

County Commission
January 2, 2007 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 Jim D. Newell, Commissioner Shirley Bongiorno, 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 December 18 and 19. The special meeting minutes of December 29 were also unanimously approved.

At 9:30 a.m., the Commission held public hearings on two zoning cases. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present. The first case heard was No. 20PC-06. The applicant was Dorothy J. Hunt, Trustee, of the Dorothy J. Hunt Revocable Trust and the purpose was for a zone change from "A-2" Agricultural District to "R-R" Rural Residential to split off 5 acres plus/minus with an existing home and leave remaining acreage as agricultural land. Mrs. Hunt was present for the hearing. Director Bristor advised that there was no opposition voiced at the Planning Board meeting and the recommendation, with ten members present, was for approval. The Commission unanimously approved Case No. 20PC-06 and adopted Resolution 2007-01.

The second case heard was No. 21PC-06 and the purpose was to amend the Zoning Regulations. Director Bristor reviewed several areas where wording would be revised. He reported there was no opposition voiced at the Planning Board meeting and the Board, with ten members present, recommended approval. The Commission unanimously approved Case No. 21PC-06 and adopted Resolution 2007-02.

Treasurer Carolyn Heasty met with the Commission and provided the latest sales tax report. The latest report, which is for taxes collected in November, was the lowest to date. Treasurer Heasty also reported that the tax season went very smooth and approximately 57% of the taxes have been collected.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. Richard Jesina, of Countryside Motors, was also present. Sheriff Gilkey briefly reviewed the bid specifications and said that letters were sent to five Dodge dealerships. He explained why only Dodge and Chevrolet products were bid. Two bids were received, one from Countryside Motors and the other from Winfield Motor Company, Inc. Commissioner Bongiorno inquired about the need for two pick ups. Sheriff Gilkey explained that they would be assigned to two of the investigators and they serve the purpose of carrying property that is recovered and also trash and items from drug labs that have been discovered. Sheriff Gilkey also explained that two Dodge Magnums were bid for the purpose of providing more space for the two canine units. The lowest bid received for the cars was from Countryside Motors and the Commission unanimously approved accepting the bid. Countryside was the only dealer to bid the Chevrolet pickups, but Commissioner Newell questioned why Ford pick ups were not bid. After discussion, the Commission unanimously agreed that Koehn Motors should be given the opportunity to bid for two pick ups. Sheriff Gilkey will contact Koehn Motors.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$8,164.30. Prior year orders in the amount of \$12,889.86 were also unanimously approved.

Commissioner-elect Garey Martin entered the meeting.

County Clerk Shields provided the Commission an application for license to retail cereal malt beverage submitted by Dean Bruey d/b/a/ Sokol Hall. Clerk Shields reported that the required notice was sent to the Township and that no response was received within the ten day period. The application is a renewal. The Commission unanimously approved the application and the license was signed by Chairman Newell.

John Marx and Kerry Murray, of Universal Construction, and Tony Rangel, of Law/Kingdon Inc., met with the Commission. Planning and Zoning Director Jon Bristor was also present. Mr. Murray provided an update on the work completed in the last two weeks. County Counselor Jack Potucek and Sheriff Gilkey entered the meeting. The review of the work completed and upcoming work continued. Dennis Smith, of Law/Kingdon Inc., entered the meeting.

Mr. Marx discussed the status of the sealing of the exterior masonry. The company involved did not respond to the demand letter so the next step is to send a termination letter. Once that is done, the bond company has indicated that they have someone ready to perform the balance of the cleaning of the exterior masonry and seal install the block sealer. Counselor Potucek submitted the termination letter prepared for the Commission's approval. The Commission approved the termination letter and it was signed.

Mr. Marx presented the proposed contract with Schrader Brothers for the courthouse renovation portion of the overall project. Some details of the contract were reviewed and discussed. Mr. Rangel also discussed an issue relating to fire rated doors on the court floor and in one of the interior hallways. He reported that they will be discussing the issue with City officials. An option to ensure that the contractor can start by January 29 was considered. The possibility of moving the Planning and Zoning and Juvenile Court offices into temporary trailers was discussed. The expense for a three-month period would be approximately \$8,000. Lengthy discussion was held regarding the idea. Mr. Rangel advised that, at this point, the State Fire Marshal is requiring everything operational at the new facility before anyone moves in. If the Sheriff could move the administrative services to the new facility the move of Planning and Zoning to the old Sheriff's Office could occur. The possibility of delaying the project until next winter was also considered. Doing so would require it to be re-bid and everyone agreed that the cost would be higher.

The Commissioners recessed for lunch at 12:29 p.m.

The Commissioners reconvened in open session at 1:30 p.m. Commissioner-elect Garey Martin was also present.

District Court Judge Thomas Graber met with the Commission. He discussed the Community Corrections Advisory Board's decision regarding the Director's position for Community Corrections. The plan proposed is to continue with an interim Director through completion of the State's fiscal year, July 1, 2007. Judge Graber advised that some responsibilities will be shifted among existing personnel. Judge Graber did ask the Commission to defer the \$540 monthly payment that is made to the county for use of office space. The Commission unanimously agreed to defer the payment until July 1, 2007.

Laura Rettig, Health Department Director, met with the Commission regarding the medical professional liability insurance for the Health Department. She confirmed that the cost is significant less if they remain in the pool with a number of other Health Departments. Director Rettig also informed the Commission that a member of the Health Advisory Board will be resigning. The member will no longer be able to attend the meetings. Director Rettig will attempt to find a replacement to recommend to the Commission.

The Commission received correspondence from Larry Anderson, M.D., District Coroner for the 30th Judicial District. He appointed Neeraj Vasishtha, M.D., of Harper, as a Deputy District Coroner for the 30th District. The Commission unanimously approved his appointment. County Clerk Shields advised the Commission that appointment of a District Coroner was also necessary. The statute requires the appointment of a coroner every four years beginning in 1995. The Commission unanimously reappointed Dr. Anderson as District Coroner for the 30th Judicial District.

County Counselor Potucek met briefly with the Commission. He provided the Commission with the application for zoning change prepared for submission to the City of Wellington regarding the Slate Creek Good Samaritan Center location. The application was signed by the Chairman.

County Appraiser Della Rowley met with the Commission regarding a personnel issue. At 2:07 p.m., the Commission entered into executive session with Appraiser Rowley for fifteen minutes to discuss non-elected personnel. At 2:22 p.m., the Commission reconvened in open session.

John Marx, Universal Construction, Dennis Smith and Tony Rangel, Law/Kingdon Inc., met again with the Commission. Also present were Sheriff Gilkey, Maintenance Director Gary Yoder, Counselor Potucek, and Commissioner-elect Garey Martin. Mr. Smith reported that they had met with Judge Graber regarding options on moving court files and offices to enable the renovation to begin by January 29. Options were discussed that appear to be workable. Temporary space may still be needed for the Planning and Zoning Department.

Mr. Marx also discussed the signage for the building. Bids from three companies have been received at this point. There are a couple of other companies that may yet submit a bid. Mr. Marx will contact the remaining companies to confirm if they will be submitting a bid. If not, the Commission approved accepting the lowest bid already received. The dedication plaque for the facility was also discussed and the wording was finalized. Mr. Marx also reviewed several change orders and they were approved and signed.

Sheriff Gilkey and Undersheriff Osborn met with the Commission. Sheriff Gilkey reported that a bid was obtained from Koehn Motors regarding the two pick ups. The bid from Koehn Motors was \$19,000 per unit compared to the bid from Countryside at \$18,927 per unit. After discussion, it was determined that the two pickups would be obtained from Countryside, as they were still the low bid.

The Commission discussed operations of the Slate Creek Good Samaritan Center.

There being no further business, the Board of County Commissioners adjourned at 4:27 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 8, 2007 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 Jim D. Newell, Commissioner Garey Martin, 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 January 2.

Ed Larson, a member of the Planning Commission, met briefly with the Commission. He discussed the need for development of a policy relating to sewer systems and future developments in the county. Mr. Larson suggested that a joint meeting be scheduled with the Planning Board and the Commission to review the issue. Developments in Sedgwick County could also be viewed to see what has worked best.

Road and Bridge Director Melvin Matlock met with the Commission. He discussed that State officials had contacted the Road and Bridge Department regarding advance warning signs for railroad crossings. The State wants to ensure that signs have been erected everywhere necessary. Placement of the signs is the responsibility of the County on county roads and the Township on township roads. The State is willing to pay for the material to initially erect the signs at all crossings. Director Matlock advised that they are working on a plan to propose to the Townships that the County will initially install the signs.

Director Matlock also provided a year-end update on projects. He reported that 35 bridges were built last year. Two of those 35 were large bridges. There were 3 major rehabilitation projects for bridges and 10 major bridge repair projects. The Belle Plaine South project on Oliver Road was also completed. Director Matlock reported on a sick leave study completed for his department. Future budget issues were considered for 2008. The continuing dust problem on Meridian Road just south of the Sumner-Sedgwick county line was discussed. There would be a significant cost for the County to take over the road and pave it. Other options to address the problem were considered. Everyone agreed a contributing factor to the problem is that the Township does not blade the road enough. The consensus among the Commission was that they would like to see London Township consider other options before the County becomes directly involved.

The Commission unanimously approved the December claims for Community Corrections in the amount of \$22,009.44.

The Commission discussed the holidays for 2007. The Commission unanimously determined to observe Columbus Day and Christmas Eve Day in addition to the 10 holidays set in adopted policy. County offices will also close for business at noon on December 31, 2007, for the year-end audit.

Maintenance Director Gary Yoder met with the Commission regarding personnel. He requested authority to change the existing part-time Custodian position to full-time. The change was discussed during budget preparation and funds were budgeted. The position will assist with the maintenance of the Frye building, Health, Emergency Management, and Economic Development offices. The Building Superintendent position has been assisting, but will be moved to the detention facility upon its completion. The Commission unanimously approved the change of the part-time position to full-time.

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

Larry Theurer met briefly with the Commission. His firm manages the two rental properties owned by the County on N. F. Street in Wellington. He provided a check to the Commission in the amount of \$3,000 collected from rental payments.

Greg Olsen and Rick Gaskill, of the Sumner Mental Health Center, and Ernie Fink, Mental Health Board member, met with the Commission. County Counselor Jack Potucek was also present. Counselor Potucek recommended an executive session. At 1:33 p.m., the Commission upon unanimous vote entered into executive session for 30

minutes with Counselor Potucek to discuss an attorney-client privileged matter. Mr. Olsen, Mr. Gaskill, and Mr. Fink all remained present for the session. At 2:03 p.m., the executive session was extended 15 minutes. The Commission reconvened in open session at 2:14 p.m.

Counselor Potucek requested a further executive session to discuss an attorney-client privileged matter. At 2:15 p.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for the requested purpose for ten minutes. At 2:25 p.m., the Commission reconvened in open session.

The Commission spoke by phone with Tony Rangel, of Law/Kingdon Inc. Mr. Rangel provided an update on his meeting with the State Fire Marshal earlier today regarding a temporary certificate of occupancy for the Sheriff's administrative offices. The certificate is actually granted by the local municipality with the State's approval. There are three items that the State indicated would be required for a temporary certificate. The sprinkler system, the emergency system, and the fire alarm system would all need to be operational in the administrative portion of the building. Mr. Rangel advised that he has requested Universal Construction to check on those items.

The Commission discussed operations at the Slate Creek Good Samaritan Center.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,981.98.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 9, 2007 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 Jim D. Newell, Commissioner Garey Martin, and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Pam Black, Administrator for the Slate Creek Good Samaritan Center, met with the Commission. She reported that the annual state survey was just completed. There were only 14 minor deficiencies cited. She reported that the current census is 38 residents. Other information relating to the resident census and population was also discussed.

The Commission met with Elliott Jackson, county auditor. Counselor Jack Potucek was also present. Mr. Jackson provided a report on the year end cash balance. The income from investments realized for 2006 was \$331,000 higher than anticipated. Expenditures were also \$342,000 less than expected. The higher than anticipated amounts will be available to help the 2008 budget.

County Counselor Potucek recommended that the Commission enter into executive session to discuss an attorney-client privileged matter. At 10:13 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for ten minutes to discuss an attorney-client privileged matter. Elliott Jackson was requested to remain present and he did so. At 10:23 a.m., the executive session was extended for ten minutes. At 10:33 a.m., the executive session was extended for ten additional minutes. At 10:41 a.m., the Commission reconvened in open session.

Greg Olsen, Chief Executive Officer for Sumner Mental Health, and Ernie Fink, Sumner Mental Health Board Member, met with the Commission. Also present was County Counselor Jack Potucek. Chairman Newell advised Mr. Olsen that the Commission had met with the County auditor and an option is available to assist Sumner Mental Health. Chairman Newell advised that if funds are transferred to help, it is expected that those funds would be returned before the end of the year. If it is seen that the funds are not able to be returned in 2007, the issue will have to be discussed for what direction to take. Commissioner Gracy motioned to make an extension of funds to Sumner Mental Health in the amount of \$130,000. Commissioner Martin seconded the motion and it passed unanimously.

The Commission met briefly with Treasurer Carolyn Heasty. The Commission authorized Treasurer Heasty to make a transfer of \$130,000 in funds to Sumner Mental Health.

Counselor Potucek reported on some of the moves needed regarding the courthouse renovation. The law library will have to be moved and it was found that a number of volumes of books are no longer needed. Those books can be removed somewhat reducing space needs. The Community Corrections office in the courthouse will also temporarily move.

The Commission discussed the Regional Economic Area Partnership. The Commission unanimously appointed Commissioner Martin as the representative to REAP and Commissioner Gracy as the alternate.

Tony Rangel, of Law/Kingdon Inc., spoke with the Commission by phone. The Commission approved the final wording for the dedication plaque for the new law enforcement/detention facility.

There being no further business, the Board of County Commissioners adjourned at 11:57 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 16, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, 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 January 8 and 9 with one revision.

At 9:30 a.m., the Commission held a public hearing on Zoning Case No. 16PC-06. Those present for the hearing were Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, Planning Commission Chairman Ed Larson, Garland Bell, Laurie Ungles, Engineer John Gough, and Surveyor Michael Alldritt. The applicant in the case was Garland J. Bell, owner, and Laurie Ungles, Agent. The purpose was for a preliminary plat from "A-3" Agricultural District to "RR" Residential District for the development of a subdivision in 3 plus/minus acre lots. The parent tract contains approximately 139 acres and the location is near US81 and 140th Ave N. Planning and Zoning Director Bristor advised that concerns were expressed at the Planning Commission meeting related to drainage, the number of houses, and road maintenance. The Planning Commission vote for the case results in a 5 to 5 tie. Reasons given for the votes to deny included houses too close with limited drainage, too many lots, ground won't drain enough, and can't solve problem down the line and location of the lots. The Commission opened the hearing for comment.

John Gough, the engineer for the owner, extensively reviewed and explained issues relating to the drainage issues. The Commissioners asked a number of questions during the lengthy explanation. It was explained that the water runoff will be less of a problem after the development than it is now. The development will not contribute to the drainage problem that exists in the area now. It was acknowledged that there may be instances of some standing water occurring in the new lots that are developed. The Commission discussed the plans for the sewer systems for the lots in the development. The applicant has met all the requirements and guidelines in place at this time. After lengthy discussion, the Commission unanimously approved Case No. 16PC-06 and adopted Resolution 2007-03 regarding the case.

Maintenance Director Gary Yoder met with the Commission. Sheriff Gerald Gilkey and Cleary Building Corporation representatives, Mike Filippello and Brian Warren, were also present. The Cleary representatives provided information regarding a maintenance/storage building at the new detention facility. Various options and sizes were discussed. A finalized quote will be developed and provided to the Commission.

The Commission reviewed an application to sell at retail cereal malt beverages submitted by Ran Daerr. County Clerk Shields advised that the required notice was sent to the Township and no response was received within the ten day period. The application is a renewal for the location of the Suppesville Golf Course. The Commission unanimously approved the application and a license was issued.

The Commissioners recessed for lunch at 12:04 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

Detention Supervisor Steve Colwell, Sheriff Gerald Gilkey, and Undersheriff Jerry Osborn met with the Commission. A proposal was submitted to reactivate the position of Detentions Coordinator. The Coordinator position has not been used for several years. The position would assist with some supervisory duties. An existing Detention Officer position would be changed to Detention Coordinator so no new personnel would be added. The Commission inquired if sufficient funds were available and Sheriff Gilkey advised there is. After discussion, the Commission unanimously approved a staffing level change for reactivating the Coordinator position and reducing, by one, the Detention Officer positions.

Wellington Township Trustee Pete Gaskill met with the Commission about general matters.

Commissioner Gracy moved that Commissioner Newell remain as Chairman for 2007 and that he, Commissioner Gracy, remain as Vice-Chairman. Commissioner Martin seconded the motion and the vote was 2 to 0 with Commissioner Newell abstaining.

The Commission discussed operations at the Slate Creek Good Samaritan Center.

Maintenance Director Yoder met again with the Commission. He provided two building proposals prepared by Cleary Building Corporation for a maintenance/storage building at the new detention facility. One proposal was for a 30' by 32' building, and the other for a 30' by 40' building. The Commission will review and consider the proposals. Director Yoder will also discuss placement of the building with Sheriff Gilkey.

The Commission reviewed and unanimously approved mid-month claims for January in the amount of \$315,013.62.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$28,463.56. Prior year orders in the amount of \$9,395.98 were also approved.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 22, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, 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. He discussed the bi-annual bridge inspections. He reported that Cook, Platt & Strobel is the lowest cost and recommended the agreement be signed. The Commission unanimously approved the agreement. Director Matlock also discussed personnel issues and two personnel action forms were submitted, which the Commission approved.

The Commission reviewed and unanimously approved the minutes for January 16.

Janis Hellard, Director for the Sumner County Economic Development Commission, met with the Commission to provide an update on several projects. The House Bill regarding gambling and casinos that was introduced last week was discussed. The bill did not include Sumner County, but changes will be proposed. Items relating to economic development will also be proposed for addition to the bill. Director Hellard provided information regarding the Arkansas River Corridor Access Plan. Information on the State's On-TRACK initiative was also reviewed. The initiative aims to provide workforce solutions to Kansas businesses and job seekers. Plans for the initiative were discussed.

Director Hellard reported on the status of the call center project for Caldwell. The company involved has submitted their bid to the State. There are other companies bidding for the project also. The State is expected to award the project in March. Other projects that continue to be worked on are the development of a database of properties county-wide that are available for economic development, the US160 Corridor Plan, and the Ethanol project. Director Hellard reported that two fire grants were recently awarded to Mulvane and South Haven. Since 2001, the Economic Development Commission has submitted or assisted with grant applications that have resulted in 1.8 million dollars awarded to fire departments.

County Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission regarding a Neighborhood Revitalization Project. The individual's application expired December 8, but they indicated that they would be done by January 1. Final pictures were scheduled for January 12, but the project is still only about 60% completed. This is the first case where completion has been only at 60%. After discussion, the Commission unanimously directed that the individual would have to re-apply for the NRP.

Hope Harrold spoke to the Commission by phone regarding a past zoning case involving a cellular tower. The company originally involved did not proceed with the case to place a tower. She advised a different company would now like to place a cellular tower, but the company wants verification that a tower is approved. Planning and Zoning Director Jon Bristol entered the meeting. He advised the issue involved over a year ago was that any tower must be one half mile from a residence other than the property owner's. Regulations have not changed. Any waiver would have to be granted by the Board of Zoning Appeals. Mrs. Harold was informed the process to make application to the Board of Zoning Appeals. The following step would be an application for a conditional use permit.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$7,125.26.

There being no further business, the Board of County Commissioners adjourned at 11:59 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 23, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, 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 tax abatement orders in the amount of \$18,975.10.

County Counselor Jack Potucek met with the Commission. He reported that he would be attending the zoning hearing with the City in the evening regarding the Slate Creek Good Samaritan Center. Counselor Potucek reported on a scheduled Board of Tax Appeals hearing for tomorrow. He also provided an update on action taken by the City of Caldwell with correspondence being sent to the landowner involved regarding the cemetery issue. The Commission discussed operation of Slate Creek Good Samaritan Center.

John Marx, of Universal Construction, met with the Commission. Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, Maintenance Director Gary Yoder, and Building Superintendent Donna Thomas were also present. Mr. Marx provided an update on the completed work and the upcoming work at the detention center. The inspection to obtain a temporary occupancy permit is scheduled for 1:00 p.m. today. Plans are also being finalized for an open house for the facility once ready for full occupancy. The courthouse renovation is currently scheduled to begin February 13. Tony Rangel, of Law/Kingdon Inc., called and participated in part of the discussion by phone.

Tony Rangel arrived and entered the meeting. Additional items were discussed and a couple of change orders were signed.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 29, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Clerk Shields submitted the annual property inventory to the Commission for review.

The minutes for January 22 and 23 were reviewed and unanimously approved.

Jeff Stoppel, with All American, met with the Commission. Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, was also present. The insurance provided through All American is endorsed by the Kansas Chamber of Commerce Association. Mr. Stoppel previously met with the Commission in October regarding the supplemental insurance offered through All American. From the two after work hour insurance presentations that were approved then, only one person attended. Mr. Stoppel asked for permission to meet initially with the Department Directors to provide information on the insurance available. Meetings could then be arranged with the employees. After discussion, the Commission unanimously agreed that Mr. Stoppel could meet with the Directors. Any follow-up meetings with employees are still required to be during non-work hours.

Shelly Hansel met briefly with the Commission. She inquired if the parking lot of the Raymond Frye Complex could be used again this year for the carnival during the Wheat Festival. The Commission unanimously approved the use of the parking lot. The possibility of using the courthouse grounds for the arts and craft show was also discussed. The possibility will be explored further. Director Hansel also discussed exploring the idea of a county-wide Chamber of Commerce. The Commission expressed support for considering the idea.

The Commission reviewed and unanimously approved claims for the end of January in the amount of \$881,135.60.

The Commission talked with Al Reiss, of Reiss and Goodness Engineers, by telephone regarding the Peck Improvement District sewer system. Mr. Reiss advised that the Community Development Block Grant has been completed and is on hold waiting on Rural Development. He said Rural Development is still lacking some things. Chairman Newell inquired if all the necessary easements have been obtained. Mr. Reiss advised that there had been two easements still in question, but he believes they are in the process of being resolved. He provided a phone number for the Commission to contact a Mr. Yeager with Rural Development.

There being no further business, the Board of County Commissioners adjourned at 12:04 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 30, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

John Marx, of Universal Construction, talked with the Commission by phone. He provided an update on plans to move some of the court files. He discussed a concern expressed by District Judge Graber and the concern is being addressed.

The Commission held a public hearing for Zoning Case No. 01PC-07. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Planning Commission member Ed Larson were present. The application was by Clinton and Lynn Graves, owners, and Gregg E. Collins, applicant. The purpose was for a zone change from "A-2" Agricultural District to "A-R" Agricultural Rural District for the development of seven, six plus or minus acre tracts for a subdivision. The location is in Gore Township near the intersection of K15 and Oxford Road. The applicant, Mr. Collins, entered the meeting. Director Bristor reported there were no comments or concerns voiced by the public at the Planning Commission hearing. The Planning Commission, with ten members present, unanimously recommended approval. After discussion of several items, the Commission unanimously approved Case No. 01PC-07 and also adopted Resolution 2007-04.

The Commission contacted Dale Yeager of Rural Development to inquire the status of the Peck Improvement District project. Mr. Yeager advised there were no problems that he was aware of. He believes the District recently changed attorneys. Rural Development is waiting on a number of documents needed from the District. Mr. Yeager advised that he would send notice to all parties to ensure everyone's awareness of the status. Commissioner Martin will also attempt to contact one of the officers for the Improvement District.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,120.02.

County Counselor Jack Potucek met with the Commission. He reported on the status of the law library move. District Judge Graber entered the meeting. He also provided information on the moving of files. Counselor Potucek and Judge Graber both spent time moving law library files over the past weekend. Judge Graber explained some concerns regarding the move of court files. He expressed a significant concern regarding accomplishing the move of the court files within a three working day period. Judge Graber advised that he wants to personally visit with the sub-contractors before the files are moved. He also advised that he had not been able to confirm that the reconnection of computer cabling has been scheduled with Galaxie Business Systems. The Commission advised they would contact Mr. Marx and discuss the specific issues. Counselor Potucek also commended the maintenance personnel for the assistance they have provided with the law library move.

The Commission talked by phone with John Marx regarding the concerns expressed by Judge Graber. Mr. Marx advised a revised quote was obtained from the contractor to perform the move over the weekend at a premium cost. The Commission advised that the sub-contractors need to meet with Judge Graber before the move. Mr. Marx said a meeting is already scheduled for Tuesday, at 1:00 p.m., with one of the contractors to walk through the move. The Commission also inquired about the plans for Galaxie accomplishing computer reconnections. Mr. Marx advised he had talked with a representative of Galaxie and will confirm the plans with them.

Counselor Potucek provided brief updates on Caldwell's Boot Hill Cemetery and a case that went before the Board of Tax Appeals.

There being no further business, the Board of County Commissioners adjourned at 12:03 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
February 5, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, 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 January 29 and 30.

The Commission discussed the Register of Deeds salary. The salary for the position was reduced by over \$8,000 in 2003 upon the retirement of the then Register of Deeds. Chairman Newell questioned the reduction since no duties changed for the position. Chairman Gracy explained the change that was made. The Commission agreed that they would consider the issue at the time of setting the budget for 2008.

Janis Hellard, Director for the Sumner County Economic Development Commission, met with the Commission. She reported on the meeting that she and Commissioner Martin attended regarding the casino issue and the forming of a coalition. The possible details of forming a coalition and the benefits for all participants were considered. Some counties have participated little, if any, in supporting the casino issue, but are now interested because of the possibility of revenue. Options regarding coalition arrangements and how Sedgwick County would be involved were discussed. The Commission agreed that Cowley County should remain included due to the support shown last year. Another meeting of the interested counties is to be scheduled in the near future.

Director Hellard also briefly discussed a legislative issue regarding the changing of Enterprise zones to Opportunity zones. Sumner County is currently in an Enterprise zone, but the proposed Opportunity zone would not include Sumner County. If passed, it would have a detrimental effect on our economic development. Director Hellard advised that she will be tracking the legislation. She also presented some information regarding the Arkansas River Corridor project.

Treasurer Carolyn Heasty met with the Commission. She submitted a prepared Resolution for the Commission's consideration to adopt. The resolution urges the Federal and State governments to retain drivers' license renewals at the local level. After discussion, the Commission unanimously adopted Resolution No. 2007-05. Treasurer Heasty also provided information regarding interest earned and the sales tax report for the months of December and January.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$6,667.56.

County Clerk Shields reviewed several personnel policy issues with the Commission. Several changes were recommended by an employment law attorney who reviewed the policy after authorization by the Commission. A couple of follow-up items will be addressed with the attorney.

There being no further business, the Board of County Commissioners adjourned at 12:16 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
February 6, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission received correspondence from Fire District No. 9 Board member Ted Rieckenberg reporting the resignation of Ken Winters from the board. Bill Taylor was recommended to fill the vacancy. The Commission unanimously appointed Bill Taylor to the Fire District No. 9 Board.

Road and Bridge Director Melvin Matlock met with the Commission. He discussed a road issue regarding 120th Ave. North in London Township. Director Matlock had discussed the issue with one of the Township officials and believes the issue is resolved.

Director Matlock discussed the situation regarding salt and sand for county road treatment. In the past salt and sand has been purchased from the Kansas Turnpike. Last year, turnpike officials advised that salt and sand would no longer be available after the next winter. Due to that fact, the cost for a storage building has been investigated. Cost for a storage building, similar to what the Kansas Department of Transportation (KDOT) uses, ranges from \$18,000 to \$70,000. With the County's ability to do some of the construction of the building, the cost should be nearer the lower range. Funds out of the Special Highway fund could be utilized for the purchase of the building. Director Matlock also discussed the type of treatment for the county roads. Switching to a salt brine mixture similar to KDOT would cost \$65,000 to \$75,000 for the initial equipment. Further details regarding the possibility of switching are still being investigated. The Commission unanimously authorized Director Matlock to proceed with the purchase and construction of a storage building.

Director Matlock submitted the annual lease agreement between the County and Jerry R. Evans and Juanita G. Evans Revocable Trust. The lease is for the purpose of stock piling and mixing road asphalt and parking of County road machinery. The Commission unanimously approved the agreement and it was signed.

Director Matlock requested an executive session with the Commission to discuss non-elected personnel. At 10:02 a.m., the Commission upon unanimous vote entered into executive session with Director Matlock for 20 minutes. At 10:16 a.m., the Commission reconvened in open session.

The Commission briefly discussed snow removal and the clearing of county parking lots. Director Matlock advised that, with his number of personnel, it is difficult for his department to accomplish snow removal on county roads and on county parking lots. He advised that he would review the situation for options to assist with or accomplish the clearing of county parking lots.

Keith Mortimer met with the Commission regarding the Milan Cemetery. County Counselor Jack Potucek was also present. Mr. Mortimer complained of several issues relating to the handling of the Milan Cemetery by the Ryan Township Board. He asked that the Commission become involved to address his concerns. The Commission asked Counselor Potucek for his legal opinion regarding the issue. He advised that there is a frequent misunderstanding that there is a chain of command between the county and the townships. The county has no standing to control the decisions of a township or affect their budget. Townships are independent legal entities and the county has no legal standing to participate in the management of the cemetery.

John Marx and Kerry Murray, of Universal Construction, met with the Commission to provide the latest project update. Tony Rangel, of Law/Kingdon Inc., and Undersheriff Jerry Osborn were also present. Mr. Marx reported on the work recently completed at the detention center and upcoming work. A tentative schedule for final inspection, permanent occupancy permit, and an open house was reviewed. The move of files in the law library has been completed and the move of the court files will occur later this week and weekend. A meeting is scheduled with District Court Judge Graber this afternoon. Mr. Rangel also explained some changes requested by Judge Graber regarding the arrangement of offices in the juvenile court area. The changes should not increase expense. The Commission authorized the changes as long as expenses are not increased from what was planned.

Mr. Marx submitted the proposal from Schrader Brothers and Associates for the move of the court file system. The Commission unanimously approved the proposal and it was signed. Several other change and/or directive orders were also signed.

The Commissioners recessed for lunch at 12:22 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

Health Department Director Laura Rettig met with the Commission. The Health Advisory Board was first discussed. Director Rettig confirmed with the three members who terms are expiring that they would be willing to be reappointed. There is also one vacancy on the board and Beth Seba is willing to fill the vacancy. The Commission unanimously approved the appointments as recommended.

Director Rettig also provided information regarding the Cities Readiness Initiative. In addition to Sumner County the counties of Sedgwick, Harvey, and Butler are in the Wichita Metropolitan area. Butler County will be acting as the fiscal agent for the four county area. Director Rettig also discussed a software maintenance agreement that she will not be renewing.

The Commission spoke by phone with Bill Fleming, of the PS Club. The PS Club rents one of the county owned houses on N. F. Street. Mr. Fleming advised they are in need of a larger space and wondered if the county had any store front property available. The Commission advised they had no other locations available at this time.

The Commission reviewed the equipment lease purchase agreement between First National Bank and the County. The lease of ten vehicles for the Sheriff's Department was budgeted for 2007. Counselor Potucek had already reviewed and approved the lease documents. The Commission unanimously approved the lease and adopted Resolution 2007-06.

There being no further business, the Board of County Commissioners adjourned at 1:58 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
February 12, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, 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 5 and 6.

County Clerk Shields left to attend a meeting in Topeka. Deputy County Clerk Debra A. Norris was present to record the minutes for the rest of the day.

Planning and Zoning Director Jon Bristor met with the Commission regarding a personnel issue. Assistant Director Mary Jenkins was also present. Director Bristor proposed creating two new job descriptions for his office. He submitted new job descriptions for a Field Technician II position and an Administrative Assistant position. New personnel would not be added, but existing personnel would be moved into the new positions. The cost would be partially covered with grant funds available. Director Bristor advised for 2008, he would make readjustments within his overall budget to cover the increase. He advised making the changes would eliminate the need for additional personnel. After much discussion, the Commission unanimously approved the new positions.

Director Bristor also explained a new type of septic/lagoon system. The new advanced septic system allows for speedier bacteria breakdown and aerates below the ground. The system is an alternative to a lagoon and is only an option available to lagoon type soil. Director Bristor reported that one system of the new type had been approved in the county.

Road and Bridge Director Melvin Matlock met with the Commission. He discussed an equipment issue regarding the semi water tank trailer. The trailer is not repairable and he asked for authorization to dispose of it as salvage. The Commission unanimously approved his request.

Director Matlock also discussed the fuel station for his department. The station needs to be updated to meet the latest standards from the Kansas Department of Health and Environment. Underground storage is not recommended due to the cost and the lack of adequate space. Above ground storage would be at an approximate cost of \$55,000 for two 10,000 gallon double walled tanks. The cost would include the saddles, tanks, pumps and installation. Director Matlock advised his personnel could construct the concrete pad necessary. He reported funds are available due to budgeting for the expected need. After discussion, the Commission unanimously authorized Director Matlock to proceed with the project.

Director Matlock reported on his research regarding snow removal for the county parking lots. Due to the County's workers compensation insurance carrier's requirement that all contractors carry their own workers compensation insurance, it has been difficult to find a private contractor. Director Matlock advised that his department will assist in snow removal of the parking lots, but removal from the county roads will remain the priority.

County Counselor Jack Potucek met briefly with the Commission. He reported he would be attending a Board of Tax Appeal hearing with County Appraiser Della Rowley in the afternoon.

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

Planning and Zoning Director Bristor met with the Commission. Rod Giesler, John Goetz, and Rich Basore, of the Kansas Department of Health and Environment (KDHE), were present as well as members of the Sumner County Planning Commission and Board of Appeals. The KDHE officials were asked to address the Commission and Planning members regarding public sewer systems. Mr. Giesler advised that KDHE recommends that a county sewer district be created for new developments in the county. The sewer district would be its own entity and would, therefore, tax the property owners in the specific district area. Public sewer system districts are responsible for the permits and maintenance of the system. The county could hold the permit, but contract maintenance to a private

company. It was reported that Sedgwick County has several hundred systems in place. County liability compared to the economic development possibilities was considered. The Commission advised that they would discuss the legal issues relating to formation of sewer districts with the County Counselor.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$741.44

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$336,963.57.

There being no further business, the Board of County Commissioners adjourned at 3:47 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.

Jim D. Newell, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
February 13, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$109.26.

Maintenance Director Gary Yoder met briefly with the Commission to provide an update on the renovation on the second floor.

Commissioner Martin left the meeting at 10:10 a.m. due to an emergency.

District Court Judge Thomas Graber met briefly with the Commission and provided an update on the move of the court files.

County Counselor Jack Potucek met with the Commission. He reported he would be attending the hearing Tuesday evening regarding the zoning change request with the City of Wellington for the Slate Creek Good Samaritan Center property.

Emergency Management Director James Fair met with the Commission. He reported that the City of South Haven had appointed an interim Fire Chief.

There being no further business, the Board of County Commissioners adjourned at 11:58 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.

Jim D. Newell, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
February 20, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. Sheriff Gerald Gilkey was with the Commissioners.

Sheriff Gilkey was discussing the opening of the new law enforcement/detention center. An opening ceremony is planned for 4:00 p.m. on Friday, February 23. There will be a reception in the lobby and public tours of the facility will be offered. On Saturday evening, a fundraising event for the law enforcement memorial will be held. Subpoenas (invitations) have been sent out to individuals across the county. The food vendor will prepare a spaghetti for the participants. There will be a live auction and a KEYN radio personality will be present. Tours of the facility will also be offered on Saturday evening.

Sheriff Gilkey asked the Commission to authorize a check to be issued manually to Walmart to pay for twelve televisions for the detention facility. The televisions were not ordered in advance to accomplish the normal processing of payment. The Commission unanimously approved the issuance of a manual check. The cost is approximately \$3,500.

The Commissioners conducted the Pledge of Allegiance.

Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission regarding appraisal matters. The scheduled appointment at 1:30 p.m. regarding a Neighborhood Revitalization project was discussed. The facts as known by Ms. Farley were provided to the Commission. The individual, Vicky Lippincott, is requesting an extension for their project not yet completed. After discussion of the information, the Commission authorized up to a six-month extension for the project. They directed Ms. Farley to contact the individual.

County Counselor Jack Potucek and Appraiser Della Rowley met with the Commission. Appraiser Rowley requested an executive session with the Commission to discuss non-elected personnel. At 9:52 a.m., the Commission upon unanimous vote entered into executive session with Appraiser Rowley for ten minutes to discuss non-elected personnel. County Counselor Potucek and County Clerk Shields were asked to remain present, which they did. The Commission reconvened in open session at 10:02 a.m.

Randy Fitzgerald, Regional Director for the Good Samaritan Society, and Pam Black, Administrator for Slate Creek Good Samaritan Center, met with the Commission. At 10:09 a.m., the Commission upon unanimous vote entered into executive session for 20 minutes with Director Fitzgerald, Administrator Black, and Counselor Potucek to discuss an attorney-client privileged matter. At 10:29 a.m., the Commission unanimously extended the executive session for 10 more minutes. At 10:39 a.m., the Commission reconvened in open session.

Counselor Potucek discussed his planned appearance tonight for the zoning change application to the City of Wellington. The Commission authorized Counselor Potucek to appear on behalf of the county.

Shelly Hansel, Wellington Chamber of Commerce Executive Director, met briefly with the Commission. She invited the Commission to a meeting planned for March 10. The breakfast meeting is titled Property Taxes and Pancakes and will be held at Theurer Auction and Realty. State Representative Vince Wetta will be present along with Joan Wagnon, Secretary of Revenue, and Mark Beck, Director for the Property Valuation Department. Breakfast will be served beginning at 7:30 a.m. with discussion beginning at 9:00 a.m.

Kerry Murray, of Universal Construction, met with the Commission to provide a project update. Maintenance Director Gary Yoder was also present. Mr. Murray reported that the State Fire Marshall had conducted their final inspection and given final approval. Tony Rangel, of Law/Kingdon Inc., called and participated in the discussion by phone. The final steps in the process for a certificate of final occupancy were reviewed. Other final items that are to be completed were discussed.

Tony Rangel arrived and entered the meeting. The courthouse renovation portion of the project was discussed. Sometime over the weekend the suspended ceiling in the Information Services offices fell in. The renovation work is being done on the floor above. The ceilings in the other offices below the renovation area will be inspected by Maintenance Director Yoder, and steps will be taken to resolve any other problem areas.

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

County Clerk Shields reported that the Appraiser's office had contacted Vicky Lippincott regarding the NRP project. The delay was due to an electric contractor. The Appraiser's advised Mrs. Lippincott that the Commission granted a six month extension.

The Commission reviewed the contract with Sedgwick County for housing their inmates in our detention facility. The contract was already signed by Sedgwick County officials. The Commission unanimously approved the contract and Chairman Newell was authorized to sign it.

Keith Mortimer met with the Commission. He inquired if County Counselor Potucek is able to take on private clients. The Commission advised him that Counselor Potucek does have a private practice and it is up to Counselor Potucek what private issues he accepts.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$9,888.98. Prior year orders in the amount of \$75.52 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 2:38 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
February 26, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The Commissioners conducted the Pledge of Allegiance. Marvin Simonton, who was present, offered an opening prayer.

The Commission reviewed and unanimously approved the minutes for February 20.

Commissioner Martin reported on a meeting he attended on Friday regarding the Peck Improvement District. Others attending the meeting included Phil Fishburn, with Rural Development, Al Reiss, of Reiss and Goodness Engineers, Troy Dierking, Attorney for the Peck Improvement District, and Dennis Langlois, Peck Improvement District Officer. It was reported that everything is proceeding for development of the sewer system. The Commission will prepare a letter to send to Rural Development.

The Commission discussed the casino meeting that was held last Friday at the Economic Development office attended by Commissioner Martin.

Robert Noland, District Director for Congressman Todd Tiahrt, met with the Commission. Mr. Noland provided the Commission an information packet and explained some of areas where Congressman Tiahrt might be able to provide assistance. He explained two grant programs and areas where Congressman Tiahrt might be able to assist the County.

Janis Hellard, Director for the Sumner County Economic Development Director, met with the Commission. She reported that an out of state company will be visiting Wellington to survey possible building sites. Director Hellard submitted a draft letter of support for the Commission to review. Director Hellard also discussed the meeting held last week regarding casino gambling. She discussed and provided a copy of a draft resolution requesting support from the Kansas Legislators for legislation allowing destination resort casinos and expanded gambling in South Central, Kansas, and supporting the formation of the South Central Coalition for Fair Play. The result of the meeting was that each County Commission would adopt the resolution. Director Hellard reported that there is still further discussion occurring about the final wording of the resolution. Some of the issues that each County wants to address in the resolution were considered. The Commission unanimously agreed that their desire remains for a destination resort casino. The resolution adopted by the Commission on January 10, 2006, supporting a proposed destination resort casino in Sumner County was reviewed. Director Hellard will advise the Commission what revisions to the wording are proposed by the other counties to the new resolution.

The Commission spoke, by phone, with Sandra Ring, Program Manager with the South Central Kansas Economic Development District. They provided her an update on the status of the Peck Improvement District project.

County Counselor Jack Potucek met briefly with the Commission. He informed the Commission of what information he had been able to gather regarding the status of the former Wellington Place building. Counselor Potucek reported on the status of a Board of Tax Appeals hearing. He also reported that the zoning change for the Slate Creek Good Samaritan Center property before the City of Wellington last week was approved.

The Commission unanimously approved the claims for the end of February in the amount of \$428,951.96.

There being no further business, the Board of County Commissioners adjourned at 12:03p.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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
February 27, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Troy Dierking, Caldwell City Attorney, met briefly with the Commission. He discussed the continuing problem with the Union Pacific Railroad and the blockage of the tracks in Caldwell. Mr. Dierking explained that Union Pacific will be applying for a grant for a rail line improvement that would resolve the problem of blocking US81. The City wrote a letter in support of the grant application and Mr. Dierking asked if the Commission would also submit a letter of support. The Commission unanimously agreed to submit a letter.

At 9:30 a.m., the Commission held a public hearing on Zoning Case no. 06PC-07. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present as well as Dorothy Hunt and Marjorie Utt. The applicant for the case was Dorothy J. Hunt, of the Dorothy J. Hunt Revocable Trust and it was for a short form plat of a 4.05 acre tract to include the existing home. Director Bristor reported there was no opposition voiced at the Planning Commission meeting and the Commission, with 8 members present, unanimously voted to recommend approval. The Commission unanimously approved Case No. 06PC-07 and adopted Resolution 2007-07 regarding the case.

The Commission reviewed an application for license to retail cereal malt beverage submitted by the Fleming Corporation of Kansas doing business as Fleming Travel Plaza. County Clerk Shields reported that the required notice was sent to the Township Trustee and no response was received within the ten day period provided by statute. The Commission unanimously approved the application and directed the County Clerk to issue a license.

Richard Zech met with the Commission and asked for extension on his project under the Neighborhood Revitalization Plan. County Appraiser Della Rowley and staff member Carolyn Farley were present. Mr. Zech asked for a six-month extension. Ms. Farley reported that Mr. Zech's application expires March 15 and in December the project was about 60% completed. Mr. Zech advised that his project is now about 86% completed. After discussion, the Commission unanimously approved a six-month extension.

County Appraiser Della Rowley met with the Commission. She provided the latest report on property valuation. The residential assessed value is up \$2,401,741, agricultural value is down \$1,403,078 and value for home sites on farm are up \$797,888. An annual analysis of residential CVN assessed values and new construction assessed values for residential parcels. Appraiser Rowley advised that an extension was requested and granted until March 16th regarding commercial properties

Appraiser Rowley also expressed her appreciation and satisfaction for the courthouse security personnel and the job they perform. She expressed that she and her staff have a true sense of security with the frequent checks and presences of the current security staff.

Maintenance Director Gary Yoder met with the Commission along with Deputies John Moore and Rodney Young. Moving the master control for the south automatic door of the courthouse was discussed. The control is located in the jail, which now will no longer be manned 24 hours. The plan previously discussed was to move the control to the E911 office. After discussion, the Commission approved the move the control to the E911 office.

Maintenance Director Gary Yoder also expressed his appreciation for the security job both Deputy Moore and Deputy Young are performing.

The Commission toured the jail floor of the courthouse.

County Counselor Jack Potucek met briefly with the Commission.

There being no further business, the Board of County Commissioners adjourned at 12:19 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
March 5, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present. The Commissioners conducted the Pledge of Allegiance.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn updated the Commission on operation of the new detention facility. Sheriff Gilkey advised that the detention staff is currently working twelve hour shifts and will do so until detentions is back to full staffing. He advised that the facility cannot be operated with less than three detention staff on each shift. The inmate population, as of Friday, was fifty-five. All inmates housed out-of-county have been returned. Sheriff Gilkey also reported that they had met with officials of McConnell Air Force Base. There is the possibility that McConnell will house inmates at the facility.

Sheriff Gilkey reported that the fundraiser for the Law Enforcement Memorial Wall went very well. The \$4,000 needed was raised. Sheriff Gilkey will proceed with the Memorial Wall.

Noxious Weeds Director Robin Walcher met with the Commission. She advised that the agreement with the Kansas Department of Transportation for treating State right-of-ways needs to be renewed. She submitted the agreement and it was unanimously approved by the Commission. Director Walcher submitted two reports required by the State Board of Agriculture, the 2006 Noxious Weed Eradication Report and the 2007 Noxious Weed Control Plan. Both reports were unanimously approved. She also reported that in the near future she will begin the bid process for a new spray truck. Funding was budgeted and is available.

The Commission met with Maintenance Director Gary Yoder. They discussed the notification received from Law/Kingdon that asbestos had been found during the demolition occurring on the court floor of the courthouse. Director Yoder advised that it was found in a pipe chase that should not have been demolished. The asbestos itself was not disturbed. The issue will be discussed during the project update meeting scheduled for tomorrow.

Emergency Management Director James Fair met with the Commission. He reported that the 2005 Homeland Security grant round is being completed. The 2006 grants are just now opening and this will be the last round where funding comes directly to the county. In the future funding will be granted to the Regional Council. Director Fair discussed the Kansas Incident Management Team System. Developing a system of Incident Management Teams (IMT) was one of the priorities in the State after Kansas officials responded and assisted in the aftermath of Hurricanes Katrina and Rita. He discussed the training and commitment required for the IMTs. All costs relating to training and serving on the IMT would be reimbursed by the Federal Emergency Management Association. The Commission expressed their support, if Director Fair decides to participate.

Director Fair also discussed the United Way office. The office has been vacant since about July. The Commission has not received any communication from United Way regarding the status of their use of the office. Director Fair discussed the possibility of utilizing the space. The Commission directed County Clerk Shields to contact United Way officials and inquire what their plans are for the office space.

The Commission reviewed and unanimously approved the minutes for February 26 and 27.

Janis Hellard, Director for the Sumner County Economic Development Commission, met with the Commission. The status of the casino issue was discussed as well as the resolution adopted by Sedgwick County. Chairman Newell said he does not believe that revenue sharing needs to be part of the resolution as this time. The Commission sees the goal of the South Central Coalition is to simply ensure that South Central Kansas is not left out of the gaming issue by the Kansas Legislature. There is a meeting planned for Wednesday at 9:00 a.m. in Newton. Director Hellard and Commissioner Martin will attend the meeting.

Health Department Director Laura Rettig met with the Commission. She submitted the annual State Formula Grant applications for the Commission's approval. The applications were unanimously approved and signed by Chairman

Newell. Director Rettig also discussed revisions needed to the job descriptions for the Registered Nurse positions. She will proceed to update the descriptions.

The Commission met with Maintenance Director Gary Yoder. Commissioner Martin inquired about the plan for maintenance at the detention facility. Director Yoder advised that since contractors were stilling working in some parts of the facility some of the regular maintenance tasks had not yet been started. His shortage of staff due to a medical leave was discussed. Director Yoder said he understood that the Sheriff and Undersheriff to indicate that they would provide some assistance. The Commission acknowledged the amount of work the maintenance staff has done and that remains with the renovation in the courthouse. Director Yoder said he would have one of his courthouse staff spend more time at the detention facility.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$734.28.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
March 6, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present. The meeting was opened with the Pledge of Allegiance.

Treasurer Carolyn Heasty met with the Commission and provided the latest sales tax report. The latest sales tax report from the State shows \$191,330.86 collected. Treasurer Heasty also confirmed the reporting process and the current amount includes December collections.

County Counselor Jack Potucek met with the Commission. He reported that he attempted to contact Al Reiss, of Reiss and Goodness Engineers, to confirm details regarding a resolution for the Commission to adopt relating to Slate Valley Sewer District. Mr. Reiss is out of the office until next week. Counselor Potucek reported that he had received no contact back from the brokerage firm he contacted regarding the status of the former Wellington Place. The status of the sale of the landfill to the City of Wellington was discussed. Counselor Potucek provided the history of the transaction to Commissioner Martin.

Counselor Potucek provided a brief update on pleadings filed in several bankruptcies and foreclosures received by the county in the last few weeks. He also briefed them on a tax issue relating to personal property.

Steve Smith, John Marx, and Kerry Murray of Universal Construction met with the Commission. Also present were representatives of two of the contractors, Belles & Associates and Schrader Brothers & Associates, and Maintenance Director Gary Yoder. Mr. Marx first explained an issue involving Belles & Associates regarding work performed that they claim was not included in their scope. Belles completed the work at the time so the facility could open on schedule. The representative asked to be reimbursed for the work at cost. The amount involved is \$2,374. Tony Rangel, of Law/Kingdon Inc. arrived and entered the meeting.

Further discussion was held on the work and payment issue. Everyone agreed that Belles & Associates had provided excellent work on the project. After review of the details, the Commission proposed dividing the amount by three, between the contractor, construction manager, and architect. The Belles representative said that would be acceptable and Mr. Smith said they would work it out with the architect.

The next item discussed was the asbestos found during the renovation on the court floor. Representative of the contractor, Schrader Brothers & Associates, advised where they had found asbestos. It was in a pipe chase that was removed. The asbestos itself was not disturbed. Everyone acknowledged, as previously known, that asbestos exists in the pipe chases of the building. Since it was not disturbed, the pipe chase will be closed back up and a bulk head built around the pipe so the plumbing is not exposed. The Schrader representatives also discussed an issue with the ceilings in the offices below where the renovation is occurring. The Commission and Director Yoder confirmed that steps had already been taken to better secure the light fixtures and false ceiling.

The Schrader representatives also discussed the timeline for the project. They wanted to ensure the Commission was aware that the changes made on the court floor added a few days to the timeline. The change made in the juvenile offices layout caused the need for the mechanical and electrical drawings to be revised.

Mr. Marx provided a brief update on the detention facility. There remain some updates to be completed yet at the facility. Once the updates are finished, the City will be notified in order to provide the final sign off on the project. The final dirt work should be started tomorrow. The landscaper should be able to start next week if not before. Mr. Smith also informed the Commission that, as of today, there cost is over and Universal will not submit any further billings. There is still work being done for the courthouse renovation portion, but they will not bill for any further work.

Janis Hellard, Director for the Sumner County Economic Development Committee, met with the Commission. She reported that Sumner County is scheduled to testify before the State legislative committee on Monday, March 12, at

1:30 p.m., regarding expanding gaming. She invited the Commission and advised that several members of the Economic Development committee would be attending also.

Director Hellard also commended Maintenance Director Yoder and his staff for the extra work done last week in preparing her office for a meeting last week.

There being no further business, the Board of County Commissioners adjourned at 12:40 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
March 12, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present as he was traveling to Topeka with members of the Sumner County Economic Development Commission for testimony before the legislative committee regarding expanded gaming. The Commissioners conducted the Pledge of Allegiance.

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

John Marx, of Universal Construction, spoke to with the Commission by phone. The electric bill received from the City was discussed. The significant portion of the bill is for the period of time after the Sheriff moved into the administrative portion of the building. The Commission agreed and the bill will be paid out of operating funds rather than construction funds.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$10,320.43.

Marlena Graham, of Platinum Services, met with the Commission. She explained that she was returning on the one-year anniversary of offering the supplemental insurance through Platinum Services. She explained some information regarding the insurance offered. She asked for the Commission's permission to visit with individual department heads to attempt to set up a meeting that would work for the department and then set up a time to be available for all employees. The Commission authorized her to visit with department heads.

The Commission talked by phone with Steve Smith, of Universal Construction. Mr. Smith reported that they toured the building on Friday and found no major issues or problems. Chairman Newell inquired if they were made aware of a water leak that occurred sometime over the weekend. Mr. Smith and Mr. Marx advised that they were not made aware of any problem. Mr. Smith asked that they be contacted as soon as possible about any problems that occur. He asked that if anything occurs after hours, Kerry Murray, the construction manager, should be contacted. An alternative is to contact the Universal Construction main number and leave a message.

Appraiser Della Rowley, Road and Bridge Director Melvin Matlock, and Treasurer Carolyn Heasty met with the Commission. They met as a committee representing all of the department directors. They reported that the department directors had been discussing the continued loss of employees. Director Matlock reported that his department averaged the loss of five employees per year until last year when twelve employees left. According to exit interviews, wages were a factor. The department directors decided to perform a wage study to see how the county compares to other entities and private business. The committee reported on some of the preliminary information gathered. Treasurer Heasty reported that the City of Wellington recently had a wage study performed at a cost of \$3,500. The committee explained their intent to let the Commissioners be aware of what they were doing and more information will be provided when compiled.

The Commission reviewed and unanimously approved the mid-month claims for March in the amount of \$176,838.53.

There being no further business, the Board of County Commissioners adjourned at 11:59 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
March 13, 2007 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 Jim D. Newell, Commissioner Gary E. Martin, and Commissioner Eldon Gracy. Also present was Emma Klein of the County Clerk's Office. The meeting was opened with the Pledge of Allegiance.

Commissioner Gracy provided a brief update on the testimony provided yesterday before the State legislative committee regarding expanded gaming. He also reported on the positive comments he received regarding State Representative Vince Wetta.

At 9:30 a.m., the Commission held public hearings on a number of zoning cases. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, Planning Commission board member Ed Larson, and several persons involved in the cases were also present.

The first case heard was Zoning Case No. 03PC-07 and was for a zone change of 2 tracts of A3, Agricultural District, and 1 tract of AR, Agricultural Rural District, to G1, Recreation District, to continue a motorized ATV and four wheel drive park. The application was by Jason and Charles Strickland and both were present for the hearing. Director Bristor reported there was no opposition voiced at the Planning Commission meeting. The Planning Commission, with eight members present unanimously recommended approval. The Commission unanimously approved Case No. 03PC-07 and adopted Resolution 2007-8 relating to the case.

The next case was No. 04PC-07 for a zone change of a 3.13 acre tract from A1, Agricultural District, to RR, Rural Residential District, to plat and build a home. The application was by Shirley Bongiorno, owner, who was present for the hearing along with Danny Bongiorno. Director Bristor reported there was no opposition voiced at the Planning Commission meeting and they, with nine members present, unanimously recommended approval. The Commission unanimously approved Case No. 04PC-07 and adopted Resolution 2007-9 relating to the case.

The next case was No. 05PC-07 and it related to the previous case with the applicant being Shirley Bongiorno. The case was for the short form plat. The Planning Commission, with nine members present, had unanimously recommended approval. The Commission unanimously approved Case No. 05PC-07 and adopted Resolution 2007-10 relating to the case.

At 10:00 a.m., the meeting was interrupted when evacuation of the courthouse was ordered due to a ruptured natural gas line. A City crew working on the parking area of 10th Street ruptured a gas line and the odor of natural gas filled the building. Once outside, the Commission adjourned the meeting and determined that they would reconvene at 1:00 p.m. when it was estimated the courthouse could be reentered.

The Commission reconvened in open session at 1:00 p.m. Also present were Director Bristor, Assistant Director Jenkins, and Planning Commission Chairman Ed Larson.

The next zoning case, No. 02PC-07, was heard. The case was for a short form plat for a 20.49 acre, approximate, tract to include the existing home. Director Bristor reported there was concern and opposition voiced at the Planning Commission meeting by a resident of the area. The Planning Commission, with nine members present, unanimously recommended approval, provided the easement correction is complete and deed filed. The Commission unanimously approved Case No. 02PC-07 and adopted Resolution 2007-11 relating to the case.

The last case heard was No. 07PC-07 for the final plat for the development of a subdivision consisting of 40 plus/minus lots. The application was by Garland Bell, owner, and Laurie Ungles, agent, who were both present for the hearing. Michael Aldritt was also present. Director Bristor reported that concerns were expressed on this case relating to drainage, property values, and types of waste systems. The Planning Commission, in a 7 to 2 vote, recommended approval of the case. The Commission unanimously approved Case No. 07PC-07 and adopted Resolution 2007-12 relating to the case.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$704.78.

County Counselor Jack Potucek met with the Commission and provided a brief update on several issues. He reported that he is still waiting on a call from Al Reiss, of Reiss & Goodness Engineers, regarding the resolution for the Slate Valley Sewer District. He updated the Commission on the status of hearings before the Board of Tax Appeals.

Economic Development Director Janis Hellard met with the Commission and provided an update on yesterday's presentation to the State legislative committee. Adoption of a resolution in support of expanded gaming and the South Central Coalition was discussed. A resolution will be prepared for consideration next week.

Deputy Kenny Kelley met with the Commission and discussed a Justice Assistance Grant application for 2008. The grant would provide funding to add three video cameras in patrol cars and eight additional tasers. The county's share for matching funding would be \$5,654. After discussion, the Commission unanimously approved the grant application.

The Commission discussed the bid from Cleary Building for the maintenance and evidence storage building at the law enforcement/detention facility. The bid was for \$17,955 for a 32 x 30 building. The bid for a slightly larger building was only \$2,000 more. Commissioner Martin voiced his opinion that, for the cost, the larger building would be best. He believes additional space will be needed in the future. After discussion, Commissioner Gracy moved to approve the bid for the 32 x 30 building since both Sheriff Gilkey and Maintenance Director Yoder indicated it would be sufficient. The motion was seconded by Chairman Newell. The vote was 2 to 1 with Commissioner Martin voting no.

The Commission received correspondence from the South Haven Township Board reporting a vacancy in the Township Trustee position due to the passing of C.R. Tyson. The Board recommended the appointment of Howard Strickland and indicated that Mr. Strickland was willing to serve. The Commission unanimously appointed Howard Strickland as South Haven Township Trustee.

There being no further business, the Board of County Commissioners adjourned at 2:50 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
March 19, 2007 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 Jim D. Newell, Commissioner Eldon B. Gracy, and Commissioner Garey E. Martin. 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 12 and 13.

County Clerk Shields reported that a representative of the United Way turned in the keys to their former office on W. 8th, in Wellington. They confirmed they would no longer use the office. Citizens are available to contact United Way for assistance through a 1-800 number or a 211 number.

E911 Director James Reed met with the Commission. Also present was Assistant Director B.J. Tracy and Dispatcher III Tessa Stewart. Tessa was presented a plaque in recognition of her five years of service with the E911 Department. Director Reed commended her for her work and Assistant Director Tracy noted that Dispatcher Stewart had perfect attendance last year. The Commission also commended Stewart on her work and her service to the county.

Commissioner Gracy inquired about Emergency Medical Service responses to the Geuda Springs area. Director Reed reviewed the procedure for calls in the Geuda Springs area and also the Oxford area. Legally, the areas are within the Wellington EMS response districts so that is the service that is sent. If the caller has a preference for Winfield or Arkansas City EMS then that agency is notified.

Director Reed and Assistant Director Tracy discussed a personnel issue. He submitted a report of Salary Considerations for Public Safety Dispatchers in Sumner County. The reoccurring problem in the retention of employees was discussed. Director Reed reported that his department is currently short six trained positions, which is 50% of the dispatch staff. Regarding wages, he advised that a Dispatcher III position is making what an entry level position makes at Sedgwick County E911 Department. There have been times where an employee completed the six-month training program and was then hired within a few weeks by another agency. Due to merit freezes in the past and only occasional cost of living adjustments, the wages have not kept pace with the market. After discussion, the Commission asked Director Reed to submit a plan proposing what he believes is needed to address the problem.

Economic Development Director Janis Hellard met with the Commission. The status of expanded gaming and destination casinos was considered. Director Hellard provided a copy of a resolution adopted by Kingman County regarding supporting destination casinos and expanded gaming and the South Central Kansas Coalition for Fair Play. The positive efforts being done by Representative Wetta were discussed. Final wording for a resolution to be adopted by Sumner County was determined. Director Hellard will prepare the resolution for the Commission.

Road and Bridge Director Melvin Matlock met with the Commission. He discussed the replacement of equipment and the delays in replacement that have been made in the past to hold the budget. A schedule of equipment replacement, based on usage and cost, calls for \$395,000 worth of equipment should have been replaced this year, but only \$243,000 was allowed in the budget. The repair costs last year for the two motor graders were discussed. Director Matlock asked the Commission to consider not requiring the Road and Bridge Department to cover their cost of vehicle insurance and workers compensation insurance. A few years ago the cost was covered out of the general fund rather than the Road and Bridge fund.

Richard Jesina, of Countryside Motors, met briefly with the Commission. He submitted titles for two of the new Sheriff vehicles that arrived. Both are in possession of the Sheriff's Department. The Chairman was unanimously authorized to sign the titles and related documents.

The Commission reviewed the prepared resolution expressing support for destination resort casinos and expanding gaming and the South Central Kansas Coalition for Fair Play. Resolution 2007-13 was unanimously adopted.

The Commission received the report that the current inmate count at the new detention facility is 83 for today. That includes 14 from Cowley County and 19 from Sedgwick County.

Director Reed met again briefly with the Commission. He provided additional information regarding EMS responses to Geuda Springs.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,110.45.

There being no further business, the Board of County Commissioners adjourned at 12:01 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
March 20, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Also present was Marvin Simonton.

The Commission toured the court floor of the courthouse to view the renovation underway.

Mr. and Mrs. Scott Blake met with the Commission regarding a road issue in Ryan Township. He previously met with the Commission about the same issue. Mr. Blake provided recent photographs of the road and discussed some of the problems. The operation of the township maintainer was discussed. The location of the problem is on a township road. Mr. Blake said the road is currently unsafe and he recently made a report to the Sheriff's Office of damage to his vehicle. They have been dealing with the township's insurance company, but not to a satisfactory resolution. The Commission advised that they would make Road and Bridge Director Melvin Matlock aware of the issue, but noted that the county has no authority over the township. The Blake's will continue to deal with the insurance company.

County Counselor Jack Potucek met with the Commission. He provided brief updates on State Board of Tax Appeal hearings and a resolution regarding Slate Valley Sewer District. Counselor Potucek also discussed an issue regarding Sumner Memorial Gardens. He will respond to correspondence received from a citizen who had purchased a vault from the previous owner.

Kerry Murray, of Universal Construction, and Tony Rangel, of Law/Kingdon Inc., met with the Commission. Also present was Maintenance Director Gary Yoder. A number of issues relating to the detention facility were discussed. The procedures for contact regarding any malfunctions or mechanical problems were reviewed. Costs related to communication and telephone services were discussed. The Commission will direct Information Services Director Stice to review the costs with John Marx to confirm what costs were specifically related to the project. Mr. Rangel submitted pay applications for the detention facility project dated February 5 and March 5. A pay application dated March 7 for the courthouse renovation portion was also submitted. The pay applications were unanimously approved. Representatives of Schrader Brothers & Associates were also present. A brief update was given on the work in the courthouse.

Pam Black, Administrator for Slate Creek Good Samaritan Center, met briefly with the Commission. She submitted an annual report required by the State for the license to operate as a nursing home. The Commission Chairman's signature is required on the report. The Commission unanimously authorized Chairman Newell to sign the document.

Emergency Management Director James Fair met briefly with the Commission. He reported on several road closings occurring due to the rain.

The Commission spoke with Information Services Director Doug Stice and directed to contact John Marx or Kerry Murray.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$212.62

There being no further business, the Board of County Commissioners adjourned at 12:29 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
March 26, 2007 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 Jim D. Newell, Commissioner Eldon B. Gracy, and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton, who was also present, offered an opening prayer.

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

Deputy John Moore met with the Commission. He submitted a proposed courthouse emergency plan for consideration. The plan provides procedures for evacuation of the courthouse in an emergency situation. Deputy Moore advised that presently only two departments have individual plans for their offices. After discussion, it was determined that the plan will be distributed to the department directors and then discussed at the planning session on April 16.

Palestine Township Trustee Jeff Hatfield met with the Commission. He submitted a request to vacate a portion of 60th Ave. North in Palestine Township. He advised the township has not maintained the road for a number of years and an adjoining property owner has an irrigation system crossing part of the road. The statutory process to vacate the road will be followed. A hearing date will be scheduled, published, and notice sent to any adjoining property owner. Mr. Hatfield also discussed another location where the township may make a request to vacate a portion of the road.

Emergency Management Director James Fair met with the Commission for evaluation purposes. At 10:35 a.m., the Commission entered into executive session with Director Fair for twenty minutes to discuss non-elected personnel. At 10:54 a.m., the Commission reconvened in open session.

Economic Development Director Janis Hellard met with the Commission. She reported that final action was taken this morning regarding the expanded gaming bill and it was passed by the House of Representatives. The bill now goes to the Senate. Director Hellard advised that the bill provides for Sedgwick County to conduct a vote within 180 days after the effective date of the legislation. If a Sedgwick County vote passes, then both Sedgwick and Sumner would both be possible locations. Developers would submit proposals to the State for approval. The bill provides for revenue sharing between Sedgwick and Sumner counties at 1%. Director Hellard commended the efforts of Representative Vince Wetta in representing Sumner County. The Commission also commended Director Hellard on her efforts on the issue.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,080.50. Prior year orders in the amount of \$576.30 were also unanimously approved.

The Commission reviewed and unanimously approved the claims for the end of March in the amount of \$651,611.38.

There being no further business, the Board of County Commissioners adjourned at 12:01 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
March 27, 2007 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 Jim D. Newell, Commissioner Eldon B. Gracy, and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Appraiser Della Rowley met with the Commission. She provided a report on appraisal statistics for the county. Various items of information included in the report were reviewed and discussed.

County Counselor Jack Potucek met with the Commission and briefly discussed several items. Topics included a tax issue and the resolution relating to the Slate Valley Sewer District. Counselor Potucek advised he was still working on the issue regarding Sumner Memorial Gardens and a citizen's previous purchase of a vault. Counselor Potucek reported that he had been in contact with Wellington City Attorney Mike Brown regarding finalizing the sale of the landfill. The interlocal agreement with the City will need to be extended to provide additional time to finalize the sale.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$257.78.

There being no further business, the Board of County Commissioners adjourned at 11:59 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
April 2, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present as he was in Topeka regarding the destination resort casino issue. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for March 26 and 27.

Planning and Zoning Director Jon Bristor met with the Commission for evaluation purposes. At 9:31 a.m., the Commission upon unanimous vote entered executive session with Director Bristor for fifteen minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:46 a.m.

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. Director Donley reported that she had been contacted by Gabirel Lippincott about a tax credit program. The purpose of the program would be to renovate an old church in Milan into a community building. The program has to be sponsored by a non-profit agency. She said the latest information provided to her by Mr. Lippincott indicated that all funds are handled through the sponsoring agency. She said Mr. Lippincott is scheduled to meet with the Commission next week and more information will be offered. Director Donley would like the County Counselor to review any legal issues that might be involved. The Commission advised her to discuss the matter with Counselor Potucek. Any final decision for the Senior Services to be the sponsoring agency would be up to her and/or the Board.

Greg Olson, Chief Executive Officer for Sumner Mental Health, met with the Commission. He provided the annual report and provided updates in several areas. Mr. Olson explained that funding issues are continually changing due to bureaucratic changes at the State level. The changes relate to the State Medicaid plan. Mr. Olson advised that he will be talking with local legislators regarding the issue. He also discussed a previous funding issue and it is hoped to be resolved by September. Director Olson said they continue to try to become more efficient due to the funding reductions. He reported that there is a currently a waiting list of 55 persons needing assistance. Some funding issues will not be finalized until later, but it is expected that the budget request for county funding will remain the same. Director Olson will attempt to keep the Commission informed as much as possible with the changes that occur.

Director Olson also reported that there is a current vacancy on the Mental Health Board. He advised that Trudy Ybarra had expressed an interest in serving. Her appointment would serve several needs for the Board. The Commission unanimously agreed with the appointment of Trudy Ybarra.

Treasurer Carolyn Heasty met with the Commission and provided the latest sales tax report. The report shows a total of \$146,767.09 collected in January. Treasurer Heasty discussed the plans for storage on the former jail floor. Treasurer Heasty asked that they consider leaving a gate in the east hallway rather than sealing it off. Leaving access would provide a shorter route for the transfer of tags from storage to the new elevator and then to the Treasurer's office. The Commission will consider the request in the final plans.

County Counselor Jack Potucek met with the Commission. He reported that preparations are continuing for the tax sale. The process began with over 300 parcels, and as of Friday, 89 parcels remain in the process. Counselor Potucek submitted an agreement to extend the interlocal agreement with the City of Wellington for six months to conclude the sale of the landfill. The Commission unanimously approved the extension and it was signed by Chairman Newell. Counselor Potucek reported on his research for the legal description of the county owned farm ground west of the Slate Creek Good Samaritan Center.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,204.02. Prior year orders in the amount of \$805.10.

There being no further business, the Board of County Commissioners adjourned at 12:02 p.m. The Commission will not meet April 3rd.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
April 9, 2007 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Garey E. Martin was not present as he was attending a meeting of the Regional Economic Area Partnership and a South Central Water Coalition meeting. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for April 2.

The Commission received an application for the supervised display of fireworks. The application was submitted by Ronald Pomeroy and was for the location of 260 S. Farmers Street, Belle Plaine. The display will be part of the 15th anniversary celebration for his business, Kansas Castings. The required insurance and current State Fireworks Operators License were provided. The Commission unanimously approved the application and directed the issuance of a permit.

The Commission reviewed the Community Correction claims for February in the amount of \$22,076.94 and March in the amount of \$20,451.43. The claims were unanimously approved.

At 9:31 a.m., the Commission held a public hearing on a request to vacate a portion of 60th Ave N. from River Road to the Arkansas River. Palestine Township Trustee Jeff Hatfield and Road and Bridge Director Melvin Matlock were present for the meeting. The request was submitted by Mr. Hatfield. County Clerk Shields reported that the required public hearing and notice to adjoining property owners had been made. Director Matlock advised he had viewed the location and saw no reason why it should not be vacated. The Commission unanimously approved the closing and adopted Resolution 2007-14.

Road and Bridge Director Matlock discussed a bridge near Caldwell that was recently washed out. There has always been reoccurring problems due the drift that repeatedly builds up on the bridge. The bridge has a low volume of use, but is the only access for at least one farmer. Several options to address the problem were considered, of which several would be costly. A new bridge would be at least \$250,000. The most cost effective may be to repair and extend the present low water bridge at an approximate cost of \$50,000. Director Matlock also briefly discussed a bridge on the Mayfield Road. All agreed the best option is for a low water bridge to remain.

Director Matlock discussed the replacement of the motor graders. He previously discussed their replacement with the Commission. Director Matlock advised that three are due for replacement and he had continued to explore funding options to accomplish replacing all three next year. He advised that only one payment remains on the current lease. If that payment could be made this year, and then a new lease to replace all three could be done next year. The Commission advised him to further research the possibility.

Brad Macy, Interim Director for Community Corrections, and Tammy Bradbury met with the Commission. Amendments to the three-year Community Corrections Plan Adult Supervision were submitted for the Commission's approval. The Commission unanimously approved the amendments.

Treasurer Carolyn Heasty met with the Commission. She reported that she would not be able to attend the planning session scheduled for April 16. She briefly discussed some budget issues and advised that Deputy Treasurer Vicki Clausen would attend the meeting with a written report.

Deputy John Moore met briefly with the Commission. He requested authorization for a \$50.00 manual check to the Wellington Recreation Board. He reserved the Armory building in Wellington for the annual DARE camp and the Recreation Center has now advised they require a deposit fee. Last year the fee was waived. The Commission unanimously authorized the issuance of a check.

E911 Director James Reed met with the Commission. He provided a contract for the Commission's review. The contract is between the Hutchinson Community College and Area Vocational School and Sumner County. The contract relates to the Homeland Security South Central Homeland Security Region and Hutchinson's agreement to

serve as an alternate public safety answering point for every county in the nineteen region area. Director Reed provided a number of other details about the agreement. He advised that Counselor Potucek will provide the original copy for their signature if they approve the agreement.

Commissioner Garey Martin entered the meeting at 11:37 a.m.

Director Reed also submitted a request for authorization of a credit card assigned to his department. The need for the card was discussed and the times that an emergency need might occur. After discussion, the Commission unanimously authorized a credit card account for the E911 Department.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,760.48. Prior year orders in the amount of \$39.42 were also unanimously approved.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
April 10, 2007 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Garey E. Martin was not present due to attending a funeral out-of-state. The meeting was opened with the Pledge of Allegiance.

Janis Hellard, Director for the Sumner County Economic Development Commission, met with the Commission. Shelly Hansel, Director for the Wellington Chamber of Commerce, was also present. Director Hellard provided information on the official announcement regarding Governor Sebelius signing the gambling bill tomorrow at the Wichita Mid-Continent Airport. The status of the possibility of any trailer bill being introduced was discussed. Indications seem to be mixed as to whether there will be one introduced.

County Counselor Jack Potucek met with the Commission. The contract between the Hutchinson Community College and Sumner County E911 was discussed. Counselor Potucek approved the contract as to form. Counselor Potucek asked for the Commission's authorization to research the cost for a survey of the farm ground owned by the county just west of Wellington. The Commission previously directed Counselor Potucek to research the possibility of selling the farm ground. They authorized him to research the cost or if a survey could be done in-house.

Gabriel Lippincott, Chief Executive Officer of Triple G Inc., met with the Commission. Also present was Gregory Lippincott, Trustee for Ryan Township, County Counselor Jack Potucek, and Janet Donley, Director for the Sumner Board of Senior Services. Gabriel Lippincott discussed a project for a new Ryan Township Hall. The existing building is in need of significant repair and photos were shown of the condition. ADA accessibility is also lacking. The purpose is to provide a better quality of life and address the needs of the residents. Gabriel provided details of the building plan and advised that one full-time job would be created as the result. The services and needs that the renovated building would enable the possibility to offer. The building would be available for public gatherings, family reunions, funeral services, and for use by seniors. The State and financial certifications required for the project were discussed and Gabriel explained how they would be met. He advised that Buellesfeld Financial Services and McComb Consulting would handle all functions. The Sumner Board of Senior Services is being asked to sponsor the program since seniors will benefit from the building.

The tax credit program that would be involved was discussed. The program is by application and there is no guarantee that it would be awarded to Ryan Township. The program requires an organization that is not-for-profit as a sponsor. Gabriel explained that there would be no liability to the Senior Services Board. Counselor Potucek advised that his previous recommendation to Director Donley was to have a full understanding of any duties or responsibilities she would encounter as the sponsor. There were previously some questions regarding the handling of the finances. Those questions appear to have been addressed. Counselor Potucek, as well as the Commission, advised the decision whether or not to sponsor the tax credit program would be up to the Senior Services Board. Director Donley advised that the Board meets in about two weeks. It was indicated that Gabriel Lippincott will present the information and request to the Senior Services Board. The Commission commended the efforts of the Lippincotts.

Information Services Director Doug Stice met with the Commission. He reported that after reviewing the bills paid for telephone upgrades, he confirmed one invoice was incorrectly paid out of the law enforcement/construction fund. A \$4,937 bill was for an upgrade for the Appraiser's office. The Treasurer will be directed to make a correcting journal entry.

John Marx and Kerry Murray, of Universal Construction, met with the Commission. Also present was Maintenance Director Gary Yoder and a representative of Schrader Brothers, the contractor performing the renovation work on the court floor. Kerry provided a brief update on some final work regarding the detention facility. The landscaper has been working at the site. An update was provided on the courthouse renovation. They should be ready to set the cooling units on the roof tomorrow, but may have to wait due to the possibility of rain.

Tony Rangel, of Law/Kingdon Inc, entered the meeting. Mr. Marx submitted a number of change orders for the Chairman's signature. The changes were discussed in previous meetings and the final orders were now prepared for

signature. Chairman Newell signed the orders. A change relating to the drains in the common showers in each pod was explained and the change was approved.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$899.46.

The Commission reviewed and unanimously approved the mid-month claims for April in the amount of \$275,176.19. A check processed separately to the Wellington Recreation Commission for \$50.00 was also approved.

There being no further business, the Board of County Commissioners adjourned at 12:53 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
April 16, 2007 9:00 a.m.

The Board of County Commissioners met at the Raymond Frye complex for the annual spring planning session with county staff. Those present were Commission Chairman Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Chairman Newell opening the meeting and Commissioner Gracy offered an opening prayer.

The personnel present for county departments were the following: Road and Bridge Director Melvin Matlock, Emergency Management Director James Fair, E911 Assistant Director B.J. Tracy, Health Director Laura Rettig, Deputy County Treasurer Vicki Clasen, Noxious Weeds Director Robin Walcher, Register of Deeds Joyce Lowe, Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, Planning and Zoning Director Jon Bristol, County Attorney Kassie McEntire, Appraiser Della Rowley, and County Clerk Shane Shields. Other present included Community Corrections Interim Director Brad Macy, CASA Director Tammy Bradbury, Senior Services Director Janet Donley, Economic Development Director Janis Hellard, and County Extension Agent Linda Mirt. County Counselor Jack Potucek, Information Services Director Doug Stice, and Maintenance Director Gary Yoder entered at times later in the morning.

The purpose of the planning session is for each department or agency to provide information regarding the status of their current year budget, service and/or expenditures that will impact next year's budget, and projected capital outlay needs for the next five years. Each Director or representative provided various items of information relating to their specific department or agency.

Wages were a topic discussed at some length. A report was provided to the Commission with documentation covering factors surrounding employee cost to train, employees lost due to the low salary they receive, surveys indicating Sumner County employees are under paid, and Consumer Price Index figures for the past four years. The report, compiled by the Department Directors, developed information on cost of living adjustment, Kansas Association of Counties comparisons, as well as review of the State of Kansas and a study for the City of Wellington. Based upon the information, the Directors recommended a 6.5% cost of living adjustment for all employees for 2008 and inclusion of an allowance for a possible merit increase for each employee at their appropriate evaluation times. For the years of 2002 through 2006, the consumer price index increased 15.10% compared to county cost of living adjustments during the same period of 9%. It was also recommended that a wage study be completed in 2008 to ensure that the local market is being taken into consideration for all departments for the 2009 budget year.

The Commission thanked everyone for participating and for the information provided. The consensus of all is that the annual planning session is beneficial in that it allows all departments to be aware of the needs and issues of all. The Commission will take into consideration all the information provided.

There being no further business, the Board of County Commissioners adjourned at 1:52 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
April 17, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

The Commission received correspondence from Dr. Larry Anderson regarding the new detention facility. They will discuss the issue with Tony Rangel, of Law/Kingdon Inc.

Marvin Simonton met with the Commission and discussed road conditions in Wellington Township. He provided pictures of the road conditions and advised that he had talked with the Township Trustee. The Commission recommended to Mr. Simonton that he contact Road and Bridge Director Melvin Matlock to see what assistance or contact he could provide with the Township Officers.

David Wilson, Capital Equipment Company, met with the Commission and advised his company had excess equipment available at wholesale prices. Among the items of equipment are a diesel generator, a pressure washer, and an air compressor. The maintenance, emergency management, sheriff, and road & bridge departments were contacted and advised of the equipment. Mr. Wilson advised that, if the diesel generator was purchased, all of the other equipment would go with it.

The Commission reviewed and unanimously approved the minutes for April 9 and 10.

The Commission received correspondence from the Scoular Company regarding the grain held in storage. The Commission unanimously authorized for the grain to be sold and Chairman Newell contacted the Scoular Company.

The Commission unanimously authorized the waiver of the user fee for the Raymond Frye Complex for an SRS informational meeting. The meeting will be July 19 and is open to the public. The Extension Office was advised the fee was waived.

The Commission met again with Mr. Wilson regarding the wholesale equipment. Maintenance is the only department that might have an interest in the equipment. They recommended that he talked directly with Maintenance Director Gary Yoder.

Mary Lackey met with the Commission regarding a Neighborhood Revitalization Project (NRP). Also present were County Appraiser Della Rowley and staff member, Carolyn Farley. Ms. Lackey asked for an extension for her project under the NRP. She reported the project is approximately 80 to 85% complete, but due to illness the work has slowed. A flooding problem and new utility lines are recent problems that have also arisen. After discussion, the Commission unanimously authorized an extension of six months.

Tony Rangel, of Law/Kingdon Inc., talked with the Commission by phone. A change proposal request regarding electrical receptacles on the court floor renovation was discussed. Changes were requested by District Judge Thomas Graber. Mr. Rangel reported that furniture and the placement of receptacles had been previously discussed with Judge Graber. Mr. Rangel said that the contractor has been asked to provide a cost estimate. The Commission will make a final decision once the estimate cost is received.

Mr. Rangel reported that he has had further discussion with a representative of the Get a Move On Company regarding an outstanding bill. There were some concerns with the quality of work provided. The issue will be discussed further at next week's project update meeting. The correspondence received from Dr. Anderson was also discussed. Dr. Anderson does not believe the landscaping at the detention facility is serving as an effective visual barrier between his property and the facility. Mr. Rangel advised that the landscaping was completed as designed and that the planned design was presented previously to Dr. and Mrs. Anderson. Trees have also been planted, but are not yet mature. The issue will be discussed further next week.

The Commission recessed at 11:55 a.m. and attended a noon luncheon meeting at the Wellington Steakhouse with members of the Sumner County Farm Bureau. A number of topics were discussed in general. The topics included the ethanol plant, taxes, and the detention center.

There being no further business, the Board of County Commissioners adjourned from the Farm Bureau meeting at 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.

Jim D. Newell, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
April 23, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

A plat was submitted for the Commission Chairman's signature. The plat was for Collins Estates and was already approved by the Mulvane Planning Commission as it is within the three-mile jurisdiction of Mulvane City. Chairman Newell was unanimously authorized to sign the plat.

The Commission reviewed and unanimously approved the minutes for April 16 and 17.

Keith Mortimer met briefly with the Commission and advised that he wished to cancel his appointment with the Commission.

Gabriel Lippincott met with the Commission regarding the proposed project for Ryan Township and the Township Hall. He asked for the Commission's endorsement of the project and acknowledgement of the project. The endorsement would help in the project request. The Commission asked Mr. Lippincott to present the information to County Counselor Jack Potucek for his review. The Commission expressed their willingness to endorse the project provided that the Counselor has no legal concerns.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. Sheriff Gilkey further discussed the need for additional detention personnel. In last week's planning session he indicated the need for four additional detention officers. The additional four would also reach the nineteen that was originally recommended by the detention facility consultants. He advised that they can operate, but the detention officers are being worked to an extreme. A significant amount of overtime is also being paid out. Sheriff Gilkey advised the need exists today and he would like to add two personnel as soon as possible with the addition of two more next year. Discussion was held regarding the inmate housing revenue and if it would cover the cost of the personnel. Sheriff Gilkey advised that approximately \$320,000 in expected revenue was budgeted and current projections indicate an actual amount of \$400,000. The estimated cost for adding two personnel now would be about \$35,000 plus benefits for the remainder of the year. After discussion the Commission unanimously authorized two additional detention officers.

Commission Chairman Newell inquired about what vehicle replacements might be expected for next year's budget. Sheriff Gilkey advised that the two planned lease payments will occur and it will be proposed to purchase one new vehicle. The vehicle will replace the seized vehicle being driven by the Undersheriff that is reaching high mileage. Some of the cars replaced this year were discussed. Two of the vehicles were the canine units, which are vehicles that may not have as high as mileage but the hours of operation are extensive.

Janet Donley, Director for the Sumner Board of Senior Services, talked with the Commission by phone. She reported that she had been contacted by Mr. Lippincott who told her the Commission had approved of the Ryan Township project. Director Donley expressed her concern with signing on to the project. She had received information indicating that she, as the signer of the agreement, is ultimately responsible for the financial record keeping. She said the Sumner Board for Senior Services, after hearing the presentation from Mr. Lippincott, tabled the matter to conduct more research on the tax credit program. The Commission advised Director Donley that they had not given any final endorsement of the project. Mr. Lippincott was asked to provide information to the County Counselor and the Commission would make a determination based on the Counselor's recommendation. The Commission advised Director Donley that whether or not the Senior Services Board acts as the agent for the project is entirely the Board's decision.

County Clerk Shields discussed the county's drug testing policy. The county's workers compensation insurance provider, Kansas Workers Risk Cooperative for Counties, made the request that member counties initiate reasonable suspicion and post-accident drug testing. The Road and Bridge department already uses an outside provider for drug testing according to DOT requirements for commercial driver's license holders. Having the same company assume all drug testing for the county was considered. After discussion, the Commission unanimously directed that all drug

testing be done through the outside provider, The Consortium Inc. The target date of August 1 was set for having all procedures in place.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$229.24. Prior year orders in the amount of \$220.56 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 12:07 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
April 24, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Emergency Management Director James Fair met with the Commission. He discussed the possibility of changing to a different cell phone service. The current service does not reach all points in the county. Director Fair said he has tested a new service and coverage has proven to be county-wide. A type of phone that will provide more features that would benefit emergency management responsibilities was also discussed. The initial phone cost would be higher and the monthly service fee would increase. The cost would be offset by the savings created with the change of the radar system used by emergency management. The radar change went from an annual amount of \$2,400 to \$250. The Commissioners, with some reluctance expressed by Chairman Newell, approved the cellular change.

Director Fair provided an after action report of the courthouse evacuation that occurred in March due to the gas line that was ruptured on 10th Street. Director Fair had also talked with the Wellington emergency responders. The report addressed some areas where improvements or additional procedures might need to be considered. Everyone agreed that a plan needs to be fully developed. After discussion, the Commission determined that Director Fair, as Emergency Management, and the Sheriff should work together to fully develop a plan. The Commission asked that Director Fair return to them if any difficulty occurs in planning.

The Commission spoke with Janet Donley, Director for the Sumner Board of Senior Services. She reported that she had again been contacted by Gabriel Lippincott regarding the Ryan Township project. Director Donley advised that her Board is meeting at 2:00 p.m. today. The Commission reiterated that it is entirely the decision of the Senior Services Board as to whether they endorse and sign on to the project.

Treasurer Carolyn Heasty met with the Commission. She submitted a resolution for the Commission's review and adoption. The resolution was for the abatement of tax interest and penalty due to a county error. The Commission unanimously adopted Resolution 2007-15 abating tax interest and penalty.

Treasurer Heasty also requested an executive session to discuss a non-elected personnel issue. At 10:14 a.m., the Commission upon unanimous vote entered into executive session with Treasurer Heasty for five minutes to discuss non-elected personnel. At 10:19 a.m., the Commission reconvened in open session.

County Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission regarding a Neighborhood Revitalization Plan issue. The issue related to whether the specific cabin type of project would qualify for the NPR. The Commission agreed that the project would qualify.

Health Department Director Laura Rettig met with the Commission and requested an executive session to discuss non-elected personnel. At 10:26 a.m., the Commission upon unanimous vote entered into executive session with Director Rettig to discuss non-elected personnel for 15 minutes. At 10:38 a.m., the Commission reconvened in open session.

Director Rettig also reported that she had been contacted by Gabriel Lippincott asking for her support of the Ryan Township project. She did not have a lot of details, but said any support or endorsement by her department would have to be authorized by the Commission. Director Rettig also discussed a concern expressed by employees regarding conduct at the rental house next to the Health Department. The house is rented and used by the PS Club.

County Counselor Jack Potucek met with the Commission. The first issue discussed was the Ryan Township project and Gabriel Lippincott's request for the County's endorsement. Counselor Potucek advised that he had informed Mr. Lippincott that he would not recommend to the Commission to endorse the project unless the Board for Senior Services has endorsed the project and that there is official record that the Ryan Township Board has endorsed the project.

Counselor Potucek discussed the upcoming real estate tax sale scheduled for May 8. At this point, there are 67 parcels remaining in the tax sale. Counselor Potucek reported that he had been in contact with Rangy Fitzgerald, Regional Director for the Good Samaritan Society. An agreement is being worked on for a six-month extension to the existing contract for operations at the Slate Creek Good Samaritan Center. The Good Samaritan legal department will initially prepare the agreement and send to Counselor Potucek for his review. The preference is to complete the agreement by May 1.

Counselor Potucek submitted the contract between Sumner County E911 and the Hutchinson Community College and Area Vocational School. The contract was previously discussed and approved on April 16. Chairman Newell was unanimously authorized to sign the contract. Counselor Potucek reported that he is continuing to research the past history of the issue with vaults purchased at the Sumner Memorial Gardens. Counselor Potucek also reported that he made contact with a representative of the owner for the former Wellington Place building. The representative would like the Commission, if there is any interest, to view the premises. The Commission will determine at a later date if they wish to view the premises.

John Marx, of Universal Construction, and Tony Rangel, of Law/Kingdon Inc., met with the Commission to provide the latest update on the courthouse renovation. Also present was a representative, of Schrader Brothers & Associates. Mr. Marx reported that he would be providing all of the manual documents and information to Sheriff Gilkey. A couple of change orders were reviewed and approved.

The correspondence received from Dr. Larry Anderson was discussed. In his correspondence Dr. Anderson said that more needs to be done to comply with the Commission's verbal assurance that there would be an effective visual barrier between his property and the Law Enforcement Center. He references what he now sees from his driveway. Mr. Rangel advised that the landscape plans were shown to Dr. Anderson and met with his approval. The dirt berms were planned to only be about three feet tall, but in actuality are higher than that. The trees when fully mature will also obscure, to some degree, the view from Dr. Anderson's property. Everyone present agreed that the Commission did a reasonable amount of due diligence to mitigate the view. The Commission asked that the placement of the trees be reviewed to ensure they were placed as shown on the original plan.

Mr. Rangel submitted the second pay application from Schrader Brothers for work on the courthouse project. The application was unanimously approved. The invoice from the Get a Move On Company was discussed. The invoice has been held for some time due to a concern with the work. Mr. Rangel reported that he and Mr. Marx had talked with a representative of the company. A credit was offered on the bill. The Commission unanimously authorized payment of the revised invoice. The cost for the change requested by District Judge Graber was considered. The bid received was for \$325.25. After discussion, the Commission unanimously approved the change.

The status of the courthouse renovation was discussed. The plan is to begin demolition on the court floor next week. The timeline remains dependent upon delays necessitated by court activity and/or requests.

The Commission reviewed and unanimously approved the claims for the end of April in the amount of \$250,504.26.

There being no further business, the Board of County Commissioners adjourned at 12:30 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
April 30, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission received correspondence from District Coroner Dr. Larry Anderson. He appointed Dr. Stephen Grillot, of Kingman, as a Deputy District Coroner for the 30th Judicial District. The Commission unanimously approved the appointment.

Thor Martin called and talked with the Commission by phone. He met with the Commission last fall regarding the River Walk project in Argonia. Mr. Martin advised they are still trying to raise \$15,500 in funding for the project. A grant possibility was discovered through the Department of Agriculture Rural Services. The grant application must be filed by the landowner. The landowner, in this case, is the County. Mr. Martin inquired if the County would be willing to submit the application. The Commission asked if there were still any property owners opposing the project and Mr. Martin advised there were still a couple. The Commission advised that they would consider the request and discuss the issue with the County Counselor.

Janet Donley, Director for the Sumner Board for Senior Services, met with the Commission. She reported that the Sumner Board held a special meeting on April 24 regarding the request for the Sumner Board to sponsor and apply for the tax credit project for the Ryan Township Hall. The Sumner Board voted unanimously not to act as the sponsor for the project.

Merle Webster met with the Commission. He advised he is a licensed nursing home administrator and he has a group out of Utah that is interested in acquiring Slate Creek Good Samaritan Center. Mr. Webster provided some background information about himself. If the County has interest, the group would like to make arrangements to look the facility over. The Commission expressed that there is a definite interest.

Treasurer Carolyn Heasty and County Counselor Jack Potucek met with the Commission. A tax issue was discussed regarding the payment of taxes. Counselor Potucek explained the details of the situation. The cost of legal action regarding the issue would be more costly than abating the tax penalty and interest involved. After discussion the Commission unanimously adopted Resolution 2007-16 abating \$2,284.84 in tax penalty and interest.

Counselor Potucek discussed the tax sale scheduled for May 8. Due to timing relating to publication requirements the tax sale will have to be moved back one week. The sale will be held on May 15, 2007.

The Commission discussed the request from Thor Martin with Counselor Potucek and Road and Bridge Director Melvin Matlock. The county is the landowner, but the road is within the City of Argonia. Several issues were considered. Counselor Potucek will contact Mr. Martin to further discuss the issue.

Road and Bridge Director Matlock discussed the Patton low water bridge. Previously, repairing the bridge was talked about. Director Matlock advised that, after further review, the determination is that it would be best to replace the existing bridge. The increased expense should be recovered within a few years due to reducing the need to remove drift from the bridge.

Director Matlock reported that he would contact Don Humbert regarding an issue with Hillside Avenue near the detention facility. Mr. Humbert has created a dike in the ditch that is creating a problem. Director Matlock is going to inquire what the purpose for the dike is.

The Commission reviewed and unanimously approved the minutes for April 23 and 24.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$123.62.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
May 1, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon Gracy. Also present was Kelly Lacey, of the County Clerk's Office. The meeting was opened with the Pledge of Allegiance.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, had to cancel her scheduled appointment. She wished to meet with them to follow up on her inquiry to the Commission for them to consider joining the Chamber. The Commissioners all agreed that they support the Wellington Chamber, but do not believe they should join the Wellington Chamber without joining the Chamber in every city in the county.

County Counselor Jack Potucek met briefly with the Commission. He reported that he had been in contact with Randy Fitzgerald, Regional Director for the Good Samaritan Society, and that the Society's legal department was continuing to work on a contract extension.

Treasurer Carolyn Heasty met with the Commission and provided the latest sales tax information. She reported the sales tax collections continue to be higher than projected. The result will be the ability to pay off the sales tax bond issue sooner than the planned number of years. Several issues relating to the sales tax and other financial issues were discussed.

There being no further business, the Board of County Commissioners adjourned at 11:08 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
May 7, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Merle Webster met with the Commission. He reported that a representative of the group he is associated with toured the Slate Creek Good Samaritan Center last week. The group does have interest in the facility. County Counselor Jack Potucek had not yet briefed the Commission on his meeting with Mr. Webster last week. Counselor Potucek was called by phone. After discussion, Counselor Potucek advised that he would meet again with Mr. Webster and then provide an update to the Commission.

Treasurer Carolyn Heasty met briefly with the Commission. She submitted a vehicle title for the Commission Chairman's signature. The vehicle was seized by the Sheriff's Office. Counselor Potucek had been involved to ensure the correct documents were completed to transfer ownership.

The Commission reviewed and unanimously approved the Community Corrections claims for April in the amount of \$20,096.25.

The Commission reviewed and unanimously approved the minutes for April 30 and May 1.

Counselor Potucek met briefly with the Commission. He reported that there are now less than 40 parcels remaining in the tax sale for next Tuesday.

Maintenance Director Gary Yoder and Mark Callison, of Schrader Brothers Construction, met with the Commission. The replacement of a water heater related to the renovation was discussed. The replacement was not originally planned, but doing so now would be most feasible. A higher efficiency heater will reduce some of the work that was going to be necessary to vent the existing heater. Replacing the heater would create an increase in expense of only \$400. The Commission unanimously approved the replacement.

A roof leak discovered during the work related to the renovation was also discussed. Steps will be taken to stop the leak, but there is concern a leak will reoccur at a different location. Director Yoder advised that the courthouse roof will need to be replaced at some point and planning to do so should begin.

The Commission discussed with Director Yoder a report of a gas odor in the Raymond Frye Complex last week. The odor may be related to the oven in the kitchen area. The Commission instructed Director Yoder to contact the Fire Department and the gas service company to initially check for any gas odor.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,400.42. Prior year orders in the amount of \$1,237.88 were also approved.

There being no further business, the Board of County Commissioners adjourned at 12:04 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
May 8, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Representative Vince Wetta met with the Commission and provided information on a number of legislative issues from the past session.

Shawn Rafferty, of the Farm Service Agency, along with two other representatives met with the Commission. Maintenance Director Gary Yoder and Assistant Director Marion Nuss were also present. Mr. Rafferty expressed a concern with a gas odor in the Raymond Frye complex last week. Once the oven in the building was turned off, the odor seemed to be abated. Mr. Rafferty expressed his concern as to whether the issue was considered serious by the Maintenance department. The Commission informed Mr. Rafferty that the issue was discussed yesterday and the building will be checked. It was agreed that a representative of the Farm Service Agency would also be present when the building is checked.

The Commission discussed donating funds to the City of Greensburg to assist in recovery and reestablishing operations. The League of Kansas Municipalities has created a fund to assist the City. It was unanimously approved to donate \$1,000 to the City of Greensburg through the League.

Janis Hellard, Director for the Economic Development Commission, met with the Commission. County Counselor Jack Potucek was also present. She first provided an update on two projects. Director Hellard reported that there is the strong possibility that a new hotel has been procured for Wellington. The arrangements are in the final stages. She also reported that the ethanol plant project is proceeding and going very well. The project still appears to be a go.

Representative Wetta entered the meeting. Counselor Potucek discussed the next steps that need to be taken to submit Sumner County's previous election to the Lottery Commission. The requirements of SB 66 were reviewed and steps that Crawford County has already taken were discussed. Counselor Potucek advised that he has been in contact with Deputy Attorney General Mary Feighny. Counselor Potucek and County Clerk Shields will finalize an affidavit that will be sent to the Lottery Commission along with other documentation. The Lottery Commission will be asked to render its findings to the Board of County Commissioners. Counselor Potucek will also prepare a final resolution for the Commission's approval that will accompany the affidavit.

Emergency Management Director James Fair and Assistant Director Chris Ball met with the Commission to provide an update on flooding. They reported some minor flooding occurring in the Peck area. At this time, the National Weather Service is not forecasting any major flooding in Sumner County, but the forecast is for the chance of more rain. The Arkansas River in the Mulvane area may not crest until tomorrow night. Director Fair advised that the area may be on the threshold of qualifying for Federal aid related to flooding. He recommended that a declaration of disaster be made. If the County does not meet the threshold, it will not qualify. The State wants any declarations as soon as possible as the application period will end later this week. The Commission expressed concern with declaring a disaster before it is known if a true need exists. After discussion, the Commission unanimously agreed to schedule a special meeting on Thursday at 11:00 a.m. for the purpose of considering making a County Disaster Declaration. The meeting will be at the Emergency Management office and may be conducted by conference call.

Health Department Director Laura Rettig talked with the Commission by phone. She reported that she had received a request through the Sedgwick County Medical Response Unit for assistance in Greensburg. Director Rettig advised that she currently has two staff in Greensburg. A team of three to four members will be sent each day for the next several days. The Commission unanimously expressed their support.

County Appraiser Della Rowley briefly met with the Commission regarding a personnel issue.

Counselor Potucek submitted the resolution for the Commission to adopt directing the County Clerk to submit the necessary documents to the Kansas Lottery. The resolution also declares that it is in the best interest of the county to submit the documentation. Resolution No. 2007-17 was unanimously approved and adopted.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, met with the Commission. She provided an application for Chamber membership to the Commission. The membership fee is \$600 and Director Hansel explained some of the benefits. Chairman Newell referred to the Commission's previous discussion about joining one Chamber and not the others. The idea of a county-wide Chamber was briefly discussed and considered.

Counselor Potueck reported that there are now 32 parcels of property remaining in the tax sale. He also advised he will be doing more work in the afternoon regarding the Slate Creek Good Samaritan Center.

There being no further business, the Board of County Commissioners adjourned at 12:07 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
May 10, 2007 11:00 a.m.

The Board of County Commissioners met in special session in the office of the Emergency Management Department. Commissioner Eldon B. Gracy was present with Commission Chairman Jim D. Newell and Commissioner Garey E. Martin participating by conference telephone call. Also present were County Clerk Shane J. Shields, Emergency Management Director James Fair, and Assistant Director Chris Ball.

The purpose of the special meeting was to consider the issuance of a disaster declaration for Sumner County. Director Fair reported that it is not believed that the County sustained any significant damage that would enable the County to qualify for Federal assistance. He advised he had been in contact with Road and Bridge Director Melvin Matlock. Director Fair recommended that a declaration not be enacted.

Commissioner Martin reported that he had talked with Township representatives of Belle Plaine, London, and Gore Townships. None reported any significant damager where financial aid would be needed. After discussion the Commission unanimously determined that a disaster would not be declared.

Director Fair reported that the Kansas Department of Emergency Management is working with the Farm Service Agency (FSA) regarding crop damage due to flooding. Crop damage would not relate to a disaster declaration. Anyone having crop damage should contact the FSA.

There being no further business, the Board of County Commissioners adjourned at 11:05 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
May 14, 2007 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Garey E. Martin was not present as he was attending a meeting of the Regional Economic Area Partnership. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for May 7 and 8. The minutes of the Special meeting held May 10 were also reviewed and unanimously approved.

The Commission reviewed an application for permit to sale fireworks submitted by Sally Mercer. The sale location will be 974 N. Conway Springs Rd and for the dates of July 1 through 4. The application fee and all required documents were submitted. The Commission unanimously approved the application and directed the Clerk to issue a permit.

Information Services Director Doug Stice met with the Commission. He submitted the initial bill for the phone system connection between the courthouse and the detention facility. The cost will be \$220 per month. Director Stice wanted to confirm with the Commission whether they want the expense paid out of the Information Services or Sheriff's budget. After discussion, the Commission agreed that it should be out of Information Services.

County Clerk Shields provided the Commission a copy of correspondence received from Keith Kocher, Assistant Attorney General assigned to the Kansas Lottery. Attorney Kocher acknowledged receipt of Sumner County's letter requesting consideration of the waiver for the election held December 20, 2005. Attorney Kocher advised that the letter has been turned over to the Attorney General's office for further review. If the threshold requirements contained in SB 66 are met, it will then be within the discretion of the Kansas Lottery Commission whether it wishes to waive the election requirements.

Commissioner Martin entered the meeting at 11:00 a.m.

County Counselor Jack Potucek met with the Commission to review the properties remaining in the tax sale scheduled for tomorrow. Treasurer Carolyn Heasty was also present as were several county staff members. Counselor Potucek reported that 32 parcels remain in the sale. Of those, 19 are in the Suppesville area. Counselor Potucek reviewed each property with the Commission for the determination of the County's opening bid for each. He reported that a couple of the properties may yet be redeemed and removed from the sale before the end of the day.

The Commission reviewed and unanimously approved the mid-month claims for May in the amount of \$153,238.54.

The Commission reviewed and unanimously approved tax abatement orders in the amount of 50,045.88.

The Commission will not meet May 15 due to the tax sale being held in the morning.

There being no further business, the Board of County Commissioners adjourned at 12:21 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
May 21, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present due to a death in the family. The meeting was opened with the Pledge of Allegiance. Marvin Simonton, who was also present, offered an opening prayer.

The Commission reviewed and unanimously approved the minutes for May 14.

County Counselor Jack Potucek met with the Commission. At 9:54 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for ten minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 10:04 a.m.

Roy Hladik met with the Commission regarding leasing one of the FEMA buy-out properties near Mulvane. Planning and Zoning Director Jon Bristor and Counselor Potucek were also present. The property was previously leased by another party, but that party has moved out of the area. Director Bristor provided information on the property involved. He advised that Road and Bridge Director Melvin Matlock has expressed an interest in the property for parking equipment on it. After discussion, the Commission advised they will discuss any county need with Director Matlock before determining if the property is available for lease.

Counselor Potucek and Director Bristor reported that they had conducted further research regarding options available for public sewer systems for developments in the county. A meeting will be scheduled in the future to provide more detailed information.

At 10:28 a.m., the Commission entered into executive session with Counselor Potucek to discuss an attorney-client privileged matter for five minutes. The Commission reconvened in open session at 10:33 a.m.

Chad Andra talked with the Commission by phone. He requested an extension for his project under the Neighborhood Revitalization Program. The project is about 85% complete at this time. He reported part of the delay in the project was due to waiting on confirmation of the historic district in downtown Wellington. After discussion, the Commission unanimously approved a six-month extension for the project under C&J Property LLC.

Tony Rangel, of Law/Kingdon Inc., met with the Commission to provide the latest project update. Also present were Kerry Murray, of Universal Construction, and Mark Callison, of Schrader Brothers. Mr. Rangel submitted the final pay applications for most of the contractor involved in the construction of the detention facility. The final pay applications for four contractors will still be held due to some final issues. Those companies are Bob Bergkamp Construction Co., Commercial Mechanical Inc., Shelley Electric, and Sweeper Metal Fabricators Corporation. A couple of change orders were also discussed.

Mr. Rangel reported that he had reviewed the landscape plans in comparison to the actual placement of trees. All trees are in place except one in front of the building. One of the dirt berms on the east side is slightly askew from the original plan. There is a gap between the two berms, but a gap was originally planned. The berms did result in being slightly higher than planned. Mr. Rangel advised that all landscaping has been done according to the plans which were reviewed with Dr. Anderson.

Mr. Rangel reported there are two to three locations where grading is an issue. The issues will be further discussed with the contractor involved. An issue regarding a few concrete blocks was also discussed. Several blocks are not entirely matching the color stain of the rest of the building. Options to correct the problem were discussed with considering additional problems that might be created. After discussion, the Commission directed to proceed with sealing the block.

An update on the courthouse renovation was given with several items discussed.

E911 Director James Reed met with the Commission. He reported that county radio frequencies have been programmed in the radios of other departments in the county without the express permission of Sumner County E911. Director Reed requested authorization to discuss the issue with the County Counselor and draft correspondence to send directly to the individual performing the programming. Programming the frequencies without the permission of the licensee holder, which is Sumner County, is a violation of FCC regulations. It was discussed that programming frequencies without permission is not only a legal issue, but it can also be a safety and liability issue. After discussion, the Commission agreed with Director Reed's concern. They recommended that he draft a letter to be sent to the individual with a copy to the Commission.

There being no further business, the Board of County Commissioners adjourned at 12:31 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
May 22, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission unanimously adopted a proclamation declaring May 26, 2007, as Bill Post Day. Bill Post has provided our community, our state and our nation with the art of song-writing and beautiful music for decades. The #1 song in 1961 was Sixteen Reasons, which was performed by Connie Stevens but written by our own Bill Post. The State of Kansas has honored his work by adopting his original works of "A Kansas March" as the official Kansas March on July 1, 1992. Bill Post has offered his love of music and his desire to educate the children of the region through the Post Musical Farm. All citizens of Sumner County are encouraged to observe the day by singing to someone you love, as Bill has done for us through several decades.

At 9:30 a.m., the Commission held public hearings on three zoning cases. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present along with several parties involved in the cases. The first case heard was No. 09PC-07. The application was by Harold and Joyce Magnussen, owners, and Connie Marsh, applicant. The purpose shown was for a zone change two (2) "A-2" Agricultural District tracts to "A-1" Agricultural District. The location was near 110th Ave and Drury Road. Director Bristor reported that there was opposition voiced at the Planning Commission meeting. Neighbors were present and expressed concerns that they do not want any more development because of the unkempt Marsh's property that contains a number of items. Pictures were also provided at the Planning meeting. The Planning Commission, in a 7 to 2 vote, recommended approval of the case. Commissioner Martin asked several questions of the applicant. After discussion, the Commission unanimously approved Case No. 09PC-07 and adopted Resolution 2007-18.

The next case heard was No. 10PC-07. The application was by Alberta B. Clark and Barbara A. Reno, Trustees of the Alberta B. Clark Rev Trust and Carolyn Marlow, applicant. The purpose was for a zone change from "A-3" Agricultural District to "A-R" Agricultural Rural District to create one tract from 157.51 and 10 +/- acres for development. The location is near 200th St. and Meridian. Director Bristor reported there was no opposition voiced at the Planning Commission meeting. The Commission unanimously approved Case No. 10PC-07 and adopted Resolution 2007-19.

The last case heard was No. 08PC-07 and was to amend the Sumner County Zoning regulations. The amendment related to sub-divisions. Director Bristor explained that the change is that proposed subdivisions, consisting of five lots or more, that are located in lagoon type soil have to be five acre or more lots, if a public lagoon is not put in. One person present at the Planning Commission meeting expressed his belief that acreage should stay at three acres. The Planning Commission, with 9 members present, unanimously recommended approval. The Commission unanimously approved Case No. 08PC-07 and adopted Resolution 2007-20.

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. She provided the 2008 budget proposal approved by the executive board. The amount proposed for 2008 is \$101,313, which is an increase of \$1,664 from 2007. Director Donley explained some of the services provided and the reasons for the slight increase in overall funding. She also discussed the Senior Care Act and made the annual request for authorization to use \$1,000 of mill levy money in 2008. The State matches the funding two to one. The Commission unanimously authorized the use of \$1,000 in mill levy money.

Health Department Director Laura Rettig met with the Commission. She first requested a change in the staffing level. She asked for authorization to change a part-time Licensed Practical Nurse position to a part-time Registered Nurse position. Director Rettig explained the need for the change. The Commission unanimously approved the change in the staffing level. Director Rettig reported that one of the department's vehicles needs the transmission replaced. The 1995 vehicle has 148,000 miles and the expense to replace the transmission would not be cost effective. The Commission authorized for disposal of the vehicle as per policy. Director Rettig also discussed an animal control issue regarding a possible vicious dog. There are no animal control regulations existing in the county other than state statute. County Counselor Jack Potucek entered the meeting. After further discussion, Counselor

Potucek advised that a report should be made to the Sheriff's Office, a report completed, and then forwarded to the County Attorney. The County Attorney will make the determination if the State statute relating to a vicious animal is applicable and if further action can be taken.

Counselor Potucek provided a report on the tax sale held last week. All but two properties were sold at the sale. The Sheriff Deeds will be mailed next week. He also discussed an interlocal agreement between the Cowley County Sheriff's Department and the Sumner County Sheriff's Department. Counselor Potucek approved the agreement as to form and advised that a Resolution will also be required if the Commission decides to approve the agreement. The Commission unanimously approved the agreement and it was signed by the Chairman. The Commission also unanimously approved Resolution 2007-21 related to the agreement.

Counselor Potucek reported that he has been in contact with Merle Webster regarding the Slate Creek Center. He has also attempted to contact Randy Fitzgerald, Regional Director for the Good Samaritan Society. At this point, he has been unable to make contact with him. Counselor Potucek advised that representatives of the group that Mr. Webster is associated with would like to meet with the Commission.

The Commission received an application for a supervised display of fireworks submitted by Alan Stuever. The location of the display will be 1413 N. Ridge Road. The application submitted included the date of June 2nd and July 4th. All the required documents were submitted other than a copy of the bond or certificate of insurance. A note was included indicating it would be in place after 12:00 p.m. today. The Commission unanimously approved the display date of June 2nd contingent upon the required bond or certificate of insurance showing the applicant/operator as the insurance is received this week. The Commission also directed that, since the dates applied for were not concurrent, a separate application form would need to be submitted for the July 4th date.

Merle Webster met briefly with the Commission regarding the Slate Creek Good Samaritan Center. He indicated that the group from Utah is interested in the facility and it looks to be a doable situation. A target date could be as soon as July 1. The Commission advised the July 1 date may be too early to accomplish with Good Samaritan. Counselor Potucek is continuing to work on contract issues. The Commission also asked for references regarding other facilities operated by the group. Mr. Webster will provide references.

There being no further business, the Board of County Commissioners adjourned at 12:04 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
May 29, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Clerk Shields reported that he had received a phone call from Ed Van Petten, Executive Director for the Kansas Lottery. He reported that the opinion received from the Attorney General's office is that Sumner County's ballot question regarding a destination resort casino substantially complies with Senate Bill 66's ballot question regarding lottery gaming facilities. The next step is for the Lottery Commission to consider Sumner County's request to waive the requirement for a new election and accept the previous election conducted. The next scheduled meeting of the Lottery Commission is June 22, at 1:30 p.m. County Counselor Potucek also received a copy of the opinion letter.

The Commission reviewed a request from the Treasurer regarding delinquent taxes owed by a vendor being paid this month. The letter was seeking authorization to credit the delinquent taxpayer with the amount of any claim/s equal to the delinquent taxes owed. The law actually requires the Treasurer to check claims against delinquent tax lists. The County Commissioners are to authorize the county treasurer to credit the delinquent taxpayer for the amount of the claim. The Commission unanimously authorized the Treasurer to do so.

The Commission reviewed and unanimously approved the minutes for May 21 and 22.

Linda Mirt, County Extension Agent, met with the Commission regarding the 2008 budget. She provided the Extension Office and the 4-H Fair budget requests for 2008. An increase in the Extension Office budget includes an amount to begin building a reserve for vehicle replacement. Linda also discussed some other issues relating to the budget. The proposed Extension budget is an increase of \$7,506. The 4-H Fair budget is the same as last year, \$3,000.

Road and Bridge Director Melvin Matlock met with the Commission. He presented the five-year bridge plan and reviewed the information contained within. The plan is required annually by the State. Director Matlock reported that the salt and sand dome should be completed in the next few weeks. The Commission also discussed if the Road and Bridge Department would have any need to use the property discussed last week that Mr. Hladik inquired about leasing. Director Matlock confirmed that he could use the property at times to park equipment. The Commission will notify Mr. Hladik that the property is not available for lease.

Mary Ann Hainsworth and Amanda Neal met with the Commission. Ms. Hainsworth reported that there is an animal cruelty case coming before the court that they wanted the Commission to be aware of. With the involvement of the Sheriff's Office, four pit bulldogs were seized from a location in the county near Oxford. Since being seized, two of the dogs were ordered released back to the owner by a Sheriff's supervisor. Ms. Hainsworth advised that the County Attorney confirmed that the dogs should not have been returned to the owner. Ms. Hainsworth expressed appreciation for the excellent job done by Deputy Myers. A concern for the condition of the dogs was also discussed and the need for medical attention. The County Attorney will be receiving the report on the investigation from the Sheriff's Office.

County Counselor Jack Potucek met with the Commission regarding several issues. He provided a brief update on the tax sale conducted two weeks ago. He also briefly discussed a billing issue relating to transportation of remains in Coroner cases. The County Clerk had forwarded a question posed by the District Coroner and Counselor Potucek will review the matter. Counselor Potucek reported that he was able to contact Randy Fitzgerald, Regional Director for the Good Samaritan Society. The proposed amended extension to the existing contract for the Slate Creek Center has been sent to the Good Samaritan Society's home office.

The Commission reviewed and unanimously approved claims in the amount of \$470,756.16 for the end of May.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,493.18.

There being no further business, the Board of County Commissioners adjourned at 12:16 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
June 4, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. 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 briefly with the Commission. He advised that the roof of the Planning and Zoning building developed a significant leak last week from all of the rain. The leak caused a ceiling tile to fall in. He informed the Commission since it may be necessary to have someone repair the roof.

The Commission reviewed and unanimously approved the minutes for May 29.

Road and Bridge Director Melvin Matlock talked with the Commission by phone. He reported that his department and personnel assisted the City of Geuda Springs in clean up from wind damage that occurred on Thursday night. Road and Bridge crews assisted on Friday and will finish up this morning.

The Commission adopted Resolution 2007-22 for the Service Program for the Elderly. The resolution is required annually and authorizes a levy of up to one mill for the program.

Economic Development Director Janis Hellard met with the Commission regarding several matters. She provided a copy of the final draft of the Arkansas River Corridor Access Plan. The intent of the Master Plan Sheet is to summarize and illustrate the goals, objectives, study process, and recommendations from the ARCAP project, in a format that will allow easy and cost-effective distribution to municipal and county staff, community stakeholders, and the public. Director Hellard discussed that the exterior of her office building is in need of painting. The owner has agreed to purchase the paint, if the county could paint the building. The lease agreement for the building will be reviewed to confirm whose responsibility it is for painting the building.

The casino issue was discussed. There is an indication from some sources that the State is dragging their feet in having the Attorney General file suit to challenge the gaming law. The alleged intent is to wait until the legislature is in session next year, so they can attempt to remove Sumner County from the legislation. The scheduled meeting of the Lottery Commission on June 22 was discussed.

The Commission reviewed an application for a Sale of Fireworks permit submitted by Farha Fireworks, LLC. All required documentation was provided and the application fee was paid. The Commission unanimously authorized issuance of a permit.

E911 Director James Reed and Assistant Director B.J. Tracy met with the Commission. The continuing problem of high turnover in the department was discussed. A report was submitted with information for justification of wage increases for public safety dispatchers. The reasons of employee turnover were considered with low pay being a significant factor. Sumner County is the lowest paying agency of the group surveyed. The group surveyed included Sedgwick County, Haysville, Derby, Mulvane, and the Kansas Turnpike. A number of employees have left to go to other departments with higher pay. Director Reed advised that there remain a number of vacant positions at this time and they are in their third round of applicant interviews. The low wage is a continuing problem. The wage adjustment proposed was to increase the starting level dispatcher by one pay level. Adjustments would also be made to other positions. The adjustment would still leave Sumner County at the lowest starting wage, but it's acknowledged that we cannot realistically compete with the other larger agencies. The report, in summary, advised that increasing dispatcher wages increases longevity of employment with the County resulting in a higher experienced dispatcher. This reduces liability against the County, maintains or increases the credibility of the department, and saves taxpayers dollars. Director Reed also discussed the salary for the Director's position. He asked that the Commission consider increasing the salary. It is also low when compared to other locations.

District Court Judge Thomas Graber met with the Commission. He first discussed water leaks that occurred during the last week in various court offices on the third floor. The recent rains caused problems with windows leaking, which have been reoccurring for quite some time. There were also roof leaks recently. Some of the leaks are related

to recent work that has been done on the roof. A portion of the new carpet in the north offices has been stained by a water leak. Judge Graber asked that the leaks be addressed. Judge Graber also discussed that some of the windows were not replaced at the same time as the other sides of the building. None of the windows on the east side were replaced. He also mentioned a temporary repair item in the south courtroom. There is a repair need for both of the short banisters where the swinging gates are located. Judge Graber discussed a concern with the next move of files related to the final steps in the renovation. He has not been able to contact the architect to confirm several issues.

Emergency Management Director James Fair met briefly with the Commission. He provided a report of the storm damage that occurred Thursday night in Geuda Springs. Most of the damage was related to trees and power lines down, and a couple of metal barn roofs were blown off.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,837.48.

The Commission reviewed a request from the Treasurer regarding delinquent taxes owed by a vendor being paid in the mid-month claims. The Commissioners unanimously authorized the Treasure to withhold the amount of delinquent taxes owed, as provided by statute.

There being no further business, the Board of County Commissioners adjourned at 12:17 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
June 5, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present as he was attending a funeral. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the Community Corrections claims for May in the amount of \$28,248.22.

Wellington Public Works Administrator Rod Conwell, Doug Kinney, and Cable Reid met with the Commission. A report was provided regarding the Wellington Lake. The Lake Patrons Report showed 545 City of Wellington users and 350 Sumner County users. Mr. Kinney discussed the status of the 2007 projects and the projects proposed for 2008. It was asked that the Commission continue the annual subsidy amount of \$15,000 towards lake projects. The amount has been provided annually now for a number of years. Mr. Conwell advised that some of the projects over the years would not have been accomplished without the county's assistance. The Commission advised that they will consider the request during budget preparation. The City will also submit a letter requesting this year's funding.

Greg Olson, Chief Executive Officer for Sumner Mental Health, met with the Commission. He provided information regarding the assistance and services provided in Greensburg. Mr. Olson advised that most of the cost was absorbed, although a minimal reimbursement should come back from FEMA.

Mr. Olson submitted and discussed the 2008 budget proposal. Lonnie Cooper, CPA, was also now present. Mr. Olson advised that there are currently 88 individuals on the waiting list for services. The Commission inquired the status of the repayment of funds. Mr. Olson said the latest word is that the State is working on the issue and it is hoped to be resolved by the end of the year. Mr. Cooper advised that cash flow should be fine through June and provided a few other details. With a change in State and Federal funding July 1 of this year, more income should be realized. Mr. Olson related information on various programs and personnel. The amount in county funding requested for 2008 is the same as requested in 2007.

Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, Captain Mike Yoder, Wellington Interim Police Chief Scott Funderburk, and City Manager Gus Gollins met with the Commission. A joint venture between the Wellington Police Department and the Sheriff's Office to provide a modern applicable firearms training range was proposed. A written proposal was submitted. The condition of both the City's and County's current range facilities and the need for improvement was discussed. The City's range, at the existing location since 1987, is the best location to improve. It has more area available, better security, and is closer to utility services. Some of the dirt work would be done by the Street Department of the City. The total estimated cost of improvements would be \$40,000 with that amount split between the City and the County. A written agreement for future cooperation concerning the firearms range would also be developed. The Commission discussed the possibility of inquiring if other cities in the county want to participate. All agreed that would be an option. City Manager Collins advised that he is in support of the proposal as staff, and the proposal will be included in the budget proposal to the City Council. The Commission concurred that they support the project and will consider it in budget preparation. It was also determined that Captain Yoder will contact the other cities in the county and offer the opportunity to participate.

Sheriff Gilkey and Undersheriff Osborn reported on discussions held with the US Marshals Service regarding the housing of federal inmates. All court appearances for Federal inmates would be in Federal court in Wichita. The Marshals Service will also contract with the local agency to provide transportation and personnel for the court appearances. Federal funding could provide a transport vehicle and two transport officers. Contract talks are continuing with the Marshals Service. Sheriff Gilkey also reported that the jail overtime budget is nearly depleted. It's depleted due to the overtime that was necessary during the move to the new facility. He also reported that approximately \$110,000 in revenue has been experienced from housing inmates of other counties.

Noxious Weeds Director Robin Walcher met briefly with the Commission. She reported a number of musk thistle complaints have been received. Many of the landowners have addressed the problem, but some have not. She will be proceeding to address the complaints by taking further action.

Maintenance Director Gary Yoder met with the Commission. Also present was Mark Callison, of Schrader Brothers Construction. The Commission discussed the issues brought to them yesterday by District Judge Graber. It was learned that the cap on one of the stem walls in the courtroom had been removed in order to determine what is needed to be matched in the new courtroom. The cap will be returned within a few days. County Counselor Potucek was also now present and provided some additional information. The stem wall has been weak for some time and is in need of repair. The Commission also discussed the water leaks from the windows and the roof.

Tony Rangel, of Law/Kingdon, met with the Commission. Mr. Callison advised that he has not been successful in finding any roofing company willing to look at the roof of the courthouse. All the companies he has contacted are busy throughout the summer on school facilities. The water leak that had occurred in the north court offices was further discussed. Mr. Callison confirmed that the carpet will be cleaned or replaced where the water stain occurred, but it will be done after all work is done in the area.

Mr. Rangel submitted an invoice and a pay application relating to the work in the courthouse. The moving of files and shelving was also discussed. The Commission directed Tony to make contact with Judge Graber to discuss the move. Mr. Callison provided his company's bid to make the final move of the court files. The additional shelving that will be needed was not included. Tony will review the bid and confirm what additionally is needed.

County Counselor Jack Potucek met with the Commission. At 11:56 a.m., the Commission entered into executive session with Counselor Potucek for ten minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. At 12:04 p.m., the Commission reconvened in open session. The Commission unanimously approved an extension of the lease agreement with the Good Samaritan Society for the operation of Slate Creek Good Samaritan Center. The Chairman was authorized to sign the agreement.

Counselor Potucek also reported that he had met with District Coroner Dr. Larry Anderson regarding the issue of payment for transport to mortuary services in coroner cases. Counselor Potucek will be working on developing a written policy. Potucek also reported that he discussed with Dr. Anderson the landscaping issue regarding the detention facility. The issue is still being reviewed and he has talked with Dennis Smith, of Law/Kingdon Inc.

There being no further business, the Board of County Commissioners adjourned at 12:21 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
June 11, 2007 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Garey E. Martin was not present due to attending a Regional Economic Area Partnership meeting in Wichita. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for June 4 and 5.

Elliott Jackson, of Parman, Tanner, Soule and Jackson, met with the Commission. Mr. Jackson performs the annual audit for the county. He discussed some of the auditing standards and recent changes that have occurred. One new item is that the audit will include fraud interviews. Various employees of the county will be briefly interviewed for any awareness of any possible fraud. Fraud could include any misappropriation of assets or misstating of financial statements. Mr. Jackson asked if the Commissioners were aware of any areas of specific concern, which they advised that they were not.

Commissioner Martin entered the meeting at 10:46 a.m. Mr. Jackson reviewed the information he had just provided for Commissioner Martin.

Sheriff Gerald Gilkey and Detention Supervisor Steve Colwell met with the Commission. Sheriff Gilkey reported that approximately \$50,000 in revenue is being received per month from inmate housing. The current population is 97 inmates, with 43 Sumner County and 54 from outside agencies. Of those 54, 38 are from Sedgwick and 16 are from Cowley. Supervisor Colwell reported that they are continuing to work on items necessary for a possible contract with the US Marshals Service. Procedures, such as an inmate grievance procedure, have to be in place for the facility. Sheriff Gilkey advised that once the facility is at full staffing of 19 detentions officers, it can be operated a full inmate capacity. The issue that continues to create problems is the transporting of inmates and the loss of the use of the detention officer during the transport. Commissioner Gracy inquired if transporting from the facility to court was a problem. Sheriff Gilkey advised that the transporting is not the problem, but the scheduling is. The court is sometimes in need of inmates that were not on the schedule for that particular day.

Sheriff Gilkey discussed a personnel issue. A detention officer position was discussed and moving an individual from a Detention Officer I position to a Detention Officer II position was considered. County Clerk Shields provided information to the Commission regarding the Detention Officer II job description.

County Clerk Shields submitted the contract with TMHC Services for the Commission's approval. TMHC will conduct pre-employment, reasonable suspicion, and post-accident drug testing for the County. Pre-employment testing has always been conducted. The reasonable suspicion and post-accident testing is being required by the County's workers compensation insurance carrier. The contract was unanimously approved and it was signed by the Chairman. The target date set for implementation is August 1, 2007.

The Commission reviewed an emergency vehicle designation application submitted by Robert L. Patterson. Under the required signatures, the Conway Springs Police Chief and the Sumner County Emergency Management Director had already signed. The Commission unanimously approved the designation and the permit was signed by the Chairman.

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

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
June 12, 2007 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 Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Jim D. Newell was not present. The meeting was opened with the Pledge of Allegiance.

Road and Bridge Director Melvin Matlock met with the Commission. Office Manager Joyce Reynolds was also present. A personnel issue was first discussed. Director Matlock proposed creating a Clerk/Typist III position at an assigned pay level of five. It will only be an added position level and not an addition of personnel. Director Matlock provided a job description for the position. The Commission unanimously approved the position.

Director Matlock provided brief updates on several road and other issues. The high water that has been experienced recently and how it is affecting bridge projects was discussed.

Dennis Cunningham and Merle Webster, of Deseret Healthcare, met with the Commission. County Counselor Jack Potucek was also present. At 11:02 a.m., the Commission upon unanimous vote entered into executive session for 20 minutes to discuss an attorney-client privileged matter. Counselor Potucek, Mr. Cunningham, and Mr. Webster remained present for the executive session. At 11:22 a.m., the executive session was extended for 15 minutes. At 11:37 a.m., the executive session was extended for an additional 10 minutes. The Commission reconvened in open session at 11:43 a.m.

At 11:45 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. At 11:50 a.m., the Commission reconvened in open session.

Counselor Potucek provided brief updates on several other issues. He reported on issues relating to the sidewalk project in Argonia, the renovation on the court floor, and the sale of the landfill to the City of Wellington. He also advised that one of the properties that was not purchased in the recent tax sale will need to have the grass mowed in the near future. The Commission asked Counselor Potucek to inform Road and Bridge Director Melvin Matlock.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$527,800.06.

There being no further business, the Board of County Commissioners adjourned at 12:24 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
June 18, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. 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 June 11 and 12.

State Representative Vince Wetta met briefly with the Commission. He provided the Commission information regarding a public meeting scheduled for June 25, at the Raymond Frye Complex. The meeting will be conducted by Westar Energy and will be a transmission line customer open house. The transmission line will cross the eastern portion of the county. Access to a transmission line is necessary for any possibility of a wind farm.

Economic Development Director Janis Hellard met with the Commission. She also introduced Jean Orton, the new administrative assistant for her office. Representative Wetta and County Counselor Jack Potucek were also present. The scheduled meeting on Friday of the Lottery Commission was discussed. Sumner County's request for waiver of the election will be considered at the meeting. After discussion, it was decided that County Clerk Shields, Economic Development Hellard, Commissioner Gracy, and Counselor Potucek will attend the meeting. Other issues relating to the casino were also discussed. Setting a deadline for casino proposals to be submitted to the Commission was discussed. All proposals submitted to the State must be supported by the county. No date was set at this point, but it will be considered in the future.

Emergency Management Director James Fair met with the Commission. He provided an estimate of damage from the flooding that occurred over the last several weeks beginning in May. The cost estimate is from the Road and Bridge Department and the townships that responded to the request. The county experienced \$34,033 in damage and the ten townships that responded experienced \$148,915 in damage. Other townships may yet respond. After discussion, the Commission unanimously adopted Resolution 2007-23 and Proclamation. A State of Local Disaster Emergency was proclaimed for Sumner County beginning and continuing from May 31st. Other townships can still notify Road and Bridge or Emergency Management of damage and still be eligible for FEMA funding.

Director Fair also advised that he and Health Director Rettig had viewed the office space vacated by the United Way. He said both Health and Emergency Management could utilize the space. The Commission advised that they would view the space before making any final decision.

Aubrey Hills met with the Commission. He first thanked the Commission for the assistance provided by the County in cleaning up after the storm damage in Geuda Springs. He then discussed the condition of the Forrest Hill Cemetery and the roads in the cemetery. Mr. Hills said the condition of the cemetery and road is in terrible shape. The cemetery is maintained by Guelph Township.

Elliott Jackson met with the Commission. Several budget related items were discussed and considered.

The Commission reviewed two applications for permits to conduct supervised display of fireworks. Both permits were submitted by Alan Stuever, and the dates of the displays are June 30 and July 4, 2007. The required documentation regarding insurance and State license was attached. The Commission unanimously approved the application for each date and permits were issued.

There being no further business, the Board of County Commissioners adjourned at 12:20 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
June 19, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed a claim against delinquent taxes submitted by the Treasurer. The vendor being paid owes delinquent taxes and the Commission unanimously authorized the Treasurer to credit the delinquent taxpayer with the amount of the claim.

Health Department Director Laura Rettig met with the Commission. She discussed the phone system of the Health Department, which is in need of replacement. The system is old and has been at maximum capacity for some time. Director Rettig confirmed with the State that funds from the Bioterrorism Grant could be used to replace the phone system. She obtained bids for replacing the system, but will have to have the bids updated.

Director Rettig discussed other needs relating to the Bioterrorism (BT) grant and the Cities Readiness Initiative (CRI) grant. She explained the need for an individual to perform the required tasks related with the grants. Previously, the tasks were performed as a portion of the duties of a position in the Emergency Management Department. That position became a full-time Assistant Director in January, so the BT and CRI functions ended. Additional planning is now beginning related to the BT and CRI grants and next year is the implementation year for some of the initiatives. The position would be funded from grant funds. Director Rettig provided additional details regarding the grants and mandated responsibilities involved. The Commission unanimously approved the position and Director Rettig will develop a job description.

The Commission talked briefly by phone with representatives of the Chamber of Commerce in both Hutchinson and Colby.

County Counselor Jack Potucek met with the Commission. Tony Rangel, Law/Kingdon Inc., talked with the Commission by phone. The storage building that was already approved for the detention facility was discussed. Placing the building towards the rear of the center as originally planned rather than on the east side was considered. Placing at the original site would slightly change the dimensions of the building. Drainage and site issues were discussed.

Mr. Rangel also reported that he had talked with District Judge Thomas Graber regarding the shelving layout for the court files. Judge Graber does not agree with a portion of the shelving proposal. Mr. Rangel advised that, to meet the Judge's request, the funds available would be exceeded. The Commission will consider the proposals further and asked Counselor Potucek to coordinate the issue.

Dennis Cunningham and Merle Webster, of Deseret Healthcare, met with the Commission. Counselor Potucek also remained present. At 11:06 a.m., the Commission upon unanimous vote entered into executive session with Mr. Cunningham, Mr. Webster, and Counselor Potucek to discuss an attorney-client privileged matter for 30 minutes. The Commission reconvened in open session at 11:30 a.m.

Site placement of the storage building at the detention facility was considered further. The Commission determined that they would view the site and left at 11:56 a.m. to visit the detention facility property. After the viewing the site, the Commission unanimously determined that the building would be placed towards the rear of the center.

There being no further business, the Board of County Commissioners adjourned at 12:55 p.m. from the Law Enforcement/Detention facility.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
June 25, 2007 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Garey E. Martin was not present. The meeting was opened with the Pledge of Allegiance.

District Court Judge Thomas Graber met with the Commission regarding several items. The reoccurring leaks around several of the windows were discussed. Judge Graber advised that the job foreman of the courthouse renovation voluntarily checked one of the windows. He advised that, for the one window he checked, the caulking needs to be replaced. Replacing the caulking might solve the problem on the other windows.

Judge Graber also discussed an equipment need for the new courtroom once it is finished. A recording system will be needed for the courtroom in order to use it for all possible hearings. It will be confirmed whether the recording system was included in the overall project budget. The cost of the system is approximately \$6,400.00. Regarding the new project, Judge Graber advised that he was assured from the start that there would be no loss of existing file space. He advised that the proposed shelving will not accommodate all of the existing lateral files. The shelving needed would slightly exceed the planned budget. The Commission advised that they will review the issue.

Elliott Jackson, county auditor, met with the Commission. He provided some additional information regarding budget preparation for 2008. To accommodate the initial budget projection, based on current information which includes a number of assumptions, a 6.899 mill levy increase would be necessary with 6.000 of that levy increase for the Road and Bridge fund. Mr. Jackson reported on some of the budget information that had changed since his briefing to the Commission last week.

Planning and Zoning Director Jon Bristor met briefly with the Commission. He submitted the annual Local Environmental Protection Program Grant for the Commission's approval. The amount of the grant for the State's fiscal year beginning July 1 is for \$14,270. The Commission unanimously approved accepting the grant.

Keith Mortimer met with the Commission. He advised that Ryan Township is still having problems. He said there are individuals attempting to begin a recall process and they are being told that the other two members of the Township Board would get any board member removed right back on. Mr. Mortimer asked if that was true. County Clerk Shields advised that Township Board members do not have the authority to appoint anyone to a Township Board. If a vacancy occurs on any township board, the County Commission appoints someone to fill the vacancy.

Dale Magruder met briefly with the Commission. He complained about the condition of a township road near his residence in the 300 block of N. Perth Road. He advised that the county recently replaced the bridge, but the road is in terrible shape. Mr. Magruder asked who he sues if a fire vehicle or an ambulance cannot get through. The Commission advised that the maintenance of township roads is the responsibility of the township. Mr. Magruder said he understands that the Commission can't do anything about it, but didn't know where else he could go. He said he has talked with township officials, but no improvements have been made. The Commission advised that they would ask Road and Bridge Director Matlock to discuss the issue with the Township officials.

There being no further business, the Board of County Commissioners adjourned at 12:10 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
June 26, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Clerk Shields discussed a personnel issue with the Commission. The effective date of the revised/added personnel policy will be August 1. The Commission reviewed the Receipt of July 2007 Revisions/Additions and Drug Testing Consent that will be distributed with the revised policy. Existing employees will be required to sign the receipt. The Commission unanimously approved the receipt as to form.

The Commission began a discussion regarding the 2008 budget. They unanimously agreed that a 6.899 levy increase is not acceptable. They also agreed that a 6.000 increase for the Road and Bridge Fund is not acceptable.

The Commission spoke with Tony Rangel, of Law/Kingdon Inc., by phone. The shelving needs for the District Court files were discussed. Mr. Rangel advised to fully accommodate the files; the cost would be approximately \$8,000. The Commission also further discussed the recording system need for the new courtroom. After discussion, the Commission unanimously agreed that, if necessary, the equipment reserve fund would be used to purchase the equipment.

The Commission met with District Court Judge Thomas Graber. They advised him that the caulking will be replaced on the windows that are leaking. The Commission asked Judge Graber to provide a list of the specific windows where leaks are occurring. The equipment needs of the court, regarding shelving and a recording system, were discussed. The Commission confirmed that funding will be provided to accomplish the needs. Mr. Rangel has a different option for the shelving and he will be attempting to contact the Judge later in the week to discuss it.

The Commission received notice that the State will increase the privately owned automobile mileage reimbursement rate to 47 cents per mile. The new rate will take effect on July 1, 2007. After discussion, the Commission unanimously approved the 47 cents per mile as the county reimbursement rate effective July 1.

The Commission reviewed a number of budget items and issues. Elliott Jackson, county auditor, was also present.

The Commission met with Road and Bridge Director Melvin Matlock. Joyce Reynolds, Road and Bridge Office Manager, was also present. The Commission first provided the information regarding the township road complaint of Mr. Magruder. The Commission asked that Director Matlock contact the township officials to discuss the issue.

The Commission discussed budget issues with Director Matlock. Director Matlock advised that the price of steel is more than doubling. If the budget is not increased, some roads may have to be returned to asphalt. Projects planned for 2008 were discussed. One bridge replacement, which is included in the State five-year plan, will cost the county about \$100,000. Chip-sealing of existing roads is another expense, which has already been reduced by 1/3 due to rising oil costs. The possibility of suspending replacement of equipment was discussed. Not replacing equipment will only compound the problem in the future. The use of one-time money and the reduction of the levy last year were discussed. A significant cause of the levy increase is due to less cash available to carry-over. The Commission asked Director Matlock to review the budget and see where any reductions can be made.

County Counselor Jack Potucek met with the Commission and briefly discussed a number of issues. He advised that Dennis Smith, of Law/Kingdon Inc., and himself will arrange a meeting in the near future with Dr. Larry Anderson to address concerns that the landscaping at the detention facility was not completed as originally understood. Counselor Potucek reported that he is still working with the Cowley County Counselor regarding the necessary resolution for the SWAT team agreement. The Slate Creek Good Samaritan Center was briefly discussed. Counselor Potucek will be in contact with Good Samaritan Society representatives and had been in contact with representatives of Deseret Healthcare. He advised he had been in contact with Rural Development officials regarding the Argonia River Walk Project and is awaiting a response from Rural Development. Counselor Potucek

reported that the resolution for the sale of the landfill to the City of Wellington should be finalized in the next couple of weeks.

The Commission reviewed and unanimously approved the claims for the end of June in the amount of \$614,150.20.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
July 2, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

District Court Judge Thomas Graber met with the Commission. He submitted a revised bid from the company providing the recording system for the new courtroom. The initial proposal did not include microphones for all of the needed locations. Judge Graber also reported that he had met with the architect regarding the storage of the court files. The architect now believes that the existing shelving can be modified so that it will fit in the space available. The modification will result in losing only two shelving levels, so only two new units may be required. A change of the lay-out of the shelving was also discussed and will be made. Judge Graber provided a listing of the windows that are leaking on the court floor. The Commission gave unanimous authorization for the purchase of the recording system.

Elliott Jackson, county auditor, met with the Commission. He reported on budget revisions submitted by Road and Bridge Director Melvin Matlock. The changes made relate to expenditures, Special Highway funding, and landfill equipment reserve funds. Mr. Jackson also reported he had removed \$80,000 from the General fund budget since the payment to the Good Samaritan Society ends this year. The overall result of the changes made result in requiring an approximate mill levy increase, overall, of 2.5 mills from 2007. The cash carry-over amount to use in budget preparation was also discussed.

The Commission reviewed and unanimously approved the minutes for June 25 and 26.

The Commission reviewed a resolution prepared by County Counselor Jack Potucek regarding the sale of the landfill. The resolution sets the date of July 17, at 11:00 a.m., for those interested in purchasing the landfill to appear at the Board of County Commissioners chambers. The Commissioners shall accept the proposal best attending to the best interest of the county; provided, however the Commissioners reserves the right to reject any and all offers.

The Commission received correspondence from Doyle Wolf, Treasurer for Guelph Township. He reported that he is resigning from the Treasurer position as he will be moving out of the county. Mr. Wolf advised that Zack Wilson is willing to fill the position and there are no objections from the other two township officers. County Clerk Shields informed the Commission that Mr. Wilson is currently shown as a registered voter in Walton Township. Commissioner Gracy advised it is his understanding the Wilson is moving into Guelph Township. The Commission determined that they will delay filling the vacancy until confirming the information.

Road and Bridge Director Melvin Matlock and Office Manager Joyce Reynolds met briefly with the Commission. The semi purchased last November was just received. Documents necessary to tag the vehicle were signed by the Chairman.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
July 3, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton, who was present, offered an opening prayer.

The Commissioners reviewed several county department budget proposals for 2008.

Road and Bridge Director Melvin Matlock and Joyce Reynolds, Office Manager, met with the Commission. Elliott Jackson, county auditor, was also present. Director Matlock reported on several changes made affecting the Road and Bridge 2008 budget proposal. The changes made, including a reduction in expenditures, result in a levy increase for Road and Bridge of approximately 3 mills. The affect on the overall county budget results in a 2.58 mill levy increase to fund 2008. Two of the changes involve using one-time funding. Director Matlock cautioned that, with using the one-time funding, the same budget situation may be faced next year. He advised any further reductions would require cuts in projects. The reimbursements the Road and Bridge fund make to the General and Employee Benefit funds were discussed. The General fund is reimbursed for insurance costs and the Employee Benefit fund is reimbursed for the Road and Bridge employee benefit costs. The possibility of not requiring those reimbursements to be made was considered. The Commission thanked Director Matlock and Mrs. Reynolds for their work and assistance.

Tony Rangel, of Law/Kingdon Inc., met with the Commission. Mark Callison, of Schrader Brothers, was also present. Mr. Rangel provided an update on several final issues with the detention center project. He also provided an update on the courthouse renovation. He advised that the layout for the storage of the court files will be reconfigured and existing shelving will be altered. The result of the changes is that only two new shelving units may be needed and existing light fixtures will need to be relocated. The Commission unanimously authorized the changes.

The leaks from the roof and the windows were discussed. Mr. Callison advised that the drains on the roof are clogged. Maintenance personnel have cleaned the drains to the point they can reach, but the blockage is farther than they can access. It is believed that Maintenance will be contacting a plumber to check the drains. Mr. Callison said the leaks will continue when heavy rain occurs until the problems are resolved. He also provided his opinion that the window leaks are occurring because of the caulking being cracked. He recommended that the caulking needs to be replaced.

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

The Commission reviewed and unanimously approved the Community Corrections claims for June in the amount of \$26,244.75.

The Commission spent the afternoon continuing their review of departmental budget proposals for 2008.

There being no further business, the Board of County Commissioners adjourned at 5:02 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
July 9, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. 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 July 2 and 3.

The Commission met with E911 Director James Reed regarding the 2008 budget. Assistant E911 Director B.J. Tracy was also present. The 911 Wireless Fund, which is a non-tax levy fund, was first discussed. The 911 operating budget within the General Fund was next discussed. The Commission agreed that 911 personnel should be moved up on the pay scale to place them more within range of area departments. If that is done, the possibility of delaying adding the planned new position was considered. 2008 is the third year of the original plan of adding one new dispatcher for each of three years. Director Reed advised that delaying the new position for a year could be managed. He did advise of a change made by the Kansas Bureau of Investigation. The registration of sexual predators will be turned over to local agencies. Once the Sheriff's Office completes the registration documentation, it is then turned over to the E911 Department for entry into the computer system. That entry work will become an additional task for the Warrants Manager position.

The Commission met with Information Services Director Doug Stice regarding the 2008 budget. The Commission inquired about his plans to fill the Computer Technician position that is authorized for his department. Director Stice advised that he is waiting for office space to become available once the renovation is completed. Once the renovation is complete he will have additional space available.

The Commission met with Sheriff Gerald Gilkey and Undersheriff Jerry Osborn regarding the 2008 budget. The Commission asked about an additional Deputy position, which Sheriff Gilkey had mentioned in a previous planning session. Sheriff Gilkey advised that he didn't ask for the position and believes they can get by another year. The Commission then reviewed specific line items in the Sheriff's budget including motor fuel and lubrications, meeting and training, and vehicle purchase/lease. Some reductions were made. The jail equipment line, which was increased \$5,000 to \$10,000, was also reviewed. Sheriff Gilkey advised that the \$10,000 is to add the planned beds to the detention facility and the necessary additional cameras. The bed space will allow for additional housing, which will produce revenue. Sheriff Gilkey advised that the contract with the U.S. Marshal's Service is still pending. After discussion, the Commission unanimously agreed that the \$10,000 would be taken out of the Capital Improvement Fund and the Sheriff's line item reduced to zero.

Sheriff Gilkey also reported that the Sheriff's Office had made over 2,500 cases so far this year. They project an approximate total of 4,400 cases for this year. For 2006, there were a total of 3,890 cases made.

Undersheriff Osborn discussed an issue regarding an inmate's property. An article was found missing from an inmate's property. The item, a ring, is valued at about \$400.00. Undersheriff Osborn advised that insurance would not cover the loss of the item and asked for direction from the Commission. After discussion, Sheriff Gilkey advised he would review where he could cover that amount out of his budget.

Chairman Newell left the meeting at 11:52 a.m.

Brad Macy, Interim Director for Community Corrections, met with the Commission. He submitted the annual budget for the funding received from the Department of Corrections. The budget is submitted for the Commission to approve. After discussion, it was concluded that Director Macy would provide more detailed information in the morning.

Director Macy also inquired about the status of the rent payments that Community Corrections has made in the past for office space. The Commission allowed Community Corrections to forego the rent payments for the last half of the fiscal year due to a shortage of funds. After discussion, the Commission unanimously agreed that they would continue to forego the rent payments. Director Macy also inquired about the status of his serving as Interim

Director. He advised as far as he knew nothing has occurred to fill the position permanently. The Commission advised that they had previously accepted District Court Judge Graber's offer for the advisory board to handle the process to fill the position. Director Macy advised there is an advisory board meeting this week and he will inquire at the meeting.

The Commissioners recessed for lunch at 12:06 p.m.
The Commissioners reconvened in open session at 1:30 p.m. Commissioner Newell returned to the meeting.

The Commission spent the majority of the afternoon reviewing 2008 budget proposals of various departments and agencies.

The Commission met with Maintenance Director Gary Yoder. The budgets he is responsible for were discussed and specific items reviewed. Some reductions were made in specific line items.

Director Yoder also provided the Commission with a bid he obtained for a new roof for the courthouse. The bid, from Conklin Roofing Systems, was for \$38,101. The Commission will consider the bid and review when it might be possible to accomplish the new roof.

Howard and Mark McDaniel met with the Commission regarding a property issue in Geuda Springs. The issue involved a street that was never vacated and it has never been improved for use. Through discussion the McDaniel's confirmed the location is within the City of Geuda Springs. The Commission advised that there would be no action they could take with it being in the City.

There being no further business, the Board of County Commissioners adjourned at 5:13 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
July 10, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission met with Emergency Management Director James Fair regarding the 2008 budget. The two significant items in the budget are an additional staff member and the replacement of a vehicle. Director Fair reviewed the need for both. The Commission inquired which would be the most important at this time. Director Fair said both are important, but replacement of the vehicle would be the most immediate and important need. The department currently has two vehicles and the Ford Expedition has some difficulty in towing the equipment trailers the department has. After discussion, the Commission determined that the staff member will not be planned for in 2008, but replacement of the vehicle will.

Director Fair also discussed his participation in the Incident Management Team that is being organized by the State. He submitted his application for participation in the team for the Commission's review. Members of the team respond, if available, when activated by the State to a disaster area. The Commission expressed their support for his willingness to participate.

Brad Macy, Community Corrections Interim Director, met with the Commission. He provided additional information regarding the Department of Corrections funding and the planned budget for next year. The office rent that was suspended for the past six months was again discussed. Director Macy advised that funding should be sufficient to cover the rent for the next year. After discussion, the Commission unanimously agreed that all rent payments that were suspended in December 2006 would be reinstated effective this month. After review of the proposed budget, the Commission unanimously approved the budget summary for FY2008 Award of Grant Funds and the Community Corrections and SB123 Supervision Grant Funds.

Noxious Weeds Director Robin Walcher met with the Commission. She discussed the increased problem with mosquitoes this year. She advised she has received calls from the public who are having difficulty in finding products to control mosquitoes. She asked about purchasing some products and making them available for the public to purchase. Sedgwick and Reno counties are making products available to the public. Director Walcher discussed the same issue with products for treating and cleaning lagoons. The Commission gave their unanimous support for purchasing the products and making them available for purchase by the public.

County Counselor Jack Potucek met with the Commission. The public hearing for the sale of the county landfill and procedures for the sale were reviewed.

At 11:09 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for twenty minutes to discuss an attorney-client privileged matter. At 11:29 a.m., the executive session was extended for an additional fifteen minutes. At 11:38 a.m., the Commission reconvened in open session.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$279,765.51.

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

The Commission met with Maintenance Director Gary Yoder. The recent water leaks from the courthouse roof were discussed. It was confirmed that all of the drains on the roof were working Wednesday evening. The drain that was clogged had been cleared at the beginning of the week. The possible cause for the leaks occurring was discussed.

The Commission met with Carolyn Jones, Clerk of the District Court. Correspondence received from Chief District Judge Solomon was discussed. The concerns of moving the court files before the water leaks have been stopped were considered. The unprecedented amount of rain that has been received over the past few weeks and it being in

the middle of the construction project was discussed. A bill incurred by the District Court for the purchase of air fresheners was also a topic discussed. Court Clerk Jones advised that she was ordered by Judge Graber to purchase the items. The Commission expressed the desire that if they are going to be responsible for bills, they would like to be involved in the process before the bill is incurred. The new carpet that was water damaged in the court offices was discussed.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
July 16, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Commissioner Eldon B. Gracy was absent. Also present was Deputy County Clerk, Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

The Commissioners reviewed and unanimously approved the minutes for July 9 and 10.

Emergency Management Director James Fair met with the Commission to discuss a grant. This grant has been issued to Sumner County for the last 15 years, with slight decreases over the years. The Commission unanimously authorized Chairman Newell to sign the Kansas Emergency Management 2008 Cooperative Agreement Program Submission.

Treasurer Carolyn Heasty met with the Commission to discuss postage. The county currently uses a private service for outgoing mail. There have been some problems experienced in the timeliness of the mail going out each night and in the billing process. Treasurer Heasty advised that she has been exploring the option of metering the mail in house and then mailing through the local post office. A postage meter machine can be purchased or leased. There would be a \$750 annual maintenance fee and a \$70/month rental fee. It was considered that the capital improvement fund could be used for a purchase and any monthly payments could be made through funds already budgeted for postage. After discussion, the Commission suggested that she visit with the other departments that would be affected and discuss the possible change.

Treasurer Heasty also discussed a personnel issue regarding merit increases for employees. County policy allows a Director to give up to a two-step increase for merit. Treasurer Heasty inquired about giving a one step merit with a 90-day stipulation for improvement before giving the second step. Once the 90 days has passed, she would evaluate whether the second step was warranted. The Commission approved as she would still be within the existing policy.

The Commission reviewed the invoice for the annual membership in the South Central Kansas Economic Development District. The invoice was forwarded, as has been done in the past, to the Economic Development Commission for payment.

The Commission reviewed an invoice from the Road and Bridge Department for work done at the Detention Center. Work was done for the pad site of the storage building. The Commission directed that the bill be paid out of the Capital Improvement Fund.

Maintenance Director Gary Yoder met with the Commission regarding roof repair. It was discussed when a company representative would arrive to view the roof of the Planning and Zoning building. The roof is still under warranty. It was also discussed when the company would be able to begin repairs on the Courthouse roof. Repair of the courthouse roof will be discussed tomorrow when all Commissioners are present.

Director Yoder discussed the lift station at the Slate Creek Good Samaritan Center. The administration and maintenance personnel of the Center have been previously advised that the lift station screens need to be cleaned on a weekly basis. If they are not regularly cleaned, problems can occur and have in the past. Director Yoder advised that it has been at least three weeks since the screens were cleaned. Director Yoder informed the Center that the cost of any repairs that arise will be Good Samaritan's expense.

The Commission reviewed an invoice submitted by Mark Callison, of Schrader Brothers & Associates. The invoice was for individual work that Mr. Callison performed for replacing tile in the hallway behind the courtrooms. The Commission unanimously authorized payment from the Capital Improvement Fund.

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.

Jim D. Newell, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
July 17, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Greg Olson, Chief Executive Officer for Sumner Mental Health met with the Commission. He provided a scrapbook that was created showing the work and assistance provided in Greensburg in the recovery effort after the tornado. One purpose of the scrapbook is to educate the public about what Sumner Mental Health does and what assistance is available in time of disaster. Sumner Mental Health sent a two person team on a rotating basis to Greensburg. Mr. Olson advised that Mental Health responds at the request of the President, Governor, or in a local disaster, at the request of the Commission.

Mr. Olson also reported that he had visited Coffeyville the day before. He discussed the flood damage that he had seen and of the destruction and contamination caused by the oil leak.

Sheriff Gerald Gilkey met with the Commission. He reported that he is working with Economic Development Director Janis Hillard on the development of a portfolio regarding Sumner County as the site for a destination resort casino. Sheriff Gilkey asked for a letter from the Commission stating that, as the need arises, the staffing level of the Sheriff's Department would be evaluated in relationship to any destination resort casino. The Commission asked that Sheriff Gilkey draft an initial letter for their review.

Sheriff Gilkey reported that there are currently 105 inmates in the detention center. There are 39 from Sumner County and the remaining 66 are from outside agencies. He also reported that the possibility of an audio/visual court appearance process is being further researched. Such a process would reduce the number of transports between the detention center and the court saving up to two hours a day in manpower and money.

County Counselor Jack Potucek met with the Commission for general review of county business. Brief updates were provided on issues. The Commission and Counselor Potucek also toured the court floor to view the progress of the new courtroom and other offices.

The Commission held a public hearing for the sale of the landfill. Those present were Wellington City Manager Gus Collins and Public Works Director Rod Conwell; County Road and Bridge Director Melvin Matlock, Engineering Superintendent Nita Simonton, and Office Manager Joyce Reynolds; Marvin Simonton, a citizen, and County Counselor Potucek. The City of Wellington, offered in letter form, for the purchase of the landfill (transfer station) an amount of \$230,000.00. The city has been operating the landfill/transfer station with the county for approximately ten months during which period of time the city gained invaluable experience in operation of such a facility and feels that the transfer would go smoothly without any disruption to the citizens of Wellington or Sumner County. Equipment has been transferred from the county to the city and currently licensing is pending once the sale is complete. Applications have been completed and submitted to the state. Personnel, equipment and purchase price is a turn-key arrangement. No other offers or supplemental comments were presented to the board for purchase.

At 10:13, the Commission entered into executive session with County Counselor Potucek for ten minutes to discuss an attorney-client privileged matter. At 10:19 the commission reconvened in regular session. All of the persons previously present for the public hearing were again present.

After a brief overview by Chairman Newell, Commissioner Gracy moved and Commissioner Martin seconded the motion that the property be sold for \$230,000.00 to the City of Wellington. This is contingent that the city accepts the action of the Commission and passes the resolution (2007-24) at the city council meeting tonight. The Road & Bridge Department will be working closely with the City of Wellington to make the rest of the transition a smooth one.

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

Treasurer Carolyn Heasty met briefly with the Commission. She introduced new employee Robin Hubbard.

Dennis Cunningham, of Deseret Landco, met with the Commission to discuss the Slate Creek Good Samaritan Center. County Counselor Jack Potucek was also present. A proposed contract was reviewed and projected future growth was discussed. At 1:40 p.m., the Commission upon unanimous vote entered into executive session with Mr. Cunningham and Counselor Potucek for thirty minutes to discuss an attorney-client privileged matter. At 2:10 p.m., the executive session was extended for thirty minutes. At 2:40 p.m., the executive session was extended an additional fifteen minutes. The Commission reconvened in open session at 2:55 p.m.

The Commission worked on 2008 budget issues. Director salaries were discussed relating to across the board rate changes versus individual rate changes. Rates based on merit and the process in determining which directors are entitled to an increase was discussed at length.

Treasurer Heasty met with the Commission to discuss the U.S. Postal Service mailbox that is outside the courthouse. There is the possibility that the mailbox might be removed since it is not used as much as in years past. The Post Office is working with Treasurer Heasty to avoid removing the box, if possible. If the county begins metering its own postage, the mailbox will again be used extensively.

The Commission continued their discussion regarding salaries. It was agreed that Directors should receive the cost of living adjustment as all other employees.

Dennis Smith, of Law/Kingdon Inc., talked with the Commission by phone regarding the proposed repair of the courthouse roof. He recommended that the sprayed on system that is currently being considered would not be the best long term solution. He offered his opinion that the sprayed on EPDM system does not have a very long life cycle and it becomes a warranty/maintenance issue in a short period of time. Mr. Smith advised that a membrane EPDM system is the best long term solution.

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.

Jim D. Newell, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
July 23, 2007 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 Jim D. Newell, Commissioner Gary E. Martin, and Commissioner Eldon B. 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 July 16 and 17 with one amendment.

The Commission met with Maintenance Director Gary Yoder and Assistant Director Marion Nuss. The recommendation made last week by Dennis Smith, of Law/Kingdon Inc., regarding the roof repair of the courthouse was discussed. The experience the County has had with the sprayed on roof was considered. The sprayed on roof was placed on the Frye, Health, and Emergency Management buildings, and the former Sheriff's building in October 2002. The roof of the Community Corrections building was replaced in March of 2001. All locations are still under warranty and the only location that has developed a problem is the former Sheriff's building. Commissioner Martin expressed some concern with the sprayed on roof and would like a second opinion. He also would like to talk with the contractor that has submitted the proposed contract. The Commission asked Director Yoder to schedule the contractor to meet with the Commission.

The Commission also inquired about the timeline to complete the caulking on the windows that have leaks. Director Yoder advised that they are still working on the offices upstairs and dealing with the changes relating to the moving of files. It may be a couple of weeks before the offices are completed. The Commission discussed the option of having someone else complete the caulking.

Tony Hix met with the Commission regarding a Neighborhood Revitalization Program project. He advised he was representing his fiancée, Lisanne McMurray, who could not be present. Mr. Hix asked, on behalf of McMurray, for an extension on her project. He related some of the causes for the delay in completion. After discussion, the Commission considered a six-month extension. Appraiser Rowley recommended that to remain consistent with previous cases, it would be best to simply allow a signed waiver and that the project would be considered done for 2008. The Commission unanimously approved allowed the project to remain in the NRP with considering it done as of 2008.

Appraiser Rowley provided the Commission some information that was requested. The tax dollars lost from the machinery and equipment exemption that was enacted by the legislature. In May 2006, it was projected that there would be a loss of about 1.1 million in appraised value with assessed value at about \$286,951. Appraiser Rowley also provided information regarding the exemption for new businesses. A local Wellington company sold and, therefore under the new law, became exempt. For 2006, the appraised personal property value of the company was 1.4 million and this year it is \$7,320. A company also sold in the Mulvane area with the loss of appraised dollars of approximately \$47,000.

County Clerk Shields reported that Linda Ricketts, of Renn and Company Insurance, had called. The claims adjustor had visited the courthouse and viewed the water damaged areas. The adjustor's initial indication is that the cause of the water leaks was the work done by the contractor. A written report will be received from the adjustor once it is prepared.

The Commission discussed the 2008 budget. It was unanimously determined that an amount of \$1,000 would be budgeted for salary increases for all department directors. An amount of \$2,000 would be budgeted for the Register of Deeds position.

Dan Arndt met briefly with the Commission. He reported that he had received a letter from the City of Wellington regarding action the City is considering involving property on West Mill Street west of US81. Mr. Arndt said he owns property in the area and inquired if the County was aware of the action that the City is contemplating. The Commission advised that they were not. Mr. Arndt said the letter indicated that the City Council will consider the issue at this week's council meeting.

The Commission continued discussion on the 2008 budget. Chairman Newell made the motion that the 5% cost of living adjustment not be accepted by the Commission members. The motion died for lack of a second.

The Commission discussed the Capital Improvement Fund and the County-Variou Projects Fund for 2008. Elliott Jackson, county auditor, was now also present. Budget amounts were finalized for both funds. The Commission discussed the workers compensation cost for the Road and Bridge Department. It was determined that the cost would continue to be taken from the Road and Bridge Fund to reimburse the General Fund.

There being no further business, the Board of County Commissioners adjourned at 12:23 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
July 24, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton, who was present, offered an opening prayer.

At 9:30 a.m., the Commission held a public hearing on Zoning Case No. 14PC-07. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Engineering Superintendent Nita Simonton were present. The application was by Collins Painting, Inc., owner, Gregg E. Collins, applicant, and Chad Abbott, agent. The applicant was not present. The purpose was for a preliminary plat for the development of seven, six plus/minus acre tracts for a subdivision. The location is in Gore Township. Director Bristor reported that a citizen inquired about tree removal at the Planning Board meeting. The inquiry was answered by the applicant. There were also other issues regarding required documents not yet received. The Planning Board, with 9 members present, voted 8 to 1 recommending approval contingent upon required documents being provided.

Director Bristor provided information on some of the remaining issues. The required Letter of Credit regarding the internal roads of the subdivision had not been received. An electrical easement has also not been addressed. Engineering Superintendent Simonton explained some drainage and survey issues and information that had not yet been provided to her. After discussion, the Commission unanimously decided to table Zoning Case No. 14PC-07 to August 27, 2007, at 9:30 a.m.

Register of Deeds Joyce Lowe met with the Commission. She inquired about the possibility of allowing an employee to work from home for a two week period. The employee is having surgery and will not be able to come into work. The work that would be done was explained to the Commission. Joyce also advised that she had discussed the matter with County Counselor Potucek. Joyce had determined that thirty books should be able to be completed in a two-week period of time. In discussion, concern was expressed about setting a precedent that would be an issue in the future. Joyce advised that it is only due to the presence of the special project that the opportunity for working at home exists. The Commission advised that they would discuss the issue with County Counselor Potucek.

Francis Seaman, Becky Cross, and Jan and Bill Meek met with the Commission. Road and Bridge Office Manager Joyce Reynolds were also present. Director Matlock was unable to be present due to illness. Mrs. Cross spoke first on behalf of the group. She expressed their complaints and concern on the conditions of the roads in Gore Township, specifically 130th Ave N. The condition of the roads has deteriorated dramatically over the last four to five years. The maintenance of the road and the amount of traffic on the road was discussed. Mrs. Cross explained damage to her vehicle that has occurred due to the condition of the road. The Commission inquired if they had talked with the Township Board. Mrs. Cross and Mrs. Seaman both advised that they have talked with township board members. The Commission expressed their understanding of the situation. Commissioner Martin urged them to continue to contact the township officials and request that road work is done when conditions allow. Commissioner Martin also reminded them that township board members are elected officials. Chairman Newell also discussed that the Township Board is their own governing entity and the Commission has no control or authority over them. The Commission advised they will have Road and Bridge Director Matlock review the situation and see if there are any suggestions he can offer to the township board.

Appraiser Della Rowley met with the Commission to discuss vehicle issues. She reported that the county travel van is in need of repair at an approximate cost of \$630 and the Ford Explorer in her department needs the catalytic converter replaced. The cost will be about \$1,000 and the 97 Explorer is valued at about \$3,000. Appraiser Rowley advised that she has sufficient funds available in equipment reserve to replace her vehicle. After discussion, it was determined that the repair will be made to the travel vehicle and Appraiser's Ford Explorer will be replaced.

County Counselor Jack Potucek met with the Commission. The new courtroom and furnishings were discussed. The Commission unanimously authorized Counselor Potucek to research some of the final furnishing needs for the new courtroom.

The Commission discussed the request by the Register of Deeds regarding a work at home policy. Counselor Potucek provided his recommendation regarding the issue. After discussion, the Commission unanimously approved the specific work at home situation in this instance due to the special project with the stipulation that the specific amount of work to be completed be designated in advance.

Emergency Management Director James Fair met briefly with the Commission. He provided an update on the road damage caused by flooding and FEMA assistance. A representative of FEMA was expected in the county yesterday, but actually arrived on Friday. The FEMA representative toured and viewed county roads with the Road and Bridge Superintendent. Director Fair also provided the Commission with the letter prepared regarding his participation in the Kansas State Incident Management Team program.

The Commission reviewed an agreement submitted by the Road and Bridge Department. The agreement is between Sumner County and the Secretary of Transportation of the State of Kansas for the annual bridge inspection. The State has signed an agreement with Bucher, Willis & Ratliff, Consulting Engineers, for the in-depth ultrasonic inspection of bridge hinge pins on County and City Routes to be performed in 2007.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
July 30, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. 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 reported that the detention facility is almost full today. There are 64 inmates from outside counties. As of today there are only 3 bunks empty. The proposed 2008 budget includes funds to add 20 bunks to the facility. Sheriff Gilkey advised that they would like to add at least 12 bunks as soon as possible to generate more revenue. Two bids were obtained to add 12 bunks. One bid obtained is for \$3,736, but does not include installation. The second bid, obtained from a local company, is for \$3,075 and includes installation. Commissioner Martin asked if any other issues would be involved if adding bunks now. Sheriff Gilkey advised that there would not be. Chairman Newell asked about personnel and Sheriff Gilkey advised there would be no added need at this time. Funding to accomplish adding the 12 bunks was discussed. The Commission unanimously authorized the addition of 12 bunks with half the expense from the Capital Improvement Fund and half from the Sheriff's budget.

Undersheriff Osborn discussed some issues that have occurred with the plumbing in the new facility. He explained what has happened in a couple of instances. The addition of flow control valves would possibly resolve the problem. Undersheriff Osborn will contact the architect and discuss the problem.

The Commission unanimously approved the minutes for July 23 and 24.

The Commission reviewed the county budget publication and the special districts budget publication. The Commission unanimously approved both publications.

Pam Black, Administrator for Slate Creek Good Samaritan Center, met with the Commission on several issues. Chairman Newell commended Administrator Black on the job she has done at the facility. Administrator Black discussed a maintenance contract for the phones at the facility. It was discovered that the contract, which needs to be renewed, is in the county's name. The facility has been paying the contract and will continue to do so. Changes have been made that significantly reduces the cost for the contract. County Counselor Jack Potucek entered the meeting. The phone contract was further discussed. Counselor Potucek said it is unusual that it is still in the county's name, but he recommended that it be renewed and then, if necessary in the future it can be reassigned. The Commission unanimously approved the contract and authorized the Chairman to sign it.

Administrator Black discussed the cleaning of the lift station screens. She advised that the grease trap is cleaned out regularly by a company per a contractual basis, which is paid by the county. She inquired if it would be possible to have the lift station screens cleaned out by the same means. The Commission asked that she discuss the matter with Maintenance Director Gary Yoder and to return to them if any issues.

Counselor Potucek met briefly with the Commission for general review and updates. He will meet again with the Commission in the morning.

The Commission reviewed and unanimously approved the claims for the end of July in the amount of \$700,599.98.

There being no further business, the Board of County Commissioners adjourned at 12:01 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
July 31, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Deputy John Moore met with the Commission. He inquired about the annual contribution to the DARE Programs in the county. The Commission for a number of years has provided an amount of \$500 to each program in the county. The Commission unanimously authorized the contributions again this year from the Special Alcohol Fund. Deputy Moore will submit the necessary documents to the Clerk's Office for payment to be made.

State Representative Vince Wetta met briefly with the Commission. Current events and affairs were discussed.

Maintenance Director Gary Yoder met with the Commission. Daniel Hobbs, of Hobbs Industrial Roof, and Assistant Director Marion Nuss were also present. Mr. Hobbs provided information and a sample of the foam roofing system offered by his company. The system carries a 10 year no leak guarantee. Several specifics related to the courthouse roof were discussed. Mr. Hobbs advised they would also do some sloping with the new material to attempt to aid drainage. The Commission will review the information and make a determination.

Steve Smith and John Marx, of Universal Construction, met with the Commission. Also present were Tony Rangel, Law/Kingdon Inc., Mark Callison, Schrader Brothers, and Maintenance Director Gary Yoder met with the Commission. A number of issues and items relating to the detention facility and courthouse projects were reviewed. Insurance and responsibility regarding the water damage from the roof leak was discussed. Any expense related to any damage that occurred will fall to the contractor's liability insurance or the county's insurance.

An invoice submitted by Becker Tree Farm for work at the detention facility was reviewed. Mr. Rangel advised there are only a couple of minor items that remain to be addressed. The Commission unanimously authorized that the bond or security check of Becker Tree Farm be released. The submitted invoice was approved for processing of payment. Mr. Rangel will send correspondence to the company regarding the remaining items.

Other items discussed included a final payment issue relating to Diaz Construction, timing and completion of the moving of the court files, some final site grading, plumbing issues, and courthouse roof repair. The foam roof system and experience of the architect and construction manager with such a system was discussed. The foam system being applied over the existing roof compared to an entirely new membrane roof was considered. The cost for a new roof would be higher. Mr. Smith recommended that the county have a consultant create specifications regarding a new roof and then obtain several bids from contractors. The specifications could include steps to also address and alleviate the drainage problem. The Commission asked Mr. Rangel to provide an estimate for Law/Kingdon to create the specifications.

Counselor Potucek provided a brief update regarding the Slate Creek Good Samaritan Center. He advised he should have a proposed lease agreement regarding the facility in hand by 4:00 p.m.

The Commissioners recessed at 12:26 p.m. and will reconvene at 4:15 p.m.

At 4:15 p.m., the Commission reconvened in open session.

County Counselor Jack Potucek met with the Commission. A proposed contract regarding Slate Creek Good Samaritan Center was discussed. The Commission unanimously approved a 5 year lease agreement with Deseret Nursing and Rehabilitation at Wellington, Inc., for the operation of what is presently known as the Slate Creek Good Samaritan Center. The Commission also unanimously authorized the Counselor to provide 60 day notice, as per previous agreement and arrangement, for the termination of the lease agreement with the Evangelical Lutheran Good Samaritan Society.

There being no further business, the Board of County Commissioners adjourned at 5:10 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
August 6, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. 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 July 30 and 31.

Janis Hellard, Director for the Sumner County Economic Development Commission, met with the Commission. Wellington City Manager Gus Collins was also present. Director Hellard discussed issues relating to the casino process. She reported that she had been approached by some of the cities in the county regarding the possibility of revenue sharing. The questions might be somewhat premature since its unknown specifically the amount of dollars involved and the final location of a casino. The Commission indicated a willingness to consider some type of process for the sharing of funds, if a casino comes to Sumner County. Director Hellard discussed some methods planned and/or used in other locations. The Commissioners and City Manager Collins all agreed that property tax relief and roads are the biggest issues for both the County and the City of Wellington. Procedures were also discussed as to how to proceed with a timeline for the submittal of casino proposals. The possibility for consideration of the sharing of funds and the timeline for proposals are both issues to begin thinking about.

Road and Bridge Director Melvin Matlock met with the Commission. A personnel issue was first discussed. He reported that two employees had successfully completed crane operation school. Director Matlock submitted requests to increase both employees' rate of pay. Sufficient funds are available due to periodic vacancies that have occurred in other positions. The Commission unanimously approved the requests.

Director Matlock reported that he had talked with Gore Township officials regarding the road complaints made by citizens two weeks ago in a meeting with the Commission. The township has and will take some action in the area. Other road and bridge issues were also discussed. Commissioner Gracy complimented the county personnel performing the asphalt patching on the county roads. Director Matlock reported that a meeting with FEMA officials is scheduled for later this week. Notice of the meeting has been sent to all of the townships. The Commission also advised that they continue to receive citizen inquiries about a county road unit system. Director Matlock was asked to update the previous research regarding a county road unit system.

Brad Macy, Interim Director for Community Corrections, met with the Commission to discuss operational issues. He reported that the Juvenile Corrections Advisory Board approved of the idea of Community Corrections becoming a county department. Director Macy advised Sumner County is the only county within the State where Community Corrections does not operate fully under the county. Director Macy also reported that the board had approved his appointment as Director. After discussion, the Commission advised that once they receive official notification of his appointment of Director the transition to a county department would be further researched.

Director Macy submitted the Community Corrections Statewide Performance Measures Report for Fiscal Years 2007, 2008, and 2009. Items within the report were reviewed and discussed. The Commission unanimously approved the report and authorized the Chairman to sign the report.

County Counselor Jack Potucek met with the Commission. He reported on a tax issue where action has been filed in Shawnee County District Court regarding a judicial review of an administrative order issued by the Board of Tax Appeals. Counselor Potucek reported on the proposed Argonia river walk project. He advised that he had talked with a representative of the Rural Economic Development Office. Rural Development questioned whether the county can designate the City of Argonia as an agent for the project. The representative also advised that even if the county applied, it would not be awarded. Grant funds have been designated for only health and welfare benefits of the community. A recreational benefit is not considered to meet the health and welfare requirement. After discussion, it was determined that the Commission has attempted everything they can to help the project.

Counselor Potucek reported on the cost of the chairs for the new courtroom. The cost for 20 chairs would be \$4,000. The Commission approved the cost out of the Capital Improvement Fund.

Emergency Management Director James Fair reported that Sumner County has been designated as a public assistance county. Notice has been sent to all of the townships of an initial meeting on Wednesday evening. FEMA will provide information on what the entities need to provide for possible assistance.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$3,977.84. Prior year orders in the amount of \$246.88 were also approved.

There being no further business, the Board of County Commissioners adjourned at 12:11 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
August 7, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

District Court Judge Thomas Graber met briefly with the Commission. He reported continued problems with the keyless entry mechanism on the ground level doors in the stair tower. The keyless entry works intermittently. Maintenance has attempted to remedy the problem, but as yet not successfully. Continued problems have not been encountered with the other keyless entry doors. The Commission advised that they would have the problem looked into further.

At 9:30 a.m., the Commission held a public hearing on Zoning Case No. 13PC-07. Planning and Zoning Director Jon Bristol and Administrative Assistance Melinda McCurley were also present. The case was to amend the Sumner County Zoning Regulations. The amendments include various updates and clarifications to existing regulations. Regulations implemented pertaining to commercial solar and wind energy projects and a casino are also included. Director Bristol reported that there was no public opposition voiced at the Planning Commission meeting. The Planning Commission recommended approval of the case in an 8 to 1 vote. The Commission unanimously approved Case No. 13PC-07. Two resolutions were adopted regarding the case. Resolution 2007-25, updating various zoning regulations and implementing regulations regarding a casino, and Resolution 2007-26, adopting commercial solar or wind energy project regulations, were both unanimously adopted.

Treasurer Carolyn Heasty met with the Commission. She first reported on investments recently made. Investment percentages range from 5.42% to 5.46%. She also reported on sales tax collections for the past 4 months. The approximate amounts were: April \$145,000, May \$180,000, June \$157,000 and July \$160,000. Treasurer Heasty provided additional information regarding the postage operations and metering the county mail in house. The cost to provide the equipment that will offer the most cost savings will be approximately \$15,000. The cost for purchasing the equipment would be recovered in savings in about three years. There is also a lease option for the equipment, but it would be more expensive. The long-term life of the machine was considered. After discussion, the Commission indicated their support for purchasing the machine. The availability of capital improvement funding and equipment reserve funding will be reviewed.

County Counselor Potucek reported on a couple of items. The final sale of the landfill to the City of Wellington was discussed and a document was signed. He reported that county personnel would accomplish a survey in the next few weeks of the abandoned cemetery near Caldwell. The Commission also discussed a workers compensation issue, which the Counselor will research further. He did advise that there can be no waiver given by a contractor of coverage.

Aubrey Hills met briefly with the Commission. He discussed the condition of the roads in the Forest Hill Cemetery in Guelph Township. Commissioner Gracy offered that he would talk with one of the township officers.

There being no further business, the Board of County Commissioners adjourned at 12:03 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
August 13, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. 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 refuse bill from the City of Wellington, whether the Commission's intent for it to be paid out of his budget or the Maintenance Department's budget. The Commission advised that they would discuss the bill with Maintenance Director Gary Yoder. Sheriff Gilkey also submitted two line item transfers to address the shortage of funds for detention officer overtime. An inmate count of 124 was also reported as of this morning, with 66 of those being from outside the county. The Commission will tour the Sumner County Detention facility at 1:30 p.m. today.

Cliff Boone met with the Commission and asked several questions regarding the destination resort casino and expanded gaming. He discussed issues relating to any possible casino location and county zoning. The Commission advised that the zoning regulations were updated to include gambling operations, zoning was not changed for any particular location. The Commission expressed their appreciation for his questions and his concern.

E911 Director James Reed met with the Commission. He advised that the South Central Council for Homeland Security has approved a communications project for the region. Part of the project includes building four disaster communication trailers to serve the region. The Council has asked if Sumner County would sponsor one of the trailers. Sponsoring would require Sumner County be responsible for training with the equipment, insurance, maintenance, and storage of the trailer. Those costs are not yet known. Director Reed advised that the trailer could be stored at the Road and Bridge Department and towed by an Emergency Management vehicle. He had confirmed with both department directors. The Commission asked what is different from what the existing Emergency Management trailer can do. Director Reed advised the project trailer would allow immediate ability to communicate with Federal agencies. He had advised the South Central Council that he could not commit Sumner County sponsorship without the Commission's authorization. The Commission advised that they would need more detailed information on cost before making any decision.

Janis Hellard, Director for the Sumner County Economic Development Commission, met with the Commission regarding development projects. County Counselor Jack Potucek was also present. At 9:48 a.m., upon unanimous vote the Commission entered into executive session with Director Hellard and Counselor Potucek for ten minutes to discuss an attorney-client privileged matter and to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships. At 9:58 a.m., the executive session was extended for 10 minutes. The executive session was extended for an additional 10 minutes at 10:08 a.m. and again for ten minutes at 10:18 a.m. The Commission reconvened in open session at 10:28 a.m.

The Commission discussed the timeline for casino proposals to be submitted for their endorsement. It is 90 days from today that developers must submit proposals to the State. After lengthy discussion, it was unanimously determined that written proposals must be submitted to the Commission by October 9. Presentations before the Commission, for submitted proposals, will be scheduled for October 15 and 16. The Commission will schedule a special meeting for October 17 to determine the endorsements that they will make.

Counselor Potucek reported that Dr. Bean, at the Sumner Regional Medical Center, advised that there are some chairs, which are no longer used, available to the county. Counselor Potucek also reported that the Judicial Selection Committee will be meeting at the courthouse on next Thursday. He discussed some of the needs for that day regarding set up. Maintenance Director Yoder was also present.

The Commission discussed other items with Director Yoder. The funds available in the equipment reserve from the courthouse general department were reviewed. After discussion, it was determined that reserve funds would be used for purchase of the metered posted machine. The bill for refuse collection at the detention facility was discussed. Director Yoder advised that the utility expenses for the facility are being paid by the Sheriff, and Director Yoder's

assumption was that refuse collection was part of the utility expense. The Commission unanimously agreed that cost for refuse collection would be paid by the Sheriff.

The Commission discussed the courthouse roof with Director Yoder. He reported that a contractor viewed the roof last week and he is waiting for the company to submit a bid. It was also found that there is water at several levels under the existing bladder. With that condition found, it is recommended that the existing system be completely removed before a new roof is put on. Discussion was held regarding obtaining additional bids. The need to have what is expected relating to slope and drainage was considered. The Commission asked that Director Yoder attempt to obtain three bids for the roof.

Treasurer Carolyn Heasty met with the Commission. She reported on the details of the proposed maintenance agreement for the postage machine. The Commission authorized her to proceed with the purchase of the machine.

At 11:30 a.m., the Commission held a public hearing regarding a request submitted for the vacating of streets in the original town of Corbin. The request was submitted by Joyce Lowe who was present for the hearing. The request was to vacate 115th Street, formerly known as St. Charles, between South Robin Road, formerly known as Main Street, and the east side of Corbin, situation between Blocks 23 and 24 in Kennedy's First Addition, original town of Corbin, Sumner County, Kansas and Olive Street, between South Robin Road and the east side of Corbin, situated between Blocks 24 and 31, together with an unnamed street and/or alleyway 20 ft. in width along the east side of Corbin, beginning at a point on the north side of Olive Street to the south side of Block 31, in Kennedy's First Addition, original town of Corbin, Sumner County, Kansas. County Clerk Shields reported that the required legal notice of the public hearing was made in the official county newspaper. After discussion, the Commission unanimously approved vacating the streets and adopted Resolution 2007-27.

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

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$132.62.

The Commission reviewed and unanimously approved the August mid-month claims in the amount of \$349,088.90.

The Commissioners recessed for lunch at 12:24 p.m. They will reconvene at 1:30 p.m. at the Sumner County Law Enforcement and Detention Facility.

At 1:30 p.m., the Commissioners met at the Law Enforcement and Detention Facility and reconvened in open session. Citizen Cliff Boone was also present. Sheriff Gilkey and Undersheriff Osborn provided a tour of the facility.

There being no further business, the Board of County Commissioners adjourned at 2:20 p.m. from the Detention Facility.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
August 14, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. 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 opened the bids received for the Health Department vehicle, a 1996 Ford Taurus. The required legal notice regarding the acceptance of bids was published in the official county newspaper, The Belle Plaine News. Only one bid was received, which was from Debra Pauly for \$110.00. The Commission unanimously approved and accepted the bid.

The Commission met briefly with Maintenance Director Gary Yoder. Assistant Director Marion Nuss was also present. The general maintenance of the Sumner Memorial Gardens was discussed.

Marinea Phillips met with the Commission. Planning and Zoning Director Jon Bristor was also present. Mrs. Phillips complained of a residence in the area of the US81 and K55 where there are at least eight vehicles located on the property. It is unknown if the vehicles are operable or tagged. Director Bristor explained the salvage law and when the situation may fall to the county or the state. He explained that, following the county zoning regulations, a signed complaint is required for Planning and Zoning to investigate. Mrs. Phillips was provided a complaint form. Other history of issues in the area was also discussed.

Appraiser Della Rowley met with the Commission. She discussed obtaining a K-tag for the travel vehicle and a vehicle in her department. After discussion, the Commission authorized the K-tags.

District Judge Thomas Graber, District Judge R. Scott McQuin, and Court Clerk Carolyn Jones met with the Commission. Judge Graber first advised of a broken window in need of replacement on the court floor. The current status of the District Court budget was then discussed. Judge Graber reported that in the early months of the year there was a 50% increase in the child in need of care and juveniles cases filed. The increase created some budget problems. The Judge reported that adjustments have been made in an attempt to reduce expenses for the rest of the year. With the changes made, it is believed that the court should be able to remain within the budget. Judge Graber advised that they would keep the Commission informed, if the status changes.

At 11:00 a.m., the Commission held a public hearing for the 2008 County budget and the Special Districts' budgets. County Auditor Elliott Jackson, of Parman, Tanner, Soule and Jackson, was present. Others present included E911 Director James Reed, Emergency Management Director James Fair, Noxious Weeds Director Robin Walcher, Planning and Zoning Director Jon Bristor, Sheriff Gerald Gilkey, Appraiser Della Rowley, County Attorney Kassie McEntire, Road and Bridge Office Manager Joyce Reynolds, and County Extension Agent Linda Mirt. There were no members of the public present. Information regarding the 2008 budget was distributed and Mr. Jackson noted several items. The levy is up .491 of a mill or 1%, valuation is down \$113,738 or .001%, and the dollars levied are up \$77,320 or 1%. The sales tax revenue is sufficient to make the payments on the detention facility bonds. The Commission commended the county employees on the job done. After a few additional comments, the Commission unanimously adopted the Sumner County and the Special Districts' budgets for 2008. The Commission also unanimously adopted the staffing level for 2008.

Sheriff Gilkey discussed a project of the Wellington Youth Football program. Funds are being raised to construct a storage/concession building. It was discussed that the program is open to all youth and there are participants from across the county. After consideration, the Commission unanimously approved a donation of \$500 from the Special Parks and Recreation Fund.

Janis Hellard, Director for the Sumner County Economic Development Commission, met with the Commission. County Counselor Jack Potucek was also present. The procedures regarding the submission of destination resort casino proposals were further discussed. Creating a request for proposals was discussed. Director Hellard advised that the developers are asking for specific guidelines. The procedures being followed by Wyandotte County were reviewed. Forming a committee to develop a request for proposal by early next week was discussed. After further

discussion, it was decided that the committee already in place through the Economic Development Commission would be used. Commissioner Martin will also participate. Director Hellard hopes the committee can have a request for proposal prepared by next week for the Commission's approval.

There being no further business, the Board of County Commissioners adjourned at 12:46 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
August 20, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. 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 on several matters. A personnel matter was first discussed. Undersheriff Osborn discussed the need for a shift supervisor for the third shift at the detention facility. After discussion, the Commission unanimously approved the change of a Detention I position to a Detention II position. Sheriff Gilkey also advised that the added bunks previously approved have been installed. An invoice will be submitted to the Commission for half of the cost. It was also reported that construction of the Cleary building at the detention facility was started last week. The building will be used by the Maintenance Department and by the Sheriff, for evidence storage.

Economic Development Director Janis Hellard met with the Commission. A draft of request for proposal relating to a destination resort casino was reviewed. The document, titled "Gaming Facility Criteria and Development Preferences for Facilities to be Located in Sumner County, Kansas" has been provided to the cities who are members of the Economic Development Commission for their review and approval. Several items regarding the document and issues relating to the endorsement process were considered.

The Commission reviewed and unanimously approved the minutes for August 13 and 14.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
August 21, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present due to attending a funeral. The meeting was opened with the Pledge of Allegiance.

Health Department Director Laura Rettig met with the Commission. She submitted an amendment to the Bioterrorism Contract with the State for the Commission's approval. The 2008 Federal level funding has not yet been released, which in turn delays the State. The amendment relates to the provision of funds through November 30 until Federal funds become available. The Commission unanimously approved the amendment and it was signed by the Chairman. Director Rettig also discussed some requirements for the mass distribution pharmaceutical plan relating to disaster/terrorism planning. A security issue of the Health Department building was also discussed.

The Commission talked with Rodney Babb by telephone. He reported his vehicle was damaged by a rock that came out of a passing truck. Mr. Babb said the truck was a private company hauling rock for the county. After further discussion it was determined that the truck was possibly hauling rock for a township. The county does not contract with any private company to haul rock. Mr. Babb was provided a contact number for the Township Trustee.

Community Corrections Director Brad Macy met with the Commission. He provided a year-end outcome report for Fiscal Years 2007, 2008 and 2009 for the various Community Corrections programs. The report was reviewed and compared as to how well objectives met. The Commission unanimously approved the report and it was signed.

Randy Fitzgerald, Regional Director for the Good Samaritan Society, met with the Commission. Also present was Pam Black, Administrator for the Slate Creek Good Samaritan Facility, Marya Burns, Social Services Consultant for the Good Samaritan Society, and County Counselor Jack Potucek were also present. Counselor Potucek advised that he had already spoken with Mr. Fitzgerald and recommended that the Commission enter into executive session for an attorney-client privileged matter. At 10:28 a.m., the Commission upon unanimous vote entered into executive session for ten minutes for the stated purpose. All parties remained present with the exception of County Clerk Shields. The Commission reconvened in open session at 10:38 a.m.

Counselor Potucek provided brief updates on several issues. He reported on three contested hearings scheduled before the State Board of Tax Appeals. Counselor Potucek reported that the title work, regarding the sale of the landfill to the City of Wellington, was completed. He will proceed with preparing a couple of additional documents required.

The Commission reviewed and unanimously approved a tax abatement order in the amount of \$262.56.

There being no further business, the Board of County Commissioners adjourned at 11:33 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
August 27, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Planning and Zoning Director Jon Bristor met with the Commission. Assistant Director Mary Jenkins, Field Technician Clifford Bales, and Administrative Assistant Melinda McCurley were also present. Director Bristor presented Jenkins with a plaque in recognition of her twenty years of service with Sumner County. She first began working for the Planning and Zoning Department in August of 1987. She was commended for her service to the county and dedication.

At 9:30 a.m., the Commission held a public hearing for two zoning cases. Director Bristor and Assistant Director Jenkins were present. The first Zoning Case No. 14PC-07 was tabled at a previous hearing several weeks ago. The Commission unanimously approved removing the case from its tabled status. Chad Abbott, agent involved in the case was present. The case was a preliminary plat for the development of seven, six plus/minus acre tracts for a subdivision. The case was tabled earlier due to several items of information still needed from the applicant. Director Bristor advised that all issues have now been addressed and/or provided. The Commission unanimously adopted Resolution 2007-28 approving Zoning Case No. 14PC-07. The second case heard was No. 15PC-07, which was the final plat related to Case No. 14PC-07. The Commission unanimously adopted Resolution 2007-29 approving Zoning Case No. 15PC-07.

Director Bristor presented a resolution appointing Max Steinle to an unexpired term on the Planning Commission. Mr. Steinle replaces Twila Wagner who resigned due to moving out of the county. The Commission unanimously adopted Resolution 2007-30 appointing Mr. Steinle.

Economic Development Director Janis Hellard met with the Commission. Planning and Zoning Director Bristor remained present. Director Hellard provided a copy of the Gaming Facility Criteria and Development Preferences for Facilities to be Located in Sumner County, Kansas. All cities have joined in signing the document other than Argonia, Belle Plaine, and Oxford. She advised that a response was not received from Argonia, and Belle Plaine and Oxford had both opted out because they do not have the infrastructure to provide. The bid security of \$50,000 required for each proposal was discussed. The bid security will be held, and later returned to those proposers not selected by the Kansas Lottery Commission as the developer for the South Central gaming zone.

Other items relating to the endorsement process were discussed. County Counselor Jack Potucek was now also present. Director Hellard reported that she had talked with the attorney assigned to the Kansas Lottery Commission regarding the process. It is somewhat unclear what the local authority can do regarding the endorsement of proposals. Zoning issues were also discussed. The timeline for the process of zoning changes, whether it is in the county or for the cities of Mulvane or Wellington was reviewed. The possibility of requesting an extension from the State for the submittal deadline was considered. After discussion, it was determined that Counselor Potucek will attempt to obtain further information and report back to the Commission in the morning. The Commission will also wait to approve the Gaming Facility Criteria document until tomorrow.

The Commission reviewed and unanimously approved the minutes for August 20 and 21.

The Commission received correspondence from Elliott Jackson, of Parman, Tanner, Soule & Jackson. As part of the audit of the 2006 financial statements, the auditor noted certain items for the Commission's consideration in connection with the internal control system of the County. Three items were noted. County Clerk Shields explained the first item, which was relating to the financial management software used by the county. The vendor updated the software during 2006, and a change affecting year-end reports was later discovered. The vendor has been contacted and is working to resolve the issue by the 2007 year-end. The other two items on the correspondence related to the Treasurer.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$313.46. Prior year orders for \$1,091.40 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 12:03 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
August 28, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Treasurer Carolyn Heasty met with the Commission. She provided the latest sales tax report from the state. The total amount collected for August was \$184,861.21.

Marion Nuss, Maintenance Department Assistant Director, met with the Commission. Maintenance work at the Sumner Memorial Gardens was discussed.

State Representative Vince Wetta met with the Commission. The process relating to the destination resort casino proposal process was briefly discussed.

Economic Development Director Janis Hellard, County Counselor Jack Potucek, and Planning and Zoning Director Jon Bristor met with the Commission. Representative Vince Wetta also remained present. The overall timeline regarding the submission of destination resort casino proposals was reviewed. The zoning process was also considered. Director Bristor advised that he had talked with representatives of both Mulvane and Wellington for information on their timelines for zoning changes. The timeline of the process, once proposals proceed on to the State was also reviewed. Keith Kocher, Assistant Attorney General assigned to the Kansas Lottery, was contacted by phone in order to confirm information. After lengthy review, the Commission unanimously agreed that the dates set for submission of proposals to Sumner County would be amended. Amending the dates will provide some additional time for the opportunity for developers to complete the zoning process. Zoning is not required for the local endorsement process, but zoning approval must be in place before the Kansas lottery executive director contracts with any prospective lottery gaming facility manager. The deadline for written proposals to be submitted to Sumner County will be noon on October 24th. Presentations will be scheduled before the Commission on October 29 and 30. The Commission will conduct a special meeting on October 31st to determine which project or projects they will endorse. The amended local dates will still allow developers to meet the deadline for submittal to the State. The Commission also unanimously approved the Gaming Facility Criteria and Development Preferences for Facilities to be Located in Sumner County, Kansas. The document will be available on the Legal Notices page of the Sumner County web site, which is - www.co.sumner.ks.us

Tony Rangel, of Law/Kingdon Inc., met with the Commission. He submitted a proposal for Law/Kingdon to provide bid specifications for the replacement of the courthouse roof. The proposed cost is \$20,000 with reimbursable expenses of about \$2,500. The Commission advised that they would review the proposal. Mr. Rangel provided updates on the courthouse renovation project regarding the moving of the files and remaining work to be completed. The damage from the water leak several weeks ago was discussed. It may become an issue with the retainage amount being held from the contractor for completion of the project. A couple of outstanding items remaining at the detention facility were discussed. Mr. Rangel discussed the capacity at the detention facility and the staffing level of detention officers.

The Commission met with Maintenance Director Gary Yoder. The possibility of using a portion of the funds available in equipment reserve for the courthouse roof replacement was discussed. Funds placed in reserve can be transferred back to the General fund for use. After discussion, it was determined that approximately \$35,000 in funds could be used. That funding along with Capital Improvement funds may allow the roof replacement to occur this year.

The Commission reviewed and unanimously approved claims for the end of August in the amount of \$338,720.94.

There being no further business, the Board of County Commissioners adjourned at 12:31 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
September 4, 2007 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Garey E. Martin was not present.

The Commission reviewed and unanimously approved the minutes for August 27 and 28.

County Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission. Appraiser Rowley advised that maintenance personnel are rearranging the offices in her department. The change is needed to accomplish privacy during taxpayer hearings. Staff member Farley, who is responsible for the Neighborhood Revitalization Program (NRP), is being moved and office furniture is needed. Appraiser Rowley asked for authority to use funds from the NRP administration fees for the office furniture. Use of the funds is allowed under the plan. The Commission unanimously approved use of funds from the NRP.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$176.24.

Gary Theurer and Henry Ancell met with the Commission. They discussed the condition of South Meridian Road in Wellington Township. The county replaced the bridge some time ago, but the township has not maintained the road. Township officials have been contacted, but the lack of maintenance has not changed. The Commission explained that the county has no authority over the township and cannot force the township to do anything. Mr. Theurer asked about a County Road Unit system and encouraged the Commission to place such a question on the ballot at some time. State Representative Vince Wetta happened to be present and offered some information. He advised that issues with the local township level of government and the maintenance of township roads has been a topic at the state level. Representative Wetta said that a summer interim committee is studying the issue and it will be a topic in the legislature for the next session. The Commission also advised that Road and Bridge Director Matlock has been asked to update a study done several years ago regarding the cost for a county road unit system. The Commission said they would ask Director Matlock to contact the township regarding Meridian Road.

Mr. Theurer also discussed the county fair held last month in Caldwell. He discussed the low number of livestock entries. He asked if there is a way to have the county fair moved to Wellington and be held in conjunction with the Wheat Festival. Mr. Theurer said someone had approached the Commission last year with the idea. The Commission advised that nothing further was brought to them. The desire to move the fair would have to come from the public before the Commission would support such a move.

Treasurer Carolyn Heasty met with the Commission. She provided information regarding the Sales Tax Revenue bonds. The amount of sales tax received to date is \$5,245,553.24. The amount of interest earned is \$652,249.48. The bond payments, as of this month, have amounted to \$800,000.00 with interest paid of \$1,190,100.00. The original bonds were for a twenty-year period with the hope of being able to pay the bonds off within about thirteen years. If the current collection rate continues, the bonds may be able to be paid off sooner than the thirteen years.

County Counselor Jack Potucek met with the Commission. Also present were Economic Development Director Janis Hellard and Planning and Zoning Director Jon Bristor. Counselor Potucek requested an executive session to discuss an attorney-client privileged matter. At 11:04 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for an attorney-client privileged matter. Directors Hellard and Bristor remained present for the session. At 11:19 a.m., the executive session was extended for 15 minutes. At 11:34, the executive session was extended for an additional 10 minutes. The Commission reconvened in open session at 11:42 a.m.

Director Hellard discussed the Commission's intent for review of the proposals once they are submitted. The possibility of creating a review board to assist the Commission in the review was discussed. The Commission will give further consideration to a review board next week when Commissioner Martin is also present.

Sheriff Gerald Gilkey met briefly with the Commission. He reported that outside housing for the month of August generated \$71,000 in revenue.

The Commission reviewed the claims submitted for Community Corrections. July claims in the amount of \$19,178.64 and August claims in the amount of \$26,919.31 were unanimously approved.

The Commission received correspondence from Margo Lytton, Assistant Regional Director with the Social and Rehabilitation Services. The Commission was asked to consider waiving the fee for a regional training session being held at the Raymond Frye facility on October 17. The training is for SRS staff. Waiving the fee was unanimously approved.

The Commission unanimously approved to waive the fee for the meeting date of _____.

There being no further business, the Board of County Commissioners adjourned at 12:22 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
September 10, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Dave and Keala Timko met with the Commission regarding their project under the Neighborhood Revitalization Program. Carolyn Farley, of the Appraiser's Office, was also present. The Timkos asked for an extension for their project. Health issues arose that delayed work on the project. Details were discussed along with the options for an extension. The Commission unanimously approved a six-month extension.

State Representative Vincent Wetta met briefly with the Commission. He discussed a response he received from the Kansas Legislative Research Department to questions he posed about the casino approval and endorsement process. According to the letter, the local entity may endorse one, more than one, or all of the proposed gaming contracts. Dennis Hodgins, Principal Analyst for the Research Department, suggested that the request be made for an Attorney General's Opinion to clarify the meaning of the "resolution of endorsement". County Counselor Jack Potucek entered the meeting and further discussion occurred. The Commissioners reported that correspondence has been received, both to their office and to their home addresses, from citizens expressing opinions on possible sites. Those opinions may be considered in their final decision process.

Sheriff Gerald Gilkey and Detentions Supervisor Steve Colwell met briefly with the Commission. Sheriff Gilkey advised the two meetings he had scheduled for today would be rescheduled. Information needed for the meetings was not received yet.

Judge Jurey met with the Commission regarding a couple of issues. He first discussed an issue regarding the lagoon that was placed on his property in the wrong location. He said he has been told that he will have to have new soil tests done for the location where he wants to move it to. The location is about 150 ft. over and 250 ft. back from the existing location. Mr. Jurey doesn't believe he should have to conduct another test. The Commission determined that they will discuss the situation with Planning and Zoning, but existing regulations will have to be followed.

Mr. Jurey discussed his second concern regarding drainage in Valverde Township. Road and Bridge Director Melvin Matlock was now present. Mr. Jurey explained that he has talked to the county before and the township and everyone says that the issue is not our responsibility. He discussed the specific problem with the drainage. He said he would like the Commission and Director Matlock to meet with him at the location and view the problem. Director Matlock advised that he had viewed the location and contacted Mr. Jurey after the first meeting with the Commission. Director Matlock advised that he will visit again with the township officials. He confirmed that maintenance of the township roads and ditches are the responsibility of the township. Director Matlock will attempt to arrange a meeting at the site with Mr. Jurey and township officials.

E911 Director James Reed and Assistant Director B.J. Tracy met with the Commission. Director Reed discussed the aerial photography that was completed for the Geographic Information System. The data collected was corrupted so the company will have to collect the data again. The original photography was for 12 inch resolution. Director Reed explained that he has submitted a grant application to the State for 911 Wireless Grant funding to provide for 6 inch resolution photography. The higher resolution will provide greater detail. The amount of grant funds being asked for is \$230,000. That amount also includes some funds for reimbursing expenses for operating the wireless system and some funds for software to use with the data collected. A letter of support from the Commission is required with the grant application. The funding is for accomplishing the higher resolution. It is not for the cost associated with the company having to recollect the original data.

The Commission reviewed and unanimously approved the minutes for September 4.

County Counselor Potucek met with the Commission. The existing farm ground lease for property at the landfill was discussed. A portion of the farm ground is included in the property that was sold to the City of Wellington.

How the contract and the lease payment are affected was discussed. Counselor Potucek will arrange a meeting with Director Matlock and Gerald Dawson, of the City of Wellington, to work out any details.

Community Corrections Director Brad Macy met with the Commission. Counselor Potucek also remained present. Director Macy discussed the Community Corrections Department transitioning to a county department. The Sumner County Community Corrections Department is the only community corrections in the State that does not entirely operate under the county. The Community Corrections Advisory Board has approved of the transition. All funding for the department will continue to come from the State. The Commission expressed their support and directed that details to accomplish the transition be worked out.

Director Macy also discussed a Risk Reduction Initiative grant that he will be applying for. A letter of support is needed from the Commission. The grant will ask for funding of a day reporting center with additional treatment options for offenders. The Commission asked Director Macy to prepare a letter for their approval and signature.

E911 Director Reed met again with the Commission. He discussed a contractual issue relating to 800 megahertz frequency reconfigurations. Director Reed report a contract was submitted to Counselor Potucek for his review. Notice was received today that the deadline for submittal of the contract has been shortened.

Commissioner Gracy left the meeting at 12:09 p.m. to attend a luncheon meeting.

Counselor Potucek entered the meeting with the contract Director Reed was discussing. Additional details regarding the contract were discussed. Counselor Potucek approved the contract as to form. The Commission unanimously approved the Planning Funding Agreement for 800 Megahertz Reconfiguration and it was signed by the Chairman.

There being no further business, the Board of County Commissioners adjourned at 12:23 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
September 11, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

The Commission talked by phone with Tony Rangel, of Law/Kingdon Inc., regarding the courthouse roof. The Commission advised that they would not utilize the services of Law/Kingdon to create bid specifications. Mr. Rangel provided the name of another roofing company that could accomplish the roof repair. The Commission will pass the information on to Maintenance Director Yoder to possibly obtain another bid for the repair/replacement.

The Commission received correspondence regarding the annual meeting for the Kansas Workers Risk Cooperative for Counties, the county's workers compensation insurance provider. Commissioner Gracy was unanimously appointed as the voting delegate for the annual meeting and Commissioner Martin was appointed as the alternate.

Road and Bridge Director Melvin Matlock met with the Commission and provided the bi-annual bridge inspection report. The report is for bridges over 20 ft. in length, of which the county has over 500. The report reflects the continuing progress being made on correcting deficiencies. Director Matlock reported that the work is nearing completion on the fuel station. He reported that the installation of new culverts across the county is now back on schedule. The extensive rains in the first part of the year had delayed some installations. Director Matlock reported that the survey had been completed for the cemetery at Caldwell.

Elliott Jackson, county auditor, met with the Commission and provided the 2006 Audit Report. The county's financial status was better at the end of 2006 when compared to 2005. Several items within the report were reviewed. Mr. Jackson's previous management letter to the Commission was also discussed. The software change, which created an item noted in the letter and an item in the audit report was discussed. Other items relating to the Treasurer were considered. Mr. Jackson confirmed that he has spoken to the Treasurer regarding the ongoing items that are the Treasurer's responsibility. After discussion, the Commission unanimously approved and accepted the 2006 Audit Report.

Economic Development Director Janis Hellard met with the Commission. Robert H. Miller was also present. The idea discussed last week of forming a committee to review the casino proposals when submitted was further considered. Representation on the committee was discussed and the possibility of an outside consultant was considered. Director Hellard was asked to check in to the cost of a consultant.

Director Hellard advised that a feasibility study will soon be available as to what sites would be best relating to the Kansas Turnpike. She also reported that she has received many contacts from citizens regarding the Mulvane and Wellington sites. There is a huge outcry that Mulvane should not be considered as a site. The timeline for the approval process was discussed. Director Hellard reported some developers have asked about an extension of the deadline in order to work out details with landowners. At this point, the Commission is not planning on asking for an extension from the State. County Counselor Jack Potucek entered the meeting.

Robert Miller, former State Representative, addressed the Commission. He explained his past experience relating to lottery issues while serving in the legislature. Mr. Miller said he has been asked by a number of people to be the eyes and ears on the casino issue. The people he is representing have Sumner and Cowley County roots.

State Representative Vince Wetta entered the meeting. He advised that he has been in contact with the Attorney General's Office to attempt to obtain an opinion relation to questions about the endorsement and approval process. Counselor Potucek discussed the importance of the Commissioners not forming any opinion as to any site until all proposals are submitted.

Emergency Management Director James Fair met with the Commission regarding equipment. He discussed upgrading the two water rescue boats. The boats were initially purchased in 1999. Director Fair explained the upgrades, which would assist rescue personnel when the boats are used. The cost would be approximately \$1,100

for each boat. He advised that sufficient funding is available with the current budget along with some equipment reserve funds. The Commission unanimously authorized the upgrades.

Director Fair also reported that he had received a request from a representative with the Aviation Fest asking to use the department's all-terrain gator vehicle for the event. The intended use of the vehicle is for the emergency service providers. Director Fair advised that the Wellington Police/Fire/EMS Departments and the Sheriff Department will have personnel at the event, although not the entire time. Those departments have not indicated a need or a request for use of the vehicle. The Commission agreed that, since the request was not made by one of the emergency service departments, the vehicle could not be loaned out.

County Counselor Jack Potucek met with the Commission regarding several items. He reported on correspondence received from Universal Construction Co. regarding outstanding invoices for the masonry work at the detention facility. Universal recommended that payment can now be released. Counselor Potucek will confirm with County Clerk Shields the specific payments to be released.

Counselor Potucek reported that representatives of the Good Samaritan Society and Deseret Healthcare will be meeting Thursday to review the inventory for the Center. Documents required by the State for the transition of operations will also be completed. Counselor Potucek advised that Maintenance Director Yoder should be available if any information or history regarding equipment is needed by the representatives.

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

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

Greg Olsen and Rick Gaskill, Sumner Mental Health, and Ernie Fink, Mental Healthy Board member, met with the Commission. County Counselor Potucek was also present. Mr. Olsen discussed the failure of the State to pay the administrative claiming funds. The State's continued holding of the funds creates two problems. First, Mental Health will not yet be able to repay the \$130,000 in funding extended by the County in January. Second, Mental Health will not be able to meet payroll costs to finish the year. The center is expected to have sufficient funding for the next 28 days. It was explained that Federal authorities have indicated the State has the funds to release, but the State is refusing to release the funding to the mental health centers across the state. Two centers have gone under due to the situation. If funds are released, Sumner Mental Health would received anywhere from \$104,000 to \$144,000 by the end of the year. Mr. Olsen explained one option available is for Mental Health to sell the north campus building. The sale would generate approximately \$200,000. The county funding extended could be returned and the balance from the sale would provide funds for the balance of the year. The Commission expressed the most immediate concern is the continued operations of the Mental Health Center. The Commission advised that they will consider what options may be available. Counselor Potucek also advised he would discuss the situation with State Representative Wetta.

The Commission unanimously approved the mid-month claims for September in the amount of \$330,067.22.

The Commission unanimously approved prior year tax abatement orders in the amount of \$97.08.

There being no further business, the Board of County Commissioners adjourned at 2:23 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.

Jim D. Newell, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
September 17, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

80th District State Representative Vince Wetta met with the Commission. He provided a copy of a letter he sent to the Attorney General's Office asking for an opinion on three issues relating to the casino proposal process. Representative Wetta also recommended that the Commission consider obtaining expert assistance regarding the process. County Counselor Jack Potucek entered the meeting.

E911 Director James Reed met with the Commission. County Counselor Jack Potucek was also present. Director Reed submitted a document for review and authorization to sign. The document, Statement of Work Supporting Request for Planning Funds, relates to the 800 megahertz rebanding or reconfiguration project discussed last week and the Planning Funding Agreement. Director Reed provided some additional details regarding the project. Counselor Potucek approved the contract as to form. The Commission unanimously approved the Statement and assigned Director Reed as the Licensee Representative.

The discussion regarding various issues of the casino approval process continued with Representative Wetta, Director Hellard, and Counselor Potucek all still present. Robert H. Miller was now also present. Among the issues considered during the lengthy discussion were the possible need for expert assistance, the site areas of near the Mulvane turnpike exit and the Wellington exit, and the apparent weighted preference on the part of developers for the Mulvane location. Marvin Simonton, retired Planning and Zoning Director, was present and offered some history of the zoning of property near the Mulvane exit. The economic development benefits based on both sites and the possibility of some additional revenue sharing were also topics of discussion. Counselor Potucek left the meeting to attend a funeral. After some additional discussion, Representative Wetta advised that he will inform the Commission as soon as he receives any opinion from the Attorney General's Office on the questions he posed.

County Counselor Potucek met again with the Commission regarding several items. He reported that the inventory review between officials of the Good Samaritan Society and Deseret Healthcare was completed last week. The final closing for the sale of the landfill to the City of Wellington should occur later this week. Counselor Potucek will finalize several documents necessary for the closing.

At 11:11 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. At 11:26 a.m., the executive session was extended for 15 minutes. At 11:41 a.m., the executive session was extended for 10 additional minutes and County Clerk Shields was asked to attend, which he did. At 11:51 a.m., the executive session was extended for 20 minutes. At 12:11 p.m., the Commission reconvened in open session.

There being no further business, the Board of County Commissioners adjourned at 12:32 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
September 18, 2007 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 Jim D. Newell, Commissioner Gary E. Martin, and Commissioner Eldon B. 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 September 10 and 11.

The Commission unanimously reappointed Marvin White to serve on the Sumner County Economic Development Commission.

The Commission spoke by phone with Gloria Horsch. She expressed concern with a portion of the road in the Sumner Memorial Gardens needing rock. Chairman Newell advised that they are aware rock is needed. The plan is to use the rock from the roof of the courthouse when it is removed for the roof repair, although, the roof repair may not occur until the first of the next year.

Economic Development Director Janis Hellard met with the Commission. County Counselor Jack Potucek was also present. Director Hellard provided a brief report on the meeting she attended yesterday in Cowley County. The meeting was of a task force organized in Cowley County to help that county benefit from a resort casino being placed in Sumner County.

Greg Olsen, Chief Executive Officer of Sumner Mental Health, met with the Commission. He provided an update on the status of the funding being held by the State. A meeting was held last week with Representative Vince Wetta. With Representative Wetta's assistance, Mr. Olsen has now been able to talk with several of the bureaucrats involved in the entire process. Some action did take place last week, but there has still been no release of the funding.

The Commission continued a discussion with Director Hellard and County Counselor Potucek. State Representative Vince Wetta was now present. He had also attended the meeting in Cowley County and he provided some additional information. At 9:43 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek, Director Hellard, and Representative Wetta for 15 minutes to discuss an attorney-client privileged matter. At 9:58 a.m., the executive session was extended for 15 minutes. At 10:13 a.m., the executive session was extended for an additional 15 minutes. At 10:28 a.m., the Commission reconvened in open session.

Road and Bridge Director Melvin Matlock met with the Commission. He provided information compiled to determine an estimated cost to go to a county road unit system. To operate the county would be divided into four quadrants with personnel assigned to each quadrant. Forty employees along with five supporting positions would be necessary. The result would be about 1.5 persons per township to maintain the roads. The higher costs are related to equipment and labor. The cost of employee benefits contributes to the labor expense. The cost to go to a county road unit system, at a minimum, would be over \$2 million dollars. The cost calculated provides for 16 motor graders county-wide, compared to the present number of 32 among the townships. Other issues of how timely snow removal or road maintenance after rains would occur were discussed. Director Matlock also provided information on other counties that have a road unit system. In almost every situation, the county is very small in land area and/or very low in population. The Commission will review the information.

Bob Knight met briefly with the Commission. He said his heart is with Wellington because of all the work Wellington did on the casino issue. Mr. Knight reported that a study just completed for his investor group indicates that a site near the Mulvane exit would generate more revenue. When you look at the numbers, he said he can't convince his investors to come to Wellington.

District Judge Thomas Graber met with the Commission. He advised that Chief District Judge Solomon had inquired about the status of several items including the roof repair, damaged carpet, and the repair of leaking windows. The Commission advised they are waiting for an additional bid for the roof repair. It is hoped the repair can be made yet this year, but it may not be until the first of 2008. The damaged carpet will, most likely, become a

dispute with the contractor. The repair of the windows will yet have to be addressed when Maintenance personnel have time available. An initial plan to have the work done was not able to proceed due to issues with workers compensation insurance.

Commissioner Martin left the meeting at 11:33 a.m.

Counselor Potucek submitted a prepared resolution for the Commission's consideration. The resolution authorizes the next tax sale. The Commission unanimously approved Resolution 2007-31.

The Commissioners recessed for lunch at 11:50 a.m.

The Commissioners reconvened in open session at 1:30 p.m. Commissioner Martin was not present.

Economic Development Director Hellard and State Representative Vince Wetta met with the Commission. Lengthy discussion was held regarding the division of funding prescribed by Senate Bill 66 and any possibility of other revenue sharing. During the discussion, Representative Wetta talked by phone with two State officials, one being Steve Martino with the Kansas Racing and Gaming Commission.

Commissioner Martin entered the meeting at 2:20 p.m. and discussion continued.

County Clerk Shields left the meeting at 2:42 p.m. Deputy County Clerk Debra Norris was present for the remainder of the meeting.

Discussion continued regarding the division and possible sharing of funding. Counselor Potucek will further review Senate Bill 66 for details relating to the gaming revenue. Director Hellard will obtain and review how Wyandotte County has addressed the issue. The discussion ended at 3:44 p.m.

Counselor Potucek briefly discussed the status of the roof repair for the courthouse and the water stained carpet on the court floor.

There being no further business, the Board of County Commissioners adjourned at 3:53 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
September 24, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Maintenance Director Gary Yoder met with the Commission. He provided materials and information from another company regarding the replacement of the courthouse roof. He is expecting a bid from the company by the end of the week. Assistant Maintenance Director Marion Nuss was now also present. Director Yoder advised that the offices on the third floor are now ready for the Community Corrections personnel to move in. A concern expressed by one of their personnel was discussed. The Commission will discuss the concern with Community Corrections Director Macy.

Maintenance Director Yoder also discussed the mowing and maintenance for the Sumner Memorial Gardens and the mowing at the Detention Center. Assistant Director Nuss submitted a proposal from Nuss Lawn Service to do the work. The proposal provides for all of the work that is being done now and adds the mowing at the detention facility.

The Commission discussed the caulking of the windows that have been leaking. The Commission advised that the plan to have the work done did not proceed due to a workers compensation issue. Director Yoder advised that with the work now mostly complete on the third floor, they will be able to complete the caulking of the windows. He also advised he is waiting for a bid from Carroll Glass Company to replace the windows on the east side of the courthouse.

Discussion continued regarding the mowing and maintenance proposal. The interior maintenance of the detention center was considered. The proposal made for mowing does not address any additional assistance with the interior work. Director Yoder said he does not believe that any additional help is needed at the facility. Indications from the Sheriff to the Commission differ. Director Yoder advised that the Sheriff had not discussed any concerns with him. Commissioner Martin expressed a concern with communication not occurring between Director Yoder and Sheriff Gilkey. Other concerns involving communication and work being done were discussed.

Community Corrections Director Brad Macy met with the Commission. He discussed the grant application relating to Senate Bill 14 that he had discussed with the Commission a couple of weeks ago. He provided a letter of support for the Commission's approval and signature. The Commission unanimously approved the letter of support and it was signed.

The Commission informed Director Macy that the offices on the third floor are now available. A portion of the former detention area was renovated into office for Community Corrections personnel. The former space they used is not part of the law library. Concerns expressed to maintenance personnel by Community Corrections staff were discussed. Director Yoder and Assistant Director Nuss were both still present. A concern of the access that probationers may have when reporting to the office was considered. Director Macy expressed his preference to have all staff at a single location, but understands that's not currently possible. Maintenance personnel will assist in moving Community Corrections staff into the offices. The Commission commended the Maintenance Department for the renovation work completed.

Appraiser Della Rowley met with the Commission for annual evaluation purposes. At 10:44 a.m., the Commission upon unanimous vote entered into executive session with Appraiser Rowley for 15 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:58 a.m.

The Commission discussed some of the extensive training needed by the Appraiser. The continuing education and the other training that is necessary in order to maintain the required certification was considered. It is estimated that in 2009, there will be 31 counties that will be without an appraiser due to retirements and other reasons. There are 166 registered mass appraisers in the State and approximately 66 of that number are in State offices and in the largest counties of the state. Appraiser Rowley expressed her appreciation for the Commission's support.

Dennis Smith, of Law/Kingdon Inc. met briefly with the Commission. Law/Kingdon is the architectural firm associated with the Foxwoods Group, one of the destination resort casino developers. Mr. Smith reported that they have options on land at two sites, one near the Mulvane exit and one near the Wellington exit. He said, at this point, they are doing their due diligence in reviewing the Mulvane location.

County Counselor Jack Potucek met with the Commission. Also present was David R. Cooper, an attorney with Fisher, Patterson, Saylor & Smith L.L.P. Lawyers. At 11:34 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Mr. Cooper for 15 minutes to discuss an attorney-client privileged matter. At 11:49 a.m., the executive session was extended for 10 minutes. At 11:59 a.m., the executive session was extended for 5 additional minutes. At 12:04 p.m., the Commission reconvened in open session. Commissioner Gracy moved to retain David R. Cooper to consult on expanded lottery act issues at a rate of \$195 per hour. Commissioner Martin seconded the motion and it passed unanimously.

There being no further business, the Board of County Commissioners adjourned at 12:22 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
September 25, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission talked by phone with Sheriff Gerald Gilkey. An amendment to the food service contract with CBM Foodservice was submitted. Per the contract, the amendment was for a Consumer Price Index adjustment of a 3.1% increase per meal. After discussion, the Commission unanimously approved the contract and it was signed. Sheriff Gilkey reported that revenue from inmate housing this month should be about \$65,000.

State Representative Vince Wetta met briefly with the Commission. Robert H. Miller was also present. Representative Wetta reported he had received a letter from Deputy Attorney General Mary Feighny acknowledging receipt of his letter asking for an Attorney General's opinion on several questions. The Commission advised that they had retained Attorney David R. Cooper yesterday to assist the county in the expanded lottery act issues. Mr. Miller asked if the Commission was aware that Mr. Cooper has been representing Cherokee County before the Lottery Commission and, in appearances, representing Penn National Gaming. The Commission indicated they were aware of his representing Cherokee County. County Counselor Jack Potucek entered the meeting.

Beginning at 9:30 a.m., the Commission held public hearing on several zoning cases. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Administrative Assistant Melinda McCurley were present. The case heard was No. 11PC-07 an application by Harold Olmstead, Jack Olmstead, Robert Olmstead, Tonya Olmstead ETAL, owners, and Mark Wedman, agent. Mr. Wedman was present. The purpose was a zone change from "A-2" Agricultural District to "A-R" Agricultural Rural District to split existing house from agriculture land. Director Bristor advised that the Planning Commission, with 10 members present, had unanimously recommended approval provided the building on the property line is removed within a 30-day period. The Commission unanimously approved Case No. 11PC-07 and adopted Resolution 2007-32.

The next case was No. 16PC-07, an application by Oxwell Inc., owners, and Mark Wedman, agent. The purpose was a zone change from "A-2" Agricultural District to "R-R" Rural Residential District to split existing house from agriculture land. The case qualified for the one time split allowed with no platting required. The Planning Commission, with 10 members present, had unanimously recommended approval. The Commission unanimously approved Case No. 16PC-07 and adopted Resolution 2007-33.

Case No. 17PC-17 was then heard. The purpose of the case, which is related to No. 11PC-07, was a short from plat existing house from agricultural land. The applicants were the same and the Planning Commission had unanimously recommended approval. The Commission unanimously approved Case No. 17PC-17 and adopted Resolution 2007-34.

The next case was No. 19PC-07. The application was by Charlotte A. Ross, Marilyn K. Walton, and Earl D. Walton, owners. The purpose was for a zone change from "A-3" Agricultural District to "R-R" Rural Residential District for 2 to 4 three acre tracts including the existing home. Director Bristor reported that the Planning Commission recommended approval in a 9 to 1 vote. Earl Walton was present for the hearing and provided a few details. The Commission unanimously approved case No. 19PC-07 and adopted Resolution 2007-35.

The final case heard was No. 18PC-07 with the same applicants as the previous case. The purpose was a zone change from "A-2" Agricultural District to "R-R" Rural Residential District for 2 to 4 tracts. Each tract will contain no less than three acres. One tract will include the existing home. The Planning Commission had unanimously recommended approval. The Commission unanimously approved Case No. 18PC-07 and adopted Resolution 2007-36.

Road and Bridge Director Melvin Matlock met with the Commission. He provided a document for the Commission's approval relating to the repair of a bridge in the five-year plan on Ridge Road. The standard document is required by the Kansas Department of Transportation and says that no right-of-way will be bought for

the project. The Commission approved the document and it was signed. Director Matlock also reported on several other items. He had met with Judge Jurey and a township officials regarding in the location of the road problem. The problem cannot be prevented since it occurs when Slate Creek floods. He did talk to the township about cleaning the ditches. Director Matlock reported that they had opened the bids for the three motor graders earlier in the morning. It appears that the lease payments will be about \$17,000 more annually. The bids will be reviewed in more detail before award of the bid is determined. Chairman Newell commended the Road and Bridge crews for the mowing of the ditches.

County Counselor Potucek provided brief updates on several issues. He reported that the Road and Bridge had completed the survey for the Caldwell Boot Hill cemetery. The next steps would now be up to the City of Caldwell. Counselor Potucek advised that the closing of the sale of the landfill to the City of Wellington should occur next week. He reported that the transition from the Good Samaritan Society to Deseret Healthcare as operators of the nursing facility was progressing smoothly. Counselor Potucek reported on the chairs for the new north courtroom. An additional \$400 may be needed. He advised that the attorney for EMC Insurance, the county's insurance carrier, had filed a response to the lawsuit filed in the petition to recall a local officer, a township trustee. Counselor Potucek left to attend three hearings before the Board of Tax Appeals in Wichita.

Carter Moser met with the Commission and spoke on the casino issue. He expressed his view and opinion on the casino and on gambling. He said he would send the Commission information he has gathered and he plans on writing editorials. He believes the casino will be a net loss, not a net gain and said if you look at gambling in the United States, it is destroying our society. Mr. Moser asked the Commission to stop the nonsense and to raise our taxes if you need to pay for the things we need in a legitimate way. He asked if there is a way to have another to vote, to have it. The Commission thanked him for his comments and for expressing his opinion.

Sheriff Gerald Gilkey met briefly with the Commission. He provided some preliminary information regarding the provision of inmate medical care. In order to contract with the U.S. Marshals Service for housing of their inmates, some changes would have to occur in the inmate medical care. Sheriff Gilkey will meet with the Commission some time in the future.

Rick Hamlin, representing the Lions Club, met with the Commission. Emergency Management Director James Fair and Assistant Director Chris Ball were also present. He asked if there is any possibility that the county could make a monetary contribution towards the Aviation Festival. Mr. Hamlin said expected attendance is 8,000 to 9,000 people and that it is a great event for the entire county. Chairman Newell asked if the city contributes to the event and Mr. Hamlin advised the city gave about \$9,000 and they donate employee time for preparing the area. Mr. Hamlin also asked about using the Emergency Management Department's all-terrain Gator vehicle during the festival in case of emergencies. There was some dispute between Mr. Hamlin and Director Fair as to what each had said previously to each other. Mr. Hamlin expressed his opinion of the Emergency Management Department. The discussion was then directed back to the request for a monetary donation and use of the vehicle.

After discussion, the Commission advised that a request to use the vehicle would have to be made by an emergency service department. Regarding the monetary donation, the statutory guidelines for use of funds in the Special Parks and Recreation fund was reviewed. It was found use of the funds would not be an option. The Commission agreed that the Aviation Festival is a worthy cause. A request for funding submitted at the time of budget preparation would receive consideration for future funding.

The Commission reviewed and unanimously approved the minutes for September 17 and 18.

Economic Development Director Janis Hellard met with the Commission. Robert H. Miller was also still present. Director Hellard advised that two of the developers have asked for an extension of the submittal deadline. She advised that last week started with 13 developers and now down to around 7 still involved. The Commission asked if there were any reasons given for the need of an extension. The indication given was in order to complete land deals and zoning changes. The Commission expressed their desire not to extend the deadline. Director Hellard commended the Commission for bringing on a consultant to assist in the process. Some discussion was held regarding the tasks of the consultant. A committee will still be created to assist in the review of any proposals submitted. The Commission asked Director Hellard to develop a list of potential committee members.

Maintenance Director Gary Yoder met briefly with the Commission. He reported that the current contractor performing the mowing at Sumner Memorial Gardens has not provided the required proof of workers compensation insurance. Notices have been sent requesting current documentation. The same contractor also performs the opening and closing of graves at the cemetery. The proposed contract with Nuss Lawn Service was discussed. After lengthy discussion, it was determined that Director Yoder would attempt to obtain additional bid/s before any final decision is made. Everyone agreed more descriptive information regarding the specific tasks expected for the lawn maintenance at the cemetery should be included in any contract.

The Commissioners recessed for lunch at 12:16 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

Greg Olsen, Executive Director for the Sumner Mental Health, met with the Commission. The current funding shortfall created by the State not yet releasing funds was again discussed. Mr. Olsen reported that the State has made some progress in resolving the issue, but it may still be 2008 before funding is released. The immediate problem for Sumner Mental Health is cash flow. Mr. Olsen advised that approximately \$70,000 will be needed through the end of to make payroll. The financial status after the first of the year was discussed. The Commission advised that they would consider the request for funding assistance.

The Commission reviewed current budget status and the 2008 budget. Elliott Jackson, county auditor, was contacted by phone and funding options for the Mental Health were discussed. After review, the Commission authorized up to \$70,000 be provided to Sumner Mental Health through the remainder of 2007. Sufficient cash should be available, but the General Fund budget may have to be amended to provide budget authority to use the cash. To maintain the budget next year, the cash would have to be repaid in 2008. The Commission talked by phone with Director Olsen. They confirmed that the funding is needed for payroll. Director Olsen advised that it would be used for payroll and some bills. They informed him of their decision and advised that the money would have to be repaid in 2008, even if assets had to be liquidated. The Commission advised that the funding for 30 day periods would be authorized. Director Olsen was asked to calculate what is needed for the next three payrolls and provide that amount to the Clerk later in the day.

The Commission reviewed and unanimously approved the claims for the end of September in the amount of \$370,614.58.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
October 1, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Other individuals that entered the meeting were Robert H. Miller and a reporter with the Wichita Eagle.

The Commission reviewed correspondence received from Greg Olsen, Chief Executive Officer for Sumner Mental Health. Mr. Olsen was asked last week to calculate what funding would be needed by Mental Health through October. His letter indicated \$35,000 would be needed. The Commission contacted Mr. Olsen by phone and confirmed the details. Mr. Olsen said it is hoped that the status of the funding being held by the State will be known by the end of October. The Commission confirmed that the funding amount authorized for the remainder of the year would not exceed \$70,000. The Commission directed the Clerk to proceed with issuance of \$35,000 in funding to Sumner Mental Health.

The Commission reviewed and unanimously approved the minutes for September 24 and 25 with some amendments.

Kevin Smith met with the Commission regarding the Neighborhood Revitalization Program (NRP). County Appraiser Della Rowley and Carolyn Farley, staff member, were present. Mr. Smith reported that he is remodeling a house and was under the impression that, if he spent \$5,000 he would automatically qualify for the NRP. Mr. Smith never actually applied for the NRP. He acknowledged that he did read about the NRP on his permit when issued. Appraiser Rowley advised that to be consistent with previous decisions made by the Commission and to follow the program guidelines, allowing the project to qualify would be contrary to previous actions. Appraiser Rowley advised that Mr. Smith could apply at this point for the interior work that is yet to be done and the garage that is planned. After discussion, the Commissioners were in unanimous agreement that the work already completed could not be allowed to qualify for the NRP.

Economic Development Director Janis Hellard met with the Commission. Others present included Robert H. Miller, Clifford Boone, and a reporter with the Wichita Eagle. The make up of a committee to review casino proposals when submitted was considered. The Commissioners, consultant Attorney David Cooper, Planning and Zoning Director Jon Bristor, Sheriff Gerald Gilkey, and Director Hellard were considered as participants. County Counselor Jack Potucek entered the meeting as well as Attorney David Cooper. Issues regarding the committee make-up, the purpose of the committee, and the timeline involved were discussed. Mr. Cooper advised that an addendum to the original Request for Proposal is being worked on. The purpose of any committee would be to highlight points of interest for all proposals submitted and provide a summary of those points. The committee would not be making any recommendation only comparing the proposals. Mr. Cooper suggested that the Commissioners would review proposals individually and the summaries prepared by the committee. The Commissioners would then come into the review without being influenced.

The make up of the committee was further discussed. It was determined that the committee would include Director Hellard, Director Bristor, Sheriff Gilkey, and Mr. Cooper. Chairman Newell stated a preference to include a certified public accountant or someone with a financial background. Elliott Jackson, the county auditor, was mentioned. The Commission agreed to inquire if Mr. Jackson would be willing to serve on the committee. The task of the committee is to make comparisons of the proposals that are submitted and prepare summaries for the Commission. It was determined that the group would be called the Proposal Comparison Committee.

Mr. Cooper suggested the Commission enter executive session to discuss an attorney-client matter. At 10:51 a.m., upon unanimous vote the Commission entered executive session with Counselor Potucek, Attorney Cooper, and Economic Development Director Hellard for 15 minutes to discuss an attorney-client privileged matter. At 11:06 a.m., the Commission reconvened in open session. Commissioner Martin moved to enter executive session with the same parties to discuss an attorney-client privileged matter for 10 minutes. At 11:16 a.m., the Commission reconvened in open session. Commissioner Gracy moved to approve an addendum to the Request for Proposal with

the exception of item number five. Commissioner Martin seconded the motion and it passed unanimously. Commissioner Martin moved to retain David Cooper as a consultant for Sumner County gaming issues. Commissioner Gracy seconded the motion and it passed unanimously. Attorney Cooper advised County Clerk Shields that he would provide the RFP addendum electronically for posting to the county web site later in the day.

Appraiser Della Rowley and staff member Carolyn Farley were present for the scheduled 11:00 a.m. meeting with Richard Zech regarding the Neighborhood Revitalization Program. Mr. Zech did not appear so no discussion occurred.

Emergency Management Director James Fair and Assistant Director Chris Ball met with the Commission. Director Fair provided information on the State standards that the department has to meet. The opportunity to complete a mitigation plan for the county was also discussed. Director Fair advised that the State has Federal funds that they are making available to counties to perform a mitigation plan. The plan identifies hazards in the county, response capabilities, any weaknesses and possible solutions. The funding will cover 100% of the cost. After discussion, the Commission unanimously authorized Director Fair to pursue the Hazard Mitigation Grant Program.

Director Fair also reported a change relating to training with the Kansas Department of Emergency Management (KDEM). In order to teach classes for KDEM, an application as an instructor must be submitted to KDEM. The application requires a letter of recommendation from the Commission. The Commission expressed their approval and a letter of recommendation will be prepared. Director Fair also explained an issue regarding the HazMat decontamination trailer purchased some time ago. The trailer has been housed by the Wellington Fire Department and the original plan called for that department to deploy the trailer, if ever needed. It has now been determined that the best place to house the trailer would be at the Sumner Regional Medical Center. It will be there that victims would most likely be taken and, therefore, the need of decontamination. Director Fair reported that a Memorandum of Understanding is being worked on with Sumner Regional.

The Commissioners recessed for lunch at 12:08 p.m.

The Commissioners reconvened in open session at 1:30 p.m. Robert H. Miller was also present.

Maintenance Director Gary Yoder met with the Commission. He submitted a bid obtained from Bartelson Oil Company for mowing and maintenance at the Sumner Memorial Gardens. The bid did not include the opening and closing of graves for burials at the cemetery. Director Yoder advised no contact had been received from the current contractor. The current contractor has not provided the required proof of current workers compensation insurance. The contractor was informed that bids were being taken and the contractor could submit a new bid. After discussion, the Commission unanimously approved and accepted the bid from Nuss Lawn Service. The Commission advised that they will have the County Counselor prepare a contract. The Commission expressed their concern with keeping a clear separation of time involving the county employee who is also an employee of Nuss Lawn Service. Director Yoder confirmed that the employee will not perform any private work on county time.

Director Yoder also provided a bid he had obtained for the replacement of the carpet on the court floor that was damaged from water leaks a number of weeks ago. County Counselor Potucek was now present and the steps necessary to address replacing the carpet with the contractor was discussed. Counselor Potucek will prepare a letter with the County Clerk to send to the contractor. Director Yoder also inquired about the use of the former United Way offices. The Commission confirmed that they had authorized the Emergency Management and Health Departments to use the space.

Counselor Potucek discussed an issue relating to a contractual issue with Sprint/NexTel. E911 Director James Reed was also present and explained some of the details regarding the contract. The issue had been previously discussed over the past few weeks.

The Commission also asked Counselor Potucek to prepare a new contract for the lawn care and maintenance at Sumner Memorial Gardens and the Detention Center by Nuss Lawn Service.

Economic Development Director Janis Hellard, Planning and Zoning Director Jon Bristol, Sheriff Gerald Gilkey, and Detective Captain Jeff Hawkins met with the Commission. The Proposal Comparison Committee was

discussed. Sheriff Gilkey advised that he has a conflict with serving on the committee as he will be out of state on vacation. He asked that they consider allowing Detective Captain Jeff Hawkins to serve in his place. The Commission unanimously approved Captain Hawkins serving on the committee.

The Commission spoke by phone with Elliott Jackson, county auditor. The Commission asked if he would be willing to serve on the Proposal Comparison Committee. Mr. Elliott explained the professional standards his firm must adhere to relating to the services they provide to the county. He expressed concern that serving as a member might overstep those standards. The Commission expressed their understanding of his concern.

The Commission discussed other options of having someone with a financial background serve on the committee. The Commission contacted J.P. Buellesfeld by phone to inquire if he would be willing to serve on the Committee. Mr. Buellesfeld indicated he would be willing to serve on the committee. Chairman Newell explained that the Commission will be putting together a list of what is expected of the committee.

Wilbur Scobee met with the Commission regarding his project under the Neighborhood Revitalization Program. Appraiser Della Rowley and staff member Carolyn Farley were also present. Mr. Scobee asked for a six-month extension on his project. He explained that he is about 85% completed with his project. Appraiser Rowley said she does not believe the project is close enough to consider the project complete as of now. Granting an extension follows what has been done in the past. The Commission unanimously approved a six-month extension for Mr. Scobee.

There being no further business, the Board of County Commissioners adjourned at 3:13 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
October 2, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance. Robert H. Miller and Marvin Simonton were present.

Community Corrections Director Brad Macy met with the Commission. He discussed the return of his personnel to the remodeled office space on the third floor. A concern of security when scheduling clients for after business hour appointments was discussed. Those appointments may continue to be held at the Community Corrections offices. Director Macy reported that everything regarding the move is proceeding as planned. He also reported that no response has been received regarding the Senate Bill Grant applied for. It may be up to two weeks before any response is received.

Health Department Director Laura Rettig met with the Commission regarding several items. She provided Commissioner Gracy with information on the Healthy Start Program that will be discussed at the Kansas Association of Counties conference next month. Director Rettig submitted the latest by-laws for the Home Health Agency and Health Department. The revised by-laws were approved by the Advisory Board. The Commission unanimously approved the by-laws and they were signed.

The Commission discussed with Director Rettig the use of the office vacated by the United Way. Director Rettig and Emergency Management Director Fair will coordinate use of the office by both their departments. Director Rettig discussed her department's current level of staffing. A nurse is required to be on-call after hours for Home Health and she would like to explore how other counties are accomplishing that requirement. Director Rettig inquired about the possibility of shift differential pay for those working on-call. The Commission suggested she discuss the possibility with County Clerk Shields. Director Rettig also discussed flu shots. The Commission unanimously approved providing flu shots for county employees at no cost. She advised there would be a flu clinic held this year to conduct a mock mass immunization for a pandemic flu outbreak. Director Rettig will be meeting with other county departments involved and will be asking for additional help.

Clifford Boone met with the Commission. He expressed his opposition to any endorsement being given for a casino to be built at the Mulvane exit of the Kansas Turnpike. He explained his reasons for opposition. Mr. Boone posed a question if the members of the Proposal Comparison Committee would sign a release that they have no financial interest other than that for Sumner County. He also expressed a concern of how the public will know what is in the proposals submitted. Commission Martin informed him that the proposals are to be submitted in electronic form, so the information can then be made available to the public.

County Counselor Jack Potucek met with the Commission. At 10:13 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek to discuss an attorney-client privileged matter for 10 minutes. At 10:23 a.m., upon unanimous vote the executive session was extended for 5 minutes. At 10:38 a.m., the Commission reconvened in open session.

Rhonda Thompson met with the Commission regarding the Neighborhood Revitalization Program (NRP). County Appraiser Della Rowley and staff member Carolyn Farley were also present. Ms. Thompson explained that she was not aware of the need to sign an NRP contract before construction began on her project. After review and discussion of the specific circumstances and of the NRP notification process, the Commission unanimously determined that a waiver could not be granted. Granting a waiver would not be consistent with previous decisions under the same circumstances and could jeopardize the entire program.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, met with the Commission. Also present at this point were State Representative Vince Wetta, Robert H. Miller, Counselor Potucek, Clifford Boone, Dennis Smith, and Fred Mann, a reporter with the Wichita Eagle. Director Hansel offered her services, as a former media person, to coordinate the media that is expected to be present for the Commission meeting when developers present their casino proposals. A larger location than the Commission chambers may be necessary.

County Counselor Potucek met again with the Commission. At 11:54 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 5 minutes to discuss an attorney-client privileged matter. At 11:59 a.m., the Commission reconvened in open session.

The Commission reviewed and unanimously approved abatement orders in the amount of \$488.46.

There being no further business, the Board of County Commissioners adjourned at 12:05 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.

Jim D. Newell, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
October 9, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton, who was present, offered an opening prayer.

Economic Development Director Janis Hellard met with the Commission. Robert H. Miller was present. Director Hellard provided a copy of a proposed Interlocal Cooperation Agreement relating to gaming revenue. The agreement was proposed by one of the developers in the Planning Commission hearing from the evening of October 8. Some details of the agreement were discussed. Director Hellard discussed an inquiry from J.P. Buellesfeld as to his task as a member of the Proposal Comparison Committee. Mr. Buellesfeld had asked if the Commission would like him to prepare a more local economic impact study for Sumner County. Discussion was held as to if a study could be created before the final details of the proposals are known. County Counselor Jack Potucek and State Representative Vince Wetta entered the meeting. Discussion continued regarding a local impact study with those present offering comments. The Proposal Comparison Committee was also discussed. The Commission determined that they would like Mr. Buellesfeld to complete a local study. It was also determined that David Cooper, the attorney-consultant retained by the Commission, will serve as Chairperson of the Proposal Comparison Committee. The possibility of the Committee finding it necessary to consult experts in other areas during their comparison of proposals was considered. It was determined that any outside consultation must be approved by Mr. Cooper, as the Committee Chairperson. Counselor Potucek advised that he would contact Mr. Cooper and provide him a summary of today's meeting and the decisions made.

Road and Bridge Director Melvin Matlock met with the Commission. He reported that he had met with London Township officials along with Commissioner Martin regarding Meridian Road. The township will perform some additional maintenance on the road and the county will provide some assistance. Director Matlock advised the offer of assistance is due to the county's plan to work on a bridge on Ridge Road. Closing Ridge Road will force more traffic on Meridian for the time period of repair. Chairman Newell questioned if more help was being given to one township more than others. Director Matlock offered his opinion that assistance given remains fair and the additional traffic situation, in this case, is an added factor.

Director Matlock reported on a work accident that occurred last week. Steps have been and are being taken with the type of equipment involved to prevent the problem from reoccurring.

Maintenance Director Gary Yoder met with the Commission regarding Sumner Memorial Gardens. Work performed at the Cemetery during the past week was discussed. A contract with a new vendor to perform the work is not yet completed. It was determined that the employee would be paid an hourly wage for the work performed.

Sheriff Gerald Gilkey and Office Manager Janie Tuttle met with the Commission. Budgeted line items were discussed relating to three purchase orders submitted. The line items discussed included Building Maintenance, Auto Repairs and Maintenance, and Juvenile Housing. The issues with each were resolved with Sheriff Gilkey advising he would make adjustments regarding the Auto Repairs.

The Commission asked Sheriff Gilkey about the Crime Stoppers Program. The Commission received a letter asking for a donation for implementing a county-wide Crime Stoppers Program. Sheriff Gilkey advised there has been huge interest in beginning a Crime Stoppers Program and he would recommend donating funding, if possible. The Commission unanimously authorized \$1,000 in funding from the contingency unassigned funding.

County Appraiser Della Rowley met with the Commission regarding the appraisal computer system that is used. The current system, called Computer Assisted Mass Appraisal (CAMA) system, is provided by and supported by the State. The new system that the State is having developed is called ORION. Appraiser Rowley discussed a number of concerns regarding the new system which, at this point, is only on-line in a handful of counties. A number of problems have been experienced by those counties. The State had also originally indicated there would be no cost to counties, but she has learned that \$10,000 to \$20,000 has been spent by some of the counties. Appraiser Rowley said questions have been posed from many Appraisers to the State about the problems, but problems continue. She

recommended that County Commissioners are going to have to help address the issues. Appraiser Rowley will prepare information for Commissioner Gracy to have with him at the Kansas Association of Counties conference in November.

Counselor Potucek met with the Commission. The Planning Commission meeting of the previous evening was briefly discussed.

The Commission reviewed and unanimously approved the minutes for October 1 and 2.

The Commission reviewed and unanimously approved the Community Corrections claims for September in the amount of \$17,837.35.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$242,980.66.

There being no further business, the Board of County Commissioners adjourned at 12:35 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
October 15, 2007 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Garey E. Martin was not present as he was attending the Regional Economic Area Partnership meeting in Wichita. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Robert H. Miller were present.

County Clerk Shields reported to the Commission regarding the correspondence received from the public regarding the casino issue. Chairman Newell had asked for a report on the number of letters received. Clerk Shields reported as of the end of last Tuesday, fifty letters or e-mails supporting a Wellington location had been received. There were also documents received in petition form that contained 91 signatures in support of a Wellington location. Five pieces of correspondence have been received supporting a Mulvane location.

The Commission unanimously approved the minutes for October 9.

Planning and Zoning Director Jon Bristor met briefly with the Commission. He reported that the roof of his building still had a leak occur over the weekend due to the rain. He also informed the Maintenance Director and Assistant Director of the leak.

Road and Bridge Director Melvin Matlock met with the Commission. He reported that his department is preparing an in-house study to determine how a casino will impact county roads. The study will attempt to determine how traffic counts will be impacted. The Dalton road will be impacted to some extent regardless whether the casino is near Wellington or Mulvane. Director Matlock said he believes long-range planning should begin as soon as possible.

Marion Nuss, Nuss Lawn Service, met briefly with the Commission. He presented a proposed contract for lawn maintenance at the Sumner Memorial Gardens and the Detention Center. The contract also includes the opening and closing of graves for services at the Memorial Gardens. County Counselor Jack Potucek entered the meeting. He confirmed that he had added more specific wording to the contract. Mr. Nuss advised that the required workers compensation insurance has been obtained. The Commission advised that they would review the contract.

Commissioner Garey Martin entered the meeting at 10:07 a.m.

Robert Mandevill met with the Commission regarding a parcel of property owned by the county from a previous tax sale. He inquired about purchasing the property located in Corbin. The County Counselor has not yet conducted the required sealed bid sale for the property. The Commission advised Mr. Mandevill that they would discuss the issue with the Counselor.

The proposed contract with Nuss Lawn Services was reviewed and it was unanimously approved by the Commission. The contact period is for one year.

The Commission received correspondence from John Marx, of Universal Construction, regarding several invoices relating to the detention center. After discussion of his recommendation, the Commission directed that the City of Wellington bill should be paid from the Sheriff's budget. The bills for the Road and Bridge Department and Ewing Radio should be paid from the Law Enforcement/Jail Construction fund.

Attorney David Cooper talked with the Commission by phone. Economic Development Director Janis Hellard, County Counselor Potucek and Robert H. Miller were present. Mr. Cooper informed the Commission of a hearing held last week in Shawnee County District Court regarding the Attorney General's lawsuit challenging the constitutionality of the lottery act. The court is allowing interested parties to file friend of the court briefs in the case. Mr. Cooper advised that Cherokee County has directed him to file a brief on their behalf and he inquired if Sumner County wished to do the same. The brief filed would be in support of the constitutionality of the act. Details of the court case and expected steps in the process were discussed. Attorney Cooper advised that a single

brief would be filed jointly for Cherokee and Sumner counties. The Commission unanimously authorized Attorney Cooper to file a brief on behalf of Sumner County.

The Commission discussed the process of scheduling presentations of proposals on October 29 and 30. Attorney Cooper recommended an executive session. At 11:16 a.m., the Commission upon unanimous vote entered into executive session with Attorney Cooper and Counselor Potucek for fifteen minutes to discuss an attorney-client privileged matter. At 11:31 a.m., the Commission reconvened in open session. At 11:32 a.m., the Commission upon unanimous vote entered into executive session to discuss an attorney-client privilege matter for ten minutes. The Commission reconvened in open session at 11:42 a.m. Upon reconvening in open session, Counselor Potucek advised that Attorney Cooper will be preparing a proposed agenda and format for presentations of proposals on October 29 and 30. The agenda/format will first come to Counselor Potucek and then the Commission for approval.

The Commission discussed the tax sale property in Corbin with Counselor Potucek. He will review the status of the property in the tax sale process and contact the individual inquiring about the property.

Dale Hines met with the Commission regarding the county's contract with Hines Lawn Care. He expressed his opinion that the company was not treated fairly in ending the contract. Issues and details relating to the contract were discussed. Counselor Potucek advised he would review the original contract and report to the Commission. Mr. Hines scheduled to meet with the Commission next Monday.

State Representative Vince Wetta met with the Commission. He provided the Commission with a copy of the Attorney General's opinion he received today on the questions that were posed to the Attorney General regarding the casino approval endorsement process.

There being no further business, the Board of County Commissioners adjourned at 12:30 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
October 16, 2007 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Jim D. Newell was ill and not present. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present and offered an opening prayer. Robert H. Miller and Ed Larson were also present.

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. She first discussed reappointment of Sharon Phipps to the South Central Kansas Area Agency on Aging (SCKAAA). The Commission unanimously reappointed Phipps to a two-year term as the Sumner County representative on the SCKAAA. Director Donley submitted the new delegates and alternates for the Sumner Board. The Commission unanimously approved the appointments. The annual report for 2006 was provided to the Commission. Director Donley also provided some information regarding changes in the Medicare Part D plans for 2008.

Marion Nuss, Nuss Lawn Service, met with the Commission regarding the Sumner Memorial Gardens. He reported that they had began maintenance at the cemetery and found a number of locations where poles with hanging baskets and other items of been place on graves. The items obstruct maintenance efforts and are not allowed per the regulations. Mr. Nuss asked for direction from the Commission. The Commission advised they would review the regulations for the cemetery and determine what action to take.

Community Corrections Director Brad Macy met with the Commission. He reported that the move of his officers to the offices on the third floor should occur tomorrow. Director Macy also discussed a maintenance issue regarding the Community Corrections offices on 9th Street. A change is necessary in their current arrangement for weekly cleaning. The Commission will discuss with Maintenance Director Yoder and see if his department can assume the task. Director Macy also discussed some painting that is needed.

County Counselor Jack Potucek met with the Commission. Several items were briefly discussed. Counselor Potucek reported on a discussion he had with Chief District Judge Solomon regarding the move of the court files. The move has been delayed until the water leaks from the roof are resolved. A possible contingency plan regarding activation of the sump pumps on the roof was considered. Counselor Potucek discussed some painting needed in one of the District Court Judge's chambers. With the retirement of Judge Graber the office is vacant, and now would be the best time to accomplishing the painting. The Commission will discuss both issues with Director Yoder.

Counselor Potucek reported that the Court of Appeals has made a ruling in the Harper County Landfill lawsuit. The court ruled that Sumner County does have standing in the issue. Counselor Potucek advised he had not yet talked with Attorney Robert Eye regarding the latest ruling.

Lloyd Buzzi met with the Commission for the topic of a casino. Also present were Economic Development Director Janis Hellard, Planning and Zoning Director Jon Bristor, Counselor Potucek, Wellington Chamber of Commerce Executive Director Shelly Hansel, Planning Commission Chairman Ed Larson, and Robert H. Miller. Mr. Buzzi left the meeting with Counselor Potucek. They both returned to the meeting and Mr. Buzzi advised he would like to postpone his meeting until next Monday. Counselor Potucek explained that Mr. Buzzi had inquired about an executive session due to proprietary information, but it would not be appropriate for an executive session at this time. Mr. Buzzi scheduled with the Commission for next Monday at 10:30 a.m.

County Counselor Potucek reported that he had spoken with Attorney Robert Eye regarding the Harper County landfill lawsuit and asked for an executive session. At 11:48 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for ten minutes to discuss an attorney-client privilege matter. At 11:58 a.m., the Commission reconvened in open session and upon unanimous vote reentered executive session with Counselor Potucek for ten minutes for an attorney-client privileged matter. At 12:08 p.m., the Commission reconvened in open session.

There being no further business, the Board of County Commissioners adjourned at 12:11 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
October 22, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Counselor Jack Potucek met with the Commission. Also present was Economic Development Director Janis Hellard, Robert H. Miller, and Marvin Simonton. Counselor Potucek recommended that the Commission contact Attorney David Cooper by phone and then an executive session would be necessary for an attorney-client privileged matter. Attorney Cooper was contacted by phone. At 9:06 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Attorney Cooper for 20 minutes to discuss an attorney-client privileged matter. Economic Development Director Janis Hellard and County Clerk Shields were asked to remain present, which they did. The Commission reconvened in open session at 9:26 a.m.

At 9:27 a.m., the Commission, upon unanimous vote entered into executive session with the same parties present for 20 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 9:47 a.m. At 9:48 a.m., upon unanimous vote the Commission entered into executive session with the same parties for 15 minutes. The Commission reconvened in open session at 10:03 a.m.

Maintenance Director Gary Yoder and Assistant Director Marion Nuss met with the Commission along with representatives of Western Fireproofing Company and Tremco Roofing and Building Maintenance Company. A presentation was given on the roofing system offered by their companies. What the work would consist of and details of their product were provided. It was explained that different types of roof would work with the system they provided. Before they could provide an estimated cost, the type of roof desired would have to be determined. The representatives stressed that their system will be a solution to the problem, not a temporary fix. The Commission asked that they work with Director Yoder on details in order to provide a bid.

Counselor Potucek explained that the next two appointments with the Commission are parties asking for an extension in the casino proposal submittal deadline. He cautioned that any discussion on anyone's part should remain related only to the extension request.

Tom Docking, Law Offices of Morris Lang, explained that he represents a group out of Toronto, Canada, who is focused on the Wellington area. He asked the Commission to consider an extension of time. His group has been working on engineering, architectural, and economic impact plans and studies. Mr. Docking said the other three zones have asked for and been granted extensions by the Lottery Commission. Mr. Docking asked for a 60 to 90 request for an extension. The Commission inquired why the request for an extension and Mr. Docking answered because of all of the analysis mentioned. Time is needed to prepare the kind of proposal that will be best for Sumner County. The Commission advised that they would take the request under consideration.

Lloyd Buzzi, representing the Binion Family Trust, asked for a short extension due to circumstance beyond their control. He advised that his group has been committed to a Wellington site with a development in the 300 to 400 million dollar range. Mr. Buzzi asked for an extension for at least two weeks. The Commission asked for specifics of why an extension is being requested and Mr. Buzzi advised that there was a drastic change in plans due to an incident dealing with other land that we thought we had. A redesign is necessary for their proposal. Commissioner Martin asked if an extension is not granted, would they still be able to submit. Mr. Buzzi said possibly, but it may not be a proposal that they would be as proud of. Counselor Potucek pointed out that any extension would have to address the Thanksgiving holidays. The Commission agreed and Chairman Newell said we want to do what is best for Sumner County.

Mike Hutfles, representing Sumner Gaming and Resort, spoke before the Commission. He advised that his group is prepared and will be ready to submit a proposal on Wednesday. Mr. Hutfles said his group came in late, but are ready to submit and they would respectfully request that any request for an extension be denied. If a request is granted, they would prefer the shorter the better.

At 11:02 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Attorney David Cooper, who was present by telephone, for 30 minutes to discuss an attorney-client privileged matter. Economic Development Director Janis Hellard and County Clerk Shields were asked to remain present, which they did. The Commission reconvened in open session at 11:30 a.m. Commissioner Martin motioned to submit a request to the Lottery Commission for a 45 day extension and to suspend the current submittal timeline for proposals to the county. Commissioner Gracy seconded the motion and it passed unanimously.

Emergency Management Director James Fair and Assistant Director Chris Ball met with the Commission. He discussed replacing the projector located in the Frye auditorium. The unit was originally purchased jointly through Emergency Management and the Health Department. The Commission unanimously approved replacing the unit with an amount not to exceed \$1,498. The cost will be paid out of equipment reserve funds.

At 11:51 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek to discuss an attorney-client privileged matter for 10 minutes. Planning and Zoning Director Jon Bristor and County Clerk Shields also remained present. The Commission reconvened in open session at 12:01 p.m.

At 12:01 p.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek to discuss an attorney-client privileged matter for 10 minutes. Planning and Zoning Director Bristor and County Clerk Shields remained present. The Commission reconvened in open session at 12:11 p.m.

The Commission reviewed and unanimously approved the minutes for October 15 and 16.

The Commission reviewed a draft letter to the Executive Director of the Kansas Lottery requesting a 45 day extension of the deadline to submit proposals to the Kansas Lottery Commission for a lottery gaming facility manager in the South Central Gaming Zone. The letter was unanimously approved and it was signed by the Chairman.

There being no further business, the Board of County Commissioners adjourned at 12:23 p.m. to meet back in the Commission chambers at 9:00 a.m. in the morning.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
October 23, 2007 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 Jim D. Newell, Commissioner Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Others present included County Counselor Jack Potucek, Attorney David Cooper, Economic Development Director Janis Hellard, Planning and Zoning Director Jon Bristor, Planning and Zoning Consultant John Riggs, Planning Commission Chairperson Ed Larson, Marvin Simonton, and Bill Hobbs.

Counselor Potucek recommended an executive session to discuss an attorney-client privileged matter and recommended who present should participate. At 9:05 a.m., the Commission upon unanimous vote entered into executive session with County Counselor Jack Potucek for 10 minutes to discuss an attorney-client privileged matter. Attorney David Cooper, Planning and Zoning Director Jon Bristor, Planning and Zoning Consultant John Riggs, and County Clerk Shields remained present for the session. The Commission reconvened in open session at 9:14 a.m.

At 9:15 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 5 minutes to discuss an attorney-client privileged matter. Attorney David Cooper, Economic Development Director Hellard, and County Clerk Shields remained present for the session. The Commission reconvened in open session at 9:20 a.m.

At 9:20 a.m., the Commission recessed to go to the Raymond Frye Complex for the public hearings on the four zoning cases.

The Commission reconvened in open session in the auditorium of the Raymond Frye Complex at 9:31 a.m. to hear four zoning cases. Those present included County Counselor Potucek, Attorney David Cooper, Planning and Zoning Director Jon Bristor, and other Planning and Zoning staff. Parties involved in the zoning cases were present as was an audience of about thirty individuals. Chairman Newell explained the process that would be followed for the hearings.

Director Bristor advised that all four cases were heard before the Planning Commission with 10 members present. The first case, No. 20PC-07, was an application by Dewayne J. and Lucille Gerlach, owners, and Poe & Associates, Inc., Paul Treadwell, Contract Purchaser, agent. The purpose was for a zone change from "A-3" Agricultural District to "C-4" Highway Service District to allow the property to be developed for its highest and best use, gambling casino and other related uses. The location is the northeast corner of Broadway and 140th Ave. N. Director Bristor reported on the concerns and opposition voiced by the public at the Planning Commission meeting. The Planning Commission, in a 9 to 1 vote, recommended approval of the case.

Chairman Newell opened the meeting for comment from the applicants or representatives. Several representatives of Foxwoods Development Company spoke regarding the case. Information was provided regarding several areas including the location, utilities, traffic, lighting, and emergency services. Some details of the project regarding employment, estimated revenue, and tax revenue were provided. David Rapp, an attorney representing Foxwoods, noted that the proposed use is the very type of use that the county's comprehensive plan contemplates. Mr. Rapp said the site is eminently suited for development. Once the representatives finished their presentation, Chairman Newell opened the meeting for public comment.

Three residents of the area and one resident of Belle Plaine offered comments. A number of concerns were expressed and the Commissioners were asked to not allow the application or special use. Once public comment ended, Chairman Newell asked Director Bristor what would happen if the case is approved and a casino is not located there. Director Bristor read recommended wording for the resolution, if the case is approved. The zoning shall become effective following plat approval by the Commission upon filing the approved final plat of record at the Register of Deeds Office. The filing of the final plat shall be within a 1 year period from the date of approval of the change to the zoning classification by the Governing Body. If the final plat is not filed within the 1 year period from date of approval, the zoning classification shall revert to the prior designation and classification.

Commissioner Gracy moved to approve Case No. 20PC-07 and Resolution No. 2007-37. The motion was seconded by Commissioner Martin and it passed unanimously.

The second case heard, No. 21PC-07, involved the same parties as the first case and the same location. The purpose was for a conditional use to allow a gambling casino as an allowed use. The parties involved had nothing to add from the previous presentation. The meeting was opened for public comment of which there was none offered. Director Bristor read recommended wording for the resolution, if the case is approved. Section 2 reads the approved Conditional Use shall take effect and be in force when the Official Zoning Map change becomes effective following final plat approval by the Commission and filing the approved final plat at the Register of Deeds Office. The conditional use shall be null and void if the above site is not endorsed by the Commission and chosen for a casino by the State. Section 3 Conditions reads construction plans and specifications for the following items of site development, but not limited to; shall be reviewed and approved by the Commission, Planning Commission, Planning and Zoning Director, or their designee, prior to initiation of construction procedures. 1) Access/Ingress/Egress, 2) Drainage/Storm Water Management, 3) Dust/Air Control, 4) Environmental Impact, 5) Fire, EMS, and Law Enforcement, 6) Landscaping, 7) Lighting, 8) Parking and Loading, 9) Power, 10) Roads, Internal & External, 11) Site Plan, 12) Sewer, 13) Signs, 14) Traffic Impact, 15) Water, and 16) Wildlife Impact. Commissioner Martin moved to approve the case and Resolution No. 2007-38. Commissioner Gracy seconded the motion and it passed unanimously.

The next zoning case, No. 22PC-07, was an application by John A. Brewer, Duane E. Wyant and Betty A. Wyant, Trustees of Wyant Revocable Trust, owners, and Sumner Gaming and Resorts, LLC, Nancy Seitz, Agent. The purpose was for a zone change from "C-2" Central Business District and "A-2" Agricultural District to "C-4" Highway Service District to allow the operation of a gambling casino, except approximately 5 plus/minus acres to include Wyldewood Cellars Winery. Director Bristor noted the concerns and comments voiced by the public at the Planning Commission meeting. He reported that the Planning Commission recommended approval in a 9 to 1 vote. Director Bristor also noted for the record that the Planning Commission vote in case No. 21PC-07 was unanimous for approval.

Chairman Newell opened the meeting for comment from the applicants or representatives. Representatives of Sumner Gaming and Resorts and Harrahs Entertainment spoke regarding the case. Information was provided regarding why the site was chosen and site details. Half of the property is already zoned "C-2", which allows a number of commercial businesses. A brief overview of the overall project was also presented. Chairman Newell inquired what Phase 2 of the project indicated on the plans. Nancy Seitz, representing Sumner Gaming, advised that Phase 2 is for future development of various mixed commercial uses. Once the representatives finished their presentation, the meeting was opened for public comment.

Four individuals spoke during the public comment. Concerns of various issues and opposition were voiced. The Wichita State University study was cited where long-term negative effects were shown. A question was posed asking if the emergency services mentioned would be serving the public. Ms. Seitz said it is intended to be a facility serving the public and details would be worked out with local authorities. One of the four who spoke was John Brewer, Wyldewood Cellars, who also said he lives nearby. He said his property is developed into a commercial property and in order for his business to expand, this is an opportunity. The availability of emergency services in the immediate area would be a benefit and the fire insurance rating would lower. Mr. Brewer said he is looking at the economic development and asked the Commission to vote in favor of the case. Commissioner Gracy asked Mr. Brewer if his existing business would be harmed, and Mr. Brewer replied no. The public comment portion of the meeting was closed.

Director Bristor advised this case has the same stipulations, if approved, as the earlier case. Commissioner Gracy moved to approve Case No. 22PC-07 and Resolution 2007-39. Commissioner Martin seconded the motion and it passed unanimously.

The final case heard was, No. 23PC-07, with the same applicants as the immediately preceding case. The purpose was for a conditional use to allow the operation of a gambling casino and related uses, except approximately 5 plus/minus acres to include Wyldewood Cellars Winery. Director Bristor reported the Planning Commission had recommended approval in a unanimous vote. The resolution of this case, if approved, has the same conditions as the previous conditional use case. The hearing was opened for public comment of which there was none.

Commissioner Martin moved to approve Case No. 23PC-07 and Resolution 2007-40. The motion was seconded by Commissioner Gracy and it passed unanimously.

Director Bristol read a notice in reference to all of the cases heard. As provided by KSA 12-760; within 30 days any person aggrieved thereby may maintain an action in District Court to determine the reasonableness of this decision.

At 10:56 a.m., the Commission recessed to return to the Commission chambers in the courthouse.

The Commission reconvened in open session in the Commission chambers at 11:20 a.m.

Treasurer Carolyn Heasty met briefly with the Commission and provided information regarding software for the postage machine.

The Commission reviewed and unanimously approved the claims for the end of October in the amount of \$191,613.46.

There being no further business, the Board of County Commissioners adjourned at 12:28 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
October 29, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Robert H. Miller were present.

County Clerk Shields reported that final levies were set last week. All levies for the joint taxing entities have been received from the other counties, except Kingman County. The preparation of tax statements cannot proceed until all levies are received.

Treasurer Carolyn Heasty met briefly with the Commission. She reported the latest sales tax report shows that \$196,546 has been collected.

The Commission reviewed the minutes for October 22 and 23. The minutes were unanimously approved with two amendments.

Health Department Director Laura Rettig met with the Commission for evaluation purposes. At 9:31 a.m., the Commission entered into executive session with Director Rettig for 20 minutes to discuss non-elected personnel. The Commission reconvened in open session at 8:47 a.m.

Merle Webster, of Deseret Health and Rehabilitation Center, met with the Commission. Mr. Webster complimented the staff of the facility in the transition of operators. County Counselor Jack Potucek entered the meeting. He recommended an executive session for an attorney-client privileged matter. At 10:32 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 10:34 a.m. Counselor Potucek had to attend to a matter in court.

Counselor Potucek returned to the Commission meeting. At 10:38 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Mr. Webster for 15 minutes to discuss an attorney-client privileged matter. At 10:53 a.m., the Commission reconvened in open session.

At 10:54 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Mr. Webster for ten minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:03 a.m.

Counselor Potucek provided an update on several issues. He reported on the results from recent hearings before the Board of Tax Appeals (BOTA). In one case the Appraiser would like to ask for reconsideration by BOTA. Counselor Potucek reported that he talked with court personnel regarding water leaks that occurred the week of October 15. He will prepare a cover letter with the report from the court and forward it to the Maintenance Department. He provided an update on final details relating to the new courtroom. The courtroom is now being used. Counselor Potucek provided the Commission a copy of a letter sent regarding the Hines Lawn Care contract. Due to the illness of the Maintenance Director late last week, he has not yet been able to research the matter further.

The Commission received and reviewed a rough draft of a spreadsheet received from Economic Development Director Janis Hellard. The spreadsheet is intended for use by the Proposal Comparison Committee in comparing casino proposals that are submitted. The spreadsheet may yet be revised.

The Commission received correspondence from Joseph S. Yager, Executive Officer for the Regional Economic Area Partnership. The letter asked for the Commission to appoint a member and an alternate to the Water Resources Committee. The Commission unanimously appointed Commissioner Martin to the Committee and Planning and Zoning Director Jon Bristor as the alternate.

Shelly Hansel, Wellington Chamber of Commerce Executive Director met with the Commission. She inquired if any of the Commissioners planned on attending a luncheon at the Wellington Senior Center on Thursday. Commissioners Gracy and Martin both indicated they would attend.

There being no further business, the Board of County Commissioners adjourned at 11:58 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
October 30, 2007 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Jim D. Newell was not present. The meeting was opened with the Pledge of Allegiance. Robert H. Miller and Marvin Simonton were present.

State Representative Vince Wetta met briefly with the Commission.

Jerry McDonald was not present for his scheduled 10:00 a.m. appointment regarding the Neighborhood Revitalization Program (NRP). Appraiser Della Rowley and Carolyn Farley, staff member, were present. Mr. McDonald had spoken with Ms. Farley previously and has asked for an extension for his project under the NRP. Details of his project and the documented status were provided. The Commission unanimously authorized an extension for six months.

Appraiser Rowley provided details on the recent Board of Tax Appeal hearings. The purpose and the reason to request reconsideration in one of the cases were discussed.

Community Corrections Director Brad Macy met with the Commission. He discussed the offices on the third floor and the need for some additional security measures. Placing a lock on the entry hall door was discussed. Probationers are currently able to enter the offices at any time. Director Macy also understood that a panic alarm would be installed in the offices. The Commission will consider the request and discuss with the Maintenance Director.

County Counselor Jack Potucek met briefly with the Commission. He reported that the documents for the next tax sale will be filed later this week. There are currently approximately 96 properties involved. Counselor Potucek discussed issues related to the new courtroom. The Commissioners toured the new courtroom and the court floor with Counselor Potucek.

There being no further business, the Board of County Commissioners adjourned at 11:55: 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
November 5, 2007 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields, Robert H. Miller, and Marvin Simonton. Commissioner Garey E. Martin was not present as he was attending a meeting of the Regional Economic Area Partnership (REAP). The meeting was opened with the Pledge of Allegiance.

Planning and Zoning Director Jon Bristor met briefly with the Commission. He inquired if there was any update on the status of contractor repairing the roof leaks in his building. He had not received any information from the Maintenance Department. The Commission will contact the Maintenance Director.

The Commission returned a call to Chris Gallardo, a resident of Ryan Township. He expressed his interest in the position of Ryan Township Trustee, if the current Trustee is recalled in tomorrow's election. Mr. Gallardo inquired what steps he should take to show his interest to the Commission. Chairman Newell advised that, depending on what happens in the election, Mr. Gallardo could schedule to meet with the Commission next week.

Emergency Management Director James Fair met with the Commission. He discussed the Regional Homeland Security Council position. His two-year term on the Council expires in January and he inquired if the Commission wished to reappoint him to the Council. Director Fair expressed his willingness to continue to serve. The Commission unanimously reappointed Director Fair to serve on the Council.

The Commission reviewed and unanimously approved the Community Corrections claims for October in the amount of \$25,380.61.

Commissioner Garey Martin called by phone advising that the REAP meeting had just concluded. Chairman Newell informed him nothing was scheduled on the agenda, so Commissioner Martin advised he would not be in.

There being no further business, the Board of County Commissioners adjourned at 12:01 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
November 6, 2007 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 Jim D. Newell, Commissioner Gary E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields, Robert H. Miller, Marvin Simonton. The meeting was opened with the Pledge of Allegiance.

Commissioner Martin provided information from the meeting last week with representatives of Tremco Roofing and Building Maintenance Company regarding replacement of the courthouse roof. He had attended the meeting arranged by Maintenance Director Gary Yoder. The information and cost will be reviewed and compared with the bids received from other companies.

Maintenance Director Gary Yoder met with the Commission and discussion continued regarding the roof repair. It was determined that additional information will be requested from the roofing contractor from the detention center project. The status of the contractor checking the roof leaks still occurring at the Planning and Zoning building was discussed. Director Yoder advised he had contacted the contractor and will contact them again.

Representative Ted Powers and wife Betty Powers met with the Commission. Representative Powers provided a copy of a news release that he will be providing to the media. He also provided a number of form letters regarding the casino issue signed by individuals asking that developers from both sites (Mulvane and Wellington) be endorsed. The Commission thanked Representative Powers for providing the information.

The Commission spoke by phone with a representative of Tremco. A meeting was scheduled for next Tuesday to discuss possible funding options available if their proposal is chosen for the replacement of the courthouse roof.

The Commission unanimously approved the minutes for October 29 and 30.

Economic Development Director Janis Hellard met with the Commission. County Counselor Jack Potucek was also present. She reported that she had also received letters regarding the casino issue and asked if the Commission would like copies of those letters. The Commission asked that she forward copies to the County Clerk.

County Counselor Potucek reported that Attorney David Cooper is working this week on the court brief for the expanded gaming issue in Shawnee County District Court. Briefs are due by Friday in the case.

State Representative Vince Wetta met briefly with the Commission. He provided copies of the November 1 issue of the Mulvane newspaper regarding an advertisement relating to the casino issue.

Counselor Potucek reported on a number of issues and items. He advised that he had met with the Maintenance Director regarding the contractual issue for the previous contractor performing work at the Sumner Memorial Gardens. He will be meeting with representatives of Hines Lawn Care tomorrow. Counselor Potucek reported on court issues he will be discussing with Chief District Judge Solomon. One issue relates to a funding issue regarding publications for juvenile hearings and how it has been handled in Sumner County. Counselor Potucek commended the work done by maintenance personnel on the Judge's chambers. The status of the Caldwell Pioneer cemetery was discussed. Counselor Potucek will check on what further action the City of Caldwell may be considering. Additional items were discussed regarding the new courtroom and office furniture. Counselor Potucek will obtain a bid relating to a podium and work on a bench in the new courtroom. The Commission also authorized an additional cost of about \$300 for chairs that were previously approved in order to match existing furniture.

E911 Director James Reed met with the present. Also present was Assistant Director B.J. Tracy and Dispatcher III Robert Patterson. Patterson was presented a plaque in recognition of his five-years of service in the E911. Director Reed and the Commission commended Dispatcher Patterson on his work and service.

There being no further business, the Board of County Commissioners adjourned at 11:59 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
November 13, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Also present was Robert H. Miller, Sheriff Gerald Gilkey, Marvin Simonton, Ed Larson, and representatives of Tremco Incorporated.

Sheriff Gerald Gilkey met briefly with the Commission. He invited them to attend the department's Christmas party scheduled for Dec. 2, at the Slate Creek Lodge.

The Commission reviewed the minutes for November 5 and 6 and unanimously approved them with several amendments.

Representatives of Tremco Incorporated discussed their proposal for replacement of the courthouse roof. Details of the warranty/guarantee were discussed as well as some details of the actual roof proposed. Regina Martino, National Financing Manager for Tremco, joined the meeting by telephone. She provided details on options regarding the financing program through Tremco. The representatives will meet again with Maintenance Director Gary Yoder to finalize details of the proposal in order to reach an accurate cost for consideration of financing.

Keith Mortimer and Leon Osner met with the Commission regarding the recall election held in Ryan Township. Mr. Mortimer advised he would like to put in some recommendations for filling the vacancy in the Trustee position. He said they would like to go to a five member township board and also a board member from outside the county. County Clerk Shields advised that State law provides only for a three-member board and all members must be residents of the township. Mr. Mortimer said the members of the recall committee asked him to talk to the Commission for help. Chairman Newell asked if Mr. Mortimer had any recommendations for the Trustee position. He recommended Leon Osner who is a township officer for Springdale Township. The Commission advised appointing Mr. Osner is not an option as an officer must be a resident of the township. Mr. Mortimer then recommended another individual, but that person is also not a resident of the township. Ed Larson, who was present, mentioned the possibility of Roger Ray filling the vacancy. The Commission took no action on filling the vacancy.

Tammy Dossey, Troy Dossey, and Nancy Farber Mottola met with the Commission. They presented the Commission with a number of form letters signed by residents in Mulvane. The letters asked the Commission to support all casino proposals that meet the State requirements and forward all on to the State. Chairman Newell advised that the Commission is maintaining an open mind and wants to hear all proposals. Mrs. Dossey said that they wanted to let the Commission know that not all Mulvane residents are anti-casino. The Commission thanked them for their concern and for meeting with them.

The Commission discussed the Proposal Comparison Committee members. Sheriff Gilkey was present and confirmed that he would be able to serve on the committee. He was originally appointed to serve based on the first timeline of the submittal process, but was going to be out of state during that time. Detective Captain Jeff Hawkins was appointed in his place. With the timeline now revised, Sheriff Gilkey is available. The Commission unanimously appointed Sheriff Gilkey to serve on the committee and removed Detective Hawkins.

Maintenance Director Gary Yoder met with the Commission along with Jim Pavlacka, of Mahaney Roofing. Details of the proposal to replace the roof on the courthouse and how the work would be accomplished were reviewed.

Greg Olsen, Chief Executive Officer for Sumner Mental Health, met with the Commission. He asked the Commission to consider providing \$15,000 in funding from the Special Alcohol Program Fund. The funding would be used in the addictions program. Monies in the fund have been used in the past for alcohol treatment related purposes. There is currently a budget balance of \$18,112 remaining in the fund. Mr. Olsen also advised that the funding issue with the State should be settled. A portion of the funding from the State should be distributed next week. A second distribution would occur before the end of the year and the final one in March 2008. The \$165,000 in unplanned funding provided to Mental Health would be returned to the county as funding is received. After

discussion, the Commission unanimously approved \$15,000 from the Special Alcohol Program to Sumner Mental Health and directed that it be issued this week.

County Counselor Jack Potucek met with the Commission and provided update on several issues. He reported that the Caldwell City Attorney has informed him that the City's plans to mark the perimeter of the Pioneer Cemetery are proceeding. Counselor Potucek advised that Attorney Robert Eye had confirmed that Waste Connections had filed a request for reconsideration with the Appellant Court regarding their decision on standing in the Harper County landfill case. Attorney Eye will be making a response to the request in the court. Counselor Potucek reported that Attorney Cooper and the other members of the Proposal Comparison Committee will be meeting tomorrow for an organization meeting. Attorney Cooper filed the brief in Shawnee County District Court regarding the constitutional challenge of the gaming act. The Commissioners received a copy of the brief in today's mail.

Counselor Potucek reported that he had met with Chief District Judge Larry Solomon last week. The issue relating to expenses in juvenile cases was discussed along with the status of the courthouse roof replacement. Counselor Potucek also mentioned that the informational boards on each floor showing the location of offices need to be updated. The new location of the Community Corrections officers on the third floor needs to be added to the list.

The Commission met with Treasurer Carolyn Heasty and discussed a funding issue. Treasurer Heasty provided information regarding the non-levy fund.

The Commission discussed the two proposals for replacement of the courthouse roof. The pros and cons of each system were discussed. No decision was made.

The Commission reviewed and unanimously approved the mid-month claims for November in the amount of \$319,804.21.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
November 19, 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present as he was attending the Kansas Association of Counties conference in Wichita. The meeting was opened with the Pledge of Allegiance. Robert H. Miller and Marvin Simonton were present.

The Commission unanimously approved the minutes for November 13.

Chris Gallardo met with the Commission and expressed his interest in the now vacant Ryan Township Trustee position. Mr. Gallardo said he serves as a city council member for the City of Milan and has served on the council for eight years. He provided some background of himself and of his interest in Ryan Township. Chairman Newell inquired if he intends on filing for election to the office when the present term expires. Mr. Gallardo said he would intend on doing so. Chairman Newell advised that a final decision would not be made until all Commission members are present. Mr. Gallardo scheduled to return next week and meet with the Commission.

Commissioner Gracy called by phone from the KAC conference. He provided some brief information on another roofing contractor. After discussion, it was determined that entertaining additional proposals would further delay initiating the project. A decision will be made from the contractors already contacted.

Economic Development Director Janis Hellard met with the Commission. The quorum requirements for the Proposal Comparison Committee (PCC) were discussed. Director Hellard asked, on behalf of the Committee, for the Commission to officially set a quorum of four for the PCC. A quorum of four would enable two PCC members to discuss issues without violating the Kansas Open Meetings Law. The Commission unanimously set the quorum of the PCC as four members. Director Hellard also discussed the economic factors the Commission would want them to build into any of their considerations. After discussion, the Commission directed that factors be considered with the assumption for both a Wellington and a Mulvane site as annexed and not annexed.

Director Hellard inquired if Attorney Cooper had provided them a copy of the Pre-Development Agreement that the endorsed developers will be required to sign. The Commission advised that they had not been provided a copy. Director Hellard recommended that one is requested from Attorney Cooper and that the Commission review it prior to December 12. It was also discussed how to ensure that a developer actually meets or completes what is in their proposal that the Commission endorses. The Pre-Development Agreement may be the document to contain wording for such guarantees. The Commission asked Director Hellard to discuss the issue with County Counselor Jack Potucek. Director Hellard also mentioned an inquiry she had regarding turnpike access.

State Representative Vince Wetta met briefly with the Commission.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,459.40. Prior year orders in the amount of \$188.80 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 11:25 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
November 20 2007 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 Jim D. Newell and Commissioner Garey E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present as he was attending the Kansas Association of Counties conference in Wichita. The meeting was opened with the Pledge of Allegiance. Robert H. Miller and Marvin Simonton were present.

Tammy Dossey met briefly with the Commission regarding the casino issue. She provided copies of correspondence and information regarding the casino issue. The information included a letter from the Mulvane Chamber of Commerce, letters to the editor from the Mulvane News, and postcards from residents.

Health Department Director Laura Rettig met with the Commission. A revised on-call policy was submitted for approval. The compensation method for the actually time worked for on-call visits was changed. After review, the Commission unanimously approved the policy. Director Rettig also discussed the Healthy Start Home Visitor position and asked to change it back to full-time from part-time. Sufficient grant funds were received for a full-time position and she has had difficulty in the past year filling it only as part-time. It was discussed that if the grant ends the position and program would end. The grant has been in place for a number of years. The Commission unanimously approved returning the position to full-time. Director Rettig reported a complaint was received from a citizen of conduct occurring at the residence next to the Health Department. The renter of the property was contacted and will discuss the issue with the individuals who use the property. A security issue relating to the Health Department entrance was also discussed.

County Counselor Jack Potucek met with the Commission on several issues. He reported that he is continuing to work on the contractual issue with Hines Lawn Care. Counselor Potucek advised that he had spoken with Attorney David Cooper regarding the Pre-Development Agreement for those casino developers who the Commission endorses. Attorney Cooper advised that he should have a final draft of the agreement completed by early next week.

Paul O'Callaghan, of Tremco Incorporated, met with the Commission regarding the courthouse roof. He advised they are working on confirming the final pricing for the roof replacement proposed. They will have a contractor looking at the roof today.

The Commission received correspondence from Economic Development Director Janis Hellard. She reported that she had received official notification that the Canadian group would not be submitting a casino proposal.

There being no further business, the Board of County Commissioners adjourned at 11:48 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
November 26, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Others present included Robert H. Miller, Marvin Simonton, Keith Mortimer, and Roger Ray.

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

Chris Gallardo met with the Commission regarding the vacant position of the Trustee for Ryan Township. Mr. Gallardo expressed his interest in serving in the position. He provided some background information on himself. Mr. Gallardo advised that he has served as a Milan City Councilman for eight years. The Commission thanked him for his interest in the position.

Roger Ray spoke and also expressed his interest in serving as the Trustee for Ryan Township. He advised that he served as the Township Clerk for about two years. He provided some background information on himself and of his knowledge of township operations. He also related his past experience serving on the Milan City Council. Commissioner Gracy asked about some of the past problems in Ryan Township. The Commission thanked him for his interest.

Richard Brown met with the Commission. He read a prepared letter to the Commission expressing the importance of a building inspection department. Mr. Brown asked that the Commission consider a building inspection department and a Building Official to be in charge and to be answerable only to the County Commission before the casino applies for and receives a building permit. Mr. Brown related his experience in building inspections, which included being the only building inspector in the City of Andover when the tornado went through and caused so much damage. He currently serves as a combination building inspector and acting field supervisor for the City of Wichita.

Wes Neal, of Duro-Last Roofing, and Walt Boyer, a roofing contractor, met with the Commission. They provided details and information of the roofing system they can offer for the courthouse. They advised that they could provide a bid to the Commission by next week. After discussion, the Commission decided to delay a decision for one more week in order to obtain a bid from Duro-Last Roofing.

Road and Bridge Director Melvin Matlock met with the Commission on several items. He provided a report on the work on the Patton low water bridge. He invited the Commissioners to a Christmas lunch at the Road and Bridge Department on December 20. Director Matlock reported that the old fuel tanks have been removed from the Road and Bridge yard. He also reported that a supply of salt has already been obtained in preparation for winter. He advised the Con-Expo will be held next year. It is held every four years in Las Vegas.

The Commission received correspondence from John Marx, of Universal Construction, regarding payment to Bergkamp Construction. Marx recommended that the remaining balance for their work and the amount being retained be released for payment. The fund balance was also discussed. The Commission authorized a transfer of funds from the Sales Tax Revenue Fund to the LE/Jail Construction Fund.

The Commission briefly discussed consideration of a building inspection department or process. The idea may be further researched, but all agreed very cautious consideration would have to be given to the subject.

The representatives of Duro-Last Roofing met briefly with the Commission. They discussed their recommendation for the roof after inspection. Their bid will include some alternatives for the work.

There being no further business, the Board of County Commissioners adjourned at 12:22 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
November 27 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Others present included Robert H. Miller and Marvin Simonton.

The Commission talked with Road and Bridge Director Melvin Matlock by phone regarding work relating to the joint County-City firearms range. The cost involved for Road and Bridge to transfer dirt from the existing county range to the city site was discussed. The Sheriff expressed to the Commission that he originally understood that there would be no cost for Road and Bridge to move the dirt. Director Matlock advised that he had asked the Sheriff's Office to reimburse the cost of the fuel used to accomplish the move. Director Matlock said it should be a minimal fuel cost involved and the use of Road and Bridge funds were discussed. He advised he was waiting on contact back from Captain Mike Yoder so they could determine how much dirt would have to be moved. The Commission asked that he contact the Sheriff's Office and confirm any cost involved.

County Appraiser Della Rowley met with the Commission. She discussed the new ORION appraisal system being introduced by the State. Information was provided on the system at the Kansas Association of Counties conference that she and Commissioner Gracy attended. Background of why the new system is being introduced was discussed. It is estimated that there will be a minimum cost of \$10,000 for each county to transfer to the system. There will also be a per user cost for the system. Appraiser Rowley advised that Sumner County is scheduled for the last group of counties, so it will be about the year 2010. She also advised that additional staff may be needed; it will require one staff member dedicated to the new system to accomplish the conversion.

The Commission discussed with Appraiser Rowley correspondence received regarding a property in Caldwell. The property is used for church services and exemption of the property was discussed. Appraiser Rowley advised that the property owner has to file an application for exemption on the property. The State makes the final determination if the property can be exempted.

Appraiser Rowley also discussed a property tax issue regarding a casino. At the KAC conference, Wyandotte County officials discussed the taxation of a casino. The casino is subject to property tax, but there is some question regarding the actual gaming floor. State Representative Vince Wetta, who had entered the meeting, offered his comments as did also Robert Miller. All agreed that the casino will be entirely taxable.

Paul O'Callaghan, of Tremco Roofing, met with the Commission. He provided information and details on the roofing system proposed for the courthouse. He had obtained bids from two contractors for two different systems. The Commission asked several questions regarding the warranty involved. The Commission will consider the bids along with the others received.

Elizabeth Hemberger, Treasurer of Ryan Township, and Fred LeMaster, Clerk of Ryan Township, and Jere Robinson met with the Commission. Also present were several residents of Ryan Township. Mrs. Hemberger provided some background information on the position of the Trustee position and Ryan Township. She advised that the Township Board would like to recommend Jere Robinson for appointment to the Trustee position. The Commission asked Mr. Robinson a few questions and he offered some information on himself. Mrs. Hemberger asked if they would have the chance to comment on who the Commission decides to appoint. Chairman Newell advised that the Township Board's approval or disapproval would not be asked for. The Commission asked for any other comments and Vickie Lippincott offered comments to the Commission. She advised that her husband was the person recalled from the position. She stated the two points that her husband was recalled on and provided background on both points. She also made other statements relating to the situation. Chairman Newell thanked her for her comments. He advised that the Commission will attempt to make a decision that will be satisfactory to everyone, but it probably won't be. The Commission expressed their appreciation for everyone's comments.

The Commission talked by phone with John Marx of Universal Construction. A storm water permit issue was discussed as well as payment to Bergkamp Construction. Mr. Marx will review the storm water permit, but doesn't believe it is needed any longer since construction is complete. Regarding the payment to Bergkamp, the

Commission advised that they do not believe any additional amount is warranted. The work required was repair work.

County Counselor Jack Potucek met with the Commission and provided brief updates on several issues. He advised he is still working on the contractual issue with Sumner Memorial Gardens. The status of a request for reconsideration submitted to the Board of Tax Appeals was discussed. Counselor Potucek advised that he had talked with Attorney David Cooper and the Pre-Development Agreement relating to the casino developers should be completed today.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, met with the Commission along with Joann Bertrand. Others present included State Representative Wetta, Robert H. Miller, Dusti Fansler, and Keith Mortimer. Shelly read a letter that was brought into the Chamber office regarding the casino. She then explained that Mrs. Bertrand collected additional signatures from residents of several communities in the county with additional copies of the letter. The letter endorses a Wellington location for a casino.

The Commission discussed the appointment to the Ryan Township Trustee position. After discussion, Commissioner Newell moved to appoint Roger Ray to the position of Ryan Township Trustee. Commissioner Martin seconded the motion and it was approved unanimously.

The Commission reviewed and unanimously approved claims for the end of November in the amount of 285,369.39.

There being no further business, the Board of County Commissioners adjourned at 12:30 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
December 3, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Robert H. Miller and Marvin Simonton were also present.

State Representative Vince Wetta entered the meeting.

The minutes for November 26 and 27 were reviewed and unanimously approved.

Emergency Management Director James Fair met with the Commission. He provided some information on the Local Emergency Planning Committee and an appreciation day that is planned for responders in the county. The Raymond Frye complex has been reserved for March 8. The plan is to have various agencies attend and brief presentations will be made throughout the day for the public on various topics. The plan is to also allow agencies to display equipment in the parking lot. The Commission expressed their support and authorized the use of the parking lot.

Brad Macy, Community Corrections Director, met with the Commission. He discussed applying for unexpended funding through the Department of Corrections. Departments can apply for unexpended money that has not been used. He would like to request a computer monitor and two portable radios. The radios are to address security and safety issues when the court service officers are conducting home visits. Director Macy advised that both the Sheriff and E911 Director are supportive for officers having radios available. The Commission unanimously supported the request for the funding. The Juvenile Corrections Advisory Board meeting was briefly discussed. Director Macy received notice of meeting only the day before it was scheduled.

Sheriff Gerald Gilkey met briefly with the Commission. He reported that invoices were sent out today for \$62,000 in inmate housing for November.

The agenda for the meetings of next week, Dec. 10, 11, and 12, was discussed. The meetings will be held at the Raymond Frye complex auditorium beginning at 9:00 a.m. each day. The Commission will meet with the Proposal Comparison Committee at 10:00 a.m. on Monday. The developer presentations will be Penn National LLC, Dec. 10 at 1:30 p.m., Sumner Gaming, Dec. 10 at 3:00 p.m., Chisholm Creek Casino Resort, Dec. 11 at 9:00 a.m., and Marvel Gaming, Dec. 11 at 10:30 a.m. Public comment will be allowed on Dec. 11 beginning at 1:30 p.m. The special meeting on Dec. 12 will be for the Commission to discuss and determine what proposal or proposals they will endorse.

Wes Neal and Walt Boyer, Representatives of Duro-Last Roofing, met with the Commission. They provided additional information and a bid for their roofing system for the courthouse. The Commission will review the information provided.

The Commission discussed other issues relating to the meetings next week. The Commission determined that the last day correspondence received relating to the casino issue will be considered will be December 10. That date will provide the Clerk time to add any final letters received to an overall listing.

County Clerk Shields provided the prepared resolution setting the elected official salaries for 2008. Salary issues for the appointed directors were also discussed.

County Counselor Jack Potucek met with the Commission regarding several issues. He advised that arguments will be made tomorrow in Shawnee County District Court regarding the constitutionality of the lottery act. The Commission received a copy of the brief prepared by Attorney David Cooper. Counselor Potucek reported that Attorney Robert Eye has filed a response brief in Shawnee County District Court to Waste Connections petition for review in the Harper County landfill case. Counselor Potucek reported that the Board of Tax Appeals had denied the request for reconsideration that was submitted by the county.

The Commission spoke by phone with Tony Rangel, of Law/Kingdon, and John Marx, of Universal Construction. Work relating to the courthouse renovation and the chimney that was removed on the roof was discussed. Taking the chimney down at the roof level was outside of the planned scope of work for the contractor. Some masonry work necessary now before any repair is done and removal of stone was considered. The Commission directed Mr. Marx to contact the contractor who did the renovation and obtain a bid for the masonry work.

Mr. Rangel also talked about the final move required for the District Court files. He inquired about obtaining bids from several companies to move the files. The timeline for the move of the files will depend on when the roof repair can occur. It was determined that bids will not be obtained until a date is confirmed for the roof repair to be completed.

Mr. Rangel also discussed an issue regarding the water meter at the jail. The water meter is located in the mechanical room of the detention center with a remote reader outside. The remote reader was installed at a different location than planned due to a request by the City Water Department. It has been discovered that the remote reader will not work in the present location. The Water Department has now asked that the remote reader be moved to the original planned location. Mr. Rangel inquired who should pay for the move. It was determined that, if the move is to accommodate the Water Department, they should incur the cost for the move or, at least, share the cost. Mr. Marx or Mr. Rangel will contact the City.

The overall Law Enforcement/Detention Center project was discussed. Mr. Marx and Mr. Rangel advised that approximately \$25,000 remains from the 9.5 million for capital expenses. The funds expended from the \$358,958.70 in the bond underwriting fees (original issue premium) were discussed and as to what was previously authorized. Mr. Marx will talk with Elliott Jackson, county auditor, to attempt to confirm some items.

The Commission unanimously adopted Resolution 2007-41 setting the salaries for the elected officials for 2008.

There being no further business, the Board of County Commissioners adjourned at 12:32 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
December 4, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Paul O'Callaghan, of Tremco Roofing, met with the Commission. He provided additional information regarding the roofing system his company is proposing for the courthouse. Mr. O'Callaghan advised work could begin the second week in January. Warranty information was also further discussed.

County Counselor Jack Potucek met with the Commission. The contractual issue with Hines Lawn Care regarding Sumner Memorial Gardens was discussed. Counselor Potucek informed the Commission of all of the issues relating to the situation. The contract that was previously in place was discussed. The Commission will consider all of the issues involved.

County Attorney Kassie McEntire met with the Commission regarding several issues. An issue relating to the publication fees for juvenile proceedings and how they are paid was discussed. Counselor Potucek was still present and advised that he had talked with Chief District Judge Solomon on the matter also. The publications are sent out by the court and they receive the bills. After discussion, it was determined that a separate line item will be created in the District Court budget. Another issue discussed was animal cruelty cases and the boarding of large animals. The expense for boarding and finding willing individuals to board animals was discussed. Ms. McEntire advised that the cruelty to animals statute requires that the Board of County Commissioners have a written procedure in place before an animal can be offered for adoption or euthanized, if necessary. The County Attorney will work with Counselor Potucek to develop a policy for the Commission's approval.

County Attorney McEntire discussed space in her office. One of the office spaces has been and continues to be used by the Treasurer for storage. Once the jail floor was renovated, the office was to become available when the Treasurer could move her items. Ms. McEntire inquired about the timeline for that to happen. The Commission will confirm with the Treasurer and acknowledged that the pending roof repair may be an issue.

The Commission met briefly with Treasurer Carolyn Heasty regarding the storage space. She confirmed that she has not moved anything to the jail floor due to the roof issue. Until the roof is repaired to ensure water leaks will not occur, items cannot be moved to the space.

Counselor Potucek met again with the Commission and the contractual issue with Hines Lawn Care was further considered. The Commission unanimously agreed that they believe constructive notice given to end the contract was sufficient. With the other issue workers compensation insurance and performance concerns, there are no funds due Hines Lawn Care.

An issue relating to Attorney Robert Eye and the Harper County landfill case was discussed. Counselor Potucek advised that Attorney Eye had been asked by the Tri-County Concerned Citizens Group to also assume representation for their group. Their attorney is ending his law practice due to another opportunity. Counselor Potucek advised he doesn't believe there would be any conflict for Attorney Eye to also represent the group at this time. Counselor Potucek will discuss the issue further with Attorney Eye.

Gary Simpson met with the Commission and expressed concern regarding a recent zoning case. He advised a zoning hearing was held last week and he appeared to testify. He asked for an audio recording of the hearing and was told there was not one available. Mr. Simpson expressed concern that one was not available. He also expressed his belief that the zoning board didn't conduct themselves correctly in considering the property rights involved in the case. The zoning case will come before the Commission on December 18 and it was recommended that Mr. Simpson attend the hearing if had concerns to express.

The Commission further discussed the repair to the courthouse roof and reviewed the bids received. After discussion, the Commission unanimously approved the contract with the Charles E. Mahaney Roofing Company, Inc., for \$87,850.

The Commission approved the Community Corrections claims for November in the amount of \$18,678.62.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$37,161.72.

There being no further business, the Board of County Commissioners adjourned at 12:32 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
December 10, 2007 9:00 a.m.

The Board of County Commissioners met in regular session in the auditorium of the Raymond Frye Complex. Those present were Commission Chairman Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present were County Clerk Shane J. Shields and County Counselor Jack Potucek. The meeting was called to order at 9:12 a.m. and was opened with the Pledge of Allegiance.

Chairman Newell reviewed the agenda for the day and also the next two days. He acknowledged that there were a lot of opinions and ideas of what decisions should be made regarding the casino issue. Chairman Newell expressed the Commission's appreciation for all of the letters and comments received.

The Commission unanimously approved the minutes for December 3 and 4 with one grammatical correction.

County Counselor Jack Potucek inquired if a decision was made regarding the courthouse roof replacement. Chairman Newell confirmed that a decision was made last week and the bid from Mahaney Roofing was accepted. The preliminary indication is that they will begin the project in mid-January.

The Commission conducted other county business reviewing various financial documents and approving fund and line item transfers. Time was also spent reviewing correspondence received during the last week.

The Commission took a short recess and then reconvened in regular session at 10:05 a.m.

The Commission met with the Proposal Comparison Committee. Committee members present were Attorney David Cooper, Economic Development Director Janis Hellard, Sheriff Gerald Gilkey, and J.P. Buellesfeld. Planning and Zoning Director Jon Bristor was unable to be present. Attorney Cooper advised that the Committee had met last week and the product of their work was a spreadsheet report, which had already been distributed to the Commission. The report was also posted on the county's web site for the public. Attorney Cooper explained what the committee reviewed all four proposals and prepared a side-by-side comparison of the criteria. In some cases, if adequate information was not provided, it was asked for from the developer.

County Counselor Jack Potucek explained an allowance that was made for any changes in information that was previously submitted in the proposals. Concerns had been expressed that the developers making later presentations could offer changes after hearing earlier proposals. Notice was made to the developers that any changes had to be submitted to the County Clerk's Office by 9:00 a.m., December 10. Attorney Coopers reviewed changes submitted by Sumner Gaming and Marvel Gaming. J.P. Buellesfeld offered comments and information about the additional funding in some of the proposals. Attorney Cooper asked for any additional questions from the Commissioners. There was further discussion regarding emergency services relating to a facility, equipment and staffing. Commission Martin asked about a zoning issue relating to one of the proposals including plans for the development of apartments. Planning Commission Chairman Ed Larson, who was present, advised that the zoning case is scheduled to come before the Commission on December 18. Chairman Newell asked if any audience members had questions for the committee.

Several questions were posed by the audience. A comment was made that the proposals included letters from entities saying they could provide adequate utility capacities, but no amounts of what would be needed was included. It was asked how legally binding are the proposals that are submitted. Attorney Cooper advised that a Pre-Development Agreement will be required to be signed by representatives of the endorsed proposal/s on Wednesday. No developer is entirely committed until a contract is signed with the State. Some further discussion occurred regarding possible changes in proposals relating to additional land becoming available. It was discussed that Phase 1 plans in the proposals should be concentrated on. Future phases could change and there is no way to obligate developers to meet future phases, which are speculative. Highway and street improvements were discussed. There were no further questions posed by the audience.

The Commissioners recessed for lunch at 11:49 a.m.

The Commissioners reconvened in open session at 1:30 p.m. with a large audience present. Chairman Newell offered opening comments regarding the issue and conduct for the meeting.

The first presentation was made by representatives of Penn National Gaming, Inc. Steve Snyder, Senior Vice-President of Development opened by introducing his group that was present and he provided background of Penn National. A power point presentation was given providing a project overview. The site is near Exit 19 of the Kansas Turnpike. At the conclusion of the presentation the Commissioners asked several questions of Mr. Snyder and the Penn National group.

A 2:41 p.m. the Commission took a short recess and reconvened in open session at 3:05 p.m.

The next presentation was made by representatives of Sumner Gaming. Nancy Seitz opened with introductions and background of the group. A video presentation was made and details of the project were provided. The site is next Exit 33 of the Kansas Turnpike. At the conclusion of the presentation the Commissioners asked several questions of the Sumner Gaming group. The Sumner Gaming presentation ended at about 3:58 p.m.

County Counselor Jack Potucek and Appraiser Della Rowley met with the Commission. A recent tax case where the Board of Tax Appeals denied a request for reconsideration was discussed. Appraiser Rowley expressed her opinion to proceed with the next step and file action in District Court regarding the matter as she believes it is still an inequitable situation. Details of the issue were considered and the timeline involved. After discussion, it was determined that the information will be provided to Montoya for his analysis and opinion if the issue and merits of the case warranted an appeal. Mr. Montoya has been used by the county in previous tax cases.

There being no further business, the Board of County Commissioners adjourned at 4:12 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
December 11, 2007 9:00 a.m.

The Board of County Commissioners met in regular session in the auditorium of the Raymond Frye Complex. Those present were Commission Chairman Jim D. Newell, Commissioner Gary E. Martin, and Commissioner Eldon B. Gracy. Also present were County Clerk Shane J. Shields and County Counselor Jack Potucek. The meeting was called to order at 9:04 a.m. and was opened with the Pledge of Allegiance. Chairman Newell made opening comments regarding conduct during the meeting.

The first presentation was made by representatives of MGM-Mirage and Foxwoods Development Company for the Chisholm Creek Casino Resort. Bob Knight opened the presentation by talking about the history and background of the casino issue in Sumner County. He acknowledged that State Representative Vince Wetta was astonishing in what he was able to accomplish. Gary Armentrout, Managing Director for Foxwoods Development, spoke next providing background and organizational information of the group. Other representatives of the group spoke and provided details of the project. The proposed site is near Exit 33 of the Kansas Turnpike. The Commissioners asked a number of questions of the group. Questions related to water service, lighting, development phases, emergency services funding and equipment, turnpike access, and the additional funding being offered by the group.

The Commission took a short recess and reconvened in open session at 10:35 a.m.

The final presentation was made by Marvel Gaming. Lloyd Buzzi opened with introductions of the Marvel representatives present. Roger Wagoner then provided details of Marvel's Trailhead Casino Resort project. The proposed site is near Exit 19 of the Kansas Turnpike. At the conclusion of the presentation the Commissioners asked questions of the Marvel group. Questions posed related to the community partnership and funding, the proposed guiding hunting facility and lodge, and traffic access. Commissioners also asked questions about the Home Ownership Assistance Program offered to Marvel employees and the Voluntary Economic Development Fund outlined in their proposal.

The Commissioners recessed for lunch at 11:49 a.m.

The Commission reconvened in open session at 1:30 p.m. The afternoon had been set aside for public comment. Those wishing to speak had to sign up on a list in the County Clerk's office by noon on Monday. Comment was limited to three minutes per speaker. Comment began with forty-one individuals scheduled.

At 2:32 p.m., the Commission took a short recess after hearing about twenty speakers. The Commission reconvened in open session at 2:43 p.m.

Public comment continued with speakers being called to the podium in the order they had signed up. Public comment was concluded at 3:35 p.m. with thirty-nine individuals having been heard. Two presenters called were apparently not present. Chairman Newell expressed the Commission's appreciation for all of the comments and for those willing to take the time speak. He acknowledged the courage it takes to speak before a large audience.

At 3:36 p.m., it was moved and seconded that the Commission enter into executive session with County Counselor Potucek and Attorney David Cooper to discuss an attorney-client privileged matter relating to the pre-development agreement and resolution. The Commission moved to the conference room in the Raymond Frye Complex and entered the room at 3:37 p.m. Mr. Cooper's staff member, Teresa Watson, was also present in the executive session. The Commission came out of executive session at 3:57 p.m. and reconvened in open session in the auditorium.

The Commission unanimously approved the December mid-month claims in the amount of \$211,158.76.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
December 12, 2007 9:00 a.m.

The Board of County Commissioners met in special session in the auditorium of the Raymond Frye Complex. Those present were Commission Chairman Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present were County Clerk Shane J. Shields and County Counselor Jack Potucek. The meeting was opened with the Pledge of Allegiance.

Chairman Newell offered opening comments regarding the meeting and conduct. He acknowledged that any decision made will not make everyone happy. Commissioner Gracy and Martin offered comments. Commissioner Gracy thanked the public for their kindness throughout the issue. He appreciated everyone's interest and comments. He said how proud he was of his fellow Commissioners and of county staff. Commissioner Martin said what a great opportunity this is and that every proposal had something wonderful. There will not be another chance like this to come along for tourism and economic development in Sumner County. This will directly and indirectly affect everyone in the county.

Chairman Newell thanked Wellington Chamber of Commerce Director Shelly Hansel and former Economic Development Director Debra Teufel for coming to the Commission with a vision. He said he was somewhat skeptical of gambling in Sumner County, but the public interest shown had changed his mind. He thanked everyone that had made trips to Topeka in support of the issue. Chairman Newell gave thanks to Representative Vince Wetta and for his hard work in keeping Sumner County in the limelight. He thanked Economic Development Director Janis Hellard and the Economic Development Board. County staff was also thanked for their work involved in the process.

Chairman Newell said that when Senate Bill 66 was being formulated by the legislature, he believes they used wisdom and realized that the process was necessary for local government to be the first line of defense in making bad decisions. No one knows better than local government the heartbeat of the local people. Chairman Newell said we asked for public comment and they let us know. He discussed the results of the many letters and correspondence received by the Commission. He advised that the County Clerk had kept track of the correspondence received. Commissioner Gracy interrupted for a brief moment and complimented Chairman Newell's for his work and handling of the entire issue.

Chairman Newell continued with reference to the correspondence and that the information is available in the County Clerk's office. Over 1,700 forms of correspondence were received on the subject. Of the total, 1,016 or 60% were in favor of a central location. As far as being anti any location, there was 0% against a central location. Of the correspondence from Sumner County residents, there were 979 or 76% for a Wellington or central location. Chairman Newell said this gives you an idea of the feeling of the people. He said he had kept his own notes of the speakers from the day before; twenty-eight were in favor of a central location. Chairman Newell also mentioned correspondence received from the Argonia, Caldwell, and Wellington city councils expressing support for a central location.

Chairman Newell said in looking to the future of this county, tabulating all those results and all the comments and all of the interest that this has generated, I also believe that it should be a central location; for economic development, for the tourism, and for the jobs that this project will bring to the people of this county. This county wanted it. This county embraced it. We have continually received mixed results from the areas up north as to whether they want it or don't want it. Wellington and this vicinity has been united and always has been united in their vision and working for this project.

Chairman Newell motioned to approve a resolution endorsing Penn National LLC. Commissioner Martin seconded the motion and it passed unanimously. The resolution number assigned was 2007-42

Chairman Newell motioned to endorse Marvel Gaming also known as Trailhead Casino Resort. Commissioner Gracy seconded the motion and it passed unanimously. The resolution number assigned was 2007-43.

Chairman Newell asked if there were any other motions the Board wished to make. Attorney Cooper advised that the Pre-Development Agreements would also have to be approved relating to those resolutions.

Chairman Newell motioned to approve the pre-development agreement with Penn National. Commissioner Gracy seconded the motion and it passed unanimously.

Chairman Newell motioned to approve the pre-development agreement with Marvel Gaming also known as Trailhead Casino and Resort. Commissioner Martin seconded the motion and it passed unanimously.

Chairman Newell again asked if any member of the board wished to make any other motions. There were none offered.

There being no further business, the Board of County Commissioners adjourned at 9:34 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
December 17, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Several citizens were also present at the beginning of the meeting.

Commission minutes for December 10, 11, and 12 were reviewed and unanimously approved.

The Commission reviewed the annual traffic control resolution prepared by the Road and Bridge Department. The resolution sets the maximum speed limitations, preferential right-of-way intersections designated by stop signs, and preferential right-of-way intersections designated by yield signs. The Commission unanimously approved and adopted Resolution No. 2007-44.

Road and Bridge Director Melvin Matlock met with the Commission for evaluation purposes. At 9:32 a.m., upon unanimous vote the Commission entered into executive session with Director Matlock for thirty minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:02 a.m.

The Commission took a short recess and then reconvened in open session at 10:13 a.m.

County Counselor Jack Potucek met with the Commission and requested an executive session to discuss an attorney-client privileged matter. At 10:22 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for five minutes for the requested purpose. At 10:27 a.m., the Commission reconvened in open session. Upon unanimous vote the Commission reentered executive session for five additional minutes with Counselor Potucek to discuss an attorney-client privileged matter. At 10:32 A.M., the Commission reconvened in open session.

County Clerk Shields provided the Commission with the bids received for the official county legal publication for 2008. Bids were submitted by the Belle Plaine News and the Caldwell Messenger. The bids were opened by Chairman Newell. The bid from Belle Plaine News was \$1.38 per column inch and the bid from the Caldwell Messenger was \$1.50 per column inch. Commissioner Gracy commented that he would like to see it passed around. Chairman Newell motioned to accept the low bid and designate the Belle Plaine News as the official county legal newspaper for 2008. Commissioner Gracy seconded the motion and it passed unanimously.

At 11:00 a.m., the Commission held a public hearing to amend the 2007 budget. Elliott Jackson, county auditor, was also present. There is the necessity to amend two funds within the county budget. The two funds are Slate Valley Sewer and the Carry Concealed Fees funds. The expenditures made relate to fees collected, not levied tax dollars. The Commission unanimously approved the amendment to the county budget.

The Commission returned a telephone call to Warren Carter. Contact was made with Mr. Carter and he offered comments and his opinion regarding the casino issue. He also asked questions about the process.

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 and Appraiser Della Rowley met with the Commission. Counselor Potucek requested an executive session to discuss an attorney-client privileged matter. At 2:11 p.m., upon unanimous vote the Commissioner entered into executive session with Counselor Potucek and Appraiser Rowley for ten minutes to discuss an attorney-client privileged matter. At 2:21 p.m., the executive session was extended ten minutes upon unanimous vote. The Commission reconvened in open session at 2:30 p.m.

Peter Hancock, a reporter with Kansas Public Radio, talked with the Commission by phone. He asked the Commissioners for their reaction to what the Kansas Lottery Director has said regarding the casino issue. Chairman Newell advised the Commission declined comment at this time. Legal counsel is reviewing the issue and how the county may address it.

Maintenance Director Gary Yoder met with the Commission for evaluation purposes. At 2:35 p.m., upon unanimous vote the Commission entered into executive session with Director Yoder for thirty minutes to discuss non-elected personnel. The Commission reconvened in open session at 3:04 p.m.

The Commission reviewed an amendment to the contract for the balance of the 2007-2008 Public Health Emergency Preparedness Contract funds. The amendment was submitted by the Health Department. After review, the amendment was unanimously approved and it was signed by the Chairman.

Tax abatement orders in the amount of \$8,820.34 were reviewed and unanimously approved.

Chairman Newell advised that he would be absent in the morning. He will be attending a funeral serving as a pall bearer.

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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
December 18, 2007 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 Gary E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Jim D. Newell was not present due to attending a funeral. The meeting was opened with the Pledge of Allegiance. Several citizens were present for the zoning hearings to begin at 9:30 a.m.

At 9:30 a.m., the Commission began public hearings on several zoning cases. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, Melinda McCurley, and Planning Commission Chairman Ed Larson were present. A number of citizens were also present. Six zoning cases were heard.

The first case was No. 24PC-07, an application by Gerald L. and Sylvia S. Hartman, owners, Michael and Carey Hartman, agents. The purpose was for a zone change 3+ acres from "A-3" Agricultural District to "R-R" Rural Residential District to plat for a single family dwelling. The location is the southwest corner of 110th Ave. and Ryan Road. The zone change is the first of two steps with a short form plat being the next. Director Bristor advised there was no opposition before the Planning Commission. The Planning Commission with 10 members present unanimously recommended approval with one member abstaining. The Commission unanimously approved Case No. 24PC-07 and adopted Resolution 2007-45.

The second case was No. 25PC-07, an application by Jennella Stitt, owner, and Kenneth C. Stitt, agent. The purpose was for a zone change from "A-1" Agricultural District to "G-1" Recreation District to allow a recreational area at home site. The location is 908 N Argonia Road. Director Bristor advised that two individuals expressed opposition at the Planning Commission meeting. Concerns stated included noise, quality of out of state people, four wheelers, impact on tax system, and late night parties. There were a number of citizens present in support of the case. The primary event at the site is remote control airplane flying. The Planning Commission had unanimously recommended approval. The Commission opened the meeting to public comment.

Several individual spoke in reference to the case. Kenneth Stitt explained the activity that occurs and the benefits that are held two to three times a year. Two other individuals present spoke in support of the case. One individual talked about Easter Sunday and other church services that are held at the site. Gary Simpson voiced opposition to the case due to the remote control airplane engine noise and the public address system that is used. He said the permit does not regulate how often events are held or the reasons they can be held. Mr. Simpson said he was not opposed to church events being held, but he was opposed to the big operations. At one point the display of fireworks was mentioned relating to the site. County staff reminded everyone that there is a permitting process for commercial grade fireworks displays in the county. Bill Kobiskie also spoke and said he moved here from Wichita to get away from the noise. He said Mr. Stitt has good intentions, but he has seen these kind of things get out of control. Discussion continued for some time with several parties speaking and a number of questions were asked by the Commissioners. In the end, the Commission unanimously approved Case No. 25PC-07 and adopted Resolution 2007-46. Mr. Simpson and Mr. Kobiskie left the meeting.

The third case heard was No. 26PC-07, with the same applicant as in the previous case, 25PC-07. The purpose was for a conditional use to allow recreation or sports-related activities, overnight camping, vendors, and other related uses as allowed uses. Director Bristor advised that there was no opposition expressed for this case to the Planning Commission. The Planning Commission, with 10 members present, had unanimously recommended approval. The Commission unanimously approved Case No. 26PC-07 and adopted Resolution 2007-47.

The fourth case heard was No. 27PC-07, an application by John P. Grother, owner, and Sumner Gaming and Resorts, LLC, agent. The purpose was for a zone change from "A-3" Agricultural District to "R-2" Two and Three Family Dwelling District for a golf course and residential development. The location is 1491 N. Broadway Road. The case is the first of three steps; a preliminary plat would be next followed by a final plat. Director Bristor advised that citizen concerns expressed at the Planning Commission hearing included flooding, water availability and quality, type of sewer, tax impact, and lot size allowed for multi-family dwellings. He advised that the Planning Commission, with 10 members present, recommended approval. The Commission unanimously approved Case No.

27PC-07 and adopted Resolution 2007-48. Director Bristor reported that a protest petition, allowed under KSA 12-757(f), was filed, but it was not within the 14-day time period.

The fifth case heard was No. 28PC-07, an application by Galen L. Gerlach and Dorale Gerlach, owners, and Sumner Gaming and Resorts, LLC, agent. The purpose was the same as the previous case, a zone change from "A-3" Agricultural District to "R-2" Two and Three Family Dwelling District for a golf course and residential development. The location is ½ mile west of Broadway on the north side of 140th Ave. Director Bristor advised that the same concerns as in the previous case were expressed at the Planning Commission hearing. The Planning Commission, with 10 members present, unanimously recommended approval. The Commission unanimously approved Case No. 28PC-07 and adopted Resolution 2007-49.

The sixth case heard was No. 29PC-07, an application by Charlotte A. Ross and Marilyn K. Walton, owners, Patricia A. Walton, executrix of Earl Dan Walton Estate. The purpose was a short form plat 16.50 acres into four "R-R" Rural Residential District tracts. One tract will include the existing home. The location is 1421 N. Meridian Road. Director Bristor advised that there was no opposition at the Planning Commission hearing, and the Planning Commission, with 9 members present, unanimously recommended approval. The Commission unanimously approved Case No. 29PC-07 and adopted Resolution 2007-50.

Director Bristor read the statement contained in K.S.A. 12-760 regarding action in district court. The statute provides that within 30 days of the final decision of the city or county, any person aggrieved thereby may maintain an action in the district court of the county to determine the reasonableness of such final decision.

Director Bristor submitted a resolution appointing Bob Wamsley and Ed Larson to the Planning Commission. Both are current members and both are willing to continue to serve. The Commission unanimously approved Resolution 2007-51.

The Commissioners recessed for lunch at 11:59 a.m.

The Commissioners reconvened in open session at 1:30 p.m. Commission Chairman Jim D. Newell was now present.

Sheriff Gerald Gilkey and Captain Mike Yoder met with the Commission. The Computer Aided Dispatch system used by the Sheriff's Office was discussed. In order for the system to interface with the E911 system interface software would have to be purchased. The approximate cost will be \$5,000. Sheriff Gilkey advised the benefits in call and case tracking that would result from interfacing with the E911 system. The Commission inquired what impact there would be on E911 functions. Sheriff Gilkey advised they would see no change in how they operate now. Sheriff Gilkey advised he has sufficient funds available in the Work Release fund to purchase the software. After further discussion, the Commission unanimously approved purchasing the interface software.

County Counselor Jack Potucek and Attorney David Cooper met with the Commission. Counselor Potucek recommended an executive session to discuss an attorney-client privileged matter regarding potential liabilities and process and procedure. At 1:44 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Attorney Cooper for 45 minutes 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 2:29 p.m.

At 2:43 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek, Attorney Cooper, and County Clerk Shields for 45 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 3:17 p.m.

At 3:35 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek, Attorney Cooper, and County Clerk Shields for 40 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 4:06 p.m.

End of month claims in the amount of \$151,618.35 were reviewed and unanimously approved.

Tax abatement orders in the amount of \$2,777.52 were reviewed and unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 4:07 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
December 31, 2007 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed correspondence from the Kansas Association of Counties (KAC). The Commission determined that they would join KAC for 2008.

The Commission reviewed a prepared resolution regarding a Civil Rights/Fair Housing Policy. The resolution is required due to funding related to the project by the Peck Improvement District. The Commission unanimously adopted Resolution 2007-52.

Emergency Management Director James Fair met with the Commission. He discussed the Mitigation Plan Grant available through FEMA. The grant provides 100% funding to develop a mitigation plan. Director Fair previously discussed the grant application with the Commission. The advantage of having a plan in place is that it expedites the availability of Federal dollars if a disaster were to occur. The Commission unanimously approved the grant application and it was signed by the Chairman.

The Commission reviewed and unanimously approved the minutes for December 17 and 18 with two minor changes.

The Commission reviewed an application to sell at retail cereal malt beverages submitted by Dean Bruey d/b/a/ as Sokol Hall. The application is a renewal for an existing license to sell for consumption on the premises. County Clerk Shields advised that notice had been mailed to the township as required. The Commission unanimously approved the issuance of a license.

County Counselor Jack Potucek met with the Commission. He requested an executive session with the Commission for an attorney-client privileged matter. At 9:52 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes 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 10:02 a.m.

Economic Development Director Janis Hellard entered the meeting. Attorney David Cooper was contacted by phone. At 10:06, the Commission upon unanimous vote entered into executive session with Counselor Potucek, Attorney Cooper, and County Clerk Shields for 30 minutes to discuss an attorney-client privileged matter. Director Hellard did not remain present for the session. The Commission reconvened in open session at 10:36 a.m.

At 10:36 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek, Attorney Cooper, and County Clerk Shields for 30 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 10:54 a.m.

The Commission took unanimous action to direct Attorney Cooper to attend the meetings of the Lottery Commission and the meetings of the Lottery Review Board in order to keep the Commission abreast of all developments.

Economic Development Director Janis Hellard met briefly with the Commission. Counselor Potucek was still present. Director Hellard had nothing new to report on the casino issue.

Health Department Director Laura Rettig met with the Commission. She provided the grant agreement and contract with the Kansas Department of Health and Environment for the Public Health Emergency Preparedness and Response – Pandemic Influenza. The Commission unanimously approved the agreement and it was signed. Director Rettig also informed the Commission that the terms of three Health Advisory Board members will be expiring. Director Rettig discussed a staffing level change. She requested authorization to change a part-time

Certified Home Health Aide position to a part-time Homemaker position. The Commission unanimously authorized the change.

There being no further business, the Board of County Commissioners adjourned at 12:09 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.

Jim D. Newell, Chairman

Shane J. Shields, County Clerk