney cited that the Commission is charged with making decisions that impacts the use of tax dollars as efficiently as possible. There were indications received that legal challenges might occur if enforcement was attempted. Planning and Zoning Attorney Mike Brown and County Counselor Potucek had both advised the Commission that the existing regulation would be difficult to enforce. He advised that he, in good conscience, could not vote to keep the regulation. Commissioner Gracy expressed his opinion that it was not a matter the county should regulate. After further discussion, the Commission unanimously approved zoning case #02PC-03 deleting Section 19-211, Item E. During the hearing there were also two individuals present representing two oil companies. Both offered to work with Mr. Russ to confirm the correct oil companies have been contacted in order to resolve his specific problem.

The next case heard was No. 03PC-03. Gary and Sue Benjamin submitted an application for a conditional use permit for the construction of two cabins for bed and breakfast, construction of a multi-purpose building and construction of a livestock barn. Concerns discussed at the Planning meeting included parking and traffic. The Planning Commission approved the application in a 5 to 3 vote with the recommendation for an administrative review every four years and the provision of ample off-road parking. The Commission opened the meeting for public comment.

Mary Simons, a neighboring resident, spoke in opposition to the application. She provided information and photographs and she cited in detail a number of her concerns and issues. Her concerns included increased traffic and its affect on the road, parking, noise, and the proximity of the proposed new buildings to her property. Jim Rhodes, another resident in the area, spoke regarding the case. He said he had never had a problem with the noise from the current operations and that it was an asset to the neighborhood. It was also bringing tax dollars into the area. Gary Benjamin, the applicant, then spoke and he first provided a brief history of the business. He then discussed the proposed plans and addressed the concerns raised. He also submitted letters of support from all of the

residents within 1,000 feet of the property other than Ms. Simons and Mr. Rhodes. The Planning Commission members present also spoke regarding the case. Ted Reickenberg expressed his opinion that the entire area should be rezoned as commercial. The hearing was closed for public comment.

The Commission further discussed the case and issues raised. Mr. Benjamin answered several questions posed by the Commission. After review, the Commission unanimously approved case #03PC-03 with five restrictions. The first, for parking to be provided as addressed in Sumner County Zoning Regulations Article 14. Second for "No Parking on Road" signs erected on Benjamin's property. Third an Administrative review every two years. Fourth notification to Planning office of any development and property permits obtained, and fifth complies with State and County environmental and zoning regulations.

The next two zoning cases, No. 04PC-03 and 05PC-03, were both conditional use applications for the construction of wireless communication towers. The application Case No. 04 was by Rex Ingram, owner, and AT&T Wireless, as applicant. For Case No. 05 it was Rosiland Bowers Trust, Owner, Duane Reichenberger, Trustee, and AT&T Wireless. Ron Jones was present representing AT&T Wireless. E911 Director James Reed was also present. After discussion, the Commission unanimously approved both cases with restrictions.

Maintenance Director Gary Yoder met briefly with the Commission. He reported he was able to obtain a lower price locally for the carpeting for the Slate Creek Good Samaritan Center project.

There being no further business, the Board of County Commissioners adjourned at 5:11 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
May 20, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Mike Booth met with the Commission regarding plumbing services at Slate Creek Good Samaritan Center. Maintenance Director Gary Yoder was also present. The services provided to the Center per agreement with Mr. Booth were reviewed. After discussion, it was determined that services in the amount of \$1,372 are still due. Mr. Booth advised he would continue to work, as needed, per the agreement.

Jarrold Koehler met with the Commission regarding a bridge and road issue in Ryan Township. Road and Bridge Director Melvin Matlock was also present. Mr. Koehler discussed several problems and concerns on road locations and a bridge location in Ryan Township. Director Matlock will view the sites and attempt to assist in resolutions to the issues between Mr. Koehler and the Township.

The Commission met briefly with Elliott Jackson, of Parman, Tanner, Soule and Jackson. The 2004 budget preparation process was discussed. Notice was already distributed to all departments requesting that initial budget proposals be submitted by June 6.

The Commissioners recessed for lunch at 11:57 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

A presentation was made for the winner of the Drug Abuse Resistance Education program essay contest. Sheriff Gerald Gilkey and Conway Springs Chief of Police Bruce Wykes introduced Travis Orton of Conway Springs. Travis read his essay to the Commissioners. As the winner of the essay contest, Travis was presented a bicycle donated by the Wellington Walmart. The Commission commended Travis on his essay.

The Commission met with Planning and Zoning Director Jon Bristol. Commissioner Gracy had been contacted regarding a safety issue relating to an abandoned elevator in Portland. Director Bristol reported that contact was already made with the owner regarding salvage code issued. The Commission requested that further contact be made with the owner to attempt address the safety concerns.

Sheriff Gilkey met with the Commission regarding the fee for work release. Sheriff Gilkey proposed increasing the fee from \$14.00 per day to \$20.00 per day. After discussion, the Commission unanimously approved the increase. The Commission confirmed that the Sheriff retains the authority to adjust the rate based on a specific circumstance.

County Counselor Jack Potucek met with the Commission. He provided a review of the history of legislation regarding the Special Auto fund. He provided his opinion that the Commission that with regard to any elected or appointed officials can, once all sources of compensation have been identified, determine total salary based on all of the sources.

There being no further business, the Board of County Commissioners adjourned at 3:09 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
May 27, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debbie Norris. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for May 19 and 20.

Sheriff Gerald Gilkey met with the Commission regarding several issues. Master Deputy Kenny Kelley was also present. A Cops Fast grant application for three patrol officers was discussed. The grant is for salaries and benefits for three years. Sheriff Gilkey explained the intent is to gain one additional patrol officer for each shift. Awarding of the grants would be in 2004. Budget preparation was considered, as the 2004 would need to include the expenses in order for budget authorization. After discussion, the Commission unanimously approved the grant application.

Sheriff Gilkey also discussed vehicle replacement. He advised that in reviewing the current vehicle conditions there is a need for replacement of possibly up to thirteen vehicles. Sheriff Gilkey reported that he is researching leasing options to confirm what the cost might be. The type of vehicles needed was also considered.

Sheriff Gilkey reported that his department would be providing law enforcement services to City of Argonia. Assistance would be provided until the City fills the vacant Chief of Police position.

Sheriff Gilkey advised that Dr. Howard Schneider had met with him regarding concerns about a new jail facility. Sheriff Gilkey recommended to Dr. Schneider that he and any other concerned individuals meet with the Commissioners.

Health Department Director Vivian Wing met with the Commission. She discussed the use of a consultant to assist in the development of a plan relating to bio-terrorism. The funds for consulting services are included in the grant already received. Director Wing submitted a proposed contract with a consultant. The Commission advised they would have County Counselor Potucek review the contract before approval.

Director Wing also discussed a personnel issue. Filling a vacant position in the home health area of her department was considered. The Commission discussed the continued feasibility of the County providing home health services. It was discussed if there would be any private entity willing and capable of providing the services. The Commission authorized advertising for the vacant position.

Rick Holbrook, of Gossen Livingston Architecture, met with the Commission to discuss jail facilities. Mr. Holbrook provided a brief review of the qualifications and services of his firm. The Commission explained their plan for addressing the jail issue. Part of the plan is to use a selection process to choose an architectural firm.

Karen Fergen, facilitator for the 30<sup>th</sup> District Juvenile Corrections Advisory Board, met with the Commission. She submitted an application for a juvenile accountability block grant that would provide services to the community. After review, the Commission unanimously approved the grant application and the Chairman was authorized to sign it. Discussion was also held on a new program under consideration, "New Start".

The Commission responded to a survey received by fax from the Kansas Association of Counties. The survey questionnaire dealt with Commission-Sheriff relationships.

The Commissioners recessed for lunch at 11:59 a.m.  
The Commissioners reconvened in open session at 1:30 p.m. County Clerk Shane Shields was now present.

County Counselor Jack Potucek met with the Commission. He reported that he had received the report from the hydrogeologist regarding the proposed Harper County landfill. He provided a copy to each Commissioner.

Counselor Potucek was asked to review the proposed contract for the services of a consultant for the development of a bio-terrorism plan. The funds for consulting services are included in the bio-terrorism grant already received. Counselor Potucek approved the contact as to its form. The contract with Johanna Higgins for assistance in facilitating and establishing a Countywide monitoring protocol for assessing the current status of infectious disease and other surveillance activities was unanimously approved.

Economic Development Director Linda Jolly met with the Commission. She discussed a Community Development Block Grant application. Osborne Township wishes to apply for a CDBG grant to build a new community center. Director Jolly advised that the steps have been taken to confirm the township eligibility for a grant. The County would need to sponsor the grant application. The County can sponsor two applications per each round of availability for the grants. The Commission expressed their support for the application.

Road and Bridge Director Melvin Matlock met with the Commission. Also present were Road and Bridge Superintendent Larry Whitham, Engineering Superintendent Nita Simonton, and Administrative Assistant Joyce Reynolds. Director Matlock discussed several issues relating to the landfill. He reported that there continue to be some problems with the operations of H.E.W. regarding the transfer station. Maintenance problems with the loader at the landfill were discussed. The repair costs compared to purchasing new were considered. The long-term operations of the landfill were also considered. After discussion, it was determined the best alternative would be to replace the loader.

Director Matlock also discussed a personnel issue with the Commission. The Commission unanimously approved the replacement of a vacant position. Director Matlock also reported that the bridge inspections were completed.

Al Reiss, of Reiss and Goodness Engineers, met with the Commission. Don Scott, President of the Slate Valley Sewer District, Planning and Zoning Director Jon Bristor, and Wellington City Engineer Larry Mangan were also present. Mr. Reiss submitted two different preliminary proposals for resolving the problems with the Sewer District. The benefits and detriments of each proposal were discussed. Funding methods were also considered. Mr. Mangan advised that the City does not wish to annex the area, but would be willing to provide sewer services per contract. Mr. Reiss and Mr. Scott advised that a meeting has been scheduled to review the two proposals for the residents of the district.

The Commission reviewed and unanimously approved claims for the end of May in the amount of \$167,246.21.

Maintenance Director Gary Yoder met with the Commission. Repair to the roof of one of the rental houses owned by the County was discussed. The roof has been patched in the past, but Director Yoder advised that full repair should now be considered. The house is currently rented by an organization. Director Yoder had requested bids for the repair and one bid was submitted. The Commission unanimously approved the bid submitted by Johnson Brothers Construction, Inc.

The Commission reviewed a resolution prepared by County Counselor Potucek relating to the new Peck Improvement District. The resolution set the date for the first election as July 29, 2003, and appointed the Judges and Clerks of the election as required by statute. The Commission unanimously approved Resolution No. 2003-08.

There being no further business, the Board of County Commissioners adjourned at 5:03 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 2, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for May 27 with amendments.

The Commission reviewed a letter prepared to send to the other entities that could be affected by the proposed Harper County landfill near the Chikaskia River. The letter reviews that status of the proposal with the Kansas Department of Health and Environment and the actions taken by the Sumner County Commission to date. The cost for the hydrogeologist and attorney retained by Sumner County were cited in the letter. The letter also asked for the entities in contributing to the expenses based on a calculation of population. The Commission unanimously approved the letter and for it to be sent to the entities.

The Commission discussed a sewer line break that occurred last week. Sheriff Gerald Gilkey was present. The break occurred in the line that was located in the wall of the E911 dispatch area.

Dr. Howard Schneider, C.W. Long and Forrest Stalcup met with the Commission. Sheriff Gilkey remained present and Undersheriff Jerry Osborn was also present. Mr. Long spoke first and advised they were there representing a group that believes a new jail is needed for Sumner County. He said the consensus is that a new facility adjacent to the courthouse would be best if the area is convenient to do so. He discussed research he had conducted, which he concluded showed the cost per square foot for a new facility was less than the cost for renovating the older building that was proposed. The most economic facility appears to be a two level mezzanine designed facility. He said the group wishes to help the Commission get such a facility constructed for Sumner County. According to Mr. Long a number of people believe that, if a facility cannot be constructed on the existing courthouse ground, then it should be a new facility elsewhere.

County Counselor Jack Potucek was now present in the meeting.

Mr. Long also spoke briefly regarding the personal survey and research he had conducted. He assured the Commission that he never misrepresented himself and had always used proper protocol in his contact, by phone or visit, with other Sheriff's Departments.

Chairman Courtney briefly reviewed the actions and considerations taken by the Commission since the jail issue arose. A jail committee consisting of citizens from across the county was formed to review the need of a jail and make a recommendation to the Commission. Chairman Courtney advised the previous site, off the courthouse grounds, was considered after other citizens contacted the Commission and made them aware that the site was possibly available. The Commission must consider the cost for the facility and also the long-term operational costs. Due to a number of factors the Commission's initial belief was that building on the existing courthouse grounds was not in the best interest of the citizens. Among those factors were design limitations due to space available, future judicial space needs, and parking space availability. The AV Central building site provided space that could address several of the space needs in the future.

Dr. Schneider expressed his understanding of the parking problems around the courthouse. The value of the AV Central building was discussed as well as the purchase price. The value and price was an issue referred to a number of times leading up to the April election. Mr. Stalcup expressed his opinion that he only sees the need for a 70-bed jail. Chairman Courtney advised that the Commission would be making a fifty year decision for the County and the need for an approximate 100 bed facility was confirmed several times. Both architectural firms involved in the previous proposal confirmed the 100-bed need. Dr. Schneider said he agreed with the need for a 100-bed facility. The parking concerns were also further discussed and a parking garage was mentioned as a consideration. The expenses encountered to date were also briefly discussed. An amount of \$95,181 has been paid to the architectural firm of Burns, Fletcher, Gill.

Mr. Long said they all understand that it will be a tough decision. Chairman Courtney reviewed the process the Commission is attempting to follow. They are continuing in the attempt to analyze all of the “no” information from the electoral process, they are taking steps to confirm if the existing courthouse grounds offer a possibility, and they will go through a selection process for an architect. The Commission, with the assistance of Senator Gretta Goodwin, had legislation adopted authorizing a sales tax of up to 1%. Any county sales tax question must be authorized by the legislature before being brought to a vote of the residents. If the final determination is that a sales tax should be considered, the Commission will not have to wait for the next legislative session to begin the process. The Commission intends to hold to the needs identified by the jail committee. The Commission made the commitment to the three that they would make them aware of any scheduled meetings regarding the jail.

Mr. Long said the meeting today was intended to present the Commission with their ideas. He commended the Commission for considering a sales tax. The Commission thanked Mr. Long, Dr. Schneider and Mr. Stalcup for meeting with them. The existing timeline for addressing the jail issue was also briefly discussed.

The Commission reminded everyone that there is a timeline for resolving the capacity and fire code issues with the existing jail. The timeline stems from a fire inspection conducted by the Kansas State Fire Marshal’s office and the resulting report. Counselor Potucek advised that the Commission must remain in contact with the Fire Marshal regarding the timeline. The Commission expressed their continued commitment in resolving the jail issue.

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. She submitted the proposed 2004 budget. The proposed amount in mill levy funds is \$81,600, which is the same amount as 2003. The Commission commended Director Donley’s work on the budget preparation. They also asked that she extend their appreciation to the Senior Services Board for their work. Director Donley also reported to the Commission that a \$500 grant was received from the Federal Emergency Management Agency.

Judge Thomas Graber met with the Commission to submit the proposed 2004 budget for the Juvenile Court program. He also reviewed the details of the program and the services provided. The Commission discussed the program and the benefits it provides in addressing problems before the individual reaches adult age.

The Commissioners recessed for lunch at 11:55 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met briefly with the Commission.

Treasurer Carolyn Heasty met with the Commission. She discussed a number of the changes involving driver’s licenses laws and fees that will take effect on July 1, 2003. There will also be fee increases from the State. Treasurer Heasty reported that County’s are allowed to charge an additional fee for providing the service locally. Sumner County has charged \$2.00 since the initiation of the driver’s license service. That fee has allowed Sumner County to cover almost entirely the salary and expenses for the driver’s license operations. Treasurer Heasty wanted to make the Commission aware of the fee in case they wished to consider increasing the fee. Some increase in the fee would provide funds to cover all of the expenses.

At 2:06 p.m., the Commission upon unanimous vote entered into executive session with Treasurer Heasty until 2:15 p.m. to discuss non-elected personnel. At 2:15 p.m., upon unanimous vote the Commission extended the executive session for five minutes. At 2:20 p.m., the Commission reconvened in open session at 2:20 p.m.

The Commission reviewed three applications for the Sale of Fireworks. The Commission unanimously approved issuance of permits for Sally Mercer and Marty and Dena Guthrie. Both applicants had met all requirements and submitted the required fee. Action on the third application, submitted by Parents in Support of Scouts, was held. The applicant will be contacted regarding one of the required documents.

Road and Bridge Director Melvin Matlock and Office Manager Joyce Reynolds met with the Commission. Information requested by the State regarding previous research regarding the feasibility of a county road unit system was discussed. The State Legislative Post Audit office had contacted the County Clerk requesting a copy of the information. The research conducted by the Road and Bridge Department indicated that it would not be feasible for Sumner County to adopt a county road unit system.

The Commission reviewed and unanimously approved a tax abatement order for the amount of \$288.27.

Paul and Mrs. Falkenberg met with the Commission regarding the Neighborhood Revitalization Program. County Appraiser Della Rowley was also present. Mr. Falkenberg reviewed the circumstances involved in his particular case. He advised that he had misunderstandings and there was also an inspection issue involving the Appraiser's office. A staff member in the Appraiser's office had encouraged him to make an NRP application at the time. The Commission discussed that any decision should be equitable with others made in the past. The Commission advised that no decision would be made until they review the circumstances with County Counselor Potucek.

The Commission discussed an NRP issue relating to extensions requests for project completion deadlines. In previous cases, if the property owner has agreed, the projects have been closed out at the deadline and considered as 100% complete for appraisal purposes. The Commission unanimously authorized the Appraiser to follow that precedent as long as all other circumstances are the same. With that authorization, property owners in those cases will not have to meet with the Commission.

There being no further business, the Board of County Commissioners adjourned at 4:56 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 3, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debbie Norris. The meeting was opened with the Pledge of Allegiance.

The Commission received County Clerk Shields' 2004 budget proposal with supporting documents.

The Commission discussed the Neighborhood Revitalization Program issue from yesterday involving Mr. and Mrs. Falkenberg. The specific circumstances were considered as to how they relate to previous cases. No decision was made.

Chairman Courtney left the meeting at 9:15 a.m. to honor a request to speak to the PRIDE selection committee on behalf of the City of Argonia. Chairman Courtney expressed his support of proposed Resolutions 2003-09 and 2003-10 to be considered later. He authorized the use of his signature stamp for the resolutions, if needed.

County Clerk Shields was now present.

The Commission reviewed Resolution 2003-09 regarding a levy of up to one mill for the Service Program for the Elderly. The levy was approved in 1979, but an annual resolution is required to continue the program. The Commission unanimously approved the resolution.

The Commission reviewed Resolution 2003-10 regarding the adoption of a deferred compensation program. Several other documents relating to the new plan were also reviewed. A new deferred compensation program is being adopted to replace one of the existing programs. Resolution 2003-10 and the other plan documents were unanimously approved.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$5,308.59 and tax refund orders in the amount of \$4,596.37.

The fireworks application held from yesterday was discussed. The required supporting document or letter regarding the State certificate of tax exemption was considered. The Commission authorized the issuance of a permit once the requested information is submitted since the application was filed prior to the deadline.

There being no further business, the Board of County Commissioners adjourned at 9:55 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 9, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debbie Norris. The meeting was opened with the Pledge of Allegiance. Chairman Robert Courtney was not present as he was attending a Regional Economic Area Partnership meeting in Wichita.

Wellington Public Works Director Rod Conwell, Lake Superintendent David Bowman and Assistant Superintendent Doug Kinney met with the Commission. They provided a report on the projects completed at the Wellington Lake and the projects planned for the future. A three-year plan with estimated costs was submitted. Future projects include a new patrol boat and a dock. The existing dock was lost due to a storm. Currently the lake is utilizing the Emergency Management boat and they thanked the Commission for its use. Also planned in the future, due to public requests, are additional shelter houses. The report of the number of permits sold at the Lake office showed 357 for Wellington residents, 200 for Sumner County residents and 118 for non-residents. Director Conwell asked that the County consider continuing the \$15,000 annual payment to assist with improvements at the Wellington Lake.

Chairman Courtney arrived from the REAP meeting at 9:50 a.m.

Chairman Courtney praised the work that has been done at the Wellington Lake and for the future planned improvements. The Commission related previous discussions about the possibility of inmates assisting with clean-up and minor projects at the lake. Director Conwell reported that he has been in contact with Undersheriff Jerry Osborn regarding the issue. Director Conwell said a discussion would also have to occur with the City Council. Chairman Courtney mentioned that he had discussed with the Wellington Sunrise Kiwanis Club about using the Wellington Lake as one of their community projects.

County Appraiser Della Rowley and her staff member, Carolyn Farley, met with the Commission regarding a Neighborhood Revitalization project. A request was received from Gary Martin for an extension on his project. The specific circumstances of the project were considered. The project is 90% complete. After discussion the Commission asked that the Appraiser's office review past history and decisions in similar cases.

County Clerk Shields arrived at the meeting at 10:17 a.m.

The Commission further discussed the NRP extension request from Mr. Martin. Previous cases were considered and the Appraiser's office confirmed information from previous cases. The Commission determined that a 90-day extension from the original deadline, which would be until September 20, 2003, for completion of the project.

The minutes for June 2 and 3 were reviewed and unanimously approved.

The Commissioners each provided brief reports over several subjects. Chairman Courtney provided a report of the REAP meeting he attended.

Representative Bill McCreary met with the Commission. The proposed Harper County landfill was discussed. He submitted \$100 to the County for assistance in the costs associated with the Commission's opposing the site for the proposed landfill. The entire approval process for landfills through the Kansas Department of Health and Environment was discussed. Changes that might improve the process were considered.

The demand transfer monies from the State to the County were discussed. Representative McCreary said no money should be expected from the State until after the economy recovers. He said the legislature did nothing this year other than roll the financial problem forward. A number of other issues were also briefly discussed.

The Commissioners recessed for lunch at 11:59 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Chairman Courtney reported that a phone call was received from Al Reiss, of Reiss and Goodness Engineers, regarding the Slate Creek Sewer District. He reported on the meeting held for the residents of the district. The residents determined that it would be best to enter into an agreement with the City of Wellington. Wellington City Engineer is working on a Memorandum of Understanding for approval of all parties.

The Commission met with Planning and Zoning Director Jon Bristor regarding a business near Mulvane. The business, a bed and breakfast, has also been operating as a dining facility by reservation. The issue has arisen that no actual permit or authorization has been given for the dining facility other than related to the bed and breakfast. The owners, have advised their belief was that the dining facility had been approved. They began the process for the facility in the first part of 2000 with the former Planning and Zoning Director. Director Bristor had recently reviewed the file and found no clear indication that any approval was ever given for the general dining facility. He mailed a letter to the owners last week informing them of the options now available. A response letter was received from an attorney representing the owners advising that neither option was realistic. The Commission asked County Counselor Jack Potucek, who was now present, to research the issue and provide a legal opinion.

Director Bristor and Counselor Potucek discussed with the Commission that status of finding a replacement for the Planning and Zoning Attorney. The position became vacant as of May 30, upon the resignation of Attorney Mike Brown. Several attorneys have been contacted, but no one shown real interest in the position. The compensation for the position was discussed.

The Commission reviewed and unanimously approved the claims for Community Corrections for May in the amount of \$25,809.87.

Road and Bridge Director Melvin Matlock provided the Commission with a scaled drawing showing the property setbacks required on the east side of the Courthouse. The drawing also shows the remaining area available for a possible jail facility. Any final determination of whether sufficient space is available will be left to an architect, once one is chosen.

The Commission reviewed tax abatement orders for the current year in the amount of \$12,267 and previous year tax abatement orders in the amount of \$9581.50. The orders were unanimously approved.

Register of Deeds Geraldine McEachern reported that her staff recently completed a single record book in a five day period. A single book contains 700 pages. The number of documents recorded continue to create additional storage needs. McEachern, as well as the Commission, commended the work of her staff.

There being no further business, the Board of County Commissioners adjourned at 4:54 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 10, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission received a check in the amount of \$1,000 from Caldwell Utilities, Inc., towards the cost experienced by the County for the attorney and hydrogeologist work in opposing the Harper County landfill site.

The Commission met with former Planning and Zoning Director Marvin Simonton and County Counselor Jack Potucek. A past issue regarding the Suppesville Sewer District was discussed.

Mr. and Mrs. Henry Dick met with the Commission regarding services performed in 1995 for the Suppesville Sewer District. Mr. Dick advised that payment for excavating the lagoon was never made. He said the developer had paid for a portion of the services, but there was a remaining balance of \$8,515. Once the county assumed control, the remaining balance was billed to the county. Counselor Potucek reviewed the No Fund Warrant that was authorized in 1995. The application and authorization were completed during the same time period as Mr. Dick was performing the services. Mr. Dick said, at the time, he knew there were no funds available so he did not continue to request payment. He recently noticed in a financial report where a balance of around \$9,000 was shown for the Suppesville Sewer District fund and that was why he was now inquiring. Counselor Potucek advised the No Fund Warrants did include some amount for services performed by Mr. Dick.

The No Fund Warrants authorized in 1995 and related records were reviewed. County Auditor Elliott Jackson was also brought into the discussion. He indicated there might be a more detailed accounting of the issue in a past audit report. After further discussion, the Commission determined that the matter would be tabled until next week in order to provide Auditor Jackson time to conduct research.

E911 Director James Reed, Assistant Director B.J. Tracy and Dispatch Crew Chief Robert Antonich met with the Commission to discuss the department budget and staffing levels. Director Reed reviewed information that was presented last year along with updated information recently gathered. The E911 center dispatches for 37 different emergency service agencies. The specific multi-tasking duties of the dispatchers were discussed. Personnel studies indicate that E911 continues to operate three dispatchers short. The effects of that shortage on existing personnel and operations were discussed at length. There is also the need for additional administrative personnel. Other related issues were considered.

Issues of space needs for personnel and equipment and training costs were also considered. Concerns regarding potential problems that could be caused by water and/or sewer pipe leaks were discussed. Director Reed indicated that the Mulvane Chief of Police is considering the option of eliminating their 911 center. The County's center may be asked to assume dispatch duties for Mulvane with some type of financial and/or personnel agreement. Director Reed was asked to further review the projected overtime costs for his department. They commended him on the budget documentation submitted and said they would consider all information in the budget process.

The Commissioners recessed for lunch at 12:01 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Chairman Courtney was authorized to sign a letter to the Kansas Department of Health and Environment requesting that the Slate Valley Sewer District be added to the priority list for using State Revolving funds. The funds would be used to construct a force main with a lift station to pump the sewage from Slate Valley to the City of Wellington's Sewer Facility for treatment. The estimated project cost for the project is \$99,500.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$617.94.

The Commission discussed the Special Auto fund and the statutory authority given to the Treasurer. The Commission finalized a letter regarding the use of the fund that they forwarded to the Treasurer.

Carl White met with the Commission regarding his project under the Neighborhood Revitalization Plan. Carolyn Farley, of the Appraiser's office, was also present. Mr. White asked for an extension for the completion of his project due to contractor delays and family illness. Specific details of the status of his project were considered. After discussion, the Commission unanimously determined, with Mr. White agreeing that the project would be considered 100% complete for tax purposes.

The Commission met with Counselor Potucek regarding the NRP extension request last week from Mr. and Mrs. Falkenberg. The circumstances of the case were reviewed. Counselor Potucek compared the case to previous cases where the Commission has always considered timely enrollment as jurisdictional. If timely enrollment or application was not made, there was no ability to allow enrollment. Another factor considered in Mr. Falkenberg's case was that the Appraiser's office strongly encouraged that application be made at one point during the process.

The Commission reviewed and unanimously approved the bi-monthly claims for June in the amount of \$282,226.80.

There being no further business, the Board of County Commissioners adjourned at 4:03 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 16, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debbie Norris. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed the minutes for June 9 and 10. They were unanimously approved with amendments.

Chairman Courtney discussed the meeting of the Workforce Alliance of South Central Kansas. He reported that the Alliance had accepted REAP as the grant recipient for WIA funding.

The Commission met with Elliott Jackson, county auditor. He reported that he had researched the records he maintained regarding the No Fund Warrants issued in 1995 for the Suppesville Sewer District. The records showed that the only payment made to Henry Dick was for \$632. He confirmed that the invoice discussed last week was never paid. The Commission asked that he review the funds available with Planning and Zoning Director Jon Bristol to determine when payment could be made to Mr. Dick.

The Commission discussed the 2004 budget. Mr. Jackson and County Clerk Shields had compiled the budgets submitted. If all department/agency budgets were funded at the initially proposed amount, a mill levy increase of nearly 15 mills would be required. The budget requests were only \$157,000 dollars more than the approved 2003 budget representing a 1 % increase. Last year's reductions in spending, interest revenue and the State withholding demand transfers to cities and counties have caused revenue reductions. To maintain the current mill levy, budget reductions of just over 2 million dollars will be required. Various options that could be used to reach that amount were considered. Mr. Jackson was asked to continue to research options and the Commission will begin a detailed review of the budgets submitted.

E911 Director James Reed submitted a revised budget. He had conducted further review of the proposed amount for overtime and determined that it could be reduced.

The Commissioners recessed for lunch at 11:59 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Commissioner Bongiorno reported that Hobbs Roofing has begun the roof repair to the Fair building in Caldwell. The repair will be done in two steps with the first step already completed.

The Commission received correspondence from the District Court regarding mileage reimbursement. The State is increasing the mileage reimbursement amount to 36 cents effective July 1, 2004. After discussion, the Commission unanimously approved the county mileage reimbursement rate at the same rate, but effective January 1, 2004.

The Commission met with representatives of three architectural firms over the next one and a half hours. The representatives of each firm were advised at the beginning of each meeting that the first scope of the project is to determine whether or not a 100-bed facility can be built on the existing courthouse grounds without closing a street. The facility would have to be a mezzanine design for the detention portion. The Commission advised each that they would be interviewing representatives from several firms before making a final selection. A decision would be made before July 1 as to which architectural firm would be used.

Norris Fletcher of Burns Fletcher Gill Architects met with the Commission. Mr. Fletcher was the architect involved in the first law enforcement/jail proposal. He provided a brief history of his company and projects. Mr. Fletcher said he could complete a feasibility study within two months. He also offered, if retained for the project, that he would refund the 15% mark up fee of \$1,038.99 charged for his previous work. He also advised that he would bring in an architectural firm from Winfield.

Dennis Smith, Roger Brown and Tony Rangel, of Law/Kingdon, Inc., met with the Commission. Their business is located in Wichita and they provided information on their company and projects.

Dan Rose, Loren Anderson and Shawn Harding, of Treanor Architects of Lenexa, Kansas, met with the Commission. They provided information on their company and projects. They also advised that they have four projects currently underway in Wellington.

Kent Kelly, of Kelly Trucking, met with the Commission. Road and Bridge Engineering Superintendent Nita Simonton was also present. Mr. Kelly advised that he has asphalt from the recent turnpike reconstruction available for sale. The asphalt would be useful for any overlay projects. The asphalt is available at a cost of \$20 per ton with thirty to fifty thousand tons available. After discussion, the Commission asked that Engineering Superintendent Simonton and Road and Bridge Director Melvin Matlock determine if the county has a need for the asphalt, if there would be any cost savings in this purchase, and if funds are available.

The Commission received correspondence from the Kansas Association of Counties regarding the election of a representative to the Board of the National Association of Counties. The Commission unanimously designated Chairman Courtney as the county's voting delegate. Chairman Courtney completed the mail ballot and it was returned to KAC.

The Commission received correspondence from Greg Olson, Chief Executive Officer for the Sumner Mental Health Center. Due to a recent change in Kansas regulations another member is needed on the mental health board. Sandra Baca was recommended as the new member and the Commission unanimously approved her appointment.

The Commission received a recommendation from Community Corrections Director Lou Bradbury for the appointment of Donna Hoerner-Quayle and Candace Pfalzgraf to the Community Corrections Advisory Board. The Commission unanimously approved the appointments.

There being no further business, the Board of County Commissioners adjourned at 5:04 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 17, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debbie Norris. The meeting was opened with the Pledge of Allegiance.

The Commission discussed the presentations from the three architectural firms yesterday. A fourth company is scheduled with the Commission next week.

Planning and Zoning Director Jon Bristor met with the Commission regarding the Attorney for the Planning Commission.

The Commission also discussed with Director Bristor his proposed 2004 budget. Several specific areas were discussed. Director Bristor also discussed the outstanding bill relating to the Suppesville Sewer District. He advised there are sufficient funds available in the District's fund to make a partial payment this year. He proposed doing so and making the remaining payment next year. Mrs. Henry Dick was contacted and was agreeable with the arrangement. The Commission unanimously authorized a current payment of \$4,987.50 out of the funds available and the remaining amount, \$3,527.50, would be budgeted for payment in 2004.

The Commission discussed a purchase with Information Services Director Doug Stice relating to the Geographic Information System. The purchase is for the software for the offices within the courthouse and those offsite that will enable use of the system. The funds were budgeted for this year.

Correspondence received from the Juvenile Justice Authority was reviewed. Chairman Courtney was unanimously authorized to sign a conditions grant from the JJA to the 30<sup>th</sup> Judicial District.

Sheriff Gerald Gilkey met with the Commission. Master Deputy Jerry Blunk and Deputy Darrell Mayfield were also present. Various issues relating to the proposed 2004 budget were discussed. The Commission discussed the possibility of replacing only half of the patrol vehicles and the vehicles used by each shift of officers. Sheriff Gilkey discussed several potential problems with such an arrangement. An officer might be on a call at shift change and not able to return to the courthouse at that time. Response to other calls might then be delayed. Also, if a single vehicle was driven for all three shifts it could easily accumulate over 100,000 miles in less than a year. The amount for personal services in the budget was discussed. The Commission requested that the budget be revised to reflect salaries with the possible merit increase for 2004 and without a merit increase. Those were the original instructions for budget preparation.

Other budget items discussed included uniform maintenance and prisoner transport. The Commission inquired if there were a better option than using a Master Deputy position for prisoner transports. Sheriff Gilkey advised that the transports require an experienced officer due to the technicalities and danger involved. Prisoner board and lodging and Juvenile Care were considered. It was determined that the two items would be removed from the Sheriff's budget and placed elsewhere. The Commission requested a list of equipment needs and a cost comparison for vehicle lease versus purchase. The maintenance records for the vehicles were also requested. Sheriff Gilkey advised that they are conducting a study relating to vehicle maintenance. Sheriff Gilkey also expressed concern regarding the low salaries of the detention officers. Deputy Blunk asked the Commission to make the best decision regarding vehicles and to consider the importance of a reliable vehicle to the patrol officer.

The Commission discussed an insurance claim involving a damaged computer with Sheriff Gilkey. He confirmed that one of the patrol vehicle computers was left in a vehicle and ruined. The Commission asked that he emphasize with the officers the need to remove the computers from the vehicles.

The Commission further discussed the 2004 budget. With their desire to not raise the mill levy, reductions across the board will have to be made. The possibility of employee lay-offs will be considered. Another option is some type of bond issue.

The Commissioners recessed for lunch at 12:06 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commission met with Sheriff Gerald Gilkey. The presentations yesterday from the three architectural firms were discussed and considered. Another firm is scheduled for a presentation next week.

Maintenance Director Gary Yoder met with the Commission regarding the 2004 budget. Various future projects were discussed. The next major project that will have to be addressed in the near future is the boiler for the courthouse. The boiler has been discussed before. Director Yoder said he is in hope that it will last through another winter. A new cooling unit is also needed at the Raymond Frye Complex.

The project at the Slate Creek Good Samaritan Center was discussed. The Commission contacted Slate Creek Administrator Jere Schwerdtfeger regarding the purchase of additional light fixtures and smoke detectors. The Commission reiterated that \$40,000 had been authorized for the bid and anything beyond that amount would have to be covered by the Good Samaritan Society as they were the ones drafting the plans and the bid specifications.

Road and Bridge Director Melvin Matlock and Officer Manager Joyce Reynolds met with the Commission. The landfill and road and bridge budgets were considered. Budget status for the remainder of 2003 and the proposed 2004 budgets were discussed. Director Matlock recommended that the County consider bonding a project. By doing so and holding spending, dollars could be saved by the County. Other options relating to the Equipment Reserve fund and the Special Highway fund were considered.

There being no further business, the Board of County Commissioners adjourned at 4:59 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 23, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane Shields. The meeting was opened with the Pledge of Allegiance. Commission Chairman Robert Courtney was not present as he was out of state.

Commissioner Bongiorni reported that the roof repair was completed to the fair building in Caldwell.

Health Department Director Vivian Wing met with the Commission. She submitted the annual grant application for the Women Infant Child program. The program is a supplemental food program for women who are pregnant, infant and children to the age of five. Director Wing explained other details of how the program works. After review, Vice Chairman Bongiorni was unanimously authorized to sign the grant application.

Economic Development Director Linda Jolly met briefly with the Commission. Several economic development issues were discussed. The Commissioners were invited to a luncheon meeting on August 5. Representatives of the City of Wellington and USD353 are also invited.

Mike Hamlin met with the Commission. He discussed that the National Rifle Association has indicated that they would like to locate an Olympic range course somewhere in the Midwest. The economic benefits that could be gained were considered. For insurance purposes the property used would have to be owned by a municipality, similar to the arrangement involving the go-kart track in Wellington. Mr. Hamlin advised that he was meeting with the Commission as an individual only to make them aware of the issue and see if there would be interest. The Commission indicated there would be an interest to further research the possibility. Mr. Hamlin will attempt to gain further information and meet again with the Commission.

The Commission reviewed and unanimously approved an added tax order in the amount of \$56.00.

County Counselor Jack Potucek met with the Commission. He reported on contact he had with Attorney Robert Eye regarding the hydrogeologist report. Attorney Eye had inquired of the Commission's opinion of whether the hydrogeologist, Mr. Marks, could meet with the Harper County Commission, if requested. The Commission advised that any expense involved would be the responsibility of Harper County.

There being no further business, the Board of County Commissioners adjourned at 12:06 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 24, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed the minutes for June 16 and 17. The minutes were unanimously approved with amendments.

Larry Roth, a member of the Conway Springs Volunteer Fire Department, met with the Commission. He expressed concerns regarding open burning in the county. A recent occurrence near Conway Springs where the person started the fire and left the scene was discussed. Resolution 2002-06 regarding Agricultural Open Burning was reviewed. The resolution was drafted with input from the Sumner County Fire Chief's Association. The Commission advised that they would not be opposed to considering any revisions recommended by the Association.

Mike Fickel and Mike Christianer, of Shaughnessy Fickel and Scott Architects Inc., met with the Commission. They presented the history and information of their firm and services. They reviewed the projects completed by their firm and advised that they currently have a law enforcement/jail facility construction project underway in another Kansas county.

Road and Bridge Director Melvin Matlock and Officer Manager Joyce Reynolds met with the Commission. Elliott Jackson, county auditor, was also present. Director Matlock provided and reviewed budget information. The past expenditures that have been used to fund road and bridge and county operations were discussed as well as operational costs.

Director Matlock also advised that he had contacted Chuck Bouly, of George K. Baum and Company, regarding bond options. Information provided by Mr. Bouly was discussed. Director Matlock recommended the consideration of a 3 million-dollar bond issue and some increase in taxes. Doing so would prevent a more serious situation in the future and allow the maintaining of the infrastructure. It would also enable the Belle Plaine South road project to proceed according to schedule. He also recommended that the possible merit increases held for this year should be released and consideration could be given to holding them for next year. The importance of county employees was discussed.

Director Matlock also briefly discussed a personnel issue.

The Commission discussed budget issues with Elliott Jackson, county auditor.

The Commissioners recessed for lunch at 12:15 p.m.

The Commissioners reconvened in open session at 1:30 p.m.

Review and considerations for the 2004 budget were continued. Mr. Jackson, county auditor, was also present.

Health Department Director Vivian Wing, Administrative Assistant Kris Ellis and In-Home Services Director Laura Rettig met with the Commission. Several specific areas were reviewed in the proposed budget for the Health Department. Chairman Courtney advised that, due to the county's financial situation, it might be time for a discussion or assessment of the services and programs being offered. Would there be services that another entity could provide if the county did not? Home Health services were specifically considered. Director Wing and her staff provided information regarding the services. The differing mission of public health departments compared to healthcare facilities was discussed. The Commission advised that they would review the information provided.

Master Deputy Kenny Kelley submitted a document relating to the DUI Enforcement Grant for the Commission's approval. The request would provide overtime reimbursement in an amount of \$765. Chairman Courtney was unanimously authorized to sign the request.

The Commission met with County Appraiser Della Rowley regarding the 2004 budget. Several specific areas were discussed. It was agreed that \$4,500 would be removed from the capital outlay category. An amount of \$4,000 was budgeted to continue to build a reserve for scheduled vehicle replacement. Appraiser Rowley does have sufficient funds presently in reserve to replace one vehicle.

Appraiser Rowley also briefly discussed a Neighborhood Revitalization issue. After review, the Commission confirmed there could be no further extension granted.

The Commission met with Information Services Director Doug Stice to discuss the Information Services and Geographic Information System budgets. Specific software support costs were considered. It was also determined that the additional position proposed would probably not be funded. The need for the position was previously identified and budgeted for in 2002. The position was not filled due to budget concerns.

The Commission received payment from the City of Argonia and the City of Caldwell for a portion of the expense relating to the opposition to the Harper County landfill site.

The Commission reviewed and unanimously approved a tax refund order in the amount of \$333.26 and abatement orders in the amount of \$757.44.

The Commission reviewed a Local Environmental Protection Plan Grant Agreement submitted by Planning and Zoning Director Jon Bristor. The agreement is the LEPP grant that is applied for on an annual basis. The grant amount is \$14,270. Chairman Courtney was unanimously authorized to sign the agreement.

There being no further business, the Board of County Commissioners adjourned at 5:05 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
June 30, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Mulvane City Administrator Kent Hixson and Mulvane Chief of Police Dave Williams met with the Commission. E911 Director James Reed and Assistant Director B.J. Tracy were also present. Mr. Hixson explained that the City would soon need to update their 911 technology and are researching methods for a small community to continue to provide a quality level of service, but not duplicate service. The merging of the county and city 911 services has been one consideration. Mulvane has researched merging with Sedgwick County, but that is not favorable for several reasons. Mr. Hixson and Chief Williams provided specific information regarding call load and costs. Several funding and equipment issues were discussed.

Director Reed expressed no concern with accomplishing radio contact to the coverage area. Mulvane currently serves as Sumner County's alternate Public Safety Answering Point if any malfunction or problem occurs. He has already begun researching other alternative sites. The increased call load that would be created was discussed. Consideration was given to the possibility of creating some type of formula to address the cost for that area of Mulvane not in Sumner County. Mulvane would maintain their own radio system hardware. The Commission agreed that merging the systems would be a possibility. Mr. Hixson advised further research would be done and that any final decision would be up to the Mulvane City Council.

Argonia Mayor Alan Brundage, Argonia resident Jerry Kiser, and Argonia City Attorney Doug Pfazlgraf met with the Commission regarding a property issue. Attorney Pfazlgraf advised that the City had taken all the required steps to donate the roadside park property in Argonia for the development of a convenience store. The actions were based on a Kansas Department of Transportation letter from 1983 that relinquished the property to the City. It was recently discovered that the property is actually still deeded to Sumner County. The Commission expressed no concern with giving the property to the City of Argonia. It appears the original intent of KDOT was to give the property to the City and not Sumner County. The Commission directed County Counselor Jack Potucek, who was now present, to research the options available.

The Commission reviewed the proposals submitted by the four architectural firms regarding the law enforcement-jail project.

The Commission spoke with Dennis Smith, of Law/Kingdon Inc., by phone. Various details of the services provided by Law/Kingdon were discussed.

The Commissioners recessed for lunch at 12:11 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commissioners spoke again with Dennis Smith, of Law/Kingdon, by phone. Further details regarding architectural services were reviewed.

County Counselor Jack Potucek met with the Commission. Several pending legal matters were briefly discussed.

The Commissioners spoke with Steven Smith, of Universal Construction, by phone. The difference of construction administration and construction management was discussed. Management, as Universal Construction provides, provides a full time manager on the site of the project during the entire construction who would protect the interests of Sumner County.

The Commission conducted further review of the architectural firms interviewed for the law enforcement/jail project. Sheriff Gerald Gilkey and Undersheriff Jerry Osborn were also present. Dennis Smith, of Law/Kingdon, was again contacted by phone and additional details were discussed. Mr. Smith explained that their plan would be

to hire a consultant, such as a nationally known firm dealing with jail construction, for specific assistance with the project. There would be no additional fee to the county for the consultant.

Vic Thompson met with the Commission. He complimented the Commission on their continued pursuit of a resolution to the jail issue. He also discussed the issue of a sales tax and calculations related to a sales tax.

County Appraiser Della Rowley met with the Commission regarding an equipment issue. She reported that she had begun researching the replacement of a vehicle by contacting several dealerships. The need for vehicle replacement with existing equipment reserve funds was discussed last week. The offers from two different dealerships were considered. Both involve a current rebate program that may or may not be continued after today's date. After review, it was determined that no purchase would be made today and Appraiser Rowley would obtain further information for her consideration.

The Commission reviewed and unanimously approved claims for the end of June in the amount of \$289,054.99.

There being no further business, the Board of County Commissioners adjourned at 5:07 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
July 1, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission discussed a letter to the editor that appeared in the Conway Springs Star. The letter was from Bill Bider, of the Kansas Department of Health and Environment's Bureau of Waste Management. The Commission interpreted the letter as expressing Mr. Bider's support of the proposed Harper County landfill. The Commission expressed extreme concern that the person involved in making the final decision on the landfill has publicly expressed support for it. The Commission determined that they would send a letter to the Governor expressing their concern.

The Commission received a report from Treasurer Carolyn Heasty regarding tax collections. Her report advised that there are presently \$1.3 million in outstanding taxes to be collected. In the last few years' delinquent real estate taxes that have gone to sale in September have been around \$500,000. If collections are not made, there may be a cash shortage that would affect funding the remaining 2003 budget.

Undersheriff Jerry Osborn and Maintenance Director Gary Yoder met with the Commission. Undersheriff Osborn inquired about using the mower from the Sumner Memorial Gardens at the Sheriff's Department range. Director Yoder advised the mower is no longer used at the cemetery. The Commission advised that the mower was purchased out of the cemetery trust fund so there would have to be a reimbursement to the trust fund. The Commission instructed Director Yoder to research and determine an appropriate cost for the mower. Commissioner Bongiorni expressed an interest in purchasing the mower. It was then determined that the mower will be offered for sale by sealed bid.

Undersheriff Osborn also discussed the parking lot that was just paved next to the Sheriff's office. Road and Bridge Director Melvin Matlock and Superintendent Larry Whitham were also present. The markings for parking spaces and some minimal landscaping were discussed.

Economic Development Director Linda Jolly met with the Commission. Travis Mounts of the Wellington Daily News was also present. Director Jolly provided a list of the persons recommended for appointment to the South Central Kansas Economic Development District. The Sumner County Economic Development Board recommended the appointments. Director Jolly advised all of the persons had agreed to serve if appointed. The Commission unanimously approved the appointment of Leo Schiltz and Stan Gilliland as board members and Charlie Morgan and Christy Cobb as alternate board members.

Director Jolly also briefly discussed the regional prosperity summits that are planned by the Governor. A meeting is scheduled for our region in August. The benefits of Sumner County being added to the Metropolitan Service Area were discussed. The benefits relating to health care and medicaid were mentioned. The new law relating to the sales tax was discussed. The affect it will have on businesses that have a point of delivery outside the city or county where they are located was considered. The sales tax collected will now go to the locality where the point of delivery for the goods is rather than the locality of the business.

The Commission began a work session for the 2004 budget. Elliott Jackson, county auditor, was also present. The Commission continued to review individual budgets and discuss possible options to reduce expenditures. The factors affecting the budget, which have been or are out of the Commission's control, were discussed. The total reduction in demand transfer funds received from the State has been approximately \$886,785 over the past three years. Those reductions have occurred after local entities have already approved their budgets with the expected State revenue included. The year 2004 will also be the year in the cycle in which twenty-seven pay periods occur. The extra pay period carries an approximate cost of \$221,048. The elimination of proposed funds for equipment reserve was considered. Elimination would only require levied dollars at a later time when replacement must occur.

The Commissioners recessed for lunch at 11:59 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins met with the Commission. Director Bristor introduced Attorney Duane Brown. Mr. Brown expressed an interest in serving as the attorney for the Planning Commission. Mr. Brown currently serves as the City Attorney for Mulvane. After discussion, the Commission unanimously determined to retain Duane Brown as the attorney for the Planning-Zoning-Sanitation Department, Planning Commission, and Board of Zoning Appeals. The Chairman was authorized to sign the agreement. The agreement includes a monthly retainer of \$300 and a fee of \$80 per hour plus expenses for representation.

The Commission further discussed the architectural firms for the law enforcement/jail project. After review, the Commission unanimously chose Law/Kingdon Inc. for the project.

The Commission continued the work session for the 2004 budget.

Dan Rowe, of Treanor Architects PA, met briefly with the Commission to inquire if any decision had been made. He was informed of their decision.

The Commission contacted Dennis Smith, of Law/Kingdon, and informed him of the choice of his company for the law enforcement/jail project. A meeting date of July 21, at 9:30 a.m., was set on the agenda for review and finalization of a contract.

The Commission continued the 2004 budget work session with Elliott Jackson, county auditor, present. Tax delinquency was discussed. Lengthy discussion and consideration was given to budget options relating to equipment, services, projects, payroll and personnel. The impact each and any option would have was considered.

There being no further business, the Board of County Commissioners adjourned at 4:04 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
July 7, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Chairman Robert Courtney, Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission received a check in the amount of \$1,130.57 from the City of Wellington. The amount was the City's contribution towards the expense incurred by the County for the attorney and hydro geologist services in opposition to the proposed site of the Harper County landfill.

Appraiser Della Rowley reported that she had continued to research and obtained further information regarding the replacement of vehicles. The rebate program was continued and the lowest bid was from Countryside Motors in Wellington. Two vehicles were purchased with available funds from the Appraiser's equipment reserve. The funds were built for the purpose of vehicle replacement.

The minutes of June 30 and July 1 were reviewed and unanimously approved with amendments.

Commissioner Gracy reported on information regarding the Soil Conservation District. The Commission had wished to research the services that benefit county residents. The services compared to the tax dollars that are given to the District were considered. The Commission discussed the fact that no member of the Soil Conservation District has been willing to serve on the Planning Commission.

Emergency Management Director Jeff Welshans met with the Commission and provided an update on operations. He reported on several items relating to the bio-terrorism planning. The Department of Justice grant was discussed. Several other items relating to department operations were reviewed.

County Treasurer Carolyn Heasty met with the Commission. The salary for the Treasurer position and the additional compensation allowed by statute from the Special Auto fund were discussed.

Pete Gaskill, Wellington Township Trustee, met with the Commission. He reported he had received a complaint from a resident regarding the Slate Creek Bridge on West Road. He reported that trees have overgrown around the bridge and are overhanging the roadway making it difficult to travel. The Commission advised that they would inform Road and Bridge Director Melvin Matlock.

The Commissioners recessed for lunch at 12:01 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. Attorney Doug Pflanzgraf was also present at Counselor Potucek's request. Attorney Pflanzgraf informed the Commission that he had filed a motion to intervene in a zoning case that was appealed to District Court.

The Commission held a work session for the 2004 budget. Elliott Jackson, county auditor, was also present. Review was continued to develop and consider options to further reduce the proposed budget.

County Appraiser Della Rowley and her staff member, Sharon Reed, met with the Commission. Ms. Reed was recognized and presented an award by Appraiser Rowley for her work and attention to details relating to keeping the vehicle maintenance records for the Appraiser's office. The Commission commended Ms. Reed for her work.

The Commission continued the work session for the 2004 budget. The reduction in demand transfers from the State over the past three years has had a cumulative total equal to 5.953 mills. With a number of budget changes the Commission reduced the original projected mill levy increase from 14.851 to 5.722 mills. Consideration was given to what further options might be available to additionally reduce expenditures. Also, the amounts for the Ambulance fund and the Tort Liability fund have not yet been finalized. The City of Argonia and Sumner Hospital District No. 1 have not yet returned ambulance costs sheets.

There being no further business, the Board of County Commissioners adjourned at 4:40 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
July 8, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Road and Bridge Director Melvin Matlock and Officer Manager Joyce Reynolds met with the Commission. Elliott Jackson, county auditor, was also present. Funds relating to the road and bridge operations were discussed. The budget changes considered as of today were reviewed. For the current year, \$139,000 is planned on for reimbursement to the Employee Benefit fund for insurance costs. The same amount is planned on for a 2004 reimbursement also. An amount of \$130,782 is planned on for reimbursement to the General fund in 2004 for general insurance costs. The amount planned for transfer to equipment reserve for 2004 was reduced by half as was the amounts in other departments. After review, Director Matlock advised that with reductions in other areas the requests could be met, although, reductions elsewhere would have an affect. If any further reductions are made or additional funds needed it would affect the chip seal projects.

The Commission expressed their unanimous desire not to draw on the funds in the highway reserve fund. Doing so would only delay needed projects and cause the County to fall behind in maintaining the infrastructure of roads and bridges. There will not be the ability to transfer any additional funds to the reserve. The Commission was unanimous in wishing to move forward in researching the possibility of issuing bonds to maintain the current planned projects. They do not wish to further delay the Belle Plaine South road project. Any delay would only push back projects across the county.

At 10:29 a.m., upon unanimous vote the Commission entered into executive session with Director Matlock until 10:45 a.m. to discuss non-elected personnel. Office Manager Reynolds and County Clerk Shields also remained present for the session. The Commission reconvened in open session at 10:40 a.m. No binding action was taken.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. A number of budget issues were discussed including payroll, vehicle replacement and jail related expenses. The Commission advised that with the current financial status, the addition of three officers, even if a portion was covered by a grant, could not be considered. Funds were not available for additional equipment and vehicles. The Commission expressed their understanding of the need for the additional officers. They advised Sheriff Gilkey that the current 2004 budget proposal does not include any possible merit increases for personnel. Sheriff Gilkey expressed concern that wages remain an issue as several of his personnel are at the highest level of their position's assigned pay level.

Vehicle replacement was discussed at length. The Commission inquired about the possibility of purchasing used Highway Patrol vehicles. The pros and cons of that option were considered. Sheriff Gilkey advised that Cowley County purchases the State cars. The Commission asked that he check to see how their program has worked. Vehicle maintenance to the existing fleet was discussed. Sheriff Gilkey said he would provide the maintenance records next week.

The Commission advised that they would like to reduce the Sheriff's budget by \$100,000. One expense item was reduced by \$5,000, but the \$30,000 projected by Sheriff Gilkey for reimbursement for juvenile housing expenses was eliminated. The program to obtain reimbursement is new this year and it is unknown how much would be generated. Sheriff Gilkey advised that he would further review his department's budget.

There being no further business, the Board of County Commissioners adjourned at 11:20 a.m. Chairman Courtney and Commissioner Gracy left to attend the South Central Solid Waste Authority meeting in Winfield at 1:00 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
July 14, 2003

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Chairman Robert Courtney, Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

The Commission met with Gary Yoder, Maintenance Director about a sign for the Teen Esteem. He will contact the Teen Esteem office about their request. He also discussed an ad for a Zipper mower to be sold by the county. Closed bids will be accepted until July 31 at 5 p.m. The bids will be opened at the next commission meeting.

The minutes of July 7 and 8 were reviewed and unanimously approved with amendments.

Commissioner Bongiorni reported that the new roof was completed on the Fair Building. Commissioner Bongiorni has received many reports and complaints of persons living and working in the Caldwell area with Oklahoma plates.

Commissioner Courtney reported that Greg Olsen from the Sumner County Mental Health has adjusted their budget by \$10,000.

Commissioner Gracy and Commissioner Courtney reported on the proposals received by HEW and Waste Connections at the South Central Solid Waste meeting held July 8, 2003. Melvin Matlock will review the proposals and give a report to the Commissioners.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commissioners on the budget. Also in the meeting was Elliott Jackson, County Auditor. Sheriff Gilkey expressed grave concern over the freezing of wages for his officers. The sheriff was able to lower his proposed budget by eliminating some expenditures. Again discussion was made on lease vs. buying vehicles.

Commissioners went into executive session with Sheriff Gilkey and Undersheriff Osborn to discuss non-elected personnel at 11:27 till 11:45. At 11:40 the commission reconvened into regular session.

The commission recessed at 11:59 am for lunch.

The commission reconvened at 1:30 in regular session.

Elliott Jackson met with the commission to continue the budget discussion. A call was made to Richard Jesina at Countryside Motors to inquire lease vs. cash on fleet vehicles. According to Mr. Jesina, lease and cash prices are the same amount on fleet purchases.

The Commission continued to work on the 2004 budget. Consideration was given to what further options might be available to additionally reduce expenditures. They requested Elliot to calculate the worksheet with the changes already discussed.

Vic Thompson visited with the commission to say "Thank You" for their help with the Harper County Landfill. He appreciated what they did for the county. He also expressed his appreciation in what the commission is going through to work on the budget.

Mid month payables in the amount of \$189,776.27 were approved.

There being no further business, the Board of County Commissioners adjourned at 4:50 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Debra A. Norris, Deputy County Clerk

County Commission  
July 15, 2003

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Chairman Robert Courtney, Commissioner Gene Bongiorni Jr., and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Commissioner Bongiorni reported that he received a call last night from a citizen that had been locked out of access to their property by an adjoining property owner. A call was made to the Sheriff to look into the situation. This is a recurring problem that may only be resolved by legal counsel.

Commissioner Gracy reported a property owner is complaining about a person building a lagoon possibly to close to the property line of his mother. Jon Bristor, Planning & Zoning Director reported to the commission that the new landowner has an application for a building site waiver with the Board of Planning currently on file. This is in the preliminary process.

Commissioner Courtney received a call from Royce Cook about updates on the Harper County Landfill.

The Commissioners met with Melvin Matlock, Road & Bridge Director, Joyce Reynolds, Office Manager, Chuck Bouilly of George K. Baum & Company, and Elliott Jackson, Auditor. The commission is looking into bonding road projects for the county. Budget cuts over the past three years have made it impossible to save for major projects like the Belle Plaine South, the Wellington Lake road, Dalton south and the Clearwater road. Chuck Bouilly left a contract to be signed following the County Counselor's review. Melvin Matlock updated the commission on current road and bridge projects. Personnel issues were also discussed.

Discussion was held on possible work force reduction for the county.

The commission met with Kent Hixson, City Administrator, and Dave Williams, Chief of Police with the City of Mulvane about Sumner County taking over the 911 dispatching for the City of Mulvane. Also present was BJ Tracy, Assistant Director for 911. An agreement between the two entities was preliminarily drawn up for review by the commission and Jack Potucek, County Counselor. Final work on the proposal will be done and presented to the commission before finalizing the 2004 budget.

Melvin Matlock and Joyce Reynolds of the Road & Bridge department met with the commission to discuss South Central Solid Waste proposals. A comparison chart was created between H.E.W and Waste Connections. The commission unanimously decided to go with Waste Connections for the transfer station.

The Board recessed at 12:05 p.m. for lunch.

The Board reconvened at 1:30 p.m. in regular session.

The commission unanimously approved claims for Community Corrections for the month of June in the amount of \$19,882.50.

Commissioners reviewed mileage and maintenance reports on the sheriff's vehicles.

Commissioners met with Jon Bristor, Planning & Zoning Director and Mary Jenkins Assistant Director, on case C#07PC-03 (Conditional use by Aaron/Tara Wolfenbarger and Benny Wolfenbarger). This will allow a second manufactured home on a tract with recommendations/restrictions. No opposition present. The commission unanimously approved the application. Mr. Wolfenbarger is required to contact Planning & Zoning before he begins the removal process of his father's mobile home.

Commissioners met with Jon Bristor, Planning & Zoning Director and Mary Jenkins Assistant Director, on case C#08PC-03 (Conditional use by Danny Patton, Agent/Applicant and Richard/Carol Blumenshine, Owner). This will allow an established trucking and construction business to relocate to Sumner County along with a second single

family dwelling for caretaker/employee on one tract of land with recommendations/restrictions. Twyla Wagner spoke on behalf of the planning commission members opposed to the case. Commissioner Bongiorno made a motion that the application be approved without restrictions. Motion died for lack of second. Commission Chairman Courtney recommended that this case be tabled until clarification of the timetable for the conditional use is clear. The case was tabled and scheduled for review on Monday July 21, 2003 at 11:00 am.

Commissioners met with Jon Bristor, Planning & Zoning Director and Mary Jenkins, Assistant Director, on case C#06PC-03 (Amendment to Text). This will allow additions/changes/deletions to existing regulations. Of the six items presented to the Commission, all were accepted but proposed change #5. Item five places a time frame of 15 years for a person to own land they want to split.

Lou and Tammy Bradbury of Community Corrections presented to the Commission the budget for the state fiscal year 2004 for the Kansas Department of Corrections. The budget amount is \$75,371. Chairman Courtney was authorized to sign the reimbursement plan for the Kansas Department of Correction for the state fiscal year 2004 in the amount of \$5,688.70. A letter was signed authorizing the use of reimbursement funds to balance the State-Community Corrections FY2003 KDOC budget.

A letter from JCAB to the Commissioners requesting the release of the match money in the amount of \$2,611.00 was submitted and discussed. Reimbursement amounts from other counties in the district to Sumner County were approved. A check was authorized for payment.

Elliott Jackson met with the Commission to discuss a fax received from Chuck Bouilly earlier today. The fax was in reference to the bond possibility discussed earlier today. Also, discussed with the commission were the changes in the 2004 proposed budget that Elliott was asked to make.

Melvin Matlock discussed with the commission staffing levels within the Road & Bridge Department.

Commissioner Courtney was authorized to sign a quit claim deed to revert 0.72 acres from Sumner County to City of Argonia.

Abatement order in the amount of \$32.02 was approved.

There being no further business, the Board of County Commissioners adjourned at 5:18 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Debra A. Norris, Deputy County Clerk

County Commission  
July 21, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for July 14 and 15 were reviewed. They were unanimously approved with amendments.

The Commission met with representatives of Law/Kingdon, Inc. The representatives were Dennis Smith, President, Roger Brown, Senior Vice President and Director of Design, and Tony Rangel, Project Architect. Undersheriff Jerry Osborn was also present. Mr. Smith advised that they had met with Steve Smith, of Universal Construction, and Sheriff Gilkey to review the history of the project. Mr. Smith reported that they had initiated research for the utilization of a consultant. He explained the intent is to use a consultant that has actually been involved in jail operations not just in construction of jail facilities. A proposed architectural agreement was submitted for review.

The proposed fees for the project were discussed. Mr. Smith explained that the fees have been considered in two parts as the Commission requested. Those fees estimated between now and any referendum questions and the actual architectural fees for any project. The fees that will be incurred prior to any referendum are estimated at \$50,000 to \$55,000. The scope of services that will be required and provided was discussed. A detailed needs analysis will be completed and site evaluation will be done.

At 11:00 a.m., upon unanimous vote, the Commission reopened the previous tabled zoning case No. 08PC-08. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins and Danny Patton, applicant in the case, were present. The Commission has tabled the case until a clarification was made regarding whether the conditional use, if granted, remains with the property or the individual. Director Bristor advised that Planning Commission Attorney Duane Brown provided a preliminary opinion that it would stay with the land. Mr. Brown was going to conduct further research, but had not provided a final opinion yet. Mr. Patton advised that he conducted research and found that in Sedgwick County it remains with the individual. Discussion was held as to the impact on land or individual. After discussion, the Commission unanimously approved case no. 08PC-08 with two restrictions. The first restriction was that two homes be allowed and used for the trucking and construction business. The second restriction was for duration for an unlimited timeframe, unless property use ceases to be used for the allowed trucking/construction business. If the allowed use ends, proper zoning procedures must be followed for the homes to meet zoning regulations enforce at the time.

The Commission also briefly discussed a zoning issue regarding one time split restrictions.

The Commission reviewed a document submitted by Emergency Management Director Jeff Welshans. The document was a declaration of intent for an assessment process relating to the State Homeland Security Grant Program. The Commission unanimously authorized submittal of the document.

The Commissioners recessed for lunch at 12:06 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Chairman Courtney reported that Tom Kohmetscher, of Futures Unlimited, had called and offered a 5% reduction in their budget. He advised that any reduction may have some impact on transportation services.

County Counselor Jack Potucek met with the Commission. Several legal issues were briefly reviewed.

Treasurer Carolyn Heasty submitted a prepared resolution regarding a 60-day peak deposit period beginning today. The Commission unanimously adopted Resolution 2003-11 for a peak deposit period.

Road and Bridge Director Melvin Matlock met with the Commission. Office Manager Joyce Reynolds and Elliott Jackson, county auditor, were also present. Director Matlock reported that \$375,000 was planned for carry over to transfer to the Special Highway fund. The same amount is also planned for 2004 as a transfer. The total amount of

\$750,000 could be an option to consider in the budget process. If used, the funds would not be available for transfer to the highway fund.

The Commission discussed, at length, the consideration of utilizing the funds identified by Director Matlock. The option of using the same amount from the highway reserve fund and keeping the planned transfers providing cash is available was also considered. If \$750,000 is used, a reduction of approximately \$242,000 is still needed in the overall 2004 budget to allow no mill levy increase. The option of a personnel reduction was considered. The benefit and impact of any reduction was discussed. There was not unanimous support for any reduction in personnel.

The Commission discussed the loss of demand transfers from the State and the 2004 twenty-seventh pay period. The 2004-year creates one extra pay period at a cost of about \$221,000. After lengthy discussion, Commissioner Bongiorno moved to finalize the proposed budget with a levy increase of approximately 1.4 mills, which closely equates to the extra pay period. Commissioner Gracy seconded the motion and the vote was 2 to 1 with Chairman Courtney voting no. The budget publication will be finalized for approval next week. The final budget hearing is scheduled for August 12, at 9:30 a.m.

The Commission reviewed a number of tax orders. Added taxes in the amount of \$15.40, tax abatements in the amount of \$1,549.76 and tax refunds in the amount of \$1,541.62 were unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 4:24 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
July 22, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

E911 Director James Reed met with the Commission. He reported that the City Council of Mulvane voted against the merger of the 911 operation with Sumner County's. The City elected to continue funding their 911 operations. He also reported that contact was received from Sedgwick County officials last week. Due to Sumner County now being included in the Metropolitan Service Area, the county may be included in inter-operability grant funding that is being received.

Director Reed also discussed personnel items with the Commission. He reported that the Warrant Manager/Dispatcher is now vacant due to a resignation. One of the dispatcher positions will be promoted to the vacant position, which will leave a vacant dispatcher position. The Commission unanimously authorized for the vacant position to be filled.

The Commission further discussed the 2004 proposed budget. Elliott Jackson, county auditor, was also present. Chairman Courtney expressed his concern that for the long-term outlook, further reductions should be considered at the present time. After additional discussion, there was no change made in the budget proposal approved yesterday.

The Commission contacted Al Reiss, of Reiss & Goodness Engineers, by phone. Financial issues related to work for the Slate Valley Sewer District were discussed. Mr. Reiss advised that no tax-levied funds should be needed in 2004 for the planned work for the district.

The Commissioners recessed for lunch at 11:55 a.m.

The Commissioners reconvened in open session at 1:30 p.m. Deputy County Clerk Debra A. Norris was present taking the minutes.

The Commission contacted the Cities of Wellington and Mulvane regarding the July ambulance payment. The cash available from tax collections is currently less than the total first half payment. The payment for each city will be short by \$14,075.56. As additional tax dollars are collected the shorted amount will be paid. The same procedure was used last year.

Counselor Potucek met with the Commission. The Commission unanimously authorized supplemental payment for his legal secretary for the extra legal work completed for the delinquent property tax sale. An amount of \$12.00 per parcel was approved for payment from the proceeds of the sale.

County Clerk Shane Shields was now present.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission regarding a personnel issue. At 2:50 p.m., upon unanimous vote, the Commission entered into executive session for 15 minutes with Sheriff Gilkey and Undersheriff Osborn to discuss non-elected personnel. At 3:05 p.m., the Commission reconvened in open session. No binding action was taken.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$759.98.

There being no further business, the Board of County Commissioners adjourned at 3:36 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
July 28, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for July 21 and 22 were reviewed. The minutes were unanimously approved with amendments.

The Commission set the time to meet as the Board of Canvassers for the Peck Improvement District special election. They will meet on August 1, at 8:30 a.m., to conduct the canvass.

Road and Bridge Director Melvin Matlock met with the Commission. Elliott Jackson, county auditor, was also present. Director Matlock submitted additional information that he had obtained regarding general obligation bonds for road and bridge purposes. The costs associated with various lengths of maturity dates were considered. After lengthy discussion, the Commission determined that they would continue to research and review the possibility of bonds based on several economic factors.

The Commission discussed the publication for the proposed 2004 budget. After review, the publication for the County budget and Special Districts was unanimously approved. The final budget proposed estimates a county tax levy increase of 1.470 mills. The Commission also reviewed prepared Resolution 2003-12 expressing the property taxation policy of the Board of Sumner County Commissioners with respect to financing the 2004 annual budget for Sumner County. The Commission unanimously adopted Resolution 2003-12.

E911 Director James Reed and Assistant Director B.J. Tracy met with the Commission regarding the staffing level for 2004. After discussion, it was confirmed that the staffing level for 2004 would remain at 15 full time and 1 part time personnel. Director Reed also discussed his previous requests for increasing the staffing level of his department based on need. He asked for any indication from the Commission of what the future plans might be for the staffing level. The Commission expressed their understanding of need, but advised that funding is not available.

Discussion of the budget and funding continued. Chairman Courtney expressed his concern that no reduction in staffing levels were made for 2004. If a reduction had been made, it would allow the available positions where increased need is identified. Director Reed explained his opinion as a realist, in which he understands that in expectation of services there must be the cost paid. Commissioner Gracy expressed that the County is in a bad situation and that we must educate the people that there must be more money coming in or there will be cuts in services.

Travis Mounts, of the Wellington Daily News, met with the Commission and obtained information regarding the proposed 2004 budget. He also spoke with county auditor Elliott Jackson.

Appraiser Della Rowley met with the Commission regarding a personnel issue. She reported that she now has a vacant position due to a resignation last week. She requested authorization to replace the position. The position now vacant was also being trained for commercial appraisal functions. The need for replacement this year was considered. Appraiser Rowley submitted the personnel requisition and it was signed.

Health Department Director Vivian Wing and In-Home Services Director Laura Rettig met with the Commission regarding the staffing level for 2004. The fluctuation in the need for personnel based on the number of patients was discussed. The cost for any additional personnel compared to the revenue generated was considered. The Commission expressed their understanding that staffing needs might change based on patient levels. The staffing level can be reviewed when such circumstances arise.

The Commissioners recessed for lunch at 11:52 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. Several legal issues were briefly reviewed.

The Commission reviewed and unanimously approved claims for the end of July in the amount of \$124,054.69.

Treasurer Carolyn Heasty met with the Commission regarding personnel. The existing vacant bookkeeper position within her department was discussed. When the position became vacant several weeks ago she advised the Commission that she was going to try to operate without filling it on a trial basis. Treasurer Heasty advised that she has done so and the need to maintain the position has been determined. She submitted a job description for the position with the additional duties of an auto clerk. The new duties will allow her to move a person into the job from an existing auto clerk position. That move will create a vacant auto clerk position. After consideration and discussion of several related staffing issues, the Commission unanimously approved the new job description, authorized the filling of the position and authorized the filling of the auto clerk position.

There being no further business, the Board of County Commissioners adjourned at 3:15 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
July 29, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Commissioner Gracy inquired of E911 Director James Reed regarding a pager issue with the South Haven Fire Department. Commissioner Gracy reported a member of the fire department asked him several questions last night. Director Reed confirmed that the South Haven Fire Chief has been kept apprised of the situation. South Haven received new pagers on a FEMA grant, but they are currently still operating under the old radio system. The target date to begin the new system is August 1, 2003.

Henry Wells and Jim Myers, of H.E.W. Waste Systems, met with the Commission. Road and Bridge Director Melvin Matlock was also present. Mr. Myers and Mr. Wells expressed their concern regarding the bid offered by Waste Connections to the South Central Solid Waste Authority. They expressed their belief that Waste Connections is attempting to acquire the landfill at Tonkawa, Oklahoma. Mr. Wells said, if they do, Waste Connections could increase the fees to their customers. Chairman Courtney reviewed all of the known factors that were considered in the process of reviewing the bids. A number of other issues relating to the solid waste transfer operations and cost were discussed. It was reported that the South Central Solid Waste Authority has made no final decision. Chairman Courtney and Director Matlock advised that they have not been informed of any meeting date for the Authority to make a decision on the proposals submitted.

Mr. Myers also provided information on their company's history and operations compared to Waste Connections. They expressed their desire to continue business with Sumner County. A number of issues relating to waste disposal operations and costs were discussed. The Commission advised that the final decision would rest with the Board of the South Central Solid Waste Authority. Chairman Courtney, who serves on the board as the representative for Sumner County, advised that all issues and information would be considered in any decision made.

The history and purpose of the South Central Solid Waste Authority was also a topic that arose during the discussion. The formation of the Authority and Sumner County's participation in it occurred prior to any of the current Commissioners. The Commission asked Director Matlock to research and provide information relating to the history and purpose. County Counselor Jack Potucek will also be asked to provide information. The Commissioners wish to review the history due to their belief that circumstances will arise in the future that will erode or even remove price control for solid waste disposal out of the hands of the Commission. They wish to confirm that participating in the Authority is in the best interest of Sumner County.

Royce Cook and Roberta Beisel met with the Commission on behalf of the Tri-County Citizens Group. They thanked the Commission for their actions in opposition to the site of the proposed Harper County landfill. Mr. Cook and Ms. Beisel also reported that Waste Connections has appealed the recent District Court decision that has placed a hold on the landfill proposal. They are meeting with representatives of municipalities along the Chikaskia River and making inquiries regarding financial assistance in the continued fight in the appeal process. They also asked for any other referrals or contacts that could be made in the process. The Commissioners will respond to their request as individuals, not as a Board. The Tri-County group is also considering options for fundraising events.

There being no further business, the Board of County Commissioners adjourned at 11:24 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
August 4, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for July 28 and 29 were reviewed and unanimously approved with one amendment.

Chairman Courtney reported that he had received notice of a South Central Solid Waste Authority meeting on August 12, at 1:00 p.m. He expressed concern that other parties were aware of the meeting date prior to the board members.

Brian Kuder met with the Commission regarding an issue relating to a refund under the Neighborhood Revitalization Plan. Appraiser Della Rowley and Treasurer Carolyn Heasty were also present. The procedures relating to the issuance of NRP refunds were reviewed and the difficulty in tracking the NRP properties where ownership changes was discussed. It was determined that the best resolution would be additional tracking capability in the existing software. The software vendor will be contacted regarding a resolution. Treasurer Heasty advised there are manual steps that she can take for the time being, although, they are very time consuming.

Appraiser Rowley discussed an NRP issue relating to ten properties that should have been included beginning in the 2002 tax year. The data entry of the properties into the database was simply missed. The Commission inquired how the total number properties that were entered into the system compared to the ten that were missed. There are approximately 600 total of properties. Appraiser Rowley reported that she is working with the Treasurer to take corrective action for the ten properties involved.

Economic Development Director Linda Jolly and Danny Morris, of the South Central Kansas Economic Development District, met with the Commission. Three residents of the township also arrived during the meeting. The application by Osborne Township for a Community Development Block Grant (CDBG) for a Community Building was discussed. Under CDBG requirements, since the township is the applicant, the county must act as the sponsor. The County's specific responsibilities and requirements as a sponsor were discussed. A proposed agreement was reviewed. The Commission asked that the document be revised to more clearly outline the County's responsibilities. Mr. Morris advised that the only current need was for the County's permission to proceed with the process. The Commission unanimously indicated their support for the grant and project.

Rick Gay met with the Commission regarding a zoning split issue. Also present were Planning and Zoning Director Jon Bristol, Assistant Director Mary Jenkins, Planning Board Chairperson Twyla Wagner, and Larry Theurer. Mr. Gay explained that a recent change in the regulations regarding agricultural zoning classifications has affected his being able to proceed with the sale of his property, which was already underway. The regulation change became effective on the publication date of July 24. Mr. Gay, through the Realtor, Mr. Theurer, had confirmed the existing zoning regulations at the onset of the proposed transaction. A contract relating to the property sale was signed in June. Lengthy discussion ensued on Mr. Gay's specific case and the zoning regulation itself where it sets the specific acreage size.

The Commission and all parties present discussed the zoning issue of splits. The history of the issue was reviewed and the intent of the regulation was considered. There remain various opinions on the acreage size that should be involved. After discussion, the Commission determined that they would confer with County Counselor Jack Potucek regarding what, if any, action could be considered and taken in Mr. Gay's situation. They would also seek a legal opinion on the possibility of placing some type of window of enforcement or grandfather clause on the resolution that became effective July 24.

The Commissioners recessed for lunch at 11:59 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

John and Martha Larsen II met with the Commission regarding a tax issue. They expressed concern of incorrectly being charged a publication fee by the Treasurer's office for delinquent taxes. Chairman Courtney reported that Treasurer Carolyn Heasty contacted him prior to today's meeting session. She reported that several people were incorrectly charged the publication fee and that refunds were mailed on August 1. She also advised that the August 1 date was used in error. Treasurer Heasty had also indicated she would not be available for the 1:30 p.m. meeting. The Larsen's had several questions relating to information they were provided by the Treasurer's office. They also expressed concern wondering if the problem had occurred in the past and if an audit might be necessary. Mr. Larsen also acknowledged receiving the refund check, although there was a problem regarding the payee on the check. The Commission advised that they would discuss the tax issue with the Treasurer.

The Commission met with Treasurer Carolyn Heasty, who was now available. She advised that Mr. or Mrs. Larsen had not contacted her to discuss any problem. She reviewed the procedures relating to the delinquent tax publication fee and the timeline involved in the process. She advised taxes that are due on June 20. The date of July 22 should have been used on the notice letter instead of August 1. Treasurer Heasty said no one is charged something that they do not owe. Interest and penalty are added from the date of June 20, but the publication fee is not. She advised added steps are taken every year, although not required, to revise the publication list up until the last possible moment. After discussion, it was determined that Treasurer Heasty would contact the Larsen's regarding the issue. Also, new refund checks would be issued.

Maintenance Director Gary Yoder met with the Commission. The bids received for the mower at Sumner Memorial Gardens were reviewed. Six bids were received with the highest bid being \$2,000 from Dewey Claypool. The Commission unanimously approved the acceptance of the high bid. The amount collected will be reimbursed to the Sumner Memorial Gardens trust fund.

Register of Deeds Geraldine McEachern met with the Commission. She discussed the possibility of placing a sunscreen film on her office windows to aid in climate control for the documents stored in her office. After discussion, the Commission advised her to proceed.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$443.38.

Vic Thompson met with the Commission. He inquired if the published budget proposed was the best the Commission could do and if the vote was unanimous. Commissioner Bongiorno responded that he believes it is the best that can be done considering all circumstances. Chairman Courtney confirmed that the vote was not unanimous. Mr. Thompson offered several items of information, ideas and opinions. He also discussed the appraisal process for his property and provided a copy of correspondence to the Commission.

There being no further business, the Board of County Commissioners adjourned at 4:01 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
August 5, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was Deputy County Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Jim Myers, of H.E.W. Waste Management, met with the Commission. Road and Bridge Director Melvin Matlock was also present. Records indicating the amount of trash processed through Sumner County's solid waste transfer station were reviewed. The cost per tonnage was discussed.

E911 Director James Reed and Assistant Director B.J. Tracy met with the Commission. They provided a report on the damage caused by a lightning strike Sunday morning and how operations were affected. Portions of the courthouse phone circuit boards were damaged which affected 911 calls. He also reported that the immediate transfer of 911 answering capability to the Mulvane Police Department was not accomplished due to problems experienced by the Southwestern Bell Corporation. A total list of the equipment damaged, not only in 911 but throughout the courthouse, is still being developed. Director Reed advised that at this point, approximately \$15,000 of equipment would need to be immediately replaced. Initial contact has been made with the county's insurance carrier and additional information will be provided to them as it is gathered. He confirmed that surge protection is on all equipment, but that a direct or near direct lightning strike still results in severe damage.

Directed Reed commended his staff on their professionalism during the incident. He also commended the Maintenance personnel, Sheriff personnel, the Wellington Police Department, K-Comm Communications, and Information Services Director Doug Stice for their actions and assistance in responding the problem created by the lightning strike. Director Reed also reported that he had distributed a press release explaining the 911 outage to the media in the county.

Road and Bridge Director Melvin Matlock met with the Commission to discuss bond issues. He advised he has been in contact with Chuck Bouilly, of George K. Baum and Company, concerning bond interest rates. Director Matlock advised that, if bonds were going to be the final decision, now would be the best time to proceed due to interest rates.

John Larsen II met with the commission and expressed his appreciation for their assistance in the tax issue discussed yesterday. He advised that he obtained adequate answers from Treasurer Carolyn Heasty. He expressed he had some concern remaining since the Treasurer indicated that she would not review prior years for the possibility of incorrectly charging the publication fee. The Commission indicated that they would discuss the issue with Elliott Jackson, the county auditor, and Treasurer Heasty.

Larry Theurer, of Theurer Auction & Realty met with the Commission. The county-owned rental properties on North F were discussed. Theurer Auction acts as representative for the county on the rental properties.

Treasurer Heasty met with the Commission. She advised that, as time allows, she would look into the situation relating to the delinquent tax publication fees. Treasurer Heasty said she does not see the cost effectiveness in the expenditures of funds for an audit. She also confirmed that the wording on the delinquent notice letter would be revised for the future.

State Representative Bill McCreary met with the Commission. A candid discussion was held on the State and County's budget situations and the perceived causes of each.

The Commissioners recessed for lunch at 11:52 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commission received map documents from the Wichita/Sedgwick County Metropolitan Planning Commission. The maps were reviewed with Planning and Zoning Director Jon Bristor.

There being no further business, the Board of County Commissioners adjourned at 2:17 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
August 11, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for August 4 and 5 were reviewed and unanimously approved with amendments.

Road and Bridge Director Melvin Matlock and Office Manager Joyce Reynolds met with the Commission. A road issue that Chairman Courtney was called about was first discussed.

Director Matlock discussed further details regarding the possibility of the issuance of bonds for road and bridge projects. He presented additional information provided by Chuck Bouilly, of George K. Baum and Company. A number of issues relating to the issuance of bonds were considered including bond amount, interest rates and fees, affect on the timetable of projects, and the five-year Plan State funds. The affect of proceeding without bonds was discussed. Director Matlock advised that the Belle Plaine South road project could not be completed in 2005 without the issuance of bonds. The Commission discussed committing \$380,000 to the Road and Bridge budget beginning in 2005. The existing bridge bonds pay out in 2006 and committing that amount to the budget was also considered. With the commitment of those funds, the project might only be delayed one to two years. After lengthy discussion, the Commission asked Director Matlock to prepare specific scenarios for the completion of the project for each financing option. They will review the specific details and make a determination of how to proceed.

B.J. Tracy met with the Commission regarding a possible economic development project. He reported that Warner Brothers Entertainment has announced the planning of a fifth "Superman" movie. The Production Company has shown interest in filming on location somewhere in Kansas or Oklahoma. Mr. Tracy advised that Wellington was officially designated as "Smallville", based on a 1998 contest sponsored by the Wichita Eagle. He expressed his belief that Wellington and Sumner County has a unique opportunity that could offer not only a short-term economic boon, but also the potential for long-term economic growth through the establishment of local tourist attraction. He suggested the attempt to recruit Warner Brothers to Wellington. The Wellington Chamber of Commerce should be involved along with citizen involvement. The County and City could show support by officially endorsing the campaign and writing letters to Warner Brothers and the Kansas Film Commission. Mr. Tracy advised that he had already met with the Wellington City Council. The Commission expressed support for the recruitment attempt. Mr. Tracy provided some in depth information on the history of the project and the contact addresses for the parties involved.

The Commission discussed a personnel issue relating to compensatory time with E911 Director James Reed. The issue related to the report submitted last week regarding the damages from the lightning strike.

Treasurer Carolyn Heasty met with the Commission regarding a Neighborhood Revitalization Plan issue. She advised a NRP participant has questioned the 5% administration fee. The fee was reviewed and it was concluded it was being calculated correctly.

At 11:00 a.m., the Commission held a public hearing on request to vacate a road submitted by Cecil Moore of Argonia. The request was to vacate the west half mile of West 10<sup>th</sup> between Blackstone Road and Creek Road. Mr. Moore was present as well as Road and Bridge Director Matlock and Argus Pearce. County Clerk Shields reported that the required legal publication and notices were given for the public hearing. Mr. Moore explained that the bridge on the portion of the road was removed several years ago. Director Matlock advised that his department doesn't see any reason to prevent the vacation of the road, although, any existing utility easements would have to remain if needed. The history of problems relating to the road and existing property access was reviewed. After discussion, the Commission unanimously adopted Resolution 2003-13 vacating the west one half of West 10<sup>th</sup> Street between Blackstone Road and Creek Road.

The Commissioners recessed for lunch at 11:43 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. The first issued discussed was the resolution regarding the changes in the agricultural zoning. Counselor Potucek advised that the Commission has the legal authority to set aside their own legislation. If set aside, the Commission must impose replacement legislation. The specific circumstances relating to the situation discussed last week involving Rick Gay were discussed. Counselor Potucek provided the opinion that if there was an overt act already taken, such as a signed contract between a Realtor and a property owner, the Commission could consider that in their final determination in dealing with Mr. Gay's case. The Commission asked Director Bristor to discuss the issue with the Planning Commission Attorney Duane Brown and confirm his legal opinion of the situation.

The Commission discussed a memorandum of understanding between the Regional Economic Area Partnership and the County. Details of the memorandum and how it was changed from the original was reviewed.

The Commission discussed a billing from the hydrologist used by the County regarding the research for the Harper County landfill issue. An additional billing for \$10,000 was received. Counselor Potucek was asked to contact Attorney Robert Eye and review the billing. The Commission also asked that he confirm if the hydrologist report can be entered and consider by the Appellant Court when reviewing the Harper County case.

Mike Andra met with the Commission regarding a road safety issue 400 block of South Milan Road. He asked if some type of sign could be placed near the bridge warning of limited site distance for northbound traffic. Road and Bridge Director Matlock was contacted and will review the situation. Mr. Andra also complimented the maintenance and mowing of the county roads over the last year to year and a half. He also expressed his appreciation for the Commission in supporting the citizens in opposing the proposed site for the Harper County landfill.

E911 Director James Reed and Information Services Director Doug Stice met with the Commission. The equipment damage suffered in the lightening strike on August 3 was reviewed. Director Reed and Director Stice reported on their meeting with the insurance adjuster. Director Reed advised that the company that provides the phone boards has recommended that boards should be replaced due to their weakened condition caused by the lightning. Director Stice also expressed the same concern with a number of computer circuit boards. Concern was expressed relating to the phone boards and initial information or the lack of information provided by the adjuster.

Counselor Potucek met again with the Commission. He reported that he had reviewed the REAP memorandum of understanding and found it proper as to legal form. The Commission unanimously authorized the Chairman to sign the agreement.

The Commission reviewed the mid-month claims for August. Claims in the amount of \$166,715.69 were approved.

There being no further business, the Board of County Commissioners adjourned at 3:51 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
August 12, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

At 9:30 a.m., the Commission held the public hearing for the 2004 budget. Also present were Elliott Jackson, county auditor, Appraiser Della Rowley, Planning and Zoning Director Jon Bristol, E911 Director James Reed, Road and Bridge Director Melvin Matlock, Health Department Director Vivian Wing, Information Services Director Doug Stice, Noxious Weeds Director Robin Walcher, Maintenance Director Gary Yoder, and Senior Services Director Janet Donley. Several details regarding the budget were provided. The levy is up by 1.470 or 2.6% from 2003. For 2004, 1 mill equals \$148,961. The overall county valuation is up \$3,751,894 or 2.6%. Some of the factors contributing to the county's budget situation were reviewed. The accumulated loss of demand transfer funds from the State equal \$886,7835 or 5.953 mills. The reductions in the transfers for 2002 and 2003 occurred after the county and all local entities had adopted their budgets. The Commissioners chose not to increase the levy to make up for the loss of demand transfers.

Another factor for 2004 is that the county experiences 27 pay periods in the year. The additional pay period from the normal 26 is at a cost of approximately \$221,000. Interest income also continued to be a factor. The 2003 budget was prepared with an estimated 2% interest income rate, down from the 5% for 2002. The actual rate experienced thus far for the year has been in the .8% range. Health insurance costs have also continued to increase. The budget reductions already made for 2003 were also briefly reviewed. The 2004 budget was also prepared based on utilizing \$770,788 out of the special highway reserve fund for the Road and Bridge department. After reviewing the various details, the Commissioners offered their comments.

Chairman Courtney reported that the Commission was not unanimous in their opinion on the final cash position the county is now placed in. Merit pay increases have not been provided in 2003 and there are no current plans for them in 2004, but there was also no health insurance costs passed on to the employees for 2004. It was pointed out that the Director's were responsible for an extensive reduction in proposed expenditures from the initial proposed budget. Chairman Courtney acknowledged the tremendous effort by all facets of the court system in dealing with the jail capacity limit and related jail problems. The entire Commission complimented the staff for their work in the 2004 budget process.

With no public comment offered, the budget hearing was closed. The Sumner County 2004 budget was then unanimously adopted as published. The 2004 budgets for the Special Districts were also unanimously adopted. The final item unanimously adopted was the 2004 Sumner County staffing level. It was adopted with 167 full time and 13 part time employees.

The Commission met with Planning Commission Attorney Duane Brown. Planning and Zoning Director Jon Bristol and Assistant Director Mary Jenkins were also present. The agricultural zoning changes that recently became effective were discussed. Consideration was given to methods to address the circumstances created by the recent change. In the future, an effective date that would be a specified time period after publication could be included in the adopted resolution. The specific details involved in Rick Gay's case were discussed. A copy of Mr. Gay's contract with a Realtor was obtained and it was dated June 22, 2003. Attorney Brown advised there would be several options to address the specific issue. The fairest option available to the general public would be to follow the procedures to adopt a new resolution including an allowance for a time period prior to the effective date. A sixty-day time period would be needed to accomplish the process. It was also discussed that Mr. Gay has the option to accomplish his original intent, but at a higher cost for the platting process. The determination after further discussion was that any revision to the resolution or issue would take at least sixty days. Director Bristol and Attorney Brown were asked to contact Mr. Gay and advise him of the situation.

The Commission met with Linda Ricketts and Gloria Klima, of Renn and Company Insurance. Also present were E911 Director Reed and Information Services Director Stice. The status and issues relating to claims from the recent lightning strike were discussed at length. The adjuster that was on site had not yet contacted Renn and

Company. Ricketts advised she would contact EMC Insurance and confirm that status of the claim and also confirm information relating to several issues.

There being no further business, the Board of County Commissioners adjourned at 11:47 p.m.

Chairman Courtney will be attending the South Central Solid Waste Authority meeting in Winfield at 1:00 p.m. Commissioners' Bongiorni and Gracy will also attend, but they will not be acting as a Board.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
August 18, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for August 11 and 12.

The Commission met with Health Department Director Vivian Wing for evaluation purposes. At 9:33 a.m., upon unanimous vote the Commission entered into executive session with Director Wing until 10:30 a.m. to discuss non-elected personnel. At 10:25 a.m., the Commission reconvened in open session. No binding action was taken.

Road and Bridge Director Melvin Matlock met with the Commission. He submitted information and estimates for the various options regarding funding for the Belle Plaine South road project. Various details of the options were considered. After review, it was evident that the county would benefit by approximately 7 million dollars by not bonding for funds over a twenty-year period and, instead, committing the amount of levied funds for the existing bonds once they are paid off in 2006 to road and bridge projects.

Director Matlock requested an executive session for a personnel issue. At 10:58 a.m., the Commission upon unanimous decision entered into executive session with Director Matlock until 11:15 a.m. to discuss non-elected personnel. At 11:12 a.m., the Commission reconvened in open session. No binding action was taken.

The South Central Solid Waste Authority meeting held last week was discussed. The Authority did not make a decision on the Solid Waste Transfer contract. The issue was tabled until October. Details and information covered in the meeting were considered.

Planning and Zoning Director Jon Bristol met with the Commission. Those present were Planning and Zoning staff members, Mary Jenkins, Amber Peterson and Cliff Bales. Marvin Simonton was also present. Ms. Peterson was presented a plaque for a five-year service award. She was commended and thanked for five years of service to Sumner County.

The Commissioners recessed for lunch at 11:56 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commission reviewed an application for license to retail cereal malt beverage. Dennis and Michelle Langlois in the name of the Peck General Store made the application. County Clerk Shields reported that notice to the Township Board had been sent as required by statute. The ten-day time period had elapsed with no response received. After discussion, it was determined that Commissioner Bongiorno would attempt to contact one of the London Township board members regarding the matter. No decision was made on the application.

There being no further business, the Board of County Commissioners adjourned at 2:33 p.m. The Commission also determined that they would not begin the August 19 meeting until 1:30 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
August 19, 2003 1:30 p.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Robert Courtney was not present as he was out of state.

Commissioner Bongiorni reported that he had spoken with the London Township Clerk regarding the application for the Sale of Cereal Malt Beverage in London Township. The Township Clerk confirmed that the Notice was received and the Township Board chose not to respond since they did not oppose the application. The Commission will review the application and take action next week.

Ed Larson, Planning Commission board member, met with the Commission. The agricultural district zoning designations of A1, A2 and A3 were discussed. Mr. Larson pointed out that the zoning regulations still provide a person the ability to buy and sell their property. Additional steps are required only when a dwelling structure is planned for the agricultural property. Mr. Larson encouraged the Commission to maintain the recently revised regulations.

At 2:00 p.m., the Commission held public hearings for three zoning cases. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, Planning Board members Twyla Wagner and Ed Larson, and several citizens involved in the cases were present. Director Bristor reported that the Planning Commission had heard the three cases with nine members present.

The first case heard, No. 09PC-03, was for a conditional use permit to allow a hobby kennel on a rural residential property. The applicant-owner was William Rea. Director Bristor reported that there was opposition voiced at the hearing before the Planning Commission. The Planning Commission unanimously recommended denial of the case due to the location being residential in nature, the hardship to the area residents and the tract of property is under two acres. Mr. Rea explained that the application, which would be for a temporary period, was due to his taking care of a family member in ill health at the location. He asked, if possible, some additional time be allowed for him to make arrangements to relocate some of the pets. A resident of the area was present and spoke in opposition to the application. After discussion, the Commission unanimously denied case No. 09PC-03 and additionally stated that the applicant would have to come into compliance with the existing hobby kennel regulations by September 8, 2003.

The second case, No. 10PC-03, was for a conditional use permit to allow a second manufactured home on one tract of land. The applicant-owner was Sandra Wheeler. Director Bristor reported there was no opposition at the hearing before the Planning Commission and they unanimously approved the case with an unlimited time frame. Ms. Wheeler provided specific information relating to her application, as did Planning Commission Chairperson Wagner relating to the Planning Commission's decision. Chairperson Wagner, on behalf of the Planning Commission, also asked the Commission to consider waiving the application fee due to the hardship circumstances in the case. Director Bristor provided information about application and administration fees and fee circumstances of other cases for the Commission's consideration. After discussion, the Commission unanimously approved Case No. 10PC-03 as recommended by the Planning Commission. The Commission unanimously determined to table any action regarding the fees until next week. The Commission will discuss the fee issue August 25, 2003, at 10:00 a.m.

The third case, No. 11PC-03, was for a conditional use permit to allow a second manufactured home on one tract of land. The property owners were Raymond and Sheila Dibbens with Jeff Lange Real Estate as the applicant. Director Bristor reported there was no opposition at the hearing before the Planning Commission and they unanimously approved the case with restrictions. The first that the existing manufactured home is demolished and removed and that the new home is for an unlimited time frame. After discussion, the Commission unanimously approved Case No. 11PC-03 with the recommended restrictions.

The Commission reviewed and unanimously approved the Community Corrections claims for July in the amount of \$23,851.82.

There being no further business, the Board of County Commissioners adjourned at 3:49 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
August 25, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for August 18 and 19.

Commissioner Bongiorno advised that he had spoken with another member of the London Township Board regarding the application for Cereal Malt Beverage license. It was confirmed that the Township Board was not opposed to the issuance of a license. Issuance of a license was unanimously approved and Chairman Courtney was authorized to sign it once prepared.

Phillip Russell met with the Commission regarding a road issue in Geuda Springs. Maintenance of approximately two blocks of the paved road into the city was discussed. Road and Bridge Director Melvin Matlock and Superintendent Larry Whitham arrived at the meeting. Director Matlock advised that there was agreement signed in the past where the City of Geuda Springs assumed responsibility for the maintenance of the road. He indicated the county can assist the city and has done so in the past.

Director Matlock submitted an agreement with the Kansas Department of Transportation for the inspection of the pin and hanger bridges in the county. The State requires an annual inspection. Director Matlock advised that there is actually only one such bridge remaining in the county. The Commission unanimously approved the agreement and authorized the Chairman to sign it.

The Commission reviewed the fee issue relating to planning case no. 10PC-03. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins and Planning Commission member Ed Larson were present. Case no. 10PC-03 was approved last week, but the Commission wished to further consider the recommendation of the Planning Commission to waive the application fee. Director Bristor reviewed the details relating to the fee issue. He explained that in the particular case there was not only the original application fee, but also an administrative fee due to the applicant taking action prior to the original application. Director Bristor explained fees relating to other existing cases as he did last week. After discussion, the unanimous consent of the Commission was that all applicable fees should remain in the case. Any determination to waive the fee would not be fair in other similar cases.

At 10:30 p.m., the Commission held a review of the recent change in Zoning Regulations relating to agricultural zoning districts. Planning and Zoning Director Bristor, Assistant Director Jenkins, and three members of the Planning Commission were present, Ed Larson, Ted Rieckenberg and Mike Graves. A lengthy discussion was held on the recently adopted agricultural zoning district designations of A1, A2 and A3. The history of the overall issue and the purpose of the new designations were among the topics covered. The Planning Board members pointed out that the new regulations do not prevent anyone from selling their property. It only requires additional steps if the intent is to develop the property. It was discussed how, in many instances, the county or taxpayers experience the long-term cost for infrastructure improvements due to a development. The regulations place those costs and/or the planning for them on the person/s who wished to develop the property.

It was discussed that the new regulations are a step towards addressing issues identified in the Comprehensive Plan. The regulations also continue to allow the availability of a one-time split of property. The three members of the Planning Board present expressed their belief that many people do not fully understand the process. The Land Evaluation Site Assessment program was also discussed as a tool to utilize in zoning cases. After lengthy review and discussion of related issues Commissioners Bongiorno and Gracy were both in agreement that the existing regulation would remain as adopted with the original effective date.

The Commissioners recessed for lunch at 11:56 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

At 1:50 p.m., the Commissioners left with Road and Bridge Director Melvin Matlock. The afternoon was spent viewing a number of specific roads, bridges and projects in the county.

There being no further business, the Board of County Commissioners adjourned at 4:14 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
August 26, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

E911 Director James Reed and Assistant Director B.J. Tracy met with the Commission regarding a personal issue. After discussion, the Commission unanimously approved changing the Assistant Director position from an hourly non-exempt employee to a salaried exempt position.

Director Reed also presented an award to Sandy Dvorak for five-years of to Sumner County. Director Reed commended Ms. Dvorak for her service and on her work, especially in the duties recently assumed as the TAC officer for the department. The Commission also commended and thanked Ms. Dvorak for her service.

Bob Felix, of the Four Rivers Community Health Organization, met with the Commission. E911 Director Reed and Health Department Director Vivian Wing were also present. Mr. Felix provided a brief review of the history and purpose of the organization, which serves Cowley, Harper and Sumner counties. The organization is involved in the cooperation, collaboration, coordination and communication of health-related issues and services. He explained several of the various programs Four Rivers is involved with. The organization's intent is not to duplicate services or effort, but to compliment existing programs and/or facilitate improvements. Mr. Felix wants the governmental and business entities to know that Four Rivers is available as a resource.

Health Department Director Wing discussed a budgetary issue with the Commission. A line item transfer for funds within the bio-terrorism grant fund was unanimously approved.

Community Corrections Director Lou Bradbury met with the Commission. CASA Director Tammy Bradbury was also present. Director Bradbury submitted a grant application relating to funds for the treatment of drug offenders. The application for Community Corrections Agencies Alternative Drug Sentencing Policy Supervision and Treatment Funds for FY2004 relates to the changes created by Senate Bill 123.

The Commissioners spoke with Rick Gay by telephone. They informed him of the decision made regarding the agricultural zoning districts. Details of the issue were discussed. Mr. Gay expressed his extreme disappointment in the decision and the unfairness, in his opinion, of his specific situation.

Community Corrections Director Bradbury and Information Services Director Doug Stice met with the Commission. Director Bradbury advised that the State has informed him that new computers are required to be able to connect to the State system. The State requirement was not planned and not expected, but occurred due to some type of virus problem in the last few weeks. Director Bradbury advised the cost to upgrade the computers that connect to the specific State system would be approximately \$3,000. He has sufficient money available in a reimbursement fund, although, the funds would then not be available to cover any shortage at the end of the year. He said he does not expect a shortage, but there is the possibility. The Commission asked Director Bradbury to inquire how the thirty other judicial districts are dealing with the unexpected requirement.

The Commission reviewed and unanimously approved claims for the end of August in the amount of \$182,827.55.

There being no further business, the Board of County Commissioners adjourned at 12:14 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 2, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for August 25 and 26 were reviewed and unanimously approved.

The Commission reviewed a letter received from the Wellington Chamber of Commerce regarding the tram. The tram remains owned by the County, but is checked out through the Chamber. Two past repair bills were discussed and the Commission unanimously approved payment for the bills. The Commission also considered liability concerns with the tram.

Jere Schwerdtfeger, Administrator for Slate Creek Good Samaritan Center, met with the Commission. His last day at the Center will be September 10. He has taken a health care administrative position in another state. Operations at Slate Creek were discussed and Administrator Schwerdtfeger reported operations were going very well. Average occupancy for the year has been forty residents, although current occupancy is thirty-eight. He also reported that the Good Samaritan Society had indicated they would appoint, Gary Nelson, as the interim administrator. Facility improvements completed and those needed were discussed. Work still needs to be done to the kitchen flooring. The Commission advised that they would discuss the flooring issue with Maintenance Director Gary Yoder. The Commission determined that they would visit the facility next Monday to view the facility improvements and meet the interim administrator. The Commission commended Administrator Schwerdtfeger for his work at the Center. The work of his staff was also commended.

Economic Development Director Linda Jolly met with the Commission regarding the proposed Osborne Township Community Building. Also present were Mayfield area residents Linda Metzen and Jeff Mortimer. They served as members of the selection committee. Director Jolly presented the responses that were received from the request for proposals for administration of the Community Development Block Grant and for an architect for the project. Three responses were received for the administration and multiple responses for the architect. It was recommended that an administrator is selected today and then they would be used for assistance in selecting an architect. The process and items reviewed in the selection process was discussed. The Committee recommended that the South Central Kansas Economic Development District (SCKEDD) be used for the administration of the grant. The Commissioners accepted the recommendation and unanimously approved SCKEDD for the administration contingent upon awarding of the CDBG funding.

The Commission met with Maintenance Director Gary Yoder regarding improvements to the Slate Creek Good Samaritan Center building. He will review the issue regarding the flooring repair and make a recommendation to the Commission.

Road and Bridge Director Melvin Matlock met with the Commission regarding a personnel issue. At 11:13 a.m., the Commission upon unanimous vote entered into executive session with Director Matlock until 11:30 a.m. to discuss non-elected personnel. At 11:17 a.m., the Commission reconvened in open session. No binding action was taken.

Director Matlock discussed two personnel positions with the Commission. The need to fill a vacant mechanic position was considered. Director Matlock also reported that the transfer station foreman position is now also vacant and needs to be replaced.

Director Matlock submitted a report showing how the budget reductions have affected the Road and Bridge Department and its operations. The rental rates for county equipment when used by the townships were discussed. The rental rates have been in existence for quite some time, but have not been charged. Notice of the rates and that they will be charged beginning January 1, 2004 will be distributed.

The Commissioners recessed for lunch at 11:58 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission and a number of issues were discussed. Counselor Potucek reported that he had spoken with Attorney Robert Eye regarding the last bill for the hydrologist. After discussion, Counselor Potucek will contact Attorney Eye and confirm additional items relating to the bill. The total cost spent by the County for the hydrologist report and attorney fees has been approximately \$36,000. About 10% of that amount has been reimbursed to the county by other entities and individuals.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. Sheriff Gilkey reported that the current prisoner count is at fifty-five. Those inmates above the jail capacity are currently housed in Harper and Butler counties. Sheriff Gilkey also discussed an inmate property issue with the Commission. The Commission recommended that he consult with County Counselor Potucek regarding the matter.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,172.63.

There being no further business, the Board of County Commissioners adjourned at 3:19 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 8, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for September 2 were reviewed and unanimously approved.

Treasurer Carolyn Heasty met with the Commission regarding an issue with a particular case under Neighborhood Revitalization Plan. After discussion and review of the specific circumstances, the Commission determined that the project could not be reinstated into the plan.

Dennis Smith and Tony Rangel, of Law/Kingdon, Inc., met with the Commission. Sheriff Gerald Gilkey was also present. Mr. Smith provided an update on the status of the Sheriff's Office and Detention Center. Past documentation has been reviewed and the collection of data for possible sites has begun. The search for a consultant in specific correctional institution issues has been narrowed down to two companies. Interviews with the two consultants were scheduled on the Commission agenda for the afternoon of September 23. The contract for professional services with Law/Kingdon, Inc., has been submitted to County Counselor Jack Potucek for review. The goal is for planning, site selection and schematic design to be completed by December 31, 2003.

The Commissioners recessed at 10:56 a.m. During the lunch hour the Commissioners were going to visit the Slate Creek Good Samaritan Center to view the remodeling to the front office and meet the new interim Administrator.

The Commissioners reconvened in open session at 1:30 p.m.

Deputy John Bevan, D.A.R.E. officer for the Sheriff's office, met with the Commission. Funding to assist the DARE programs for the 2003/2004 year in nine of the school systems was discussed. After discussion, the Commission unanimously approved \$4,500 in funding for the DARE Program from the Special Alcohol fund.

E911 Director James Reed met with the Commission regarding a personnel issue. The Commission unanimously authorized the filling of a vacant dispatcher position. The position was filled within the past few weeks, but the individual had already terminated for a position elsewhere. The pay levels for the E911 positions were considered. Director Reed informed the Commission of pay information he had obtained from other agencies. He expressed his belief that the pay plan does need to be reviewed, but he realized that for the 2004 budget funds were not available.

Sheriff Gerald Gilkey and Courthouse Security Officer Darrell Mayfield met with the Commission. Sheriff Gilkey reported on a three-day training seminar relating to court security to be held in Independence, Missouri. After discussion, the Commission agreed that they would cover the registration fee of \$257 and lodging at \$69 per night plus any applicable local tax.

There being no further business, the Board of County Commissioners adjourned at 2:55 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 9, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commission Chairman Robert Courtney arrived at 9:20 a.m.

Ed Elsass spoke to the Commission by phone regarding waiver of the rental fee for the Raymond Frye Complex. The use of the complex would be for a hunter safety education course provided at no cost to the participants. After discussion, the Commission authorized waiver of the fee.

Health Department Director Vivian Wing met with the Commission. She reported on the Bioterrorism Preparedness and Response Plan relating to Neighborhood Distribution Centers. The Centers are designated facilities that would be set up to quickly distribute pharmaceuticals and emergency supplies to the public. Information will be sent to the media next week for release to the public.

Economic Development Director Linda Jolly met with the Commission regarding the Osborne Township Community Building project. She reported that the building committee had decided to wait until next year to submit the grant application. There were still a number of details that need to be finalized for the project. The committee will be proceeding with the selection of an architectural firm. Director Jolly also reported that the selection of an administrator had been challenged by one of the applicants. The State has already confirmed that proper procurement procedures were followed. The person challenging the selection requested copies of the request for proposals submitted by all of the applicants. Copies will be sent as open records.

County Counselor Jack Potucek met with the Commission. He reported that he had spoken with Attorney Robert Eye regarding the hydrologist's billing for the report on the proposed Harper County landfill. The bill was reviewed, at the Commission's request, and it was confirmed to be accurate. Attorney Eye also confirmed that the Kansas Department of Health and Environment has placed the application process on hold due to the applicant not being able to show compliance with all local conditions required. If the local conditions were satisfied, KDHE would most likely proceed with consideration of the application. It would be at that point that the hydrologist report would be an important item of consideration.

Counselor Potucek reported that he had reviewed information, at the Commission's request, regarding hold harmless agreements. They inquired if some type of agreement should be used for the rental of the Raymond Frye complex. Counselor Potucek advised that he would further research the issue and prepare a proposed agreement.

Counselor Potucek reviewed a letter to the Kansas State Fire Marshal's office. The letter was prepared as an update to the Fire Marshal's office as to the status of the jail project and addressing the fire code issues with the existing Sumner County jail. Counselor Potucek also reported that he had the proposed contract with Law/Kingdon, Inc. and was in the process of reviewing it. Several items within the proposed contract were discussed. Items will be clarified with representatives of Law/Kingdon.

The Commissioners recessed for lunch at 12:05 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Planning and Zoning Director Jon Bristor met with the Commission. Four representatives of the United States Department of Agriculture Natural Resources Conservation Service, Matthew Markley, Raymond Sinclair, Robert Murphy, Lyle Frees and Jim McDowell, were also present as well as Planning and Zoning Assistant Director Mary Jenkins. Chairman Courtney explained the purpose of reviewing the Land Evaluation and Site Assessment (LESA) system was to ensure correct understanding of the system and confirm that it is beneficial to planning and zoning. Mr. Sinclair then gave a presentation of the LESA system. The system is intended as an additional tool to use in land use development. He explained the purpose and objectives of the Farmland Protection Policy Act. Mr. Sinclair advised that the County has already taken a number of steps in the past that would contribute to accomplishing the LESA system.

There being no further business, the Board of County Commissioners adjourned at 3:12 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 15, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for September 8 and 9 were reviewed and unanimously approved.

Appraiser Della Rowley met with the Commission. She submitted the annual maintenance report required by the Department of Valuation. After review, Chairman Courtney was unanimously authorized to sign the report.

At 9:35 a.m., upon unanimous vote the Commission entered into executive session with Appraiser Rowley until 10:30 a.m. to discuss non-elected personnel. The Commission reconvened in open session at 10:12 a.m. No binding action was taken.

Information Services Director Doug Stice met with the Commission. An update was provided regarding the status of the parcel search module. The parcel search is now available on the web site, but is not yet fully functional for information. Director Stice also advised that the direct link was completed between the Sheriff's office and the jail. The status of the Geographic Information System was also reviewed.

Road and Bridge Director Melvin Matlock met with the Commission. A personnel issue was briefly discussed. Director Matlock also discussed an issue regarding the purchase of right-of-way in 1991. The Commission was already aware of the issue and it had already been referred to the County Counselor for consideration. Director Matlock also discussed a new plan proposed regarding cellular phones for his department. The cost savings would be minimal, but Director Matlock believes the new method would help to avoid liability. Lengthy discussion was held regarding the proposal. The Commission expressed their support, but Chairman Courtney and Commissioner Bongiorno asked that Director Matlock present the proposal at the next Director's meeting for consideration.

The Commission reviewed and unanimously approved the August claims for the Community Corrections claims in the amount of \$25,327.73.

The Commissioners recessed for lunch at 12:16 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commissioners met with Register of Deeds Geraldine McEachern. She provided notice to the Commission that she would be retiring effective October 1, 2003. The Commission expressed their appreciation and thanks for her twenty-two years of service to Sumner County. The Commission also discussed the future salary for the Register of Deeds position. The current salary is partially based on experience and the years of service. The Commission and the Register of Deeds agreed that the beginning salary should be set at a lower amount for a new person in the position. The Commission advised that they would discuss the issue with County Counselor Potucek and establish a new salary for the position.

County Counselor Jack Potucek met with the Commission. Undersheriff Jerry Osborn was also present. An issue relating to an item of personal property belonging to an inmate was discussed. After discussion, Undersheriff Osborn advised that there would be further steps taken to confirm information.

Dennis Smith, of Law/Kingdon, Inc., met with the Commission. Counselor Potucek and Undersheriff Osborn remained present. The proposal for architectural/engineering services for the proposed Sumner County Law Enforcement/Detention Center was discussed. Mr. Smith confirmed that the proposal included the court floor remodeling and the fire egress system for the courthouse. The reimbursable expenses were also discussed and it was confirmed that they would not occur unless Phase 2 of the project proceeds, which would be after voter approval. It was determined that several changes would be made in the proposed agreement to clarify the issues discussed.

The Commission reviewed health insurance and policy issues. The Commission unanimously determined that beginning January 1, 2004, the County would not cover 100% of the member-only cost for part-time employees. Additions to the County's policy and procedures manual were discussed. It was determined that policies relating to the closing of county offices due to weather or other emergencies and to the use of cellular phones would be formulated.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$569.68.

The Commission reviewed and unanimously approved claims for mid-month September in the amount of \$329,407.72.

There being no further business, the Board of County Commissioners adjourned at 3:29 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 16, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. Sheriff Gilkey inquired about the possibility of leasing vehicles now, but delaying the first payment until 2004. He would like to research the possibility due to the increasing repair costs for the existing fleet. At least two of the vehicles are in for transmission repair. Sheriff Gilkey said he talked with a representative of Koch Financial and the option to lease and delay payment might be an option. The Commission inquired what other costs would be involved with the new cars. Sheriff Gilkey advised that the only additional cost would be for decal markings. After discussion, the Commission authorized the Sheriff to further research the issue.

At 9:30 a.m., upon unanimous vote the Commission entered into executive session with Sheriff Gilkey and Undersheriff Osborn until 9:45 a.m. to discuss non-elected personnel. At 9:45 a.m., the Commission reconvened in open session. No binding action was taken.

The Commission spent time reviewing the County's web site and the sites of other counties across the State. A number of changes were proposed. Management of the web site was also discussed. It was determined that steps would be taken to address the management issues.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$9,235.26.

There being no further business, the Board of County Commissioners adjourned at 11:15 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 22, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. Commissioner Eldon Gracy was not present due to illness. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for September 15 and 16.

Dennis Smith and Tony Rangel, of Law/Kingdon, Inc., met with the Commission. The format for the scheduled interviews tomorrow of the two justice consultant firms was discussed. The interview of R. Stephen Pierce, of Preferred Concepts, Inc., will be at 1:30 p.m. The interview of Dr. Allen Beck, of Justice Concepts, Inc., will be at 2:30 p.m.

County Attorney William Mott met with the Commission. He explained a pronouncement made by the District Court Judge R. Scot McQuin regarding the procedure in overweight misdemeanor tickets. The pronouncement requires those persons charged with such offenses to appear in court. According to statute an appearance is required, but it has not been followed in Sumner County or across the State. County Attorney Mott explained the increased workload that will be created for his office and personnel. Last week's court docket included an increase of about 150 cases. He explained that he has met with the Judge to attempt to work out alternative procedures, which there may be an option to do. An opinion from the Attorney General's office has also been requested. The Commission expressed their dismay in the unexpected change in the court's policy from what had been followed in the past.

The Commission spoke, by phone, with Slate Creek Good Samaritan Center Interim Administrator Gary Nelson. The project to replace the flooring in the kitchen area was discussed.

The Commissioners recessed for lunch at 11:53 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. The matter discussed in a previous meeting regarding checks issued for an easement purchase in 1991 and never cashed was further reviewed. Counselor Potucek reported what he had discovered to date and that he was continuing to work on the issue.

E911 Director James Reed and Assistant Director B. J. Tracy met with the Commission. At 2:35 p.m., upon unanimous vote the Commission entered into executive session with Director Reed until 3:05 p.m. to discuss non-elected personnel. Assistant Director Tracy and County Clerk Shields also remained present. At 3:05 p.m., upon unanimous vote the executive session was extended until 3:15 p.m. At 3:15 p.m., the Commission reconvened in open session. No binding action was taken.

Grant funds relating to the Office of Domestic Preparedness (ODP) were discussed. The Commission unanimously appointed E911 Director James Reed as acting Co-Coordinator of Emergency Management. The appointment is for the purpose to allow Director Reed the authority to administer the ODP grant funds

The Commission received correspondence from Gregory Olson, Chief Executive Officer of the Sumner Mental Health Center. He reported that The Consortium Inc. conducted the annual survey of mental health centers in Kansas. In the most recent survey, with 25 centers participating, Sumner Mental Health Center received scores above the statewide average.

The Commission spoke with Commissioner Gracy by phone. The Commission unanimously adopted Resolution 2003-14 setting the salary of the Register of Deeds in the amount of \$1,047.30 per pay period.

The Commission determined that they would not convene on Tuesday until 1:30 p.m.

There being no further business, the Board of County Commissioners adjourned at 4:55 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 23, 2003 1:30 p.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorni Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

At 1:30 p.m., the Commission conducted an interview of R. Stephen Pierce, of Preferred Concepts, Inc. Preferred Concepts was one of the Justice Consultant firms under consideration for the Law Enforcement/Detention Center project. Dennis Smith and Tony Rangel, of Law/Kingdon, Inc., and Sheriff Gerald Gilkey were also present. Mr. Pierce first made a presentation explaining his qualifications and outlining his proposal of services. The representatives of Law/Kingdon and the Commissioners then posed a number of questions to Pierce relating to his proposal.

At 2:47 p.m., the Commission conducted an interview of Dr. Allen Beck, of Justice Concepts, Inc. His associate Timothy A. Stone Sr. was also present. Dennis Smith and Tony Rangel, of Law/Kingdon, Inc., and Sheriff Gerald Gilkey were also present. Dr. Beck first made a presentation explaining his qualifications and background. He then reviewed some of the ideas and goals relating to his services. Mr. Stone also provided information on his qualifications and past projects. The representatives of Law/Kingdon and the Commissioners then posed a number of questions to both Dr. Beck and Mr. Stone relating to their proposal.

Commissioner Bongiorni left the meeting at 3:50 p.m. to attend an employee award ceremony at the Road and Bridge office.

Commissioner Gracy left the meeting at 4:10 p.m., at which time the meeting was recessed.

At 4:30 p.m., the Commission reconvened in open session with Chairman Courtney and Commissioner Bongiorni present.

The Commission reviewed and discussed the information provided by the two justice consulting firms. It was determined that Dennis Smith would contact both Dr. Beck and Mr. Pierce to clarify various items and issues.

The Commission met with Emergency Management Director Jeff Welshans. At 4:38 p.m., upon unanimous vote the Commission entered into executive session until 5:00 p.m. with Director Welshans to discuss non-elected personnel. County Clerk Shields remained present for the session. The Commission reconvened in open session at 5:00 p.m. No binding action was taken.

The Commission met briefly with E911 Director James Reed regarding the Office of Domestic Preparedness grant.

There being no further business, the Board of County Commissioners adjourned at 5:24 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 29, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. Commissioner Eldon Gracy was not present. The meeting was opened with the Pledge of Allegiance.

The minutes for September 22 and 23 were reviewed and unanimously approved.

Janet Donley, Director for the Sumner Board for Senior Services, met with the Commission. She submitted the Senior Services annual report for 2002. The board members recommended for 2002-2003 were reviewed. The representative for Belle Plaine is actually a resident of Wellington, but uses the Belle Plaine center. After discussion, the Commission unanimously approved the members as recommended, but asked that there be an on-going effort to find a Belle Plaine representative from the City or immediate area. The board's purpose is for representation from members of the community in the location served.

Director Donley reported that a retreat for Senior Services Director's in the ten-county district is scheduled in October. The legislators of district area have been invited to attend. A number of items relating to Senior Service programs and services were discussed.

Emergency Management Director Jeff Welshans met with the Commission regarding personnel and operational issues. E911 Director James Reed was also present. Issues relating to emergency management operations and homeland security grant administration were topics reviewed. The part-time arrangement agreed upon with Director Welshans when he began active military duty was discussed. After lengthy discussion, Director Welshans advised that he would address the issues of concern raised regarding grant administration and operational factors. No changes were made in the existing part-time arrangement.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. A personnel issue of a possible vacancy in a detention officer's position due to retirement was discussed.

Commissioner Gracy arrived at the meeting at 11:04 a.m.

Sheriff Gilkey discussed the leasing of vehicles. Information was confirmed from Koch Financial Corporation that a lease could be entered into with first payment delayed until 2004. The maintenance costs of the current fleet of patrol vehicles were discussed. The details of how to arrange the lease and a purchase were reviewed. The Commission expressed their support to proceed. They directed that several finance companies, including Sumner County banks, be contacted and attempts made to lock in an interest rate for the lease. The Commission's intent is to follow a rotation process to replace the patrol fleet on a regular process to ensure reliable and safe vehicles. The patrol vehicles would then be rotated into the Sheriff's administration fleet.

Road and Bridge Director Melvin Matlock met with the Commission. Also present were Engineering Superintendent Nita Simonton and Office Manager Joyce Reynolds. Director Matlock discussed the State permitting process and requirements relating to bridge construction and repair. Another item relating to a previous issue with drift and debris on a bridge on a township road was discussed.

The Commissioners recessed for lunch at 11:54 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Appraiser Della Rowley met with the Commission to review the annual statistical and procedural compliance report completed by the State Division of Property Valuation. The completed ratio study was also reviewed. The Commission commended Appraiser Rowley and her staff for the work completed in complying with the State requirements.

The Commission discussed a Neighborhood Revitalization Program issue with Appraiser Rowley. Procedures relating to NRP refunds and payment of taxes under protest were discussed. NRP refunds and payment of taxes under protest are both transactions occurring in the Treasurer's office.

The Commissioners reviewed and unanimously approved the claims for the end of September in the amount of \$160,819.18.

There being no further business, the Board of County Commissioners adjourned at 3:20 p.m. The Commission determined that they would convene at 1:30 p.m. on September 30, 2003.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
September 30, 2003 1:30 p.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. Commissioner Eldon Gracy was not present as he was attending a Kansas Association of Counties class. The meeting was opened with the Pledge of Allegiance.

Sheriff Gerald Gilkey met with the Commission. Undersheriff Jerry Osborn and Detentions Supervisor Steve Colwell were also present. A personnel issue was briefly discussed regarding a detention officer position vacancy due to a retirement.

The Commissioners recessed until 4:30 p.m.

The Commissioners reconvened in open session at 4:30 p.m. Commissioner Eldon Gracy was now present.

County Counselor Jack Potucek met briefly with the Commission regarding several items. He reported that a hold harmless agreement form was finalized for use in the rental of the Raymond Frye complex. Counselor Potucek also reported that he had been in contact with Dennis Smith, of Law/Kingdon, Inc., to confirm final information for the contract for services.

There being no further business, the Board of County Commissioners adjourned at 4:32 p.m. The Commissioners left to attend a reception at the Sumner Mental Health for Dr. Bob Bean.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
October 6, 2003 10:05 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. The meeting began at 10:05 a.m. due to Chairman Courtney and Commissioner Bongiorno attending a Regional Economic Area Partnership meeting Wichita. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Don Attebury, of the South Central Solid Waste Authority, met with the Commission. He reported that the Kansas Department of Health and Environment advised that the individual member counties of any regional committee must approve of the committee's activities. Mr. Attebury read the minutes from the meeting held in April for the Commission's review. After review, the Commission unanimously approved Resolution 2003-15 approving the South Central Solid Waste Authority year 2002-2003 update solid waste plan and revision.

Jessica Lucas, of TeenEsteem, met with the Commission. She provided a report on the TeenEsteem program. Funding to continue the program is a concern as there is currently no guarantee of grant funding past December 2003. The search for alternative funding sources is continuing. Ms. Lucas reviewed programs and information regarding drug and alcohol abuse and teen pregnancy. The last survey conducted showed that Sumner County youth begin use of drugs and alcohol earlier than the State average. The Commission expressed their agreement in the importance and benefit of the program.

Ms. Lucas provided specific information regarding several of the TeenEsteem programs. The Commission inquired about funding and program needs. The most recent grant applied for was for \$63,000, which would have funded two full-time staff members. An option, for the future, of some type of matching funds from the county and the school districts was discussed. The County currently provides the office space and utilities for the TeenEsteem program. The Commission advised that they would research what options might exist for the Health Department to somehow assist the program in gaining funding. The Commission's intent is to assist however possible to maintain the program.

Health Department Director Vivian Wing and Administrative Assistant Kris Ellis met with the Commission. Changes in the cost of children's and influenza vaccines were reviewed. The State is now only providing vaccine at no cost for those eligible under certain guidelines. Those not within the guidelines must pay for the vaccine and will have to obtain the vaccine from their own health provider. Director Wing reported that her office has been in contact with local providers in an attempt to make them aware of the changes since the Kansas Department of Health and Environment have been slow in releasing information.

The Commission also spoke with Director Wing regarding the TeenEsteem program. Jessica Lucas, of TeenEsteem, was also still present. The Commission asked that the possibility of the Health Department assisting in a short-term solution for TeenEsteem to continue operations. A long-term solution would also have to be developed, which might involve some type of joint funding program from various entities. Director Wing and Ms. Lucas will research what options may be available.

The minutes for September 29 and 30 were reviewed and unanimously approved with one amendment.

The Commissioners recessed for lunch at 12:02 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Sheriff Gerald Gilkey, R. Stephen Pierce, of Preferred Concepts Inc., and Dr. Allen Beck, of Justice Concepts Inc., met with the Commission. Both firms were retained by Law/Kingdon, Inc., to jointly work on the needs assessment for the Law Enforcement/Detention facility. Regarding all arrangements, the Commission referred them to Law/Kingdon, as they are working as consultants to that company. Both Mr. Pierce and Dr. Beck will be making contacts with a number of local individuals in their process of completing a needs assessment.

Economic Development Linda Jolly met briefly with the Commission. She introduced the Wellington Chamber of Commerce Executive Director Ken Elliott.

The Commission met with Maintenance Director Gary Yoder regarding the flooring project at the Slate Creek Good Samaritan Center. Director Yoder is waiting for confirmation of an issue from the State regarding the materials that can be used. Interim Director Nelson had talked with a State representative who provided a verbal answer, but written confirmation has been requested. Issues relating to maintenance costs and billing were also discussed.

There being no further business, the Board of County Commissioners adjourned at 2:58 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
October 7, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Counselor Jack Potucek met with the Commission. The contract with the attorney firm to perform a review of the County's existing policy and procedure manual was discussed. After review, the Commission unanimously approved the agreement with Husch & Eppenberger, LLC, for a set fee of \$3,300. The review of the policy was previously planned for 2003.

Commissioner Eldon Gracy arrived at 9:36 a.m.

Members of the employee committee appointed to review and recommend revisions to the county policy met with the Commission. Laurie Walta, chairperson of the committee, presented their recommendations and discussion was held. The Commission will further consider the recommendations and also ask the Department Director's for their input.

Mike Booth met with the Commission regarding work at the Slate Creek Good Samaritan Center. Maintenance Director Gary Yoder was also present. It was agreed that the work Mr. Booth was to perform based on a previous agreement has been completed.

Travis Riggins, of Infinitec, Inc., met with the Commission. Several department directors were also present. Mr. Riggins provided a presentation on the web module available from Infinitec. The Commission is wishing to further progress with public access to information via the internet and the capability for Director's to manage their own individual department informational pages. Various options and capabilities of the web module were demonstrated. A second company providing similar services will be meeting with the Commission on October 20. No action will be taken until, at least, after that date and perhaps not until 2004.

There being no further business, the Board of County Commissioners adjourned at 12:15 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
October 13, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorni Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the September claims for Community Corrections in the amount of \$25,103.88.

The Commission reviewed and unanimously approved the minutes for October 6 and 7.

County Clerk Shields reviewed the status of the recommended policy revisions. The Department Directors reviewed the employee recommendations last week. The Commission confirmed their final recommendations as to policy revisions. The current policy and revisions will be sent to an employment law firm for legal review.

Commissioner Gene Bongiorni left the meeting at 10:42 a.m.

Gary Nelson, Interim Administrator for Slate Creek Good Samaritan Center, and Martha Runyan met with the Commission. County Maintenance Director Gary Yoder was also present. Administrator Nelson advised of a problem with the sewer line. Director Yoder had already asked for bids to repair the sewer line. A contributing problem is the draining from the grease trap. It is planned to correct the draining problem at the same time the kitchen flooring is being replaced.

Administrator Nelson discussed the purchasing of smaller amounts of supplies. The Commission confirmed that the Building Superintendent should be reporting to Maintenance Director Yoder for the purchase of supplies. Administrator Nelson also advised that he had not yet received a written response from the State as to the flooring required for the kitchen. Nelson and Director Yoder have both contacted the State official requesting a written response.

The Commissioners recessed for lunch at 12:02 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Road and Bridge Director Melvin Matlock met with the Commission. He provided a report on a traffic accident involving one of the county maintainers earlier in the morning. There was no damage to the maintainer. The other driver received what appeared to be a minor injury.

The Commission provided Director Matlock a letter received from the City of Mulvane regarding a road in the Holiday Lakes addition. The City had received a complaint from a citizen. Director Matlock advised that the township maintains the road. He will review the problem and make contact with an official of the township.

Director Matlock discussed equipment at the landfill. The repair costs for the tractor at the landfill and the down time of the tractor not being available are increasing. The hope was to delay replacement, as long as possible, but due to the repair costs it needs to be replaced. Director Matlock reported \$90,000 available in the reserve fund, which was planned to be used for equipment replacement. The Commission advised to proceed with the replacement of the tractor.

Maintenance Director met again with the Commission. The sewer line at the Slate Creek Good Samaritan Center was further discussed. The emergency need to resolve the problem was considered. Due to the urgent need, the Commission advised Director Yoder to proceed with the replacement of the line. Director Yoder will also rent a roto-rooter machine to have immediately available if a sewer problem occurs before the repair is completed.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. Sheriff Gilkey reported that a new sign was erected for the Sheriff Department building. All materials and labor for the sign were donated.

Sheriff Gilkey discussed the purchase of vehicles. He reported that he had obtained the interest rates from the local financial institutions. One of the institutions was very close to the interest rate offered by Koch Financial. After discussion, the Commission authorized Sheriff Gilkey to proceed with disseminating the request for proposals for vehicles. They also requested that he contact the local financial institution to confirm further information before a final decision is made on what financial institution is used.

Sheriff Gilkey also provided a brief update on the department's activity to date for October. There have been 9 burglaries, 5 thefts, 1 rape, 1 kidnapping, 1 identify theft, 2 Driving Under the Influence arrests, and 7 traffic accidents with 1 fatality. To date, there have been 1,790 cases worked by the Sheriff's office. There were 56 inmates as of this morning.

The Commission unanimously approved the claims for mid-October in the amount of \$186,275.70.

There being no further business, the Board of County Commissioners adjourned at 3:20 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
October 14, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission to make them aware of a complaint received. A complaint was received from one of the local bonding companies about the lack of services the bonding company has been able to provide. Sheriff Gilkey advised that the jail personnel do not and cannot recommend the bonding companies in any way. Contact information is provided to arrested persons and they are allowed to call whatever company they want.

Information Services Director Doug Stice, Appraiser Della Rowley, Planning and Zoning Director Jon Bristor, and Assistant E911 Director B.J. Tracy met with the Commission. All are members of the Geographic Information System steering committee. The status of the GIS project and problems with R & S Digital were discussed. The steering committee has a meeting set tomorrow with a representative of R & S Digital to discuss a number of issues.

At 10:21 a.m., upon unanimous vote the Commission entered into executive session with the GIS steering committee members present until 11:00 a.m. to discuss non-elected personnel. County Clerk Shields also remained present for the session. At 11:00 a.m., upon unanimous vote the executive session was extended to 11:15 a.m. County Clerk Shields left the meeting at 11:03 a.m. The Commission reconvened in open session at 11:15 a.m.

Al Reiss, of Reiss & Goodness Engineers, met with the Commission. Also present were Planning and Zoning Director Jon Bristor and David Arndt, an adjoining landowner to the Slate Creek Sewer District. Mr. Reiss provided the plans regarding the Sewer District connecting to the City of Wellington system. Mr. Arndt expressed concern about part of the system being on his property and the liability potential. Mr. Arndt's property is not part of the subdivision. Options to resolve the issue were considered. After lengthy review all agreed a resolution is possible.

Mr. Reiss also discussed a funding option for the Slate Valley project involving Rural Development. Mr. Reiss will obtain further information regarding Rural Development and the information will be provided to the district residents.

The Commissioners recessed for lunch at 11:59 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Dennis Smith and Tony Rangel, of Law/Kingdon, Inc., met with the Commission to provide an update on the law enforcement/detention facility project. Mr. Smith confirmed that R. Stephen Pierce and Dr. Allen Back would be working together on the needs assessment. Mr. Smith and Mr. Rangel reviewed the site matrix system that will be used in the site assessment process. Steps in the site and needs assessment are proceeding.

Tracee Watts, of the Wellington Daily News, spoke with the Commissioners by phone. The TeenEsteem program and funding was discussed.

There being no further business, the Board of County Commissioners adjourned at 3:25 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
October 20, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for October 6 and 7 were reviewed and unanimously approved.

Dannetta Cook met briefly with the Commission. She reported that the month of October is Breast Cancer Awareness month and she inquired about some type of employee activity to recognize the month. The Commission unanimously authorized that an activity could be held.

Road and Bridge Director Melvin Matlock met with the Commission. He reported that a problem was found with one of the three pin and hanger bridges in the county during the recent inspection. The bridge, one and one-half mile south of Milan, has been reduced to one lane of traffic and needs to be repaired as soon as possible. Director Matlock reported that repairing the bridge would require a contractor due to the work required. The requirements to consider it for emergency replacement are being reviewed. The cost involved would reduce the funds available for equipment replacement this year. It was determined that Director Matlock would proceed with the steps to consider repair of the bridge.

Laura Munsch, of CivicPlus, met with the Commission. Several Department Directors were also present. Ms. Munsch made a presentation of the web management/hosting services offered by CivicPlus. A number of questions were posed regarding the services.

The Commissioners recessed for lunch at 12:16 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. The contract with Law/Kingdon, Inc. was discussed. The need for additional clarification on a couple of issues was considered. Counselor Potucek will continue to work on the contract.

Counselor Potucek and the Commissioners contacted Attorney Mike Kenally by phone. Attorney Stan Churchill was also present with Mr. Kenally. At 10:56 p.m., upon unanimous vote, the Commission entered into executive session until 2:15 p.m. with Mr. Kenally, Mr. Churchill and Counselor Potucek to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 2:15 p.m.

There being no further business, the Board of County Commissioners adjourned at 3:02 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
October 21, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission met with Planning and Zoning Director Jon Bristor. Director Bristor was commended for his accomplishment as a Certified Floodplain Manager. The certification was received from the Association of State Floodplain Managers.

Community Corrections Director Lou Bradbury met with the Commission. CASA Director Tammy Bradbury and Lorie Pence, student-intern, were also present. Director Bradbury submitted the quarterly Juvenile Justice Authority reports for the Commission's review and approval. After review, Chairman Courtney was unanimously authorized to sign the reports.

The Commission reviewed an application for an emergency vehicle designation from Freddie Hyle. The purpose was for emergency responses as directed by the Emergency Management Director. The application was unanimously approved.

At 10:00 a.m., the Commission held a public hearing on zoning case No. 13PC-03. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Planning Board Chairperson Twyla Wagner were present, as well as the applicant and a number of citizens. The case was an application for a zone change of one rural residential platted lot into an existing agricultural lot of Valley View subdivision submitted by Tina White, owner. Director Bristor provided some history of the subdivision development and current status. Director Bristor reported that several citizens present at the planning hearing expressed concern that approval of the change would slow the construction of the road and cul-de-sac approved in the original plat. He advised that the Planning Board, with 9 members present, had unanimously recommended denial of the zone change due to the reason that the road and cul-de-sac construction should begin as soon as possible as approved in the original plat.

The Commission opened the hearing for public comment. Mr. and Mrs. White spoke and explained the reasons for the zoning change request. They also explained issues relating to construction of the road. Several of the citizens present, who own other lots in the subdivision, voiced their concerns relating to the case. They were concerned that approving the case would reduce and, perhaps even end, the commitment of the White's to construct the originally platted road. The White's advised that the road would still be constructed at some point. Lengthy discussion was held on the issues involved in the case.

During the discussion of the case it was determined that the White's intent was to change not only lot one, but also lots two through four. The case as documented and published only referred to lot one. Chairman Courtney also discussed that the Commission's decision should only be based on the land use, which is the purpose of the zoning regulations. The Commission unanimously decided to refer the case back to the Planning Board. Director Bristor will also confirm with Planning Board Attorney Duane Brown what steps need to be taken regarding the change in the lots involved.

Bob Leftwich and David Carr, of the First National Bank, met with the Commission. Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, and Deputy John Bevan were also present. Mr. Leftwich and Mr. Carr reviewed lease options for the County to purchase vehicles for the Sheriff's office. After discussion, the Commission unanimously authorized a three-year lease agreement with First National Bank for ten vehicles.

Members of the Geographic Information System steering committee met with the Commission. Members present included Information Services Director Doug Stice, Appraiser Della Rowley, Road and Bridge Director Melvin Matlock and Engineering Superintendent Nita Simonton, Planning and Zoning Director Jon Bristor, and E911 Director James Reed. The committee provided a report on the meeting last week with a representative of R & S Digital Services. They reported a number of issues were reviewed and concerns were expressed. R & S has

initiated steps to resolve the concerns. It was determined that training issues will be further discussed with R & S and that the status of the GIS project will be reviewed in December.

At 11:34 a.m., the Commission entered into executive session with the members of the GIS steering committee until 11:50 a.m. to discuss non-elected personnel. County Clerk Shields was asked to remain present, which he did. At 11:50 a.m., the executive session was extended until 12:00 p.m. The Commission reconvened in open session at 11:52 a.m.

There being no further business, the Board of County Commissioners adjourned at 11:54 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
October 27, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for October 20 and 21 with one amendment.

County Clerk Shields reported that levies for Sumner County entities were finalized early last week. Levies from Cowley, Kingman and Reno counties for several of the joint districts have not been received. The process for tax statements cannot continue until all levies are entered.

Clerk Shields also discussed two items of equipment. The Commission unanimously authorized for the two items to be offered for sealed bid sale. The equipment, a check signing machine and a burster, are no longer used due to the laser printing of checks.

The Commission met with Emergency Management Director Jeff Welshans for an annual evaluation. At 9:32 a.m., upon unanimous vote the Commission entered into executive session with Director Welshans until 10:30 a.m. to discuss non-elected personnel. At 10:30 a.m., the Commission reconvened in open session. No binding action was taken.

Ann Gressell, of the Clerk's office was now present recording the minutes of the meeting.

The operations of the Emergency Management department were discussed. Due to the significant increase in federal funding being provided in the area of terrorism preparation, the need for a full time Assistant Director was considered. The Commission asked that Director Welshans review the existing job descriptions for his department and also research comparable counties for salary information. The Commission will review the information once provided.

Road and Bridge Director Melvin Matlock met with the Commission. Several road and bridge issues were considered. The bridge needing repair south of Milan was discussed. Director Matlock advised to obtain bids on the project would lengthen the time that it would take to complete. The Commission could declare an emergency in order to proceed without obtaining bids. The bridge is still open to one lane of traffic. After discussion, the Commission determined that the conditions were not sufficient to declare an emergency. They directed that steps continue to repair the bridge as soon as possible. Due to the nature of the repair needed on the bridge the bidding process will be abbreviated. The company that can comply with the time frame for the repair will carry a high consideration in the awarding of the contract.

Director Matlock discussed the proposed contract with Waste Connections for the transportation and disposal of solid waste from the Sumner and Cowley County transfer stations. He identified several areas needing further clarification. The Commission will discuss the contract with County Counselor Potucek.

The Commission unanimously approved the claims for the end of October in the amount of \$209,556.16.

There being no further business, the Board of County Commissioners adjourned at 12:00 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
October 28, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. Commissioner Eldon Gracy was absent due to a death in the family. The meeting was opened with the Pledge of Allegiance.

Sheriff Gerald Gilkey met with the Commission. Undersheriff Jerry Osborn and Deputy John Bevan were also present. Sheriff Gilkey submitted the three vehicle bids that were received. The Commission opened the bids received from Koehn Motors, Vanlandingham Motors and Countryside Motors. Countryside Motors submitted a bid for Chevrolet vehicles and a bid for Dodge vehicles. The Commission requested Sheriff Gilkey to review the bids submitted to confirm the request for proposal was met and to return with a recommendation of what bid to accept.

Karen Fergen, facilitator for the Juvenile Corrections Advisory Board, met with the Commission regarding JJA funding. She reported that the State has unexpended funds in the Intervention/Graduated Sanctions programs that the local JJA groups can apply for. She submitted the application for the Commission's approval. Included in the request is a request for funds to purchase two vehicles. The vehicles would better enable JJA to transport the juveniles themselves. After discussion, the Commission unanimously approved the application. Ms. Fergen also advised that they would be able to apply for the unexpended prevention funds from last year, approximately \$3,700.

John Turner Jr., Eden Township Clerk, met with the Commission. He inquired if the Commission would be willing to lease one of the county tax sale properties in the Stanley Suppes sub-division for the purpose of constructing a fire station. The Norwich Fire Department has expressed willingness to house one to two fire units at Suppesville to serve their response area in Sumner County. The units would be manned by Norwich volunteer firefighters that live in the area. Mr. Turner advised that the residents of the sub-division and area are supportive of the idea since it would reduce fire insurance costs. County Counselor Jack Potucek and Planning and Zoning Director Jon Bristol entered the meeting.

Mr. Turner explained further details about the fire service possibility. After discussion, County Counselor Potucek recommended two circumstances to review. The compliance with any restrictive covenants that apply to the subdivision would have to be resolved. The specific lot that would be the best option to use would also have to be identified. The Commission expressed their support for the idea and Mr. Turner advised he would continue working on the project by making further contacts.

County Counselor Potucek discussed the proposed contract with Waste Connections for the transportation and disposal of solid waste from the Sumner and Cowley County transfer stations. The Commission reviewed several additional areas to address in further detail. It was determined that several changes in the contract would be recommended. Counselor Potucek was also asked to contact the Cowley County Counselor and advise him of the proposed changes Sumner County is seeking.

Counselor Potucek submitted Resolution 2003-16 for the Commission's approval. The resolution authorized the preparations to hold the next tax sale. The resolution was unanimously approved.

The Commission reviewed an emergency vehicle designation application submitted by E911 Director James Reed. After review, the designation was unanimously approved.

The Commissioners advised that they would be attending a Regional Economic Area Partnership meeting next Monday morning at the WSU Metropolitan complex. Also, next Monday from 12:30 p.m. to 2:30 p.m., they would be attending a communication luncheon with the Sumner County Economic Development Committee at the Raymond Frye complex.

There being no further business, the Board of County Commissioners adjourned at 12:02 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
November 3, 2003 3:00 p.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commissioners had attended a Regional Economic Area Partnership planning meeting in Wichita during the morning.

The Commissioners had also attended a meeting at the Raymond Frye complex from 12:30 p.m. to 2:45 p.m. The meeting, a communications luncheon, was held by the Sumner County Economic Development Commission. Invited were officials of the City of Wellington and City Council, USD353 Board of Education and Administration, Sumner County Commissioners, Wellington Chamber of Commerce Board of Directors, and the Economic Development Commission Wellington Board members. The goal of the meeting was to develop and enhance communications between the entities and the public. Representatives of each organization provided a review of current and future projects. The possibility of holding future meetings was also considered. It was determined that quarterly meetings would be held.

In regular session in the Commission room the Commission reviewed and unanimously approved the minutes for October 27 and 28.

County Counselor Jack Potucek met with the Commission. Several pending legal issues were discussed and Counselor Potucek provided an update on several items.

Counselor Potucek submitted a resolution for the Commission's review. The resolution, drafted at the Commission's request, establishes the procedures for disposition of demand transfer funds, if received from the State in the future. The Commission unanimously adopted Resolution 2003-17.

County Clerk Shields reported that the final levies for the joint taxing districts were received last week. Printing of the tax information sheets and the tax statements was completed earlier in the morning and they have been turned over to the Treasurer.

There being no further business, the Board of County Commissioners adjourned at 4:36 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
November 4, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Bruce Hardesty and Marty Beaker, of R & S Digital Services, met with the Commission. Information Services Director Doug Stice and Appraiser Della Rowley were also present. Mr. Hardesty and Mr. Beaker demonstrated the Geographic Information System data that is currently available to Sumner County. The status of the overall project was discussed.

Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, and Court Security Officer Darrell Mayfield met with the Commission. Deputy Mayfield provided a report on the court security-training program that he recently attended. A number of security issues were discussed. Several security steps could be taken that would be inexpensive or at no cost. Other security steps would be at a greater cost and would require long-term planning. After discussion, the Commission asked that the security issues be presented at the next Department Director's meeting. Steps to address some of the issues will be determined after that point.

County Extension Agent Ed LeValley met with the Commission. Ron Sharp, master gardener, was present as well as Maintenance Director Gary Yoder. Mr. LeValley presented a plan developed by Mr. Sharp for an outside sprinkler system at the Raymond Frye complex. Several specific details regarding the proposal were discussed. The Commission advised that funds are not currently available. The system may be considered for next year, although, it is already known capital outlay funds will be used to replace one of the air conditioning units for the building.

Sheriff Gerald Gilkey met with the Commission. Also present were David Carr, of the 1<sup>st</sup> National Bank, Richard Jessina, of Countryside Motors, Undersheriff Jerry Osborn, Deputy Scott Goforth, and Deputy Darrell Mayfield. Sheriff Gilkey advised that, after review, his recommendation is that the County accepts the bid package from Countryside Motors for the Dodge vehicles. After discussion, the Commission unanimously accepted the bid package, as presented, for the Dodge vehicle package from Countryside Motors. The total bid package was the lowest received. They also unanimously authorized for the lease agreement to be prepared by 1<sup>st</sup> National Bank.

Dannetta Cook and Marlene Wells met with the Commission. They provided information gathered for the consideration of having an employee dinner for the holidays. The cost involved and various arrangement options were discussed. After lengthy discussion of the cost and arrangement issues, the Commission unanimously determined that they would continue the Christmas gift certificates for employees rather than holding a dinner.

Sheriff Gilkey and Richard Jessina met again briefly with the Commission. The bid from Countryside included an item noting that the equipment installation price would be an additional expense. At the time the bid was submitted, Mr. Jessina did not have the information from the company that performs the installation. The bid from Countryside stipulated there would be an added cost for the special equipment. Sheriff Gilkey advised that the installation cost was now known and would be \$3,500. The Commission unanimously affirmed their previous decision accepting the Countryside Dodge vehicle package bid as with the addition Countryside remained the low bid.

Appraiser Della Rowley met with the Commission regarding a Geographic Information System data issue. She submitted a proposal from a company that enhances data geared specifically to the Appraiser office. The data already provided by R & S Digital would be made readily usable in a format for Appraiser functions. After review, it was determined that no decision would be made until after a further review of the additional data recently provided by R & S Digital.

Vic Thompson met with the Commission. Treasurer Carolyn Heasty was also present. Mr. Thompson discussed the tax delinquency rate that was cited at the City of Wellington budget meeting. Treasurer Heasty explained that the delinquency rate is an item provided from her office to the taxing entities for their budget preparations. Mr. Thompson posed questions as to what the benefit was for him or anyone to spend their tax dollars at home. He also expressed his views on topic and several other tax issues.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$2,425.88 and added tax orders in the amount of \$409.34.

There being no further business, the Board of County Commissioners adjourned at 4:44 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
November 10, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission unanimously approved the minutes for November 3 and 4 with amendments.

Health Department Director Vivian Wing met with the Commission. She submitted the Bio-Terrorism work plan for the Commission's review. She reported that the Health Department and Emergency Management have had an excellent working relationship in completing the plan. Some details of the future plans were considered. Director Wing discussed the increasingly extensive time required to manage the Bio-Terrorism plan and funds. The need for a staff member to meet 80% of the Bio-Terrorism functions and 20% Home Health functions was considered at length and in extensive detail. The position, for the most part, could be funded by the Bio-Terrorism funds received. The Commission unanimously approved the Bio-Terrorism Preparedness and Response Local Contract with the Kansas Department of Health and Environment for the grant amount of \$47,365. Director Wing will prepare further information for consideration regarding the staff member.

Director Wing also discussed the vehicles for her department. She currently has four vehicles with each having over 100,000 in mileage and one van with 90,000. Her intent is to replace one vehicle for travel to training functions and dispose of the other vehicles. Funds were budgeted for the replacement of one vehicle. The Commission advised her to proceed since funds were budgeted for one replacement.

Janet Donley, Director for the Sumner Board for Senior Services, met with the Commission. The funds received for 2003 based on the mill levy was discussed. Director Donley reported that the 2003 distribution, at this point, is approximately \$5,408 short. Treasurer Heasty was called into the meeting. The tax delinquency and the current cash balance for the Service Program for Elderly fund was discussed. Treasurer Heasty will check further into the issue.

Director Donley also reported that Belle Plaine had located a person actually residing in Belle Plaine to serve on the Sumner Board for Senior Services. The Commission unanimously approved the board members as recommended. Director Donley also reported that there would be some changes recommended to the by-laws. She would present them to the Commission once completed.

At 11:00 a.m., the Commission toured the jail facility with Sheriff Gerald Gilkey and Undersheriff Jerry Osborn. The Commissioners returned to the Commission chambers at 11:38 a.m.

Chairman Courtney reported that he received notice from Bill Bider, Director of the Bureau of Waste Management for the Kansas Department of Health and Environment, regarding the Landfill Permitting Task Force. Chairman Courtney was appointed to serve on the task force.

The Commissioners recessed for lunch at 11:56 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commission was advised of the report from Treasurer Heasty regarding the funds for the Service Program for the Elderly. The funds collected, to date, for the current tax year have been distributed to the Senior Services Board. There remains one additional distribution in December, but the funds are not meeting the budgeted dollars due to tax delinquency. There is a cash balance in the fund from a previous year/s. The Commission determined that they would wait until after the final distribution before considering the authorization to release the balance of funds necessary to meet the Senior Services 2003 budget.

The Commission met with Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, and Chief Deputy Mike Yoder. County Counselor Jack Potucek was also present. Issues relating to the jail were discussed and the status of

compliance with fire code issues was reviewed. Security and emergency action plans for the entire courthouse were also discussed.

Register of Deeds Joyce Lowe met with the Commission. She requested authorization to hire a temporary part-time employee. Her office has had one person on medical leave and the Register of Deeds position was vacant for a time period. Due to the lack of full staffing, the posting of documents are a number of days behind. Register of Deeds Lowe advised that funding is available for the position due to the vacancy in the office for a period of time. After discussion, the Commission unanimously approved the temporary position and for it to be filled following County policy through the end of this year.

County Counselor Potucek met again with the Commission to discuss a pending legal matter. If the legal department of the County's current insurance carrier does not cover the matter, Counselor Potucek was authorized to contact an attorney in Shawnee County.

Counselor Potucek submitted the proposed revisions of the architectural contract with Law/Kingdon, Inc. The Commission recommended a further revision in wording. The Commission asked Counselor Potucek to schedule a meeting with Dennis Smith of Law/Kingdon for next Monday.

Community Corrections Director Lou Bradbury met with the Commission. CASA Director Tammy Bradbury was also present. Director Bradbury advised that the Juvenile Corrections Advisory Board recommended that the unexpended FY03 Prevention funds be used and put back into existing programs. The funds would then be used for JCAB administration costs. Director Bradbury also submitted a request for FY05 funding allocations. After review the Commission unanimously approved \$369,410 for the FY05 funding allocation request and \$95,031 for the juvenile prevention programs.

The Commission spoke by phone with Sheriff Gerald Gilkey regarding a budget transfer request. The request was for the transfer of \$6,000 to cover auto repair expenses and the set up on the new vehicles. The Commission questioned if the amount was included in the previous amounts presented and Sheriff Gilkey advised that it was not. The Commission also confirmed that the amount was budgeted for next year since the original plan was that the cars would not be purchased until 2004. Therefore, the budgeted amount next year will not be needed for that use.

The Commission met with Maintenance Director Gary Yoder regarding kitchen equipment at the Slate Creek Good Samaritan Center.

The Commission unanimously approved the mid-month claims in the amount of \$163,001.28.

There being no further business, the Board of County Commissioners adjourned at 4:47 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
November 17, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for November 10 were reviewed and unanimously approved with amendments.

Phyllis Tryon and Marlene Wells of the Soroptimist Club of Wellington met with the Commission. Mrs. Tryon provided a report of the Wellington Recycle Project with the Sunflower RC&D. The six-month experimental program for area citizens has been extremely successful even without an extensive public information campaign. There was 75,705 pounds of recyclable materials collected at the Wellington site. Due to the success of the program the Soroptimist Club as well as the citizens that participated would like to see the program continue. Lengthy discussion was held regarding the project and what steps could be taken to maintain it. It was determined that Mrs. Tryon would research a grant application opportunity in the spring and the Commission would research the possibility of the South Central Solid Waste Authority becoming involved.

County Appraiser Della Rowley met with the Commission. She provided information regarding the proposed services for a company to prepare existing GIS data in a user friendly format. The costs involved for one person to obtain the specific training needed to accomplish the same work would be a minimum of \$11,000. After the training it would then take six months to a year to complete the tasks involved. The same work could be completed by the company by June 15, 2004, for a cost of \$9,670. At the completion date the information would be ready for posting on the county website for public access. After discussion, the Commission unanimously authorized Appraiser Rowley to proceed with the services of the company, Kimble Mapping. They also authorized the transfer of NRP administration funds to the Appraiser fund.

Health Department Director Vivian Wing met with the Commission regarding the Bio-Terrorism funds and planning. She submitted a proposed job description for an Assistant Director. The need for the position was discussed extensively last week. The primary function of the position would be Bio-Terrorism preparation and it would primarily be paid from Bio-Terrorism grant funds. After review and further discussion, the Commission unanimously approved the position. It was also determined that some further revisions to the job description would be made.

Karen Fergen, Facilitator for the Juvenile Corrections Advisory Board, met with the Commission. She submitted several letters relating to JJA and Community Corrections budget matters for the Commissioners' signatures. The Commissioners had discussed the matters last week. The letters were signed.

The Commission unanimously approved the October claims for Community Corrections in the amount of \$22,319.11.

Elliott Jackson, county auditor, met with the Commission. He reported that he had reviewed the cash projection for end of year in the General fund. After the October expenditures, the current projected year end balance is \$246,000. That amount is somewhat higher than the mid-year projection. Factors that could yet affect the budget status were considered. The unexpected discovery for the need of a lift station in the sewer line project at the Slate Creek Good Samaritan Center may yet be a significant factor.

Road and Bridge Director Melvin Matlock met with the Commission. Several landfill and road issues were briefly discussed. The recycling program was also a topic. Director Matlock advised that the county would have to go through a re-permitting process if a building were to be construction at the landfill for the recycling project. The Commission asked Director Matlock to contact Mrs. Tryon regarding the matter. If grant or other funding becomes available for a building all other required details need to be known and planned on.

Director Matlock submitted the renewal application for the salvage permit at the landfill. Chairman Courtney was unanimously authorized to sign the application. Director Matlock reported that the bids were received for the repair of the bridge south of Milan. Bridges Inc. was awarded the contract.

Director Matlock discussed a personnel issue. At 11:59 a.m., the Commission upon unanimous decision entered into executive session with Director Matlock until 12:10 p.m. to discuss non-elected personnel. At 12:02 p.m., the Commission reconvened in open session. No binding action was taken.

The Commission unanimously approved for the Road and Bridge department to fill a vacant mechanic position.

Budget issues were discussed with Director Matlock. The Commission confirmed that the planned reimbursement to the General fund for insurance costs would be needed. Director Matlock advised that they have continued to take steps to reduce general expenditures in order to make necessary equipment replacement.

T.W. Frank met with the Commission and inquired if Sumner County was aware of what Sedgwick County was doing with regard to the Cowskin Creek. He advised equipment was currently at the Cowskin near Hydraulic and he was informed that they were widening the creek to 150 feet. He was concerned what effect that would have in Sumner County. Road and Bridge Director Matlock advised that he had attended the past meetings held by Sedgwick County. The county had a consultant review what Sedgwick County proposed and it would not change the amount of water flow entering Sumner County. After discussion, it was determined that Director Matlock would confirm with Sedgwick County authorities if there had been any changes in their plans.

The Commissioners recessed for lunch at 12:30 p.m.

The Commissioners reconvened in open session at 1:30 p.m.

Road and Bridge Director Matlock reported that he contacted the Sedgwick County Engineer's office. They confirmed that they were only going to be performing basic maintenance and clean out along the Cowskin Creek. They were not, at this time, widening the creek.

County Counselor Jack Potucek met with the Commission. A number of items and legal matters were briefly discussed. Counselor Potucek reported that he was still in the processing of reviewing the lease agreement for the Sheriff Patrol vehicles. David Carr, of the First National Bank, would not be available until Tuesday. The Commission expressed some concern that one of the vehicles had already been delivered, marked, and was being driven by county personnel prior to the completion of the final lease documents.

The Commission met with Maintenance Director Gary Yoder and Undersheriff Jerry Osborn. The compliance with the various fire code issues raised by the State Fire Marshal was reviewed. It is believed that all items have been addressed that could be to this point. The Commission asked Director Yoder and Undersheriff Osborn to review past reports and confirm all steps have been taken.

Elliott Jackson, county auditor, met again with the Commission. He reported that three budgets need to be amended for 2003. The 911 budget needs to be amended from \$110,000 to \$169,400. The need for the 911 budget amendment was known early in the year due to the decision made to complete the purchase for paging equipment necessary for the emergency services agencies. The second budget to amend is the Employee Benefits fund from 1,500,000 to 1,664,000 due to health insurance costs. At the time budgets are prepared final health insurance costs are not known and projections are used. The actual final costs were higher than the projections. The final budget for amendment is the Fair Association Building fund. An amendment is needed due to an unintentional error made in the Treasurer's office in distributing an amount above the approved budgeted amount. The Commission unanimously approved the budget amendment publication. The public hearing was set for December 8, 2003, at 9:30 a.m.

There being no further business, the Board of County Commissioners adjourned at 4:20 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
November 18, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Shayleen Casteel, of the Belle Plaine News, met with the Commission. She provided information regarding the proposed amendments to Senate Bill 77. The amendments would make changes allowing governments to choose between printing their notices in newspapers or posting them on an Internet website. Ms. Casteel expressed her opinion that the changes would not benefit the majority of Kansas citizens, but make finding public notices very difficult for the average citizen. She urged the Commission to express the view of the average citizens that newspapers are already the proven means of public disclosure, and to reinforce to the State of Kansas that the government should take responsibility for informing the citizens of their intentions.

Commission Chairman Courtney explained that the effort has been made to post information on the county website, but not as a replacement for the legal publication requirement. The Commission does believe that solely posting on a website will be an option at some point, but not anytime in the near future. The Commission does not intend to support the proposed amendment to Senate Bill 77 as it is now written. Ms. Casteel provided a prepared resolution for the Commission's consideration in support of open government through public notices in newspapers. The Commission advised that they would review the resolution for consideration of adoption.

Maintenance Director Gary Yoder met with the Commission. The utility costs for the Raymond Frye complex were reviewed. The lease contract with the United States Department of Agriculture for office space is renewable at the end of November. The original contract provided for a renewal option and for renegotiating the cost based on any increase in public utility costs. It was determined that further information would be gathered and reviewed.

Dennis Smith and Tony Rangle, of Law/Kingdon, Inc., met with the Commission. Also present were Stephen Pierce, of Preferred Concepts, Inc., Sheriff Gerald Gilkey, and Dusti Fansler, of the Wellington Daily News. Mr. Smith provided a progress report on the status of the public information gathering. An example of the survey form that will be used for the members of the public interviewed was provided. Mr. Pierce recommended that public meetings be held in late December and early January. The meetings would be held across the county and would be for the purpose of gaining input and comments from the general public. There would not be any final decisions made yet at that point regarding the final project. Mr. Smith discussed a number of general issues relating to the project.

The Commissioners recessed for lunch at 12:21 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Wellington City Engineer Larry Mangan and Mayor Richard Granger met with the Commission. Planning and Zoning Director Jon Bristor was also present. Mr. Mangan explained the issue relating to the reopening of the west road through Woods Park. The issue is scheduled for discussion at the City Council meeting in the evening. The possibility of connecting the west road to US160 near the Slate Creek Good Samaritan Center was discussed. Mayor Granger advised no final decision would be made tonight, but it might be an additional option that could be considered. After review, the Commission unanimously expressed their willingness to consider a road near Slate Creek, if needed.

County Counselor Jack Potucek met with the Commission. He reported he had reviewed the documents for the lease of the Sheriff Patrol vehicles through the First National Bank. He approved the documents as to legal form. The Commission unanimously approved the lease and adopted Resolution 2003-18 relating to the lease agreement.

The Commission unanimously reappointed Cathy Sheets and Linda Metzen to serve on the Sumner County Economic Development Commission.

Sheriff Gilkey met briefly with the Commission. A request for the use of confidential funds from the Drug Tax Law fund was unanimously approved. The new patrol vehicles were also discussed. The Commission expressed some concern that one of the vehicles was going to be used by administration and not the patrol staff. Sheriff Gilkey confirmed that the Undersheriff's vehicle would be assigned to the canine officer due to the canine cage not fitting in the Dodge Intrepid. Chairman Courtney reiterated his concern that the planned and stated intent was for the new vehicles to be used by the patrol staff. The Commission had also inquired if any information had been provided on the one Dodge Durango already being driven in order to notify the insurance carrier. No information had yet been provided to the Clerk's office.

Counselor Potucek met with the Commission. A legal matter was briefly discussed. The lease documents for the patrol vehicles was also again discussed. Counselor Potucek confirmed that the all documents should be held until all vehicles are delivered, which is what is stated within the documents.

There being no further business, the Board of County Commissioners adjourned at 3:40 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
November 24, 2003 1:30 p.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

The minutes for November 17 and 18 were reviewed and unanimously approved.

Chairman Courtney provided information from the Greater Wichita/Sedgwick County Economic Development meeting. Information and several issues regarding economic development were discussed. Chairman Courtney said and the Commission agreed that the Sumner County Economic Development Commission should be commended for their work in keeping Sumner County up to date in economic development areas.

At 2:10 p.m., upon unanimous vote the Commission entered into executive session until 2:30 p.m. to discuss non-elected personnel. The Commission reconvened in open session at 2:30 p.m. with no binding action taken.

County Counselor Jack Potucek met with the Commission. He provided a brief report on several pending legal and other issues. He reported that the lease documents for the Sheriff patrol vehicles were released last week as all vehicles were to be delivered by the end of last week.

Gary Fair, of the local United States Department of Agriculture, met with the Commission. Renewal of the lease agreement for office space at the Raymond Frye complex was discussed. Mr. Fair made the request for additional office space. Added space is needed due to the local office receiving the responsibility for additional counties. He expressed interest in the space that was relinquished five years ago to the County. The space is currently used by the Economic Development office. The Commission advised that options would be considered for moving the Economic Development office. Mr. Fair advised that the USDA would need the additional space in January.

Community Corrections Director Lou Bradbury, JJA Facilitator Karen Fergen, and Lori Norton, of Community Corrections, met with the Commission. Director Bradbury reported that Harper County appointed Commissioner Bill McIntire to the JJA Board. Director Bradbury also discussed the JJA by-laws and advisory board responsibilities. It was recommended that the issues be discussed with District Judge Thomas Graber for clarification.

The Commission spoke by phone with Karen Berry, of the United Way. The Commission asked for a briefing of the services offered in the county by the United Way and questioned whether the office was still justified. Ms. Berry expressed the need for the office and the space provided. She also reported that a number of applications had been received for the vacant position in the local office. It was determined that Ms. Berry would meet with the Commission on December 1, at 2:30 p.m., for further information and discussion.

The Commission reviewed and unanimously approved the claims for the end of November in the amount of \$252,206.26.

The Commission unanimously approved tax abatement orders in the amount of \$109.72.

There being no further business, the Board of County Commissioners adjourned at 4:39 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Debra A. Norris, Deputy County Clerk

County Commission  
November 25, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorni Jr., and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

The Commission met with Sheriff Gerald Gilkey. The expenditures relating to the new vehicles in relation to the 2003 and 2004 budgets were discussed. Chairman Courtney expressed a concern that, considering the current budget status, funds were being expended to place the new decaling on the existing vehicles remaining in the department. Sheriff Gilkey advised the cost was \$280 per vehicle and it was being done to maintain the uniformity of all the vehicles. The Commission instructed that no further decaling of any of the existing vehicles should occur until 2004. The previous agreement between the Commission and the Sheriff that the new vehicles would be for the patrol officers was discussed. As discussed last week, one of the existing vehicles rather than a new one would be assigned to a patrol officer. Sheriff Gilkey advised that it was due to the necessities of transporting the canine. Chairman Courtney advised that if it was known the existing dog cage was going to be used, the bid request package should have included the requirement for a vehicle that met the need. It was also confirmed that inventory updates had not been completed yet for any of the new vehicles.

Deputy Clerk Norris informed the Commission of the process relating to the inventory of county property. A property inventory report sheet is to be completed at any point in the year that property is added or deleted. A database is maintained in the Clerk's office and reports are generated at the end of each year and distributed to each Department Director. The Director is to review and certify that the list is correct.

Karen Fergen, JJA facilitator met briefly with the Commission. The Chairman was unanimously authorized to sign the FY2005 District funding request.

At 9:45 a.m., Commissioners Bongiorni and Gracy left to visit the jail facility. They returned to the Commission chambers at 10:15 a.m., at which time all three Commissioners left to tour the Raymond Frye complex.

At 11:07 a.m., the Commission reconvened in open session.

The Commission further considered what options might be available to move the Economic Development office. The possibility of the City of Wellington or Sumner Mental Health having space available was discussed. Various other options were also considered.

County Counselor Jack Potucek met briefly with the Commission regarding several issues. He reported that he had been in contact with Dennis Smith, of Law/Kingdon, Inc., regarding the revision of wording in the proposed contract. Counselor Potucek also advised that he had contact the Cowley County Counselor and discussed the proposed Solid Waste agreement.

Maintenance Director Gary Yoder met with the Commission. The USDA lease for office space was discussed. The Commission requested that Director Yoder take additional steps to verify how the electric utilities are billed. There are two electric meters, but the Commission wants to confirm what is on each meter.

There being no further business, the Board of County Commissioners adjourned at 12:03 p.m. The plan to view roads and bridges in the county during the afternoon was canceled.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Debra A. Norris, Deputy County Clerk

County Commission  
December 1, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for November 24 and 25.

Undersheriff Jerry Osborn met briefly with the Commission regarding work being done in the jail.

Economic Development Director Linda Jolly and Kevin Ikenberry, Executive Director for the Challenger Learning Center, met with the Commission. Finding another location for the Economic Development office and the cost of office space and utilities were discussed. The County currently provides the existing space and covers the utilities for the Challenger staff. The Commission advised their intent is to maintain the existing relationship. The possibility of utilizing space in the planned building for the Challenger Project was considered. There would be some cost of remodeling the space available. The Commission recommended that further research be conducted for the possibility.

The Commission spoke by phone with Health Department Director Vivian Wing. The status of the hiring process for the Assistant Director was discussed. The closing date for the application process is today.

The Commission reviewed and unanimously approved tax abatement orders for prior years in the amount of \$1,506.50.

The Commissioners recessed for lunch at 11:53 a.m.  
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. The lawsuit of John Larsen, Martha Larsen, Denise Crossman, and the John Larsen Trust as plaintiffs and the Board of County Commissioners of Sumner County and Cargill, Inc., as defendants was discussed. Counselor Potucek reported that Attorney Robert Eye had agreed to represent the county for a proposed fee of \$175 per hour. Attorney Eye is experienced in environmental issues. After discussion, the Commission unanimously approved the contract for the services of Attorney Robert Eye.

The proposed contract between the South Central Solid Waste Authority and Waste Connections of Kansas, Inc., for the transportation and disposal of waste was discussed. Counselor Potucek confirmed that all proposed revisions were finalized late last week. The final proposal will be prepared and submitted to the Commission.

The Commission discussed with Counselor Potucek the public disclosure of information. The discussion was relating to the recent issues with the City of Wichita and the Wichita school board actions. All agreed that full public disclosure is always preferred, although, Counselor Potucek cautioned that each individual case should be evaluated based on the specific circumstances involved. There are cases where premature public disclosure would harm resolution of the issue and, in some cases, result in a higher cost to the county and taxpayers. Counselor Potucek offered his opinion that the Commission's responsibility is to protect the county and taxpayer funds.

Karen Berry and Beth Oakes, of the United Way, met with the Commission. The current status of the local United Way office was discussed. The local office has now operated approximately for one year. The accomplishments of the local United Way office and other community needs identified were reviewed. The Commission expressed some concern that telephone contact information has not yet reached all of the phone directories in the county. The challenge of filling the local office position since it is only part-time was discussed. An update was provided on the status of filling the vacant position for the local office.

There being no further business, the Board of County Commissioners adjourned at 3:40 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
December 2, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Planning and Zoning Director Jon Bristol met with the Commission. Several positions on the Planning Commission and the Board of Zoning Appeals that are nearing expiration were discussed. Director Bristol confirmed that several of the members with expiring terms had indicated a willingness to continue to serve. The Commissioners advised that they would attempt to contact the other members and confirm if they are willing to remain in their appointed positions.

Carl Eyman, of the Kansas Workers Risk Cooperative for Counties (KWORC), met with the Commission. He reviewed the services provided by KWORC relating to workers compensation insurance and the proposal submitted for the County. No decision regarding the workers compensation insurance was made.

Bruce Moreau, Administrator for the Slate Creek Good Samaritan, met with the Commission. Maintenance Director Gary Yoder was also present. Various options to resolve a concern with the elevator and patient access to other floors were considered. After discussion, it was determined that Director Yoder would confirm prices for some type of control system for the elevator. The Fire Marshal would also be contacted to confirm fire code compliance with any new system.

Director Yoder also reported on an issue regarding removal of ceiling tile in a portion of the jail. He advised he had discussed the issue with the Fire Marshal.

At 11:26 a.m., upon unanimous vote the Commission entered into executive session with County Clerk Shields to discuss non-elected personnel until 11:45 a.m. At 11:42 a.m., the Commission reconvened in open session. No binding action was taken.

The Commissioners recessed for lunch at 11:57 a.m.

The Commissioners reconvened in open session at 1:30 p.m. The Commissioners left with Road and Bridge Director Melvin Matlock to view a number of locations through out the county relating to road, bridge and other county issues.

The Commissioners returned to the Commission chambers at 3:19 p.m.

There being no further business, the Board of County Commissioners adjourned at 3:44 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
December 8, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed the minutes for December 1 and 2. They were unanimously approved with one amendment.

The Commissioners also reported that they would be attending the annual banquet for the Planning Commission on Wednesday evening, December 10, at 6:00 p.m. The banquet will be at the Raymond Frye complex.

The Commission received information on several of the meetings that have been scheduled to this point regarding the Law Enforcement/Jail project. Representatives of Law/Kingdon, Inc. are scheduling the meetings. The meetings confirmed at this point are the following; Belle Plaine Lions Club on December 16, 6:30 p.m. at Joe's Family Restaurant, Mulvane Lions Club on December 18 at 7:00 a.m. at Laurie's Kitchen, South Haven City Council on January 5 at 7:30 p.m., Conway Springs Lions Club on December 17 at 7:00 a.m. at Gambino's Restaurant, Caldwell Lions Club on January 8 at 7:30 p.m., and Oxford Lions Club on January 8 at 7:30 p.m. at Lions Club building. Dates are not yet finalized for the Argonia Lions Clubs.

At 9:30 a.m., the Commission held a public hearing for amending the 2003 budget. Elliott Jackson, county auditor, was also present. No members of the public were present. Three funds, the 911 System, Employee Benefits and Fair Association Building, were recommended for amendment. The 911 System was due to additional funds spent in 2003 to expedite improvements to the paging system for responders. The additional funds were available from the emergency phone tax. The Employee Benefits was due to health insurance costs increasing higher than what was originally projected. The Fair Association Building fund was due to an unintentional over distribution of funds by the Treasurer's office. After review and discussion, the Commission unanimously adopted the 2003 budget amendments.

At 10:00 a.m., Mr. Jackson reviewed the 2002 Annual Financial Report for the County. Several areas of the report were discussed in detail. After review and discussion, the Commission unanimously approved the 2002 Financial Report.

Members of the Geographic Information System steering committee met with the Commission. Members present with Information Services Director Doug Stice, E911 Director James Reed, Road and Bridge Director Melvin Matlock and Engineering Superintendent Nita Simonton. A report was provided of the status of GIS and of the services delivered by R & S Digital. Several specific items of work needed were discussed including confirming 911 addresses to the database and an information item with Road and Bridge functions.

At 11:40 a.m., upon unanimous vote the Commission entered into executive session with the members of the steering committee until 11:50 a.m. to discuss non-elected personnel. At 11:46 a.m., the Commission reconvened in open session. No binding action was taken.

Computer connection issues and future planning were discussed. Director Stice advised that a full fiber connection network for the county offices and a T1 line connection could be completed in 2005, although budgeting for the project would have to be approved. For 2004, partial completion of the project could be completed with funds already budgeted.

The Commissioners recessed for lunch at 12:03 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

The Commission reviewed a proposed agreement with the Burlington Northern Santa Fe Railway (BNSF) and the Kansas Department of Transportation for work at the (BNSF) railroad crossing at E. 120<sup>th</sup> North. The Commission unanimously approved the agreement.

The Commission reviewed and unanimously approved the Community Corrections claims for November in the amount of \$28,132.97.

The Commission reviewed the annual resolution prepared by Road and Bridge Director Matlock Resolution 2003-19 regarding the traffic control devices (signs) for the County. The Commission unanimously adopted Resolution 2003-19.

Chairman Courtney left at 1:49 p.m. to attend a funeral. He returned at 2:25 p.m.

Community Corrections Director Lou Bradbury met with the Commission. Director Bradbury submitted an application for FY2003 Unexpended Community Corrections Funds. After review, the Commission unanimously approved the application.

At 2:55 p.m., the Commission entered into executive session with County Clerk Shields until 3:15 p.m. to discuss non-elected personnel. The Commission reconvened in open session at 3:10 p.m. No binding action was taken.

The Commission spoke by phone with Emergency Management Director Jeff Welshans. They inquired the status of his research regarding emergency management positions in other comparable counties. A meeting was scheduled for next Monday. Director Welshans also reported that it is possible that his activation will be extended for another year. He advised that if it is confirmed, he plans on relinquishing his duties as Emergency Management Director. He doesn't believe he would be able to continue serving full time at McConnell Air Force Base and sustain emergency operations for the County.

There being no further business, the Board of County Commissioners adjourned at 3:56 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
December 9, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr., and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Counselor Jack Potucek met with the Commission. The final proposed contract between Sumner County, as a member of the South Central Solid Waste Authority and Waste Connections of Kansas, Inc., for the transportation and disposal of waste was reviewed. After review, the Chairman was unanimously authorized to sign the contract.

Counselor Potucek also provided a brief update on the status of a pending legal issue involving the former Cedar View Good Samaritan Center.

At 9:45 a.m., the Commission opened the bids received for the official legal publication of the County. Two bids were received. A bid of \$2.35 per column inch was received from the Conway Springs Star/Argonia Argosy and a bid of \$2.45 per column inch was received from the Wellington Daily News. Commissioner Bongiorno moved to accept the low bid from the Star/Argosy. Commissioner Gracy seconded the motion and the vote was unanimous.

The Commission spoke with Tony Rangel, of Law-Kingdon, Inc., regarding scheduling and information for the public meetings regarding the law enforcement/jail project. A meeting was set for January 7 at 7:00 p.m. at Raymond Frye complex in Wellington.

Al Reiss, of Reiss and Goodness Engineers, met with the Commission regarding the Slate Valley Sewer District. Wellington City Engineer Larry Mangan was also present. Mr. Reiss reported that a meeting was held with the residents of the district and the decision was to proceed with connection to the City of Wellington system. Mr. Reiss discussed the funding option of a revolving fund through the State for the project. He presented a number of documents for the Commission's approval. A number of issues that still need to be worked out were considered. It was determined that work to resolve all issues would continue and the Commission would discuss legal issues with the County Counselor. Chairman Courtney was unanimously authorized to sign the application for the sewer extension permit with the Kansas Department of Health and Environment.

Cole Smith met with the Commission. He discussed the shadow program through the local high school. He asked that the Commission take steps to encourage the program. The Commission indicated they would contact the coordinator of the program and obtain further information.

Treasurer Carolyn Heasty met with the Commission regarding a tax issue. She explained the issue, which involved a taxpayer wishing to resolve delinquent taxes. After discussion, the Commission unanimously adopted Resolution 2003-20 abating the interest and penalty on the taxes for the involved property. The Commission expressed their appreciation for the taxpayer wanting to resolve the tax issue and the manner in which the Treasurer's office handled the matter.

The Commission discussed the workers compensation insurance for the County. Information was received from Renn and Company that a workers compensation package was available through the assigned risk pool. After discussion, the Commission unanimously determined that workers compensation insurance would be obtained with the Kansas Workers Risk Cooperative for Counties (KWORC) rather than the assigned risk pool. KWORC is familiar with county operations as there are sixty-eight other counties already members.

There being no further business, the Board of County Commissioners adjourned at 11:54 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
December 15, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr., Also present was County Clerk Shane J. Shields. Commissioner Eldon Gracy was absent due to illness. The meeting was opened with the Pledge of Allegiance.

The minutes for December 8 and 9 were reviewed and unanimously approved with amendments.

County Clerk Shields informed the Commission of an issue relating to the new on-line application process. After discussion, the Commission unanimously agreed that there was no problem with the system. The applicant involved had not taken the correct step to submit the application to the open position posted. They also agreed there would be no exception made in order to accept the application.

The Commissioners left at 9:26 a.m. to tour the facilities of Futures Unlimited, Inc. The Commissioners would also be having lunch at the facilities. They recessed after lunch at Futures Unlimited at 1:20 p.m.

The Commissioners reconvened in open session in the Commission room at 1:30 p.m.

County Counselor Jack Potucek was not able to meet with the Commission for his scheduled appointment due to a court appearance in Cowley County.

Emergency Management Director Jeff Welshans met with the Commission. He informed the Commission that his activation had been extended for another year. He submitted his resignation for an effective date of December 26, 2003. He advised that he was tendering his full resignation because it would be best for the county. He did not feel that the county would be able to fill the position with a qualified applicant if it was on a temporary basis. The Commission inquired to the status of operations. Director Welshans said that everything including the end of year report was completed. He said he would continue to serve in emergency management operations as a volunteer. The Commission expressed their appreciation for his service and that he had moved the county ahead in the emergency management area.

The Commission reviewed two resolutions submitted by the Planning and Zoning office. Resolution 2003-21 was for appointment of Beryl Stonehocker, Marvin Simonton, Ray Wentworth, John Hendricks and Curtis Kuntz to the Board of Zoning Appeals. Resolution 2003-22 was for the appointment of Beryl Stonehocker, Twyla Wagner, Alva Cook, Roger Hatfield, Stephen Lange, Bob Wamsley, Janette Guinn, Ted Rieckenberg, Michael Graves, Ed Larson and Chester Houser to the Planning Commission. Both resolutions were adopted unanimously.

Dennis Smith and Tony Rangel, of Law/Kingdon, Inc., met with the Commission. Also present was Stephen Pierce, of Preferred Concepts Inc., Sheriff Gerald Gilkey and Undersheriff Jerry Osborn. The agenda and information for the planned public meetings was reviewed and discussed. The goals of the public meetings are to listen to the community about their concerns regarding the project, collect specific information on the community's opinion regarding funding, location and use of the facility, and to inform the public about the need for action regarding the project. Dissemination of a public opinion survey form was considered. The form will be disseminated at the public meetings and it will be available in the Sheriff's or County Clerk's office.

Greg Renn and Linda Ricketts, of Renn & Company Insurance, met with the Commission regarding workers compensation insurance. Also present was a representative of EMC Insurance Company. The insurance bid obtained by Renn and Company from the assigned risk pool was discussed. Mr. Renn explained his concern with the County's decision to obtain insurance through the Kansas Workers Risk Cooperative for Counties. Liability and accessibility issues were discussed. The Commission explained why they were supportive of KWORC. After discussion, the Commission advised that they would further review the KWORC information.

Linda Jolly, Economic Development Director, and Kathy Sheets, Economic Development Commission Board member met with the Commission. The status of locating other office space for the Economic Development office was discussed.

The Commission met with E911 Director James Reed regarding emergency management operations. Director Reed was previously appointed by the Commission as a co-coordinator in order to administer grant funding in Director Welshan's absence. It was confirmed that he would continue to serve in that capacity during the interim period until the Emergency Management Director position is filled. The Commission also advised that they would consider additional compensation for the time period.

The Commission reviewed and unanimously approved the December mid-month claims in the amount of \$203,802.68.

There being no further business, the Board of County Commissioners adjourned at 5:23 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
December 16, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. Commissioner Eldon Gracy was not present due to illness. The meeting was opened with the Pledge of Allegiance.

Karen Berry, of United Way, talked with the Commissioners by phone. Ms. Berry informed the Commission of the status of the interview process for the position in the local office of United Way.

Carl Eyman and Phil Rippee, of the Kansas Workers Risk Cooperative for Counties (KWORC), met with the Commission. Additional details of the KWORC organization were discussed. KWORC is not a for profit organization. The net incomes for 1999 through 2002 were reviewed. Mr. Eyman advised there had never been an additional assessment to a member county since the pools origination in 1991. Several other issues and services were reviewed. After discussion, it was determined that a request for a written bid would be made to Renn & Company. It would also be confirmed that both Renn & Company and KWORC were bidding with the same projected payroll information available.

Bruce Moreau, Administrator of Slate Creek Good Samaritan Center, met with the Commission. The service agreement for the elevator was discussed. Mr. Moreau had discovered that the Good Samaritan Center has been paying for the cost of the service agreement. For 2003, \$4,391 was spent. Maintenance Director Gary Yoder arrived at the meeting. The Commission indicated their intent to uphold the lease agreement where the county is responsible for capital improvements and building maintenance, although it would have to be determined who signed the original contract. The county will begin covering the cost of the service agreement from this point. Mr. Moreau advised that no contract had been found yet, but he would continue to try to locate one. Director Yoder would also research the issue with the maintenance company.

The Commission reviewed a contract between the Union Pacific Railroad Company, the Kansas Department of Transportation and the county for railroad warning devices on E. 90<sup>th</sup> St. at the Union Pacific tracks. Chairman Courtney was unanimously authorized to sign the agreement.

Health Department Director Vivian Wing spoke with the Commission by phone regarding the online application process. The Commission confirmed that there was no problem with the system and no exception would be made.

County Counselor Jack Potucek met with the Commission and provided brief updates on legal matters. He reported that Attorney Robert Eye had begun research regarding the Larsen lawsuit relating to environmental issues. He also reported on the case relating to the former Cedar View Good Samaritan Center and the fine imposed. The attorney handled the case, which has been appealed, is continuing to negotiate with the State regarding partial payment.

Jessica Lucas, of TeenEsteem, met with the Commission. She updated them on the status of TeenEsteem plans to continue operations. Steps for the Health Department to become the fiscal agent will be initiated. Several other issues and items to be worked out for TeenEsteem to become under the Health Department were discussed. Steps will be taken to resolve the issues.

E911 Director James Reed met with the Commission. Emergency management operations during the time that will be required to fill the position were discussed.

The Commissioners recessed for lunch at 12:11 p.m.  
The Commissioners reconvened in open session at 1:30 p.m.

Maintenance Director Gary Yoder met with the Commission. Several building issues were briefly discussed.

The Commission met again with E911 Director James Reed regarding emergency management operations during an interim period. It was determined that Director Reed would provide assistance to the Assistant Director, especially

in budget and grant administration. The Commission also informed him that they would provide additional compensation for the additional responsibility and work during the interim period.

The Commission met with Information Services Director Doug Stice. Documents relating to the document search module with Infinitec, Inc. were reviewed. After review, the Commission unanimously authorized the Chairman to sign the documents. The status of payment for the document module and the status of block time were also discussed.

The Commission spoke with Commissioner Gracy by phone. A number of the issues discussed today and yesterday were reviewed. A bid received for the repair of the ceiling in one of the county fair buildings was considered. No decision was made regarding the repair. The public meetings scheduled for the law enforcement detention center project was discussed. The Commission also considered what financial consulting firm to use for the project. The unanimous decision was made to utilize George K. Baum and Company.

The Commission received a written bid from Renn and Company for the workers compensation insurance package. The bid was \$231,646. The original bid from KWORC was \$168,579. A new experience modification rating was received yesterday and the KWORC premium would increase by \$4,551. The Renn and Company bid was based on the new rating. With all bids based on the same rating and information the Commission unanimously approved the bid from KWORC due to the substantial difference.

Economic Development Director Linda Jolly met with the Commission. She provided a brief update on the status of locating other space for her office.

The Commission spoke by phone with Gary Fair of the local United States Department of Agriculture office. The renewal of the lease agreement for the office space at the Raymond Frye complex was discussed. The Economic Development office may not be able to vacate their offices until February 15<sup>th</sup>. A lease on a monthly basis may be agreed upon until then.

The Commission reviewed and unanimously approved prior year tax abatement orders in the amount of \$88.10.

There being no further business, the Board of County Commissioners adjourned at 4:32 p.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
December 22, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was absent due to illness. The meeting was opened with the Pledge of Allegiance.

Treasurer Carolyn Heasty met with the Commission. Samantha Cody, Drivers License Clerk, was also present. Treasurer Heasty reported on a letter received from a customer praising Samantha's professionalism in the handling of a situation involving a driver's license issue. The Commission also complimented her handling of the, sometimes, difficult situations that arise.

The Commissioners discussed the minutes for December 15 and 16. With Commissioner Bongiorno not present, the Commission deferred approval until next week.

Maintenance Director Gary Yoder met with the Commission. The service contract for the elevator at Slate Creek Good Samaritan Society was discussed. Someone with the former Cedar View Center signed the original contract dated in July of 1983. Director Yoder will continue to research information and may schedule for service company representatives to meet with the Commission.

Emergency Management Assistant Director Judy Lloyd met with the Commission. E911 Director James Reed was also present. Emergency management operations were discussed for an interim period upon Director Jeff Welshans resignation. The need for maintaining an on-call roster and Assistant Director's Lloyd's part time status were considered. An on-call schedule already exists and will continue. Several volunteers have been covering days when Assistant Director Lloyd has not been available. The Commission directed that contact be made with Director Welshans and that all equipment is returned as soon as possible. Doing so will better ensure that the appropriate persons will receive any necessary Federal or State notifications issued. Several other operational and documentation issues were discussed. The Commission thanked both Lloyd and Reed for their commitment in the continued operations of emergency management operations.

County Counselor Jack Potucek met with the Commission. Emergency management operations were discussed relating to the increase of the homeland security rating. The need for the return of equipment to occur as soon as possible was discussed. Counselor Potucek advised he would attempt to make contact with Director Welshans.

Counselor Potucek also reported that he had reviewed the documents relating to membership in the Kansas Workers Risk Cooperative (KWORC). He approved the documents as to legal form and information.

Road and Bridge Director Melvin Matlock and Superintendent Larry Whitham met with the Commission. The bids received for the replacement of several pieces of equipment were discussed. Bids were obtained for an excavator, a backhoe at the landfill, and three pick-ups. After lengthy review and discussion, the Commission unanimously approved the recommendations made by Director Matlock for acceptance of the low bids.

The Commission unanimously approved Resolution 2003-23 for the County's membership in the Kansas Workers Risk Cooperative. Chairman Courtney was also authorized to sign a number of other documents relating to KWORC membership.

Chairman Courtney was authorized to discuss with Health Department Director Vivian Wing in the afternoon the operations with TeenEsteem and the Four Rivers Community Health organization.

There being no further business, the Board of County Commissioners adjourned at 11:43 a.m.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
December 23, 2003 9:19 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was absent due to illness. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed a proposed resolution submitted by Treasurer Carolyn Heasty. The resolution declares a peak depository security agreement for a sixty-day time period. After review, the Commission unanimously adopted Resolution 2003-24.

Commissioner Courtney reported on his discussion yesterday with Health Department Director Vivian Wing regarding the TeenEsteem program. Issues had arisen with the Kansas Health Foundation and the Four Rivers Community Health Organization. The option for Sumner County to assume a role to help sustain the TeenEsteem program will not occur.

At 9:30 a.m., the Commission held a public hearing for a request to vacate an alleyway. Harold Huff submitted the request with the location being in Anson. Mr. Huff, adjoining property owner Stanley Harbison, and Road and Bridge Director Melvin Matlock were present. There was no opposition to vacating the alleyway. The Commission unanimously adopted Resolution 2003-25 to vacate the alleyway in Block 1 of Anson, Original Town or between Anson Road and West Street, Sumner, County, Kansas.

There being no further business, the Board of County Commissioners adjourned at 9:36 a.m. Chairman Courtney left to return to a meeting in Wichita on regional workforce issues. Commissioner Gracy advised he would be attending the South Central Solid Waste Authority meeting in Cowley County in the afternoon.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Robert A. Courtney, Chairman

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Shane J. Shields, County Clerk

County Commission  
December 29, 2003 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert Courtney, Commissioner Gene Bongiorno Jr. and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for December 15 and 16 and the minutes for December 22 and 23 were reviewed and unanimously approved with amendments.

At 9:30 a.m., the Commission held a public hearing on zoning case No. 14PC-03. Planning and Zoning Director Jon Bristol, Assistant Director Mary Jenkins, and several lot owners of the area were present. The case was a request, submitted by Tina White, for a zone change of four rural residential lots into an existing Agricultural A1 lot of the Valley View Subdivision. Director Bristol reported that there was opposition voiced at the Planning Board hearing by the lot owners. A letter was submitted and entered into the hearing minutes. Director Bristol read the letter that was submitted at the hearing. The Planning Commission had recommended denial of the case in a 7 to 1 vote. The reasons cited were due to the subdivision being an approved development and the Planning Board should not reverse a previous decision and that the road and cul-de-sac construction would complete the development as approved.

Chairman Courtney opened the hearing for public comment. Several of the lot owners expressed their concerns regarding the situation. The hearing was then closed for public comment. Chairman Courtney reminded everyone that any decision made must be based on land use. He expressed his opinion that the obligations and commitments made by the owner in the original approval of the plat should remain. After comments from each Commissioner and discussion, the Commission unanimously approved and upheld the decision of the Planning Board for denial of case No. 14PC-03.

District Judge Thomas Graber met with the Commission regarding indigent mental health services. A specific need to provide the services was discussed. Existing budgeted funds already exist for the services.

The Commission reviewed the designation of holidays for 2004. As per policy there are ten pre-designated holidays for the year. After discussion, the Commission unanimously designated an additional holiday on December 23 in lieu of Columbus Day. The County will also close for business at noon on December 30, 2004, for the year-end audit.

Home Health Director Jan Brody met with the Commission. She submitted the proposed revised Health Department by-laws that were determined at the Board of Health meeting. Revisions were made to include the required references to the Health Insurance Portability and Accountability Act.

E911 Director James Reed met with the Commission. Emergency management equipment was discussed.

The Commission spoke by phone with Chuck Bouilly, of George K. Baum and Associates. The company is whom the Commission determined would be used as the financial advisor for the Law Enforcement/Jail project. George K. Baum and Associates handled the County's bridge bonds in the previous years. Mr. Bouilly will begin preparation of information for a sales tax financing option for the project.

County Clerk Shields informed the Commission of two applications for renewal of Cereal Malt Beverage licenses. The statute requires that notice is made to the Township Clerk and the Township has ten days to provide a recommendation. The statute also states, in part, that if an original license is granted and issued, the Commissioners shall grant and issue renewals thereof upon application of the license holder. The Commission unanimously approved issuance of the licenses if the ten-day period expires prior to their next scheduled meeting.

The Commission reviewed and unanimously approved the claims for the end of December in the amount of \$227,167.84.

There being no further business, the Board of County Commissioners adjourned at 11:54 a.m. The Commission unanimously determined that they would not meet on December 30.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of County Commissioners held on the above date.

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Gene Bongiorno Jr., Vice-Chairman

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Shane J. Shields, County Clerk

