

County Commission
January 3, 2005 1:30 p.m.

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

County Counselor Jack Potucek met with the Commission. He informed them that a settlement conference is scheduled on Thursday morning in Topeka regarding a pending lawsuit. The lawsuit is John Larsen, Martha Larsen, Denise Crossman, and the John Larsen Trust vs. Board of County Commissioners of Sumner County, Kansas, and Cargill, Inc. It involves claims of environmental contamination of ground. The Commission may need to be available in special session during some portion of the morning. Counselor Potucek advised that he would attempt to confirm a more specific time.

Community Corrections Director Lou Bradbury met with the Commission. Tammy Bradbury and Counselor Potucek were also present. Correspondence received from Danielle Price, Inspector General for the Juvenile Justice Authority (JJA) was discussed. The on-going issue regards the amount of funds that the JJA is requesting reimbursement for. The JJA claims that \$37,700.96 is the amount, but Director Bradbury and the Commission dispute that amount. Counselor Potucek will further research the issue.

The Commissioners reviewed and unanimously approved a tax abatement order in the amount of \$196.52

There being no further business, the Board of County Commissioners adjourned at 3:41 p.m. The Commission determined that they would begin the meeting tomorrow 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.

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
January 4, 2005 1:30 p.m.

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

At 1:30 p.m., the Commission held a reception for out-going Commission Chairman Courtney. A number of county staff and citizens were present. Commissioner Courtney was presented a plaque in recognition of his progressive leadership, commitment, and contribution to the improvement of Sumner County and the advancement of County Government.

County Counselor Jack Potucek met with the Commission. The possibility for the need to hold a special meeting on Thursday morning was further discussed. County Counselor Potucek was still waiting on contact from Attorney Robert Eye to confirm. Attorney Eye is representing the county in the matter involved. The court had ordered a settlement hearing in the case and the Commission needs to be available. The Commission determined that they would meet in special session at 10:30 a.m., on January 6. At the time Attorney Eye calls, they will enter into executive session for attorney-client privileged matters.

Commissioner-elect Jim Newell entered and was present for the meeting.

Emergency Management Director James Fair met briefly with the Commission. He advised that the he had discussed with Slate Creek Good Samaritan Center Administrator Bruce Moreau the possibility of using the Center as an emergency shelter. It would only be used, if needed, due to a power outage since it would still have heating capabilities. The expenses involved, such as meals if needed, were discussed. The Commission confirmed that, if the need occurs, the County would deal with the expense.

There being no further business, the Board of County Commissioners adjourned at 3:39 p.m.

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

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
January 6, 2005 10:30 a.m.

The Board of County Commissioners met in special session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Robert A. Courtney and Commissioner Eldon Gracy. Also present were County Clerk Shane J. Shields and County Counselor Jack Potucek. Commissioner Gene Bongiorno Jr. was not present.

At 10:52 a.m., the Commission received a telephone call from Attorney Robert Eye. Upon unanimous vote the Commission entered into executive session with County Counselor Potucek and Attorney Eye until 11:45 a.m. to discuss an attorney-client privileged matter. At 11:45 a.m., the Commission unanimously extended the executive session until 1:00 p.m. The Commission reconvened in open session at 11:59 a.m.

At 12:16 p.m., the Commission received a telephone call from Attorney Robert Eye. Upon unanimous vote the Commission entered into executive session with Attorney Eye until 12:36 p.m. to discuss an attorney-client privileged matter. At 12:19 p.m., the Commission reconvened in open session.

At 12:22 p.m., the Commission received a telephone call from Attorney Robert Eye. Upon unanimous vote the Commission entered into executive session with Attorney Eye until 12:36 p.m. to discuss an attorney-client privileged matter. At 12:27 p.m., the Commission reconvened in open session. The Commission advised that authorization was given for a settlement to finalize pending litigation. The Commission contacted County Counselor Potucek and advised him to take appropriate action, in consultation with Attorney Eye, on the county's behalf.

There being no further business, the Board of County Commissioners adjourned at 12:38 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.

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
January 10, 2005 9:00 a.m.

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

Economic Development Director Debra Teufel and staff member, Janis Hellard, met with the Commission. Director Teufel reported that an inquiry was received from the Department of Commerce for proposals regarding a new business site. The business would be a food processing plant and would create approximately 700 jobs. The site requirement was for 50 acres. Director Teufel discussed some of the needs of the proposal. She reported that the City of Wellington submitted a proposal. There were a total of ten sites submitted from Kansas with three other states also being looked at.

Director Teufel reported that a grant application was submitted for the Argonia PRIDE group last week. She also briefly discussed several other economic development projects and housing issues.

The Commission reviewed and unanimously approved the minutes for January 3 and 4. The minutes for the special session of January 6 were also reviewed and unanimously approved.

Al Reiss, of Reiss and Goodness Engineering, met with the Commission. Dennis Langlois, one of the Directors for the Peck Improvement District was also present. The status of the Peck Improvement District and the Community Development Block Grant was discussed. Mr. Reiss reported that the grant was awarded, but the Commission has not yet received the official notice.

Mr. Reiss then discussed the Slate Valley Sewer District. The plan to hold a third bid-letting for the project was discussed. It was determined that bids would be received until 11:00 a.m., on February 14, 2005. A pre-bid conference was scheduled for Feb. 7, at 1:00 p.m.

County Attorney William Mott met with the Commission regarding a personnel issue. The timeline for filling one of the legal secretary positions in his office was discussed. Attorney Mott requested authority to fill the position prior to the actual vacancy in order that the current staff member can provide some training. The Commission advised Attorney Mott to proceed with the hiring process and that they would make a decision regarding any starting date by January 18. Attorney Mott also advised an exact date was not yet finalized for his leaving the office.

Road and Bridge Director Melvin Matlock and Administrative Assistant Joyce Reynolds met with the Commission. Director Matlock submitted the annual agreement for the completion of the biennial bridge inspection for the Commission's approval. The agreement, with Cook, Flatt & Strobel for an amount of \$21,210, was unanimously approved.

Director Matlock discussed the status of the Transportation Revolving Fund loan through the Kansas Department of Transportation for the Belle Plaine South Road project. The annual payment for the loan would be approximately \$360,000 to \$390,000 annually for 13 years. The Commission had previously discussed using the funds currently paid for the existing bridge bonds for the loan payments. The bridge bonds pay off in 2006 and the payments for the revolving fund loan would begin in 2007. Director Matlock advised that further documents need to be prepared for the acceptance of the loan.

Director Matlock discussed a personnel issue. At 10:55 a.m., the Commission upon unanimous vote entered into executive session with Director Matlock until 11:15 a.m, to discuss non-elected personnel. Administrative Assistant Reynolds and County Clerk Shields also remained present. The Commission reconvened in open session at 11:12 a.m.

The Commission finalized a resolution declaring a State of Local Disaster Emergency for Sumner County. The disaster was declared on January 4, 2005, and remains in effect for a period of seven days. Resolution 2005-01 was unanimously adopted.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,318.50.

County Counselor Jack Potucek met with the Commission. The issue relating to the Juvenile Justice Authority funding was discussed. The issue is continuing to be researched.

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.

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
January 11, 2005 9:00 a.m.

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

The Commission reviewed Resolution 93-24, adopted in June 1993, regarding a smoking policy. The resolution allowed for designated smoking rooms or areas in county structures. The Commission unanimously reaffirmed that the designated smoking area for employees is the boiler room in the courthouse. The boiler room was designated a few years ago when the designated area used at that time was changed to office space.

The Commission met with Emergency Management Director James Fair and Technician Chris Ball. Director Fair was presented his Certified Emergency Manager certificate issued by the Kansas Emergency Management Association. Director Fair was congratulated and commended on his accomplishment. Director Fair was able to complete his certification within his first year of employment with the county.

Tony Rangel and Ray Stubblefield, of Law/Kingdon, Inc., met with the Commission regarding the Law Enforcement/Detention Facility project. Also present were Tom Ruggles, of Ruggles and Bohm, Maintenance Director Gary Yoder, Undersheriff Jerry Osborn, Court Security Officer Darrell Mayfield, and Henry Ancell. Tom Ruggles, civil engineer, first discussed details regarding the on-site drainage. The peak outflow rate from the retention pond will be 9 cubic feet per second. The existing run off at the same point is 38 cubic feet per second. The water that will be retained is significantly more than what would flow across the property now.

Henry Ancell expressed his concern with the water drainage. Mr. Ancell advised that he would like to see a tube extending half way across his property. Mr. Ancell believes with the building, there will be less absorption of the water before it reaches his property. The net increase to extend a tube would be approximately \$4,700. The Commission discussed the significant reduction in the water flow that was already planned. Mr. Rangel advised that a pipe could be put in at any time in the future. Commissioner Newell advised Mr. Ancell that he understood his concern, but with the reduced water flow does not see the need for the tube. After discussion, the Commission determined that, if an occurrence shows a need in the future, the installation of a tube would be considered. Mr. Ancell asked for the assurance that the county would resolve the problem, if it occurs.

Sheriff Gerald Gilkey now present.

Mr. Ruggles discussed details regarding Hillside Avenue. He reported on discussions he had with Wellington City Engineer Larry Mangan. The original plan called for chip-sealing the road. The possibility of paving the road and how the City and the Kansas Department of Transportation would be involved was discussed. Further details and information will be researched regarding the road.

Mr. Rangel reviewed the renovation for the courthouse portion of the project. The renovations to the court floor and the existing jail floor were discussed. The possibility, which was previously considered, of moving the County Attorney's office to a portion of the third floor was reviewed. Office space would have a lower occupancy and, according to the State Fire Marshal, could be allowed. The original intent was to move the offices and the law library to the existing Sheriff's building. To do so, there would be requirements under the American Disability Act (ADA) that would have to be met. The Sheriff's building could be used for storage and not require the ADA improvements. Mr. Rangel advised they were at the point to discuss the specific details of the courthouse work with the Director's of the offices involved. The Commission advised to proceed with those discussions.

Mr. Rangel discussed other issues found when researching the compliance work for the existing courthouse facility. Several problems were discovered with the existing waste system. The problems would not have to be addressed, but the recommendation of Law/Kingdon would be to address them. Other work will be done relating to the project and there might be a cost savings to accomplish all the work at the same time. The project funding can not be used for the additional work. Maintenance Director Yoder concurred that it would be best to address the other problems at this time. The Commission asked for confirmed estimates of the all the costs involved to complete the additional work.

Mr. Rangel also reported that the State Fire Marshal is requiring a temporary stair exit from the jail during the construction time for the new stair tower. A temporary scaffolding stair exit will have to be provided for approximately 120 days.

Health Department Director Vivian Wing met with the Commission. She reported there were three members of the Health Advisory Board whose terms are expiring. The Commission and Director Wing will research possible replacements for the three positions.

At 11:51 a.m., the Commissioners left with Road and Bridge Director Melvin Matlock to view a road in Wellington Township. The road is split with Seventy-Six Township and there is an issue with the ditches. The Commissioner returned at 12:36 p.m.

There being no further business, the Board of County Commissioners adjourned at 12:38 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.

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
January 18, 2005 9:00 a.m.

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

The minutes for January 10 and 11 were reviewed and unanimously approved.

The Commission took action to fill several vacant Township Officer positions. The South Haven Treasurer position was vacant due to no one filing for the position. The person who wrote in for the Trustee position and chose to accept that. The Guelph Treasurer position was vacant due to the person who was written in choosing not to accept the position. The Walton Clerk position was vacant due to the current office holder choosing to accept the Trustee position for which he was written in. Commissioner Gracy also advised that the individual written in for the Walton Treasurer position notified him that he did not wish to accept the position. Clerk Shields confirmed that no oath of office had been completed for the position. The following appointments were unanimously approved; Monte Stucky as Treasurer for South Haven Township, Doyle Wolf as Treasurer for Guelph Township, Curtis Goentzel as Clerk for Walton Township, and Garratt Locke as Treasurer for Walton Township.

Treasurer Carolyn Heasty met briefly with the Commission. She submitted a resolution declaring a peak depository period. The resolution is required due to the significant increase in the amount of funds that are deposited during the initial tax collection period. Resolution 20045-02 was unanimously adopted.

At 9:31 a.m., the Commission held a public hearing on Zoning Case No. 01PC-05. Planning and Zoning Director Jon Bristol, Assistant Director Mary Jenkins, Planning Commission member Ed Larson, and Sheriff Gerald Gilkey were present. The case was an application for a conditional use permit to build a motorized recreational park to include ATV's, 4x4 off-road racing. The applicant was Ronald L. Wolf, owner, and Henry Wolf Jr., Trustee Henry Wolf Living Trust, owner. The location is the west side of the road from 150th St South to 160th St South on Broadway Road. Director Bristol reported that there was no opposition voiced at the Planning Commission meeting. The Planning Commission, with 9 members present, recommended approval for a 2-year permit, at end of such time, resubmit Application to Planning Commission. The 2-year period was at Mr. Strickland's request. Commissioner Newell asked a number of questions regarding the plans for the park.

Mr. Strickland, who was present, provided details for the planned recreational park. He advised that he asked for the 2-year temporary period in order to assess the park at that time. Mr. Strickland said if the activities at the park become a burden on law enforcement, the township, or local Emergency Medical Services, the park may be ended. He also addressed safety and noise concerns. The possibility of the track eventually becoming a championship track for organized racing was discussed. After discussion, the Commission unanimously approved Case No. 01PC-05.

The Commission met with Health Department Director Vivian Wing. At 10:01 a.m., upon unanimous vote the Commission entered into executive session with Director Wing until 10:45 a.m. to discuss non-elected personnel. At 10:45 a.m., the Commission upon unanimous vote extended the executive session for ten additional minutes. At 10:54 a.m., the Commission reconvened in open session.

Genelle Linnes talked with the Commission by telephone. She advised that she was calling on behalf of the residents of the Whitetail Ridge area just northeast of Wellington. She reported that the City of Wellington had agreed that a fire hydrant could be installed in the area, if one was purchased by the residents. The total cost would be \$3,600. The option was available due to a new water line that would be installed through the area. Ms. Linnes inquired if the Commissioners would consider purchasing the hydrant or covering a portion of the cost. Commissioner Bongiorno expressed that he was not in favor using county dollars. There could be other locations across the county that might fall into the same situation and the county could not afford to do it for everyone. The direct benefit that the residents of the area might receive relating to insurance costs was also discussed. Commissioners Newell and Gracy advised that they would like to further consider the request during the week before making a final decision.

Henry Ancell met with the Commission. He discussed additional concerns with the drainage for the Law Enforcement and Detention Facility site. Mr. Ancell contended that, with the culvert planned to be installed, there would be additional drainage from the north side of Hillside Road. The drainage currently flows down the ditch. The Commissioners and Sheriff Gerald Gilkey, who was present, discussed the issue. The information presented last week where the water flow onto Mr. Ancell's property would be reduced from what presently occurs was talked about. The Commission advised that they would have Mr. Rangel, of Law/Kingdon, meet further with Mr. Ancell to review the issue.

Sheriff Gerald Gilkey met with the Commission. Also present were Undersheriff Jerry Osborn, Chief Deputy Mike Yoder, and Detentions Supervisor Steve Colwell. Sheriff Gilkey submitted revised job descriptions for a number of the positions within his department. Those individuals that were hired just prior to the merit freeze that was set in 2003 were discussed. At 11:31 a.m., the Commission entered into executive session with Sheriff Gilkey until noon to discuss non-elected personnel. Undersheriff Osborn, Chief Deputy Yoder, and Detentions Supervisor Colwell remained present. County Clerk Shields was also asked to remain present, which he did. The Commission reconvened in open session at 11:46 a.m.

Sheriff Gilkey discussed a staffing level issue involving a specific individual in the position. At 11:47 a.m., upon unanimous vote the Commission entered into executive session until noon to discuss non-elected personnel. The Commission reconvened in open session at 11:51 a.m.

Sheriff Gilkey discussed the assigned staffing level of the part-time Deputy position. Chief Deputy Yoder provided information regarding the costs involved for overtime of regular personnel. If an additional part-time Deputy position was authorized, it would provide an overall cost savings. The individual in the existing part-time position is limited on the hours of availability. Sheriff Gilkey advised that the additional part-time position could be covered by existing funds budgeted for part-time hours. The part-time position would also only be utilized when there would be a need. The use of the part-time would reduce the amount overtime expense. After discussion, Commissioner Newell advised he would support the request, but the cost savings must be documented and available for review. The Commission unanimously approved one additional part-time Deputy to the Department's staffing level. The Commission also unanimously approved the revised and new job descriptions that were reviewed.

Planning and Zoning Director Jon Bristor met with the Commission. He introduced Bob Medina, of the Kansas Department of Health and Environment, who provided a brief overview of the Solid Waste Dumpsite program through the State. Sumner County has not previously participated in the program. Planning Commission Ed Larson, who was present, advised that the program would have to be reviewed as to how it interacts with the county's existing environmental regulations. Mr. Medina's visit with the Commission to review the program was due to the State receiving an anonymous complaint of a dump site. The Commission advised that they would further review the program and the financial responsibility of the County in the program.

The Commission recessed for lunch at 12:30 p.m.

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

The Commission reviewed an application for license to retail cereal malt beverages submitted by Ron Daerr. The actual business locations would be the Suppesville Golf Course. Clerk Shields advised that notice was sent to the Eden Township Board and the response from the Board recommended approval. The Commission unanimously approved the application and directed the Clerk to issue a license.

County Counselor Jack Potucek met with the Commission. The on-going issue relating to the Juvenile Justice Authority (JJA) funding was discussed. Correspondence was sent to Denise Everhart, Commissioner for JJA. Ms. Everhart has had contact, by telephone, with both District Court Judge Thomas Graber and Community Corrections Director Lou Bradbury. Further meetings will take place to attempt to resolve the issue.

Road and Bridge Director Melvin Matlock met with the Commission. He reported on an accident that occurred in the morning with one of his department's vehicles. The county vehicle was the only one involved and there was no serious injury.

Director Matlock discussed the Revolving Fund Loan from the Kansas Department of Transportation for the Belle Plaine South Road project. He advised the documents would be prepared for next Monday and wanted to confirm with the Commission to proceed. As discussed last week, the existing bridge bonds pay off in 2006 and payments for the revolving loan would begin in 2007. The Commission advised Director Matlock to proceed.

Director Matlock submitted a lease agreement for a tract of land for the stock piling and mixing road asphalt and parking of county road machinery. The agreement is renewed annually. The Commission unanimously approved the agreement and it was signed.

Treasurer Carolyn Heasty met with the Commission. She provided a report regarding county funds. For 2004, interest earned on CD's, General Fund Municipal Investment Pool (MIP) account, and county bank accounts was \$106,765.77. The amount was \$28,765.77 above what was expected. Interest earned on Bond Proceeds at the MIP for October and November was \$15,005.36. December's interest was \$15,193.26. For 2004, \$136,836.88 was received in local sales tax and compensating use tax. Treasurer Heasty also reported that for the December tax season, 55% of taxes billed were collected.

The Commission met with Planning and Zoning Director Jon Bristor. An issue relating to a zoning case regarding a cellular phone tower was discussed. Director Bristor explained the steps that occurred in the case history. The Commission contacted the property owner involved, Mrs. Wayne Harrold. Commissioner Bongiorno recommended to her that she contact the representative for the wireless company involved and confirm that the company wished to continue with the zoning application.

Tony Rangel, of Law/Kingdon, talked with the Commission by phone. He reported that Road and Bridge Director Matlock had contacted him per the Commission's request and the moving of dirt for the detention facility site was discussed. Director Matlock confirmed that his department could accommodate the moving of the dirt. The Commission unanimously approved for Road and Bridge to assist.

The Commission received a proposal from Parman, Tanner, Soule & Jackson for the examination of the financial statements of Sumner County for the year ended December 31, 2004, and preparation of the budget for 2006. The proposal was unanimously approved and signed.

The Commission reviewed and unanimously approved the claims for the mid-January in the amount of \$218,614.80.

There being no further business, the Board of County Commissioners adjourned at 4:30 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.

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
January 24, 2005 9:00 a.m.

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

The minutes for January 18 were reviewed and unanimously approved as amended.

The Commission contacted Genelle Linnes by telephone. Her request made last week, on behalf of the residents in the Whitetail Ridge area, regarding a fire hydrant was discussed. The Commission informed Ms. Linnes that their decision was that the county should not become involved in the purchase of the fire hydrant for the area. It would be setting a precedent that could be raised for other locations.

The Commission unanimously authorized that one of the Legal Secretary positions in the County Attorney's office could be filled prior to the actual vacancy. Doing so would allow an overlap in the position of one week for training.

Health Department Director Vivian Wing met with the Commission. She reported that the employee that had been under the leave of absence had resigned. Due to the resignation, there is now a vacant Certified Home Health Aide position. Director Wing proposed transferring an existing part-time Homemaker to the available position. The Commission unanimously approved the transfer. Director Wing also reported that the individual in the Bio-Terrorism Coordinator position had resigned. She advised she did not, at this time, plan on replacing the position.

Director Wing discussed the three individuals recommended for the three vacant positions on the Health Advisory Board. The Commission unanimously approved the appointments of Carol Hisken, Edna Nispel, and Gerald Bales to the Advisory Board.

The Commission conducted their reorganization. Commissioner Bongiorno moved that Commissioner Gracy serve as Chairman for 2005 and that he remain as Vice-Chairman. Commissioner Newell seconded the motion and it passed unanimously.

The Commission met with Maintenance Director Gary Yoder regarding invoices for regular maintenance of the elevator at the Slate Creek Good Samaritan Center. The Commission had received correspondence from Slate Creek regarding the invoices. Director Yoder advised that the December invoice had already been paid. The January bill had not been paid, as the county had not received the invoice.

At 11:07 a.m., the Commissioners visited the Register of Deeds office. Register of Deeds Joyce Lowe had invited the Commission for a tour of her office. She explained the work and responsibilities of her offices and staff. She reviewed some of the special projects that her office is attempting to complete when time allows. The Commissioners returned to the Commission chambers at 11:37 a.m.

The Commission reviewed several personnel action requests submitted by the Sheriff. The Commission unanimously approved an adjustment to the assigned staffing level. One of the existing Deputy positions was changed to the newly created Transportation Officer position.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$5,853.52. Prior year orders were also unanimously approved for \$69.50.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
January 25, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields.

The Commission reviewed an application for license to retail cereal malt beverages submitted by Dean Bruey d/b/a Sokol Hall. County Clerk Shields advised that the required notice was sent to the Township and their response was received recommending approval. The Commission unanimously approved the application and directed the issuance of a license.

County Counselor Jack Potucek met with the Commission. He provided brief updates on several items. He reported that preparations for the next tax sale are proceeding.

Tony Rangel, of Law/Kingdon, Inc., met with the Commission. Sheriff Gerald Gilkey was present and Counselor Potucek also remained present. Mr. Rangel submitted a proposal for engineering services for sanitary waste pipe replacement for an amount of \$1,830. The Commission had asked for the proposal relating to the need for additional waste line work that was discovered and recommended by Law/Kingdon and Maintenance Director Gary Yoder. Having the work performed at the same time of the stair tower would provide some cost savings. The cost for the actual plumbing work was estimated to be approximately \$5,000, although, bids would be taken if the work is approved. The Commission unanimously approved the proposal and it was signed by the Chairman.

Mr. Rangel advised that the hearing with the City for the final plat was scheduled for tonight. He reported on the continuing discussions with the City's Engineering office regarding improvements to Hillside Road. The platting says that the road will be paved. Indications from the Engineering office are that the road will be required to be asphalt. Mr. Rangel advised that the original plan included a chip sealed road and there had never been any indication in the initial talks that chip seal would not be sufficient. The Engineering office had also indicated that, if the County would asphalt the road, the City would extend the asphalt approximately 400 ft. to the east of the county property. The City would then annex the road and assume road maintenance. The road is currently a Township road. Other issues relating to ownership and the existing paved portion of the road were discussed. The road issue will continue to be further researched and discussed.

Mr. Rangel reported on the status of the compliance work for the courthouse. The final plans should be completed in about two weeks and then the permitting process would begin. Constructions should begin around May 1st and they are attempting to move the start date to April 1st.

The Commission met with Sheriff Gerald Gilkey. At 11:45 a.m., the Commission upon unanimous vote entered into executive session with Sheriff Gilkey until noon to discuss non-elected personnel. At noon, upon unanimous vote the Commission extended the executive session until 12:10 p.m. County Clerk Shields was requested to remain present, which he did. The Commission reconvened in open session at 12:04 p.m.

The Commissioners recessed for lunch at 12:32 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

The Commission reviewed and unanimously approved current year tax abatement orders for \$1,624.40 and prior year orders for \$3,104.48.

The Commission reviewed and unanimously approved claims for the end of January in the amount of \$575,662.28.

Randy Struble talked with the Commission by phone. He inquired if the county would approve a sewer district for a location in the county. Mr. Struble wished to construct a home along with a second home for a family member. He would also possible develop the area in the future. The Commission advised that a number of steps have to be taken to form a sewer district. They recommended that he contact an engineering firm and consider the steps and what cost may be involved.

There being no further business, the Board of County Commissioners adjourned at 2:46 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
January 31, 2005 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorno Jr., Commissioner Jim D. Newell, 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 24 and 25.

Bruce Moreau, Administrator for Slate Creek Good Samaritan Center, and Randy Fitzgerald, Regional Director for the Good Samaritan Society, met with the Commission. Maintenance Director Gary Yoder, Slate Creek Building Superintendent Tom Rathbun and County Counselor Jack Potucek were also present. Mr. Fitzgerald requested an executive session to discuss non-elected personnel. Counselor Potucek provided his legal opinion that an executive session would be permissible.

At 10:05 a.m., Commissioner Bongiorno moved to enter into executive session until 10:30 a.m., with all parties present to discuss non-elected personnel. County Counselor Potucek and County Clerk Shields were asked to remain, which they did. At 10:30 a.m., the Commission by unanimous vote extended the executive session to 11:00 a.m. County Clerk Shields left the meeting at 10:52 a.m. The Commission reconvened in open session at 10:57 a.m.

Regional Director Randy Fitzgerald submitted a proposed amendment to the existing lease agreement between the Evangelical Lutheran Good Samaritan Society and the county. The amendment affects Section 7 regarding repair and maintenance of leased premises. The Commission advised that they would consider the proposal.

County Treasurer Carolyn Heasty met with the Commission regarding an equipment issue. She provided an update on two financial issues. She reported that the January sales tax distribution received was for the amount of \$150,486.50. That amount was for the period of December 15 to January 15. The other issue related to investment bids received.

Treasurer Heasty discussed a proposal regarding two items of equipment. The first item was a laser printer for the printing of tax statements and other documents. She discussed the need for a dedicated system printer and the problems experienced with the printer/copiers obtained by the Information Services department. Clerk Shields concurred with Treasurer Heasty's comments regarding the need and the problems. Treasurer Heasty advised that the printer could be used for the Clerk's election documents, if the need arose. The second item discussed was a scanner with the capability of duplexing. Bids were obtained for both items from Infinitec, Inc. Infinitec also provides the tax administration and election management software. Treasurer Heasty advised that she had sufficient funds available in her equipment reserve fund. The Commission gave their unanimous approval for the two items.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,748.94.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
February 1, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields.

The Commission reviewed a resolution authorizing the filing of an application with the Kansas Department of Health and Environment for a Loan under the Kansas Water Pollution Control Revolving Fund Act. It authorized the Commission to file an application on behalf of the Slate Valley Sewer District for a loan to aid in the construction of Wastewater System Improvements. Al Reiss, of Reiss and Goodness Engineers, had left the resolution for the Commission to adopt once a new Chairman was named. Mr. Reiss is the engineer involved in the project. The Commission unanimously adopted Resolution 2005-04.

At 9:15 a.m., the Commissioners recessed for a short time. They viewed the parking area just to the south next to the Sheriff's Department. The pavement has buckled and repairing the areas was considered. The Commission advised that they would ask Road and Bridge Director Melvin Matlock to view the area.

Tony Rangle, of Law/Kingdon Inc., met with the Commission. Also present were Tom Ruggles, of Ruggles and Bohm, and Road and Bridge Director Melvin Matlock. Mr. Rangle reported that they had met earlier with Wellington City Engineer Larry Mangan and Director of Public Works Rod Conwell to review the developer's agreement for the Law Enforcement Detention Facility. The final plat for the site is pending the completed agreement. Mr. Rangle advised they would like to resolve any issues relating to the agreement within the next couple of weeks. Four main areas of the agreement were discussed. Some of the areas contain portions that are usually covered by the city in developer situations.

Mr. Rangle reviewed four areas, which were the sanitary sewer, electric service, water service, and Hillside Avenue construction. The sanitary sewer improvements to serve the facility would be paid 100% by the county. The cost would be approximately \$24,000. The electric service, or providing primary extension, is usually funded 100% by the City. Although, due to the length of the extension in this case, the City advised they wished to further review the matter. The total cost was estimated to be \$19,000. Mr. Rangle described the water service in four parts.

The water service portion was described as the 10 inch main extension, associated valves, loop connection, and on-site service line. The associated valves and loop connection would be funded by the city. The 10 inch main extension was originally discussed as being a 50/50 split with the city at a total estimated cost of \$66,000. Mr. Rangle advised that the city was now indicating that it would need to be funded 100% by the county. He said a 50/50 split was done in the past with the school district, commercial businesses, and housing developments, but the city indicated the policy was being changed.

The fourth item discussed was the Hillside Avenue construction. Mr. Rangle reported that three options had been discussed in the earlier meeting with the city. All of the options included asphaltting at least a portion of the road. It was determined that further discussion needs to take place regarding the road, water service, and electrical service. Mr. Rangle advised he would attempt to schedule a meeting with Wellington City Manager Carl Myers and the Commission for next Tuesday.

Wellington Township Trustee Pete Gaskill met with the Commission. He submitted a letter from the Township Board. In the letter Township Treasurer Kerri Peterson and Township Clerk Paul Horsch both indicated that they had moved out of the township and, therefore, both resigned from their positions. Ruth Ann Nugen was recommended for the Treasurer position and Rachel Shepard Hearlson was recommended for the Clerk position. The Commission unanimously accepted the recommendations and the appointments were unanimously approved.

The Commission left to attend a luncheon meeting with the Sumner County Farm Bureau Board members at the Wellington Steakhouse. County Clerk Shields also attended.

The Commission met with the Sumner County Farm Bureau for a luncheon meeting. Farm Bureau held the meeting in order for board members to become acquainted with their local elected representatives. Dennis Metz provided information regarding the Farm Bureau organization and history. The Commissioners were then asked to review items and/or issues the county is dealing with or is expected to have to deal in the future. The Law Enforcement Detention Facility project, the status of the proposed Harper County landfill, and taxation issues were among the topics discussed. Mr. Metz offered that the Farm Bureau would be willing to work with the Commission on future legislative issues affecting the county.

There being no further business, the Board of County Commissioners adjourned at 1:40 p.m. from the luncheon meeting.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
February 7, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. 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 31 and February 1.

Chairman Gracy reported that he received a recommendation from the Avon Township board members to appoint Todd Herrington to the vacant Township Treasurer position. After discussion, Todd Herrington was unanimously appointed to the position.

County Appraiser Della Rowley met with the Commission regarding the International Association of Assessing Officers (IAAO) Conference. She advised that she had budgeted to attend the annual conference in 2005. The location this year is in Anchorage, Alaska, and the cost for attendance would be approximately \$1,800. The budgeted funds are sufficient, although, she reported she is applying for two grants. One of which would cover the registration cost of \$450 and the other would cover the airfare of approximately \$600 or at least a portion of it. The conference provides some of the required education for Appraisers. Appraiser Rowley advised she had not budgeted for the conference in the past two to three years due to the severe budget concerns. The Commission voiced their support for educational opportunities, although, they had some concern due to the location. They inquired if she believed the value of the training justified the expense. Appraiser Rowley expressed her belief that it would be. The Commission voiced their hope that the grants could be obtained in place of budgeted funds.

Emergency Management Director James Fair met with the Commission. He briefly discussed an equipment issue. Director Fair also discussed reorganizing the volunteer program and establishing a structured system. There would be two levels of participation for volunteers. One level would be Community Emergency Response Teams or C.E.R.T. A second level would be a Volunteer Corps. Volunteer Corps members would receive additional training and it would be in specialized areas. A structured system would better address safety and liability issues. Director Fair provided the Commission a copy for review of the proposed structure for Emergency Management volunteers. The Commission asked that he also review the proposed plan with the E911 Director and the Sheriff.

The Commission discussed an appointment to the Planning Commission. Resolution 2005-05 appointing Bridget Bowman to the Planning Commission was unanimously approved.

County Clerk Shields reported to the Commission that the State had concluded the Central Voter Registration (CVR) project with Accenture by agreement. Accenture was the company selected to provide the CVR system by 2006 that is required by the Help America Vote Act. The press release stated that the Secretary of State's office would work under the state purchasing guidelines to negotiate a contract with a different vendor to complete the work of HAVA. Clerk Shields advised that until a new vendor is selected and specific details become available, it is unknown what the financial impact for the county will be.

County Counselor Jack Potucek met with the Commission. The status of the proposed Harper County landfill was discussed. Counselor Potucek had received correspondence from Attorney Robert Eye. The Kansas Department of Health and Environment (KDHE) has commenced the application review process. Attorney Eye confirmed that the hydrologist report commissioned by Sumner County was previously submitted to KDHE and it should be one of items reviewed in the application process. The Commission discussed how to best ensure consideration of the report. The Commission asked County Counselor to coordinate with Attorney Eye to take any necessary steps to ensure review.

Road and Bridge Director Melvin Matlock met with the Commission. He discussed the radio tower owned by the county at Riverdale. Road & Bridge is the only department still using the tower. Director Matlock discussed issues with the tower and problems during the last ice storm. Kreifels Communications has space available for no cost at another location. There would also be a second location available as a back up at a cost of \$400 per year. The

current tower cost is \$600 per year. The cost to move to the new tower would be approximately \$3,500. The Commission authorized the move.

Director Matlock also discussed the existing purchasing policy for the county. The policy requires bids for purchases over \$5,000 unless an emergency exists and unless bids are not available. Director Matlock recommended that the limit be based on a percentage of the involved department's overall budget. How that would affect other departments was considered. The Commission advised that they would consider the request.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$2,563.76. Prior year orders in the amount of \$110.90 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
February 8, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission met with Wellington City Manager Carl Myers and City Engineer Larry Mangan. Also present were Tony Rangle, of Law/Kingdon, Inc., Tom Ruggles, Ruggles & Bohm, County Counselor Jack Potucek, Sheriff Gerald Gilkey, Road and Bridge Director Melvin Matlock, and Undersheriff Jerry Osborn. Mr. Rangle explained the purpose of the meeting was to bring the parties involved together to discuss the utility extensions and road service. The City's development policy, which was changed last week by the City Council, was discussed. The unexpected change would affect the Law Enforcement Detention Facility project. Sheriff Gilkey advised he had spoken with a number of the City Council members and indications were that discussion could be reopened on the issue.

City Manager Myers explained how the City's financial situation has changed over the past two to three years. There are currently four housing projects possible for the city. The city has to consider how it can afford those developments with following the policy. He said the city has been looking at a change for some time. Commissioner Bongiorno asked what kind of return the city receives on utilities.

Mr. Myers explained that the city has a combined utility fund of water, sewer, and electric. There is not a sufficient return on water and sewer to cover the capital investment. Capital investment for electric can be recovered through electric rates. Commissioner Newell noted the approximate \$53,000 in utilities paid over the last year for just the courthouse. It was mentioned that the City should experience revenue from the utility use of the new facility. That utility use would be for the life of the facility. The other benefits and revenues that actual housing developments provide were also discussed. Chairman Gracy expressed concern that the project had been in planning for over a year and the possibility of a change in the development policy was never mentioned.

Mr. Myers advised that the City had a work session scheduled for Thursday evening, February 10, to discuss the development policy. Council members would be present and it would be their decision if they wish to further discuss the change that was made. The session would be open to the public. Counselor Potucek recommended that the architects work with city staff to finalize what the cost would have been to the city under the previous development policy. Knowing that amount would be helpful to all the parties involved. Mr. Rangle also noted that the utility extensions would not have to be done until 2006. Commissioner Bongiorno said he hoped a conclusion could be reached that is in good faith in what was initially discussed in the planning stages.

Discussion was then held regarding Hillside Avenue. As previously discussed in past meetings, initial planning included a chip seal surface to meet the City's requirement for a paved surface. Recent discussions were held where variations of an asphalt surface were considered for the road or portions of it. The costs involved, who would participate, and who would assume maintenance were also items discussed. City Manager Myers said there was no compelling reason, at this time, for the City to participate in the paving of the road or annexing it. Various options were discussed to meet the platting requirements and provide a road surface that will meet the needs of the facility. After lengthy discussion, it was determined that the county would proceed in planning a road surface to meet the minimum platting requirements. Chairman Gracy asked Mr. Myers if he would confirm what the City Council's interest would be regarding the road. If there would be future interest in annexing the road, it could be a factor in determining what is done now.

Mr. Rangle and Undersheriff Osborn advised that they would attend City's work session on Thursday evening.

The Commission met with Information Services Director Doug Stice. At 11:15 a.m., the Commission entered into executive session with Director Stice until 11:30 a.m. to discuss non-elected personnel. The Commission reconvened in open session at 11:30 a.m.

County Attorney Shawn DeJarnett met briefly with the Commission. He advised that he was not fully aware of the remodeling plans involving his office, but he wanted to express his opinion that consolidating his office space would be extremely beneficial and increase the efficiency of operations. Currently the County Attorney and Deputy County Attorney are on different floors of the courthouse.

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

Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins met with the Commission. Director Bristor submitted a prepared resolution of the fee schedule for the Planning-Zoning-Environmental Health Department. He reported that no fees were increased, but some revisions were made to better explain specific areas. The field appraisal fee will now include one follow-up inspection at no additional cost. After discussion, the Commission unanimously approved Resolution 2005-06.

Keri Row met with the Commission regarding a tax issue. Also present were County Treasurer Carolyn Heasty, County Appraiser Della Rowley, and Personal Property Deputy Appraiser Dannetta Cook. Mrs. Row explained that their mortgage company had been given incorrect tax information from the Treasurer's office regarding a piece property they own. She cited the problems it caused and wanted to confirm that the problem would not occur again. Treasurer Heasty advised that the phone logs maintained in her office indicate that the mortgage company was given the correct information for the property they inquired about. The tax identification number for the actual property involved had an additional letter in the designation. Discussion was held as to where an error, if any, had occurred and the process of providing information to the numerous mortgage companies that call. After discussion, Commissioner Newell apologized to Mrs. Row for any inconvenience created, but said there was no way in this instance to confirm where any mistake had occurred.

The Commission met with Emergency Management Director James Fair. The proposed guidelines for the volunteer organization were further discussed.

Treasurer Heasty met with the Commission. She reported on a phone call received from Jack Row regarding the meeting with the Commission a short time earlier.

The Commission received a request from the American Cancer Society to waive the fee for use of the Raymond Frye Complex for a Relay-for-Life event. The Commission unanimously approved waiving the fee.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$2004.76. Prior year orders in the amount of \$100.92 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 3:12 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
February 14, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Gene Bongiorno Jr. was not present as he was attending a meeting of the Regional Economic Area Partnership (REAP) in Wichita.

The Commission reviewed and unanimously approved the minutes for February 7 and 8.

Sheriff Gerald Gilkey submitted a report regarding January activities. There were 11,276 transport miles with 220 man-hours on the road. There were 564 civil process papers served. Persons booked into jail for January were 101 and the Sheriff's office took 315 reports. Sheriff Gilkey also reported several final numbers for 2004. There were 1,067 jail bookings. Transport miles were 101,653 with 2,101 man-hours. There were 98 Sheriff sales conducted in 2004.

Commissioner Bongiorno arrived from the REAP meeting at 10:05 a.m.

Tony Rangle, of Law/Kingdon, Inc., met with the Commission. Also present were Sheriff Gerald Gilkey, Road and Bridge Director Melvin Matlock, and Undersheriff Jerry Osborn. Mr. Rangle discussed the work session meeting held Thursday evening by the Wellington City Council and staff. Mr. Rangle and Undersheriff Jerry Osborn had attended the meeting. The change in the City's development policy was discussed at the meeting. It was determined that the City's participation in the water line portion of the Law Enforcement/Detention Facility project, under the previous development policy, would be an estimated \$31,752. The proposed decision made by the City officials present was that the County project would be grandfathered in under the previous policy. Mr. Rangle reviewed other details involving the water line project. The county will also be accomplishing a connection during the project that will be beneficial for the city. Counselor Potucek advised he had a proposed development agreement submitted by city staff. The intent is to finalize the agreement in order for city staff to submit it at the Wellington City Council meeting tomorrow evening.

Wellington City Engineer Larry Mangan entered the meeting.

Mr. Rangle reviewed the location of utility extensions on the specific site. How the location chosen would affect the long-term future expandability options, if ever needed, for the site was considered. The decision was unanimously made to relocate one of the extensions from the original plans. The configuration of Hillside Avenue was also discussed. Mr. Mangan advised that whatever the county and township can work out regarding maintenance would be acceptable to the city. The city had no plans, at this time to annex the road. Chip sealing the road from US81 to the east entrance of the county property would be an option. It was determined that Road and Bridge Director Matlock will discuss the issue with Wellington Township and Kansas Department of Transportation officials regarding the future maintenance of the road.

Al Reiss, of Reiss and Goodness Engineers, met with the Commission at 11:15 a.m. The sealed bids for the construction of the sanitary sewer improvements for SlateValley Sewer District were scheduled to be opened. County Clerk Shields provided the Commission with two bid packages that were received. One was from the Middlecreek Corporation, of Peabody, and the other was from Duling Construction Co. Inc., of Wichita. A representative of the Middlecreek Corporation was present. Each of the bids were opened and given to Mr. Reiss. He reviewed the bid amounts for the specific items listed. The Middlecreek bid was \$194,492.50 and the Duling bid was \$253,915. The engineer's estimate for the project prepared by Mr. Reiss was \$93,232.50. Mr. Reiss advised that he would like to review the bids submitted to confirm the calculations. Alternatives to gain additional funding for the project were discussed. Mr. Reiss advised that other funding options were limited. He also advised that he would meet with residents of the District area.

Mr. Reiss submitted a project exemption certificate for the Commission's approval. A new certificate needs to be completed since the Commission Chair has changed. The exemption certificate was unanimously approved and the Chairman was authorized to sign it.

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

The Commission reviewed the claims for several months submitted by the Community Corrections Department. The following claims were unanimously approved; October \$23,306.02, November \$23,152.73, December \$31,641.95 and January \$24,156.31.

The Commission reviewed the proposed Developer Agreement between the City of Wellington and Sumner County. The Commission unanimously approved the agreement and it was signed. It will be given to County Counselor Potucek to provide to the City officials for their signature.

County Clerk Shields inquired about the use of the Raymond Frye complex. The company that provides the central count ballot machine and the ballot definition software the county uses has asked if our county would be willing to hold a regional meeting. The purpose of the meeting is to provide information on some of the new election systems that will meet the requirements of the Help America Vote Act. Election officials from the region would be invited to attend the meeting. The Commission unanimously agreed to waive the fee.

Register of Deeds Joyce Lowe met with the Commission. She reported that copying of the school records has been completed. All of the records are now on compact disk and available for public access in her office.

Register of Deeds Lowe also discussed a personnel issue. She submitted a proposal to move her Deputy position from a pay level of 4 to 6 and her Clerk position from 3 to 4. She advised that the comparison she completed of 14 similar counties showed the pay levels should be increased. Register of Deeds Lowe reported that she had included sufficient funds for the increase in her 2005 budget. She also noted the revenue generated from copying fees in her office. The Commission discussed the proposal. Commissioner Bongiorni noted that the revenue generated from any specific department should not be a factor in the decision. Some departments have the opportunity to generate revenue and some others do not. The Commission determined that they would further review the proposal before making a decision.

The Commission reviewed and unanimously approved the mid-month claims for February in the amount of \$455,175.19

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$382.96.

There being no further business, the Board of County Commissioners adjourned at 2:27 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
February 15, 2005 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 Eldon Gracy and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Jim Newell was not present due to illness.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$855.28. Prior year orders in the amount of \$50.74 were also unanimously approved.

Road and Bridge Director Melvin Matlock and Engineering Superintendent Nita Simonton met with the Commission. He submitted three agreements for the Commission's approval and signature. The agreements, between the Burlington Northern and Santa Fe Railway Company (BNSF), Sumner County, and the Kansas Department of Transportation, relative to the construction and maintenance of Highway Crossing Signals. The crossing locations are Morris, Perth, and Skyline Drive. The agreements are not related to the most recent requests from BNSF regarding railway crossings.

Dusti Fansler, of the Wellington Daily News, met with the Commission. Several topics were briefly discussed including the Law Enforcement/Detention Facility project, the proposed Harper County landfill, and the recent zoning case for a motorized recreational park near South Haven.

Several members of the Tri-County Concerned Citizens group met with the Commission. Those present included Tom Wedman, President of the group, Lee Van Gieson, Bonnie Van Gieson, Bill Holden, and Royce Cook. The group opposes the proposed Harper County landfill. County Counselor Jack Potucek and Dusti Fansler, of the Wellington Daily News, were also present. Commissioner Bongiorno inquired Mr. Wedman's phone number and asked that it be included in the minutes in case other concerned citizens wished to contact the group. Mr. Wedman advised his phone number was 620-896-7372.

Mr. Wedman first reviewed some history relating to the landfill issue. He reported that the Concerned Citizens group has been able to stall the process of starting the landfill for about four years through the courts. During that time three pro landfill Harper County Commissioners have been removed. There are now three new Commissioners that will do whatever they can do to stop the landfill. Mr. Wedman advised that the Harper County Commission has also retained a new attorney, Randy Rathbun, that is currently reviewing the host agreement. Mr. Cook read a copy of a letter that Representative Bill McCreary had just recently sent to the KDHE Secretary. In the letter, Mr. McCreary encouraged the KDHE to review the hydrologist report commissioned by Sumner County.

County Counselor Potucek reviewed the actions taken by Sumner County. Attorney Robert Eye was retained regarding the issue and an independent hydrologist report was commissioned. The independent report cites technical concerns not addressed by the report submitted with the application. The current status of the landfill is that the State has reopened its consideration of the application. Sumner County is taking steps to assure that the independent hydrologist's report is considered. If the application is successful and approved by KDHE, the next recourse would be into the District Court. The Sumner County Board of County Commissioners have paid for the hydrologist report and the fees for Attorney Eye. Counselor Potucek advised that Sumner County is taking the best steps available at this point. He advised that Attorney Eye has been made aware that, if the application is approved, the Commission may determine to proceed to the next legal recourse available.

There being no further business, the Board of County Commissioners adjourned at 11:52 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
February 22, 2005 10:56 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commission Chairman Eldon Gracy was not present due to attending a funeral. The meetings scheduled for the morning had been canceled due to the expectation that Commissioner Newell was not going to be present due to illness.

The Commissioners recessed for lunch at 11:56 a.m.

The Commissioners reconvened in open session at 1:30 p.m. Commission Chairman Eldon Gracy was now present.

The minutes for February 14 and 15 were reviewed and unanimously approved with one amendment.

The Commission received correspondence from Sumner County Fire District No. 9. The letter informed the Commission of the resignation of Lynn Oelkers from the Fire District Board. The Board recommended the Ken Winters to fill the position. The Commission unanimously appointed Ken Winters to the Fire District No. 9 Board.

The Commission reviewed an application to Retail Cereal Malt Beverage submitted by Dennis and Michelle Langlois for the Peck General Store. The Township Board had recommended approval of the application. The Commission unanimously approved the application and authorized the issuance of a license.

Freeman Dillard and Richard Claypool met with the Commission regarding a tax issue for the Caldwell Saddle Club. Appraiser Della Rowley and staff member, Greg Evans, were also present. Mr. Dillard explained that the taxes for the Saddle Club increased from \$50.90 to \$2,813.22 due to a classification change to commercial property. The Saddle Club can not afford that amount of taxes and remain in existence. The reason for the change, the use of the grounds, and how other saddle clubs were affected were discussed. Appraiser Rowley explained that she is required to follow State guidelines and that they were followed. Whether she agrees with them or not, she has no power to change them. Appraiser Rowley advised that there was a possible exemption that the Saddle Club could apply for through the State Board of Tax Appeals. Forms were available in her office and her office would assist Mr. Dillard in completing them.

Road and Bridge Director Melvin Matlock met with the Commission. The roads that the Commission had been asked to view in Palestine Township were discussed. The road area involved has been discussed previously. Director Matlock was asked to contact Jeff Hatfield, the Township Trustee.

Karen Moore, Court Service Officer, met with the Commission. She explained that she is attempting to create a Driving Under the Influence Victim's Panel for Sumner County. It is an educational program that DUI offenders and some juvenile offenders are required to attend. At this point in time, the panel would be conducted about once every three months. Officer Moore advised that Deputy John Bevan had volunteered to provide security for the meetings as a contribution. She inquired about possible locations to use for the panels. Use of one of the courtrooms or the Raymond Frye complex was considered. The Commission also inquired if the Mental Health meeting room might be an option. After further discussion, it was determined that Officer Moore would check on the Mental Health location. If it could not be used, she will return to the Commission. The Commission voiced their support of the panel.

The Commission discussed the proposal regarding personnel submitted last week by Register of Deeds Joyce Lowe. The Commission unanimously approved moving the Deputy position from pay level 4 to 6. They unanimously approved a change in an existing job description to the title of Clerk/Recorder and for placement on pay level 4.

Appraiser Della Rowley met with the Commission. She reviewed the work that Kimball Mapping has performed regarding the Geographic Information System project. Kimball Mapping has done more work than what was originally contracted in order to correct errors made by the previous vendor. The increased work has been estimated to be approximately a \$3,000 cost. Appraiser Rowley also cited other unplanned work that has been completed at no additional charge. After discussion, the Commission unanimously approved the additional payment of \$3,000.

Palestine Township Trustee Jeff Hatfield talked with the Commission by phone. The procedures for vacating a road were discussed. Mr. Hatfield will submit a request on behalf of the Township for vacating a portion of a road. Once the request is submitted, the required steps for public notice and a public hearing will be followed.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$15,724.90 and prior year orders in the amount of \$3,745.96.

There being no further business, the Board of County Commissioners adjourned at 3:40 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
February 28, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. 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 22

The Commissioners left with Road and Bridge Director Melvin Matlock to view a number of railway crossings in the county. The Commissioners returned at 12:45 p.m., at which time recessed for lunch.

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

Lynn Bevermire, Mark Tracy, and his son met with the Commission. Also present were Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, Road and Bridge Director Melvin Matlock, E911 Director James Reed, Assistant Director B.J. Tracy, and County Counselor Jack Potucek. Mr. Bevermire asked for written approval from the Commission to land an agricultural spraying airplane on the county paved road south of Argonia. He explained that the runway at the Argonia Airport was too soft for the plane to land there. A paved landing site is needed and landing nearer the spray location would reduce expense for the customer. Mr. Bevermire advised that the Federal Aviation Administration (FAA) said there was nothing to prohibit landing on a county road, but written approval must be obtained from the Board of County Commissioners and there must be permission granted by the Sheriff. Several details of the operation were discussed.

Details of how long the road might be blocked and how it would be blocked were discussed. Sheriff Gilkey advised that he felt that he did not have the authority to give permission and that the ultimate decision would be up to the Commissioners. He expressed a concern of liability and safety issues. Road and Bridge Director Matlock also concurred and cited the required procedures and proper warning signage that must be met when blocking a road. E911 Director Reed advised he had talked with FAA officials earlier and confirmed there was no specific rule prohibiting landing, although, the FAA expressed the concern for vehicle and pedestrian traffic. Director Reed had also spoke with a regional Kansas Department of Transportation official who also expressed concern. County Counselor Potucek provided his legal opinion regarding the issue.

Counselor Potucek advised that the same procedures that the Road and Bridge Department must follow for closing down a public roadway would have to be met to reduce the risk of liability. Even if that could be accomplished, the county's liability, from citizens and even those involved, would still not be totally alleviated. Counselor Potucek and the Commissioners agreed that the issue was a worthy cause due to our agricultural community. After discussion, the Commission unanimously determined that they could not authorize the use of the county road due to the concerns of liability.

County Attorney Shawn DeJarnett met briefly with the Commission. The possible optional plans to place the County Attorney's office on the third floor were discussed. Mr. DeJarnett expressed some space concerns with the initial proposal. The concerns will be further discussed with the architects.

County Counselor Potucek met briefly with the Commission. He reported that he was reviewing the document submitted by Emergency Management Director James Fair regarding the organization of a volunteer group. The Commission inquired if Counselor Potucek had completed a review of the proposed contract amendment by the Good Samaritan Society regarding maintenance services at the Slate Creek Good Samaritan Center. He advised that there was one area in the agreement that he questioned the need for. The Commission asked that he contact the Good Samaritan representatives.

Greg Olson, Chief Executive Officer for the Sumner Mental Health Center, met with the Commission regarding the Special Alcohol Fund. Mr. Olson inquired about utilizing funds from the Special Alcohol Fund to assist in the transition to the additional facility. He reviewed the needs for the funds and discussed some of the unanticipated costs. Mental Health has used Special Alcohol funds in the past, but not for several years. The Commission has

used the funds for a numbers of years for the donation to the Project Prom projects for the high schools in the county and also for a portion of the DARE funding each year. With funds for those two items, there would remain approximately \$8,000 available. The Commission advised that they would consider the request.

E911 Director James Reed and Assistant E911 Director B.J. Tracy met with the Commission. Also present was Dispatcher II Mike Friday. Dispatcher Friday was presented with a plaque in recognition of his five years of service. Director Reed cited the contributions made to the department by Dispatcher Friday and his experience. He also serves as the Clearwater Police Chief and in other emergency service related capacities. The Commission commended Dispatcher Friday for his work.

The Commission contacted Al Reiss, of Reiss and Goodness Engineers, by telephone. They inquired about a letter from the Kansas Department of Health and Environment regarding payment of \$133.57 in interest for the loan agreement effective April 27, 2004. Mr. Reiss confirmed that the interest payment would need to be made even though the project is currently on hold. The Commission further discussed the payment. They advised that they would make contact with the President or Secretary/Treasurer of the Slate Valley Sewer District regarding making the payment. The Commission also reviewed Amendment No. 1 to the agreement and the Chairman was unanimously authorized to sign it.

The Commission reviewed and unanimously approved the claims for the end of February in the amount of \$170,349.05.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$13,787.74.

There being no further business, the Board of County Commissioners adjourned at 3:59 p.m.

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

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
March 1, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

John Henderson met with the Commission regarding a road drainage issue. Road and Bridge Director Melvin Matlock, Engineering Superintendent Nita Simonton, and Officer Manager Joyce Reynolds were also present. Mr. Henderson reviewed the problems with drainage near his property at 30th Avenue and Oliver Road. He reported that the drainage issues are in the process of being resolved with the Township involved. Mr. Henderson explained that he only wished to open a dialogue before any final plans are made for the work on Oliver Road. Director Matlock advised that there would be a contractor involved, but the attempt to work with Mr. Henderson would be made.

Steve Sturgeon and Dwayne Curbow, representatives of the Burlington Northern Santa Fe (BNSF) Railway Company met with the Commission. A number of other various officials from several cities, a township, and other interested parties were present. Mr. Sturgeon reviewed for those present the initial meeting a few months ago with the Commission. The BNSF has plans to complete a double track through the area and have asked the counties involved to consider grade crossing closings. For crossings closed the BNSF would make improvements at other crossings. A letter was sent to the Commission proposing what crossings in Sumner County the BNSF would like to see closed. The meeting today was a follow-up to that letter.

Road and Bridge Director Matlock advised that the county had begun investigating the crossings in the county and reviewing the proposal. He and the Commission had viewed a number of crossings yesterday. The Commissioners determined that they would like to hold a public meeting to allow citizen input on the issue. Director Matlock advised that a meeting is in the process of being arranged for later in the month. He made the BNSF officials aware that the county may approach them with other alternatives rather than closing a crossing. There is concern with closing crossings west of Wellington as it would force agricultural traffic onto US160 Highway. Safety would be an issue as well as there being economic issues.

Wellington City Manager Carl Myers inquired who has the final authority to make the decision to close a crossing. Mr. Sturgeon advised the county or the involved city. Mr. Myers said the city had not been contacted regarding the matter by any BNSF official. Mr. Sturgeon explained that they were making the initial contacts with the County Commissions of the involved counties. Several other officials discussed various concerns and issues. Assistant E911 Director Tracy suggested that during the project would be a good time for mapping to be reviewed, a review in order to ensure that railroad and E911 crossing designations and names match. Mr. Sturgeon agreed and asked Tracy to meet with them at a later date.

Director Matlock explained that the county had obtained the school bus route maps from each school district affected. The county's goal would be to have gates at every crossing that is a bus route. Robin Macy, owner of the Arboretum, expressed concern of how the arboretum would be affected. The railroad is next to the property and depending on what side the new track is planned could have a major affect. Commissioner Newell asked how the township roads would be affected during the construction process with the railroads heavy equipment. He asked if there would be any consideration for repair of roads that may be damaged. Mr. Curbow said they would ensure that the road is put back into its original condition.

The BNSF officials were asked what time frame was involved in the project. Mr. Sturgeon advised that construction was currently underway near Milan. He estimated that work from Wellington to the west would begin in six months. He estimated a year until the work from Wellington to the north. The Commissioners advised that they would have a better idea of what proposal they would make after the public meeting later this month.

Dennis Smith, of Law/Kingdon, Inc., talked with the Commission by phone. The status of several details of the Law Enforcement/Detention Facility project were briefly discussed.

The Commissioners recessed for lunch at 12:56 a.m.

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

Dr. Larry Anderson met with the Commission regarding the Law Enforcement/Detention facility project. County Counselor Potucek and Road and Bridge Director Melvin Matlock were also present. Dr. Anderson inquired about the retention pond, the road plans, and the landscaping regarding the project. The plan for the road is that, at a minimum, it will be a hard surface to the east drive of the county property. The original plans called for chip seal, but Director Matlock advised that he would prefer asphalt. A final determination for the road has not yet been made. The open area between Dr. Anderson's property and the county building was discussed. Dennis Smith, of Law/Kingdon, Inc., was contacted by phone and participated in the discussion.

The landscaping and road issues were further discussed. A meeting was scheduled with the Commission and Dr. Anderson for March 15th. The latest landscaping plans would be reviewed. Dr. Anderson said he would like to see the road improved farther to the east to his driveway or at least to the east edge of the county property. Chairman Gracy inquired if Dr. Anderson would be willing to contribute to the cost to extend the road to his property. Dr. Anderson said probably not, due to the history of how it came about. He said he feels he deserves a road to his property due to what the county has done to his property.

District Judge Thomas Graber met with the Commission. He discussed the need for a telephone in the room used on those days when the third Judge is in Sumner County. The temporary relocating of some phones during the stair tower construction was also discussed. The Commission advised that they would have Information Services Director Stice contact Judge Graber and make any necessary arrangements.

The Commission further discussed the request by Greg Olson, Sumner Mental Health, for funds out of the Special Alcohol Fund. The other uses of the fund were considered. Commissioner Bongiorno moved to authorize \$2,500 for Mental Health. The motion was seconded by Commissioner Newell. Under discussion, Chairman Gracy said he believed a higher amount could be provided. The vote was taken 2 to 1 with Chairman Gracy opposed. The Commission did unanimously agree that additional funds could be provided later in the year, if necessary.

The Commission contacted Don Scott, President of the Slate Valley Sewer District, by phone. It was determined that a notice of an interest payment from the State would be forwarded to the District for payment.

There being no further business, the Board of County Commissioners adjourned at 3:20 p.m.

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

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
March 7, 2005 9:00 a.m.

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

The Commission reviewed and unanimously approved the February claims for Community Corrections in the amount of \$21,381.70.

The Commission reviewed the minutes for February 28 and March 1. They were unanimously approved with two amendments.

Health Department Director Vivian Wing and In-Home Services Director Laura Rettig met with the Commission. Director Wing discussed moving a part-time Certified Home Health Aide position to a full-time Homemaker position. The employee wishes to make the change in order to move into a full-time position. The Commission unanimously approved the transfer.

An update regarding the Health Insurance Portability Assurance Act (HIPAA) of 1996 was provided. The privacy issues of HIPAA have been met and now the Health Department is working towards meeting the security issues. Security issues relate to securing data and the back up of data.

Director Wing reported that she is working on the public health grants. The new grant period begins July 1, 2005. The Bio-Terrorism grant does not end until the end of August.

The Commission returned a telephone call to Bob Park regarding the Harper County landfill. Mr. Park advised that he had obtained copies of documents submitted to the Kansas Department of Health and Environment (KDHE) from Waste Connections. The documents contain information that is contradicted by the hydrologist report commissioned by Sumner County. Mr. Park advised he would provide a copy of the documents to the Commission.

The Commission returned a telephone call to Gloria Horsch regarding the Sumner Memorial Gardens. She inquired about the Commission placing rock on the roads in the cemetery. There are places that she believes are in need of rock. The Commission advised that they would have Road and Bridge Director Melvin Matlock view the area to determine if he believes rock is needed.

Tony Rangle, of Law/Kingdon, Inc., spoke with the Commission by phone. Sheriff Gerald Gilkey was also present. The first item discussed was the date of a ground breaking ceremony at the Law Enforcement/Detention Facility site. After discussion, the date of April 5th, at 1:30 p.m., was set for a ceremony at the site. Sheriff Gilkey will contact the Wellington Chamber of Commerce about assisting with organization of a ceremony.

Mr. Rangle discussed some of the construction fees that will be coordinated by Universal Construction. Invoices for such items as the soil supply agreements, soil testings, and construction permits, will come directly to the county

The temporary moves that will have to occur during the courthouse renovation were discussed. Mr. Rangle advised that he would be attending the Director's staff meeting on Wednesday to provide information to all departments. The courthouse compliance work will affect the offices of the County Attorney, Treasurer, Court Reporter, and also other security issues. Mr. Rangle also advised that consideration could be made now for a move of the County Attorney's office that might be cost effective to accomplish at the present time.

Mr. Rangle inquired about the revenue that the project bonds are generating. Mr. Rangle inquired if that revenue would be applied to project work or would it be used to payoff the bonds in a shorter time period. The option for some office space on the third floor, which the Commission asked Law/Kingdon to research, would require a more complete gutting of the floor. That would add some cost not originally planned. The Commission made no final decision.

The final topic discussed was Hillside Avenue. The Commission advised that they had not yet made a final decision regarding the type of paved road surface. Mr. Rangle reported that the civil engineer could not complete his work until a decision was made. Road and Bridge Director Matlock entered the meeting. He advised a meeting was already set for the afternoon with Mr. Rangle and the civil engineer. The Commission said they would discuss the road further with Road and Bridge Director Matlock.

Sheriff Gilkey discussed with the Commission replacing the van used for prisoner transport. The engine was already replaced once in the van and it now needs to be replaced again. Sheriff Gilkey requested authorization to search for another vehicle for an amount not to exceed \$10,000. He advised he had talked with a couple of car dealers in the area and trade in value for the van would be approximately \$1,500. The Commission unanimously authorized replacement at a cost not to exceed \$10,000.

Road and Bridge Director Melvin Matlock and Office Manager Joyce Reynolds met with the Commission. They submitted the documents relating to the Transportation Revolving Loan Fund from the Kansas Department of Transportation for the Belle Plaine South Road project. The loan is for the total project cost of \$3,807,100.00 and it is with an interest rate of 3.55%. Repayment of the loan begins in 2007. After review, Resolution 2005-07 authorizing the execution of the loan agreement was unanimously adopted. Vice-Chairman Bongiorno then signed the loan agreement.

Director Matlock discussed Hillside Avenue. Director Matlock recommended that 8 inches of asphalt would be best. The project funds should be used and the supplemental amount for 8 inches of asphalt would be used from the Road and Bridge fund. Director Matlock advised that chip sealing would require higher maintenance over the long term. The 8-inch asphalt would be from the existing asphalt to the east drive of the county property. No final determination regarding the road was made.

Director Matlock reported that he had viewed the roads in the Sumner Memorial Gardens. He said additional rock is not needed. The roads need to be dragged with a tractor.

Appraiser Della Rowley met with the Commission. Also present were Treasurer Carolyn Heasty, Information Services Director Doug Stice, and Personal Property Deputy Appraiser Danna Cook. Operations and communications relating to the county's computer system were discussed. The Appraiser, Treasurer, and Clerk are the three departments with the most extensive use of the AS400 system and those departments discussed some of their concerns. Steps being taken to address system storage space were discussed. Information Services Director Stice advised he would improve communications with all departments regarding the system.

Planning and Zoning Director Jon Bristor met with the Commission. He reported that the Kansas Department of Health and Environment (KDHE) had inquired the status of the Slate Valley Sewer District lagoon. KDHE offered the reminder that the option of fixing the lagoon remains. KDHE did not actually order the lagoon closed.

Road and Bridge Director Matlock spoke with the Commission by phone. The plans for Hillside Avenue were further discussed. It was determined that, at this time, the original plan for chip sealing would be followed.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,266.72.

There being no further business, the Board of County Commissioners adjourned at 12:25 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
March 8, 2005 9:00 a.m.

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

At 9:33 a.m., a public hearing was held on Zoning Case No. 02PC-05. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present. The applicants were Kent A. and Linda S. Cooper, owners. The request was for a conditional use permit to locate a pet cremation service on the property, 720 E. 110th Ave. N., Peck. Director Bristor reported that the Planning Commission was held on March 2 with eleven members present. At that meeting there were also 25 to 30 citizens present in opposition to the case. Concerns expressed included decreased property value, commercial operation in rural residential area, drainage, road wear and tear, odor, and storage of carcasses. The Planning Commission unanimously recommended denial of the application due to it not being conducive to the surround area.

Bob Kierzek, a resident of Ponderosa Estates, was present. He recounted some of the concerns expressed at the Planning Commission meeting. Commissioner Newell inquired how close the nearest residence is to the property. It was estimated that the nearest residence was less than 1,000 feet from the property. The Commissioners expressed concern that the applicants were not present for the meeting. After discussion, the Commission unanimously denied Case No. 02PC-05. Director Bristor cited, as he does in each case, the statute that provides for anyone to protest the action within thirty-days in District Court.

Linda Mirt, of the Sumner County Extension Office, met with the Commission. She provided an update on operations of the Extension office. She reported that the Kansas County Fiscal Trends and Conditions report produced by Kansas State University would be mailed in the next few weeks. The process for hiring an Agricultural agent for Sumner County is proceeding. The Walk Kansas program is continuing this year and she invited the Commissioners to participate. Linda also advised that the Kansas 4H would begin celebrating it's Centennial birthday with activities at the Kansas State Fair.

Appraiser Della Rowley met with the Commission and provided valuation information. At the current time, there appears that there will be a total increase of \$5,777,786 in assessed value covering all property classes. Appraiser Rowley noted that the current figures are prior to any appeal hearings and changes that may occur.

Road and Bridge Director Melvin Matlock talked with the Commission by phone. He reported that he had talked further with Tony Rangle, of Law/Kingdon, regarding Hillside Avenue. He had also talked with Allen Grunder, of the Kansas Department of Transportation. Mr. Grunder advised that KDOT would be willing to continue maintaining the asphalt that already exists. With KDOT continuing to do so, Director Matlock recommended that the portion of the road in front of the county property could be double chip sealed. Mr. Rangle was going to confirm with Wellington City Engineer Larry Mangan that it would be acceptable. The Commission unanimously approved, if it was acceptable.

County Counselor Jack Potucek met briefly with the Commission. He reported that Randy Fitzgerald, Regional Director for the Good Samaritan Society, had not been available for contact. He should be able to talk with him on Wednesday regarding the proposed contract amendment.

At 11:30 a.m., the Commission boarded one of the General Transportation buses from Futures Unlimited. The Commission went to Futures Unlimited and toured the facility. They also remained there for lunch. The Commission, with there being no further business, adjourned from Futures Unlimited at 1:37 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
March 14, 2005 10:30 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Chairman Gracy and Commissioner Bongiorno had attended a Regional Economic Area Partnership meeting in Wichita earlier in the morning.

Bruce Moreau, Administrator for Slate Creek Good Samaritan Center, and Ken Mettler, Environmental Services Consultant for the Good Samaritan Society met with the Commission. Also present were Maintenance Director Gary Yoder and County Counselor Jack Potucek. Mr. Mettler and Cory Mannie, Construction Design Consultant, had completed a review of the Slate Creek facility. Mr. Mettler reviewed items contained within the report. Various areas were recommended for improvements and/or upgrades. The cost to update those areas rated poor would be significant. Counselor Potucek reported that he had talked with Randy Fitzgerald, Regional Director for the Good Samaritan Society. Mr. Fitzgerald had recommended that the Commission receive the report and then take the report under consideration. With regard to the proposed contract amendment relating to maintenance, Counselor Potucek advised he had discussed the matter with Director Fitzgerald.

Director Moreau advised that the elevator issue was not included in the report. He also had not responded, as yet, to the Commission's request for specific information. He advised that he would provide the Commission with the general information regarding the specific incidents involved.

Director Moreau also discussed an issue relating to Medicare funds. He reported that in the year 2000, Medicare overpaid the Center approximately \$25,000 for the Restorative Aide program. According to Director Moreau, Medicare is now asking to be repaid that amount due to their determination that the program did not qualify for the funds. He was asked by Director Fitzgerald to inquire if the county could assist in the matter. After discussion, it was determined that Administrator Moreau would provide additional information on the matter for Counselor Potucek's review and recommendation to the Commission.

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

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

Counselor Potucek met again with the Commission. He reported that he had been contacted by an attorney for Cargill Inc. regarding the monitoring wells at and in the area of the Road and Bridge maintenance shops. Any action required on the issue would be coordinated with Road and Bridge Director Melvin Matlock.

Charles Bouilly, of George K. Baum and Company, met with the Commission. Also present were Carolyn Heasty, Treasurer, and Undersheriff Jerry Osborn. Tony Rangel, of Law/Kingdon, Inc., participated by conference call. Mr. Bouilly reviewed details of the bonding arrangement. Mr. Bouilly explained the Deposit to Debt Service Reserve Account and the Capitalized Interest. Treasurer Carolyn Heasty reported that \$443,572.22 was collected in sales tax for the first four months. The first interest payment would be due April 1 in the amount of \$201,850. Any excess funds could be used to assist in the original plans of renovation.

County Attorney Shawn DeJarnett met with the Commission. Also present were Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, and present by conference call was Tony Rangle, Law/Kingdon, Inc. The options for moving the County Attorney's office were discussed. The original plans called for the County Attorney to move to the existing Sheriff's building. Another option considered was to move the County Attorney to the third floor. County Attorney DeJarnett raised another option, which would be moving to the offices on the ground floor used by Community Corrections. The value in the move is that it could be made now and that it would free space that could be temporarily used during the compliance work. Discussion of where the law library would be placed was held. Mr. Rangle advised that the latest option would provide the most flexibility and at the least cost. The Commission

asked Attorney DeJarnett what he would prefer. He advised he would prefer a temporary move to the Community Corrections offices on the ground floor and then move to the third floor once it is available. The Commission will discuss the matter with Community Corrections Director Lou Bradbury next week.

The Commission reviewed and unanimously approved the claims for mid-month claims for March in the amount of \$515,370.46.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$110,194.83. Prior year orders in the amount of 220,081.45 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 3:12 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
March 15, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Janet Donley, Director for the Sumner Senior Services Board, met with the Commission. She discussed the Senior Care Act. Under the act, with \$1,000 of local funding, \$2,000 is provided by the State in matching funds. The funding provides services, equipment, and/or aide in paying bills to assist seniors to remain in their home environment. Funds have been used the past two years from the Service Program for the Elderly fund. The Commission unanimously approved \$1,000 for the Senior Care Act from the fund.

Director Donley reported that the appreciation banquet for the Provide-A-Ride program volunteers would be held on March 26 at the Wellington Steak House. The Commissioners were invited to attend. A brief review of the program was provided for Commissioner Newell's benefit. Director Donley provided the South Central Kansas Area Agency on Aging annual report. She reported that a FEMA grant of \$2,500 was received. Tax preparation assistance is also now available for seniors until April 14. The location is the Wellington Senior Center. She also provided the Commission with grant information that might be possible for the county.

Health Department Director Vivian Wing met with the Commission. She submitted an application for grants through the Kansas Department of Health and Environment. The grant funds requested were \$18,764 for the State Formula Grant, \$9,463 for Family Planning, \$15,489 for Maternal and Child Health, \$11,748 for Child Care Licensing and Reg., and \$2,532 for the Immunization Action Plan. The Commission unanimously approved the grant application and it was signed by the Chairman.

Debra Teufel, Economic Development Director, met with the Commission. She reported on a meeting she attended regarding the 2030 Long-Range Transportation Plan. The only portion of the county that is involved is the City of Mulvane. Director Teufel contacted Mulvane City Administrator Kent Hixson, who will become involved with the issue.

Director Teufel reviewed current economic development projects and activities. The Fire Grant period for this year has begun. This year applications can be made for ambulance funding for EMS organizations not connected with a fire department or hospital. Over a million dollars has been received in Sumner County over the past few years with several cities receiving new fire fighting vehicles. Director Teufel reported on countywide planning initiatives, business recognition, and business development. She provided general information regarding a current industrial recruitment project.

Kevin Ikenberry, Executive Director for the Challenger Learning Center project met with the Commission. Wellington City Councilman Stan Gilliland was also present and Economic Development Director Teufel remained. Director Ikenberry and Mr. Gilliland explained that there is a revolving loan option that is available through the USDA. They are ready to begin the application process, but the one thing still needed is an irrevocable letter of credit. One of the financial institutions suggested researching the possibility of obtaining a bond through the county to meet the credit requirement. The cost would be an amount not to exceed \$450,000. The Commission advised that they would research the possibility. The Commission also advised that they would like to see the City of Wellington participate. Director Ikenberry said the City could also be approached. The USDA funding is determined by quarter so time is somewhat critical.

Rose Mary Saunders, of Reiss and Goodness Engineers, met with the Commission regarding the Slate Valley Sewer District. Also present was Don Scott, President of the Slate Valley Sewer District, Beverly Scott, Wellington City Engineer Larry Mangan, and Planning and Zoning Director Jon Bristol. Ms. Saunders reported that they had talked with Kansas Department of Health and Environment (KDHE) officials in Topeka about other options. KDHE officials advised that connecting to the City of Wellington remains the most viable option for the long term. A meeting was held last week with the homeowners of the district. Al Reiss proposed an option for a different location

of the lift station, which would reduce cost by \$10,500. The homeowners decided to proceed with the project with the modifications.

Ms. Saunders advised that she had the documents prepared to make an amendment regarding the loan amount. She also advised that the recommendation of Reiss and Goodness would be to accept the Middle Creek Corporation project bid, pending approval from KDHE. There were other issues discussed regarding maintenance of the lift station. After further discussion, the Commission decided that details remain to be confirmed on several issues before they could make a decision. A meeting was set for March 28, at 2:30 p.m.

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

Dennis Smith and Tony Rangle, of Law/Kingdon Inc., met with the Commission. Dr. Larry Anderson was also present. Mr. Smith reviewed the landscape concept for the Law Enforcement/Detention Facility site. He provided a picture concept with the types of trees and grasses that will be used. Dr. Anderson asked several questions about the landscaping. He discussed the east fence line, mowing, and the retention pond expressing some concerns. He again said he believes the county owes him a hard stretch of road to his drive. Dr. Anderson submitted a letter to the Commission with a list of items for consideration regarding the project.

Steve Smith, of Universal Construction, met with the Commission. Other Universal personnel present were John Marx, Project Manager, Kerry Murray, Field Manager, and Jon Lowe, Estimator. Dennis Smith and Tony Rangel also remained present. Steve Smith advised that Mr. Murray has been contacting local and area builders regarding the project and the project bids that are open now. The bonding requirement required by law and how it will affect small contractors was discussed. Steve advised that small contractors will be educated on how to obtain a bond. Many times, small contractors are not familiar with the process. A bond or a letter of credit from a financial institution is required. The timeline for each aspect of the overall project was reviewed. Once the project begins a monthly report will be provided to the Commission. It was determined that a meeting would be held with the Commission the first and third Tuesday of each month to provide a project update.

There being no further business, the Board of County Commissioners adjourned at 3:07 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
March 21, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission received correspondence from Greg Olson, Chief Executive Officer for Sumner Mental Health. He reported that Sumner Mental Health received a rating of 100% for customer satisfaction in 2004. The survey of all 29 community mental health centers is conducted annually by the University of Kansas School of Social Welfare.

The minutes for March 14 and 15 were reviewed and unanimously approved.

The Commission reviewed the renewal contract with SBC for the Plexar II Fixed Rate Payment Plan Agreement. Clerk Shields reported that Information Services Director Stice had discussed the agreement with SBC representatives. Director Stice had recommended approval of the agreement. The Commission unanimously approved the agreement and Chairman Gracy was authorized to sign it.

The Commission met with Community Corrections Director Lou Bradbury. Also present was CASA Director Tammy Bradbury. The possibility of using the Community Corrections office space on the ground floor for the County Attorney's office was discussed. Director Bradbury acknowledged that it would be the Commission's decision. He did note that one of the offices is used for storage by the Treasurer's office and there are also Court Service files stored in the larger room. The relocation of those items would have to be discussed with those departments. The Community Corrections offices would be moved to the existing Assistant County Attorney's office space. Director Bradbury said he would like some time to look for space outside of the courthouse. The Commission and Director Bradbury then went to view the Assistant County Attorney's office. It was determined that the space would work, but Director Bradbury would also check on space outside the courthouse.

Treasurer Carolyn Heasty met with the Commission. She discussed increasing the pay levels for the Auto Clerk positions. Some of the work that they do and how some things have been added were considered. Treasurer Heasty also advised that the salaries for the Auto Clerk positions are reimbursed through motor vehicle funds. After further discussion, Treasurer Heasty determined that she would propose step increases in the near future for some positions and consider the level increases for 2006.

County Counselor Jack Potucek met with the Commission. He provided brief updates on several legal matters.

The Commission contacted Tony Rangel, of Law/Kingdon, Inc., by telephone. The Law Enforcement/Detention Facility project was briefly discussed. The possibility of changing the date of the ground breaking ceremony was discussed. Mr. Rangel advised that Sheriff Gilkey was making those arrangements with the Chamber of Commerce. Chairman Gracy then contacted and talked with Shelley Hansel, Executive Director for the Wellington Chamber of Commerce. Moving the date was considered due to Commissioner Bongiorno being out of state on April 5. Commissioner Newell would also not be attending the ceremony. The possibility of changing the date would be looked into.

The Commission reviewed and unanimously approved tax abatement orders for prior years in the amount of \$310.10.

There being no further business, the Board of County Commissioners adjourned at 11:46 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
March 22, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. 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 submitted an agreement for the construction and maintenance of highway crossing signals at Hillside Road and the Burlington Northern Santa Fe crossing. The agreement is between the BNSF, Sumner County, and the Kansas Secretary of Transportation. There is no cost to the county for project. The Commission unanimously approved the agreement and the Chairman was authorized to sign it.

The scheduled public meeting next Monday evening regarding the railroad crossing closures was discussed. Director Matlock advised that representatives of the Burlington Northern Santa Fe Railway would be present. The format of the meeting was considered.

The Commission recessed at 9:56 a.m. to attend the pre-bid meeting for the Courthouse Fire Marshal Compliance project. The meeting was scheduled for 10:00 a.m. at the Raymond Frye complex. There were approximately twenty individuals present at the meeting. The Commission left the meeting at 11:02 a.m.

The Commission reconvened in open session in the Commission room at 11:10 a.m.

Randy Fitzgerald, Regional Director for the Good Samaritan Society, and Bruce Moreau, Administrator for The Slate Creek Good Samaritan Center, met with the Commission. County Counselor Jack Potucek and Maintenance Director Gary Yoder were also present. Mr. Fitzgerald requested an executive session with the Commission to discuss non-elected personnel. He advised the Commission that he would like to have Director Moreau and Counselor Potucek to remain present. At 11:24 a.m., the Commission upon unanimous vote entered into executive session for ten minutes to discuss non-elected personnel. Mr. Fitzgerald, Director Moreau, and Counselor Potucek remained present. The Commission reconvened in open session at 11:34 a.m.

The proposed amendment to the lease agreement relating to building maintenance was discussed. The Good Samaritan Society had proposed an amendment where they would hire and retain their own building custodian of their choosing who shall be their employee. Details relating to the second floor were discussed. Mr. Fitzgerald advised that Good Samaritan would be responsible for the day to day operational and preventive maintenance of the entire facility. The proposed effective date for the amendment would be May 1, 2005. After discussion, the Commission directed Counselor Potucek to make the discussed revisions to the amendment proposal.

The issue regarding the \$25,000 that Medicare has requested to be returned was discussed. Counselor Potucek advised that he had not yet received any documentation regarding the matter. The Medicare funding was provided in a year the previous management contract existed between the Good Samaritan Society and the County. Counselor Potucek will review the issue when he receives the documentation from the Slate Creek Center.

The Commissioners recessed for lunch at 11:56 a.m.

The Commissioners reconvened in open session at 1:00 p.m. at the Raymond Frye complex for the pre-bid meeting for the Detention Center/Earthwork and Site Utilities project. The Universal Construction and Law/Kingdon, Inc., representatives present confirmed that the pre-bid meeting held in the morning had also covered the Detention Center portion. Two separate meetings were originally planned, but it was determined that both could be covered in a single meeting. There were no contractors present for the 1:00 p.m. meeting.

There being no further business, the Board of County Commissioners adjourned from the Raymond Frye complex at 1:14 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
March 28, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for March 21 and 22 were reviewed and unanimously approved.

At 9:30 a.m., the Commission held public hearings on several zoning cases. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present. The first case heard was No. 03PC-05. It was an application by JBL, Inc., owner, and Donald E. Buford, agent. The application was for a zoning change from Agricultural Rural to Rural Residential District to devote 2 acres to existing home site and divide remaining approximate 9 acres into tracts for further home sites. The location was near Conway Springs. Director Bristor advised that there was no opposition voiced at the Planning Commission with eleven members present. A letter was received from Daria Ebersole, the Zoning Administrator for the City of Conway Springs Director.

The letter from Administrator Ebersole encouraged the Planning Commission to make restrictions on the property at least equal to the zoning requirements of Conway Springs. Director Bristor advised that he and the Planning Commission Chairperson had talked with Administrator Ebersole and discussed the steps for the City to take if they wished to have more control regarding zoning issues surrounding Conway Springs. Director Bristor advised that it was indicated at the Planning meeting that there would be restrictive covenants for the property. The Planning Commission had recommended approval of the case with one member abstaining. The Commission unanimously approved Case No. 03PC-05.

The next zoning case heard was No. 04PC-05. The applicants Jason Andrew Lee and Christy Ann Lee, owners, were both present. The request was for a zone change from A3, Agricultural District, to RR, Rural Residential District to sell the existing home with 4.1 acres. The Planning Commission, with 11 members present, had unanimously recommended approval of the case. After discussion, the Commission unanimously approved Case No. 04PC-05.

The last zoning case heard was No. 05PC-05. It was for the Short Form Plat relating to the previous case heard. Director Bristor advised there was no opposition voiced at the Planning meeting and, with 11 members present, the Planning Commission had unanimously recommended approval. The Commission unanimously approved Case No. 05PC-05.

Director Bristor briefly discussed a personnel issue with the Commission. He advised that the Clerk/Typist position within his office would become vacant in May due to the employee moving out of the area. He requested approval to fill the position prior to the actual vacancy. Doing so would provide a training opportunity of three to four weeks for the new individual. Director Bristor advised that there are grant funds available that would cover the cost. After discussion, the Commission unanimously authorized the filling of the position.

The Commission met with Information Services Director Doug Stice for evaluation purposes. At 11:02 a.m., the Commission upon unanimous vote entered into executive session with Director Stice for a thirty-minute period to discuss non-elected personnel. At 11:32 a.m., the Commission unanimously extended the executive session for a fifteen minute period. At 11:40 a.m., the Commission reconvened in open session.

Director Stice discussed future equipment and server needs. He reviewed the intent for building funds in the equipment reserve fund to meet future needs. The past few years the amount recommended for equipment reserve has been reduced due to budget concerns. Due to the expected needs, returning to the plan to build reserve funds is critical for 2006. The Commission will consider the issue during the budgeting 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 met with the Commission. Commissioner Newell commended Counselor Potucek for his work on the flower bed in the front of the courthouse.

Counselor Potucek advised that he had met further with Emergency Management Director James Fair regarding the document establishing a volunteer corps. Counselor Potucek advised that the document is in a good format and ready for the Commission's final review.

Counselor Potucek reported that he had talked with Attorney Robert Eye regarding the status of the Kansas Department of Health and Environment's (KDHE) review of the Harper County landfill application. It was reported that Ned Marks had met last Monday with KDHE staff. Mr. Marks is the hydrologist who completed a report on the proposed landfill at Sumner County's request. Mr. Marks was told that his report would be reviewed and considered in the review process. He was also advised that there would be no evidentiary hearing held before KDHE made their next finding. A hearing may be held after their finding, if it is contrary to either party involved.

Al Reiss, of Reiss and Goodness Engineers, and Don Scott, President of the Slate Valley Sewer District, met with the Commission. Also present were Wellington City Manager Carl Myers, City Clerk Rose Miller, City Engineer Larry Mangan, and Planning and Zoning Director Jon Bristol. The Sewer District project for the construction of sanitary sewer improvements was discussed. Further research had been done on several items after the meeting March 15. The billing procedures contained in the agreement with the City of Wellington were reviewed. The procedure if a property owner does not pay was considered. Collection of unpaid accounts would be the responsibility of the County. Mr. Reiss advised that, in other counties with this same type of situation, a resolution can be adopted by the County that allows the unpaid amount to be added to taxes. The Commission asked that he provide a sample of the resolution. It was also confirmed that since the District is not actually treating sewage, the District does not need a certified operator. After the first warranty year, the District may contract with someone for maintenance of the pump.

After further discussion, the Commission proceeded to sign a number of documents relating to the Slate Creek Sewer District project. A notice to KDHE was signed advising the Commission's wish to award the construction contract to Middlecreek Corporation, of Peabody, Ks.

Road and Bridge Director Melvin Matlock and Joyce Reynolds, Office Manager, met with the Commission. Counselor Potucek was also present. Issues relating to the public meeting scheduled in the evening were discussed. The meeting is to gather public comment regarding the Burlington Northern Santa Fe Railway's request to consider the closing of crossings.

Director Matlock submitted several additional documents for the closing of the Kansas Department of Transportation Revolving Fund Loan for the Belle Plaine Road South project. The documents were signed.

Director Matlock discussed a request for an Adopt-a-Highway program along Oliver Road north of Belle Plaine. The county has never implemented such a program due to liability concerns. The State has such a program, but they have ten foot shoulders on the State highways. There are not sufficient shoulders on most of the county roads and safety is a major concern. The Commission determined that the county would not implement a program.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. They submitted a grant application for the Commission's review and approval. The grant was for ten Tasers with 70% of the cost grant funded and the remaining 30% from the county. The grant is through the Federal Edward Byrne Memorial Justice Assistance Grant for FY2006. The Tasers provide a less-lethal force option for officers. The county's cost would be approximately \$2,433. After discussion, the Commission unanimously authorized the Chairman to sign the grant application.

Sheriff Gilkey provided information on a vehicle found to replace the van used for prisoner transport. The Commission authorized the Sheriff last week to replace the vehicle due to the transmission repair needed on it. The Commission discussed the high mileage of the 1999 vehicle being considered. The final cost of the vehicle with trade-in would be \$9,530. After discussion, the Commission approved the purchase of the vehicle.

The Commissioners reviewed and unanimously approved the claims for the end of March in the amount of \$407,064.02.

Treasurer Carolyn Heasty provided the latest sales tax report. The amount of sales and compensating use tax collected in February for Sumner County was \$145,524.00.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$377.02. Also, approved were prior year tax abatement orders in the amount of \$69.24.

There being no further business, the Board of County Commissioners adjourned at 4:50 p.m. The Commissioners will be attending a scheduled public meeting at the Raymond Frye Complex at 7:00 p.m. The purpose of the meeting is to gain public input regarding the consideration for railroad crossing closings.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
March 29, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commissioners briefly discussed the public meeting held last night regarding consideration for railroad crossing closures. The meeting was held at 7:00 p.m. and concluded at 9:26 p.m. There was a large turnout of citizens from across the county. Road and Bridge Director Melvin Matlock conducted the meeting. Representatives of the Burlington Northern Santa Fe Railway Company (BNSF) and the Kansas Department of Transportation were present. Undersheriff Jerry Osborn provided a shortened presentation of the Operation Lifesaver program regarding railroad crossing safety. Director Matlock provided information regarding railroad crossings and warning devices.

Director Matlock explained the purpose of the meeting was to gain public input regarding railroad crossing closures. The BNSF is currently installing a double-track in the west portion of the county. The plans are to have double-track through the entire county by 2008. BNSF has asked the county to consider closing some railroad crossings. The Commission's preference would be to keep all crossings open and install active warning devices at every one. The opinion expressed by the public present was that all crossings should remain open. At the conclusion of the meeting, the Commission advised they would take into account all of the public input received in their consideration to close railroad crossings, if any.

Community Corrections Director Lou Bradbury talked with Chairman Gracy by phone. He advised that the county could proceed, if they wished, with plans to move the County Attorney offices to the ground floor office space used by his personnel.

Wellington City Manager Carl Myers met with the Commission regarding the Challenger project. He discussed the request made by the Challenger for assistance in obtaining a loan through the USDA. Mr. Myers advised that the City has, to date, provided \$250,000 to the project. The city has also ear-marked \$40,000 in tourism funds for parking lot renovation. He advised that he investigated and had not, as yet, found any bonding options for the funds needed. Funds could be committed to a reserve account, but the cash basis law would have to be addressed. All agreed that the project is worthwhile and would be beneficial for the city and county. Mr. Myers offered to continue to explore options and the Commission agreed to do the same.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$277.41.

The Commissioners recessed at 9:50 a.m. to go to the Raymond Frye complex. The bids relating to two portions of the Law/Enforcement Detention Facility project were scheduled to be opened. The two portions were the Courthouse compliance portion and the earthwork and site utilities – Phase 1 for the Hillside site.

At 10:35 a.m., the Commission reconvened in open session at the Raymond Frye complex. Among those present were Sheriff Gerald Gilkey and representatives of Universal Construction and Law/Kingdon, Inc. County Clerk Shields provided the bids received by the 10:00 a.m. deadline. The bids received from seven companies were opened. The bids will be reviewed by Universal Construction and a recommendation will be made to the Commission next week. The Commission will then award the contracts. The Commission recessed at 10:45 a.m. to return to the Commission room.

The Commission reconvened in open session in the Commission room at 11:09 a.m. Commissioner Bongiorno was not present.

Road and Bridge Director Melvin Matlock met with the Commission. He advised that the loan through the Kansas Department of Transportation approved for the Belle Plaine South Road project would also cover the cost of design. The design cost of approximately \$175,000 will be reimbursed to the county.

Director Matlock discussed the public meeting held last night. It was discussed about waiting until the railroad's double-track project is completed before any further consideration is given to closing crossings. Once the project is completed, a more accurate actual train count can be determined. If the train count increases, more of the crossings in the county may qualify for lights and crossing gates. After discussion, the Commission determined that they would wait until completion of the project to make any further consideration of crossing closures.

County Attorney Shawn DeJarnett met briefly with the Commission. Moving his offices to the Community Corrections office space was discussed. He will coordinate scheduling the move with the Information Services Director regarding computer and phone connections.

The Commission met with County Counselor Potucek. An inquiry received regarding the history of funds in the trust account for the Sumner Memorial Gardens was discussed. Counselor Potucek advised he would further research the issue.

The Commission discussed an inquiry relating to the conduct of township meetings with Counselor Potucek. He confirmed for the Commission that they have no authority over the Township Board. Township board members are elected and the township is an entity by itself. Any individual alleging open meetings violations should contact the Attorney General's office or the County Attorney's office.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
March 31, 2005 8:30 a.m.

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

The Commission met with County Counselor Jack Potucek. A Medicare payback issue relating to the Slate Creek Good Samaritan Center was discussed. County Counselor Potucek reviewed for the Commission's benefit the previous management contract with the Good Samaritan Society. The previous contract was in effect during the period at issue relating to the Medicare funding. Counselor Potucek also explained the current issue.

The Medicare payback issue involves a cost report and regulation that allows a look back from the Notice of Program Reimbursement. New and revised Provider Reimbursement Review Board rulings, issued subsequent to completion of the 2000 cost report, amended earlier interpretations and stated in the non-billable Restorative Aides and Rehabilitation Coordinator costs should be considered routine costs, thus not eligible to be included in the therapy cost center. Across the nation, the Good Samaritan Society is being required to payback 4.1 million dollars to Medicare. The amount relating to the Slate Creek Center is \$24,327.00. In Sumner County's situation, with the previous management contract, the funds involved were under the county's responsibility.

Counselor Potucek advised his research does show that the funds should be paid back to Medicare. The deadline for the payback is today, March 31, which created the need for the special meeting being called. The funds were proposed to be paid to the Slate Creek Center and then they will be automatically withdrawn for payment to Medicare. Counselor Potucek reported he had several discussions with Randy Fitzgerald, Regional Director for the Good Samaritan Society, in researching the issue. Mr. Fitzgerald advised that he would understand if the Commission wished to reduce the capital improvement fund allowance planned in 2005 for the Center to make up for any portion of the payback.

The Commission reviewed what funds were available for the repayment. An amount of \$25,900 was provided in the 2005 budget for unassigned contingency purposes. After discussion, the Commission unanimously approved payment of \$24,327 in contingency funds to Slate Creek Good Samaritan Center for payback to Medicare. The Commission may consider reducing the capital improvement fund allowance.

There being no further business, the Board of County Commissioners adjourned at 9:01 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
April 4, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

Freeman Dillard met briefly with the Commission regarding property valuations. He provided information for the Commission to review.

The Commission met with Maintenance Director Gary Yoder. A floor tile repair issue at the Slate Creek Good Samaritan Center was discussed. Director Yoder confirmed that he was aware of the problem and attempting to find a permanent resolution. The area was repaired previously, but sufficient time was not allowed before the area was used. An issue relating to doors was also discussed. Director Yoder advised that he has requested a copy of the most recent State Survey from the Administrator, but has not yet received one. Commissioner Newell asked that the floor tile issue be resolved as soon as possible within 30 days.

The Commission reviewed an application for license to retail cereal malt beverages submitted by the Fleming Corporation of Kansas. The location of the business is the convenience store at 882 E 160th St. So. County Clerk Shields reported that the required notice had been sent to the Township involved. The township board had returned the notice recommending approval of the license. The Commission unanimously approved the license and authorized the issuance of a permit to the Fleming Corporation of Kansas.

The minutes for March 25 and 26 were reviewed and unanimously approved. Also, unanimously approved were the minutes for the Special Meeting held on April 2.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, met with the Commission on several issues. She reported that the Chamber and the Economic Development will be attending the Kansas Sampler Festival this year working as a team for Sumner County. Also, other Sumner County cities will be involved. Director Hansel discussed events of the Wheat Festival. She inquired about the possibility of using county property for two events.

Director Hansel said they are planning for an encampment from Ft. Riley for the Friday of the festival. She inquired if the encampment could be staged on the front lawn of the courthouse. The Commission advised they were not opposed to the idea, but asked for additional information as to what the encampment entails regarding space needs and the number of horses involved. Director Hansel also inquired about using the Raymond Frye parking lot for the carnival during the festival. The parking lot at the old High School may not be available. Director Hansel had already been in contact with the churches in that area. She had also confirmed that the Frye meeting room had been reserved for use. After discussion, the Commission advised they would like more information about the events scheduled for the meeting room before making a final decision. Director Hansel will attempt to obtain additional information and provide it to the Commission.

The Commission met again with Maintenance Director Yoder. The inventory of property at the Slate Creek facility per the lease agreement with the Good Samaritan Society was discussed. The agreement stated that the lessee and the lessor would complete an inventory of all fixtures, appliances, and equipment. It was confirmed that an original inventory was not completed. The Commission asked Director Yoder to see that an inventory is completed.

Director Yoder reported to the Commission that the pumps for the lift station at the facility would have to be replaced. How the problem with the pumps occurred was discussed.

Health Department Director Vivian Wing met with the Commission. She provided a Memorandum of Understanding for the Commission's review. The memorandum is between the Health Department and the Wellington Fire/EMS Department regarding the use of a specialized piece of equipment. County Counselor Potucek, as well as the City's legal counsel, had already reviewed the document and approved it as to legal form. The Commission unanimously authorized Director Wing to sign the Memorandum of Understanding.

Director Wing also discussed a personnel issue. She reported that the position of In-Home Services Assistance will become vacant due to the individual moving. Director Wing advised that the position will not be replaced. The duties of the position will be divided among other existing positions.

The Commission met with Appraiser Della Rowley to discuss valuations. She confirmed that commercial and residential values were reviewed in detail this year. In some cases, it appeared that it was the first time since 1989 that the land values had been reviewed. Other mass appraisal issues were discussed. Appraiser Rowley advised that now is the first and best point in the process for taxpayers to appeal their valuation. An appeal can also be initiated by paying taxes under protest later in the year

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$190.84. Prior year orders of \$2029.42 were also unanimously approved.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
April 5, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

Carolyn Farley, of the Appraiser's office, met with the Commission regarding the current Neighborhood Revitalization Plan (NRP). The specific issue involved an applicant wishing to make a room addition to a home. The hole for the addition has been dug for nearly a year, but there have been no footings poured. Ms. Farley asked for clarification from the Commission as to whether they would define this instance as construction having been started. Whatever determination the Commission makes will be followed in any similar cases for the duration of the Plan. After discussion, the Commission advised they wished to see a photograph of the site before making a final decision. Ms. Farley would obtain a photo from the Planning and Zoning Department once one is taken.

The Commission reviewed and unanimously approved a tax abatement order in the amount of \$138.80.

Bruce Moreau, Administrator for Slate Creek Good Samaritan Center, met with the Commission. He introduced Sally Borst, the new administrator for the facility. The plan is for Ms. Borst to assume the Administrator duties by May 1.

The Commission also discussed an inventory listing with Director Moreau and Ms. Borst. Maintenance Director Gary Yoder was now present. They advised that Director Yoder would be working with them to complete an inventory of property. The county and Good Samaritan were to complete an inventory per the lease agreement. Administrator Moreau advised that he would have their business office provide what inventory listing they have for Good Samaritan property. Ms. Borst also mentioned to the Commission the possibility of meeting with them on a monthly basis.

Noxious Weeds Director Robin Walcher met with the Commission. She submitted the chemical bids received for the Commission to open. Bids were received from UAP/Timberland LLC, Vegetation Management Supply Inc., and Van Diest Supply Company. Bids were requested by individual chemical. Director Walcher will review the bids submitted and provide the Commission with her recommendations of what bids to accept.

John Marx and Kerry Murray, of Universal Construction Co., Inc., met with the Commission. Also present were Dennis Smith and Tony Rangel, of Law/Kingdon Inc., County Counselor Jack Potucek, Sheriff Gerald Gilkey, and Wellington Chamber of Commerce Executive Director Shelly Hansel. Mr. Marx provided the Commission with the recommendation of who to award the contracts to. The recommendation was to accept the low bids that were submitted. The Commission unanimously accepted the recommendation. The contracts will be forwarded to the companies recommended for signature and then returned for the Commissioners' signatures.

David Mardis, of the Day Funeral Home in Caldwell, met with the Commission regarding a disaster plan. Mr. Mardis advised that the Caldwell Hospital, in order to keep their Federal funding, must have a disaster plan under the Homeland Security Act. In developing a plan for the Hospital, the need for a unit to use as an emergency morgue was discussed. Mr. Mardis advised that a unit that could be used for an emergency morgue with three spaces would cost approximately \$5,500. Bryce Day offered to cover half of the cost if the county would cover the other half. If so, the unit would be available for use by any of the funeral homes for a disaster. Currently, facilities in Wichita would be used if more space would be needed than what's available.

The Commission discussed that Emergency Management Director James Fair should be involved. Director Fair was not available as he was attending a training class in Wichita. E911 Director James Reed entered the meeting. Elements of the overall required disaster plan were discussed. The Commission recommended that Mr. Mardis discuss the idea with Emergency Management Director Fair.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
April 11, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. The meeting was opened with the Pledge of Allegiance.

The personnel present at the beginning of the meeting were the following: Deputy Appraiser Laurie Walta, County Clerk Shane Shields, County Attorney Shawn DeJarnett, E911 Director James Reed, Emergency Management Director James Fair, Health Director Vivian Wing, Information Services Director Doug Stice, Maintenance Director Gary Yoder, Noxious Weeds Director Robin Walcher, Planning and Zoning Director Jon Bristor, Register of Deeds Joyce Lowe, Road and Bridge Director Melvin Matlock, Sheriff Gerald Gilkey, and Treasurer Carolyn Heasty. Also present were Janet Donley, Director for the Sumner Board for Senior Services, and Debra Teufel, Economic Development Director. County Counselor Jack Potucek was present later in the morning.

The purpose for the planning session is for each department 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 department representative provided various items of information relating to their specific department. The planning session was concluded at 1:25 p.m. and the Commissioners recessed to return to the courthouse.

The Commission reconvened in open session in the Commission room at 1:40 p.m.

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

Shelly Hansel, Wellington Chamber of Commerce Executive Director, met with the Commission. The use of county property during the Wheat Festival was further discussed. She reported that the request for the encampment from Ft. Riley had been denied. Ft. Riley does not have sufficient personnel available. The use of the Raymond Frye parking lot for the carnival was further discussed. Director Hansel reported on the information she had obtained regarding the scheduled meetings for the complex. She also reported that she had talked with the businesses in the area and no one voiced any problems. The carnival will still be using the old High School parking lot for the trucks and housing trailers. The Commission gave their approval for use of the Frye parking lot for the carnival.

Carolyn Farley, of the Appraiser's office, met with the Commission regarding the Neighborhood Revitalization Plan (NRP) issue discussed last week. She provided the Commission photographs of the site involved. The hole for the room addition was dug quite some time ago, but no footing or stem wall was begun. Lengthy discussion was held on the matter. The Commission determined that they would discuss the matter with County Counselor Potucek before making a final decision.

The Commission unanimously approved the Community Corrections claims for March in the amount of \$26,323.37.

The Commission spoke, by phone, with Rose Mary Saunders, of Reiss & Goodness Engineers. A request from the Kansas Department of Health and Environment (KDHE) for a construction contract report for the Slate Valley Sewer Project was discussed. Ms. Saunders confirmed that she would be completing the report and submitting to KDHE.

The Commission reviewed a report submitted by Noxious Weeds Director Robin Walcher. She provided her recommendations of which chemical bids to accept. The bids were opened last week. The Commission unanimously approved acceptance of the bids as recommended by Director Walcher.

The Commission unanimously adopted a Proclamation for Fair Housing Month. April is recognized as Fair Housing Month in the State of Kansas. The intent is to focus attention on fair housing issues in communities across Kansas.

The Commission reviewed and unanimously approved tax abatement orders for the amount of \$56.80.

The Commission reviewed and unanimously approved the claims for the end of March in the amount of \$26,232.37.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
April 12, 2005 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 Eldon Gracy, Commissioner Gene Bongiorni Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Kent Johnston met briefly with the Commission. He reported on a request from the University of Kansas to examine the mammoth head in the courthouse. The mammoth head was located at the Sumner County landfill and has been on display in the 1st floor lobby. The examination would be done in the courthouse; the head would not be removed from the building. The Commission approved the examination and asked that Mr. Johnston coordinate with KU.

The Commission met briefly with Planning and Zoning Director Jon Bristor. Commissioner Bongiorni inquired about an issue relating to replacing a structure in the flood plain. Director Bristor advised that Federal regulations require that, if an existing structure received substantial damage, the rebuilt structure must be brought up to current regulations. The Sumner County flood plain regulations are no more restrictive than the Federal and State regulations that are required to be enforced.

Emergency Management Director James Fair met with the Commission. He reported on the Citizen Corps grant funding. The grant funding that Sumner County will receive for FY2005 is \$4,686.54.

At 9:32 a.m., upon unanimous vote the Commission entered into executive session with Director Fair until 10:15 a.m. to discuss non-elected personnel. At 10:15 a.m., the executive session was extended for five minutes. At 10:20 a.m., the Commission reconvened in open session.

John Marx and Kerry Murray, of Universal Construction, met with the Commission. They submitted two of the three contracts relating to the Law Enforcement/Detention Facility project for final approval. Mr. Marx advised that County Counselor Potucek had reviewed the contracts as to form. The Commission unanimously approved the two contracts and authorized the Chairman to sign them. The Earthwork & Site Utilities – Phase One, bid package 210 for earthwork was awarded to Bob Bergkamp Construction for a bid amount of \$149,600. The bid package 220 for site utilities was awarded to Nowak Construction Co., Inc., for a bid amount of \$152,972.50. Mr. Marx confirmed that performance bonds were also submitted and he would review them.

At 10:45 a.m., the Commission recessed to attend the ground breaking ceremony for the Law Enforcement/Detention Facility. Chairman Gracy and Commissioner Bongiorni attended the ceremony.

The Commission reconvened in open session at the courthouse at 11:19 a.m.

Road and Bridge Director Melvin Matlock met with the Commission. He submitted an agreement between the BNSF Railway Co, Sumner County and the Secretary of Transportation for the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals at 30th Ave North and the BNSF tracks. The agreement was unanimously approved and the Chairman was authorized to sign it.

Director Matlock also discussed an equipment issue. He reported that a tire machine had to be replaced. The Commission unanimously authorized that the old machine could be sold at public auction, if necessary.

John Marx and Dennis Smith, of Universal Construction, met with the Commission. They submitted the contract relating to the Fire Marshall Compliance portion of the project for the courthouse. The Chairman was unanimously authorized to sign the contract. The contract was awarded to Commerce Construction Service, Inc., for a bid amount of \$581,000.

County Counselor Jack Potucek met with the Commission. The history of a piece of property in the southern part of the county was discussed. The location is where the former Mid-America Drag Strip was located. Counselor Potucek will further research the issue.

The Commission discussed with Counselor Potucek the recent inquiry relating to the past trust account for Sumner Memorial Gardens. Counselor Potucek reviewed the history of the funds involved. He confirmed that there are no funds available for reimbursement. Counselor Potucek advised he would make contact with the inquiring party.

Health Department Director Vivian Wing met with the Commission regarding personnel issues. She discussed the duties of the In-Home Services Assistant that will be absorbed into the existing Business Manager position and into a new Customer Support position. The Business Manager position would be increased a pay level due to the increase duties. A number of other details relating to the changes and personnel were discussed. The Commission unanimously approved deleting the In-Home Services Asst full time position and creating a Customer Support part time position. They also approved a pay level increase for the Business Manager position.

The Commission met with Maintenance Director Gary Yoder. At 12:24 p.m., upon unanimous vote the Commission entered into executive session with Director Yoder for 15 minutes to discuss non-elected personnel. At 12:31 p.m., the Commission reconvened in open session.

There being no further business, the Board of County Commissioners adjourned at 12:32 p.m. The Commissioners had called those with afternoon appointments and moved them earlier on the agenda.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
April 18, 2005 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 Eldon Gracy, Commissioner Gene Bongiorni Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for April 11 and 12.

The Commission met with Planning and Zoning Director Jon Bristor for evaluation purposes. At 9:26 a.m., the Commission upon unanimous vote entered into executive session with Director Bristor until 10:15 a.m. to discuss non-elected personnel. The Commission reconvened in open session at 10:10 a.m.

Greg Olson, Chief Executive Officer for the Sumner Mental Health Center, met with the Commission. He provided the annual report for 2004. He reviewed several areas of information contained within the report. Mr. Olson discussed the improved medications that have become available, although, they are at a higher expense. Sumner Mental Health takes steps to apply for free medication for patients. For 2004, \$218,975 of free medication was brought into Sumner County. The Commission commended Mr. Olson and his staff for the job they do.

Health Department Director Vivian Wing met with the Commission. She provided a Profit/Loss report for each sub-department of the Health Department. The report covered each quarter for 2004 and the first quarter of 2005. Director Wing advised that she had recently visited Greenwood County to view their Home Health operations. She provided a report showing that Greenwood County sees a significantly higher number of patients. The reimbursements for services are also maximized. The reimbursements average \$500,000 for each month. Other operational issues that impact home health services were discussed. Director Wing submitted a proposal for Home Health solvency with the objective to gain time to develop a feasibility plan, to gather concrete data. The proposal included seven items with the first being that at least one of the Commissioners take a fact finding trip with her to the Greenwood County Hospital Home Health Agency.

At 11:28 a.m., the Commission entered into executive session with Director Wing until 11:40 a.m. to discuss non-elected personnel. At 11:40 a.m., the executive session was extended for five minutes. At 11:45 a.m., the Commission reconvened in open session.

The proposal to visit Greenwood County was further discussed. The option of one Commissioner attending along with possibly two to three employees of the Health Department was considered. Commissioner Bongiorni agreed to visit the Greenwood County Hospital Home Health Agency. Director Wing was asked to arrange the visit and determine what employees would also attend. Commissioner Bongiorni asked that County Clerk Shields also attend, if possible.

The Commission met with Maintenance Director Gary Yoder. Director Yoder, at the Commission's request, came in earlier than his scheduled 2:30 p.m. appointment. He reported that the new pumps for the lift station at the Slate Creek Good Samaritan Center will be installed tomorrow.

The Commission received documents relating to the Kansas Water Pollution Control Revolving Fund Loan for the Slate Valley Sewer Project. An amendment is needed to the loan agreement to increase the amount to reflect the higher than anticipated costs of construction and also adjust the repayment schedule. The Commission unanimously approved Resolution 2005-10 authorizing the first amendment to the agreement. The resolution and amendment were signed.

Clerk Shields gave a phone message to the Commission to return a telephone call to a Mr. Reece regarding a road complaint.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
April 19, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. The Kansas Association of Counties is sponsoring several Prescription Drug forums around the state for entities, both city and county. The intent is to discuss options to reduce costs related to the provision of prescribed medication to incarcerated individuals and/or clients. Sheriff Gilkey and Undersheriff Osborn advised that they would be attending one of the forums. Chairman Gracy will also attend and it was recommended that Health Department Director Vivian Wing attend.

Wellington City Manager Carl Myers and John Haas, of Ranson & Associates, met with the Commission regarding the Challenger Project. Mr. Haas is the City's financial advisor. Mr. Myers reported on a meeting with Sumner-Cowley Rural Electric Cooperative (REC) representatives about a possible funding option for the project. A possible option would be for the City and County to issue General Obligation bonds with REC purchasing the bonds. Bonds would have to be issued in the amount of \$450,000 plus interest. Other details of the option were discussed and also what steps could be taken to reduce the risk to the City and County. Mr. Myers advised that the possible option would be presented to the City Council at their meeting in the evening. The Commission expressed interest in pursuing the funding option. They advised they would contact Chuck Bouilly, of George K. Baum & Co., the county's financial advisor and also discuss the issue with County Counselor Potucek.

Dusti Fansler, of the Wellington Daily News, met with the Commission. She interviewed the Commission for a future news article and paper that will be distributed within the next month. She inquired about projects that were completed or initiated in 2004 and what projects may be considered in 2005. Various projects and county issues were discussed.

Commissioner Newell inquired why the Commission minutes were not printed by the Wellington Daily News. Ms. Fansler did not know why they are not published, but said she would discuss it with the publisher, Rick Horn.

Economic Development Director Debra Teufel was unable to make her scheduled 11:30 a.m. appointment due to a meeting she was in.

The Commissioners recessed for lunch at 11:58 a.m.
The Commissioners reconvened in open session at 1:30 p.m.

Kerry Murray, of Universal Construction, spoke with the Commission by phone. He advised he would be forwarding an agreement to the County Counselor for review. The agreement required the Chairman's signature.

Health Department Director Vivian Wing met with the Commission. At 2:00 p.m., upon unanimous vote the Commission entered into executive session for 10 minutes with Director Wing to discuss non-elected personnel. At 2:08 p.m., the Commission reconvened in open session.

The Commission discussed Home Health operations with Director Wing. The Commission inquired when Home Health had last operated in the black. Director Wing advised that it was in the early 90's. Commissioner Newell said he would like a better understanding of who sets the rates for services. Visiting the Greenwood County Hospital to view their Home Health operations was further discussed. Director Wing advised that she scheduled a visit for next Wednesday at 10:30 a.m. No final decision was made as to who would attend.

Director Wing also discussed a personnel issue. She asked for authorization to offer the now vacant Home Health Director position to a current employee on an interim basis. The interim period would be only until the position was replaced. After discussion, the Commission unanimously approved her request.

County Counselor Jack Potucek met briefly with the Commission. He submitted a Highway Permit Use of Right of Way agreement for the Commission's approval. The agreement was related to the Law Enforcement/Detention Facility project. It is actually between the Kansas Department of Transportation and Nowak Construction Inc., but the Commission Chairman must sign as the petitioner/owner. The Chairman was unanimously authorized to sign the agreement.

County Attorney Shawn DeJarnett met with the Commission. Also present were Shannon Mans, Intensive Supervision Officer for Community Corrections, Maintenance Director Gary Yoder, and Information Services Director Doug Stice. They provided a briefing on the office moves for the County Attorney personnel and Community Corrections in the courthouse. The move of phone lines would be the most complicated. County Attorney DeJarnett advised that public notice would be provided in the newspapers that phone service for the involved offices may be temporarily disconnected.

The Commission discussed the cost involved for the moving of phone lines. The Commission asked that county personnel provide assistance as best as possible in order to reduce the phone company service time. After the moves are complete, the Commission will determine what portion of the cost the involved departments will be responsible for.

There being no further business, the Board of County Commissioners adjourned at 2:53 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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
April 25, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

The Commissioners reviewed and unanimously approved the minutes for April 18 and 19.

At 9:30 a.m., the Commission held a public hearing on Zoning Case No. 06PC-05. Director Jon Bristor and Assistant Director Mary Jenkins were present. The applicants were Bradley and Misty Harmon, owners. Mr. Harmon was also present. The case was for a zone change from A3 Agricultural District to A1 Agricultural District to plat 3 tracts to include the existing home site and 2 development tracts. The location is in the northern portion of the county in the Clearwater area. Director Bristor reported that there was no public opposition at the Planning Commission hearing. The Planning Commission, with 9 members present, unanimously recommended approval of the case with an amendment. The amendment was to allow a zone change for the existing home with 20 acres and the 60 acres to remain as agricultural because it does not fall under the guidelines for Sumner County Planning-Zoning and does not meet the Land Evaluation Site Assessment (LESA) criteria for development. According to LESA the land is prime for agricultural use.

The Commission held lengthy discussion in consideration of the case. Other development in the area was considered. Director Bristor, in reviewing the information, confirmed that there was development on other sides of the location, which may have not been included in the LESA criteria for review. The Commission unanimously decided that the case would be referred back to the Planning Commission for further review and discussion.

Road and Bridge Director Melvin Matlock met with the Commission regarding a materials issue. In the past salt and sand has been purchased from the Kansas Turnpike Association (KTA) for \$10.00 a ton. Last year the KTA ran out of supplies and fertilizer had to be purchased at a higher price. Also, for this year the KTA has increased the salt and sand price to \$25.00 a ton. Due to the increase in price it would be feasible for the county to store its own supply. Storage would need to be in an all concrete building, which the blacksmith shop is. Using the building for storage would require moving the existing operations to another building.

Director Matlock advised that he had located another building currently available near Calumet, Oklahoma. The 50 x 100 steel frame building, which was slightly damaged by fire, is available at a cost of \$25,000. He estimated the building could be erected and readied for operations for a total cost of approximately \$63,400. The building has already been taken down where it is at. At least \$50,000 would be saved when compared to purchasing a new building. Director Matlock reported that Road and Bridge would be receiving \$37,000 from FEMA for the last ice storm. That amount could be used along with budgeted funds. The size of the building would also allow the building of a bridge and the building of tanks to occur at the same time. The existing blacksmith shop does not allow that. The building also comes with a hoist.

The Commission considered the cost of continuing to purchase sand and salt compared to purchasing the building. Commissioner Newell inquired if Road and Bridge personnel could erect the building, which would provide a savings of about \$12,500. After lengthy consideration, the Commission unanimously authorized Director Matlock to purchase the building.

At 10:40 a.m., upon unanimous vote the Commission entered into executive session with Director Matlock to discuss non-elected personnel until 11:00 a.m. At 11:00 a.m., the Commission reconvened in open session.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission regarding a personnel issue. Sheriff Gilkey reported that there would be two patrol openings occurring over the next two months. One staff member is moving out of state and another one is retiring. The retiring staff member will have 3 to 4 weeks of vacation prior to the actual retirement date. Sheriff Gilkey asked for authorization to fill that position prior to the retirement date, which the Commission unanimously authorized.

Sheriff Gilkey reported that there were currently 43 persons incarcerated in Sumner County and 16 currently housed elsewhere.

At 11:20 a.m., upon unanimous vote the Commission entered into executive session with Sheriff Gilkey and Undersheriff Osborn for 10 minutes to discuss non-elected personnel. At 11:30 a.m., the executive session was extended for 5 minutes. The Commission reconvened in open session at 11:35 a.m.

Wellington City Engineer Larry Mangan met with the Commission. He asked that the County consent to the City annexing a portion of Ridge Road, also known as Crestview Road. The portion of the road would be within the 100 block North Ridge Road and would be the portion fronted by a proposed sub-division, Crestview Heights. The annexation would extend south to 10th Ave, also known as 16th Street. The Commission advised that they would review the request and the consent form provided. They would provide an answer before the May 17 City Council meeting.

County Counselor Jack Potucek met briefly with the Commission. The Commission discussed the grievance procedure provided for in the county policy. The procedure is intended to provide for an orderly and adequate method to insure fair handling of employee's complaints and grievances. If an employee feels aggrieved they may initiate an appeal in writing. The definition of aggrieved is "Treated unjustly by a decision of the court or other legal authority. It was discussed that there are circumstances, in some cases, that would not fall under the grievance process. Counselor Potucek confirmed that the policy does not nor was it intended to totally prohibit an employee from talking with the Commission or a Commissioner about those circumstances that do not fall under the procedure.

The Commissioners recessed for lunch at 12:35 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Potucek rescheduled his appointment for Tuesday morning.

Health Department Director Vivian Wing met with the Commission. She reported that she had met with her staff last week and everyone agrees that the goal would be to continue providing the Home Health component. It was also agreed that increasing the volume of services provided is key to increasing revenue. Director Wing reported that Shelly Martin, Business Manager, and Susan Byler, Physical Therapist, would be visiting Greenwood County with her.

Director Wing reported that she would be attending a national conference in Orlando, Florida. Health Department Directors of several counties in the South Central Metropolitan Region for Bio-Terrorism will be attending. Attendance is being paid for by the Metro Region.

At 1:37 p.m., the Commission upon unanimous vote entered into executive session for 10 minutes with Director Wing to discuss non-elected personnel. At 1:47 p.m., the Commission reconvened in open session.

Director Wing provided the Commission with a copy of the Therapy Services Agreement with Sumner Regional Medical Center. The agreement was recently renewed.

Linda Mirt, of the County Extension Office, met with the Commission. She asked for authorization to purchase mulch for the garden areas at the Raymond Frye complex. The Master Gardeners would put the mulch down, but need funds to purchase the mulch. Maintenance Director Yoder was also present and the Commission inquired about funds. Director Yoder advised that the cost should be able to be covered within the Frye complex budget.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$768.98.

There being no further business, the Board of County Commissioners adjourned at 3:11 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
April 26, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

Road and Bridge Director Melvin Matlock and Engineering Superintendent Nita Simonton met with the Commission. Also present were Paul Clark and William Keltner, of Allied Environmental Consultants, Inc. Due to new Kansas Department of Health and Environment regulations regarding the landfill, modifications were required to the Solid Waste Landfill Certification. Allied Environmental was contracted to make the modifications to the existing plan. Upon approval and signature by the Commission, the plan will be submitted to KDHE for review. The Commission unanimously approved the plan and the Chairman was authorized to sign it.

Director Matlock discussed an issue relating to vehicle titles. Office Manager Joyce Reynolds was now also present. Documents were signed to correct titles for three Road and Bridge vehicles.

The Commission inquired about a materials question relating to sheet piling. Director Matlock advised that new steel items are bid out. With the rise in steel prices, dealers will now only bid for 90 day periods. Previously it was bid annually. He advised that used steel items are not bid, but price comparisons are made.

County Counselor Jack Potucek met with the Commission. The Commission first discussed a pending Neighborhood Revitalization Plan issue. The issue related to an excavation being completed for a room addition nearly a year ago. No other work had been done. The individual now wished to apply for the NRP. The photos provided by the Appraiser's office clearly show that the excavation has been undisturbed for some time. Counselor Potucek provided his legal opinion that, in this case, the determination that no construction had taken place could be made. The Commission unanimously determined that the project could be accepted under the NRP.

Counselor Potucek reported that he had talked with Attorney Robert Eye regarding the Harper County landfill. A report submitted by Waste Connections in response to the hydrologist report completed by John Marks for Sumner County was discussed. Attorney Eye inquired if the County wished to have Mr. Marks make a response to Waste Connections latest report. The Commission asked Counselor Potucek to inquire what the projected cost would be.

John Marx and Kerry Murray, of Universal Construction, met with the Commission. Also present were Tony Rangel, of Law/Kingdon, Sheriff Gerald Gilkey, and Undersheriff Jerry Osborn. Several items relating to the Courthouse Compliance and the Law Enforcement/Detention Facility project was discussed. The possibility of consolidating the billing process where possible was considered. Mr. Marx proposed that the Universal Construction would make payment to the contractors and then the County would reimburse Universal. The billing would still be totally itemized. The Commission authorized the consolidated billing.

Plumbing work for the courthouse was discussed. Deficiencies in the courthouse plumbing were found when preparing for the compliance project. It was previously discussed that the needed work would be considered, in order to save cost, at the same time of the project. The work was bid as an option with the project. The bids received were higher than the initial proposal by Roto-Rooter for the work. The Commission unanimously approved the proposal from Roto-Rooter at a cost of \$5,040. The cost will be paid from funds other than the project.

Mr. Rangel and Mr. Marx provided a briefing on the areas being reviewed in both projects for cost saving measures. A number of changes have been made to reduce expenses. Some items, for the most part related to the detention facility, will remain as optional add-ons for later consideration.

The Commissioners recessed for lunch at 12:25 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

Treasurer Carolyn Heasty met briefly with the Commission. She reported that the sales tax received to date is \$733,287.26. Of that amount, \$654,278.24 is the local retail sales tax and \$77,334.24 is the local compensating tax.

The Commission spoke with Chuck Bouilly, of George K. Baum & Co., regarding financial issues. He confirmed, as previously discussed, that some of the sales tax bonds were sold at a premium. The premium amount realized was \$358,958.70. A portion of the funds generated were used to cover some of the up front issuance costs. The Commission has options to utilize the premium amount. The Commission confirmed that they would reserve those options until near the end of the project.

The Commission also discussed General Obligation bonds regarding the Challenger Project with Mr. Bouilly. Mr. Bouilly advised he would research the matter and contact them back.

Counselor Potucek reported back to the Commission that he had spoken with Attorney Eye. The cost for the hydrologist to make a response regarding the Harper County landfill is estimated to be \$1,500 to \$2,000. The Commission unanimously authorized Counselor Potucek to notify the hydrologist to proceed.

The Commission reviewed and unanimously approved claims in the amount of \$249,372.80 for the end of April.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$36,718.62. Prior year orders in the amount of \$35,141.02 were also approved.

The Commissioners left, at 2:04 p.m., to tour the Road and Bridge Department.

There being no further business, the Board of County Commissioners adjourned from the Road and Bridge Department at 2:54 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 2, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed an application for permit for the sale of fireworks submitted by Rosalia Mercer. The required certificate of insurance, sales tax certificate, and notarized statement from the property owner were included. The \$500 fee was also submitted. The Commission unanimously approved the issuance of a permit for the sale of fireworks July 1 through July 4, 2005.

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

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. She submitted the Senior Services proposed budget for 2006. The Board is asking for \$6,030 in additional funding in 2006. The additional is for increases relating to the Provide-a-Ride program, office expenses, and administrative expenses. The total requested is \$94,666. The possible delinquency in taxes received was discussed. Director Donley also inquired, on behalf of the Board, about funding the Provide-a-Ride program in the future. If non-participating cities decide to begin participating, does the Commission wish to increase funding? Or, will there a set funding amount remain and then it divided among those participating. The Commission advised they would consider that issue for the future.

Road and Bridge Director Melvin Matlock met with the Commission. The Commission discussed the City of Wellington's request for consent to annex a portion of the 100 blk. of North Ridge Road. The City annexing the portion they propose would leave a section in between that would still be a county road. Director Matlock recommended that the entire portion should be annexed, which the Commission agreed. Director Matlock will make contact with city officials to express the County's opinion.

Director Matlock submitted the five-year plan for the Statewide Transportation Improvement Program. The report is required to be submitted to the State annually in order to receive State funding. The plan was unanimously approved and signed. Director Matlock also submitted Department of Transportation documents to be signed relating to right-of-way clearance utility arrangements. The Chairman was unanimously authorized to sign the documents.

Director Matlock reported on two bids obtained for the purchase of a metal building. The bids were obtained to compare to the purchase of the used building in Oklahoma that was discussed last week. One of the bids was for \$130,000 and the other was for \$96,000.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$14,325.56. Prior year orders for \$34.98 were also unanimously approved.

Treasurer Carolyn Heasty met with the Commission. She provided an end of month report. She reported that for the last day of April the tag department worked 522 transactions with the collection of approximately \$84,000. Those were also completed while experiencing major computer problems due to a virus. Treasurer Heasty also reported on the sales tax bond funds. The interest earned on the funds that have been invested is approximately \$15,000 to date.

Mr. and Mrs. Lewis Kellogg met with the Commission regarding the Neighborhood Revitalization Program. Carolyn Farley, of the Appraiser's office, was also present. Mr. Kellogg advised that he had talked with the Appraiser's office and had obtained an application packet last fall. He then obtained a zoning certificate from the Planning and Zoning Department. He misunderstood that the NRP application had to be made before construction had begun. The Commission inquired if photographs had been taken of the site. Ms. Farley advised that photographs were taken by Planning and Zoning. They take photographs at the time a zoning certificate is issued. Ms. Farley referred to the adopted procedures for the NRP plan, which state application must be made prior to the

start of construction. After discussion, the Commission determined that there was no exception that could be made. Mr. and Mrs. Kellogg thanked the Commission for hearing their request.

The Commission received correspondence from Fire District No. 3. Ray Jones had resigned as a Fire District Board Member. The Fire District Board recommended the appointment of Mike Dowers to fill the vacancy. The Commission will attempt to confirm Mr. Dowers wished to accept the position before approving his appointment.

County Counselor Jack Potucek met with the Commission. He reported that the amendment to the lease agreement with the Good Samaritan Society for the Slate Creek Center was signed last week by Good Samaritan's CEO. The amendment relates to the maintenance functions for the Center. Once the original is received, Counselor Potucek it will be need to be signed by the Chairman.

Counselor Potucek provided a brief update on the upcoming delinquent real estate property tax sale. The sale is scheduled for May 24. He reported that he was still researching the Sumner Memorial Gardens issue.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 3, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was Ann Gressel, of the County Clerk's office. The meeting was opened with the Pledge of Allegiance

Noxious Weeds Director Robin Walcher met with the Commission. She submitted the annual reports for her department. Problems with noxious weeds and the cost of chemicals were discussed. After review, the annual reports were approved and signed.

Economic Development Director Debra Teufel met with the Commission. An updated Economic Development Strategic Plan was presented to the Commission. The upcoming Sumner County Economic Summit scheduled for May 24 at the Wellington High School was also discussed.

Roy Hladik met with Commission regarding a property lease. Planning and Zoning Director Jon Bristor was also present. Mr. Hladik expressed interest in leasing one of the FEMA buy-out properties in the Belle Plaine area. Mr. Hladik was aware that the individual who previously had the property leased, James Dustin, was now deceased. The Commission advised that they would review and confirm the status of the existing lease.

The Commission discussed the appointment of Mike Dowers to fill the vacant board member position for Rural Fire District No. 3 due to the resignation of Ray Jones. It was confirmed that Mr. Dowers is willing to serve on the board. The Commission unanimously appointed Mike Dowers to the position.

The Commission adjourned for lunch at 11:30 a.m. The Commissioners advised that during the lunch hour they would be attending the D.A.R.E. camp. The camp was being held at Melody Bowl in Wellington.

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

John Marx and Kerry Murray, of Universal Construction, met with the Commission. They provided an update on the Courthouse Compliance and the Law Enforcement/Detention Facility projects. An issue relating to the water line for the jail site was discussed. It was determined that the water line would be bored under Hillside. Invoices for work to date were approved for payment.

There being no further business, the Board of County Commissioners adjourned at 2:30 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 9, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was attending a meeting of the Regional Economic Area Partnership in Wichita. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for May 2 and 3.

Chuck Bouilly, of George K. Baum and Co. and financial advisor for the county, met with the Commission. Mr. Bouilly was going to be present for the scheduled 9:30 a.m. meeting with Wellington City Manager Carl Myers, although Mr. Myers rescheduled a short time earlier to 11:30 a.m. Mr. Bouilly reported he had reviewed the options to assist the Challenger Project in gaining the funding grant loan through the Rural Electric Association. The county would have the authority, under home rule, to issue General Obligation bonds for economic development purposes. The grant involved is for \$450,000 and the initial proposal was for the City and County to participate equally. The Commission will further discuss the issue at 11:30 a.m.

Henry Ancell met briefly with the Commission. He expressed concerns that he still has that he will receive more rain water run-off on his property near the Law Enforcement/Detention Facility project. Mr. Ancell also advised that no one had contacted him regarding the issue. It was his understanding from a previous meeting that he would be contacted and the Commission agreed. Road and Bridge Director Melvin Matlock, who was also present, was asked about details regarding the proposed work to Hillside Avenue. After discussion, the Commission advised they would review with Universal Construction and confirm that they contact Mr. Ancell.

Jeff Hatfield met with the Commission. He provided information on the proposed Federal Fair Tax Act. The act would repeal the Federal income tax in its entirety. A national revenue neutral sales tax of 23% would be imposed on all new goods and services for personal consumption. All federal benefits and expenditures including Social Security and Medicare would be fully funded. All federal taxes embedded in prices would be removed, thereby lowering costs by 20 to 30% so that when the 23% Fair Tax is applied retail prices would be essentially what they are now. Other details of the proposed act were discussed. Mr. Hatfield advised his intent was to bring the Act to the Commission's attention and to encourage the Commission to support the Act by contacting our Federal legislators.

The Commission contacted John Marx, of Universal Construction, by phone. The water issue was discussed and Mr. Marx was directed to have someone contact Mr. Ancell.

Commissioner Bongiorno arrived from the REAP meeting at 10:40 a.m.

Road and Bridge Director Melvin Matlock met with the Commission. He provided a contract with Rick Hamlin for review and approval. The contract was for space to install, maintain, and operate radio communications equipment on the elevator structure at 424 E. Lincoln. The lease would provide for a backup site for communications of the Road and Bridge Department. The contract was unanimously approved. Director Matlock also provided an acquisition of public right-of-way agreement for the Belle Plaine South Road project. The agreement was unanimously approved.

Director Matlock also discussed the building that he was checking on in Oklahoma. He reported that it doesn't appear that the building would work out. The bids obtained for erecting the building were higher than expected. Director Matlock advised that if a company could be found with a lower cost for erecting the building it would still be financially feasible.

Wanda Thornton and Irene Crews, members of the Health Advisory Board, met with the Commission regarding the Health Department. They provided each Commissioner with a written letter. They reported that the Advisory Board had asked Health Director Wing for a plan on how to deal with the vacant Home Health Supervisor position. The Director did not provide a plan by the requested date. The Advisory Board also informed the Director that the Board

felt there was no interest for the Director to visit Greenwood County to view their Home Health operations. The Advisory Board was also concerned that Director Wing was absent nearly a week attending a Bio-Terrorism meeting in Florida.

The Home Health Supervisor position was also discussed. The Advisory Board was concerned and believes any interviews for the position should be conducted by a panel. They also questioned whether the position should be required to be a Registered Nurse. The Commission advised that they would consider the concerns expressed.

Wellington City Manager Carl Myers and Mayor Stan Gilliland met with the Commission. Elliott Jackson, county auditor, was also present. Mr. Myers reviewed details of the funding options for the Challenger Learning Project. The City Council had expressed their support for the project. The City's intent would be to set up an escrow account to cover one half of the \$450,000. The County's option to issue General Obligation bonds was considered. There would be some legal expenses involved in preparing the legal documents and some cost for the County to issue the bonds. The expenses for preparation would be covered equally by both entities. After discussion, the Commission advised that they wished to confirm with Chuck Bouly the expense that would be involved. They would then make a decision to proceed or not.

Mr. Myers inquired about a question posed by a citizen. The question was if the county would allow citizens to use the landfill for a specific period of time at no charge for clean-up purposes. The City of Wellington used to conduct a city-wide clean up day. The City is not proposing to cover the cost, but only inquiring since the question was posed by a citizen.

The Commission inquired about the City's consent for annexation request for Ridge Road. The Commission's recommendation is that the City annex the entire portion from the existing city limits to the proposed point on Ridge Road. Mr. Myers advised that it was discussed by the City Council. He would review if a final decision was made.

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

Commissioner Bongiorno talked by phone with Chuck Bouly, of George K. Baum & Company. They inquired what an estimate of expenses would be regarding the General Obligation bond option for the Challenger Project. Mr. Bouly advised that the cost would be approximately \$5,000, which would include the legal fee, bond printing cost, and financial fee.

The Commission spoke by phone with John Marx, of Universal Construction. The location for opening the next bids related to the Law Enforcement/Detention Facility was discussed. The Raymond Frye meeting room is not available so the Economic Development office meeting room will be used. The procedure for submitting bids was also discussed.

Wellington Township Trustee Pete Gaskill met with the Commission regarding Hillside Avenue. He discussed the county's plans for Hillside relating to the Law Enforcement/Detention facility project and a letter received from the Road and Bridge Department. Mr. Gaskill believes the county should take over maintenance to a point farther to the east. He also advised he would like to see a written agreement regarding the maintenance of the existing portion of Hillside that is paved. He said there has never been a written agreement. The Commission contacted Road and Bridge Director Matlock by phone. Director Matlock advised he could be present in about twenty minutes.

Jan Brody met with the Commission. At 2:30 p.m. upon unanimous vote the Commission entered into executive session until 3:00 p.m. with Jan Brody to discuss non-elected personnel. At 3:00 p.m., the Commission reconvened in open session.

Road and Bridge Director Melvin Matlock met with the Commission. He confirmed that a letter was sent to Wellington Township indicating that the County would assume maintenance responsibility for Hillside Avenue from US81 to the east property line of the Law Enforcement/Detention facility property. With the county assuming that portion of the road, it would be up to the county to work something out with the State for the existing paved portion of the road. Director Matlock also recommended that the ditches should be cleaned. The north ditch should be from the first drainage structure back to US81. A portion of that would be the Township's, but Director Matlock

recommended that the county should clean the ditch due to the project. After discussion, the Commission unanimously agreed with Director Matlock's original recommendation.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,602.86. Prior year orders for \$36.00 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 3:20 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 10, 2005 9:00 a.m.

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

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission regarding a personnel issue. Undersheriff Osborn reported that they currently have a detention officer on medical leave and it could be as long as seven weeks. A need for another female detention officer or a matron was discussed. Sheriff Gilkey advised that a part-time position would be the most feasible as it would allow for the reduction of overtime costs. Commissioner Newell inquired if they had compared the cost of a part-time position to a matron on-call. Sheriff Gilkey advised that they had and that funds for a matron position could be found in the existing budget. The Commission unanimously approved an on-call matron position.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$898.94.

At 10:00 a.m., the Commission held a public hearing on Zoning Case No. 06PC-05. Planning and Zoning Director Jon Bristor and Planning Commission Ed Larson were present. Bardley Harmon, applicant, in the case was also present. The zoning case was previously heard by the Commission, but they returned it to the Planning Commission for further consideration. The Planning Commission, with 10 members present, further reviewed the case on May 4. Concerns discussed included waterways, proposed access road expense, not prime location for residential, spot zoning, and not following Comprehensive Plan. The Planning Commission unanimously determined that their original recommendation would remain.

The Planning Commission's recommendation was for approval by amending the zone change to allowing the existing home with 20 acres and the 60 acres to remain as agriculture because it does not fall under the guidelines for Sumner County Planning-Zoning and does not meet LESA criteria for development. The Commission allowed comments from Mr. Harmon and Mr. Larson. After lengthy discussion, the Commission unanimously approved Case No. 06PC-05 with the amendment as originally proposed by the Planning Commission.

Director Bristor discussed an issue relating to the drag strip near Geuda Springs. Shawn McGrew, Manager for Strother Field, was present. Mr. McGrew had inquired if the 40 acres plus, which includes the drag strip be promoted and sold as such. Director Bristor advised that after research, it was determined that the intended use of the drag strip has not changed since approximately 1987, therefore, the site may continue to be used as a drag strip. Counselor Potucek was also consulted for legal research. Director Bristor reviewed some requirements that would apply if the drag strip property would be divided from the original acreage.

District Court Judge Thomas Graber met briefly with the Commission. He expressed concern and the need for the air conditioning to be turned on in the courthouse especially with the projected temperature today. Judge Graber inquired of Maintenance Director Yoder who advised that it would be some time before it would be turned on. Judge Graber also advised that there was a jury trial scheduled for next week. The Commission advised that they would discuss the issue with Director Yoder.

Wellington City Engineer Larry Mangan met with the Commission. Road and Bridge Director Melvin Matlock and Engineering Superintendent Nita Simonton were also present. The first item discussed was a consent for annexation request. The City was now proposing to annex Ridge Road from the existing city limits to a point in the 100 blk. of N. Ridge Road. Doing so would not leave any portion in between for county maintenance. An issue with the drainage structure just north of the existing city limits was considered. Director Matlock advised that he has a larger structure available and he proposed giving it to the City, if they would install it. After discussion, the Commission unanimously approved the consent to annexation providing that Engineering Superintendent confirms the legal description is correct.

The next item discussed was the proposed access road across the Slate Creek Good Samaritan Center property into Woods Park. Some concern was discussed regarding the only designation being striping and not curbing. There

would be islands designated that would keep vehicles from parking near the roadway. The possibility of providing some height to the islands was considered. It was determined that the proposed letter of agreement would be revised to address the issues discussed.

Director Matlock briefly discussed Hillside Avenue. He submitted the letter regarding maintenance of the road for the Commission's review and approval. The Commission unanimously approved and signed the letter of agreement for the County to take over the maintenance on Hillside from Highway 81 East to the east property line of the County Property.

County Counselor Jack Potucek met with the Commission. He provided short briefings regarding several legal matters. Counselor Potucek also submitted the amendment to the lease agreement with the Good Samaritan Society relating to building maintenance at the Slate Creek Center. The Commission previously indicated they would approve the amendment. The amendment was signed by the Commissioners.

Steve Smith, of Universal Construction, met with the Commission. He reported that they should be receiving the final drawings today from the architect. He discussed alternate proposals to include for the Law Enforcement/Detention Facility project in the event bids are significantly higher than anticipated. Any alternates provide a safeguard for the County. The Commission unanimously approved including an alternate in the bidding process.

Health Department Director Vivian Wing met with the Commission regarding a personnel issue. She asked authority for a temporary Homemaker position. Temporary positions have been added during the summer in years past, although none were used last year. Director Wing reported two Homemaker positions currently on medical leave. After discussion, the Commission unanimously authorized one temporary Homemaker position. Director Wing also provided a short briefing on the Bio-Terrorism conference she recently attended.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 16, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Maintenance Director Gary Yoder met briefly with the Commission. He asked for clarification regarding the amendment to the lease agreement with the Good Samaritan Society for maintenance operations at the Slate Creek Center. Director Yoder was not clear, based on previous discussions and the final wording of the amendment, as to whose responsibility the general maintenance costs have now become. The Commission advised that they would review the matter.

The Commission reviewed and unanimously approved the minutes for May 9 and 10 with one amendment.

Road and Bridge Director Melvin Matlock and Officer Manager Joyce Reynolds met with the Commission. Director Matlock reviewed some budget history of his department. In 1996, there was \$3,726,000 useable dollars in the Road and Bridge budget. For 2005, there is \$3,143,602 useable dollars. For that nine-year period \$582,398 was cut directly from the Road and Bridge budget. Part of those funds has gone to fund Information Services, Geographic Information System, and more Sheriff patrol vehicles. It has also gone to pay the workers compensation insurance for the department and auto/property insurance. Director Matlock advised that since 1996 the replacement of bridges has doubled. He reported that essentially road and bridges and the department is in pretty good shape overall. Although, he urged caution for the future since most all reserve funding has been used.

Director Matlock also discussed the Highway fund and the purpose for which it was created. The Highway fund was created as an alternative to having carry-over funds. After reviewing the budget history, he informed the Commission that they believe there will be, at least, \$200,000 carry-over available to aid the 2006 budget process. Director Matlock discussed the revolving fund loan for the Belle Plaine South Road project. Since the loan included approximately \$175,000 for engineering costs, that amount would be reimbursed to Road and Bridge for the engineering already completed. That amount would be available for 2006, but would only be one-time funding. The engineering expense for the Law Enforcement/Detention facility was also discussed. The Commission advised that they would consider all options for the 2006 budget.

Sally Borst, Administrator for Slate Creek Good Samaritan Center, met with the Commission. Maintenance Director Gary Yoder was also present. Administrator Borst reported that the facility had passed both the State survey and the Fire survey. The State surveyors made some suggestions for changes and some minor changes were needed for the Fire survey. Current staffing and retention was discussed. Administrator Borst advised that a part-time maintenance person had been hired. The current resident census is at 30 and finances are still in the black. She reported that Director Yoder had been very helpful in the maintenance transition. Director Yoder advised he would continue to assist when needed. Commissioner Newell inquired about compensation, if county personnel were still assisting. Administrator Borst said she would discuss the matter with Regional Director Randy Fitzgerald.

Administrator Borst discussed the lease agreement amendment and asked for clarification regarding maintenance expenses. The Commission advised that they would be discussing the issue with County Counselor Potucek. Director Yoder expressed some concern with only a part-time maintenance person. He said he believes the maintenance duties and the upkeep of the building requires a full-time position.

Wellington City Engineer Larry Mangan met with the Commission. The annexation of Ridge Road was discussed. The County's Engineering Superintendent Nita Simonton had reviewed the legal description and agreed that it was correct. The Commission unanimously approved the consent for annexation and it was signed.

Engineer Mangan discussed the revised letter of agreement for the West Wood Park access road through Slate Creek Good Samaritan Center property. The proposed revisions discussed last week were made to the agreement. The Commission will take action on the agreement after Counselor Potucek reviews the revised copy.

The Commission discussed the possibility of General Obligation bonds for the Challenger Learning Center Project was discussed. Commissioner Newell reported that he had talked with Wellington City Manager Carl Myers. It was confirmed that the issuance costs for the bonds would be entirely the County's responsibility. That cost was estimated to be approximately \$5,000. City Manager Myers advised that the legal expense regarding the preparation of an inter-local agreement and other legal documents would be about \$4,000. The City would pay one half of the expense. The County's total cost would be about \$7,000. No final decision was made.

Economic Development Director Debra Teufel met with the Commission. She advised the next step regarding the re-approval of Sumner County as a designated Non-metropolitan Enterprise Zone. Two resolutions are required, one reconfirming that a regional economic development organization has been established and another supporting the qualifying regional strategic plan and requesting that the State make the designation. The Commission unanimously approved two Resolutions, 2005-12 and 2005-13, accomplishing the items required.

County Clerk Shields provided a briefing on the Help America Vote Act (HAVA). The requirements mandated by HAVA for 2006 were discussed. A Statewide Central Voter Registration system is required. The Secretary of State (SOS) had initiated development of a system for Kansas, which will be called the Election Voter Information System (ELVIS). The development cost and the first year user fees will be paid by the SOS. Direct Recording Electronic (DRE) voting machines are required by the 2006 Federal elections. The DRE machines allow for any person with a disability to vote independently and privately. One machine is required at each polling site. The SOS is intending on providing the one machine at each polling site for all polling sites in the state. Clerk Shields advises that there will be storage issues and deployment issues that will have to be addressed. The third mandate required by HAVA is for Second Chance Voting.

Second Chance Voting is mandated by HAVA for 2006. The voting system used must provide the voter the ability to verify and the opportunity to correct the votes selected by the voter on the ballot before the ballot is cast and counted. Meeting that requirement with a paper or optical scan ballot system is difficult. The legal opinion from the SOS is that each voter would have to be read a series of four questions after they have marked their ballot, but before they place the ballot in the ballot box. Accomplishing the four question process would significantly increase the time needed to vote. It is also believed that most voters would not be receptive to the question process. The option available to meet the HAVA requirements would be to go to an electronic voting system. Such a system meets all of the mandates of HAVA.

Clerk Shields advised that the SOS is currently in the process of determining what machines will be approved for use. The intent is to approve machines from several companies and allow the counties to purchase the additional machines needed by participating in the State contract. It may not be known by final budget time what machines are approved. Clerk Shields advised that he would be researching several voting systems to calculate the estimated costs in order to provide a budget estimate.

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

The Commission spoke by phone with Kerry Murray, of Universal Construction. Commissioner Bongiorno discussed an issue relating to the temporary stair tower erected on the south side of the building. How certain pieces should be attached was the issue, which Mr. Murray advised that he would check into.

County Counselor Jack Potucek met briefly with the Commission.

Al Reiss, of Reiss and Goodness Engineers, met with the Commission regarding the Slate Valley Sewer District. He submitted a permit application related to the Slate Valley Sewer Project. The Chairman was unanimously authorized to sign the permit. Mr. Reiss advised a \$60 fee would also be required. The Commission advised the fee should be paid out of the account maintained by the Slate Valley Sewer District.

Counselor Potucek met again with the Commission. At 2:13 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 2:22 p.m.

Counselor Potucek briefly discussed several issues with the Commission. He advised he would be meeting with former Commission Joan Norris to confirm some of the past details relating to Sumner Memorial Gardens. The contract amendment relating to maintenance at the Slate Creek Good Samaritan Center was discussed. Counselor Potucek advised that the intent was day-to-day maintenance duties would be taken over by Good Samaritan along with any related expense. He advised he would review the issue to confirm everyone had the same understanding.

Counselor Potucek provided an update on the delinquent real estate property tax sale scheduled for May 24. Currently, there are 34 parcels of property remaining in the sale. He reviewed the steps taken to make notice to property owners.

County Clerk Shields discussed an insurance issue with Counselor Potucek and the Commission. The issue related to the General Liability insurance amounts. It was determined that Clerk Shields would obtain some additional information and Counselor Potucek would research the issue.

The Commission reviewed and unanimously approved mid-month claims for May in the amount of \$134,768.20.

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

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 17, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was Ann Gressel, of the County Clerk's office. The meeting was opened with the Pledge of Allegiance

Health Department Director Vivian Wing met with the Commission. She provided an update regarding Home Health. The full-time Homemaker position advertised was filled. Director Wing reported that the Home Health Supervisor position was not filled due to the fact that none of the applicants met the required qualifications. None of the applicants were licensed as a Registered Nurse, which the position description presently calls for. The position will be further advertised.

Director Wing requested an executive session with the Commission. At 9:45 a.m., the Commission entered into executive session with Director Wing for fifteen minutes to discuss non-elected personnel. At 9:50 a.m., the Board reconvened in open session. The Commission advised that the topics being discussed no longer met the executive session allowance. The Commission discussed various Home Health operational and organizational issues.

County Counselor Jack Potucek and Maintenance Director Gary Yoder met with the Commission. The adopted amendment relating to maintenance at the Slate Creek Good Samaritan Center was discussed. It was determined that the County's responsibility is the day-to-day maintenance for the facility. The County should not be responsible for day-to-day maintenance relating to items and/or areas in the provision of long-term care. If any situation arose where Slate Creek Administrator Borst and Director Yoder were unclear, the Commission would review the specific circumstances.

Counselor Potucek reviewed the liability insurance issue discussed yesterday. The issue related to a previous letter from the Kansas Department of Health and Environment (KDHE) stating the requirement for the county to maintain a higher general liability limit due to the Household Hazardous Waste facility. Counselor Potucek advised that he had confirmed the requirement for the higher amount was not correct. The Commission unanimously authorized the general liability limit to be reduced to \$500,000, which is the statutorily required amount.

John Marx and Kerry Murray, of Universal Construction, met the Commission. They provided an update on the Courthouse compliance project and the Law Enforcement/Detention Facility. The water line is very near being ready to be placed under Hillside Avenue to the jail site. The existing fire escape on the east side of the courthouse will be removed this week. A temporary fire escape is now erected on the south side.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 23, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Clerk Shields reported that Wellington City Manager Carl Myers had inquired if decisions had been made regarding the Challenger Project and the Clean-up day at the landfill. The Commission advised that the clean-up day would not be possible. They also advised they had not made a decision regarding the Challenger Project.

Planning and Zoning Director Jon Bristor met briefly with the Commission. He introduced the new employee in his office, Melinda McCurley. The Commission welcomed her to the county.

Road and Bridge Melvin Matlock met briefly with the Commission. He submitted two vehicle titles for the Commission Chairman to sign. The Chairman was unanimously authorized to sign the documents.

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

Community Corrections Director Lou Bradbury met with the Commission. Tammy Bradbury, CASA Director, was also present. Lou submitted the Community Corrections Comprehensive Plan for the Department of Corrections. He advised that the plan is basically the same as last year. The Community Corrections Board will meet tomorrow to sign the document. The Commission unanimously approved the plan and it was signed by the Chairman.

Richard Granger, Chairman of the Health Advisory Board, met with the Commission. At 10:16 a.m., the Commission entered into executive session with Mr. Granger until 10:45 a.m. to discuss non-elected personnel. The Commission reconvened in open session at 10:45 a.m.

County Counselor Jack Potucek met with the Commission. Staff members from the departments involved in the sale were also present. The properties remaining in the tax sale scheduled for May 24 were reviewed. Twenty-five properties, at the present time, remain in the sale.

Counselor Potucek discussed a current tax case pending before the Board of Tax Appeals. The case involves a local business and is scheduled to be heard next month.

Emergency Management Director James Fair met with the Commission. He discussed the National Incident Management System (NIMS). NIMS training will be required in the future for emergency service personnel and, in some cases, for general government employees. Training is available to become a NIMS trainer, which would allow training of your own personnel. Currently, the Wellington Fire/EMS Department has the only certified trainer in the county. Director Fair reported the only scheduled class in Kansas conflicts with a Certified Emergency Response Team class date. The next closest location is in Choctaw, Oklahoma. The Commission expressed their support for Director Fair to obtain the training.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 24, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance

At 9:30 a.m., scheduled public hearings were held for three zoning cases. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present. The first case heard was No. 07PC-05 for an application made by Donald B. Applegate, who was present. It was for a zone change from "A3" Agricultural District to "I1" Light Industrial District to plat 1 tract for a hay processing business. The location is in the area of 100th Ave N. and Ridge Road. Director Bristor advised that there was no opposition voiced at the Planning Commission hearing. The Planning Commission, with 10 members present, had unanimously recommended approval. After discussion, the Commission unanimously approved Case No. 07PC-05.

The next two cases heard were No. 08PC-05 and No. 09PC-05. The cases were related and the applicant was Galen L. and Dorale J. Gerlach, owners. Mr. Gerlach was present. Case No. 08 was for a zone change from "A2" Agricultural District to "RR" Rural Residential District two acres. Case No. 09 was for a Short Form Plat (1) "RR" Rural Residential District lot to move an existing home onto the 2 acre tract for re-sale. The location was in the Peck area. Director Bristor reported there was no opposition voiced and that the Planning Commission, with 10 members present, had unanimously recommended approval of both cases. After discussion, the Commission unanimously approved both cases, No. 08PC-05 and 09PC-05.

Director Bristor discussed the airport and flood plain regulations, which are according to State and Federal law. Those two sections are not required to be included in the Zoning regulations so they are being separated. With making that change, the Board of Zoning Appeals would have to be separately designated by resolution as the airport and flood plain regulations appeal board. An appeal would go to the appeal board and then come to the Commission for a final decision. The Commission advised Director Bristor to proceed with the necessary resolution at the time it is needed.

Director Bristor discussed a zoning issue in the Conway Springs area. He reported that the Conway Springs Demolition Club held a demolition derby last year outside of the city. The Club was not aware that zoning approval was required. The Club has inquired about the event again this year and has asked if the conditional use fee of \$200 could be waived. The Club makes no profit from the event; all proceeds after expenses are donated to the Conway Springs Fire and EMS Departments. Director Bristor asked the Commission about waiving the fee. An alternative to waiving the fee would be for the property owner to apply for a conditional use permit effective for a number of years. Doing so would reduce the long-term cost. After discussion, the Commission determined that they did not wish to set a precedent by waiving the fee. Their recommendation would be for the property owner to apply for a permit valid for an extended number of years.

At 10:30 a.m., a presentation to the Sumner County DARE essay winner was made. The winner was Jessica Carson, a 5th grade student at Lincoln Elementary in Wellington. Among those present were Jessica's foster-mother Deb Mayo, Wellington Police Department D.A.R.E. Officer Lee Patterson, Sheriff Gerald Gilkey, Deputy and DARE Officer John Bevan, and members of the news media. Jessica read her winning essay for those present. Sheriff Gilkey explained that Jessica was chosen as the winning essay from Sumner County and all schools participate in the DARE program. Jessica was then presented with a bicycle donated by Walmart.

The Commission received change orders relating to the Courthouse Compliance and Law Enforcement/Detention Facility projects. The changes were previously discussed during an update provided Universal Construction. The changes were the following; 1) eliminate the CCTV system for a reduction of \$23,888, 2) additional cost to bore under drives on the north side of Hillside in lieu of cutting and patching asphalt driveways for a cost of \$1,575, and 3) changes to the elevator for a reduction of \$3,346. The orders were unanimously approved and signed by the Chairman.

At 10:52 a.m., the Commission entered into executive session for ten minutes to discuss non-elected personnel. County Counselor Jack Potucek and County Clerk Shields were both asked to remain present, which they did. At 11:02 a.m., upon unanimous vote the Commission extended the executive session for 10 minutes. At 11:12 a.m., upon unanimous vote the Commission extended the executive session for 5 additional minutes. At 11:16 a.m., the Commission reconvened in open session.

Counselor Potucek briefed the Commission on the tax sale held at 10:00 a.m. He reported on an issue that arose regarding the bidding process for one of the properties.

Linda Mirt, of the County Extension Office, met with the Commission. She reported that Johnny Roberts started his duties as the new County Extension Officer yesterday. Linda submitted the 2006 budget proposal for the Extension Council and for the 4H fund. There was no increase requested in the 4H funds. The Extension Council request was for an increase of \$2,275. Linda reviewed some of the budget issues relating to the Extension Council budget. The Commission will consider the budget requests in the budget process.

John Marx and Kerry Murray, of Universal Construction, met with the Commission. Marx reported that the pre-bid meeting was held earlier at 10:00 a.m. He also advised that two proposals were received regarding the testing of the piping in the courthouse. The Commission unanimously approved the low bid of \$1,275 from ACM Removal, of Wichita, Ks.

Health Department Director Vivian Wing met with the Commission. She discussed the increasing cost of vaccine. She had contacted other counties to compare what they charge the public for the vaccine. Sumner County is significantly lower. She discussed an administration fee for administering the vaccine. Vaccine provided for children would not be affected. The Commission unanimously approved initiating some type of administration fee.

Road and Bridge Director Melvin Matlock met briefly with the Commission. The Commission had asked Director Matlock to store some of the stone being removed at the rear of the courthouse. Some portion of the stone may be able to be reused in the future. Director Matlock advised that the stone would be stored at the landfill.

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

Planning and Zoning Director Bristol submitted three resolutions for Commission approval. The resolutions related to the zoning cases approved earlier in the day. Resolution 2005-14 for Zoning Case No. 07PC-05, Resolution 2005-15 for Zoning Case No. 08PC-05, and Resolution 2005-16 for Zoning Case No. 09PC-05 were unanimously approved and adopted.

The Commissioners reviewed and unanimously approved the claims for the end of May in the amount of \$325,547.27.

The Commission met again with Health Department Director Vivian Wing. At 3:19 p.m., upon unanimous vote the Commission entered into executive session with Director Wing for 20 minutes to discuss non-elected personnel. At 3:30 p.m., the Commission reconvened in open session.

There being no further business, the Board of County Commissioners adjourned at 3:32 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
May 31, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Health Department Director Vivian Wing met with the Commission. Director Wing requested an executive session. At 9:31 a.m., upon unanimous vote the Commission entered into executive session with Director Wing for 15 minutes to discuss non-elected personnel. At 9:38 a.m., the Commission reconvened in open session.

County Counselor Jack Potucek was now present at the Commission's request. The Commission discussed accepting the resignation of Director Wing and the possibility of a severance package was discussed. Director Wing expressed her belief that there should be a severance package of wages for 6 months. The Commission asked Counselor Potucek's legal opinion on the issue. Counselor Potucek advised that he knew of nothing that would make it illegal or anything that would make it legally required. The applicable sections of the Personnel Policies and Procedures were reviewed. After review, Counselor Potucek advised that the policy would allow the Commission, if they chose, to accept a resignation with an effective date two weeks in advance and then allow severance pay for two weeks from that date. Director Wing acknowledged that such an option would be agreeable with her. After discussion, the Commission unanimously approved accepting Director Wing's resignation, with an effective date of June 14, 2006, and no further management responsibilities would be expected as of today. The Commission requested Director Wing to brief her employees regarding budget preparation status and to coordinate awareness of any management materials. Severance pay would also be granted for two weeks from the resignation effective date.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. He provided a preview of the budget preparation for 2006. The total budget proposed is approximately 1.7 million. Sheriff Gilkey reviewed some of the new line items proposed. A building maintenance line and utilities line were added. Commissioner Newell questioned if maintenance would fall under the Sheriff budget or the Maintenance Department budget. Sheriff Gilkey advised he had proceeded with the belief that it would be in his budget. Commissioner Newell said he was not confident that it should be separated from the Maintenance budget. Sheriff Gilkey requested an executive session.

At 10:21 a.m., upon unanimous vote the Commission entered into executive session with Sheriff Gilkey and Undersheriff Osborn until 10:35 a.m. to discuss non-elected personnel. At 10:31 a.m., the Commission reconvened in open session.

Sheriff Gilkey continued a review of the 2006 budget. The \$60,000 amount proposed for utilities is estimated for the new facility opening in June. An increased amount was allowed in Capital Outlay due to 2006 being the year in the cycle for replacement of patrol vehicles. Jail expenses were also reviewed. Sheriff Gilkey advised that 9 new detention officer positions are planned to add to the existing 9 positions for a total of 18. Some of the items that were increased due to the higher inmate count were discussed. An inmate housing reimbursement of \$105,000 was projected for the final 6 months of 2006. The expense to house inmates outside of the county was reduced from \$90,000 in the General fund to \$40,000 in the Sheriff's budget. Sheriff Gilkey advised that an overall budget increase for 2006 is projected to be around \$300,000. The total proposal also includes a Records Clerk position and a second Court Security Officer position.

Appraiser Della Rowley met with the Commission. She discussed a monthly contract with Luke Kimball mapping that was previously approved by the Commission. The company recommended to the county that an annual contract would be \$3,000 less. The Commission expressed their agreement with changing to an annual contract.

At 10:42 a.m., upon unanimous vote the Commission entered into executive session with Appraiser Rowley until 11:10 a.m. to discuss non-elected personnel. At 11:10 a.m., the Commission reconvened in open session.

The Commission recessed at 11:12 a.m. to attend a ground-breaking ceremony with Economic Development Director Debra Teufel. The ground-breaking, in the 1000 Blk of N. Ridge Road, is for Donald Applegate's new hay packaging business.

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

The Commission received a report from Treasurer Carolyn Heasty. The sales tax distribution received from the State for May was \$171,886.69

The Commission met with Public Health Director Linda Baker, In-Home Services Director Laura Rettig, and Administrative Assistant Kris Ellis. The operations of the Health Department and how they would be handled for an interim period of time were discussed. The Director's of the sub-departments will oversee the operations as they did in 2003 when the Director's position was vacant for a period of time.

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

The Commission reviewed an application for the sale of fireworks submitted by Gerald Farha d/b/a/ Farha Fireworks. The Commission found the application to be in order and the issuance of a license was unanimously approved.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
June 6, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed a proposed resolution submitted by Treasurer Carolyn Heasty. The resolution was to declare a 60-day peak depository period for a period of time after the collection of the second half taxes. The Commission unanimously adopted Resolution 2005-17.

Linda Mirt and Johnny Roberts, of the Sumner County Extension Office, met with the Commission. Mr. Roberts is the new County Extension Agent and assumed his duties on May 23. The Commission welcomed him to his new position.

The Commission reviewed and unanimously approved the minutes for May 31.

Sally Borst, Administrator for Slate Creek Good Samaritan Center, met with the Commission. County Maintenance Director Gary Yoder was also present. Administrator Borst reported that the census is increasing due to additional referrals. She inquired if the Commission would be interested in researching and applying for grants that might be available for fixing up the building. The Commission advised they would be interested. She also reported that the disaster plan for the facility had been revised and updated.

Administrator Borst reported on the latest visit by the State Fire Marshal's office. The facility passed on four out of five deficiencies. The fifth related to door latches and the date for compliance was moved from June of 2006 to March 13, 2006. A requirement relating to smoke detectors by May of 2006 was reviewed and discussed. Director Yoder advised he would further research the requirement. Commissioner Newell expressed his opinion that, since the building is leased to Good Samaritan, anything required to operate as a nursing facility should be the responsibility of Good Samaritan. Administrator Borst advised the issue would be reviewed further.

Debra Teufel, Economic Development Director, met with the Commission. She provided the Commission with a copy of correspondence that she received from Vic Thompson regarding the Challenger Learning Center project. Mr. Thompson posed a number of questions relating to the recent funding option considered of General Obligation bonds issued by the County. He also expressed some of his concerns on the funding option. Director Teufel advised that Mr. Thompson asked that she share his correspondence with the Commission.

Al Reiss and Rose Mary Saunders, of Reiss & Goodness Engineers, met with the Commission. The pre-construction conference for the Slate Valle Sewer District project was held. Others present included Frank Oursler, of MiddleCreek Corporation, Eric Topham, Kansas Department of Health and Environment, Gilbert Berryman, Wellington Waste Water Treatment Plant, Don Scott, President of the Slate Valley Sewer District, Larry Mangan, Wellington City Engineer, and County Planning and Zoning Director Jon Bristor. A prepared outline for the conference was reviewed and applicable information added. The starting date for the project was set as July 5, 2006, with a completion date of October 2, 2006. Don Scott inquired about the need for a road from 33rd Street to the site of the lift station. The distance would be about 300 ft. A culvert might also be needed. Mr. Reiss advised that the need for an access road would be looked into further.

Kevin Ikenberry, Executive Director for the Challenger Learning Center, met with the Commission. Economic Development Director Debra Teufel was also present. The Commission provided Director Ikenberry with the correspondence received by the Economic Development office from Vic Thompson. Some of the questions posed could only be answered with information provided by Director Ikenberry.

Director Ikenberry discussed a number of issues relating to the project. Issues relating to equipment, software, and future implementation plans were discussed. The funding option relating to the loan would provide a savings of over 1 million dollars over a fifteen year period compared to the private funding option that is currently planned.

The benefits that the project would bring to Sumner County were reviewed by Director Ikenberry. Commissioner Bongiorno asked Director Ikenberry to contact Mr. Thompson and attempt to address his questions and concerns.

The Commission recessed at 11:59 a.m. During the lunch hour the Commission advised they would visit the Challenger Learning Center to tour the building and view some of the equipment.

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

County Counselor Jack Potucek met with the Commission. The status of several issues was briefly discussed.

Laura Rettig, In-Home Services Director, met with the Commission. She inquired if the Commission would again this year wish to designate funds as incentive money for the Senior Care Act. Local funds are matched with State funding at a 2 to 1 ratio. An amount of \$2,000 was designated last year. The Commission unanimously approved again designating \$2,000.

Director Rettig discussed the CARE program. The Health Department has contracted for a number of years with the South Central Area of Agency to conduct client assessment referral and evaluation care assessments. The Commission unanimously approved the contract and it was signed.

Director Rettig discussed the applications for the Home Health Supervisor position. The applications closed on Friday with only two applications received. Director Rettig advised that neither applicant appears to have the minimum educational requirements. Re-advertising for the position was considered. Director Rettig was asked to discuss the issue with the other sub-department Directors.

E911 Director James Reed met briefly with the Commission. He reported on construction related occurrences that impacted his department over the last week.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$740.94. Prior year orders for \$3,203.90 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 2:55 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
June 7, 2005 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 Eldon Gracy and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Jim D. Newell was not present.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,429.00. Prior year orders in the amount of \$683.06 were also unanimously approved.

Tom McAlister met with the Commission regarding the Neighborhood Revitalization Program (NRP). Deputy County Appraiser Laurie Walta and Carolyn Farley, staff member, were also present. Mr. McAlister discussed issues relating to the NRP and City building permits for several of the properties he owns. Ms. Farley advised that the required photographs have been taken of several of the properties, but they are still waiting for submission of the NRP applications. Mr. McAlister then discussed a property where his daughter is building a house. The footings were already poured and now the property doesn't qualify for the NRP. Mr. McAlister left the meeting and advised he would return at 10:00 a.m.

At 10:05 a.m. Tom McAlister, Gala McAlister, and Julie Barker met with the Commission. Mrs. Barker explained that a building permit was purchased from the City on May 26. She produced a copy of the permit where a Notice about the NRP is printed on the back of the permit about the NRP. The notice says to contact the Sumner County Appraiser's Office for further information. Mrs. Barker maintained that it was never brought to her attention, mentioned, or explained by anyone at the City office. Deputy Appraiser Laurie Walta and Carolyn Farley, staff member, returned to the meeting.

Deputy Appraiser Walta contacted the City and asked that they fax a copy of the document in question, which they did. The document showed where the applicant signed directly below a notice stating "Any rehabilitation, alterations, additions, or new structures over five thousand dollars may be eligible for a TAX REBATE. You must check with the Sumner County Appraiser's Office prior to the commencement of construction on any improvement or new construction." Commissioner Bongiorno expressed his opinion that no exception could be made in this circumstance and the property could not be allowed under the NRP. Chairman Gracy expressed his desire that the issue be discussed when Commissioner Newell was present.

Greg Olsen, Chief Executive Officer for Sumner Mental Health, met with the Commission. He submitted the proposed 2006 budget for Mental Health. The budget request for county funding is \$228,000. Last year's budget was \$210,000 and for several years prior to that it was \$220,000. Over the period of about the last ten years, the county portion of the Mental Health budget has increased only about \$8,000. Mr. Olsen reviewed some of the State changes that have impacted services and funding Mental Health.

E911 Director James Reed met with the Commission. Also present were Assistant E911 Director B.J. Tracy, Maintenance Director Gary Yoder, and Robert Welch, of Freedom Electric. Director Reed presented Mr. Welch and Director Yoder with Certificates of Merit. He explained the work they both did to ensure that power was restored to the E911 Department when power was lost recently due to a construction problem. Mr. Welch, although not his responsibility, worked through the late evening hours and Director Yoder remained until early morning hours to see that the problem was resolved. The Commission thanked them both for their commitment in ensuring 911 operations were not interrupted.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. The process, which is provided for by State statute, of obtaining reimbursement for juvenile housing costs was discussed. The process was previously considered and researching it further was encouraged. Further research was done with Attorney Duane Brown. Sheriff Gilkey explained that between \$90,000 and \$100,000 was spent last year on juvenile housing. He proposed that Attorney Brown would be hired to work with the county to obtain reimbursements from the applicable responsible party. Mr. Brown's fees would be paid by a percentage of the funds reimbursed. The Commission expressed their support for the proposal. Sheriff Gilkey and Attorney Brown will meet with the Commission on June 28 to discuss details.

Sheriff Gilkey discussed a legal issue that had arisen regarding the Department's canine. The owner of a vehicle, which the dog alerted on, is claiming damage was done to the vehicle. After discussion, the Commission directed Sheriff Gilkey to consult with County Counselor Jack Potucek on the issue.

John Marx, of Universal Construction, met with the Commission. An update on the Law Enforcement Detention Center and Courthouse Compliance projects was provided. Mr. Marx reported on a situation that was uncovered during the demolition process. The existing foundation where the new stair tower will be seems to extend 10 ft. plus below grade. The contractor had not anticipated having to remove such an extensive amount of concrete. How to deal with the situation is still being considered. A problem occurred with Roto-Rooter when they were completing the sewer piping replacement. A power line was severed. How to handle the repair cost will have to be determined. Mr. Marx reported that the bid date originally set for June 9 has been extended to June 16. The times for submittal of the various bid packages remain the same.

Tony Rangle, of Law/Kingdon Inc., met with the Commission. John Marx, Sheriff Gilkey and Undersheriff Osborn remained present. Mr. Rangle showed samples of a number of the materials that are planned to be used in the Law Enforcement/Detention facility.

Road and Bridge Director Melvin Matlock and Officer Manager Joyce Reynolds met with the Commission. He reported on the bi-annual bridge inspection. The latest report shows 34 sites needing replacement. The 2003 report showed 45 sites and the 2001 report showed 34 sites. The reports over the years show that the bridge replacement system that the Department is using is working. Director Matlock advised that 262 bridges remain in the county that were built prior to 1940.

Director Matlock discussed the 2006 budget for his department. He explained that the budget was prepared with the expectation of continuing to utilize used steel where possible. Using new steel would require a significant increase. Director Matlock said there are limited sites with used steel available, but price comparisons are made. The Commission unanimously expressed their support for continuing with used steel. Director Matlock briefly discussed other areas within the budget.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
June 13, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Commissioner Gene Bongiorno Jr. was not present as he was attending a Regional Economic Area Partnership meeting in Wichita.

Road and Bridge Director Melvin Matlock and Joyce Reynolds, Office Manager, met with the Commission. Director Matlock provided information regarding the landfill budget that was submitted. The landfill budget does not involve any tax dollars. The funding is from the revenue generated. Some of the increases and changes in the budget were reviewed in detail. The replacement of the dozer was discussed. It should be replaced next year, but sufficient funds will not be available. The proposal was made in 2000 to increase landfill rates in order to have sufficient funds, other than tax dollars, to replace the dozer. The Commission elected not to increase rates at that time. Director Matlock proposed increasing the rate now by \$1.50. The minimum rate increase proposed for a minimum load would be \$2.00. Doing so would provide additional funding for the replacement, although, still not entirely sufficient. There would also be other needs relating to Kansas Department of Health and Environment regulations. The last rate increase was in August of 2002. After discussion, Commissioner Newell expressed his desire to increase the rate by \$2.00 and the minimum load rate from \$11.00 to \$12.00. The Commission unanimously approved the rate increase of \$2.00, a minimum load rate increase of \$1.00, and a \$1.00 increase for the construction and debris pit effective August 1, 2005.

Ernie Fink met with the Commission. He inquired when the Commission intended on taking action on the Appraiser's contract. He advised there were several individuals that would like to be present to speak on the issue. The Commission scheduled next Tuesday, June 21st, at 10:30 a.m. for the Appraiser's re-appointment.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. The use of matrons, which the Commission previously approved, was discussed. In order to meet the requirements of the County's workers compensation insurance carrier any private contractor is to provide proof of workers compensation insurance. Sheriff Gilkey discussed the difficulty in meeting those requirements for a matron. Due to one female detention officer on medical leave, the immediate need for a matron remains. Other options were discussed.

Commissioner Bongiorno arrived from the REAP meeting at 10:24 a.m.

The discussion with Sheriff Gilkey continued. If a female detention officer is not on duty, a matron is needed whenever a female is processed in or out of the facility and sometimes for transporting a female. They are paid on a per call basis. The option of authorizing temporary employees as matrons was considered. After discussion, it was unanimously approved to authorize three temporary Matron positions. The Commission also authorized waiving of the hiring procedure due to the urgent need, although, the drug test policy would still apply. A job description for a Matron will be developed.

Economic Development Director Debra Teufel met with the Commission. Also present were Wellington City Manager Carl Myers, Mayor Stan Gilliland, Economic Development Commission Member Roger Mericle, Bill Bolin, of the South Central Kansas Economic Development, and Wellington City Engineer Larry Mangan. Director Teufel discussed an industry that is considering locating just east of Wellington. The business would be a regional maintenance service center with approximately 100 jobs. Wellington has emerged as the first choice in the south central Kansas region. The company is considering two sites east of Wellington. One need expressed would be that Seneca Rd. be paved from US160 to a point near the BNSF Railroad tracks. The cost estimate for paving Seneca Rd and making the needed improvements would be about \$1,035,153.02, although, that estimate may not include the full length needed.

Mr. Bolin discussed the possibility of the availability of a Community Development Block Grant (CDBG) to assist with any project. A CDBG grant could provide up to \$35,000 per job created up to a maximum of \$750,000 to assist with the project. In this case, the maximum amount would be possible. He briefly discussed some details of the CDBG process. Commissioner Newell inquired if the city would wish to annex the property at some point. City Manager Myers advised the City would, at some point in the future, like to annex the property. It was not known at

this time whether an upgrade to the road with future planning to pave it would be an acceptable option to the company. General obligation bonds would be an option for county funding. Director Teufel advised what is needed at this point would be a letter from the Commission indicating their willingness to support the project and how they would consider doing so. The Commission unanimously expressed their support for the company locating in Sumner County and they asked Director Teufel to prepare a letter for their consideration.

City Manager Myers discussed the Challenger Learning Center Project. He advised that the Challenger Board had determined that they would cover the cost relating to the issuance of General Obligation bonds by the County for the project. The estimated amount of \$7,000 would be considered as part of the payback. The Commission advised they would consider that offer during their continued deliberation of the issue.

Debra Teufel and Roger Mericle remained to discuss an NRP issue from last week. Director Teufel advised that she was contacted by the couple who were denied the NRP. She advised that she had been asked by the couple if they could tear out the existing work that's been done and then apply for the NRP. She was also asked, if the lot was sold, would the new owner be eligible. The Commission discussed that they believed that the occurrence of someone starting over on the project had happened before and they were then allowed to apply. The Commission expressed their regret, that in this instance with the original circumstances, no exception could be made to allow NRP eligibility.

The Commission met with Appraiser Della Rowley. The option for someone to tear out footings already poured and then apply for the NRP was discussed. After discussion, it was unanimously agreed that such an option would be available to any property owner.

The minutes for June 6 and 7 were reviewed and unanimously approved.

The Commissioners recessed for lunch at 12:05 p.m.

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

Noxious Weeds Director Robin Walcher met with the Commission. She reviewed the proposed budget for her department next year. She proposed an amount of \$3,000 for a temporary or seasonal chemical applicator position. The expected cash collections were also increased based on the amount collected last year. Director Walcher explained that there is currently more work than her department can accomplish with two people. A temporary employee would allow more spraying to be done and would increase cash collections. The equipment reserve fund was also discussed. Currently \$72,000 exists in the fund. Director Walcher advised that the 2 ton truck would have to be replaced in 2 to 3 years and equipment reserve funds would be used.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$121.96. Prior year orders in the amount of \$169.00 were also unanimously approved.

The Commission reviewed and unanimously approved the June mid-month claims in the amount of \$326,916.53.

There being no further business, the Board of County Commissioners adjourned at 3:41 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
June 14, 2005 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 Eldon Gracy, Commissioner Gene Bongiorni Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Public Health Director Linda Baker, In-Home Services Director Laura Rettig, and Administrative Assistant Kris Ellis met with the Commission. A contract relating to the Women-Infant-Children program was submitted for signature. The contract designates the local and State responsibilities. The Chairman was unanimously authorized to sign the contract. A business associate agreement with the First Guard insurance company was submitted for signature. The agreement is required under the Health Information Portability and Accountability Act. The Chairman was unanimously authorized to sign the agreement.

The need for an additional full-time Home Health Registered Nurse was discussed. The request was made to change an existing part-time position to full-time. The need was previously discussed. After consideration, the Commission unanimously authorized the change in the staffing level.

The Commission reviewed the job descriptions for the Health Department/Home Health Agency Director and the Home Health Supervisor positions. Revisions to both descriptions were finalized by the Commission.

County Counselor Jack Potucek met with the Commission. He provided a brief report on a tax appeal issue. Counselor Potucek advised the Commission that he has never seen an issue where Appraiser Rowley has been told by the Board of Tax Appeals that she is not following the State manual.

Commissioner Bongiorni left the meeting at 10:52 a.m.

A correction to the minutes of June 7 was noted. In a meeting that day with Road and Bridge Director Matlock, the current and past bi-annual bridge inspection reports were discussed. Director Matlock advised that the 2001 report showed 54 bridges needing replacement, but the number 34 was incorrectly cited in the minutes. The current report for 2005 shows 34 and the 2003 report showed 45.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
June 20, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present Deputy County Clerk, Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Minutes of June 13 and 14 were reviewed and unanimously approved.

Della Rowley, County Appraiser met with the commission at their request. A letter was received from various business owners and the Commission was asking for clarification. She has requested that she is able to review the files in question before answering the letter.

Melvin Matlock, Road & Bridge Director, and Joyce Reynolds, Office Manager, met with the Commission to discuss Right of Ways signatures needed on the next part of the Belle Plaine south project (No. 50026A). It was unanimously agreed the forms be signed by all commissioners.

David Bowman, Superintendent of Wellington Lake met with the Commission to discuss funding of lake projects. He presented the commission with a record of current revenue showing that permits are currently up at this time. Grant monies have been applied for to help with lake improvements such as boat docks and shelter upkeep. The tree planting project is continuing and seems to be successful. The state has furnished fish for the lake through a contact between the city and state. David explained that the \$15,000 received from the county has been most helpful and is requesting the same for the next year.

At 10:30 a.m., the Commissioners held a public hearing on zoning cases No. 10PC-05, 11PC-05, and 12PC-05. Jon Bristor, Planning & Zoning Director, Mary Jenkins, Assistant Director were present as well as Don Burford. Case No. 10PC-05, for 5 rural plats for residential development. A second case, 11PC-05, is a final plat for the above development. Clarification with Mr. Burford about the access to the various properties, and clean-up of existing home site was discussed. Director Bristor reported that the Planning Commission had unanimously recommended approval on both cases. After review and discussion, the Commission unanimously approved Cases No 10PC-05 and 11PC-05.

A third case, a preliminary plat No 12PC-05, was presented to the commission for approval. Also present was Glenn Hamilton, property owner. His request is to change 60.6 acres of agricultural property to rural residential district for development. It has been recommended that the property be resurveyed to be a development not to exceed 9 lots. Director Bristor reported that the Planning Commission had unanimously recommended approval and after review and discussion, the Commission unanimously approved Case No. 12PC-05.

Jon Bristor also notified the commission that a member on the planning board will be leaving at the end of July. Therefore, Commissioner Bongiorno will need to make recommendation for a replacement to this position.

Della Rowley, Appraiser, met again to explain the economic factor as to the value of commercial property. She also presented documentation from the state showing the county commercial property has been out of compliance for at least 10 years. She presented to the commission information sent to the state to justify her findings in raising the value of commercial property. It was asked that she gather further, clarifying information to present to the commission during her meeting at 10:30 a.m. on Tuesday, June 21, 2005.

Craig Joy, owner of Joy Masonry met with the commissioner to discuss the Law Enforcement Center project. He wanted to introduce himself and his business to the commission. He is a local taxpayer as is most of his staff and he feels he has a personal interest in the project as a Sumner County resident.

The commission reviewed and unanimously approved tax abatement orders in the amount of \$23,513.10.

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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
June 21, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Laura Rettig, In-Home Services Director, Health Department, met with the Commission for a signature on the Senior Care Grant. The Board authorized the Chairman to sign the contract. The grant funding to be received is \$82,388. Laura had also requested more funding for the homemaker program and was granted \$3,000. The Chairman was authorized to sign this, also. Attitude of the Health Department was also discussed.

Jack Potucek, County Counselor, met with the Commission for review and updates of county business. Contact has been made with Larry Mangan, City Engineer about the easement of county property joining Slate Creek and the golf course.

At 10:30, the Commission met with Della Rowley, County Appraiser in conjunction with the appointment of County Appraiser. Also present were Shelley Hansel, Gala and Tom McAlister, David Carr, Greg Renn, Larry Theurer, Gordon Johnson, Rich Jesina, Ty Sober, Nanetta and D.R. Short, Harley Freeman, J.C. Long, Ron Pomeroy, Ernest Fink, Julie Ast-Russell, Lyn Fritzler, Vicki Johnson, Glen Scott, Kenneth Moore and Terry Tedman. Shelley Hansel, Chamber of Commerce Executive Director, spoke on behalf of the concerned tax payers. Mr. Ernie Fink, Security State Bank President, spoke of fairness and equity to all business owners. Appeals questions were also directed to the commission. Questions were asked, directly submitted to Della. Della was given the opportunity to discuss the actions of herself and her office. A handout, printed from PVD website, was provided to the concerned taxpayers for review. Della explained the economic factor and how this process works. Della reports that the county has been out of compliance since 1994, and she has been working on bringing Sumner County up to compliance.

Mr. Tom McAlister, discussed the fact that he had to hire a professional tax appraiser to help him with his appeals process. He explained how he removed 37 acres from agriculture to commercial and his taxes went up three fold. He feels that this is not a state driven problem, but a local one in our own county. Mr. Delmar Short showed the commission how his value went up by just painting his house.

Commissioner Newell, explained how the commission will look into what it will take to make this process fair. This is what the taxpayers, also agree. It was suggested that a meeting needs to be scheduled with the taxpayers present, Della, and the state. Della has agreed to contact the state to schedule such a meeting locally. Commissioner Bongiorno also wants verification from the state.

In response, Jack Potucek, county counselor, reported the state can seek removal of one or more commissioner as well as the appraiser of any county that is out of compliance and refuses to bring the county into compliance. A push for a review of the direction of the state manual needs to proceed.

Steve Pierce, John Marx, Steve Smith, and Kerry Murry of Universal Construction, Dennis Smith and Tony Rangel of Law Kingdon, Sheriff Gerald Gilkey and Undersheriff Jerry Osborn, and Jack Potucek met with the commission for a project update on the Sumner County Law Enforcement Center. John Marx, spoke to the commission. To date, the project is on budget. All beds, the sally port and mezzanine originally budgeted and proposed are still in.

A bid package cost recap was presented to the Commission for review. Recommendations were made to the commission which bids should be awarded a contract. No bond included with a bid, was one factor in the recommendation of the contracts. All contractors will be bonded. Letters of "intend to award" will be sent shortly and contracts, after review by counsel, will be brought to the commission for signature at a later date.

Security cameras in the new stair tower will be obtained from the existing jail when the new detention center is opened. This will be saving the county some construction cost, as this is equipment already on line with the courthouse.

Melvin Matlock, Road & Bridge Director met with the commission for signatures on contracts for project Belle Plaine South (#50026A), and project 96 C-4020-01, for inspection of pin & hanger bridges.

The Commissioners recessed for lunch at 12:04 p.m.

The Commissioners reconvened in open session at 1:30 p.m., with Commissioner Jim Newell absent.

Jon Bristol, Planning & Zoning Director, met with the commission requesting signatures on the resolutions of plats, cases no. 10PC-05, 11PC-05, and 12PC-05.

There being no further business, the Board of County Commissioners adjourned at 1:41 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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
June 27, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. 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 20 and 21.

Sheriff Gerald Gilkey met with the Commission. Also present were Undersheriff Jerry Osborn, Deputy Scott Goforth, and Dusti Fansler, of the Wellington Daily News. Deputy Goforth, who retired this month, was presented a plaque in recognition of his 21 years of service to Sumner County. The Commission expressed their thanks and commended him for his service to the County.

Information Services Director Doug Stice met with the Commission. He provided an update on the installation of the fiber network between the various county office buildings. Several of the buildings are now connected with only a couple remaining. Director Stice discussed issues relating to spy ware and protection of the network system. He provided information on hardware that would increase the firewall protection of the system. The new hardware is expected to be available by the end of the year at a cost of approximately \$3,000. There would also be an annual maintenance cost, but that amount is not yet set. Director Stice advised he would have sufficient funds available to purchase the hardware. The Commission unanimously voiced their support for the purchase of the hardware. A reminder of the existing policy relating to the use of electronic communication devices will also be distributed in the near future to all employees.

Economic Development Director Debra Teufel met with the Commission. Also present were Janis Hellard, Economic Development staff member, and Dick Goodrum, of Emergency Fire Equipment, Inc. Director Teufel advised that Emergency Fire Equipment received a Regional Award for business appreciation week. The company was recognized at last week's business appreciation luncheon, although Mr. Goodrum was unable to attend. The Commission and Director Teufel presented him the plaque in recognition of the regional award.

Wellington City Engineer Larry Mangan met with the Commission. He discussed the easement for the road that will cross county property at the Slate Creek Good Samaritan Center into Woods Park. The Commission previously agreed that the road could cross the property and it was determined that an easement would be needed. The exact location of the road is not yet known so there was some difficulty in determining the easement needed. After discussion, the Commission requested that the easement be worded as to not exceed 40 ft. Mr. Mangan will revise the wording and return it to the Commission.

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

Wellington City Engineer Larry Mangan met again with the Commission. He submitted the revised easement document for the Commission's approval and signature. The easement was unanimously approved and Chairman Gracy was authorized to sign the grant of roadway easement.

Appraiser Della Rowley met with the Commission. County Counselor Jack Potucek was also present. Appraiser Rowley first provided information on one of the residential properties that was brought up last week. She advised that her research showed a number of things not mentioned by the property owner. Since the last time the property had been viewed, the interior walls of the residence had been updated, central heat and air had been installed, and other work had been done. All of those things affected the valuation besides exterior paint, which was the only thing mentioned.

Appraiser Rowley provided the Commission the letter that she drafted to be sent requesting a meeting with State officials. Counselor Potucek provided recommendations regarding the letter. The letter will be sent to the Director of the Property Valuation Department requesting a meeting to clarify the valuation process and procedures.

Appraiser Rowley asked for an executive session with the Commission to discuss non-elected personnel. At 1:52 p.m., the Commission upon unanimous vote entered into executive session with Appraiser Rowley until 2:15 p.m. to discuss non-elected personnel. Counselor Potucek and County Clerk Shields were both asked to remain present, which they did. The Commission reconvened in open session at 2:15 p.m.

Counselor Potucek requested an executive session with the Commission to discuss an attorney-client privileged matter and non-elected personnel. At 2:20 p.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for ten minutes. At 2:30 p.m., the executive session was extended for 5 minutes. At 2:35 p.m., the Commission reconvened in open session.

The Commission spoke with Dennis Smith, of Law/Kingdon Inc., and John Marx, of Universal Construction, by phone. Counselor Potucek was also present. The process of re-bidding specific packages for portions of work for the Law Enforcement/Detention Facility was discussed.

The Commission met with Elliott Jackson, county auditor. The budgeting process and timeline was discussed.

The Commission reviewed and unanimously approved the claims for the end of June in the amount of \$413,487.19.

There being no further business, the Board of County Commissioners adjourned at 4:19 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
June 28, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission received notice through the District Court that the State is increasing the mileage rate to \$.40 effective July 1, 2005. That rate is what the court follows to reimburse jurors. The Commission has followed that same rate for the entire county. The Commission authorized the mileage reimbursement rate change from \$.37 to \$.40 effective July 1, 2005.

Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, and Attorney Duane Brown met with the Commission. The possibility of recovering some of the expense for juvenile housing was discussed. The possibility has been discussed over the past couple of years. Sheriff Gilkey reported that, to date, \$42,000 has been expended for the housing of juveniles. State statute provides for a process to recover expenses through a court civil action against the responsible party for the juvenile. Attorney Brown provided information on the legal aspects and procedures. Sheriff Gilkey advised that there are several counties that have the procedures enacted to recover expenses. After discussion, the Commission unanimously authorized Sheriff Gilkey to formulate a procedure. A fee schedule for Attorney Brown's services will also be developed and returned to the Commission for approval.

Appraiser Della Rowley met with the Commission. She provided the 2004 final ratio information that was just received from the State.

Appraiser Rowley, Information Services Director Doug Stice, Road and Bridge Director Melvin Matlock, and Engineering Superintendent Nita Simonton met with the Commission. Information regarding equipment for the Geographic Information System was provided and reviewed. Two additional software modules available from Infinitec, Inc., were discussed. They are the Local GIS Project and DMS On-Line Project modules. The modules will enable additional information and maps to be made available on-line for the public. If Sumner County would serve as a pilot county for the LGIS Project, the cost would be \$7,200 compared to \$14,900. Serving as a pilot county also enables the county to have input on features of the system. One of the modules will also provide a link to the existing parcel search. Benefits of the system to the public and county departments were discussed. The total cost for both project modules would be \$13,048. Approximately \$77,000 is available from the NRP administrative fees, which is authorized in the NPR for transfer to the General fund. After discussion, the Commission unanimously authorized the purchase of the system and the transfer of the sufficient funding for the purchase.

Register of Deeds Joyce Lowe met briefly with the Commission. She introduced Rhonda Berry, the Harper County Register of Deeds. Mrs. Berry was visiting Sumner County to view the equipment and procedures relating to the scanning of documents.

The Commission met with Elliott Jackson, county auditor. Several budget items were briefly discussed.

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

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

The Commission met with Appraiser Della Rowley. Dusti Fansler, of the Wellington Daily News, was also present. The Commission indicated that they were prepared to sign the resolution re-appointing her as County Appraiser for a four year period. Appraiser Rowley inquired if they had made any determination regarding the salary. The Commission advised they would review salary during the budget preparation process. Appraiser Rowley requested an executive session. At 1:45 p.m., the Commission upon unanimous vote entered into executive session with Appraiser Rowley for 15 minutes to discuss non-elected personnel. County Clerk Shields was asked to remain present, which he did. At 2:00 p.m., the executive session was extended for 10 minutes. At 2:04 p.m., the Commission reconvened in open session.

Commissioner Bongiorno moved to approve Resolution 2005-21 re-appointing Della Rowley as the Sumner County Appraiser effective July 1, 2005, through June 30, 2009. Commissioner Newell seconded the motion and it was passed unanimously. The Commission then asked Appraiser Rowley to review and explain the ratio study received from the Division of Property Valuation. Commissioner Newell noted that, according to the State, the commercial ratio has been low for several years. The latest State study indicates that adjustments have been made and commercial values have been brought more in alignment to where they should be. The Commission also advised that a letter has been sent to the State asking for a meeting with Department of Revenue officials to discuss the valuation process. Commissioner Newell advised that the Commission has confidence in Appraiser Rowley and the State indicates that she is doing her job.

The Commission conducted a work session for the 2006 budget. The individual review of specific department budgets was begun.

Vic Thompson met briefly with the Commission. The Challenger Learning Center and other economic development issues were discussed.

There being no further business, the Board of County Commissioners adjourned at 3:32 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
July 5, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission received a report from Treasurer Carolyn Heasty. The sales tax collected for the month of May was \$152,201.59. A total of \$1,057,375.54 has been collected in sales tax since November 1, 2004. A total of \$158,657.43 has been earned on funds that have been invested.

Laura Rettig, In-Home Services Director for the Health Department, met with the Commission. She submitted the inner-agency agreement with Futures Unlimited, Inc., for Healthy Start services. The agreement was provided by Shirley Theurer, of Futures, and there were no changes proposed. After review, the Commission unanimously approved the agreement and it was signed.

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

Joyce Reynolds, Office Manager for the Road and Bridge Department, met with the Commission. She submitted an Acquisition of Public Road Right-of-Way agreement for the Commission's approval. The agreement was unanimously approved and signed. An Authority to Award Contract Commitment of County Funds received from the State was also submitted. The lowest bidder to the State was Ritchie Paving, Inc. & Subsidiary. The document was unanimously approved and signed. Two vehicle titles were submitted and signed by the Commission. A design contract with Cook, Flatt & Strobel for Off-System Bridge 35-22-6 was submitted for signature. It was unanimously approved and signed.

John Marx and Kerry Murray, of Universal Construction, met with the Commission. Sheriff Gerald Gilkey was also present. Mr. Marx provided a progress report on the Law Enforcement Detention Center and Courthouse Compliance projects. The foundation work, for the most part, is completed for the stair tower at the courthouse. Regarding the detention center, letters of intent have been sent to the successful bidders on all but four bid packages. The remaining four packages are scheduled to be re-bid on Aug. 11, 2005. Contracts will be prepared this week. Various alternate packages discussed in the past were further reviewed.

Carol Hrdlicka met with the Commission regarding agricultural burning. E911 Director James Reed was also present. Mrs. Hrdlicka expressed a concern with recent agricultural burning that was conducted and which reached her property. The burning was conducted when there were gusty winds. She said she believes there needs to be some type of restriction relating to wind conditions of when burning can be done. She also expressed a concern with smoke reducing visibility on a nearby road. Mrs. Hrdlicka said she believes there also needs to be some type of education for those that burn in the correct procedures and safety issues. The existing agricultural burning resolution, adopted in 2002 by Commissioners Bongiorno, Courtney, and Hendricks, regarding agricultural burning was discussed. That resolution superseded the 1998 one, which did contain a wind speed limitation and provided a fine for failure to notify the burn. The 2002 Resolution provides that any violator shall be prosecuted pursuant to Kansas Administrative Regulation 28-19-648.

The Commission discussed the burning issue at length. Everyone agreed that there are only a handful of individuals that burn irresponsibly. The Commission agreed that they would review the agricultural burning resolution and the procedures involved.

The Commissioners recessed for lunch at 12:14 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

The Commission talked with Richard Granger, Chairperson of the Health Advisory Board, by phone. They inquired if he would form a committee to review and interview the applicants for the Health Department/Home Health Agency Director position. Mr. Granger agreed to do so.

The Commission reviewed the Local Environmental Protection Program Grant Agreement between the Kansas Department of Health and Environment and the Planning-Zoning-Environmental Health Department. The Commission unanimously approved the agreement and it was signed.

County Counselor Jack Potucek met with the Commission. The agricultural burning resolution was discussed. The resolution adopted in 2002 included the recommendations that were made at the time by the Sumner County Fire Chief's Association. The Commission asked Counselor Potucek to review the resolution and the issues involved.

The Commission conducted a work session for the 2006 budget. Several individual budgets were reviewed and discussed.

There being no further business, the Board of County Commissioners adjourned at 4:36 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
July 11, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was attending a Regional Economic Area Partnership meeting. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for July 5.

Community Corrections Director Lou Bradbury met with the Commission. Also present was CASA Director Tammy Bradbury. Lou submitted the Community Corrections budget for adult clients. The budget was reviewed and unanimously approved.

Commissioner Bongiorno arrived from the REAP meeting at 10:00 a.m.

Road and Bridge Director Melvin Matlock met with the Commission. Also present was Joyce Reynolds, Road and Bridge Office Manager. Director Matlock submitted a fund transfer to deal with the increased fuel costs. Due to fuel costs, the budget for fuel has been depleted.

Road and Bridge Director Matlock requested an executive session to discuss non-elected personnel. At 10:01 a.m. the Commission, upon unanimous vote, entered into executive session with Director Matlock and Office Manager Reynolds for 15 minutes to discuss non-elected personnel. At 10:16 a.m., the Commission reconvened in open session.

The Commission discussed budget issues with Director Matlock and Office Manager Reynolds. Also present was Elliott Jackson, county auditor. Funds relating to Road and Bridge and the Special Highway Improvement fund were discussed. As Director Matlock advised in May, there will be \$175,000 reimbursed from the State for the engineering costs that were already completed for the Belle Plaine South project. That amount should be received prior to the end of the year. There is also \$40,000 that should be received from FEMA for expenses relating to the ice storm, but it is unknown when it will be received. It was determined that the \$175,000 will be used to assist the 2006 budget and the Special Highway/Bridge Improvement Fund will be reviewed further. The Special fund must provide the 20% required county portion for the Belle Plaine South project and the cost of right-of-ways.

Leroy Hovorka met with the Commission regarding a drainage issue. The location was at the intersection of Ryan Road and 150th St. South. Mr. Hovorka said he believes a longer culvert is needed on the west side. Road and Bridge Director Matlock was called into the meeting. Director Matlock advised he would view the location and determine if any changes might be needed.

Maintenance Director Gary Yoder met briefly with the Commission. He discussed an issue relating to the construction of the stair tower at the courthouse. Access to the pipe chase was discussed and the need for a ladder. The Commission unanimously agreed there would need to be a ladder provided.

The Commissioners recessed for lunch at 11:58 a.m.
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. He reported that he had talked with Attorney Robert Eye regarding the Harper County landfill. The rebuttal report from the hydrologist, Ned Marks, hired by Sumner County was filed with the Kansas Department of Health and Environment last Thursday. The report was submitted as a response to the applicant's report regarding the hydrologist's findings. After discussion, it was decided to have Attorney Eye arrange a meeting with Representative Bill McCreary. One of the Commissioners would also attend the meeting.

County Clerk Shields discussed an issue with Counselor Potucek and the Commission. Counselor Potucek was asked for a legal clarification regarding crediting the payment for a claim against the delinquent taxes owed by a

claimant. The procedure is provided for by statute. After review of the statute and the specific situation, Counselor Potucek advised the procedure would not be applicable.

The Commission received correspondence from Fire District No. 6. Board member Gene Barry resigned due to moving out of the district and Board member Dick Giefer resigned due to health reasons. Marvin White and Mark Urban were recommended to fill the vacant positions. After discussion, the Commission unanimously appointed both the recommended individuals to the Fire District No. 6 board.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$370,023.79.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$614.46. Prior year orders in the amount of \$1,999.98 were also unanimously approved.

For the rest of the afternoon the Commission conducted a work session on the 2006 budget. Several specific department budgets were reviewed and some reductions were made.

There being no further business, the Board of County Commissioners adjourned at 4:22 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
July 12, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. 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 regarding a Neighborhood Revitalization Program application. An application was filed by Tom McAlister for a property in Wellington. The property is the same that was involved in recent discussions with Mr. McAlister and Julie Barker. Ownership of the property has been changed to McAlister Group LLC and a new building permit was submitted under the new owner. Appraiser Rowley asked the Commission to confirm if the application should be accepted. The Commission discussed that a similar situation had occurred under the previous NRP program. Ownership had changed and the application was approved. The Commission unanimously approved the newly submitted application.

Emergency Management Director James Fair met with the Commission. He provided information on the State's strategy for implementing the National Incident Management System (NIMS). The use of NIMS is required by Federal mandate. Director Fair explained how it will affect his office. He will provide training to the emergency responders and other officials in the county. The emergency operation plans will also have to be updated to use the NIMS plan.

Director Fair advised that a meeting will be planned in the near future with the storm spotters in the county. He asked that one of the Commissioner's attend the meeting. He provided a copy of written guidelines that will be distributed to the storm spotters. The guidelines are intended to provide information to the volunteers and implement a structure. The purpose of structure is to reduce liability risk to the county and increase the safety of the volunteers. Director Fair will inform the Commission when the meeting is set.

Doug Pfalzgraf, Attorney for the Sumner Mental Health, met briefly with the Commission. He provided a copy of the contract where the building in the Wellington Industrial Park, belonging to the Sumner Youth Services, was purchased by the County. The contract was signed last year. An Affidavit of Equitable Interest relating to the property was submitted for the Commission Chairman's signature. The Commission advised that they would review the documents.

The Commission discussed the proposed budget for Emergency Management with Director Fair. Reductions were made in the personnel services expense and several other areas.

Richard Gilfillan met briefly with the Commission. He reported that representatives of the University of Kansas Department of Ecology and Evolutionary Biology would be here Thursday to view the mammoth head in the lobby of the courthouse.

Kevin Ikenberry, Executive Director for the Challenger Learning Center Project, met with the Commission. He reported that he had met with Mr. Vic Thompson and provided additional information to him. Director Ikenberry discussed the possibility of General Obligation bonds. He advised that the Challenger Center would be willing to assume the county's cost for the issuance of GO bonds for the project. He advised that a ceremonial wall breaking ceremony has been scheduled at the Center location for July 20. Commissioner Newell asked if the Center has money to proceed, which Director Ikenberry confirmed. They would like to utilize the GO bonds in order to save approximately 1 million dollars in interest costs. Commissioner Newell inquired if there were any liens on any Project property. Director Ikenberry advised there were no liens. The Commission inquired what the latest date would be that a final answer is needed regarding the GO bonds. Director Ikenberry said an Interlocal agreement between the City and County would be the first step. If an agreement could be formulated within the next few weeks, it would speed up the process for the GO bonds.

County Counselor Jack Potucek met with the Commission. He reported that he had reviewed the Agricultural Burning resolution. He recommended that, if the Commission wished to consider any changes, they should involve

the same participants that were involved before. In 2002, the Sumner County Fire Chief's Association was asked for recommendations, which were followed.

The Commission reviewed the revised Emergency Management budget. After discussion, further reductions were made to the budget.

The Commissioners recessed for lunch at 12:01 p.m.

The Commissioners reconvened in open session at 1:30 p.m. Chairman Gracy was not present as he was attending the South Central Solid Waste Authority meeting in Winfield.

The Commission met with Sheriff Gerald Gilkey and Undersheriff Jerry Osborn. The Commission inquired if his department receives any benefit from the radar system utilized by Emergency Management. Sheriff Gilkey advised that his department does not.

The Commission met briefly with Planning and Zoning Director Jon Bristor regarding a budget issue. Replacement of the 1998 Chevrolet pick-up with a crew-cab pick-up was proposed for 2006. The Commission inquired about the need for a crew cab. Director Bristor advised that additional space is needed for equipment that has to be carried.

The Commission met with Kris Ellis, Administrative Assistant for the Health Department, and Laura Rettig, In-Home Services Director. The proposed budget for the Health Department was discussed. Personal services will be further reviewed along with the projected revenues for the department.

Gloria Horsch spoke with the Commission by phone regarding the Sumner Memorial Gardens. She inquired if the Commission had any objection if she had a landscaper view and possibly do some work on a portion of the cemetery. She also discussed the trees that had grown back in among the cedar trees. The Commission asked that she first discuss the items with Maintenance Director Gary Yoder.

Commissioner Eldon Gracy returned to the meeting at 2:55 p.m.

Maintenance Director Yoder discussed two items in the proposed Courthouse General budget for next year. The amount for courthouse remodeling is for a joint project with the City to repair the curbing around the courthouse. The amount for equipment reserve is for unexpected equipment replacement needs that might arise such as air conditioning units.

The Commission met briefly with Counselor Potucek. He was given the documents relating to the purchase of the building from the Sumner Youth Services and asked to review them.

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

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
July 18, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. 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 11 and 12.

Sally Borst, Administrator for Slate Valley Good Samaritan Center, and Vicky Coffey, Environmental Services and Safety Director, met with the Commission. Administrator Borst reported that Simplex provided a bid for a sprinkler system for the building. The cost would be \$104,000. Administrator Borst advised that the sprinklers are required by September 2006. The contract with Good Samaritan provides that the county will provide \$45,000 annually for capital improvements on the building. Administrator Borst was asked to confirm information regarding the proposal and the requirement.

Administrator Borst reported that the facility census is increasing and should be up to 34 tomorrow. Other facility issues were discussed regarding the dryer ducts and carpeting in a specific room. They reported that they were not sure when the ducts was last cleaned out. The Commission asked that the Center's maintenance person talk with County Maintenance Director Yoder. An issue relating to carpeting in a specific room was discussed. The Center's maintenance person will proceed with removing the carpet.

The Commission met with Information Services Director Doug Stice to review the 2006 budget proposal for his department. Capital outlay and personal services amounts were discussed. An increase in capital outlay was proposed for equipment reserve to build up funds for when servers need to be replaced. A full time Technician position was also proposed. The position has been proposed for several years. A main purpose of the position would be to address hardware and software issues, such as resolving minor hardware problems and installing new software. Director Stice was asked to confirm the amount needed for a part-time position.

Director Stice also discussed the disposition of old computer equipment. The equipment is of a value of less than \$500. After discussion, the Commission authorized Director Stice to post the items for sale in an as is condition.

Road and Bridge Director Melvin Matlock and Officer Manager Joyce Reynolds met with the Commission. The Commission discussed two road issues with Director Matlock.

Director Matlock discussed budget issues. Elliott Jackson, county auditor, was also present. Director Matlock advised upon further review of the Special Highway fund, the determination was made that an additional \$100,000 could be utilized to assist the 2006 budget. With the right-of-way that has already been purchased for the Belle Plaine South project, an estimated average was calculated for the rest of the right-of-way needed. The calculation shows that an amount of about \$100,000 might be available. Budget issues for the overall county were discussed and Director Matlock expressed some of his concerns. The Commission advised that all budgets are being reviewed. Other items and needs of other departments that are affecting the budget were discussed.

Laura Rettig, In-Home Services Director for the Health Department, met with the Commission. Some of the issues that were researched further regarding the proposed 2006 budget for the Health Department were discussed. One issue, relating to State funding based on local expenditures, had not been confirmed yet with the State. Director Rettig advised that there were also items that were slightly reduced in some areas.

Director Rettig submitted a revised business association agreement with FirstGuard for the Commission's approval. The agreement was signed a couple of weeks ago, but FirstGuard corrected a name on the document. Chairman Gracy was unanimously authorized to sign the agreement. An agreement with Southwestern College for a student nursing program was also approved. Director Rettig submitted the Bylaws for the Sumner County Health Agency and Health Department. The Bylaws were already approved by the Health Advisory Board. The Commission unanimously approved the Bylaws.

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

The Commission began a work session for the 2006 budget. Several budgets were reviewed with some reductions made.

County Counselor Jack Potucek met with the Commission. He advised that he had contact with Attorney Robert Eye who reported that there had not been any decision yet from the Kansas Department of Health and Environment regarding the application for the Harper County landfill.

The Commission asked Counselor Potucek about issues relating to the contract with the Good Samaritan Society relating to the Slate Creek Center. Specifically, those areas that would relate to the requirement of installing a sprinkler system were reviewed. Counselor Potucek advised he would review the issues in more detail.

The Commission continued the budget work session with the review of specific department budgets.

There being no further business, the Board of County Commissioners adjourned at 4:09 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
July 19, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Treasurer Carolyn Heasty met with the Commission. B. Diane Hunt, Tax Clerk II, was also present. Treasurer Heasty presented Diane with a plaque in recognition of ten years of service to the County in the Treasurer's office. The Commission commended her on her service and dedication to the County.

Bernard Rausch spoke with the Commissioners by phone regarding a road issue. Mr. Rausch expressed concern about a road being closed near his business by Belle Plaine. He advised that the City of Belle Plaine had closed the road to truck traffic, which is affecting his business. Closing the city street does not allow access to his business for truck traffic. The Commission advised Mr. Rausch that they have no authority in the matter since it is a city street in Belle Plaine. They recommended he express his concerns to the City Commission of Belle Plaine.

Treasurer Heasty requested an executive session with the Commission. At 10:25 a.m., upon unanimous vote the Commission entered into executive session for ten minutes with Treasurer Heasty to discuss non-elected personnel. At 10:32 a.m., the Commission reconvened in open session.

John Marx and Kerry Murray, of Universal Construction, and Tony Rangel, of Law/Kingdon Inc., met with the Commission to provide an update on the Law Enforcement/Detention Facility project. The cost for the portion of the water line that the City of Wellington had agreed to pay for was discussed. After review, the Commission unanimously agreed that the cost, upon review of the contractor's information, is \$72,582. That amount is also what the City Engineer's Office calculated. Marx advised he would contact City Engineer Larry Mangan later in the day. The County Clerk was directed to invoice the city once Mr. Marx had confirmed contact with City Engineer Mangan.

Tony Rangel discussed the ladder issue regarding the courthouse stair tower. He advised that they are reviewing O.S.H.A. standards to confirm what is required. The Commission advised that they had determined that a ladder would be the preferred access.

The Commissioners recessed for lunch at 12:08 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

The Commission met with Sheriff Gerald Gilkey regarding his 2006 budget proposal. Also present were Undersheriff Jerry Osborn and Detention Supervisor Steve Colwell. Patrol Captain Mike Yoder arrived later during the meeting. The 2006 Sheriff's Department budget proposal was discussed. The Commission advised that they are continuing to make adjustments to attempt to reach no mill levy increase for 2006. Attempting to reach that point has been and continues to be extremely difficult. The staffing level increases were then discussed.

The Commission inquired if 6 new Detention Officer positions would be sufficient rather than the 9 requested. Sheriff Gilkey advised that existing studies show that there should be 11 positions now, but there are only 9. The 9 positions requested are based on what studies indicate is needed. Sheriff Gilkey expressed concern with not having adequate staff to maintain a safe environment. The Commission advised that if revenue is generated higher than expected, additional detention officers could be added at that time. Sheriff Gilkey advised that the detention positions will be more multi-tasked. They will have additional transportation duties, not only between the facility and court, but to other facilities. He also advised that he already has a verbal agreement with Sedgwick County that they will use whatever inmate space he has available when the facility opens.

The amount budgeted for vehicle purchase/lease was discussed. An increase of \$19,000 was proposed for a new lease of 5 vehicles. Sheriff Gilkey advised that the point had been reached to replace support vehicles. The plan has been to replace the support vehicles every 5 years and the 10 patrol vehicles every 3 years. The support vehicles

were described as the civil process, transportation officer, 1 Detective vehicle, and 2 reserve patrol vehicles. Next year will be the final payment on the initial 10 vehicle lease.

Other staffing proposals were discussed regarding the positions of maintenance, records clerk, and a second courthouse security officer. The Commission said it is their intent that the maintenance position remain within the Maintenance Department rather than the Sheriff. Sheriff Gilkey expressed his disagreement with that desire. Some of the responsibilities and tasks relating to the various new security features in the detention facility were discussed. Sheriff Gilkey cited his reasons for the records clerk and the security officer.

The Commission and Sheriff Gilkey agreed that the 2006 budget is difficult due to there being so many unknowns with the new facility. A number of items are estimates. Once the facility has been operational for a period of time, a much more accurate determination can be made of expenses in specific areas. Sheriff Gilkey expressed that he wished to work with the Commission.

The Commission continued their review of specific budgets. At the conclusion of the review for the day, the Commission was within a range of a .600 to 1.000 levy increase from 2005. The proposed 2% cost of living adjustment was discussed as well as the allowance for merit increases. Items, that the Commission has little or no control over, that are affecting the budget were discussed. Among those items are employee benefit costs, fuel costs, operational costs for the new Law Enforcement/Detention facility, election costs to meet the mandates of the Federal Help America Vote Act, and steel materials cost for Road and Bridge.

There being no further business, the Board of County Commissioners adjourned at 4:15 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
July 25, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton, who was present, led an opening prayer.

Commissioner Newell reported that he had been contacted by a citizen and it was inquired why Sumner County was not researching the possibility of a wind farm in the county. After discussion, the Commission agreed that researching the option would be feasible.

The Commission reviewed and unanimously approved the minutes for July 18 and 19.

County Clerk Shields discussed the Ambulance fund payments for the second half of 2005. As in the past couple of years, there is not sufficient cash available in the fund to complete the payments in full to every entity. As the Treasurer makes the scheduled tax distributions during the remainder of the year additional cash will become available. In the past the two largest entities, the City of Mulvane and the City of Wellington, have received their remaining portions as cash became available. The Commission directed to do the same procedure for 2005. Chairman Gracy advised that he would contact both entities.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$143.02. Prior year orders for \$303.28 were also approved.

The Commission met with officials of the Kansas Department of Revenue Division of Property Valuation. Tony Folsom, Deputy Director, and Peter Davis, Ratio Study Manager, were present. Also present were County Appraiser Della Rowley, County Counselor Jack Potucek, Ernie Fink, Tom McAlister, Dusti Fansler, of the Wellington Daily News, Sheriff Gerald Gilkey, and Undersheriff Jerry Osborn. Mr. Davis provided a copy of the 2004 Final Ratio Study for Sumner County. He reviewed the procedures used in determining the study. A median ratio of between 90 and 110 is acceptable. The County's median ratio for residential is 95.9 and commercial and/or industrial is 94.2. Mr. Davis explained other information on the report. In total, Sumner County meets all expectations for performance standards.

Mr. Davis provided a graph showing a several year history for several of the ratios. He advised that a procedural audit is conducted annually on each County Appraiser. That audit is separate of the ratio study. Appraiser Rowley posed a question regarding the valuation used for the ratio study. Mr. Davis confirmed that the study is prepared using the valuation before any adjustments or changes are made after the appeal process.

Mr. Davis addressed questions regarding the comparison of commercial properties and how a valid sale is determined. He acknowledged that the value of downtown row properties are sometimes the most difficult to determine. With regard to a valid sale, Mr. Davis advised there are guidelines to follow and they are available on the Department of Revenue web site. The primary tool is the completed Sales Validation Questionnaire. Mr. Davis explained that the process is to attempt and complete the best job possible with limited resources. He said to maintain a property tax system with imperfections would be extremely costly. Upon a question posed by Chairman Gracy, Mr. Davis confirmed that any valuation change could be adjusted through the appeal process. The appeal process is available to anyone.

The Commissioners thanked Mr. Folsom and Mr. Davis for making the trip to Sumner County and answering the questions posed.

The Commissioners recessed for lunch at 11:52 a.m.
The Commissioners reconvened in open session at 1:30 p.m.

Treasurer Carolyn Heasty met with the Commission regarding a Neighborhood Revitalization Plan issue. She reported an error was found regarding the rebate paid to Lodging Enterprises. One of the NRP plans was calculated

for rebate as a new project, but it should have been a remodel project. The amount owed to Lodging Enterprises is approximately \$40,000. Treasurer Heasty advised she would proceed with making the additional rebate.

County Counselor Jack Potucek met with the Commission. He confirmed that the Commission should sign the Affidavit of Equitable Interest relating to the purchase of the Sumner County Youth Services, Inc. building. He reported that the document is to clean up the title work. Chairman Gracy was unanimously authorized to sign the document.

The Commission conducted a work session for the 2006 budget. Elliott Jackson, county auditor was also present. It was determined that with the reductions made, to this point, a slight levy increase would still be required. The Commission discussed the original intent of providing a 2% Cost of Living Adjustment and allowing for merit increases when warranted upon evaluations. The Commission unanimously determined that they do not believe that both could be provided. The Commission continued review of other budget items.

The Commission reviewed the Ambulance fund. The amount needed is based upon a formula that is completed and submitted by each Emergency Medical Service provider in the county. Two of the services had a substantial increase in the funding requested. The Commission contacted both Sumner County Hospital District No. 1 and the City of Mulvane. Some of the specific items used in the formula were discussed. Representatives of both entities explained the reasons for the increased amounts.

The Commission continued the budget work session and further reviewed specific items.

The Commission received a report from Treasurer Heasty regarding the July sales tax distribution from the State. The amount for July was \$160,315.30.

The Commission reviewed and unanimously approved the claims for the end of July in the amount of \$685,632.59.

There being no further business, the Board of County Commissioners adjourned at 4:09 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
July 26, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Tom McAlister met with the Commission. He expressed concern with some of the information provided by the Department of Revenue officials yesterday. Mr. McAlister also advised that he would be applying for the Neighborhood Revitalization Program for about six properties. He asked that the filing fee be waived for two of the applications. He had paid the fee previously under the old program, and then the projects did not proceed as scheduled. He also discussed that he is sure that the work on the pink house will not be done within the required 18 months under the NRP.

At 9:30 a.m., the Commission held a public hearing for Zoning Case No. 13PC-05. Planning & Zoning Director Jon Bristol, Assistant Director Mary Jenkins, and Gary Gasper were also present. The case was an application by John E. Gasper, Donald D. Gasper, and Gary L. Gasper, owners, for a zone change from "A-3" Agricultural District to "RR" Rural Residential District to sell the existing home site with 4.4 acres. Director Bristol and Mr. Gasper provided additional information regarding the property and the zone change request. The zone change is the first step with the second step being the short form plat. Director Bristol reported that there was no opposition at the Planning Commission hearing. The Planning Commission, with 9 members present, recommended approval of the case. The Commission unanimously approved Case No. 13PC-05.

A number of the Tri-County Concerned Citizens group met with the Commission regarding the proposed Harper County landfill. Issuance of a landfill permit is still pending in the office of the Kansas Department of Health and Environment (KDHE). The group expressed the desire to be prepared for what further action to take, if the permit is issued. County Counselor Jack Potucek entered the meeting. Counselor Potucek reported that the rebuttal report prepared by the hydrologist retained by Sumner County had been submitted several weeks ago with KDHE. He also advised that if a permit is issued by KDHE, any person aggrieved by the decision has a time period to ask for an evidentiary appeal hearing. Various options for further legal action that could be taken, if necessary, were discussed. The Citizens group advised they would contact Attorney Robert Eye with some of their concerns and questions.

Emily Green, L.P.N./C.M.T., met with the Commission. She informed the Commission that she offers therapeutic massages. She inquired about the possibility of offering massages within the courthouse. She discussed that she would set up in the 1st floor lobby and offer shoulder massages for a fee of \$1.00 per minute. Ms. Green advised she does have liability insurance. After discussion, the Commission advised that they would discuss the request with Counselor Potucek and consider any legal issues.

Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission. Neighborhood Revitalization Plan issues were discussed. The Treasurer sent out letters to NRP participants whose taxes became delinquent informing them they were no longer under the NRP. Appraiser Rowley advised, following that letter, her office sent letters to those participants with other projects under the NRP informing them that those projects no longer qualify for the NRP. No longer qualifying is according to the adopted plan Part 7 Item 6, which states "No applicant having any delinquent real, personal or special assessment taxes due Sumner County on any property will be eligible for this program. In the event any such taxes become delinquent during the abatement period, all current and future tax rebates shall be forfeited."

Appraiser Rowley discussed a request from Tom McAlister and asked the Commission for direction. Mr. McAlister had requested that the NRP application be waived for two of his projects. Both projects were applied for under the old plan with a \$25 fee paid. The projects did not proceed as timely as expected and the old NRP plan has expired. After discussion, the Commission unanimously determined that any application under the new NRP plan would require the fee as stated in the adopted plan.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$30.44. Prior year orders for \$57.90 were also unanimously approved.

The Commissioners recessed for lunch at 11:41 a.m.
The Commissioners reconvened in open session at 1:30 p.m.

The Commission conducted a budget work session. Elliott Jackson, county auditor, was also present. The Commission considered the option of providing a 3% Cost of Living Adjustment (COLA) and not making any allowance for possible merit increases. The original intent was to provide a 2% COLA and the allowance for the possible merit increases. Merit increases are based upon performance evaluations and may range from 2 to 4%. The 3% option was discussed at length.

Representative Bill McCreary met with the Commission. He offered any help to the Commission during the next legislative session. Commissioner Bongiorni advised that the Commission would like to see demand transfers reinstated and full revenue sharing. Representative McCreary expressed his agreement with most everything said, but said he doubts that demand transfers will be reinstated due to the other demands on State government. Representative McCreary talked about the levy reduction at the State level over the past several years. Commissioner Bongiorni said the reduction has been at the expense of local government.

The Commission discussed the Harper County landfill with Representative McCreary. McCreary expressed his agreement with the Commission in opposition to the landfill location. He also agreed with the frustration in the Kansas Department of Health and Environment permitting process. Representative McCreary further discussed demand transfers and his attempt to have the transfers reinstated to the statutorily required level. The bill was initially passed, but it was later stripped from the bill. The Commission thanked Representative McCreary for visiting with them.

The Commission continued the budget work session. After lengthy discussion, the Commission unanimously determined that a 3% COLA would be given and there would be no allowance for possible merit increases. Merit increases for 2006 would, therefore, be frozen. County Clerk Shields was instructed to distribute a new pay scale with the 3% adjustment to all county departments. The Directors will be requested to recalculate their salaries portion of the budget and submit by Friday. In further discussion it was determined, with Commissioner Newell dissenting, that the Commissioners would also receive the 3% COLA.

There being no further business, the Board of County Commissioners adjourned at 3:04 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 1, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. 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 25 and 26.

Rick Sexton met with the Commission regarding his application for the Neighborhood Revitalization Plan. County Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission. Mr. Sexton advised he had made a mistake regarding property taxes and inquired if there was any recourse. Mr. Sexton advised that he had paid taxes two days late on a rental property that he owns. He received notice that he no longer qualifies for the NRP for current or future tax rebates. The Commission reported that there were approximately 27 individuals that fell under the same circumstances. The Commission advised that the adopted policy must be adhered to.

The Commission discussed the 2006 budget status. Elliott Jackson, county auditor, was also present. With the changes directed last week by the Commission, the estimated levy is at 58.443. The end result after all changes and factors affecting the budget is an increase of .799 of a mill from the 2005 levy.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. The reductions made by the Commission in the Sheriff's proposed budget were discussed. Sheriff Gilkey advised, with the allowance of only 6 detention officer positions rather than the requested 9, the jail overtime amount would need to be increased from what the Commission had reduced it to. It was originally proposed at \$30,000 and the Commission made a \$10,000 reduction. Sheriff Gilkey advised he was still not comfortable with 6, but they would make it work. He advised that, if the inmate to staff ratio is not within a safe limit, it may not allow for additional inmates to be housed and without those additional inmates revenue would not be generated. Sheriff Gilkey also advised that, with the 9 detention officers, the attempt was going to be made to transfer more of the transport duties to the detention officers. Doing so would enable another officer to be put on the street. Commissioner Bongiorno proposed adding \$5,000 back to the jail overtime for a total of \$25,000. The Commission unanimously approved.

Commissioner Newell inquired about the three temporary Matron positions that were recently approved. Undersheriff Osborn advised one position had been filled, but still waiting on the other two. Sheriff Gilkey also advised the Commission that he would recommend the job description for the existing courthouse security officer be changed in May 2006. The change would be to make the position only responsible for the courtroom floor. A second position was requested in 2006 to be filled at the same time the new facility opened, but the Commission had not approved the funds for the position. Sheriff Gilkey advised with the increased responsibilities on the courtroom floor, one position could not cover the entire courthouse.

Sally Borst, Administrator for Slate Creek Good Samaritan Center, met with the Commission. County Maintenance Director Gary Yoder was also present. Replacement of one of the washing machines for the facility was discussed. One of the machines is in need of repair and the machine is about fifteen years old. The estimate of the cost for a new machine is approximately \$6,000. After discussion, the Commission unanimously authorized the purchase of a new machine. Administrator Borst also advised that she had confirmed that a sprinkler system will not be required for the building. She will provide a full report in the near future.

At 11:30 a.m., the Commission held a public hearing regarding a request to vacate an alleyway. The request was submitted to the Commission by Jeff Schroeder. The request was to vacate the alleyway from Land Rd, also known as Kansas Avenue, to the west edge of Lot 8, Blk 6, original town of Perth, Sumner County, Kansas. Mr. Schroeder was not present for the public hearing, but adjoining property owners Naida and David Eagle were present. County Clerk Shields reported that the required legal notice for the public hearing was made. The Eagle's advised they did not oppose the vacating of the alleyway. After discussion, the Commission unanimously adopted Resolution 2005-23 vacating the alleyway as legally described.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$2,126.42.

There being no further business, the Board of County Commissioners adjourned at 11:54 a.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 2, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Counselor Jack Potucek met with the Commission. He reported that he had spoken with Attorney Robert Eye on Friday. As of Friday there was still no decision from the Kansas Department of Health and Environment regarding the permit application for the Harper County landfill. Counselor Potucek submitted the invoice from the hydrologist for his preparation of the rebuttal report. The fee for his services was \$1,600.

At 9:22 a.m., the Commissioners left with Road and Bridge Director Melvin Matlock to tour a number of roads and bridges.

The Commission returned to the Commission room at 10:41 a.m.

The Commission reviewed the publication for the 2006 budget hearing. The Commission unanimously approved the Notice of Hearing for 2006 Budget. The Notice of Hearing for the Special District budgets was also unanimously approved. The budget hearing will be on August 15, at 11:00 a.m. The Commission also unanimously adopted Resolution 2005-24 expressing the property taxation policy of the Board of Sumner County Commissioners with respect to financing the 2006 annual budget for Sumner County.

John Marx and Kerry Murray met with the Commission to provide a project update on the Law Enforcement Detention Center and Courthouse Compliance. The courthouse project is proceeding on schedule to this point. The interior renovation work related to the stair tower should begin the week of August 15th. For the L.E./Detention Center, phase 1 grading, seeding, and erosion control has been completed.

Commissioner Newell asked when the Commission wished to make a final decision regarding the Challenger Learner Center (CLC) Project and the possibility of General Obligation (GO) bonds. After consideration, Chairman Gracy moved to support the project and issue the GO bonds. Commissioner Bongiorno seconded the motion for discussion. In discussion, Commissioner Bongiorno indicated he would support the motion, if the issuance cost would be paid up front by the CLC. After further discussion, Chairman Gracy added an amendment to his original motion. The amendment was that proceeding with the GO bonds would be contingent upon the CLC paying or reimbursing the County the bond issuance cost up front. The motion with the amendment passed unanimously.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 8, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

Wally Bell, City Councilman for the City of Conway Springs, talked with the Commission by telephone. He discussed a construction project the City has planned for Parallel Street. The City has a Kansas Department of Transportation grant where the city's portion of the cost is 25%. Mr. Bell asked that, since Parallel Street is a county road, that the Commission consider in future budget years to provide funding to assist in the maintenance of the street. The County had participated in a previous project several years ago. Road and Bridge Director Melvin Matlock and Superintendent Larry Whitham entered the meeting. The project and how the City funded it was discussed.

The Commission further discussed the issue with Director Matlock. Director Matlock confirmed that the City of Conway Springs is paid \$6,000 a year relating to Parallel Street and the connecting links project. Assisting with additional funding will have to be reviewed based on budget status in future years.

The Commission reviewed and unanimously approved the minutes for August 1 and 2 with two amendments.

Judge Graber met with the Commission regarding the future move of the law library. He advised that he understood that the architect was going to contact him for further discussion regarding the law library. The architect had not done so as yet. Judge Graber reminded the Commission that, if the law library is not maintained within a reasonable distance of the court, it would require another employee to manage it. Administrative management of access to the law library must be provided. The Commission advised that they would have the architect contact him next time he was here.

There being no further business, the Board of County Commissioners adjourned at 11:54 a.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 9, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$36,509.70.

The Commission reviewed and unanimously approved mid-month claims in the amount of \$401,719.47.

Alvin Cook met briefly with the Commission. He expressed his appreciation for the Road and Bridge Department and employees who replaced a bridge near his residence. The bridge was replaced within 17 days and Mr. Cook complimented the conduct of all the employees involved.

County Counselor Jack Potucek met briefly with the Commission. He reported that there had still been no decision by the Kansas Department of Health and Environment regarding the Harper County landfill.

Dusti Fansler, of the Wellington Daily News, met with the Commission. She asked the Commission for comments regarding the 2006 budget process. The Commission advised that the mill levy is up .799 of a mill for 2006. The Commission cited some of the factors that affected the budget. The cost related to employee benefits is up \$147,364 or 7.6%. Health insurance costs are up \$81,379 or 6.1%. The Election fund was increased to allow for equipment to meet the requirements of the Federal Help America Vote Act (HAVA). The ambulance costs paid to other entities was \$79,115 higher than 2005. Several departments increased estimates regarding fuel costs. Additional costs of \$208,864 were included for operating costs of the new jail facility.

With regard to personnel, nine new detention officers were requested, but only six were authorized. One additional dispatcher was authorized for E911. Three new positions have been requested for several years based on manpower studies. The County Attorney was authorized one new part-time secretarial position and Information Services was authorized one new part-time Technician position. Both departments have requested assistance for several years. The Commission advised they authorized part-time positions in an attempt to meet the need while keeping employee benefit costs at a lower amount.

Ms. Fansler inquired what major projects are planned. The Commission advised that there were no new projects planned that would be considered major. In the budget process they made every attempt to maintain current services without having to make any substantial increase in the levy. The Road and Bridge Department plans on maintaining their schedule of replacing approximately 40 bridges. The election equipment relating to HAVA was further discussed; every polling site will use electronic voting machines. County Clerk Shields advised much more information will be disseminated over the next year regarding changes relating to HAVA. Chairman Gracy advised that he believed they were very fortunate to hold the budget where they did, especially with the cost factors considered that were out of the Commission's direct control.

The Commission met with Maintenance Director Gary Yoder. Several items relating to maintenance projects were briefly discussed.

There being no further business, the Board of County Commissioners adjourned at 11:29 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 15, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for August 8 and 9.

Register of Deeds Joyce Lowe met with the Commission. She informed the Commission of the poor condition that many of the old copies of various documents are in. She showed an example of a copy from 1969. She reported on actions that she is taking to attempt to preserve the documents. Doing so requires an extensive amount of time for copying. Register of Deeds Lowe inquired about having individuals perform the work and be paid as independent contractors. She has funds available in the Technology Fund. The designation of an independent contract was discussed. County Clerk Shields also advised that the county's workers compensation carrier requires contractors to carry their own workers compensation insurance. The possibility of allowing other county employees outside the Register of Deeds office to perform the work was considered. The work would be after their work hours in their regular positions. The Commission advised that they would discuss the possibility with County Counselor Potucek.

County Appraiser Della Rowley met with the Commission. She provided a copy of correspondence from the Department of Property Valuation (PVD). PVD advised that the statistical and procedural compliance review to determine substantial compliance for 2005 was completed. The report advised that Sumner County has met the criteria to be considered in substantial compliance. The report contained no other comments or recommendations.

County Appraiser Della Rowley and Information Services Director Doug Stice met with the Commission. The work completed by Kimball Mapping related to the Geographic Information System was discussed. The maintenance work needed for the year will be \$8,800 with \$6,500 of that amount due now. Previously, it was discussed with the Commission about utilizing NRP fee funds for the expense. The NRP administration fees are authorized for transfer to the General fund. The GIS work will benefit nearly all departments in the future. Director Stice also advised that there is a related bill of \$2,830 currently due. A demonstration of some of the features of the system was provided to the Commission. After discussion, the Commission unanimously approved the transfer and use of NRP funds. Fund transfer forms will be submitted for the Commissioners' signatures and specific approval at the times needed.

Maintenance Director Gary Yoder met with the Commission. He provided information on a new commercial washer for the Slate Creek Good Samaritan Center. He provided a bid from Direct Supply Healthcare Equipment for an amount of \$7,675.27, which includes installation. The Commission unanimously authorized the purchase.

Bob White, Chairman for Fire District No. 7, was not present for his scheduled appointment. Chairman Gracy and County Clerk Shields had spoken with Mr. White in the past week. Mr. White had advised that Fire District No. 7 was going to have to revise their budget. The budget would have to be republished with a new public hearing date, therefore, the Commission should not approve District 7's budget at the hearing today.

At 11:00 a.m., the Commission held a public hearing for the 2006 County budget and the 2006 budgets for the Special Districts. Elliott Jackson, county auditor was present as well as E911 Director James Reed, Road and Bridge Director Melvin Matlock, Noxious Weeds Director Robin Walcher, Planning and Zoning Director Jon Bristol, Sheriff Gerald Gilkey, and Information Services Director Doug Stice. There were no members of the public present. The Commission asked Mr. Jackson to review some of the factors affecting the 2006 budget, which he did. The factors were the same as noted in last week's meeting with the Wellington Daily News reporter. The Commission unanimously approved the Sumner County 2006 budget as published. The Commission also unanimously approved the budgets for the Special Districts, with the exception of Fire District No. 7, as published. The county staffing level for 2006 was also unanimously adopted. With no further comment, the public hearing was closed.

E911 Director James Reed met with the Commission regarding a personnel issue. Regarding the additional position authorized for next year, he asked the Commission to consider authorizing the position at the present time. He

advised that he will be filling an existing vacant position within the next week. Allowing him to hire two now would enable both positions to be trained at the same time. Otherwise, the existing position would be in the midst of the training program when the new position would be starting. Director Reed advised that sufficient funds are available due to having a position vacant for a period of time and due to the reduced number of part-time hours utilized this year. After discussion, the Commission unanimously authorized the additional Dispatcher position at the present time.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$61.58. Prior year orders for \$2,661.10 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 11:52 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 16, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

At 9:30 a.m., the Commission held a public hearing for the first of three zoning cases. Planning and Zoning Director Jon Bristor and Technician Cliff Bales were present. The first case was No. 14PC-05. The application was by Craig and Elaine Jones for a conditional use permit. The permit purpose is to hold a benefit demolition derby to support fire department and EMT's at Conway Springs. Director Bristor advised there was no opposition voiced at the Planning Board meeting. The Planning Board, with 10 members present, unanimously recommended approval with a condition. Their approval read as "10 years to recommend approval with a 1 year Admin review then extended for 4 more years with Admin Review at the end of the 5th year. If no substantial complaints received, an Admin Review every 5 years with an indefinite term subject to Administrative Reviews". The Commission unanimously approved Case No. 14PC-05 as recommended by the Planning Board.

The second case heard was No. 15PC-05. The application was by Orin McAdam, owner, and Ritchie Paving, Inc., with Marlan Wilson, agent. It was for a conditional use for a temporary asphalt plant for the Santa Fe Railroad. Director Bristor advised there was no opposition voiced at the Planning Board meeting. An adjoining property owner was present due to concerns about access to his property. The Ritchie Paving representative present at the meeting advised the individual would continue to have access to his property. The Planning Board, with 10 members present, unanimously recommended approval for a period of 1 year. The Commission unanimously approved Case No. 15PC-05 as recommend by the Planning Board.

The last case heard was No. 16PC-05. The application was by D. Glenn Hamilton, owner, and was for a final plat. The final plat was for one Agricultural 2 District tract of 60.6 acres to Agricultural Rural and Rural Residential District for development. Director Bristor advised that there was no opposition voiced at the Planning Board meeting. He also advised that some of the lots were restructured. The Planning Board had unanimously recommend approval. The Commission unanimously approved Case No. 16PC-05.

Community Corrections Director Lou Bradbury met with the Commission. Tammy Bradbury was also present. Director Bradbury submitted documents related to the Juvenile Accountability Block Grant (JABG). The grant award amount is \$5,573. The Chairman was authorized to sign the documents.

The Community Corrections claims for the month of June in the amount of \$40,426.84 were unanimously approved.

County Counselor Jack Potucek met with the Commission. He reported that, as of this morning, no decision had been released by the Kansas Department of Health and Environment regarding the Harper County landfill.

John Marx and Kerry Murray, of Universal Construction, and Tony Rangel, of Law/Kingdom, met with the Commission. Also present were Sheriff Gerald Gilkey, Maintenance Director Gary Yoder, and Cowley County Sheriff Bob Odell. Mr. Marx provided a bid tabulation sheet showing the bids that were opened on August 11th. The bids that were recommended for approval were also indicated. The Commission unanimously approved awarding the contracts as recommended by Universal Construction. Mr. Marx submitted several change orders for the Commission's review and approval. After review and discussion, the Chairman was authorized to sign the orders.

The ladder for the courthouse stair tower mechanical chase was discussed. A ladder was not originally proposed, but the Commission believes one is needed. Mr. Rangel provided information regarding a ladder. A bid was obtained for installation of a ladder for an amount of \$5,969. The need for a ladder was considered as well as other options. Mr. Rangel advised, in most cases of new construction, there is no ladder installed in mechanical chases. After discussion, the Commission unanimously determined that a ladder and an opening hatch on the roof are needed. The bid of \$5,969 from Commerce Construction was approved.

Mr. Rangel informed the Commission that they are now beginning to review further the plans for the courtroom renovation. He advised he is aware of the concern regarding the location of the law library. Mr. Rangel inquired about the possibility of the Planning and Zoning Office moving to the Sheriff's building across the street. That would allow the law library to be located in the existing Planning and Zoning offices. The Commission directed Mr. Rangel to discuss any ideas regarding the library with District Court Judge Graber.

Information Services Director Doug Stice and Appraiser Della Rowley met with the Commission regarding Geographic Information System issues. It was discussed several months ago that once the GIS information was completed it would have to be uploaded into the CAMA system in order to use the agricultural information. That point has now been reached. A bid of \$2,000 was obtained from McCully and Associates to perform the work for the upload. The Commission unanimously approved the proposal.

Director Stice and Appraiser Rowley also discussed another GIS item. It was found that when R & S Digital Services performed the original mapping work for the GIS system they did not account for the government lots. They are the lots along the correction lines of each township. Although, calculated acreage is correct, the government lots relate back to legal descriptions. They need to be correctly indicated on the maps. The services of R & S Digital were terminated quite some time ago. Appraiser Rowley advised that a bid was obtained from Kimball Mapping to digitize the maps and correctly indicate the government lots. The bid was for \$11,500. There will be extensive time involved. After discussion, the Commission requested that the attempt be made to obtain bids from other companies before making a final decision.

The Commission further discussed the Register of Deeds request from yesterday regarding contractual labor. After discussion, the Commission directed County Clerk Shields to discuss the option of a temporary employee with Register of Deeds Lowe.

There being no further business, the Board of County Commissioners adjourned at 12:18 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 22, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Undersheriff Jerry Osborn met briefly with the Commission. He introduced Virginia Aggson as a new Reserve Officer. She will also perform the duties of a Matron.

The Commission reviewed and unanimously approved the minutes for August 15 and 16.

Laura Rettig, In-Home Services Director for the Health Department, met with the Commission. She submitted the Women-Infant-Children (WIC) program contract for the Commission's approval. The contract is between the Secretary of Health and Environment of Kansas and Sumner County. The contract is for an amount up to \$52,967, plus any reallocated federal funds that may become available. The WIC program has over 500 participants. The Commission unanimously approved the contract and it was signed by the Chairman.

The Commission inquired the status of filling the Home Health Supervisor position. Director Rettig advised that the recommendation was that the position would have to be re-advertised again. There was only one application received with the last advertisement. Director Rettig also advised the option of hiring a consultant to review the articles of participation had been considered. Since the Supervisor position has been vacant for a period of time, action should be taken to confirm requirements relating to the home health programs are being met. There is a consultant that performs the function for Harper County. After discussion, the Commission unanimously authorized Director Rettig to further research the consultant option.

Director Rettig discussed a vehicle repair issue. The department has a vehicle with repair costs that are reoccurring. The Commission authorized that the vehicle could be sold according to the County policy, if that was the decision made by the sub-department Directors of the Health Department.

The Commission received a request to waive the fee for the use of the Raymond Frye meeting room. The request was from Bob Courtney and the meeting, on September 16, would be for the Unified Legislative Agenda Strategic Alliance. The Commission unanimously approved waiving the fee. Commissioner Bongiorno advised he would attend the meeting, if possible.

Sheriff Gerald Gilkey met with the Commission. Detective Captain Jeff Hawkins and Detective Keith Bristor were also present. Sheriff Gilkey requested an executive session with the Commission. The purpose was involving allegations made regarding a Township governing body. County Counselor Jack Potucek was called in to the meeting. After discussion of the purpose, the Commission unanimously entered into executive session with Sheriff Gilkey and Counselor Potucek until 10:45 a.m. to discuss an attorney-client privileged matter. Detectives Hawkins and Bristor also remained present. At 10:45 a.m., the Commission upon unanimous vote extended the executive session for one additional minute. The Commission reconvened in open session at 10:46 a.m.

Elliott Jackson, county auditor, met with the Commission. That portion of the audit report relating to the management discussion and analysis report was discussed. It was determined that Chairman Gracy would complete the narrative portion of report of the 2004 audit.

The Commission reviewed correspondence received from the Regional Economic Area Partnership. The Chief Elected Officials Agreement for the Workforce Investment Act of 1998 was submitted for renewal. The Commission unanimously approved the agreement and it was signed by the Chairman.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 23, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Sally Borst, Administrator for Slate Creek Good Samaritan Center, met with the Commission. County Maintenance Director Gary Yoder and County Counselor Jack Potucek were also present. Administrator Borst advised the current resident census is 36. She also advised of a request received from the Resident Director of Sterling House. The disaster plan for Sterling House calls for the relocation of their residents to the Slate Creek facility. Administrator Borst inquired if that would be acceptable. The Commission indicated that they didn't see any problem, but they would like to know more details of the disaster plan. Administrator Borst reported that a garage sale is planned at Slate Creek on September 17. The purpose is to raise funds to replace the whirlpool. She also reported on a repair issue to the patio area. Maintenance Director Yoder will review the area and determine how to resolve the problem.

Administrator Borst provided further information regarding the fire sprinkler system. The actual requirement is that any facility that does not have a sprinkler system will have to have battery operated smoke detectors in resident rooms by May 24, 2006. The information came from Jack Chatmon, of the State Fire Marshal's Office. Administrator Borst had also talked with Jane Wyler, a Federal surveyor.

Randy Fitzgerald, Regional Director for the Good Samaritan Society, arrived at the meeting.

Administrator Borst provided information on a Community Service grant program. The application deadline is May of each year. The possibility of submitting a grant application for next year was discussed. Mr. Fitzgerald advised that Good Samaritan could assist in writing an application.

A report provided by Nate Vollmuth, a Construction Design Consultant, was reviewed. Mr. Vollmuth had recently visited the facility. One item he noted was the need to repair a roof leak. Director Yoder advised that the leak was fixed over two years ago, although, the ceiling tile has not been replaced. Another item noted was the need to replace the whirlpool bath. The Commission requested that, in the future, Director Yoder be present with anyone inspecting the facility.

Mr. Fitzgerald requested an executive session with the Commission. At 9:56 a.m., the Commission upon unanimous vote entered into executive session with Mr. Fitzgerald until 10:05 a.m. to discuss non-elected personnel. Administrator Borst and Counselor Potucek remained present for the session. The Commission reconvened in open session at 10:03 a.m.

The Commission spoke by phone with Gloria Horsch. Commissioner Newell was not present. Mrs. Horsch reported that she had talked with Maintenance Director Yoder, at the Commission's request, regarding the Sumner Memorial Gardens. She said Director Yoder had no problem with a landscaper working on the middle area of the cemetery as long as the Commission approved. Having the landscaper pull out some of the cedar trees at the cemetery was also discussed. All of the work would be done in the fall. Mrs. Horsch said that she would pay for the work. The Commission gave their authorization for the work to be done.

Commissioner Newell returned to the meeting.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 29, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

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

Road and Bridge Director Melvin Matlock met with the Commission. Office Manager Joyce Reynolds was also present. Several Road and Bridge matters were discussed. The bridge inspection report for the bridges 20ft. and longer was completed and received. Director Matlock reported that work is continuing with Allied Environmental on the SPCC plan for the above ground fuel tanks. There are certain requirements that have to be met with the above ground storage. Director Matlock advised that they had discussed with Counselor Potucek regarding the processing of county-owned vehicle titles. Counselor Potucek was going to further check on the process.

Several road issues were discussed. Director Matlock advised that they are waiting on contact back from a Sumner Township Officer regarding vacating a portion of Mayfield Road. The Township Officer was going to discuss the road issue with adjoining landowners. Director Matlock also advised of a call received regarding a low-water bridge on Morris Road. He advised he would be contacting the Township involved. Director Matlock briefly discussed the Belle Plaine South road project.

At 9:56 a.m., the Commission upon unanimous vote entered into executive session with Director Matlock for ten minutes to discuss non-elected personnel. At 10:06 a.m., the executive session was extended for two minutes. At 10:08 a.m., the Commission reconvened in open session.

Emergency Management Director James Fair and Technician Chris Ball met with the Commission. Director Fair provided an update on the activity of the department and training issues. A number of revisions will be needed regarding emergency plans and mutual aid agreements due to the Federal requirement to adopt the National Incident Management System (NIMS). Director Fair advised that there will be less training offered by the Wellington Fire Department to area agencies next year. Emergency Management will offer some training for agencies in the county.

Director Fair advised that with the upcoming round of 2005 Homeland Security grant dollars, there may be the opportunity to purchase a vehicle. The need for a vehicle has been previously discussed and proposed, but with the budget reductions funding was removed from the 2006 proposal. The opportunity to purchase a vehicle would be at no cost to the county. The Commission expressed support, if the opportunity arises.

Director Fair submitted a resolution for the Commission's adoption. The resolution submitted establishes the NIMS as the incident system to be used for planning, responding, recovery and mitigating from both natural and man-made disaster within the county. Commissioner Newell questioned what would happen if they did not participate in NIMS. Director Fair advised that the county would not qualify for Federal grants and funding. The resolution, No. 2005-28, was unanimously approved and adopted.

Maintenance Director Gary Yoder, Information Services Director Doug Stice, and E911 Director James Reed met with the Commission. The phone system changes that will have to occur with the office moves and the planned renovation within the courthouse were discussed. The related costs, of approximately \$41,000, were also considered. Director Stice advised he learned just last week about the need for a phone line at a temporary location for the District Court juvenile offices. The Commission advised they had not been informed about any temporary location. Maintenance Director Yoder advised that E911 is already scheduled to receive a new phone system in October, but it will not free up any lines on the existing system. After discussion, the Commission requested that a meeting be arranged with the architect and all the parties involved to review the phone system issues.

Maintenance Director Yoder discussed the Sumner Memorial Gardens with the Commission. The proposal made by Gloria Horsch regarding landscape work was discussed. Director Yoder confirmed that he had spoken with Mrs. Horsch and the landscaping would be around the flagpole area. Removal of the dead cedar trees along the north

edge of the property was also discussed. All agreed that they should be removed and new cedar trees may be planted.

An issue relating to the fee schedule for Sumner Memorial Gardens was discussed. The fee charged for opening and closing for a cremation vault is \$80. The amount the county pays to have the work done is \$150. After discussion, the Commission unanimously approved increasing the fee to \$150. A new resolution amending the fee will have to be prepared.

Linda Baker, Public Health Director, and Laura Rettig, In-Home Services Director, met with the Commission. County Counselor Jack Potucek was also present. The contract with the South Central Metro Region was discussed. The organization is a regional effort for preparedness and bio-terrorism planning. Various parts of the agreement were reviewed and discussed. Directors Baker and Rettig wanted to confirm that the Commission was aware of the contract. It was confirmed that the contract was presented to the Commission on February 11, 2003, and it was approved by the Commission on that date. The Commission instructed them to designate the appropriate responsibility to fulfill the requirements of the contract. A letter will be completed advising the Commission of the designations that will be made.

The Commission reviewed a resolution prepared by County Treasurer Carolyn Heasty. The resolution eliminates the properties purchased by the county in the most recent tax sale from the assessment and tax rolls. The property is eliminated from the rolls until it is sold by the county. After review, the Commission unanimously adopted Resolution 2005-29.

The Commission received correspondence from Maria Ciski, Marketing Coordinator for the Girl Scouts of the Golden Plains Council. Ms. Ciski asked the Commission to consider approving a Proclamation, on behalf of the Girl Scouts and the Quivira Boy Scout Council, declaring September as "Sign Up for Scouting" month. The purpose of both the Girl Scouts and the Boy Scouts is to inspire girls and boys to the highest ideals of character, conduct, patriotism, and service so that they may become happy and resourceful citizens. The Commission unanimously approved and signed the Proclamation.

The Commission received correspondence from the Kansas Department of Health and Environment regarding the Slate Valley Sewer District. The correspondence advised of the interest and service fee due in the amount of \$149.34. The Commission directed that the correspondence be forwarded to the Slate Valley Sewer District Board for payment.

The Commission reviewed and unanimously approved the claims for the end of August in the amount of \$390,796.68.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
August 30, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Randall Allen, Executive Director with the Kansas Association of Counties, talked with the Commission by phone. He inquired if Sumner County would like further information regarding the options for detention facilities to reduce prescription drug costs. The Commission advised that the former Health Department Director and Sheriff Gilkey were involved and had received information on the program. The Commission asked Mr. Allen to contact Sheriff Gilkey directly. Mr. Allen also advised he would send the information again to the Commission.

The Commission received and reviewed correspondence from Elliott Jackson, county auditor. The letter informed the Commission that, as part of the audit of the 2004 financial statements for Sumner County, Mr. Jackson's firm noted certain items for the Commission's consideration with the internal control system of the County. One item recommended the need for an inter-local agreement with the Mental Health Department regarding the making of payments for the purchase of a tract of land. The Commission will request Counselor Potucek to prepare an agreement.

At 10:05 a.m., the Commission recessed in order to visit the Slate Creek Good Samaritan Center. The Commission toured the facility with Maintenance Director Gary Yoder.

The Commission returned to the courthouse and reconvened in open session at 11:06 a.m. County Clerk Shane Shields was now present.

The Commission reviewed Resolution 2005-30 stating the rates and fees for Sumner Memorial Gardens. The fee discussed yesterday regarding internment for a cremation vault was changed from \$80 to \$150. The Commission unanimously adopted the Resolution.

County Counselor Jack Potucek met with the Commission. Regarding the inter-local agreement with the Mental Health Department, they asked Counselor Potucek to prepare an agreement. Counselor Potucek provided a brief update on an appeal process with the State Board of Tax Appeals. Correspondence signed by three individuals inquiring the status of the meeting with State Property Valuation Department officials was discussed. The meeting with the officials was held on July 25. Counselor Potucek will formulate a response for the Commission's review.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$269.36. Also, unanimously approved were prior year orders in the amount of \$30.48.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
September 6, 2005 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 Eldon Gracy and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. Commissioner Jim D. Newell was not present. The meeting was opened with the Pledge of Allegiance.

Chairman Gracy reported that he was contacted by Don Patton regarding the rodeo grounds belonging to the Caldwell Saddle Club. The Saddle Club would like to donate the grounds to the Sumner County Fair Association. Mr. Patton advised that with the increase in taxes, the Club can no longer afford to keep the grounds. The Commission will ascertain from County Counselor Jack Potucek what legal steps need to take place for such a donation.

Two members of the Tri-County Concerned Citizens Group met with the Commission. Tom Wedman discussed the decision made last week by the Kansas Department of Health and Environment (KDHE) to approve the permit for the proposed landfill in Harper County. There is a limited time in which to appeal the decision from KDHE. The Commission advised that they will discuss the status of the landfill issue with Counselor Potucek.

The Commission met with Appraiser Della Rowley for annual evaluation purposes. At 9:40 a.m., the Commission upon unanimous vote entered into executive session with Appraiser Rowley until 10:15 a.m. to discuss non-elected personnel. At 10:15 a.m., the Commission unanimously extended the executive session for five minutes. At 10:20 a.m., the Commission reconvened in open session.

At 10:30 a.m., the Commission held a public hearing for the proposed 2006 budget for Fire District No. 7. County Clerk Shields confirmed that the required public notice was published. There were no members of the public present to make any comments. The Commission unanimously approved and adopted the 2006 budget for Fire District No. 7.

County Counselor Jack Potucek met with the Commission. He reported that he had talked with Attorney Robert Eye earlier regarding the KDHE's approval for the landfill in Harper County. There is a 15-day appeal window from whenever the actual order is filed. Counselor Potucek advised that Attorney Eye was attempting to confirm with KDHE when that 15-day period begins. The information and responses to public comment that were released by KDHE with the decision are being reviewed. The Commission will consider their next step, if any, next week.

The Commission discussed the issue relating to donation of the rodeo grounds to the Fair Association. Counselor Potucek advised that the Fair Association is a legal entity in its own right. He advised that the County would not be involved in that process.

Commissioner Jim D. Newell entered the meeting at 10:47 a.m.

John Marx and Kerry Murray, of Universal Construction, Inc., met with the Commission to provide an update on the Courthouse compliance and Law Enforcement Detention Facility project. Also present were Tony Rangel, of Law/Kingdon, Counselor Potucek, Maintenance Director Gary Yoder, Information Services Director Doug Stice, E911 Director James Reed, District Judge Thomas Graber, Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins, Sheriff Gerald Gilkey, and Undersheriff Jerry Osborn. Mr. Marx submitted Progress Report No. 5. The Courthouse compliance portion of the overall project is proceeding on schedule. For the detention facility, all contracts have now been issued. All of the site preparation work has been completed. The future work and the planned dates for both projects were reviewed. An item relating to Builders Risk insurance was discussed. The Commission directed Clerk Shields to contact the county's insurance company regarding the insurance.

Mr. Marx discussed items relating to the phone system for the new Law Enforcement/Detention Facility. What would be needed to link the facility to the existing courthouse phone system was discussed. The facility could be placed on a stand-alone system, but functionality that currently exists would be lost. Information Services Director Stice also advised that linking them would provide a monthly cost savings. Linking the new facility would allow the use of the future T1 lines at the courthouse. Judge Graber discussed the frequency, throughout the day, that court

personnel and the County Attorney's office are contacting Sheriff and detention personnel. If the intercom function does not remain, phone lines would frequently be in use and not available. Funding the integration was discussed. After consideration, everyone agreed that integration of the new facility into the existing phone system was needed.

Mr. Marx discussed one of the alternates relating to security cameras for the detention facility. The alternate provided for a bid of 32 cameras. Sheriff Gilkey advised that, in order to reduce cost, 16 cameras could be initially installed. Mr. Marx said they would like to go ahead and install the conduit for the total 32 cameras, in case a security need requires the cameras at a later date. After discussion, the Commission unanimously approved the change order for 16 cameras and the roughing in of conduit for 32.

Mr. Marx submitted the change order for the Commission's signature regarding the ladder in the stair tower. The Commission previously authorized the change. The change order for connecting the south courthouse door to the emergency power was also submitted. The Chairman was unanimously authorized to sign both change orders.

Tony Rangel discussed items relating to the remodeling of the court floor. The new 6-person courtroom is planned for the existing law library, the vacated County Attorney's Office, and a portion of the Juvenile Court Clerk's office space. An option to relocate the Planning and Zoning Office to the existing Sheriff's Office, once it is vacated, is being researched. Doing so would allow the law library to be moved to the current space of the Planning Office and use the adjacent space of the Community Corrections Office. The Juvenile Court Clerk will also have to be temporarily moved in order for work to be done. If the Court Clerk could be moved now, work could begin on the new courtroom. A number of files would also have to be moved, but they would have to remain immediately accessible to the Court Clerk. Judge Graber advised there are numerous times every day that files are needed. The costs incurred for temporary moves were discussed. The timeline for the court floor renovation was discussed.

The Commission discussed that the original intent was for the court floor renovation to take place once the detention facility was complete. Regardless of when it is done, there will be the need for the Juvenile Court Clerk to temporarily relocate in order for work to be completed. Mr. Marx advised that Universal Construction assumed everything would be done within the time it took to complete the detention facility, if extended past that, there might be additional costs for Universal services. After lengthy review, everyone agreed that the office moves would be acceptable. The law library would work at its new location and the Planning Office would work in the existing Sheriff's building. The Commission determined that, at this point, they would still like to plan for the work to occur once the detention facility is completed. Mr. Rangel advised he would continue to refine the plans for the moves within the courthouse.

The Commission then made a final decision regarding the phone system. The Commission unanimously agreed that integration of the phone systems would be beneficial and necessary. The integration costs would be part of the overall project.

The Commissioners recessed for lunch at 12:22 p.m.

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

Road and Bridge Director Melvin Matlock met with the Commission. The impact that the landfill in Harper County, if it continues to proceed, would have on Sumner County's landfill was considered. Director Matlock recommended that a decision should be made within the next six months regarding the operations of our landfill. Eventually, continued operation of our landfill may require it to be subsidized with tax dollars.

Director Matlock reported that he had received notice that the price of steel would be increasing in September, and another increase would occur in October. He advised that there was \$32,000 remaining in the Bridge Bond fund. He asked for the Commission's approval to use the funds to purchase additional steel before the price increase occurs. There is the need for sheet piling, and that amount would allow for the purchase of approximately one load. After discussion, the Commission unanimously approved the use of the funds.

Emergency Management Director James Fair met briefly with the Commission. He provided a brief report regarding disaster housing for victims of the hurricane. The City of Wellington has offered to make available bed space in the Memorial Auditorium. Housing is being coordinated with the Kansas Department of Emergency Management (KDEM), so Director Fair has been in contact with the State. The Slate Creek Good Samaritan Center

had reported to the Commission that they had been contact directly by the United Way. Director Fair recommended that all contact should be through the KDEM.

E911 Director James Reed met briefly with the Commission. The contract with SBC for the purchase of the new 911 system and EIS CAD was discussed. The contract was previously approved with the system being purchased through Homeland Security grant funds. The Commission authorized Director Reed to sign the contract.

Chairman Gracy called the Harper County Commission and talked with Commissioner Bill McIntire. The status of the proposed landfill was discussed. Chairman Gracy inquired what Harper County's response to the KDHE approval would be. Commissioner McIntire advised the matter was being considered by their attorney.

Treasurer Carolyn Heasty met with the Commission. She provided the latest report for the collection of sales tax. The total sales tax and compensating use tax distributed for August was \$158,528.10. Over the past nine months, a total of \$1,376,218.94 has been collected. The monthly average has been \$152,605.04. Treasurer Heasty also provided reports on county funds invested in the Municipal Investment Pool and the Sales Tax Bond funds.

The Commission reviewed and unanimously approved the minutes for August 29 and 30.

There being no further business, the Board of County Commissioners adjourned at 3:17 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.

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
September 12, 2005 10:30 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commission Chairman Eldon Gracy was not present as he was out of state. The meeting began at 10:30 a.m. due to Commissioner Bongiorno attending an earlier meeting of the Regional Economic Area Partnership in Wichita.

Don Attebury, of the South Central Solid Waste Authority, met with the Commission to provide an annual update for the Authority. Mr. Attebury briefly discussed issues relating to e-waste and fuel costs. He also provided a copy of the latest minutes of the solid waste committee meeting. The Commission unanimously approved Resolution 2005-31 approving the Authority's year 2005 update solid waste plan and revision.

Robert and Nicholas Lorik met with the Commission regarding a Neighborhood Revitalization Plan (NRP) issue. Appraiser Della Rowley was also present. Robert explained that their property received tornado damage last year and they understood that the Commission had attempted to create tax relief through the NRP for properties damaged in the tornados. Appraiser Rowley had explained the history of the program and the difficulty encountered by the Commission in attempting the tax relief. Robert complimented the Appraiser's staff for their help and work in the situation. He said they wished to understand the program and see if there is any possibility for reconsideration. Appraiser Rowley reviewed the adopted NRP plan and the section that does not allow the Lorik's to qualify. She advised the Commission that there are specific circumstances, which makes the Lorik's situation unique. Details of the situation were reviewed and the Commission discussed the difficulties encountered in changing the adopted plan. In the end the plan was not changed. Commissioner Newell said he understood their plight, but the difficulties in changing the adopted plan were too great. The Lorik's thanked the Commission for the opportunity to meet with them.

Jeanie Neises and Barbara Loop, both Home Health Registered Nurses of the Health Department, met with the Commission. They reported on a meeting last week with the consultant relating to Home Health functions. They advised the consultant was very helpful. The consultant recommended that, due to requirements, there should be someone appointed as Interim Home Health Supervisor. Ms. Neises expressed a willingness to serve in the position on an interim basis and with fair compensation. The Commission advised they would review and consider the issue. The Commission confirmed their authorization for the continued use of the consultant regarding Home Health matters.

The Commission reviewed the Bioterrorism Preparedness and Response Local Contract with the Kansas Department of Health and Environment. The contract is renewed annually and the amount for the new year is \$34,726. After review, the Commission unanimously approved the contract and it was signed by Vice-Chairman Bongiorno.

Royce Cook met briefly with the Commission. He reported that he had attended the Harper County Commission meeting earlier in the morning. Mr. Cook advised that there was another hydrology report that Harper County had not received yet. The Commission talked, by telephone, with Tom Wedman regarding the proposed landfill in Harper County. Mr. Wedman reported that he had talked with an attorney for the State on Friday. The attorney advised that the first and second parties, relating to the landfill permit, are the only ones that can request any further hearings. Any third party is barred from any further legal action concerning the permit. Mr. Wedman advised that he has asked for, but not yet received, a response from the attorney as to the legal basis of how third parties are barred.

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

County Counselor Jack Potucek met with the Commission. Royce Cook was also present. Counselor Potucek advised that he had talked with Attorney Eye several times last week regarding the landfill issue. He is expecting a call from Attorney Eye at any time. Attorney Eye was asked for a projection of the costs regarding legal, administrative, and consultant fees, involved for any further action. Several issues relating to the landfill were discussed. At this point, the County has spent \$25,187.64 in legal and consultant fees for opposition to the landfill

site. Of that amount, \$3,684.39 has been reimbursed to the County by other entities, companies, or individuals. There may be other charges that have not been billed yet. It was determined that Counselor Potucek would meet with the Commissioners in the morning once he has talked again with Attorney Robert Eye.

Richard Granger, Chairman of the Health Advisory Board, met with the Commission. He also chaired the panel that conducted the interviews for the Health Director position. At 2:02 p.m., the Commission entered into executive session with Mr. Granger for 15 minutes to discuss non-elected personnel. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 2:16 p.m.

Emergency Management Director James Fair met with the Commission. He reported that a meeting was held last week, at the time a mass number of Hurricane Katrina evacuees were expected, with various officials for pre-planning. He advised that it now does not appear that there will be any mass number of evacuees received in Kansas. There have been some individual families that have come to Sumner County. Director Fair advised a letter has been sent to all of the school Superintendents in the county asking them to notify his office of any new students enrolled from the hurricane area. The numbers are needed to report to the Federal Emergency Management Agency.

Director Fair also discussed the vacant office next to Emergency Management that was formerly used by Teen Esteem. The Commission previously authorized Director Fair to use the space for storage. He advised he would like to use the space as a training area for CERT and other emergency management functions. The Commission unanimously approved.

The Commission received correspondence from Greg Olson, Chief Executive Officer for Sumner Mental Health. Mr. Olson requested additional funding in the amount of \$13,000 from the Special Alcohol Program Fund to underwrite existing addictions programs. The funds would assist in dealing with the budgetary shortfall for next year. An increase of \$18,000 was requested in the 2006 budget to pay back a loan for the renovation of the North Campus facility. In the final budget approval, the Commission authorized only a \$5,000 increase. Earlier this year, the Commission authorized \$2,500 from the Special Alcohol Fund for Sumner Mental Health. The Commission reviewed the status of the fund. For 2005, \$10,007 is the amount remaining with budget authority to be used. Monies in the fund are also used to support the D.A.R.E. Program. The amount needed will be approximately \$4,700. After discussion, the Commission unanimously authorized \$3,000 from the Special Alcohol Program fund for Sumner Mental Health.

The Commission unanimously approved four payments regarding the courthouse stair tower and the Law Enforcement/Detention Facility projects. The payments approved were Commerce Construction Services for \$182,460.71, Belles & Associates for \$35,781.30, Bob Bergkamp Construction Co. Inc. for \$96,408.00, and Commercial Mechanical Inc. for \$10,923.30.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$293,273.96.

There being no further business, the Board of County Commissioners adjourned at 3:17 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.

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
September 13, 2005 9:00 a.m.

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

Community Corrections Director Lou Bradbury met with the Commission. Tammy Bradbury, CASA Director, and Maintenance Director Gary Yoder were also present. Director Bradbury advised the architect had discussed with him the possible relocation of the adult community corrections offices to the jail floor, once vacant. Director Bradbury advised he would like to confirm the intent in order to plan ahead. It was discussed that the work release area would be sufficient space, but there would be renovation and some remodeling needed. Director Bradbury advised that it is beneficial for the offices to remain in the courthouse near the court system. After discussion, the Commission advised the plan would be to move the adult community corrections offices to the jail floor.

Public Health Director Linda Baker, In-Home Services Director Laura Rettig, and Administrative Assistant for the Health Department, Kris Ellis, met with the Commission. The recommendation of the consultant regarding Home Health was discussed. All agreed that an Interim Director should be appointed. The willingness of Home Health RN Jeannie Neises to serve in the position was considered. The Commission directed that details be worked out with Ms. Neises for her appointment as Interim Director.

County Counselor Jack Potucek met with the Commission to discuss the Harper County landfill issue. Also, present were Tom Wedman, Dalton Holland, and Royce Cook. Counselor Potucek advised that Attorney Robert Eye's opinion is that Sumner County does have legal standing to file a petition to intervene in the landfill issue. A petition would cause the application and approval to be revisited and the conclusions of the Kansas Department of Health and Environment (KDHE) granting the permit would be scrutinized and subject to evidentiary inquiry. From that review, court action could be initiated. Counselor Potucek went on to explain the opinion of Attorney Eye and Mr. Marks, the hydrologist that prepared the report for Sumner County. They have extensively reviewed the KDHE approval and responses. The two areas that Mr. Marks' report concentrated on appear to have been addressed by KDHE. KDHE has tightened down the expectations on the applicant regarding those two areas. Attorney Eye and Mr. Marks' opinion is that the odds are not favorable, due to KDHE addressing the issues raised, that proceeding further will affect any change. Attorney Eye advised that to proceed further with full engagement would cost \$15,000 to \$25,000.

Mr. Wedman advised of a further hydrology report that the Harper County Commission authorized to review the KDHE and the Sumner County hydrology reports. The report is expected to be released any day and Mr. Wedman advised that it is expected to agree with the issues raised by the Sumner County report. Counselor Potucek discussed the possible option of Sumner County filing the petition in order to protect the right to take further court action. He advised that he expected that cost to be less, but he had not specifically confirmed that option with Attorney Eye. The Commission asked Counselor Potucek to discuss the option with Attorney Eye. The need to know as soon as possible what the additional report says was considered. If it offers no additional or new information, there would be no additional reason to continue any action. Mr. Wedman could not advise when the report would be provided or who it would be provided to. After further discussion, the Commission determined that no final decision will be made until the additional report becomes available. The Commission asked Mr. Wedman to let them know as soon as the report is received.

Wellington City Manager Carl Myers met with the Commission. Mr. Myers inquired the status of the General Obligation (GO) bond possibility for the Challenger Learning Center (CLC) project. The Commission advised that their decision was made approximately a month ago and notice was sent, by e-mail, to Mr. Ikenberry. They determined that, if the CLC would pay the bond issuance costs up front, the Commission would be willing to issue the GO bonds. No response has been received from Mr. Ikenberry. Mr. Myers inquired if it would be too soon to complete some type of letter of agreement in case CLC meets the requirement. The Commission advised that an agreement could be prepared by the City and submitted to Counselor Potucek for review.

Counselor Potucek submitted an addendum to the original inter-local agreement between the County and the Peck Improvement District. The addendum is needed to meet requirements relating to the Community Development Block Grant program. The Commission unanimously approved the addendum and authorized the Vice-Chairman to sign it.

County Attorney Shawn DeJarnett met with the Commission. Sheriff Gerald Gilkey and Undersheriff Jerry Osborn were also present. He discussed the extreme case load that his office is experiencing and there are now two homicide cases within six months. He reported on the extreme case load being handled by himself and one Deputy Attorney. County Attorney DeJarnett expressed appreciation for the approval of a part-time secretary in the 2006 budget, but the current need for another attorney is critical. An additional Deputy Attorney would help relieve the courtroom scheduling conflicts, handle the extensive traffic case load, and assist with the juvenile case load. He also advised how the delays in resolving cases add to the number of persons remaining in jail. Sheriff Gilkey agreed that the case load is increasing and supported the County Attorney's request. Attorney DeJarnett discussed a possible option for funding another attorney position.

County Attorney DeJarnett discussed the Trust and Diversion Fund. He reported that, since taking office, he has expanded the diversion program and additional fees are being received. The current balance in the fund is approximately \$28,000. Statutory requirements for the fund were discussed. Monies in the fund can not be used directly for salaries, but they could be used for other expenses in his office. Doing so would free up funding for the salary of an additional Deputy Attorney. The Commission asked County Attorney DeJarnett to submit a plan, for their consideration, of how the position would be paid for.

Sheriff Gilkey and Undersheriff Osborn made the Commission aware of current jail population issues. There is currently the necessity, which is creating some difficulty, for the separation of certain individuals incarcerated.

County Counselor Potucek met again with the Commission. He reported that he had talked with Attorney Robert Eye regarding the landfill issue. Attorney Eye expressed reluctance in filing a further petition in the case, if there was no new information or details. The issues raised by the Sumner County hydrologist's report were addressed by KDHE, if there is no new information, filing a petition would be frivolous. The Commission determined that they will await the hydrology report that Mr. Wedman indicated was soon to be released.

Sheriff Gilkey requested an executive session with the Commission. At 12:05 p.m., the Commission upon unanimous vote entered into executive session with Sheriff Gilkey and Undersheriff Osborn for ten minutes to discuss non-elected personnel. At 12:12 p.m., the Commission reconvened open session.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$2,548.78. Prior year orders for \$1,849.16 were also unanimously approved.

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.

Gene Bongiorno Jr., Vice-Chairman

Shane J. Shields, County Clerk

County Commission
September 19, 2005 9:00 a.m.

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

Mr. Howard West met with the Commission regarding the Harper County landfill. He wanted to encourage the Commission to continue and try to figure out what can be done. He submitted a list of 164 signatures of individuals, most from the Caldwell area, who oppose the opening of the Harper landfill. Mr. West inquired if there is anything that the public can do to assist. Commissioner Newell advised that, if we decide there is a chance that we can continue; monetary value would be the most helpful. Commissioner Bongiorni advised that Attorney Robert Eye has advised the expense to continue legal action is estimated at \$15,000 to \$25,000. He also explained that once the Harper County landfill is in operation the feasibility to continue our own landfill may be affected. Mr. West asked the Commission to confirm with their Attorney about the legality of having a fund raiser or the donation of funds.

The Commission reviewed and unanimously approved the minutes for September 12 and 13.

Public Health Director Linda Baker and Health Department Administrative Assistant Kris Ellis met with the Commission. They advised they would like offer their opinions on the hiring of the Health Director position. At 9:31 a.m., the Commission entered into executive session with Kris Ellis and Linda Baker for 15 minutes to discuss non-elected personnel. At 9:45 a.m., the Commission reconvened in open session.

Don Patton and Carson Ward, of the Sumner County Fair Association, met with the Commission. They reported that a meeting between the Fair Board and the Caldwell Saddle Club was held regarding the rodeo grounds. Mr. Patton inquired if the Fair Association will have to pay the back taxes in order to accept the donation of the grounds. County Counselor Jack Potucek entered the meeting. He advised that the Commission only has the authority to abate tax interest and penalty; legally accrued taxes can not be abated. The 2004 taxes and the 2005 taxes would have to be paid. Counselor Potucek discussed several items relating to the issue. He recommended the preparation of some type of agreement, with any necessary contingencies, between the Saddle Club and the Fair Association as soon as possible. Mr. Patton, who is also a member of the Saddle Club, advised that the Club is planning on disbanding. Mr. Patton advised they would contact an attorney on the matter.

Mr. Patton and Mr. Ward also inquired if the property would be included with the other Fair ground properties regarding property insurance. The County, for several years now, has paid the property insurance. The Commission, after discussion, agreed that it would be added to the existing insurance package.

Judge Graber met briefly with the Commission and discussed current work being done on the court floor. The Commission contacted Kerry Murray, Universal Construction's on-site manager, regarding the issue.

County Counselor Potucek requested an executive session to discuss an attorney-client privileged matter. At 10:32 a.m., upon unanimous vote the Commission entered into executive session with Attorney Potucek for 10 minutes to discuss an attorney-client matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 10:41 a.m.

Laura Rettig, In-Home Services Director for the Health Department, met with the Commission. She submitted three annual contracts relating to the Older American's Act for the Commission's approval. The contracts were unanimously approved and Vice-Chairman Bongiorni was authorized to sign them. Director Rettig reported that she had spoken with Ms. Neises regarding serving as the Interim Home Health Director. Ms. Neises declined the offer as Interim Director based on the wage. The Commission asked Director Rettig to confirm several issues relating to the requirement of an Interim Director.

The Commission attempted to contact Representative Bill McCreary and Senator Greta Goodwin to discuss the landfill issue in Harper County. Messages were left for both legislators.

County Clerk Shields discussed an insurance issue with the Commission. He asked them to confirm what action they wished to take. The county's workers compensation insurance carrier requires that vendors performing work on county property provide a copy of valid workers compensation insurance. Three notices have been sent to a vendor requesting a current certificate and one has still not been submitted. The Commission advised that no further work could be done by the vendor until the certificate is provided.

Royce Cook met with the Commission regarding the Harper County landfill. He provided copies of recent newspaper articles regarding the landfill. Issues regarding the current legal status and of funding any further court action was discussed.

County Clerk Shields provided a briefing on meeting the Help America Vote Act (HAVA). The Secretary of State's Office provided a preliminary report last week showing the formula that will be used to determine how many Direct Recording Electronic (DRE) devices will be purchased for each county. The DRE's are required to meet the HAVA mandate for disabled voters. The preliminary report shows that Sumner County will receive the total number of machines needed to provide one machine for each polling site. Clerk Shields also reported on the status of the Central Voter Registration (CVR) system. HAVA mandates a state-wide CVR system, which Kansas has developed the Election Voter Information System (ELVIS). Installation of the ELVIS software has begun in counties across the state. Sumner County, along with a group of south-central counties, is scheduled for late October with training scheduled in Wichita. During the installation and updating process, from October 20 to November 4, no changes can be made to the voter registration files. Clerk Shields informed the Commission that the installation timeline may be affected by other factors.

Clerk Shields reported there have been inquiries regarding Sunday liquor sales and the petition process to bring the issue to a vote. Several cities in the county are dealing with the issue of Sunday sales. The new statute, in the case of a petition, calls for a special election within 45 days. If any petition is submitted, the installation timeline may have to be delayed. If there is a delay, personnel may have to attend training at a more distant location, increasing expenses.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$62.74. Prior year orders for \$135.64 were also unanimously approved.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
September 20, 2005 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was Ann Gressel, Sumner County Clerk's Office. Commission Chairman Eldon Gracy was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

County Counselor Jack Potucek met with the Commission. The Interlocal agreement provided by Wellington City Manager Carl Myers was reviewed. The agreement is between the City and the County regarding the Challenger Learning Center (CLC) Project. The Commission talked, by phone, with City Manager Myers. The Commission determined that, before signing the agreement, written documentation from the CLC is needed guaranteeing the cost for the issuance of bonds would be paid up front.

Richard Granger, Chairman of the Sumner County Health Advisory Board, met with the Commission. At 9:30 a.m., upon unanimous vote the Commission entered into executive session with Mr. Granger for 15 minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:45 a.m.

John Defore met with the Commission regarding a Neighborhood Revitalization Program issue. Deputy County Appraiser Laurie Walta and Carolyn Farley, staff member, were also present. Mr. Defore explained that he has a current NRP property and asked about another NRP application. The plan only allows one permit per year. After discussion, Mr. Defore indicated he would delay starting the additional project until 2006.

Tom Wedman, Royce Cook, Howard West and Dalton Holland met with the Commission. They inquired about the status of the Harper County Landfill. They inquired about funding further legal action and who could file the action in District Court. The Commission advised they would discuss the filing question with Counselor Potucek. Mr. Wedman advised that the Tri-County Concerned Citizens Group could contribute half of any legal cost up to a limit of \$15,000.

Don Scott, President of the Slate Creek Sewer District, met with the Commission. Planning and Zoning Director Jon Bristor was also present. He provided an update on the sewer project and the status of the existing lagoons. The issue of ownership of the property the lagoons are located on was discussed. The Commission advised they will research the matter.

The Commission met with Maintenance Director Gary Yoder. Maintenance at the complex, specifically the cleaning of the carper, was discussed. The carpet was cleaned in the fall of last year. The current budget and how the deposits are handled for use of the building were discussed. The Commission will further review the matter.

Steve Smith and Kerry Murray, of Universal Construction, and Tony Rangel, of Law/Kingdon, Inc., provided an update on the Courthouse compliance and the Law Enforcement/Detention Facility projects. Construction is proceeding as planned. The compliance project should be substantially completed by the end of October.

There being no further business, the Commission 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
September 26, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Road and Bridge Director Melvin Matlock met with the Commission. Also present were Superintendent Larry Whitham, Engineering Superintendent Nita Simonton, Office Manager Joyce Reynolds, and staff member Sue Huehn. Director Matlock provided financial information regarding landfill operations and how they would be affected, if the Waste Connections landfill in Harper County is opened. The minimum projected financial loss in landfill fees received is \$91,345. There are several additional factors that would result in even a higher loss in revenue. Liability issues relating to the landfill and hazardous waste were discussed. Director Matlock recommended that a plan be developed on how to proceed with our landfill if the Harper County landfill proceeds. The Commission authorized Director Matlock to discuss Sumner County landfill operations with representatives of the City of Wellington.

Director Matlock reported on the status of fuel costs for his department. The cost of fuel will be \$76,000 to \$90,000 above what was projected for the year. Funds will be transferred from other areas to cover the cost of fuel. A number of options have been considered to conserve fuel. The possibility of reducing some roadside mowing has been considered. Director Matlock advised that the fuel cost is causing a reduction in services. There will be some short distances of roadways that will be turned back to gravel in order to reduce maintenance expense. There are six miles of road in three different places that will be returned to gravel: a portion of the Conway Springs Road near the Harper County line, a portion of Bonner Road, and a portion of Tracy Road.

Director Matlock also submitted several road right-of-way agreements for the Commission's approval. The agreements are related to the Belle Plaine South Road project. The agreements were unanimously approved and signed.

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

Elliott Jackson, of Parman, Tanner, Soule, and Jackson, met with the Commission. Mr. Jackson first reviewed the management letter sent to the Commission dated August 25, 2005. He then provided the Annual Financial Report for the year ended December 31, 2004. Portions of the report were reviewed and discussed. The Commission unanimously approved and accepted the Annual Financial Report for 2004.

Tom Wedman, with the Tri-County Concerned Citizens Group, met with the Commission. State Representative Bill McCreary also met with the Commission. The status of the proposed Harper County landfill was discussed. The Commission returned a telephone call to Howard West. Mr. West advised he scheduled a meeting in Caldwell for this evening to attempt to raise funds to assist in further legal action. He asked if one of the Commissioners could attend and Chairman Gracy agreed to do so. The deadline regarding legal action was discussed. County Counselor Jack Potucek is out of state until tomorrow so what information he was able to confirm last week is not known. Attorney Robert Eye prepared a letter last week, which was hand-delivered to the Kansas Department of Health and Environment, expressing concerns and citing the Burns and McDonnell report.

The Commission returned a phone call to State Senator Greta Goodwin. The landfill in Harper County was discussed as well as the Burns & McDonnell report. Senator Goodwin offered any help she could provide on the issue and asked if there was any recommended action from Attorney Robert Eye. The Commission advised they would confirm with Counselor Potucek, tomorrow, legal steps and any further information that was obtained during the last week.

The Commission received correspondence from Laura Rettig, In-Home Services Director for the Health Department. She had inquired with the State to confirm the issue regarding the need for an Interim Home Health Supervisor. The State advised that the designation of an interim director was not required as long as steps to fill the position were continuing.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$297.91. Prior year orders for \$1.77 were also approved.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
September 27, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was also present and led an opening prayer.

Chairman Gracy reported on the meeting arranged by Howard West and held last night in Caldwell. Chairman Gracy reported that State Representative Bill McCreary was present as well as approximately forty members of the public.

Representative Bill McCreary met with the Commission. He provided the Commission the petitions collected by Howard West. There were approximately 185 signatures collected.

Counselor Potucek met with the Commission. He reported that he was out of state until late last night and had not yet been able to contact Attorney Eye yet this morning. Representative McCreary reported that he had talked with Roderick Bremby, Secretary of the Kansas Department of Health and Environment (KDHE) last night. The chief legal counsel for KDHE also participated in the phone call. The indication from counsel was that any further action would have to be in District Court. Counselor Potucek advised that information is consistent with what Attorney Eye was told last week. Counselor Potucek left the meeting to attempt to contact Attorney Eye.

Kevin Ikenberry, Executive Director for the Challenger Learning Center of Kansas, met with the Commission. Director Ikenberry provided an update on the building renovation, which he reported is two to three weeks ahead of schedule. Director Ikenberry discussed changes regarding the rural development loan from the USDA through Sumner-Cowley Electric Cooperative Association, Inc. He explained that a change will have to be made to the application package. Director Ikenberry asked the Commission to approve and sign the Interlocal agreement so it is completed and in place. He advised the City of Wellington approved and signed the Interlocal agreement last week. The approved agreement will remain on hold until a new loan package is determined. Director Ikenberry advised some of the delays in accomplishing the Interlocal agreement affected the overall timeline. The Commission advised that they would further review the agreement.

Community Corrections Director Lou Bradbury met with the Commission. Tammy Bradbury, CASA Director, was also present. Lou provided the Commission a copy of a report from the Kansas Department of Corrections (KDOC). KDOC conducted a review of Community Corrections programs. Lou also inquired about the disposition of property that was originally purchased with KDOC funds. The Commission advised that any monies from the disposition should remain in Community Corrections.

The Commission reviewed and unanimously approved the claims for the end of September in the amount of \$617,905.78.

The Commission further discussed the Interlocal agreement with the City of Wellington regarding the Challenger Learning Center. The Commission unanimously approved the agreement and Chairman Gracy was authorized to sign it.

County Counselor Jack Potucek met with the Commission. Also present were State Representative Bill McCreary and members of the Tri-County Concerned Citizens Group, including Tom Wedman. Counselor Potucek advised he had talked with Attorney Robert Eye who had talked with the Chief Counsel of KDHE. Attorney Eye reported that the 30-day window to file any legal action extends to this Saturday. With it being on a weekend, the actual deadline will be on Monday, the next business day. Counselor Potucek explained several legal issues involved in the case and information provided by Attorney Eye.

The first legal issue discussed was whether Sumner County has legal standing to file further legal action. It is Attorney Eye's opinion that Sumner County does have legal standing, although, the issue of standing may be extensively litigated. If the opponent could successfully argue that Sumner County has no legal standing, then any legal action filed would be dismissed. If we prevail on legal standing, the next step is to review the merits of the

case. Has the applicant met the standards of a Sub-title D landfill? In presenting the merits, any shortcomings could be pointed out and presented to the court. The court, if it agreed with any shortcomings, would then determine whether the applicant could remedy them. The court, in the end, could either sustain the permit application or knock it down. If it were to knock it down, does it mean the landfill is forever blocked, and the answer is no.

The court could knock down the permit, but it would not mean that the landfill is forever blocked. The applicant could then take the opportunity to revisit or address any shortcomings and re-apply for the necessary permit. It could be conceivable that KDHE might require increased monitoring or more extensive safeguards, if there were a re-application.

Commissioner Newell inquired if Attorney Eye is willing to proceed with legal action. Counselor Potucek advised that he is, but Attorney Eye wanted to ensure that the Commission realizes that absolutely stopping the landfill may not be the outcome. If the applicant can address issues to the satisfaction of KDHE, the landfill will proceed. Counselor Potucek was asked to further discuss several issues with Attorney Eye. Commissioner Newell advised he had to leave the meeting for an emergency dental appointment scheduled at 11:30 a.m. He expressed his belief that the Commission needs to proceed with the next step. Commissioner Newell said he doesn't think the landfill will be stopped, but at the very least a better monitoring system and safeguards might be accomplished. Commissioner Newell left the meeting at 11:12 a.m.

Counselor Potucek met again with the Commission after having spoken with Attorney Robert Eye. Counselor Potucek re-confirmed that Attorney Eye is willing to proceed. With the Burns and McDonnell report released last week, Attorney Eye believes the chance of successful legal action has slightly increased. During the meeting with Counselor Potucek, Commissioner Newell called by phone. At that point, the Commission unanimously directed Attorney Eye to proceed with the filing of legal action. The funding of the legal action was again discussed. The previous commitment made by Mr. Wedman, on behalf of the Tri-County group, to reimburse Sumner County the cost of legal action by half or up to an amount of \$15,000 was cited. Also, the steps Mr. Howard West is taking to garner financial support for legal action was cited.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
October 3, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

County Counselor Jack Potucek met with the Commission. At 9:13 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for ten minutes to discuss an attorney-client privileged matter. At 9:23 a.m., the Commission reconvened in open session.

Maintenance Director Gary Yoder met with the Commission. The policy for use of the Raymond Frye facility was discussed. The facility was recently rented by a single group for one day of each week for the months of October and November. The group involved is renting the facility until they find a permanent meeting location. Counselor Potucek advised that, at the time the facility was constructed, it was not intended for reoccurring frequent use of any single group. The rental agreement already entered into will be honored. The use of the marquee sign by the group was denied. The Commission further discussed the rental fees, which were reviewed two weeks ago. The carpet was cleaned last fall and is in need of cleaning again. It was determined that any rental deposit paid needs to be held until Maintenance personnel confirm the facility was properly cleaned up by the renting party. Counselor Potucek will comprise a memorandum to address the situation.

Director Yoder discussed replacement of the boiler in the courthouse, which was budgeted for in 2005. He requested authorization to order a boiler now, so when a contractor is hired the boiler will already be available. The Commission reviewed the cost of a boiler and pumps. Director Yoder advised there are no contractors in the county with the ability to install the type of equipment, so bids are being sought outside the county. After discussion, the Commission authorized Director Yoder to order the boiler.

Tom Wedman and Dalton Holland, members of Tri-County Concerned Citizens Inc., met with the Commission regarding the Harper County Landfill. Counselor Potucek was also present. At 10:11 a.m., upon unanimous vote the Commission entered into executive session with Mr. Wedman, Mr. Holland, and Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. At 10:26 a.m., the executive session was extended for 10 minutes. At 10:36 a.m., the Commission reconvened in open session.

Treasurer Carolyn Heasty and Elliott Jackson, county auditor, met with the Commission. Mr. Jackson's recommendation to consider utilizing a "Positive Pay" program was discussed. The program is to provide an additional level of protection, due to the advanced computer and printer technology available, against forged checks clearing any of the County's accounts. Treasurer Heasty will research the possibility with the financial institution.

Treasurer Heasty provided the Commission a Sales Tax Report. The amount collected, beginning November 1, 2004, thru the current date, is \$1,526,228.48. For those ten months, the monthly average is \$152,622.85.

The Commissioners left to tour the new stair tower at the courthouse.

Linda Mirt, of the County Extension Office, met with the Commission to discuss National 4-H Week. Also present were Jessica Mirt, President of the 4-H Council, Janessa McDaniel, Secretary of the 4-H Council, Troy Mirt and Ian McDaniel, members of the Wheat Capital Kids 4-H group. The Commission unanimously adopted a Proclamation declaring October 2-8, 2005, as Sumner County 4-H Week. 4-H is one of the largest youth organizations in Kansas and Sumner County has 180 members and 75 active volunteers.

Maintenance Director Yoder met again with the Commission and the use of the Raymond Frye facility was further discussed. Linda Mirt, of the County Extension Office, also remained present. Policy and procedures for the rental of the facility were discussed. The current rental agreement form that is used was reviewed. It was recommended that a deposit for use of the facility be collected regardless of whether there was to be food served or not. After discussion, the Commission unanimously approved that the deposit amount required would be increased to \$100.00 regardless of the intended use. They directed that the new deposit amount is effective immediately except for rental

agreements already entered into. The rental rates will not change. Maintenance personnel will be responsible to inspect the facility after each use to determine whether a deposit should be returned. The Commission directed that a new resolution be prepared.

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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
October 4, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was Deputy County Debra A. Norris. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present and led an opening prayer.

Rose Mary Saunders, of Reiss and Goodness Engineers, met with the Commission to discuss the Slate Valley Sewer District project. She submitted a quarterly report requiring the Commission's approval. The report was unanimously approved and the Chairman was authorized to sign it. A report was provided on the Peck Improvement District project and there were also documents to sign. The Chairman was unanimously authorized to sign the documents, which Rose Mary advised would be submitted to the Improvement District Board and the State.

Road and Bridge Director Melvin Matlock met with the Commission. He submitted several agreements regarding the Acquisition of Public Road Right-of-Way for the Commission's approval. The Chairman was unanimously authorized to sign the agreements.

Director Matlock also discussed clean up of drift at the Drury Bridge. He advised that, in the past, a small boat was borrowed and used to assist in accomplishing the clean up. The boat is no longer available. Director Matlock reported that his department is looking to purchase a boat with a trolling motor to use in performing clean up of drift.

Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, and Civil Process/Transportation Officer Steve Durst met with the Commission regarding a personnel matter. Sheriff Gilkey discussed his statutory requirement regarding the service of civil process. Deputy Durst handles civil process during the day and a part-time Deputy handles it in the evenings and weekends. Sheriff Gilkey also advised that Deputy Durst serves as a back up position to the Administrative Assistant with office duties. The part-time Deputy assisting with civil process will be retiring in November. Sheriff Gilkey discussed the need for a position to assist with both civil process and office duties. He reported on the fees collected for serving civil process and on cost issues relating to the current two part-time Deputy positions. After discussion, the Commission unanimously authorized changing one of the existing part-time Deputy positions to full-time, effective January 1, 2006.

Sheriff Gilkey reported that the inmate population was in the upper 60's during the last month. The population, as of today, was 66.

Emergency Management Director James Fair met with the Commission. He provided information regarding the Homeland Security Grant program. He reported that \$181,000 is available to Sumner County and \$65,000 is available for 2006. This will be the last opportunity for Sumner County to directly receive grant funds. In the future, the county will be placed in a seven county region, with Sedgwick County being one of the seven. Grant funds will be divided among the member counties. Director Fair provided some details regarding the grant funding procedures. The Commission unanimously authorized Director Fair to sign the grant contract.

John Marx and Kerry Murray, of Universal Construction met with the Commission to provide an update on the Courthouse Compliance and Law Enforcement/Detention Facility projects. Tony Rangel, of Law/Kingdon, and Sheriff Gerald Gilkey were also present. Mr. Marx reported that the courthouse compliance project should be completed by October 28, 2005. Mr. Rangel reported on an issue relating to the security doors around the courtrooms. The controlled access for the doors was reviewed. The Commission unanimously agreed that a security card control system should be used. Additional lighting needed for the stair tower was also discussed. Chairman Gracy was unanimously authorized to sign a contract for additional electrical work in the amount of \$1,144.00.

Commissioner Bongiorno asked Mr. Marx to review how the sub-contractors are making payment to their employees. Commissioner Bongiorno advised that he wants to ensure employees are being paid under the correct standards.

Information Services Director Doug Stice submitted a bid for the Commission's review. The bid was from LLB Enterprises for the upgrade of the existing Merlin Legend phone system. The upgrade, as discussed in a previous Commission meeting, is needed to allow for interconnection between the new Law Enforcement/Detention facility and the courthouse. The bid, at \$5,640, is substantially less than what was initially expected. The bid information was provided to Mr. Marx and Mr. Rangel.

Noxious Weeds Director Robin Walcher met with the Commission. She reported on notification received from the State where they are asking that counties assume the responsibility of the spraying of the right-of-ways on the State Highways. Director Walcher advised she responded to the State informing them that the 2006 budget was already set and it did not provide for increased expenditures. The county would need to add 2 to 3 more personnel to assume the additional spraying. The State, at this point, has not indicated what amount they would reimburse the county for expenses.

County Counselor Jack Potucek met with the Commission regarding several issues. He reported that Attorney Robert Eye had filed a petition in Shawnee County District Court regarding the Harper County landfill. Regarding another matter, he provided a letter of response for the Commission's review and signature relating to the past meeting with the State Department of Revenue officials. Counselor Potucek provided a brief review of pending litigation. He reported that litigation from last year relating to the Larsen lawsuit claiming the environmental contamination of ground was concluded.

The Commission talked, by phone, with Cathy Carmen regarding Meridian Road. She discussed problems with the road and that she had contacted Road and Bridge Director Matlock, but had not received any help. Commissioner Bongiorni advised that the road is the Township's responsibility and the Township Board members should be contacted. Chairman Gracy advised that he would discuss the issued with Director Matlock. A meeting was set for October 10 with Director Matlock and several London Township residents.

There being no further business, the Board of County Commissioners adjourned at 12:41 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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
October 10, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. 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 two bids received for the installation of the boiler. Four bids were solicited and only two were returned. The bids do not include removal of the old boiler since it may not be removed until spring of next year. The Commission unanimously approved acceptance of the low bid of \$19,960 from American Mechanical, Inc., of Wichita.

The Commission unanimously approved the Community Corrections claims for September in the amount of \$25,687.26

The Commission unanimously approved the minutes for October 3 and 4 with one amendment.

Treasurer Carolyn Heasty met with the Commission. She reported on what she had researched regarding the "Positive Pay" program recommended by the county auditor. Bob Leftwich, of 1st National Bank, advised that the program is available, although, no one currently uses it here. Mr. Leftwich will obtain further information as to cost and details and provide it to the Treasurer.

Commissioner Jim Newell left the meeting at 9:51 a.m.

At 10:00 a.m., the Commission conducted an interview of one of the applicants for the Health Director position. Besides the applicant, Richard Granger, Donna Granger, and Wanda Thornton, members of the initial interview committee were also present. At 10:02 a.m., the Commission entered into executive session with the applicant and members of the interview committee until 10:30 a.m. to discuss a non-elected position. At 10:28 a.m., the Commission reconvened in open session.

Road and Bridge Director Melvin Matlock talked by phone with the Commission. He reported on a bridge being replaced at Hoover Rd and 140th Ave North. Commissioner Bongiorno had received calls with concern about the placement of the bridge and maneuvering the intersection with farm machinery. Director Matlock advised that the previous bridge was 18 ft. long and it is being replaced with a 24 ft. bridge. The new bridge has also been moved farther away from the intersection. The new bridge should improve maneuvering the corner.

Commissioner Newell returned to the Commission meeting at 10:35 a.m.

Commissioner Bongiorno left the meeting at 10:39 a.m.

Economic Development Director Debra Teufel met with the Commission. She provided a copy of a proposal submitted to the Department of Commerce, New York Office, regarding a search for a site related to an aerospace company. Four communities in Kansas submitted proposals.

Commissioner Bongiorno returned to the meeting at 11:02 a.m.

Director Teufel discussed another topic that arose last week. Also present were Wellington Chamber of Commerce Executive Director Shelley Hansel, Linda Stewart, and Larry Simpson, City Council member for Belle Plaine. Director Teufel explained the topic is gambling. Director Hansel explained that, last week, after seeing a news report that the proposed gambling project in Park City had fallen through, she made an inquiry of Bob Knight regarding the project. She contacted Mr. Knight via Channel 12 News since they had done the news report. From that contact, the news media reported the story. The original intent was to research and discuss the issue with Chamber of Commerce Boards, County Officials, and City Officials of the cities in the county. Directors Teufel and Hansel said, regardless of whether the Commission is interested in pursuing any further, there has been positive

publicity that our area is looking to grow. Director Hansel advised that Mr. Knight said they are looking for 100 acres in a community or county that is willing to embrace the project.

Lengthy discussion was held regarding the gambling topic. The State legislature will have to approve expanded gambling before any project becomes a reality. Everyone seemed to agree with the belief that expanded gambling will happen at some time in the future. Commissioner Bongiorno said he felt it would be a great opportunity. Commissioner Newell said he did not want to make the same mistake that he felt Harper County did regarding a landfill. He said he felt they made their initial decision on economic development reasons without full consideration of the public's desire. Commissioner Newell said he would like to be sure the majority of the public supported the idea, whether it be by a vote or some other means. Councilman Smith advised that the Belle Plaine City Council had briefly discussed the idea and the council was supportive pending additional input from citizens. Director Hansel advised that e-mails she has received, to this point, are two to one for support. Director Teufel provided a copy of a research report completed by Kansas State University. The report was titled "The Role of Harrah's Prairie Band Casino Property in the Area Economy: Jackson and Shawnee Counties in 1998-2001". The Commission unanimously agreed that the idea should, at least, be pursued to find out additional information.

Director Teufel also reported that she was aware that the same group of developers that proposed a lake and residential development in Cowley County are now looking for another location. They would like a south central county supportive of the development. The Commission advised that they believe the issue would be just as controversial for Sumner County.

The Commissioners recessed for lunch at 11:44 a.m.
The Commissioners reconvened in open session at 1:30 p.m.

At 2:55 p.m., the Commission conducted an interview of one of the applicants for the Health Director position. Besides the applicant, Richard Granger, Donna Granger, and Wanda Thornton, members of the initial interview committee were also present. At 2:57 p.m., the Commission entered into executive session with the applicant and members of the interview committee for 30 minutes to discuss a non-elected position. At 3:27 p.m., the Commission reconvened in open session.

The Commission received correspondence from Dr. Larry Anderson, District Coroner, 30th District. Dr. Anderson requested the appointment of Stephen W. Hawks, D.O. as Deputy Sumner County Coroner. Dr. Hawks will share the duty with the other family physicians of the Sumner County Family Care Center. P.A. The Commission unanimously approved the appointment.

There being no further business, the Board of County Commissioners adjourned at 3:31 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
October 11, 2005 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 Eldon Gracy, Commissioner Gene Bongiorni Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Randy Fitzgerald, Regional Director for the Good Samaritan Society, met with the Commission. Also present were Sally Borst, Administrator for the Slate Creek Good Samaritan Center, and John Hellman. Mr. Fitzgerald introduced Mr. Hellman as the new Interim Administrator for the Center. Administrator Borst is returning to Minnesota where she is originally from.

The Commission discussed a worker's compensation issue with Director Fitzgerald and Administrators Borst and Hellman. A reminder was provided that the county's insurance carrier requires any vendors, who perform services on county property, to provide proof of current workers compensation coverage.

At 9:52 a.m., the Commission conducted an interview of one of the applicants for the Health Director position. Besides the applicant, Richard Granger, Donna Granger, and Wanda Thornton, members of the initial interview committee were also present. At 9:53 a.m., the Commission entered into executive session with the applicant and members of the interview committee for 30 minutes to discuss a non-elected position.

Commissioner Bongiorni left the meeting at 10:20 a.m.

At 10:23 a.m., the Commission reconvened in open session.

County Counselor Jack Potucek met with the Commission. He provided a brief update on a legal matter on which the county was included as a party, but has no true jurisdiction.

Counselor Potucek discussed the inter-local agreement between Sumner Mental Health and the County. The county auditor recommended an agreement should address payments for the purchase of the Youth Services Building. Counselor Potucek advised that he had discussed the issue with Attorney Pfalzgraf, attorney for Mental Health. A memorandum of understanding is being created to address the auditor's concern.

Dusti Fansler, of the Wellington Daily News, met with the Commission to discuss the status of the Harper County landfill legal action. The Commission recommended that she contact Attorney Robert Eye, who is handling the issue for Sumner County.

Economic Development Director Debra Teufel and Wellington Chamber of Commerce Executive Director Shelly Hansel met with the Commission. Dusti Fansler, of the Wellington Daily News, and Kevin Stebral, a reporter from KSNW were also present. Director Teufel reported that Harvey County is already proceeding on the topic of gambling and with a public vote. Director Hansel said she doesn't believe that we should give up on the possibility. Commissioner Newell said he was not ready to rush into something of this magnitude by calling special election. Director Teufel asked if the Commission would like to hear the proposal from Mr. Knight. The Commission said they would like additional information. An appointment was set tentatively for next Monday, at 10:00 a.m. The Commission indicated they still support the idea of looking into it at this point.

Linda Mirt, County Extension Agent, talked with the Commission by phone regarding a rental fee issue for the Raymond Frye Complex. County Counselor Potucek was still present. The procedure to follow when an insufficient funds check is received for renting the complex was discussed. The Extension Office collects the fees and then submits them to the County Treasurer's Office. Counselor Potucek will discuss the issue with the County Attorney and the Treasurer.

Laura Rettig, In-Home Services Director for the Health Department, talked with the Commission by phone. She reported that the Kansas Department of Aging had re-appropriated funds for the Senior Care Act Program for fiscal year 2006. If the county wished to commit more than the original \$2,000, they could do so up to \$5,000. The

Commission advised the 2006 budget has already been set, so additional funding is not an option unless it could be found elsewhere in the Health Department budget.

Commissioner Bongiorno returned to the meeting at 11:46 a.m.

Counselor Potucek submitted several contracts he had reviewed relating to the Law Enforcement/Detention Facility project. Universal Construction had already reviewed the contracts and provided them to Counselor Potucek for review. The Commission unanimously approved contracts with D.H. Pace Construction Service, Diaz Construction Co. Midwest, Inc., Midland Steel Company, and Sunflower Restaurant Supply Inc. Chairman Gracy signed the contracts.

The Commission unanimously approved an Acquisition of Public Road Right-of-Way submitted by the Road and Bridge Department. Chairman Gracy signed the document.

The Commission reviewed and unanimously approved the October mid-month claims in the amount of \$182,658.03.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
October 17, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was attending a Regional Economic Area Partnership meeting in Wichita. The meeting was opened with the Pledge of Allegiance.

The minutes for October 10 and 11 were reviewed and unanimously approved.

The Commission reviewed a document submitted by Sheriff Gerald Gilkey. The document was a Certification of Completion for Highway Safety Project No. AL-9095-05 through the Bureau of Traffic Safety. The Chairman was unanimously authorized to sign the document.

Several residents of the Peck area on North Meridian Road met with the Commission. Road and Bridge Director Melvin Matlock and Engineering Superintendent Nita Simonton were also present. The residents complained about the dust from the road. Director Matlock reported that the road is a Township Road and that the Township officials have been advised of the complaints when received. The residents advised that they have not received any assistance from the township to remedy the problem. Director Matlock provided information regarding road issues. The latest traffic count for that portion of the road was in 2003 and indicated 200 cars a day. He advised there are three options to pave the road. One would be for residents of the area to petition for the formation of an improvement district and the district can then take out bonds for the cost to pave the road. The second option would be for the township to take out bonds for the paving; all residents of the township would pay for the paving. The third option is for the county to take over the road and pave it; all county residents would pay for it. Director Matlock estimated the cost for paving the one and a half miles would be approximately \$350,000. He advised that there is no specific traffic count that stipulates that a county assumes responsibility for a township road.

Director Matlock said it would be difficult for the County to assume additional road maintenance when six miles across the county are being turned back to gravel. The Commission has no authority or control to compel the Township to take any action. The Commission asked Director Matlock to again contact the Township officials and report to them the complaints received regarding the road. Director Matlock advised he would do so and also inquire why the township is not willing to proceed if the residents involved are willing to pay for the paving. Director Matlock advised he would contact resident Kathy Carman with any information he obtains from the township.

Robert Park met with the Commission regarding the Harper County landfill. He provided the Commission a copy of a letter he sent to the State requesting an investigation into the geologists that provided the initial reports regarding the landfill. Mr. Park thought it might be helpful for the Commission to be aware of the letter of complaint that he sent to the State.

Commissioner Bongiorno arrived at the meeting at 10:28 a.m.

County Attorney Shawn DeJarnett met with the Commission regarding personnel. The previous request for an additional Deputy County Attorney was discussed further. It was confirmed that the diversion fees could be reimbursed to the General fund and placed in the County Attorney's fund. The reimbursement of those fees would offset, to some degree, the expense for an additional position. Presently the diversion fee has a balance of approximately \$28,000. Diversion fees have also recently been increased in some areas. The employee benefit cost for the additional position was considered. The Commission unanimously approved, beginning in 2006, the diversion fees will be reimbursed to the County Attorney fund. An additional Deputy County Attorney position was also unanimously approved.

Emergency Management Director James Fair met with the Commission. Also present were Planning and Zoning Director Jon Bristor and Sheriff Gerald Gilkey. The new policy regarding the deposit required for any use of the Raymond Frye complex was discussed. Director Fair, as well as Sheriff Gilkey, advised that the Frye complex is used on a repetitive basis for training and Director Bristor advised that it is used monthly for the Planning Committee meeting. The Directors inquired about the deposit requirement in those situations and for county

departments using the facility. After discussion, the Commission considered the option to address the fee for county department in the resolution. The up front deposit would not be required, but the resolution would specify the amount would be taken out of the department's budget, if clean up of the facility was deemed to be insufficient. The Commission will discuss the wording with County Counselor Jack Potucek.

Economic Development Director Debra Teufel and Wellington Chamber of Commerce Executive Director Shelly Hansel met with the Commission. Director Teufel advised she had made every attempt to provide as much notice as possible for the meeting in the afternoon. She also reported that the Economic Development Commission discussed, in their meeting last week, of how they could possibly assist regarding the cost for an election. County Clerk Shields provided an estimate of \$31,000 for the cost of a mail ballot election. The county-wide walk-in special election conducted in May 2004 was approximately \$16,100. A number of issues regarding the topic of gambling and a public vote were discussed. Commissioner Newell expressed his reluctance to spend taxpayer dollars for an election when the State says gambling is still illegal. He asked about the possibility of a resolution expressing that the county is willing to put the question to a vote, if the State approves gambling. Asking the County Counselor's opinion on a resolution was discussed.

The Commission recessed for lunch at 12:04 p.m.

The Commission reconvened in open session at 1:30 p.m. at the Raymond Frye Complex for a scheduled informational meeting on a casino development. Members of the Sumner County Economic Development Committee, various officials from the Cities across the County, and a large number of citizens were present. Commission Chairman Gracy first introduced Bob Knight, representing the Iowa Tribe of Kansas and Nebraska, and Dennis Smith, of Law/Kingdon Inc. Mr. Knight provided background information on the Iowa Tribe and the business proposal for the facility. He then provided details regarding the 300 million destination resort and casino project. The facility would initially have about 1,500 employees with up to 2,500 when fully operational. The average salary would be \$12 to \$15 with an annual payroll of 75 to 100 million dollars. In tourism, the facility is expected to draw approximately 1 ½ million people a year. Dennis Smith, of Law/Kingdon Inc., provided a power point presentation on the facility. Law/Kingdon is the architectural firm for the project.

Mr. Smith advised that a 60 acre site is the minimum area required for the facility, with 80 to 100 acres being ideal. Features of the facility include a 300 room 12-story hotel, an event center, water park, and parking garage. The design of the facility would allow access from the parking garage to the event center without having to enter the casino area. After Mr. Smith's presentation, Mr. Knight took questions from the audience. Some questions were asked about the project and several comments on the issue of gambling were made by a number of individuals. Mr. Knight said he did not come to the meeting to sell the public on a casino; he came for the project to be sold. He said Sumner County does have some formidable infrastructure strengths relating to the interstate and highway traffic counts. Chairman Gracy thanked Mr. Knight and Mr. Smith for their presentations.

Chairman Gracy and each Commissioner briefly spoke. At one point, Chairman Gracy asked by a show of hands those in support and those against such a facility. Of those present, it appears that approximately 75% were in support. The cost for a mail-ballot election would be about \$31,000 and a walk-in election would be about \$16,100. Commissioner Newell questioned whether it would be a responsible expense for an election when gambling is not yet legal in the State. A member of the audience replied that it would be a cheap investment. After some further discussion and comments, Commissioner Newell moved to hold a Special Advisory Election. Commissioner Bongiorno seconded the motion, and the vote was unanimous. The informational meeting ended at 3:03 p.m.

The Commission returned to the Commission chambers and reconvened in open session at 3:20 p.m.

There being no further business, the Board of County Commissioners adjourned at 3:57 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
October 18, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Deputy County Clerk Norris discussed the possibility of scheduling a meeting with a representative of the Kansas Public Employees Retirement System (KPERS). KPERS will conduct onsite informational meetings for employees to attend. The Commission gave their unanimous authorization for the scheduling of a meeting.

Janet Donley, Director for the Sumner Board of Senior Services met with the Commission and provided several updates. The 2005-2006 Board members and alternate members were submitted for commission approval. An alternate for Wellington has not yet been appointed. The Commission unanimously approved the list as submitted. Once an alternate for Wellington has been named, Director Donley will return to the Commission for approval.

Director Donley submitted and reviewed the annual report for Senior Services. She reported that the budget, at this point, is about \$7,000 short. She advised that the mileage for the Provide-a-Ride program would be submitted to the Senior Services Board for approval. Director Donley provided the Commission an inventory of property. Reports relating to parts of the Senior Care Act were submitted and the status of the programs was discussed.

County Counselor Jack Potucek met with the Commission. He provided brief updates on legal matters. The Commission also discussed with Counselor Potucek the wording on the question for the Special Advisory Election. Counselor Potucek will prepare wording for the Commission's approval.

The Commission discussed the revision to the resolution regarding the fees for use of the Raymond Frye Complex. The latest revision that the Commission would like made relating to the deposit fee and county departments was discussed. Counselor Potucek was directed to prepare the resolution with the necessary wording.

John Marx and Kerry Murray, of Universal Construction, met with the Commission. Tony Rangel, of Law/Kingdon Inc., was also present. An update of the courthouse compliance and the Law Enforcement/Detention Facility projects was provided. A change order was submitted for the Commission's approval. Chairman Gracy was unanimously authorized to sign the order.

The Commission met with Laura Rettig, In-Home Services Director for the Health Department. The Commission offered Rettig the position of Director for the Health Department, which she accepted. Rettig was one of the applicants interviewed for the position. The Commission discussed Health Department and Home Health Agency operations. The position of Home Health Supervisor is still open, it has been advertised twice before and is currently open for applications. The possibility of using a consultant on a permanent basis to meet the Home Health requirements was considered. The Commission authorized Director Rettig to further research the option.

There being no further business, the Board of County Commissioners adjourned at 12:57 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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
October 24, 2005 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 Eldon Gracy and Commissioner Gene Bongiorno Jr. Also present was County Clerk Shane J. Shields. Commissioner Jim D. Newell was not present as he was out of state. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for October 17 and 18.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. Sheriff Gilkey reported that the expense for juvenile housing is approximately \$98,000 for the year. The cost for housing a juvenile at Reno County is \$135 per day. The Commission inquired about the status of the plan to recoup some of the cost from the responsible party of the juvenile. Sheriff Gilkey advised that the plan has not progressed with the attorney they had consulted with, so they are looking for another attorney willing to handle the legal action. Sheriff Gilkey also reported on the fees relating to sexual assault examinations. The fee will no longer be paid by the County Attorney's office, so Sheriff Gilkey is researching funding options to offset the fees and other expenses. One option to generate funding is to initiate a processing fee for every person booked into the detention facility. A number of counties have already initiated such a fee. The Commission expressed their support and Sheriff Gilkey will continue to research.

Sheriff Gilkey reported they are working with the Health Department regarding a prescription drug program for inmates. It may also be an option to work solely with a private drug company. A contract may be able to be initiated by January 1. Additional research is still being conducted.

Information Services Doug Stice met with the Commission. The update to the courthouse phone system was discussed. Director Stice had previously reported to the Commission the bid was approximately \$5,600, which was about 1/3 of what was expected. The Commission unanimously authorized Director Stice to proceed with the update. Director Stice also submitted the latest invoice, of \$6,700, from Kimble Mapping for GIS maintenance. The Commission previously approved the work, but had asked to be kept informed when billings were received.

County Counselor Jack Potucek met with the Commission. He provided the Commission with a copy of a legal document relating to the Harper County landfill. A Motion to Intervene was filed in Shawnee County District Court by Waste Connections of Kansas, Inc. in the legal action filed by Board of County Commissioners, Sumner County, and the Tri-County Concerned Citizens, Inc. and Dalton Holland vs. Roderick Bremby, in his capacity as Secretary of the Kansas Department of Health and Environment. Waste Connections is requesting that they be allowed to intervene in the matter as a party Respondent/Defendant.

The revision of the resolution regarding the fees for the use of the Raymond Frye Complex was discussed. Counselor Potucek will incorporate wording to exempt county departments from the required deposit fee. A provision will be made that the deposit fee may be required after the fact, if the facility is not sufficiently cleaned after use.

Counselor Potucek submitted an invoice from Attorney Robert Eye regarding the Harper County landfill. The invoice, for \$4,827, was for services performed by Ned Marks, hydro geologist, on the proposed Plum Thicket Landfill/Harper Co., Ks. Project.

The Commission discussed with Counselor Potucek the wording for the advisory election on the destination resort casino. Several wording options were discussed and a decision will be made tomorrow when the entire Commission is present.

A resolution submitted by Reiss & Goodness Engineers regarding the Slate Valley Sewer District was reviewed. The Commission determined they would like to clarify several items with Reiss & Goodness before adopting the resolution.

There being no further business, the Board of County Commissioners adjourned at 11:51 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
October 25, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. 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. He reported that he had contacted Attorney Martin Peck regarding the plan to recover juvenile housing costs from the responsible party involved. Attorney Peck indicated a willingness to handle the issue. Sheriff Gilkey will arrange a meeting with the Commission and Attorney Peck.

Undersheriff Osborn reported that the Mason's contacted them about donating a cornerstone for the new Law Enforcement/Detention Facility. Sheriff Gilkey advised they will have representatives of the Mason's provide information directly to the Commission.

At 9:30 a.m., the Commission conducted a public hearing on Zoning Case No. 19PC-05. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and a representative of Evergreen Industries, were present. Applicants in the case were Gilbert M. and Idotha P. Cottle, owners and Evergreen Industries, LLC, Curtis Branch, Agent. The case was for conditional use to install a wireless communications facility to address specific coverage objectives for a cellular communications company. The location is near 170th St. S. and Ridge Road. Director Bristor provided some details regarding the application and reported that there was no public opposition at the Planning Commission meeting. The Planning Commission voted 5 to 1 with 1 other member abstaining to recommend approval indefinite and allowing provisions for E911 space. The Commission unanimously approved Case No. 19PC-05. Resolution 2005-33 for the case was unanimously adopted.

Economic Development Director Debra Teufel and Wellington Chamber of Commerce Executive Director Shelly Hansel met with the Commission. Director Teufel provided a copy of the bill that was introduced in the legislative earlier this year regarding destination casinos. The legislation, which was not passed, outlined the steps a county would have to do before it would be considered a site for a destination casino. The bill refers to both an advisory election and a binding election. How the steps might affect our county's process was discussed.

Lengthy discussion was held regarding a walk-in election verses a mail-ballot election. The Commission, last week, had called for a special advisory question walk-in election. Clerk Shields advised that the cost previously estimated for a mail-ballot was for the standard machine counted ballot used by the county. Due to the legal size of the ballot and the envelopes required, the postage cost is extensive. If the Commission wished to direct that the mail-ballot is conducted by a hand count, the cost would be less. A smaller ballot and smaller envelopes could be used, thereby, substantially reducing the postage expense. Clerk Shields advised the estimated cost that he had researched in the past week shows it would be about \$15,000 to \$16,000. The estimated cost for the walk-in election, which was based on the May 2004 cost, was \$16,100. The procedures for a mail-ballot election were discussed. Everyone agreed that a mail-ballot election would provide the best opportunity for every registered voter to cast their vote. With the cost being comparable, the Commission unanimously directed that the special advisory question election be conducted by mail-ballot and hand counted.

The Commission reviewed several options for the wording of the advisory question prepared by County Counselor Jack Potucek. The following wording for the advisory question was unanimously approved. "Do you support a destination resort casino in Sumner County, Kansas, in the event such is legally permitted by the State and is otherwise deemed in the best interest of the County by the Board of County Commissioners?" The question will be prefaced with the following statement, "This is an advisory vote and non-binding upon the Board of County Commissioners of Sumner County, Kansas."

The Commission reviewed a resolution prepared by County Counselor Potucek. The resolution initiates the process for holding the next judicial foreclosure sale of all real estate tax liens. The Commission unanimously adopted Resolution 2005-32.

The Commission reviewed a resolution for the Raymond Frye Complex – Rental Fees. Wording that Counselor Potucek and the Commission agreed on yesterday was added to the resolution. Clerk Shields asked the Commission to confirm the effective date for the resolution, which they indicated would be November 1st. The Commission unanimously adopted Resolution 2005-34.

The Commission reviewed and unanimously approved a tax abatement order in the amount of \$77.32.

E911 Director James Reed met briefly with the Commission. He reported that he had received unofficial notification that he may be called upon to deploy to assist in the hurricane damaged area of the Gulf Coast. Specifically, he may be requested to deploy to Hancock County, Mississippi. If official notification is received later in the week, he asked if the Commission continued to support his responding. All expenses are paid by the Federal Emergency Management Agency. The Commission unanimously expressed their support.

The Commission reviewed and unanimously approved claims for the end of October in the amount of \$456,182.64.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
October 31, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was Ann Gressell, of the County Clerk's Office. The meeting was opened with the Pledge of Allegiance.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. Sheriff Gilkey reported on security issues for funeral services scheduled in South Haven for Wednesday afternoon. The military services will be for Evan Parker, who was mortally wounded while serving in Iraq. The Sheriff's Office has received notice from a group that will have protesters present. Sheriff Gilkey advised that he will have additional deputies on hand as well as State troopers in an attempt to prevent any problems.

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

Road and Bridge Director Melvin Matlock met with the Commission. He provided an update on the Belle Plaine North Road project and the Ninnescah Bridge. Two acquisitions of right-of-way agreements related to the project were signed.

County Clerk Shields entered the meeting at 9:44 a.m.

Director Matlock submitted a contract for engineering services with Cook, Flatt & Strobel Engineers, P.A. The contract was unanimously approved and signed. Director Matlock also reported that the Motor Fuel Tax received from the State will be approximately \$47,000 less than was expected.

County Clerk Shields reported on the status of the levy process. The levies set by Sumner County were completed several weeks ago. The levy process has been on hold waiting for the levies set by other counties for the joint districts. The final levy needed was received last Friday from Reno County. The process of preparing the tax statements is now proceeding.

The Commission met briefly with County Appraiser Della Rowley. A property damage report submitted for one of the Appraiser vehicles was discussed.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
November 1, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Treasurer Carolyn Heasty met with the Commission and provided several reports. One report showed a history of the annual transactions handled by the tag office. The transactions for 1992 were 31,076 and for 2004, there were 31,694. Treasurer Heasty provided a letter of settlement for the 2004 tax year. Upon the close of the year an amount of \$3.25 remained unidentified. That amount is within the acceptable range with the county auditor. A sales tax report was also submitted showing that after eleven months, the average monthly sales tax collection has been \$152,942.68. Treasurer Heasty provided a bond history report and reports on the municipal investment funds.

Sheriff Gerald Gilkey and Attorney Martin Peck met with the Commission. Attorney Peck expressed his willingness to work with the Sheriff to attempt to recover some of the expense incurred by the county for the housing of juveniles. Attempts will be made to recover expenses from the responsible party for the juvenile. The fees for the services of Attorney Peck were discussed. The fees could be on a percentage basis or on an hourly fee basis and Attorney Peck advised that he did not have any preference. Which method would be best for the county was considered. The Commission expressed their support for a percentage based fee, which would provide incentive for collection. Sheriff Gilkey and Attorney Peck will finalize a written proposal for submission to the Commission.

John Marx, of Universal Construction, met with the Commission. Also present was Kerry Murray, of Universal, and Tony Rangel, of Law/Kingdon, Inc. Mr. Marx provided a written update report on the Courthouse Compliance and the Detention Center projects. An issue with the flooring for the elevator in the courthouse project was discussed. The inspection by the State Fire Marshal for the new stair tower will be conducted on November 8. Mr. Marx submitted two documents related to changes for the Commission's approval. Both were unanimously approved and signed by the Chairman. Mr. Rangel explained and provided a change directive for the Commission's approval. The directive, relating to a handicap cell, was unanimously approved and signed by the Chairman.

County Counselor Jack Potucek met with the Commission. He reported that the petition for the next tax foreclosure sale was filed in District Court today. At this time, there are 96 parcels included in the petition.

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

At 2:00 p.m., Sheriff Gerald Gilkey met with the Commission. Also present was Deputy Russell Whorley, as well as a number of Sheriff's Office personnel, staff from other county departments, and personnel from other law enforcement and emergency service agencies. The Commissioners and Sheriff Gilkey presented Deputy Whorley, who is retiring, with a plaque for 48 years of dedicated service, devotion, and support to the citizens of Sumner County. Over the 48 years, Russell Whorley has served with the Belle Plaine Police Department, the Sumner County Sheriff's Office, and was also the Director for the Sumner County Civil Defense, now known as Emergency Management. Russell thanked everyone for attending and for everyone's support over the years.

There being no further business, the Board of County Commissioners adjourned at 2:06 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
November 7, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and unanimously approved the minutes for October 31 and November 1.

At 9:55 a.m., the Commission recessed to meet Greg Olson, Chief Executive Officer for Sumner Mental Health, at the north campus building in Wellington. Mr. Olson provided a tour of the north campus building.

At 11:03 a.m., the Commission reconvened in open session in the Commission room.

Al Reiss, of Reiss and Goodness Engineers, met with the Commission regarding the Slate Valley Sewer District. Don Scott, President of the Sewer District, Jon Bristor, Planning and Zoning Director, and County Treasurer Carolyn Heasty were also present. Mr. Reiss submitted a number of documents for the Commission's review and approval. The documents included the Final Estimate and Contractor's Affidavit of Bills Paid, Final Adjusting Change Order, Engineering Statement No. 2, No. 3, and No. 4, Certificate for Completion of Construction, Insurance Statement, and the SRF Drawdown. The documents were unanimously approved and those that required a signature were signed.

A proposed resolution relating to the Slate Valley Sewer District and procedure for the use and service of the sewer system was reviewed. A number of issues addressed by the resolution were discussed. After lengthy discussion, Mr. Reiss advised the resolution could be revised to meet the needs of Slate Valley's particular circumstance. The resolution also provided that the Commission will appoint a Superintendent of Sewage Works for the District. After discussion, Mr. Scott, as President of the District, advised that he would be willing to accept appointment to the position. The issue regarding ownership of the property where the lagoon was located was considered. The Commission will need to confirm the issue with the County Counselor.

The Commissioners recessed for lunch at 12:16 p.m.
The Commissioners reconvened in open session at 1:30 p.m.

County Counselor Jack Potucek met with the Commission. Several issues were discussed. Counselor Potucek submitted the proposed inter-local agreement between Sumner Mental Health and the County regarding the payments for the purchase of the Sumner Youth Services, Inc., property in the Wellington Industrial Park. County Clerk Shields reminded the Commission that they had never confirmed that the property should be added to the county's insurance coverage and whether they wished a property tax exemption to be filed on the property. The Commission directed, unanimously, that the property be added to the county's insurance and that an exemption application be filed.

Counselor Potucek also submitted two contracts related to the Law Enforcement/Detention Facility project for the Commission's approval. The contracts were with Charles E. Mahaney Roofing Company, Inc., and Shelley Electric, Inc., The contracts were approved and signed.

The Commission reviewed two resolutions submitted by Planning and Zoning Director Jon Bristor. Resolution 2005-35, appointing members to the Planning Commission, was unanimously approved and adopted. Resolution 2005-36, appointing members to the Board of Zoning Appeals, was unanimously approved and adopted.

John Hellman, Administrator for Slate Creek Good Samaritan Center, met with the Commission to provide an update. The current resident census is at 36. Administrator Hellman advised that the Director of Nursing position is currently vacant. An unannounced survey was conducted last week by the State, which resulted in four deficiencies being cited. Mr. Hellman also inquired about details regarding the original lease agreement between the Good Samaritan Society and improvements to the facility. Clerk Shields provided a copy of the lease agreement.

The Commission reviewed six certifications for payment submitted by Universal Construction for the Law Enforcement/Detention Facility project. The following certifications were unanimously approved; Belles & Associates for \$162,606.60, Commercial Mechanical for \$38,466, Shelley Electric for \$29,461.50, Sweeper Metal Fabricators for \$16,486.20, Diaz Construction Midwest for \$146,137.50, and Commerce Construction Services for \$59,351.85.

The Commissioners signed a letter granting the County Clerk the authority to select and purchase voting equipment. The Secretary of State requires the letter for the Clerk to be able to order the voting equipment relating to the Help America Vote Act mandates.

There being no further business, the Board of County Commissioners adjourned at 3:30 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
November 8, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance.

Steve Pierce, consultant with Universal Construction, met briefly with the Commission. The courthouse compliance and the law enforcement/detention facility projects were discussed.

At 9:30 a.m., the Commission held a public hearing on Zoning Case No. 18PC-05. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present. The case was an application by Dean and Sandra Drouhard for a zone change from "AR" Agricultural Rural District and "C1" Commercial District to "I1" Light Industrial District to relocate fertilizer plant with possible site for growth. Director Bristor reported that there was no public opposition voiced at the Planning Commission hearing. The Planning Commission, with 7 members present, had unanimously recommended approval with three requirements. The requirements are: 1) File Division of Land Exemption Affidavit, Survey, and Deed at the Officer of Register of Deeds, Sumner County Kansas, 2) Notification to Planning Office of any development with proper permits obtained, and 3) Comply with State and County Environmental, Zoning, and Subdivision Regulations. The Commission unanimously approved Zoning Case No. 18PC-05 as recommended by the Planning Commission with the stated requirements. Resolution No. 2005-37 was adopted.

Commissioner Bongiorni entered the meeting at 9:50 a.m.

David Kogle, representing the Masonic Lodge, met with the Commission. He discussed the possibility of the Masons placing a cornerstone for the new law enforcement/detention center. Members of the Grand Lodge (Topeka) would make a presentation at the time of dedication. The Commission expressed their only reservation is setting a precedent for the future, if other organization wish to do something of a similar nature. The Commission advised that they would consider the request and contact Mr. Kogle at a later date.

Jeff Luttrell, Commercial Sales Representative for ADT Security Services, Inc., met with the Commission to introduce his company.

At 10:30 a.m., Commissioner Bongiorni left the meeting to visit with representatives of the State Fire Marshal's office conducting an inspection of the new stair tower. Commissioner Bongiorni returned to the meeting at 11:15 a.m.

E911 Director James Reed met with the Commission. He requested authority to dispose of old 911 equipment. Any funds generated would be reimbursed to the E911 account as legally required. The Commission authorized Director Reed to proceed.

Sheriff Gerald Gilkey met with the Commission to discuss department expenditures. The expense for juvenile care has exceeded the funds that were budgeted for the year. Currently the expense is about \$18,000 over the budgeted amount. Sheriff Gilkey advised he would provide a projection of what the expenses may be for the rest of the year. The Commission will review the budget status.

Representatives of the State Fire Marshall's Office met with the commission. Tony Rangel, of Law/Kingdon, Kerry Murray, of Universal Construction, Gary Yoder, Maintenance Director, and Mark Shrewsberry, Commerce Construction, were also present. The report for the new stair tower was positive and the testing of the fire alarm system was completed. A final written report could be expected by next week.

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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
November 14, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Gene Bongiorno Jr. was not present as he was attending a meeting of the Regional Economic Area Partnership in Wichita. The meeting was opened with the Pledge of Allegiance.

County Counselor Jack Potucek met with the Commission. He requested an executive session with the Commission to discuss non-elected personnel. At 9:26 a.m., the Commission entered into executive session with Counselor Potucek for ten minutes to discuss non-elected personnel. County Clerk Shields was asked to remain, which he did. The Commission reconvened in open session at 9:35 a.m.

Road and Bridge Director Melvin Matlock met with the Commission. Also present were Road and Bridge Superintendent Larry Whitham, Engineering Superintendent Nita Simonton, Officer Manager Joyce Reynolds, and staff member Sue Huehn. Director Matlock reported that he has held two meetings with Wellington City officials regarding the Sumner County landfill. The Commission previously authorized Director Matlock to discuss the possibility of the City purchasing the landfill. If the landfill in Harper County opens, it will not remain financially feasible for Sumner County to maintain our landfill. It could be feasible for the City of Wellington since the City's Sanitation Department uses the landfill. Director Matlock provided financial information to the City for their consideration. The City was asked for a decision by around the first of 2006.

Director Matlock reported on the Commission's inquiry about placing a street light at US160 and K49 south. The light could be installed at no cost and the monthly electric bill would be \$12 to \$14 per month. Chairman Gracy had received requests from the public for a street light at that location. The Commission advised that they would further consider the request.

The Commission discussed several road issues with Director Matlock, which he will look into. One of the issues related to an area annexed by the City of Wellington. Engineering Superintendent reported that the issue is already being dealt with.

Director Matlock requested an executive session to discuss personnel. At 10:00 a.m., the Commission entered into executive session with Director Matlock to discuss non-elected personnel for 15 minutes. Superintendent Larry Whitham, Engineering Superintendent Nita Simonton, and Office Manager Joyce Reynolds were asked to remain present, which they did. At 10:13 a.m., the Commission reconvened in open session.

E911 Director James Reed and Assistant Director B.J. Tracy met with the Commission and requested an executive session to discuss non-elected personnel. At 10:17 a.m., the Commission entered into executive session with Director Reed for 45 minutes to discuss non-elected personnel. Assistant Director Tracy and County Clerk Shields were asked to remain present, which they did. At 11:02 a.m., upon unanimous vote the Commission extended the executive session for 15 minutes. The Commission reconvened in open session at 11:17 a.m.

The Commission reviewed and unanimously approved the November mid-month claims in the amount of \$1,542,173.48.

The Commission reviewed and unanimously approved the minutes for November 7 and 8.

The Commission reviewed and unanimously approved prior year tax abatement orders in the amount of \$2,892.76.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
November 15, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Olin and Louise Miles met with the Commission regarding a property issue. Mr. Miles reported that they own 20 acres near Milton and the property is landlocked. Some of the changes that have occurred in the area include a new house built in the area and the railroad reopened. The Miles' inquired if any portion of Eden Road had ever been vacated. The Commission advised that they would have Road and Bridge Director Melvin Matlock look into the issue.

At 9:30 a.m., the Commission held public hearings for three zoning cases. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present. The first case heard was No. 20PC-05 an application by Warren Sons Inc., owners, and Cimarron Land Services Inc., David Buskirk, Agent. Mr. Buskirk was present. The application is for a conditional use for the construction of a wireless transmit and receive facility consisting of one (1) and outdoor equipment cabinets. The site will be fenced with 6 ft chain link and 2-3 strand top wire. Director Bristor reported there was no opposition at the Planning Commission hearing. The Planning Commission, with 8 members present, unanimously recommended approval: Indefinite, Height not to exceed FAA approval, and allowing E911 access as requested. The Commission unanimously approved Case No. 20PC-05.

The second case heard was No. 21PC-05. The application was by Mark F. Schmidt, owner, and Cimarron Land Services, Inc., David Buskirk, Agent. The conditional use was for the construction of a wireless transmit and receive facility consisting of one (1) and outdoor equipment cabinets. The site will be fenced with 6 ft chain link and 2-3 strand top wire. Director Bristor reported there was no opposition at the Planning Commission hearing. The Planning Commission, with 8 members present, unanimously recommended approval: Indefinite, Height not to exceed FAA approval, and allowing E911 access as requested. The Commission unanimously approved Case No. 21PC-05.

The third case heard was No. 22PC-05. The application was by Duane and Donna Earles Trust, owners, and Cimarron Land Services Inc., David Buskirk, Agent. The conditional use was for the construction of a wireless transmit and receive facility consisting of one (1) and outdoor equipment cabinets. The site will be fenced with 6 ft chain link and 2-3 strand top wire. Director Bristor reported there was no opposition at the Planning Commission hearing. The Planning Commission, with 8 members present, unanimously recommended approval: Indefinite, Height not to exceed FAA approval, and allowing E911 access as requested. The Commission unanimously approved Case No. 22PC-05.

The Commission unanimously adopted Resolutions 2005-38, 2005-39, and 2005-40 for the three zoning cases approved.

Planning and Zoning Director Jon Bristor requested an executive session to discuss non-elected personnel. At 9:57 a.m., the Commission upon unanimous vote entered into executive session with Director Bristor until 10:15 a.m. to discuss non-elected personnel. Assistant Director Jenkins remained present. At 10:11 a.m., the Commission reconvened open session.

The Commission returned a call to Kathy Carman in the Peck area. Ms. Carman had previously met with the Commission regarding problems with Meridian Road. She reported that she and a number of citizens attended the township meeting on November 9. Ms. Carman advised that the end result from that meeting remains that nobody can help them with the road problem. The Commission inquired if the option regarding a petition had been further investigated. She said no one had discussed any petition at that meeting. The Commission advised that the traffic count does not justify the county taking over the road. The Commission advised Ms. Carman that they would discuss the issue further with Road and Bridge Director Matlock.

John Marx and Kerry Murray, of Universal Construction, and Tony Rangel, Law/Kingdon, Inc., met with the Commission to provide a project update. Sheriff Gerald Gilkey and Undersheriff Jerry Osborn were also present. The status of the Courthouse Compliance Project and the Detention Center Project was discussed. The bond requirement for a local vendor was discussed. The Commission approved that a cash bond could be submitted in place of the bond. The card security system for the new stair tower was reviewed. The quantity of cards that will be required by District Court will be determined and then cards for other offices will be considered. The stair tower should be able to be fully used by the end of the week. The Commission's idea of possible additional parking was considered. The parking area will be further considered and the possibility that the Road & Bridge Department could accomplish any work needed to create parking will be researched.

Mr. Rangel discussed a change directive that needs to be signed. The sally port doors were planned for a height of 12 ft., but it was discovered that the Department of Corrections bus from the Hutchinson facility requires a 13 ft. high entry door. A change directive for a 13 ft. door will be prepared and submitted to the Commission for signature. Change directives relating to changes identified regarding the door systems were discussed. The Chairman was unanimously authorized to sign four change directives.

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

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

The Commission met with Sheriff Gerald Gilkey. The expenditure overages relating to prisoners board and lodging, prisoner care, and juvenile care were discussed. Sheriff Gilkey advised he had not completed his review for a projection for the remainder of the year. He advised a rough estimate relating to prisoner care would be \$6,000 per month. Commissioner Newell inquired if there were any equipment expenses that could be reduced through the end of the year. Sheriff Gilkey advised that with the number of new employees hired this year to fill vacancies, there were no equipment expense reductions that could be made. Commissioner Newell questioned the recent purchase of three new shotguns. Sheriff Gilkey advised the shotguns were purchased on sale for about \$169 compared to a regular price of about \$400. The Commission discussed attempts to hold expenses. Sheriff Gilkey advised that mileage restrictions have been imposed for the patrol vehicles. Sheriff Gilkey advised that he will continue to do what's possible regarding expenditures.

The Commission reviewed the proposed contingent fee agreement with Martin J. Peck, of Hyndman & Peck, LLP. Attorney Peck will work with the Sheriff's Office to attempt to recover expenses for juvenile housing from the responsible party of the juvenile. The plan was previously discussed. After review, the Commission unanimously approved the agreement and it was signed by the Chairman.

The Commission talked by phone with David Kogle. The offer by the Masons to place a cornerstone in the new detention facility was discussed. The Commission informed him that the unanimous decision is that the offer would be declined. The concern is that a precedent would be set for county property and other groups in the future. The Commission thanked the Masons for the offer.

The Commission discussed employee gift certificates for the holidays. It was unanimously determined to issue certificates in the same amount and process as last year.

There being no further business, the Board of County Commissioners adjourned at 2:44 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
November 28, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for November 14 and 15 were reviewed and unanimously approved.

Darren Rayl, of Schouler Company, met with the Commission. Mr. Rayl discussed an issue with the railroad crossing on Seneca Road to the east of the Schouler facility. When the facility is loading railroad cars, the cars sometimes block the crossing and the Schouler Company would like to consider additional measures to take when the crossing is closed. The company is paying for the City to install two street lights at the crossing. Additional options would be blocking the road when train cars are being loaded and/or installing swing gates with warning lights on them. The Burlington Northern Santa Fe Railroad owns the railroad track to about I35. Schouler may purchase the track at some time in the future. Commissioner Bongiorno discussed the option of placing stop signs at the crossing.

Road and Bridge Director Melvin Matlock entered the meeting. After further discussion, the Commission determined that a stop sign would be placed at the railroad crossing. The location will be added to the annual county sign resolution adopted at the first of each year. Director Matlock advised that authorizing Schouler to place anything in the county road right-of-way would create liability issues for the county. Director Matlock and Mr. Rayl will review what additional options could be considered.

The Commission reviewed and approved two Acquisition of Public Road Right-of-Way agreements submitted by Road and Bridge Director Matlock. The Commission also approved Draw Request No. 4 to the Kansas Department of Transportation, Transportation Revolving Fund.

E911 Director James Reed met with the Commission. He requested authorization to sign confidentiality and non-disclosure agreements with several cellular telephone companies. The contracts are an agreement, where E911 agrees not to disclose specific technology of one cellular company to another. Director Reed advised that County Counselor Jack Potucek had reviewed the contracts and approved them as to form. The Commission unanimously authorized Director Reed to sign the contracts.

Director Reed requested an executive session to discuss non-elected personnel. At 10:19 a.m., the Commission upon unanimous vote entered into executive session with Director Reed until 10:30 a.m. to discuss non-elected personnel. At 10:30 a.m., upon unanimous vote, the executive session was extended ten minutes. At 10:40 a.m., the Commission reconvened in open session.

Economic Development Director Debra Teufel met with the Commission. She provided information on the informational meetings that have been scheduled across the county regarding the destination resort casino. Director Teufel provided information on the estimated impact of tax revenue for Sumner County and the City of Wellington. The estimated total additional annual revenue for Sumner County is projected to be \$4,449,901.48.

Community Corrections Director Lou Bradbury did not meet with the Commission, but sent an application for use of 2005 unexpended funds for the purposes cited in the Kansas Department of Corrections Funding Priority List. The application, for \$5,000 in unexpended funds, is for submittal to the Department of Corrections. The Community Corrections Advisory Board previously approved the application. After review, the Commission unanimously approved the application and it was signed.

Gary Allender met with the Commission regarding a road issue in Eden Township. The issue is related to what Mr. Olin Miles met with the Commission about a few weeks ago. Mr. Allender advised that he is one of the property owners who does not wish to provide an easement to Olin Miles for property access. Items, including property access and the need for the access, were discussed. Road and Bridge Director Matlock and Engineering

Superintendent Nita Simonton entered the meeting. Superintendent advised that the township is required to provide Mr. Miles access to his property because the road easement has never been vacated.

The Commission unanimously approved a publication for the Notice of Hearing on Amending the 2005 Budget. The only fund that needs to be amended is the Sales Tax Revenue Bonds. The reason for the amendment is that the fund was not created at the time the 2005 budget was adopted last year.

The Commission reviewed and unanimously approved the claims for the end of November in the amount of \$186,967.29.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
November 29, 2005 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commissioner Gene Bongiorno Jr. and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commission Chairman Eldon Gracy was not present due to attending a funeral. The meeting was opened with the Pledge of Allegiance.

Health Department Director Laura Rettig and Emergency Management Director James Fair met with the Commission regarding a personnel issue. The Technician position for Emergency Management was previously approved as a ¾ time position for 2006. The possibility of making the position full-time and utilizing the additional ten hours per week for bio-terrorism work was discussed. The position has been assisting the Health Department with bio-terrorism and there remains additional work that needs to be done. Director Rettig advised that plans need to be updated that include communications sections and for those areas the Health Department will need some outside assistance. The Emergency Management position could provide the assistance and knowledge in the communications areas. After discussion, the Commission asked Directors Fair and Rettig to prepare a proposal documenting the cost involved and submit for the Commission's review.

Director Fair updated the Commission on the training received by himself and his Technician, Chris Ball. Technician Ball has completed the necessary training for certification. Director Fair also reported on the hazardous materials training they have both received. Director Rettig advised she would like to see that the departments do not duplicate work, if training for one will meet the needs of both. Bio-terrorism is one area where that is a possibility.

County Attorney Shawn DeJarnett met with the Commission regarding personnel. He reported that a job description for the part-time position previously approved for 2006 has been finalized. The position will be advertised in the near future. County Attorney DeJarnett also advised that, after conducting research, he may wait to fill the approved third Deputy Attorney position until mid-year of 2006. Mid-year is when the latest law graduates are available. He also reported on a software program that he has found that will greatly benefit his office. The software generates the various legal forms when they are needed. The forms are generated with the dates and names applicable to the specific case from the initial information entered into the file. Attorney DeJarnett explained that extensive time is expended by his staff in the preparation of legal documents and letters. After every court hearing, letters must be sent to all the parties involved in a case. He advised the cost of the software is approximately \$20,000 and he is researching funding options. Delaying the hiring of the third Deputy position would also leave available some of the funds intended for that position. Attorney DeJarnett will provide further information to the Commission on the software in the future.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$37,314.84.

County Counselor Jack Potucek met with the Commission. Sheriff Gerald Gilkey and Janie Tuttle, staff member, were also present. A proposed resolution was submitted for the Commission's review and approval. The resolution authorizes a fingerprinting fee in the amount of \$30.00 for all non-public agencies and individuals fingerprinted as a courtesy by the Sumner County Jail. The fee will be collected in the same manner as a court cost and/or a diversion fee. The statute actually allows for a fee up to \$45.00. The Commission indicated their support of the resolution, but will wait until Chairman Gracy is present next week to formally adopt it.

Counselor Potucek submitted a proposed resolution calling for a special advisory election for the destination resort casino. The Commission previously determined and directed the holding of an election, the resolution formalizes that action. Resolution 2005-41 was unanimously adopted.

Road and Bridge Director Melvin Matlock met with the Commission. He reported that two mowing tractors are in need of being replaced. Maintenance costs are increasing for both. Replacement of the tractors was planned for 2005. He also reported on two other items that need to be replaced, but they will wait on both until after the first of the year. The items are a mill head for a skid loader and an asphalt roller.

Director Matlock provided an update on the current South Oliver Road project. He advised that the guard rail still remains to be installed. Once it is completed, the road can be opened. For the remainder of the project on to US160,

a utility issue with the moving of the electric lines remains to be worked out. Director Matlock also discussed the increased fuel and asphalt costs that have occurred since the project was started. He advised that there may be the need to do an addendum to the loan due to the higher costs. It is believed that sufficient loan and county funds will be available, but it will not be known for sure until bids are let. The State reported that the increased costs have affected projects across the state.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
December 5, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for November 28 and 29 were reviewed and unanimously approved.

The Commission again discussed placing a street light at K49 south and US160. Road and Bridge Director Matlock provided information on the cost involved a couple of weeks ago. After discussion, the Commission unanimously approved placing a light at K49 south and US160. The Commission will notify Road and Bridge Director Matlock.

The Commission reviewed and unanimously approved the October claims for Community Corrections in the amount of \$23,474.29.

Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, and Detention Supervisor Steve Colwell met with the Commission. They provided an update regarding pharmaceutical services for inmates. Sheriff Gilkey advised that he is proceeding to finalize a contract with Diamond Pharmacy. Diamond Pharmacy is a mail-order pharmaceutical service that provides medications by next day mail. There will be some type of contract maintained for emergency medication needs. Sheriff Gilkey estimated a 25% savings would be realized. The Department of Corrections and Sedgwick County, among others, currently contract with Diamond Pharmacy. Other current and future medical issues relating to the detention facility were discussed. Sheriff Gilkey advised that there will be the need, in the future, for a registered nurse and a physician's assistant.

Undersheriff Osborn reported a patrol vehicle was damaged over the weekend in a car-deer accident. The vehicle was still drivable. A property damage report would be completed and submitted.

Sheriff Gilkey reported on the seizure of property from a drug case. A 1999 Jeep Cherokee and a handgun were seized in September. Both the vehicle and the handgun will be placed into service for the department. There was also cash seized which will be divided between the Sheriff's Office and the County Attorney's Office. The Sheriff advised that his department's portion will, most likely, be used for expenses related to the drug dog.

Health Department Director Laura Rettig met with the Commission. She provided a revised Bio-terrorism Preparedness and Response Local Contract from the Kansas Department of Health and Environment for the Chairman's signature. The State revised the contract by adding a Federal identification number and the dollar amount, \$24,726, to the document. The revised contract was unanimously approved and it was signed by Chairman Gracy.

Director Rettig discussed updating several job descriptions for positions within the Health Department. Several job descriptions still need revisions relating to HIPAA and bio-terrorism. Director Rettig advised that several descriptions were updated internally some time ago, but they were not forwarded to the County Clerk's Office. She also inquired about creating additional levels for some existing positions. The Commission advised her to submit any recommended changes for their review.

Tom Wedman, Dalton Holland, and Royce Cook, members of the Tri-County Concerned Citizens Group met with the Commission. Mr. Wedman asked about entering into an executive session. The Commission contacted County Counselor Jack Potucek and requested his presence.

County Counselor Potucek entered the meeting. At 10:44 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek, Tom Wedman, Dalton Holland, and Royce Cook for twenty minutes to discuss an attorney-client privileged matter. At 10:04 a.m., upon unanimous vote the executive session was extended for five minutes. The Commission reconvened in open session at 10:09 a.m.

County Treasurer Carolyn Heasty met with the Commission. She provided the latest sales tax report, which showed the total collected to date, after twelve full months, of the local compensating tax and local retail sales tax as \$1,854,942.82. Treasurer Heasty also reported on other investments and interest rates. She advised that two million recently invested matured with the earned interest amount of \$47,789.

Information Services Director Doug Stice met with the Commission. He submitted the final invoice from Kimball Mapping for professional services relating to Geographic Information System maintenance. The Commission previously approved the services, but had asked to be informed upon each billing.

The Commission unanimously adopted Resolution 2005-42 setting the 2006 salaries for the elected officials. All officials received the same 3% cost of living adjustment as all employees.

County Clerk Shields provided the Commission with the revised bylaws adopted by the Kansas Workers Risk Cooperative for Counties (KWORC). KWORC is the county's workers compensation insurance carrier. Resolution 2005-43, accepting the revisions, was unanimously approved and adopted.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$3,419.04. Prior year orders for \$420.80 were also unanimously approved.

Ken McCloskey, of the Kansas Department of Wildlife and Parks, talked with the Commission by phone. He briefly discussed the project the State is working on regarding public access to the Arkansas River. The State is attempting to form a coalition of counties and cities along the river in order to work towards providing better public access. Once a comprehensive plan is developed, attempts can be made to obtain Federal funding for the project. Mr. McCloskey scheduled to meet with the Commission on December 13, at 10:00 a.m., to provide further information.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
December 6, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton, who was also present, offered a prayer.

At 9:30 a.m., the Commission held a public hearing on Zoning Cases No. 17PC-05. The following persons were present, Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins, Duane Brown, Attorney for the Planning and Zoning Department, Planning Commission members Ed Larson and Jan Whaley, and John Riggs, Planning consultant. The case was for the purpose of updating the Sumner County Zoning, Subdivision, Airport, and Floodplain regulations. The significant change made was to separate the Airport and Floodplain regulations from the Zoning regulations. The regulations dealing with Airports and the Floodplain are all State and Federal regulations. The Planning Commission, with ten members present, unanimously recommended approval of the regulation documents as written with administrative changes reviewed by the Zoning Director to be effective July 1, 2006. Mr. Riggs further explained some of the restructuring changes that were made. He also explained that the new regulations will provide better tools to deal with urban planning. Director Bristor advised that there was no opposition voiced at the Planning Commission hearing. Notice of the meeting was published in all the county newspapers.

The Commission unanimously adopted eight resolutions relating to Zoning Case No. 17PC-05. The resolutions were the following, 2005-44 Adopting Revised Zoning Regulations, 2005-45 Adopting Revised Subdivision Regulations, 2005-46 Adopting Revised Floodplain Regulations, 2005-47 Adopting Revised Airport Regulations, 2005-48 Establishing the Board of Floodplain Appeals, 2005-49, Establishing the Board of Airport Appeals, 2005-50 Appointment of the Board of Floodplain Appeals members, and 2005-51 Appointment of the Board of Airport Appeals members. An additional resolution, 2005-52 Appointment of Planning Commission members, was also unanimously adopted.

Carolyn Rains and Marcia Waugh, representing the Farm Bureau, met briefly with the Commission. They presented the Commission with cinnamon rolls and coffee cups in recognition of Farm City Week. They thanked the Commission for their work and for their support of farming.

County Counselor Jack Potucek met with the Commission. He submitted Resolution 2005-53 for the Commission's approval. The resolution establishes a processing fee for all individuals processed and/or fingerprinted by the Sumner County Jail. The processing fee and proposed resolution were discussed last week. The Commission unanimously approved Resolution 2005-53.

Counselor Potucek provided three contracts that he had reviewed relating to the Detention Center project. He advised that they were approved as to form. The Commission unanimously approved the contracts and they were signed by Chairman Gracy. The contracts were with Application Unlimited, Inc., Ritchie Paving & Construction Inc., and Carpet Value.

John Marx and Kerry Murray, of Universal Construction, met with the Commission to provide the latest update on the Law Enforcement/Detention Center project. Tony Rangel, of Law/Kingdon, Inc., Sheriff Gerald Gilkey, and Undersheriff Jerry Osborn were also present. Mr. Marx submitted several documents for the Commission's approval and the Chairman's signature. Change Management Orders No. 14 and No. 15, Change Order No. 10, and the Architect's Construction Change Directive were signed by Chairman Gracy. The courthouse compliance project has been completed. Masonry work is progressing for the detention center. Issues relating to dealing with inclement weather were discussed.

The Commission opened the bids received for the county legal publication for the year 2006. Two bids were received, one from the Conway Springs Star/Argonia Argosy and one from the Wellington Daily News. The bid from Conway Springs was for \$2.25 per column inch and the bid from the Daily News was for \$2.00 per column inch. The Commission unanimously approved the low bid and designated the Wellington Daily News as the official county legal publication for 2006.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$3,784.78

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

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

Sheriff Gerald Gilkey met with the Commission along with Wellington Chief of Police Mike Keller, Wellington Mayor Stan Gilliland, Oxford Chief of Police Art Keffer, Conway Springs Chief of Police Russ Cook. Also present were E911 Director James Reed, Assistant Director B.J. Tracy, and Warrants Manager Sandy Dvorak. Chief Keffer advised that the group wished to discuss concerns regarding personnel.

At 1:37 p.m., upon unanimous vote the Commission entered into executive session with those present for thirty minutes to discuss non-elected personnel. At 2:07 p.m., the Commission extended the executive session for fifteen minutes. At 2:22 p.m., the Commission reconvened in open session.

Those present discussed at length the E911 Standard Operating Guidelines (SOG), the E911 Advisory Board, and other personnel issues. How the SOG was developed was discussed. Chief Keffer said he feels the SOG need to be reviewed and he wishes to have input in any review. The existing method to have input was discussed, which led to a discussion on the Advisory Board. There are representatives of each emergency service on the board as well as two citizens. The law enforcement association selects a member of their association to serve on the advisory board. Director Reed serves as secretary to the board, but is not a voting member. The SOG was last revised by the advisory board in January 2004. Director Reed advised copies of the SOG were delivered to every law enforcement agency in the county. During the discussion Commissioner Newell said he wasn't sure why there is an advisory board, if no one chooses to use the board to address concerns. Chief Keller said that, in the past, concerns have been expressed to the Chairperson of the Advisory Board, but nothing gets handled. The Chairperson of the board for 2005 is Belle Plaine Chief of Police Ken Winter.

Sheriff Gilkey advised that a meeting was previously arranged for Friday, December 9, between several law enforcement representatives and E911 Director Reed. The meeting was arranged to discuss existing concerns. It was also discussed that the next scheduled advisory board meeting is January 6. Chairman Gracy advised no concerns have been brought to the Commission during the past year. Assistant Director Tracy said the first step is to come to the advisory board and talk about any problems. Sheriff Gilkey advised that the law enforcement representatives plan to still hold the meeting on Friday.

County Counselor Jack Potucek briefly met with the Commission regarding an equipment issue. He discussed the need to replace a copier that is used for preparation of the tax sale proceedings. The Commission unanimously approved the purchase of a new copier.

There being no further business, the Board of County Commissioners adjourned at 3:49 p.m.

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

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
December 12, 2005 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 Eldon Gracy and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. Commissioner Gene Bongiorno Jr. was not present as he was attending a meeting of the Regional Economic Area Partnership in Wichita. County Clerk Shane J. Shields was not present as he was attending the Midwest Election Officials Conference in Overland Park. The meeting was opened with the Pledge of Allegiance.

The minutes for December 5 and 6 were reviewed and unanimously approved.

Commissioner Newell reported on an inquiry he had received from Wellington Township Trustee Pete Gaskill regarding the cleaning of township bridges. The issue will be discussed with the Road and Bridge Director and the County Counselor. Commissioner Newell also reported that he had received calls during the past week from representatives of various entities expressing support for E911 Director Reed.

Maintenance Director Gary Yoder met with the Commission. He reported that the Slate Creek Good Samaritan Center currently has no maintenance person on staff and his department is being called for some maintenance issues. Director Yoder advised that two batteries will need to be replaced on the generator system due to lack of maintenance at the facility.

Diana Page and J.C. Long met with the Commission regarding the proposed formation of a National Register History District in the downtown area of Wellington. The Commissioners, as owners of a number of county properties in the proposed area, had asked for additional information on the project. It was explained that one of the advantages of designating a historic district would be the tax credits given to owners of contributing buildings to rehabilitate their historic buildings. The tax credits are for non-residential properties. Other details of the tax credits and requirements were provided. Mr. Long and Ms. Page advised that, to date, no opposition or negative response has been received from current property owners. Commissioner Bongiorno entered the meeting at 10:15 a.m. After further discussion, the Commission the concerns they had were addressed. The Commission expressed unanimous support for the project and the Chairman was authorized to sign the required documents for each county property.

Larry Theurer, of Theurer Auction and Reality, met briefly with the Commission. His firm manages the two rental properties owned by the county. He submitted a check for \$6,000 and the bank statements for the year.

Economic Development Director Debra Teufel met with the Commission. She reported that she had received inquiries about the money spent on advertising regarding the mail ballot advisory election. She advised that even though Economic Development does receive tax monies for operation, the rules of governmental ethics do not apply in this case since it is a non-binding advisory election. Director Teufel advised there would also be a radio announcement simply reminding people to vote and how to obtain a replacement ballot, if needed.

Director Teufel also discussed appointments to the Economic Development Commission. A new appointee is needed from each Commissioner district. She requested that the appointments are made prior to the January meeting of the Economic Development Commission. The Commissioners advised they will consider appointments to the Commission.

The Commission reviewed and unanimously approved the Community Corrections claims for November in the amount of \$33,888.16.

E911 Director James Reed and Assistant Director B.J. Tracy met with the Commission to discuss non-elected personnel. At 11:02 a.m., upon unanimous vote the Commission entered into executive session with Reed and Tracy to discuss non-elected personnel for 15 minutes. At 11:17 a.m., the Commission reconvened in open session. No binding action was taken.

Emergency Management Director James Fair met with the Commission regarding scheduling a National Incident Management System class. The class, for County Commissioners, all department directors, and other personnel that

might be involved in emergency/disaster situations, is required in order to qualify for Federal and State monies. Director Fair will disseminate a training schedule to those involved.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$7,909.11.

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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
December 13, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance. Marvin Simonton, who was present, offered an opening prayer.

Noxious Weeds Director Robin Walcher met with the Commission. She requested authorization to obtain bids to update the central heat and air in the noxious weeds building. She reported that she will be transferring funds to equipment reserve so the project can be done in 2006.

At 9:30 a.m., the Commission held a public hearing for an amendment to the 2005 budget. Elliott Jackson, county auditor, was present. The Sales Tax Revenue Fund was created after the 2005 budget was prepared; therefore, an amendment is needed to include it in the budget. The Commission unanimously approved the budget amendment.

Ken McCloskey and Matt Farmer, of the Kansas Department of Wildlife and Parks (KDWP) met with the Commission. Janice Hellard, of the Sumner County Economic Development Office, was present. Road and Bridge Director Melvin Matlock was called to be present. Mr. McCloskey and Mr. Farmer provided information on the KDWP project to provide more public access to the Arkansas River for recreational purposes. Canoeing, river rafting, float trips, and kayaking are becoming popular recreational activities in the area. Currently, the only public access point in Sumner County is at Oxford and the condition of the site is deteriorating. The proposal is to create access point every five miles and Mr. McCloskey is working with the length of the river from Rice County to the Oklahoma border. The KDWP is interested in developing a plan, which would then make available grant funds for the actual project. The KDWP, Sedgwick County, and the cities of Wichita and Oxford, have committed funds to begin the planning process. Any entity that commits funds will have input in the planning. It is believe that Oxford and Geuda Springs could become destination points for trips down the river. Mr. McCloskey advised that once a plan is developed, Federal funds will be sought for financing the entire project. The Commission advised that they would further consider the request and discuss the project with Economic Development representative before making any decision.

Road and Bridge Director Melvin Matlock and County Counselor Jack Potucek met with the Commission. The responsibility for cleaning of township bridges was discussed. Director Matlock advised that once an inspection is completed on a bridge, a notice is sent to the township advising what maintenance needs to be completed. Kansas Statute 16-1104 was reviewed. A memorandum from 1991 was also reviewed and the statutes cited in the memo are the same now as they were then. The approaches to a bridge are the responsibility of the township and the structural integrity of a bridge is the responsibility of the county. County Counselor Potucek advised he will contact the Wellington Township Board to discuss the issue before rendering a legal opinion. Director Matlock will also inspect the bridges that were pointed out to Commissioner Newell by Wellington Township Trustee Pete Gaskill.

Director Matlock discussed several other issues with the Commission. The latest draw down request for the Transportation Revolving Fund was approved and signed. Director Matlock advised that he is in the process, at the Commission's request, of developing the plans for a parking lot on the east side of the courthouse. He advised his department would not be able to do the work, but he could oversee the bid process, if the Commission chooses to proceed. Director Matlock discussed steel beams that are stored on the Road and Bridge property. The beams are from past bridge repair and are no longer useable. Disposal of the beams, which could provide some revenue, was considered. The Commission unanimously authorized Director Matlock to dispose of the beams in the method that would provide the most revenue to the county.

Director Matlock discussed the use and billing for the cellular phones used by his department. After discussion, Commissioner Newell expressed his belief that, since there is no excessive personal use, no change needs to be made in the current policy. The Commission unanimously agreed that no change is needed in the policy.

Director Matlock and Counselor Potucek discussed an issue relating to the Oliver Road South project. The issue related to the road right-of-way and the moving of utility poles. The county obtained right-of-way in the 1950's, but no utility easements were recorded by either the county or the utility company. Whether the moving of utility poles

is the county's responsibility or the utility company's is in question. Depending on the outcome of the issue, it could result in considerable additional expense to the county.

County Counselor Potucek reported on the research on the cost of a copier for his office relating to the preparation of documents for the annual delinquent property tax sales. A proposal from Galaxy Business was reviewed. The Commission unanimously authorized the purchase of the copier for \$4,551, which includes maintenance. Counselor Potucek updated Commissioner Newell on the history of a planning and zoning issue regarding a business in the northeastern portion of the county.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,421.62.

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

Health Department Director Laura Rettig met with the Commission regarding several issues. She discussed the professional liability insurance that is required for her department. The annual premium, which is included in the 2006 budget, is \$11,918. Director Rettig discussed appointments to the Health Advisory Board. After discussion, the Commission asked that she contact the individuals considered and confirm their willingness to serve. Director Rettig submitted the job descriptions she had previously discussed with the Commission. The descriptions for a Registered Nurse I and II in the Home Health Agency. The Commission asked that she have County Clerk Shields review the descriptions and offer any recommended revisions. The Commission approved the descriptions, once the review is completed.

Director Rettig reported she is working on some marketing ideas for the Home Health Agency. She will also research the possibility of doing a spot on Channel 55 in Wellington. She also provided updates on flu vaccine and the flu season.

Maintenance Director Gary Yoder met with the Commission. He discussed a policy issue relating to a person convicted of a felony, and the eligibility for rehire. Director Yoder recommended the Commission consider the possibility of allowing eligibility for rehire after five years. Director Yoder also reported on the generator at the Slate Creek Good Samaritan Center. He has now discovered that the starter will also have to be replaced on the generator due to lack of maintenance. The Commission authorized replacement of the starter to be completed as soon as possible. He expressed frustration with receiving bills for repair, but not having control in seeing that things are done.

The employee committee appointed by the Commission to review the policy and procedure manual met with the Commission. The members present were B.J. Tracy, Mary Jenkins, Emma Klein, and Liz Ramsey. They provided the Commission with a number of recommendations regarding several policies. The Commission advised that they will take the recommendations under consideration.

Kerry Murray, of Universal Construction, met with the Commission. Sheriff Gerald Gilkey and Undersheriff Jerry Osborn were also present. The provision of equipment to allow construction work to continue during inclement winter weather was discussed. Propane heaters could be purchased and used. The heaters would remain property of the county once the project is completed. After discussion, the Commission unanimously authorized the purchase of the heaters. The cost of propane used for the heaters will be monitored on a monthly basis by Universal Construction and forwarded to the Commission.

Sheriff Gilkey submitted a letter of request for confidential funds. The funds are utilized for investigations. The Commission unanimously authorized the Chairman to sign the letter. A Power of Attorney form was also signed by the Chairman, allowing the Sheriff to purchase tags and obtain a title for a newly acquired vehicle through seizure.

The Commission returned a phone call to an individual with concerns about the stop sign placed on Seneca Rd at the railroad tracks south of US160. The Commissioners explained the reason for the sign, which was a recent accident due to train cars on the track at night. They advised that they would check into the possibility of a yield sign rather than a stop sign.

The Commission reviewed an application for License to Retail Cereal Malt Beverage submitted by Dennis and Michelle Langlois for the Peck General Store. The application is a renewal of a current license. The Commission unanimously approved the issuance of a license.

There being no further business, the Board of County Commissioners adjourned at 3:08 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.

Eldon Gracy, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
December 19, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Treasurer Carolyn Heasty introduced two new employees, Megan Ramirez and Peggy Russell, to the Commission.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. They updated the Commission on weather related incidents and other occurrences over the weekend. An issue relating to a letter received about the jail was discussed. Sheriff Gilkey advised that the issue was addressed and Undersheriff Osborn provided further details.

The minutes for December 12 and 13 were reviewed and unanimously approved with several amendments.

Sheriff Gilkey asked the Commission for authorization to proceed and fill the additional full-time Deputy position that was previously approved. In October, the Commission approved changing an existing part-time position to a full-time position.

Emergency Management Director James Fair met with the Commission. He discussed the Homeland Security Grant and the request for bid for an additional vehicle for emergency management. An additional vehicle was previously discussed. There is approximately \$180,000 in funds available to Sumner County for the next year. After discussion, the Commission unanimously authorized Director Fair to proceed with the bid process and obtain a vehicle. The Commission advised that, at the point in the future when the vehicle needs to be replaced, replacement will depend on the budget situation at the time.

Road and Bridge Director Melvin Matlock and Engineering Superintendent Nita Simonton met with the Commission. An Acquisition of Public Right-of-Way was submitted for the Commission's approval. The acquisition is for a temporary construction easement relating to the Belle Plaine South Road project. It was unanimously approved and signed by the Chairman. A document from the Kansas Department of Transportation relating to another bridge project was also signed.

Director Matlock submitted the annual road sign resolution for the Commission to adopt. Resolution 2005-54 was unanimously approved and adopted. Director Matlock also reported that they had inspected a number of the township bridges in Wellington Township. They are waiting for Counselor Potucek to report on his meeting with the township officials.

The Commission spoke briefly, by phone, with Emergency Management Director Fair. Some details of the bid specifications for the vehicle for his department were discussed.

Commissioner Bongiorno talked with Tony Rangel, of Law/Kingdon, Inc., by phone regarding an invoice received. Mr. Rangel advised that a corrected invoice will be issued. The current invoice will be paid with \$260.00 subtracted from the total.

The Commission reviewed three designation of emergency vehicle applications submitted by Gary Kunc of Sumner County Fire District No. 9. After review, the Commission unanimously approved all three applications.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$5,662.64.

The Commission will not meet tomorrow due to the Commission room being needed for the counting of the ballots from the special advisory election.

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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk

County Commission
December 27, 2005 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 Eldon Gracy, Commissioner Gene Bongiorno Jr., and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The minutes for December 19 were reviewed and unanimously approved.

County Appraiser Della Rowley met with the Commission regarding several matters. A problem that occurred with the Infinitex tax program was discussed. The problem affected the boats that had been pro-rated. Infinitex has corrected the problem and tax abatements will be made on the boats affected. Appraiser Rowley also discussed legislation proposed next year by Governor Sebelius. The proposal is to exempt new purchases of commercial/industrial property from personal property tax. According to an article in the Kansas City Star, local entities would be affected by the removal of \$200 million from the local tax rolls. Appraiser Rowley advised that the impact on Sumner County would be significant. It was discussed that for every exemption granted at the state level, local entities must raise the mill levy to absorb the loss or reduce services. Appraiser Rowley will keep the Commission aware of the status of the issue. The Commission expressed their opposition to the legislation.

Appraiser Rowley discussed the mapping corrections needed for the Geographical Information System. The work was previously discussed and a bid was obtained from Kimball Mapping for the cost of \$11,500. The Commission asked that other bids be obtained. Appraiser Rowley advised that bids were requested from three other companies, but none of the three responded. Some of the work needed was explained. The Commission unanimously authorized the contract with Kimball Mapping for the work.

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. The Commission unanimously approved the appointment of Bernice Neises, of Oxford, and Carol Norris, of Wellington, to the Board. Director Donley also inquired about the mill levy dollars and if they would receive any additional funding before the end of the year. The funding is still \$1,598.98 short from the budgeted amount. Treasurer Carolyn Heasty was called into the meeting and she advised that the remaining amount is available. She confirmed that, if the funds apportioned have not been received by the end of the year, Director Donley needs to request the funds.

Director Donley discussed several issues discussed at the Senior Services Board meeting. The Medicare Part D prescription drug program and the work it has required to assist the public were discussed. The possible need for part-time assistance was discussed.

County Attorney Shawn DeJarnett met with Commission to discuss equipment. The purchasing of a laptop computer and other equipment was considered. The computer would be used in the courtrooms. He advised that the computer, at a cost of about \$1,500 could be purchased with forfeiture monies. After discussion, the Commission unanimously approved purchasing the equipment. County Attorney DeJarnett also discussed the need for pagers or cellular telephones for himself and his Deputy. He reported that, on average, they are called out two to three times a week after hours. After discussion, it was determined that Attorney DeJarnett would obtain further information for the Commission's review.

Health Department Director Laura Rettig met with the Commission regarding personnel issues. Some employee pay actions that should have occurred earlier in the year, under the previous Director, were discussed. The pay actions were to take place because of the changing and addition of responsibilities. The individual action forms will be reviewed when submitted by Director Rettig.

Director Rettig also submitted the proposed job description for a Multi-Hazards Coordinator position. The position was previously discussed. The position would be part-time and would dedicate approximately ten hours per week working on multi-hazard plans for the Health Department. The Commission unanimously approved the job description with some recommended revisions by the County Clerk. The Commission will make a final decision on authorizing the position at a later date.

Joe Dickey, Mayor of South Haven, met with the Commission. Also present were Sheriff Gerald Gilkey and Undersheriff Jerry Osborn. Mayor Dickey advised that the City needs to replace their current patrol car. The possibility of acquiring one of the Sheriff vehicles that are to be traded in was discussed. Chairman Gracy inquired about the Kansas Highway Patrol program for their used cars. Mayor Dickey said the vehicles are \$14,000 to \$15,000, which is more than the City has available. Sheriff Gilkey reported that offering one of the vehicles to the City would be an option. Mayor Dickey advised that the City would be willing to accept the vehicle as is. After discussion, the Commission expressed their unanimous support and they will confirm with County Counselor Jack Potucek what legal steps need to take place.

County Clerk Shields provided the invoice for the 2006 workers compensation insurance from the Kansas Workers Risk Cooperative for Counties. The cost for 2006 is significant higher due to an increase in the experience modification rating.

County Counselor Jack Potucek met with the Commission. The patrol vehicle for the City of South Haven was discussed. Counselor Potucek advised that he saw no problem with offering a vehicle to the City for the trade in cost. He advised that personnel of the City should inspect the vehicle and it should be documented that they accept the vehicle in its present condition.

The Commission reviewed an application for the Sale of Cereal Malt Beverage submitted by the Fleming Corporation of Kansas. The license is for the convenience store located at 882 E. 160th St. South. Clerk Shields reported that the Township Board had recommended that the license be granted. After discussion, the Commission unanimously approved the issuance of a license.

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

John Hellman, Administrator for the Slate Creek Good Samaritan Center, met with the Commission. Maintenance Director Gary Yoder was also present. Administrator Hellman reported that he received notification Friday that his request for extension to address some of the deficiencies cited in a November inspection from the Kansas State Fire Marshal's Office was denied. An extension for one deficiency was granted until January 9, but the others still need to be addressed by January 9. Mr. Hellman advised that he is in need of assistance to complete the work needed by that deadline. All of the ceiling tiles in the building must be clipped so they cannot rise and a number of cracks also need to be filled in the building with a fire rated caulking. Mr. Hellman advised that they currently only have one part-time maintenance person and that person has started the work needed. He also advised that assistance will be needed in upgrading other parts of the physical structure of the building in the future.

The Commission discussed the amendment made in April of this year to the lease agreement relating to the maintenance of the facility. The amendment, made at the request of the Good Samaritan Society, provided that Good Samaritan would hire their own maintenance personnel to perform maintenance duties. Commissioner Newell questioned whether there has been a full-time maintenance person since that time. County Maintenance Director Yoder discussed the recent expense encountered due to preventive maintenance not being done. After further discussion, Director Yoder advised that he will look at one of the deficiency items regarding a water pipe needing repair. Administrator Hellman advised he would proceed with attempting to hire a full-time maintenance person. The Commission asked that a meeting be set with Good Samaritan Regional Director Randy Fitzgerald.

The Commission reviewed and unanimously approved the claims for the end of December in the amount of \$659,018.07.

The Commission reviewed and unanimously approved tax abatement and add orders in the amount of \$8,277.14.

There being no further business, the Board of County Commissioners adjourned at 3:45 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.

Eldon Gracy, Chairman

Shane J. Shields, County Clerk