

County Commission
January 7, 2008 9:00 am

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

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

The Commission discussed the additional holidays for 2008. The Commission unanimously designated that county offices would be closed on December 26, 2008, and would also close for business at noon on December 31, 2008. This is in addition to the eleven holidays set by the adopted county policy.

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. She reported that she was short \$2,880.20 in funds received compared to the approved budget for 2007. The funds are distributed to Senior Services by the Treasurer's Office. The fund currently shows a cash balance of \$3,144.04. The Commission will discuss the issue with the Treasurer and confirm the approved budgeted dollars are distributed, if available.

Director Donley discussed an issue related to the subsidy provided to the Friendship Meal centers in the county. The center manager in Clearwater has inquired why they do not receive a subsidy since they have residents of Sumner County eating in the facility. He compared his center to Mulvane, which receives a subsidy. The Commission advised the difference in the situation is that a portion of the City of Mulvane is in Sumner County and no portion of the City of Clearwater is in the county. Director Donley also briefly discussed the Medicare Part D program.

E911 Director James Reed met with the Commission. He reported that the term of the current Emergency Medical Service representative on the 911 Advisory Board is expiring. Director Reed advised that Marty Kolarik, of Caldwell EMS, has expressed a willingness to serve on the board. The Commission unanimously appointed Marty Kolarik as the EMS representative to the 911 Advisory Board. Director Reed also discussed the connecting of the Sheriff CAD system to the 911 system. He confirmed his support, but wanted to ensure it is only if there are no problems created in connecting the systems. Both vendors have been working on accomplishing the connection.

County Counselor Jack Potucek met with the Commission. He requested an executive session to discuss an attorney-client privileged matter. At 10:10 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. At 10:25 a.m., the Commission, upon unanimous vote, extended the executive session 15 minutes for continued discussion of an attorney-client privileged matter. At 10:40 a.m., upon unanimous vote, the Commission extended the executive session 10 additional minutes for continued discussion of an attorney-client privileged matter. At 10:50 a.m., the Commission reconvened in open session.

Commissioner Gracy moved to appoint Commissioner Martin as Board Chairman effective January 14, 2008. Chairman Newell seconded the motion and it passed unanimously.

The Commission spoke, by phone, with Economic Development Director Janice Hellard. She reported that she had been contacted by Mulvane City Administration Kent Hixson who informed her that a request for annexation would be considered by the Mulvane City Council at tonight's council meeting. Director Hellard advised she would be attending the meeting.

The Commission reviewed and unanimously approved the December claims for the Community Corrections department in the amount of \$19,618.92.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$15,828.76.

Counselor Potucek met again with the Commission. County Clerk Shields discussed a road vacation that the Commission made in April of 2007. The road vacated was 60th Ave N. from River Road to the Arkansas River. It

was discovered last week that an adjoining property owner did not receive the required notice of public hearing. Counselor Potucek advised that, since the required notice was not given, the vacation of the road is not valid. After discussion, it was determined that the process to vacate the road would be reinitiated.

There being no further business, the Board of County Commissioners adjourned at 12:14 p.m.

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

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 8, 2008 9:00 a.m.

The Board of County Commissioners met in regular session in the Commission room of the Sumner County Courthouse. Those present were Commission Chairman Jim D. Newell, Commissioner Gary E. Martin. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present due to attending a funeral. The meeting was opened with the Pledge of Allegiance.

At 9:30 a.m., the Commission held public hearings on three zoning cases. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Administrative Assistant Melinda McCurley were present. Other present included Attorney Martin Peck, Nancy Seitz, and Mike Hutfles representing Sumner Gaming and Resorts, and Mike Thompson, of Poe and Associates. The first case heard was Case No. 30PC-07, an application by Forrest and Delva Butts, owner, Sumner Gaming and Resorts, LLC, Agent. The purpose was for a zone change two "A-2" Agricultural District tracts to "R-2" Two and Three Family Dwelling District for a golf course and residential development. The combined tracts contain 156 acres more or less and the location is the northeast corner of Seneca and 140th Ave. Director Bristor reported the citizen concerns expressed at the Planning Commission meeting included invasion of privacy, crime, and drunk driving. He also reported that a protest petition was filed regard the case, but it was found to be invalid due to not meeting required criteria. Director Bristor reported that the Planning Commission, with nine members present, recommended approval in an 8 to 1 vote. The Commission unanimously approved Case No. 30PC-07 and adopted Resolution 2008-01.

The second case heard was No. 31PC-07, an application by Steven J. Butts, Kurt A. Butts, Bradley C. Butts, and Bryson G. Butts, Owners, and Poe & Associates, Agent. The purpose was a zone change from "A-3" Agricultural District to "C-4" Highway Service District to allow the property to be developed for its highest and best use. The location is the southeast corner of Broadway and 140th Ave N. Director Bristor reported concerns expressed by citizens were commercial being across the street from their homes, their control of their own personal property is being taken away, and they are opposed of the whole development issue. The Planning Commission recommended approval of the case in an 8 to 1 vote. The Commission unanimously approved Case No. 31PC-07 and adopted Resolution 2008-02.

The third case was No. 32PC-07. The case was by the Planning Commission for the purpose of amending the Zoning Regulations. Director Bristor advised that miniature golf and driving ranges were added to two different commercial zone designations. There was no opposition voiced at the Planning Commission and it was unanimously recommended for approval. The Commission unanimously approved Case No. 32PC-07 and adopted Resolution 2008-03.

Director Bristor submitted a prepared resolution for appointment of a Board of Appeals member. The Commission unanimously approved Resolution 2008-04 appointing David Messenger to the Board of Appeals for 2008 as the District 3 representative.

The Commission reviewed an application for a cereal malt beverage license. The application was by Ivanan R. Sullivan d/b/a/ Highway Stop, at 882 E. 160th St. S. County Clerk Shields reported that the required notice was sent to the township and the ten day response period had passed. The Commission unanimously approved the application and a license was issued.

Treasurer Carolyn Heasty met with the Commission and provided information on several topics. She discussed the Special Auto Fund. The balance of the fund as of December 31 each year is later transferred to the General Fund. The average of the amount transferred has been around \$9,000. Due to the increase in fees by the State, the next transfer will be about \$21,000. There were almost 40,000 transactions performed by the Treasurer's staff. Treasurer Heasty also discussed sales tax relating to the tagging of vehicles. With Sedgwick County's arena sales tax ending there will be a greater difference in the sales tax when a vehicle is purchased in Sedgwick County. Owners are required to pay sales tax based on where the vehicle is housed. That difference will now be greater than it has been in the past.

Treasurer Heasty also reported that the State recently began keeping records of the activity of each driver's license service station and shared correspondence received from the Department of Motor Vehicles (DMV). For the fourth

quarter of 2007, the state showed the Treasurer's station averaged 80 customers a week, making it one of the busiest counties in the state. The DMV said that Sumner County staff consistently produces accurate licenses in a timely and efficient manner.

Treasurer Heasty provided information on the sales tax collections. From 2004 to date, almost 6 million dollar has been collected. She reported that interest collected on delinquent taxes is about \$172,000. The interest earned on investments is around \$700,000. She also reported that \$479,285 was receipted from the Sheriff's Office in 2007 for the housing of out-of-county inmates.

The Commission discussed the issue relating to the 2007 Senior Services budget. Director Donley has met with them yesterday indicating that the total budgeted dollars were not received. Issues relating to the budget, delinquent taxes, carry-over dollars, and the requesting of the dollars were discussed. The issue will be reviewed and the county auditor will also be consulted.

Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, and Captain Mike Yoder met with the Commission. Sheriff Gilkey requested an executive session to discuss non-elected personnel. At 11:04 a.m., the Commission upon unanimous vote entered into executive session with Sheriff Gilkey for 10 minutes to discuss non-elected personnel. Undersheriff Osborn and Captain Yoder remained present for the session. At 11:14 a.m., the Commission reconvened in open session.

Sheriff Gilkey discussed three areas of need that currently exist in his department. Assistance is needed in the area of processing the various registrations, sex offender and others, which have become the Sheriff's Office responsibility by statute. There is a need for a medical staff person, such as a registered nurse, for the detention facility. Currently, and has been done for years, detention staff dispenses medications to the inmate. A person on staff would also reduce, to some extent, the transports of inmate/s to the doctor's office. Sheriff Gilkey advised that he has several proposals regarding the medical staff. The need of additional part-time deputies was also discussed. Currently there is one authorized position. Sheriff Gilkey said he would like to add a couple more with a not-to-exceed cost amount. Three part-time positions would provide more availability. It was explained that the part-time positions are used to cover vacations, which is more cost-efficient than paying overtime. It was asked if reserve deputies are still being used. They are, but Sheriff Gilkey advised there are only two active reserves.

Sheriff Gilkey proposed a method to address all three areas of need and remain within his approved budget. The current part-time position is funded to an amount to allow full usage in the year, if needed. The one position is not used to that extent only because the person is not always available. The funding available for that position could be used to add one part-time records clerk to assist in the offender registration and other tasks. Sheriff Gilkey proposed authorizing 2 additional part-time deputy positions with a not-to-exceed 400 work hours in 2008. He also proposed adding a part-time registered nurse position to address the inmate medical issues. The position would only be needed around 4 to 6 hours a week. He advised he has a proposal from the Wellington Family Practice Clinic where a part-time RN position would be under the Clinic's direction. Sheriff Gilkey advised all could be accomplished while remaining within the dollars already budgeted for 2008. After discussion, the Commission asked Sheriff Gilkey to provide the same details to Commissioner Gracy for his awareness and then schedule again with the Commission. A decision would be made when all Commissioners are present.

County Counselor Jack Potucek met with the Commission. Attorney David Cooper was contacted by telephone. At 11:39 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Attorney Cooper to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 11:49 a.m.

Economic Development Director Janis Hellard met with the Commission. Counselor Potucek also remained present. She provided a report on the Mulvane City Council meeting she attended the previous evening. The City took action to annex the property related to the casino proposal from Sumner Gaming and Resorts.

The Commissioners reviewed and unanimously approved tax abatement orders in the amount of \$1,019.80.

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

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

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 9, 2008 9:00 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 Jim D. Newell, Commissioner Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Others present were County Counselor Jack Potucek, Economic Development Director Janice Hellard, and members of the media. Chairman Newell reported a phone message was received from Mike Hutfles about listening to the meeting by telephone. Attorney Martin Peck also entered the meeting.

Counselor Potucek recommended an executive session to discuss an attorney-client privilege matter. At 10:33 a.m., upon unanimous vote the Commission entered into executive session for 20 minutes to discuss an attorney-client privileged matter. Counselor Potucek and County Clerk Shields remained present for the session. Attorney David Cooper and staff member, Attorney Teresa Watson, were also present by conference call. The Commission reconvened in open session at 10:53 a.m.

At 10:54 a.m., upon unanimous vote the Commission entered executive session with the same parties to discuss an attorney-client privileged matter for 30 minutes. The Commission reconvened in open session at 11:21 a.m. Chairman Newell advised that no binding action was taken.

There being no further business, the Board of County Commissioners adjourned at 11:22 a.m.

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

Jim D. Newell, Chairman

Shane J. Shields, County Clerk

County Commission
January 14, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present as he was attending a meeting of the Regional Economic Area Partnership. Marvin Simonton was present. The meeting was opened with the Pledge of Allegiance.

Robert Miller entered the meeting.

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

Community Corrections Director Brad Macy met with the Commission. With the transitioning to a county department, he discussed an issue with vacation leave for three employees. The maximum accumulation for leave under their previous Community Corrections policy was more than the county policy they are now falling under. Options to address the issue so the employees do not lose the earned leave were discussed. After discussion, the Commission unanimously determined that the maximum leave would be waived for the employees involved due to the transition to the county policy.

Commissioner Newell talked with Treasurer Carolyn Heasty by phone regarding correspondence the Commission received about a tax issue. Treasurer Heasty advised the issue had already been resolved with payment disbursed.

Martin Peck entered the meeting.

Commission Chairman Garey Martin called in by phone. With Chairman Martin present by phone, the Commission addressed a renewal application to retail cereal malt beverages in original and unopened containers and not for consumption on the premises submitted by Dennis and Michelle Langlois d/b/a Peck General Store. County Clerk Shields advised that the required notice was sent to the township and the township board had recommended that a license be granted. The Commission unanimously approved the issuance of a license. Chairman Martin disconnected from the meeting.

County Counselor Jack Potucek met with the Commission. Attorney David Cooper was contacted by phone. Counselor Potucek requested an executive session to discuss an attorney-client privileged matter. At 11:30 a.m., upon motion of Commissioner Gracy and second of Commissioner Newell, the Commission entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 11:45 a.m.

At 11:45 a.m., upon motion of Commissioner Newell and second of Commissioner Gracy, the Commission extended the executive session, with the same parties present, for 15 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:59 a.m. No binding action was taken. Counselor Potucek announced that the Commission continues to receive data regarding the casino developers in general and there will be a press release addressing the county's best interest and position later in the week.

The Commission reviewed and unanimously approved the mid-month claims for January in the amount of \$442,245.22.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
January 15, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Ed Larson talked with the Commission by phone. He discussed annexation by the City of Mulvane relating to the Harrah's casino proposal. Mr. Larson had talked with a representative of Harrah's regarding the additional 1.5 million funding offered to the county. Mr. Larson expressed his concern that the additional funding offer was removed from the proposal since there was no county endorsement. He expressed his opinion that if a county endorsement was received there might be the possibility that the developer would restore the funding offer.

The Commission received a request from Leonard Rausch regarding the use of the Raymond Frye Complex. He asked if the fee could be waived for a meeting of the Rural Water District No. 2. The Commission unanimously approved a waiver of the fee.

Appraiser Della Rowley and Treasurer Carolyn Heasty met with the Commission. Road and Bridge Director Matlock was not able to be present. They met with the Commission as the committee chosen from the directors to research a salary survey. The director's had asked the Commission to consider a salary survey for the county at the planning session held last spring. The committee conducted research and obtained proposals from two companies for a study. The cost between the proposals obtained is significant. A review of job descriptions would also be done in the study to attempt to address equity across all departments. Chairman Martin expressed his opinion that a study needs to be done, but the cost is a consideration. Addressing the results of any study is another separate step. The committee agreed. Lengthy discussion was held on issues surrounding a study. The Commission will consider the request and research what other options may be available. Sheriff Gilkey, who had entered the meeting, expressed that uniformity to all departments is also important.

Sheriff Gilkey and Undersheriff Osborn met with the Commission. Sheriff Gilkey discussed the personnel proposal he made last week to address several needs of the department. He advised he had provided Commissioner Gracy details of the proposal. Sheriff Gilkey advised funds would be available from the one part-time position that is currently funded for possible full use. The proposal asks for two more part-time deputies with time used for 2008 not to exceed 400 hours, a part-time records clerk, and a part-time registered nurse position for the detention facility. Duties of the nurse position were discussed. The nurse position may involve a contract with the Wellington Family Practice Clinic at a cost of around \$6,000. Chairman Martin asked if that would be over and above the cost for the personnel, and he advised it would be. After further discussion, the Commission unanimously authorized two additional part-time deputy positions and a part-time records clerk position. The nurse position will be considered once more details of any arrangement are known.

County Counselor Jack Potucek met with the Commission. He provided a brief update on Board of Tax Appeal issues. He also reported that Greg Olsen, of Sumner Mental Health had been in contact with him regarding the status of funds. Mr. Olsen is scheduled to meet with the Commission next Tuesday regarding the matter.

Counselor Potucek recommended an executive session to discuss an attorney-client privileged matter. At 10:46 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 10:56 a.m.

Deputy Kenney Kelley met with the Commission regarding status of a workers compensation issue. Counselor Potucek remained present. Differing work restrictions placed by medical professionals was an issue discussed. Counselor Potucek advised that the county must honor the most comprehensive or severe opinion. He recommended that Deputy Kelley's legal representative needs to take the action necessary to cause the workers compensation insurance carriers medical professionals to review the current status of the restrictions.

Chairman Martin advised that no binding action was taken in the earlier executive session.

Sammie Nugen, Wellington Township Treasurer, met with the Commission. Greg Nugen was also present. Mrs. Nugen reported that she had resigned as the Treasurer at the township meeting the previous evening. She resigned due to difficulties in dealing with the Township Trustee, Pete Gaskill. Details of some of the difficulties were discussed. Mrs. Nugen also reported that the Township Clerk, Rachel Shepard-Hearlson, had also resigned for the same reasons. Various operations of the township were discussed along with what action might be available to the former board members or citizens to address concerns with various actions.

The Commission recessed at 12:01 p.m. to attend a luncheon meeting with members of the Sumner County Farm Bureau at the Wellington Steakhouse.

The Commission reconvened in open session at 1:30 p.m. Present were County Counselor Potucek, Robert Miller, and Martin Peck.

Attorney David Cooper was contacted by phone. At 1:34 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Attorney Cooper for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 1:49 p.m.

At 1:50 p.m., upon unanimous vote the Commission entered into executive session with the same parties for 15 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 2:05 p.m.

Other documents reviewed and approved by the Commission included a lease agreement for the Road and Bridge Department for the storage of materials and equipment. A renewal application was signed by the Chairman for the Advance Life Insurance policy for county employees. And, tax abatement orders in the amount of \$2,458.25 were approved.

There being no further business, the Board of County Commissioners adjourned at 2:07 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
January 22, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Maintenance Director Gary Yoder met with the Commission. He provided a bid from Young Electric, Inc. to provide electrical service to the maintenance building at the detention center. The cost would be \$6,425. Director Yoder advised he had attempted to obtain a bid locally, but had not received any response from the contractor. The Commission unanimously approved the bid and authorized Director Yoder to proceed.

Sheriff Gerald Gilkey met with the Commission. He reported he had received another bill for the boarding of horses relating to a cruelty of animals case. The bill, in the amount of \$2,284.68, was for the remainder of 2007. The bill will be paid from 2007 funds. The court case is still pending so boarding of horses is still continuing. How to prepare and/or budget for similar situations in the future was discussed.

The minutes for January 14 and 15 were reviewed and unanimously approved with one wording correction.

County Clerk Shields informed the Commission that a copy of the minutes of the Wellington Township Board was provided by Sammie Nugen. The minutes provide written record that Mrs. Nugen and Rachel Shepard-Hearlson resigned from their respective positions as Treasurer and Clerk for the township. Mrs. Nugen also provided the names of two persons willing to serve in the positions, Gary Owen and Kelly Orton. After discussion, the Commission determined appointments to fill the vacancies would be delayed until Commissioner Newell had an opportunity to talk with those involved.

At 9:30 a.m., the Commission held a public hearing to vacate a road. Those present relating to the hearing were Mr. and Mrs. Darrell Talbert and Palestine Township Trustee Jeff Hatfield. County Clerk Shields explained that a hearing was held in April 2007 to vacate a portion of 60th Ave. North. The request was submitted by Palestine Township. It was recently discovered that the required legal notice for that hearing was not sent to one of the adjoining property owners. For that reason, Counselor Potucek advised that the resolution adopted at that hearing, vacating the road, was invalid and a new hearing was required. Clerk Shields advised all required notices were sent for the present hearing. Issues regarding electrical service ran under the road to Mr. Talbert's property, road maintenance, and school bus service were discussed. After discussion, the Commission determined that the Road and Bridge Department would be asked to determine the beginning point some distance east of Mr. Talbert's driveway where the road can be vacated. The Commission, upon unanimous vote, tabled the issue until February 19, 2008, at 9:30 a.m.

Greg Olsen, Chief Executive Officer for Sumner Mental Health, and Ernie Fink, Mental Health Board member met with the Commission. Mr. Olsen discussed the status of returning the funds to the county that were provided to Mental Health in 2007. He sent correspondence to the Commission last week regarding the issue. He said he hopes to repay at least 10% in the near future and at least 10% by early April. Repayments would then continue on-going as quickly as possible. Mr. Olsen talked about a number of issues affecting the funding issue. Commissioner Newell said that the funds were loaned under the assumption that the State and Federal officials would resolve the issue and release the funding. Mr. Olsen advised, to this point, only a partial amount of the funding has been released. The Commission advised that the county funding must be returned in 2008. After discussion, it was agreed that the status of returning the funding will be reviewed in April and again in June.

County Counselor Jack Potucek met with the Commission. Items including the status of the repair of the courthouse roof and the processing of payments for juvenile publications were briefly discussed.

Road and Bridge Director Melvin Matlock met with the Commission. He submitted documents for the Chairman's signature to title three new pick ups. He also submitted the contract with Cook, Flatt & Strobel for the Ninnescah River Bridge. The bid was under the estimate and the county cost will be \$104,000. The contract was signed. Commissioner Gracy provided Director Matlock with correspondence received from the state regarding bridge

inspections. Director Matlock will review and respond to the state. Director Matlock discussed the current status of the supply of salt and sand. He advised that the department has used twice as much salt as usual for this point in the season. He reported that they are not able to obtain any more salt from Hutchinson. The department is going to purchase a one ton supply of calcium chloride and mix it with sand for use on the roadways. Director Matlock also reviewed a discussion that he had with Phil Wheeler about removing silt.

Director Matlock also made the Commission aware of an inspection that the Kansas Department of Labor has planned for the department. The Commission informed Director Matlock of the road vacate issue and asked that he or staff provides the information necessary for the Commission to make a final determination.

Shelly Hansel, Wellington Chamber of Commerce Executive Director, met briefly with the Commission. She informed the Commissioners of the legislative breakfast that will be held this Saturday, Feb. 26, at Theurer Auction beginning at 8:00 a.m. State Representative Vince Wetta will be in attendance. Director Hansel invited the Commissioners to attend. The breakfast cost is \$5.00 per person. The plan is to hold a breakfast the last Saturday of each month through May. Different meeting locations will be used in the future.

Noxious Weeds Director Robin Walcher met with the Commission and provided an update on operations of her department. Director Walcher discussed the planned replacement of the two ton truck. Sufficient funds are available in her department's equipment reserve funds. The total cost of a truck and equipment will be around \$86,000. She discussed the possibility of keeping the current two ton truck. It is used extensively and keeping it will serve the purpose of allowing the part-time employee to use it. Director Walcher also discussed the cost of chemicals and the expected increase in cost for 2008. She discussed roof repair of her department's building due to several leaks experienced. She will obtain bids for repairing the roof.

Wellington Township Trustee Pete Gaskill met with the Commission. He advised that the Township Treasurer and Clerk had both resigned. He said they had resigned because they had to take a few phone calls during the past snowstorm due to the road conditions. Mr. Gaskill advised that Tammy Rayl is willing to serve the remainder of the term for Treasurer. He is also aware of someone who is considering serving as Clerk. Mr. Gaskill also discussed other issues relating to serving as Trustee and as road overseer. Commissioner Newell acknowledged that it is the Commission's obligation to appoint a replacement, but that he would like to talk to a few people before the Commission takes action. Mr. Gaskill told the Commission not to appoint any of those chronic complainers or they would be looking for a new Trustee.

County Counselor Potucek met again with the Commission. At 11:45 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. At 11:55 a.m., the Commission upon unanimous vote extended the executive session for 10 minutes to discuss an attorney-client privileged matter with the same parties present. The Commission reconvened in open session at 12:03 p.m.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,608.58.

The Commission received a proposal from Parman, Tanner, Soule & Jackson regarding the examination of the financial statements for the county for 2007 and for assistance with the preparation of the 2009 budget. The Commission unanimously approved the proposal and it was signed by the Chairman.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
January 28, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Marvin Simonton discussed an issue relating to the installation of a culvert in Wellington Township. He advised the Road and Bridge Engineering Department can determine the correct size of the culvert necessary for proper drainage in the area.

The Commission reviewed and unanimously approved the minutes for January 22.

Mike Andra met with the Commission regarding an appraisal issue with property he owns. County Appraiser Della Rowley and Deputy Appraiser Laurie Walta were present. Mr. Andra reported he had not received requested information from the Appraiser's office. At a protest hearing documents were found missing from the property file and the Appraiser could not explain why. Mr. Andra also advised that it was found that the measurements for all four buildings involved were incorrect. The buildings are actually smaller than shown in the file. Mr. Andra discussed a news clipping and letter that was in the file. Appraiser Rowley confirmed that worksheet documents were not found and that the building measurements were incorrect. She said the measurements are being corrected as she had informed Mr. Andra they would be. Appraiser Rowley could not explain why the documents could not be found in the file. Without the documents she can not determine how the measurements were obtained. If her personnel could not gain access to the property, the measurements could have been estimates. The staff member who performed the inspection is no longer with the county. Mr. Andra reiterated his concern on the entire issue. Mr. Andra expressed that other files and work should be reviewed. Appraiser Rowley said quality control is performed and steps are taken to ensure inaccuracies do not occur. Chairman Martin advised that the Commission would review the file and documents involved.

Gary Owen and Kelly Orton met with the Commission regarding the vacant Wellington Township Board vacancies. Mr. Owen expressed interest in filling the vacant Treasurer position and Mr. Orton expressed an interest in filling the vacant Clerk position. Both individuals indicated they would make every effort to work with the Trustee. They indicated they would like to reestablish some credibility and give the residents a voice of someone they can approach. The Commission asked them both if intended on filing for the office in the next election. Both advised they would seriously consider and, most likely, file for the offices. Commissioner Newell advised that he understands there are other individuals interested and the Commission may attempt to talk with them. Marvin Simonton spoke as a resident of the township and discussed a road issue.

Thomas Owens and Dana McDaniel, representatives of Pre-Paid Legal Services, met with the Commission. They provided details on an Identity Theft Protection Program offered by Pre-Paid Legal Services. Mr. Owens asked for permission to take about 15 minutes of each employee's time to offer their services. After discussion of the program and other details, the Commission determined they would hold to the practice followed for a number of years for the supplemental insurance and service programs. Representatives may be available on site for a period of time and employees can determine if they would like to meet with them during breaks.

Economic Development Director Janis Hellard met with the Commission regarding legislative issues. County Counselor Jack Potucek and Robert H. Miller were also present. Director Hellard reported that the Economic Development Commission held their annual board retreat recently. The continuation of the lobbyist contract was considered and issues discussed. The contract is continuing on a month-to-month basis. The lobbyist was originally hired for the casino issue, but has watched other issues. She advised that the Board would like to suggest that the Commission consider hiring the lobbyist for county issues, at the point the contract ends with the Economic Development Board. Director Hellard briefly discussed the new Office of Rural Opportunity created by the State. Several other economic development issues and projects were briefly discussed.

Counselor Potucek commented that he believes the Shawnee County District Court will issue an answer on the constitutionality of casino gaming issue this week. He also commented on a call received from the Legislative Research Department.

Counselor Potucek reported on a legal suit received by the county regarding a traffic accident and fatality. He also advised that it was confirmed late last week that the contractor that was hired to repair the courthouse roof is behind schedule. The start date for the repair will be delayed.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$5,681.74.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
January 29, 2008 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 Gary E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Maintenance Director Gary Yoder reported that he had talked with representatives of Mahaney Roofing, the contractor that will be replacing the courthouse roof. The company is about a month to a month and a half behind schedule.

At 9:30 a.m., the Commission held a public hearing on Zoning Case No. 01PC-08. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present. The application was by Charlotte A. Ross, Marilyn K. Walton, owners, and Patricia A. Walton, Executrix of the Earl D. Walton Estate. The purpose was for a short form plat of three (3) Rural Residential lots. Each lot will contain no less than three acres. One lot will include the existing home. The location is 837 E 130th Ave. Director Bristor reported there was no opposition at the Planning Board hearing and the Board, with 7 members present, unanimously recommended approval. The Commission unanimously approved Case No. 01PC-08 and adopted Resolution 2007-05.

Director Bristor requested an executive session to discuss non-elected personnel. At 9:40 a.m., upon unanimous vote the Commission entered into executive session with Director Bristor and Assistant Director Jenkins for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:50 a.m. Chairman Martin advised no binding action was taken.

Community Corrections Director Brad Macy met with the Commission. He provided the annual grant application for juvenile funding. Funding is provided for two programs, Juvenile Intensive Supervision and Case Management. The application for the next fiscal year is asking for approximately \$113,000. Some details of the programs and juvenile care were discussed. The grant application was approved.

Road and Bridge Director Melvin Matlock met with the Commission reporting on several issues. He reported on initial information regarding the vacate request for 60th Ave. in Palestine Township. Measurements will be finalized before the next meeting date scheduled regarding the request. Director Matlock reported that his personnel had begun moving dirt for the Sheriff's Department firing range. The annual Township meeting conducted by Road and Bridge is scheduled for February 20, at 10:00 a.m. Director Matlock reported that he had talked with Kansas Department of Transportation representatives and confirmed that Sumner County is up to date with bridge inspections. Director Matlock also discussed the legal suit received regarding a fatality traffic accident in the county. County Counselor Jack Potucek entered the meeting. Additional details and circumstances of the traffic accident were reviewed.

Wellington Township Trustee Pete Gaskill and Tammy Rayl met with the Commission. Mr. Gaskill made the request to nominate Mrs. Rayl to be appointed to fill the vacant Treasurer position for the township. Mrs. Rayl indicated her willingness to serve in the position. Commissioner Newell asked her if she intends on filing to run for the office for a full term. She indicated she would certainly consider it. The Commission indicated they would consider the appointments and hoped to have a decision finalized by next Tuesday. Mr. Gaskill also asked if he could contact the Treasurer and request that the tax distribution check, which should be issued in the near future, be sent to him since the Treasurer position is vacant. The Commission advised that would be between the County Treasurer and the township.

Counselor Potucek met with the Commission. Issues relating to expenses for juvenile publications and workers compensation were briefly discussed.

Representatives of Marvel Gaming met with the Commission. Those present included Lloyd Buzzi, Roger Wagner, and Jon Wolfe. Counselor Potucek, Dusti Fansler, of the Wellington Daily News, and Robert H. Miller were also present. Mr. Buzzi said they would like to provide an update and provide the opportunity for the Commission to ask any questions they might have. Mr. Wagner advised that they have met with Department of Transportation officials

and their plan has been modified to address concerns of entry off of US160. The entrance will be off of Seneca Road. Commissioner Newell mentioned concerns, expressed by the public, of the truck traffic on Seneca. Mr. Wagner said they would do whatever it takes to assure proper traffic flow in the area.

Recent comments cited in the press were also discussed. The representatives said they wanted to assure the Commission that they are not building a slot parlor with a tin building and a lot of neon. They are planning for 2,000 slot machines, which is what Harrah's has proposed. They said Marvel Gaming is designing a resort for this county. Some of the details were summarized and the high rise tower was noted. The representatives also advised that the presentation made on December 11 did not include as many details as what was submitted to the State. A copy of what was submitted to the State would be provided. They said they asked for today's meeting as one of their highest priorities is to become part of the community, so that's why they were here. The Commission thanked them for the update. Commissioner Newell voiced that he had liked the high rise aspect, as it will help draw people off the interstate. In further discussion Mr. Wagner advised that there was no change in the amenities as originally proposed. The meeting was concluded.

Mr. Buzzi returned and spoke further with the Commission, briefly. He advised that, after reconsideration, the group decided that they would not, at this time, provide an updated copy of the proposal. A copy would be provided in the future.

There being no further business, the Board of County Commissioners adjourned at 11:53 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
February 4, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Chairman Martin discussed a situation he had been contacted about on Friday involving a Wellington school bus and a Wellington Township road. Marvin Simonton, who was present, offered comments regarding road conditions and snow clearing.

The Commission discussed the appointment of the Treasurer and Clerk positions for Wellington Township. Two individuals expressed interest in the Treasurer position, Gary Owen and Tammy Rayl. Township Trustee Gaskill had recommended the appointment of Mrs. Rayl. The Treasurer position will be open for election this year as will the Trustee position. Chairman Martin asked Commissioner Newell for his recommendation since the township is in his district. After discussion, Chairman Martin moved to appoint Tammy Rayl as the Wellington Township Treasurer and Kelly Orton as the Wellington Township Clerk. Commissioner Gracy seconded the motion and it passed unanimously.

Health Department Director Laura Rettig met with the Commission regarding appointments to the Health Advisory Board. She reported that Edna Nispel and Beth Seba are both willing to continue to serve. Director Rettig advised that Randy Sanders is willing to serve in the third position that is open. The Commission unanimously appointed Edna Nispel, Beth Seba, and Randy Sanders to the advisory board.

Director Rettig discussed the contract for occupational therapy and speech therapy with Sumner Regional Medical Center. The contract was initiated in 2004 and has not been changed since that time. The hospital has asked to renegotiate the contract for a slight increase in the amount. The Commission unanimously approved the increase proposed.

County Attorney Kassie McEntire met with the Commission regarding a personnel issue. She asked for authorization to change the status of one of her Deputy Attorney positions to temporary part-time. Doing so will allow Deputy Attorney Wilson to continue in some capacity until someone is hired to fill the position full-time. The Commission approved the request.

Treasurer Heasty met briefly with the Commission. She provided the sales tax report for January. An amount of \$186,694.58 was collected for the month.

Wellington City Manager Gus Collins met with the Commission. He invited the Commissioners to attend a meeting on Friday, at 1:30 p.m., at the City Building. Kansas Secretary of Transportation Deb Miller will be present to make an announcement regarding the State's Geometric Improvements Projects within the area. The City of Wellington has been selected for one of the projects.

County Counselor Jack Potucek and Attorney David Cooper met with the Commission. At 11:22 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Attorney Cooper for thirty minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. At 11:52 a.m., the Commission reconvened in open session. At 11:52 a.m., upon unanimous vote the Commission entered into executive session for thirty minutes with the same parties present to discuss an attorney-client privileged matter. The Commission reconvened in open session at 12:21 p.m. Commissioner Gracy moved to authorize Attorney Cooper and Counselor Potucek to pursue litigation to challenge the annexation filed by the City of Mulvane. Commissioner Newell seconded the motion and it passed unanimously. Chairman Martin stated that the challenge is authorized to protect the concerns of our Sumner County constituents, as we believe it is an illegal and inappropriate annexation. It is an effort to avoid the County Commission's authority regarding island annexation. The annexation also sets a precedent that endangers the authority of County Commissions across the state.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$8,327.22. Prior year orders in the amount of \$359.14 were also approved.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
February 5, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Willis Lowe were present.

Planning and Zoning Director Jon Bristor met briefly with the Commission. He submitted a renewal application with the Kansas Department of Health and Environment for the non-overflowing wastewater treatment facility at Suppesville. The permit is for another five-year period. The application was approved and signed by the Chairman.

The Commission spoke with Al Reiss, of Reiss and Goodness Engineers, by phone regarding the project for the Peck Improvement District. Mr. Reiss confirmed that he will put out the contract for bids. The Commission inquired if grants funds will still be sufficient to cover the project since quite some time since the grant was awarded. Mr. Reiss expressed his opinion that the initially authorized grant funds will be sufficient. No additional funds are available through the CDBG program, but additional funding is available through Rural Development. The county is involved due to the CDBG program requiring application by the county. Other aspects of the project and status were also discussed.

Greg Nugen met with the Commission. He advised that he had met with the County Attorney regarding Wellington Township. Mr. Nugen said there are statutes that he believes the Township Trustee needs to be aware of. He discussed fuel bills and hours and advised that copies had been given to the County Attorney. Mr. Nugen said he would like to present the statutes to Trustee Pete Gaskill in a public meeting. He said he tried to give them to Trustee Gaskill at a township meeting and he refused to accept them. The Commission recommended that sending the documents certified mail would be best. County Counselor Jack Potucek entered the meeting. After further discussion, Counselor Potucek also recommended that Mr. Nugen send the documents to the Trustee by certified mail. It was also recommended that the documents be sent to each of the three township officers.

County Counselor Potucek requested an executive session to discuss an attorney-client privileged matter. At 10:39 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for ten minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 10:49 a.m.

Kim Hynes, a reporter with KWCH, met briefly with the Commission. She inquired if the Commission would be willing to offer any further comments on the casino issue. Chairman Martin, spoke for the board, and advised that the Commission has nothing further to say at this point in time. The media release of January 15, 2007, outlined the steps the Commission has taken.

Noxious Weeds Director Robin Walcher met briefly with the Commission. She submitted the renewal agreement with the Kansas Department of Transportation to treat noxious weeds. The agreement was approved and signed by the Chairman.

Wellington Township Trustee Pete Gaskill and Township Treasurer Tammy Rayl met with the Commission. Trustee Gaskill said that he understood that the Commission had made the appointment of Mrs. Rayl to the Treasurer position. It was confirmed that the previous Treasurer had contacted Mrs. Rayl and the books will be transferred to her. Trustee Gaskill asked about the books of the township Clerk. The Commission advised that Kelly Orton was appointed as the Clerk. The Commission recommended that Trustee Gaskill pick up the books from the previous Clerk and/or see that they are turned over to Mr. Orton.

Emergency Management James Fair and Assistant Director Chris Ball met with the Commission. He reported that only one bid was received for the pick up for this department. A bid was received from Koehn Motors. Bid requests were sent to four dealers. The Commission unanimously approved the bid and authorized Director Fair to proceed with the purchase.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$60,216.44.

Shelly Hansel, Executive Director of the Wellington Chamber of Commerce, met with the Commission. She discussed the planned story by KWCH News regarding the casino issue. Director Hansel encouraged the Commission to consider conducting an interview with the reporter. The Commission reiterated that, at this time, they have nothing further to say. The previous press release outlined the process that has been followed.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
February 11, 2008 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 Garey E. Martin, and Commissioner Eldon B. Gracy. Also present was Deputy County Clerk Debra A. Norris. Commissioner Jim D. Newell was not present due to illness. The meeting was opened with the Pledge of Allegiance.

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

County Counselor Jack Potucek met briefly with the Commission. The news media contacts from last Friday were discussed.

Road and Bridge Director Melvin Matlock and Superintendent Larry Whitham met with the Commission. The available supply of materials to treat roadways was discussed. Currently supplies are on hand. Director Matlock provided a document from the Kansas Department of Transportation for authority to award a contract to Bridges, Inc., for grading and bridge repair. The document was unanimously approved and it was signed.

Director Matlock requested an executive session to discuss non-elected personnel. At 9:35 a.m., the Commission upon unanimous vote entered into executive session with Director Matlock and Superintendent Whitham for 20 minutes to discuss non-elected personnel. At 9:55 a.m., the Commission reconvened in open session. Chairman Martin advised no binding action was taken.

County Appraiser Della Rowley met with the Commission and requested an executive session to discuss non-elected personnel. At 10:03 a.m., upon unanimous vote the Commissioner entered into executive session with Appraiser Rowley for ten minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:13 a.m. Chairman Martin advised no binding action was taken.

Emergency Management Director James Fair met with the Commission and reported that the mitigation plan grant had been approved. A contract was presented and signed. Details of the grant and the processing of paperwork were discussed. Director Fair will be contacting the cities in the county to let them know information about what will be done under the grant.

Commissioner Newell called by phone and talked with Chairman Martin. Commissioner Newell reported that he had been informed that Tammy Rayl, who was appointed last week as Wellington Township Treasurer, wished to resign. At this time, no official resignation has been received.

The Commission received correspondence from Roger Wagner, President and Chief Operating Officer for Marvel Gaming. Mr. Wagner thanked the Commission for providing the opportunity for the Marvel Gaming representatives to provide an update to them, two weeks ago, on the Trailhead Casino project. A computer disc of a copy of the public submission to the Kansas Lottery was also received.

County Counselor Potucek met again with the Commission regarding legal issue. Several foreclosure suits that have been received were briefly discussed. Responsive pleadings will be prepared and filed to protect the county's tax interests. The status of the State court case challenging the constitutionality of the lottery act was discussed. Counselor Potucek plans on attending the Supreme Court hearing the day that arguments are heard. Sumner County remains as one of the parties the Court has granted amicus curiae status. Those with amicus status can file a brief, but will not be allowed to present oral argument. A small claims case that was served on the county was also discussed. At 11:40 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. At 11:50 a.m., upon unanimous vote the Commission extended the executive session for 10 minutes. The Commission reconvened in open session at 12:00 p.m. Chairman Martin advised that no binding action was taken.

Wellington Township Treasurer Tammy Rayl met with the Commission. County Treasurer Carolyn Heasty was also present. Mrs. Rayl submitted her resignation as Township Treasurer. County Treasurer Heasty advised that the tax distribution check has been returned to her office. Mrs. Rayl reported that the township books were given to

Commissioner Newell. Chairman Martin advised that appointment to the Township Treasurer position will be further discussed upon the return of Commissioner Newell.

Deputy Clerk Norris provided the annual inventory list for the Commission's review. All departments have submitted their inventory other than the Sheriff's Department. That department is working to complete a more detailed property inventory.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,912.76.

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

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

Garey E. Martin, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
February 12, 2008 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 Garey E. Martin and Commissioner Jim D. Newell. Also present was Deputy County Clerk Debra A. Norris. The meeting was opened with the Pledge of Allegiance. Commissioner Eldon B. Gracy was not present as he was attending County Government Day in Topeka.

County Counselor Jack Potucek met with the Commission. He provided information and discussed the properties involved in the tax sale process later in the day. The procedures today all involved properties that have not sold in the initial tax sale that is required and has been held in the past.

Counselor Potucek reported on a tax issue that was appealed to District Court. He reported that the attorney that was asked to review the matter recommended that the case was not worth the effort to proceed. After discussion, the Commission instructed that an order for dismissal be filed in the case. Counselor Potucek will inform Appraiser Rowley.

Counselor Potucek reported that Attorney Martin Peck had spoken with him regarding the existing contract for the collection of juvenile expenses. Attorney Peck is contracted to work with the Sheriff's Office to recover expenses relating to the detention of juveniles. Attorney Peck is also the local attorney for Sumner Gaming and he discussed with Counselor Potucek whether there would be any conflict of interest. Counselor Potucek advised that he does not believe any conflict of interest exists.

The Commissioners advised that they all plan on attending the annual township meeting that the Road and Bridge Department will conduct on February 20 at the Raymond Frye Complex.

The Commission contacted Gary Owen by telephone. Mr. Owen has previously met with the Commission and expressed interest in serving as the Wellington Township Treasurer. After discussion, the Commission unanimously appointed Mr. Owen as Township Treasurer. Mr. Owen was instructed to pick up the township books from Commissioner Newell and to contact County Treasurer Heasty about receiving the tax distribution check. Commissioner Newell said he would contact Township Trustee Gaskill and advise him of the appointment.

Counselor Potucek reported that only one of the four properties involved in the public auction tax sale procedure sold. The sale was conducted at 10:30 a.m.

Paul Treadwell met with the Commission. Mr. Treadwell advised that he owns the property that MGM/Foxwoods holds options on near 119th and Broadway. He advised that he was letting the Commission know that the MGM options still stand as he had been instructed by MGM to do so. Mr. Treadwell asked about island annexation. Chairman Martin referred to the decision made by the Commission in December and referenced the news release regarding the procedures.

Counselor Potucek met again with the Commission. He reported that there was some question regarding the legal description of the one tax sale property that was sold earlier. He advised that the matter is being researched to resolve the issue. Counselor Potucek said the property was sold with restrictions pending a resolution to the issue.

Treasurer Carolyn Heasty met with the Commission. She discussed plans the State has to update the Vehicle Information Processing System (VIPS) software. Legislation is being proposed to reestablish a fund to update the software by charging a title/registration fee through the Treasurer's office. Treasurer Heasty advised that most Treasurers are opposing the plan, but believe they have no other option if the software is to be updated. She reported that the Kansas Association of Counties will be hosting meetings across the state where one of the topics may be the VIPS update.

Regarding the sealed bids that the Commission was to open for tax sale properties, no sealed bids were received.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,235.14.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$313,899.57.

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.

Garey E. Martin, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
February 19, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Gary Burkhart were present.

Richard Klemp and J.C. Long, representing Penn National Gaming, met with the Commission. Mr. Klemp expressed that Wellington continues to be very much on the mind of Penn National Gaming. They are very excited about Wellington and the tremendous opportunity. They remain totally involved and committed to Wellington and Sumner County. Mr. Klemp talked about a Penn National facility that was just recently opened in Pennsylvania. He also discussed Kansas Senate Bill No. 493 regarding a smoking ban. He expressed concern that a smoking ban would impact casino operations. The Oklahoma casinos would not be affected and smoking would continue in those facilities. The Commission expressed their appreciation for Mr. Klemp's meeting with them and the continued interest shown.

At 9:30 a.m., the Commission continued a public hearing for a request to vacate a road. The issue was tabled from the initial hearing held January 22, 2008. Mr. and Mrs. Darrell Talbert and Palestine Township Trustee Jeff Hatfield were present. The Commission had asked the Road and Bridge Department to survey the site and determine a point agreeable to both the property owner and the township for the beginning point of the road vacation. County Clerk Shields reported that Road and Bridge had advised the point was determined to be 680 ft. from the intersection. Both parties present indicated they were in agreement with that point. The Commission unanimously adopted Resolution 2008-06 vacating that portion of Road #190, also known as 60th Ave North, beginning at a point 680 ft. east of River Road to the Arkansas River. The resolution supersedes Resolution 2007-14 that was adopted on April 9, 2007.

County Appraiser Della Rowley met briefly with the Commission. She discussed the landfill property. The portion of the landfill property that is still owned by the county will now be placed on the tax roll due to the landfill exemption no longer being applicable.

The Commission returned a phone call to Lisa Morland. She inquired if the Commission would waive the fee for use of the Raymond Frye Complex for a Literacy Fair on April 17. The Commission waived the fee for the same event last year. The Commission unanimously determined that they would again waive the fee for the Literacy Fair.

County Counselor Jack Potucek met with the Commission and requested an executive session to discuss an attorney-client privileged matter. At 10:13 a.m., upon unanimous vote the Commission entered into executive session for 10 minutes with Counselor Potucek to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. At 10:23 a.m., upon unanimous vote the executive session was extended for five minutes for the same purpose with the same parties present. The Commission reconvened in open session at 10:26 a.m.

The Commission unanimously approved the minutes for February 11 and 12.

Sheriff Gilkey met briefly with the Commission. The boarding of the horses relating to the cruelty to animals case, a road issue, and prisoner housing were items briefly discussed.

Wellington Township Trustee Pete Gaskill met with the Commission. Jim Ellis was also present. Mr. Gaskill asked them to reconsider and appoint Jim Ellis as Township Treasurer. The recent history and events involving the Treasurer position were discussed. Mr. Gaskill said that he had asked that the township books be taken to the courthouse when the Treasurer and Clerk resigned at a township meeting. He discussed his request to Commissioner Newell to pick up the books. He also said Tammy Rayl was met with hostility when she went to pick up the books from the previous Treasurer. Mr. Gaskill said Mrs. Rayl resigned due to conflict. Chairman Martin recounted the events that led to the appointment of Gary Owen as Treasurer. Commissioner Newell also discussed the process and recounted that Gary Owen and Tammy Rayl came to the Commission and expressed an interest in

the position. Tammy Rayl was appointed and then resigned. Mr. Owen was then appointed. The Commissioners advised that they have no intent of nor can they reconsider the appointment.

Counselor Potucek met again with the Commission and briefly discussed an issue before the Board of Tax Appeals.
BOTA

The Commission met with Dick Goodrum. E911 Director James Reed and Assistant Director B.J. Tracy were also present. The Commission presented Mr. Goodrum with a plaque recognizing his 50 years of continued dedication and selfless public safety service to the citizens of Mayfield and Sumner County. Mr. Goodrum has served as Fire Chief of the Mayfield Fire Department since 1957.

The Commission reviewed documents relating to the Community Development Block Grant (CDBG) relating to the Peck Improvement District project. The CDBG program requires that a code of conduct be in place. The Commission unanimously adopted a code of conduct relating to the CDBG program.

Jim Chisham, of the Wellington Kiwanas, talked with the Commission by phone. He asked if the Commission would consider waiving the fee for the Raymond Frye Complex for a pancake feed fundraiser. The fundraiser is for a scholarship fund. The Commission unanimously approved a waiver of the fee.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$657.82.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
February 25, 2008 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Jim D. Newell was not present due to illness. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Jay and Tina White met with the Commission regarding their project under the Neighborhood Revitalization Program. Appraiser Della Rowley and Carolyn Farley, staff member, were also present. Farley explained that the White's application had recently expired. The White's explained the delay in the project and their hope to have the majority of the project done by May. After discussion the Commission unanimously granted a six-month extension for the project.

The Commission reviewed and unanimously approved the minutes for February 19.

Lou and Tammy Bradbury met with the Commission. Lou discussed the attendant care program. A room at the Community Corrections building has been licensed for attendant care use, which allows for a juvenile to be cared for a short period of time. The license, which allows for overnight stays, needs to be renewed and licensing requirements are increasing. Overnight stays are very seldom so renewing the license may not be justified. Lou advised that the room can still be used for a period of time of six hours or less. After discussion, the Commission unanimously agreed not to renew the license. Lou also discussed the Juvenile Corrections Advisory Board meeting scheduled for later this week. There are changes that will be attempted in the district wide juvenile intake program.

Gregg Olsen, Chief Executive Officer, for Sumner Mental Health met with the Commission. He reported that there is a current vacancy on the Mental Health Board and another long-term member, Judy Graber, has expressed a desire to resign. Mr. Olsen advised that retired District Judge Thomas Graber is willing to serve on the board. After discussion, the Commission unanimously appointed Thomas Graber to the vacant position on the Mental Health Board. Mr. Olsen advised that Judy Graber would resign upon the appointment of Thomas Graber. Mr. Olsen will attempt to find someone to fill the vacancy due to her resignation.

Wellington City Manager Gus Collins met briefly with the Commission. He inquired if the Commission was aware that the City Council of Belle Plaine had announced they would be holding a special meeting this evening. Chairman Martin advised they had learned of the meeting, but do not know any details.

County Counselor Jack Potucek met with the Commission and requested an executive session to discuss an attorney-client privileged matter. At 10:46 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for ten minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 10:56 a.m.

Community Corrections Director Brad Macy met with the Commission. He discussed performing some maintenance to the Community Corrections building regarding painting. Director Macy advised that he had talked with Sheriff Gilkey and he would provide trustees to do the painting. The Commission gave their authorization for the work to be done. Director Macy also advised that he has inquired if any of the unexpended Juvenile Justice Authority funds could be used for replacing carpeting or flooring. He has not yet received an answer from JJA.

Josh Bell, of Congressman Todd Tiaht's office, met with the Commission. Economic Development Director Janis Hellard and Kay Tibbs, of the Challenger Learner Center of Kansas, were also present. Mr. Bell explained that he wished to talk with the Commission regarding earmarks. Earmarks are an issue this year and are receiving public scrutiny. It is possible earmarks will be reduced or ended entirely. Mr. Bell provided a list of appropriation earmark categories. Mr. Bell advised the Commission, if there might be any possible projects they would have interest in, to contact Congressman Tiaht's office.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
February 26, 2008 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Jim D. Newell was not present due to illness. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Economic Development Director Janis Hellard met with the Commission. She provided a brief report on the Belle Plaine City Council special meeting she attend Monday evening. A citizen approached the City Council regarding the possibility of annexation of the MGM/Foxwoods proposed site by Belle Plaine. The annexation would be similar to the strip annexation done by Mulvane for the Harrahs site. The City Council has set another special meeting for this Saturday, March 1, at 10:00 a.m., to hear information from MGM/Foxwoods.

Shelly Hansel, Wellington Chamber of Commerce Executive Director, and Gus Collins, Wellington City Manager, met with the Commission. Economic Development Director Hellard remained present. Director Hansel discussed the perception expressed by some members of the public that the two proposals endorsed by the County Commission will not benefit the entire county. Director Hansel talked about the long-term economic benefits that would impact the entire county. City Manager Collins said that the Wellington City Council is willing to share, in some formula, the 1% of revenue regardless of the added incentives offered by the developers. A 75%/25% split that is cited by some of the public was included in the Marvel Gaming proposal for an additional 1% they were willing to provide. City Manager Collins had stated during the December 12 public meeting that the Wellington City Council would be willing to split that amount more generously with the other cities. Director Hansel and City Manager Collins determined that they will attempt to ensure that the message on revenue sharing is disseminated to all.

Treasurer Carolyn Heasty met briefly with the Commission and provided a report on the sales tax for February. The sales tax amount was \$164,825.07 and the compensating use tax was \$21,166.99. The report also provided the amounts for the Telecomm and Railroad Machinery and Equipment tax reduction in the amount of \$45,294 and the Business Machinery and Equipment tax reduction in the amount of \$445,624.00. Treasurer Heasty also discussed obtaining a credit card for her department with expensed to be paid from the Motor Vehicle fund.

County Counselor Potucek met with the Commission and requested an executive session for an attorney-client privilege matter. At 10:24 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for ten minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present which he did. The Commission reconvened in open session at 10:34 a.m. No binding action was taken.

Sheriff Gerald Gilkey met briefly with the Commission an discussed a patrol vehicle issue.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$15,223.08. Prior year orders in the amount of \$9,875.62 were also approved.

The Commission reviewed and unanimously approved the claims for the end of February in the amount of \$462,675.55.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
March 3, 2008 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 Garey E. Martin and Commissioner Jim d. Newell. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

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

Brad Macy, Community Corrections Director, Lou Bradbury and Tammy Bradbury met with the Commission regarding the Juvenile Intake program. The Juvenile Corrections Advisory Board determined at a meeting last week that they will be taking over the Juvenile Intake program for the entire 30th Judicial District. The program will be administered by David Wiley, South Central Community Corrections Director in Pratt. Some history of the intake program, which was started around 1993 as a Sumner County program, was discussed. An alternative would be for the program to be placed under Community Corrections of Sumner County. Director Macy expressed a willingness to assume the program. How the program would be administered and the employees involved were considered. The Truancy program was also discussed. Director Macy advised he submitted a proposal last week to JCAB to place the Truancy program under Community Corrections. The Pratt County Commission will make a decision this afternoon on the plan. If the Sumner County Commission decides to accept the Juvenile Intake and Truancy programs under Community Corrections, it was recommended that they contact the Pratt County Commission today. The Commission determined that they would be willing to accept the program under Community Corrections and they will contact the Pratt County Commission to inform them.

County Appraiser Della Rowley met with the Commission and provided the appraisal statistics for the year. She also reported that the commercial median is at 86.8, which is much better this year. Other details of the statistics were discussed. Appraiser Rowley also provided brief updates on several other appraisal issues.

The Commission contacted the Pratt County Commission and talked with their Board members by phone. They informed them that Sumner County would be willing to assume the Juvenile Intake and Truancy programs for the county and place them under the Community Corrections Department. Commissioner Newell, who is a member of the JCAB board, advised that South Central Community Corrections Director David Wiley had expressed, at a previous meeting, that he was not interested in assuming the Sumner County programs. The Pratt Commissioners expressed their appreciation for Sumner County's willingness to assume the programs.

Attorney David Cooper and Attorney Teresa Watson, of Fisher, Patterson, Saylor & Smith, met with the Commission. Others present included Nancy Seitz of Sumner Resorts, Economic Development Director Janis Hellard, and Economic Development board members Marvin White, David Carr, and Stan Gilliland. Attorney Cooper recommended an executive session to discuss an attorney-client privileged matter. At 11:07 a.m., the Commission upon unanimous vote entered into executive session with Attorneys Cooper and Watson for thirty minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:37 a.m. Chairman Martin announced that no binding action was taken.

Economic Development Director Janis Hellard met with the Commission. Also present were Marvin White, David Carr, and Stan Gilliland, Economic Development Commission board members. Director Hellard made the Commission aware of an open records request that was received. She advised that, at this time, the Economic Development Commission does not have legal counsel and are looking into obtaining counsel. She asked if County Counselor Potucek could assist them initially. The Commission advised her to talk with Counselor Potucek. Marvin White also discussed that it is unknown how much expense may be involved relating to the open records request. He asked, if necessary, could the Board obtain additional funding assistance from the county. No decision was made regarding funding assistance.

Roger Ray, Ryan Township Trustee, met briefly with the Commission. He discussed issues of Ryan Township.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$250.04. Prior year orders in the amount of \$310.58 were also approved.

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

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

Jim D. Newell, Vice-Chairman

Shane J. Shields, County Clerk

County Commission
March 4, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Road and Bridge Director Melvin Matlock met with the Commission. He submitted a document authorizing design studies for a bridge on the five-year plan. The bridge is south of Caldwell over Bluff Creek. The Commission unanimously approved and the document was signed.

Director Matlock requested an executive session to discuss non-elected personnel. At 9:48 a.m., the Commission upon unanimous vote the Commission entered into executive session with Director Matlock for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:58 a.m.

County Counselor Jack Potucek met with the Commission and provided brief updates on several issue.

At 10:56 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. At 11:06 a.m., upon unanimous vote the Commission extended the executive session 10 minutes. The Commission reconvened in open session at 11:16 a.m.

The Commission received correspondence from Wellington City Manager Gus Collins. The city was contacted by a representative of the Partnership for Prescription Assistance Program. The program has two buses that crisscross the country to educate uninsured and under-insured patients about drug assistance programs. The program would like to have the bus make a stop in Wellington and asked about a space to use. City Manager Collins inquired about using the south part of the Raymond Frye parking lot. Use of the parking lot was unanimously approved.

Elizabeth Hemberger, Ryan Township Treasurer, and Fredrick Lemaster, Ryan Township Clerk, met with the Commission. Mrs. Hemberger read a prepared statement expressing that they were profoundly upset with the appointment of Roger Ray as the Township Trustee. The statement addressed the conflict and treatment experienced by the Treasurer and Clerk. After reading the statement, Mrs. Hemberger submitted all of the township records in her possession to the Commission and informed them that she resigns as the Treasurer. Fredrick Lemaster also submitted the records in his possession and submitted a letter of resignation as Clerk. Commissioner Newell expressed his disappointment at their resignation and an understanding that they were upset. Commissioner Newell explained that he was in favor of appointing Mr. Ray because the majority of the people that he talked to in the township and the people that contacted him were asking for the appointment of Mr. Ray. In further discussion, Mrs. Hemberger said she would gladly complete her term, if we did not have the conflict. The Commission expressed their appreciation for the time served by Mrs. Hemberger and Mr. Lemaster.

Wellington Township Trustee Gary Owen contacted the Commission to inquire if they would waive the fee for the use of the Raymond Frye Complex for a Wellington Township meeting on March 10 or 11. Mr. Owen said there is the possibility of having a large turnout at the meeting. He explained that due to previous conflict during township meetings, he would like to start a precedent of having the monthly meeting at a more public place other than one of the township member's homes. The Commission unanimously agreed to waive the fee.

Tax abatement orders in the amount of \$1,755.00 were reviewed and 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.

Jim D. Newell, Vice-Chairman

Shane J. Shields, County Clerk

County Commission
March 10, 2008 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 Jim D. Newell, and Commission Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin 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.

Health Department Director Laura Rettig met with the Commission. She submitted the annual State formula grant proposal to the Kansas Department of Health and Environment. The application requests funds in the amount of \$62,917. The Commission unanimously approved the grant request and it was signed.

The Commission reviewed and unanimously approved the minutes for March 3 and 4.

E911 Director James Reed and Assistant Director B.J. Tracy met with the Commission regarding personnel issues. Director Reed submitted updated job descriptions for the Commission's review for all positions in the E911 Department. Director Reed also asked for two part-time dispatcher positions to be reinstated in his department's staffing level. He currently only has one authorized part-time position, but some time ago had three positions authorized. The individual filling the current position has become less available. Reinstating the two additional part-time positions would provide more availability. Director Reed advised he is not asking of any increase in funding, the existing funding available for the part-time positions would be used. The Commission advised that they would delay a decision until Chairman Martin was also present.

Deputy Appraiser Laurie Walta and Carolyn Farley, staff member, met with the Commission. Tammy Martin was scheduled to meet with the Commission at 10:30 a.m. regarding the Neighborhood Revitalization Program, but she did not appear.

Commission Chairman Martin entered the meeting at 10:39 a.m.

The Commission discussed Director Reed's request for two additional part-time dispatcher positions. The Commission unanimously approved the positions.

Clinton Koker, Chief Executive Officer for Koker Goodwin & Associates, met with the Commission. The company provides compensation and performance consulting services. He provided a presentation on how a compensation study would be completed for the County. The Commission asked several questions regarding some of the details provided. Mr. Koker had previously provided a presentation to the department directors. He submitted a proposal to the Commission for their consideration.

Sheriff Gerald Gilkey met briefly with the Commission. An inmate housing issue was discussed.

Emergency Management Director James Fair met briefly with the Commission. He provided information regarding the Incident Management Teams and the team training being set up for the South Central Region. The plans are to have three teams in the region. The teams would be available to assist a local government entity upon request in times of disaster.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
March 11, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Register of Deeds Joyce Lowe met with the Commission regarding a personnel issue. Her submitted request to change the Clerk/Recorder position in her department from a Level 4 to a Level 5 was discussed. After discussion, the Commission determined that the position level would not be changed. An increase within the same level was approved with Commissioner Newell opposed.

The Commission received correspondence from Wellington Township Treasurer Gary Owen. He provided a brief written report of the township meeting held last night at the Raymond Frye Complex. He also asked the Commission if they would consider waiving the fee for the use of the Frye Complex for the next three meetings of the township. The Commission, after discussion, unanimously approved waiving the fee. The fee would be applicable for any future meetings.

Chris Gallardo and Kelly Basinger met with the Commission regarding the vacant positions of Treasurer and Clerk for Ryan Township. Mr. Gallardo expressed an interest in serving as Treasurer and Ms. Basinger expressed an interest in serving as Clerk. After discussion with both individuals, the Commission unanimously appointed Chris Gallardo as Ryan Township Treasurer and Kelly Basinger as Ryan Township Clerk.

County Counselor Jack Potucek met with the Commission. Several issues were briefly discussed and updates provided. An issue relating to the ability of attorneys to privately meet with incarcerated clients, once they have been transported to the courthouse holding facility was discussed. Options to address the issue by using available space differently were discussed. Counselor Potucek advised the Sumner County Bar Association had also appointed a committee to review the issue and how to address it. With a change of how the existing space is used, the issue may be resolved. Counselor Potucek will provide information to and discuss the possible resolution with the Bar Association committee.

The Commission spoke with Elliott Jackson, of Parman, Tanner, Soule and Jackson. A funding issue relating to the Sumner Mental Health was briefly discussed.

Sheriff Gerald Gilkey met with the Commission. Undersheriff Jerry Osborn and Detentions Supervisor Steve Colwell were also present. Sheriff Gilkey first discussed a personnel issue with two personnel action forms submitted. Chairman Martin expressed that he has no problem with either action submitted. Commissioner Newell expressed that he doesn't believe any increase over two steps is justified for any department involved. Further discussion was held among the Commissioners. After discussion, the personnel action forms were approved as submitted with Commissioner Newell opposed.

Sheriff Gilkey discussed inmate housing and the competition that is developing. Butler County's detentions facility is currently operating at about 60% capacity and they are trying to find additional outside housing. Sheriff Gilkey advised that Sedgwick County is willing to guarantee 60 inmates a month, if we reduce our housing fee by \$2.00. Sumner County is currently housing about 40 inmates for Sedgwick and 10 for Cowley. Cowley County will be opening their new facility in the very near future so their inmates will be lost. The Commission expressed their unanimous support for reducing the fee by \$2.00 for Sedgwick County.

An issue regarding overtime for the detention officers was discussed. Supervisor Steve Colwell advised that the detention officers are working on a 12 hour shift basis with four teams. The 12 hour shifts provide the best possible coverage, but has contributed to overtime costs due to exceeding 40 hour in a work week. The latest pay period resulted in 34 hours of overtime for detention staff. Sheriff Gilkey advised he wanted the Commission to be aware of the issue. They are currently at full detention staffing and will be able to better manage the time.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$158,205.33.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$290.56. Prior year orders in the amount of \$374.58 were also approved.

The Commission discussed the request submitted previously by Treasurer Carolyn Heasty regarding obtaining a credit card for official business. She had informed them that all fees would be paid from the Motor Vehicle fund. The Commission unanimously approved her request.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
March 17, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commission Eldon B. Gracy. 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 personnel issue. She asked for authorization to add a position to her staff. She submitted a written request explaining the need for the position and what benefits the position would provide. Appraiser Rowley advised that she currently has a vacant position and could hire the new position in the same hiring process. The position could be added with no additional funding necessary for this year. Funding is available from the time the existing position has been vacant and from contractual expenses for a consultant in commercial appraisals being less than expected. Planning and preparation for the new ORION system was discussed. Appraiser Rowley also advised that Sumner County is averaging 150 new parcels per year due to adding subdivisions and the splitting of existing properties. After discussion, the Commission unanimously authorized one additional Appraisal Clerk position.

An application received for a cereal malt beverage license was reviewed. The Commission will discuss issues regarding the license with the County Counselor.

County Clerk Shields provided information regarding funding assistance available for the purchasing of programming software for the electronic voting machines. The Secretary of State's Office is making Federal Help America Vote Act funds available for the purpose of relieving counties rising ballot programming costs. Programming costs are also expected to rise once the statewide contract ends in the next couple of years. Having the programming software will reduce cost by allowing programming to be done in house. County Clerk Shields will apply for funding assistance to be used in 2009.

The Commission reviewed and unanimously approved the minutes for March 10 and 11.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$2,863.86.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
March 18, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Tom McAlister met with the Commission regarding the Neighborhood Revitalization Program (NRP). County Appraiser Della Rowley and Carolyn Farley, staff member, were also present. Mr. McAlister asked that a number of projects that have expired under the NRP be reinstated. Various aspects of the projects and different factors impacting the projects were discussed. The properties discussed included 201, 314, and 1002 N. Washington, 101, 112, 114, and 120 S. Washington. A property at 114 S. Jefferson was also discussed. At the conclusion of discussion it was determined that Mr. McAlister could reapply for the NRP for the projects. Several of the properties involved were discussed in a meeting in December, 2006. The Appraiser will take new photographs of the properties to verify the beginning condition at the time of reapplication.

Noxious Weeds Director Robin Walcher met with the Commission. She submitted the annual eradication progress and annual weed management reports that are required by the State. Both reports were approved and signed. Director Walcher also discussed issues relating to chemical availability and expense. She advised that there may be the need to implement limits on the quantity of some types of chemicals sold to a single individual.

County Counselor Jack Potucek met with the Commission. He provided brief updates on several issues. The Commission also discussed an application for license to retail cereal malt beverages submitted by John P. Harper. After discussion, Counselor Potucek recommended that the Commission meet with the applicant to discuss the application. The County Clerk will send notice to the applicant.

Deanne Gould was scheduled to meet with the Commission at 11:30 a.m., but she did not appear.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
March 24, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

The Commission reviewed and unanimously approved the minutes for March 17 and 18.

Sheriff Gerald Gilkey and Undersheriff Jerry Osborn met with the Commission. Sheriff Gilkey discussed one of the two grants they were awarded in 2008. One of the grants will be accomplished in two parts. The grant is for seven additional Tasers. The county portion of the grant is \$2,294 and the Federal portion is \$6,845.00. The funds relating to the grant were planned for in the 2008 budget. Sheriff Gilkey also discussed a vehicle purchase. The 2008 budget was planned to include the replacement of one vehicle. Sheriff Gilkey advised that they have found a 2007 Dodge Durango with low mileage at a local dealership. A 1999 Jeep Cherokee that was a seized vehicle and used by the Undersheriff will be traded. The final cost for the vehicle will be approximately \$16,010. The Commission expressed their approval for the purchase.

John P. Harper met with the Commission regarding his application for license to retail cereal malt beverages. The Commission asked that Mr. Harper meet with them on the recommendation of the County Counselor. Mr. Harper explained his reason for obtaining a license and said he does not intend on opening a business. He said his intent is to be able to obtain Budweiser collectibles from the distributor and he could only do that by having a license. The Commission asked him about any events planned and he advised that he does not conduct any dances. Mr. Harper advised that he had applied for a Sales Tax Number and indicated on that application the business name of Buck's Barn. Chairman Martin expressed a concern with setting a precedent for the issuance of a license without the intent of a business. After discussion, the Commission determined that they would confirm with the Planning and Zoning Department as to whether any zoning issues would exist and also confirm issues with County Counselor Potucek.

Wellington Township Trustee Pete Gaskill met with the Commission. Also present were Township Treasurer Gary Owen and residents of the township Greg Nugen, Marvin Simonton, and Amy McLain. Trustee Gaskill said he hoped to get the problem in the township resolved. A dispute relating to the payment of bills and payment to Gaskill as the road overseer was discussed. Gaskill said he hadn't been paid for two months. Chairman Martin advised Mr. Gaskill, as they had informed him before; the Commission has no authority to enter into the business affairs of the township. The township board, as the governing body, has to resolve the issue. Treasurer Owen advised that there was no refusal to pay, only that the Board asked for an itemized report before payment. State statute reads that an itemized report shall be presented. He advised once the required report is submitted Mr. Gaskill will be paid. Mr. Gaskill cited what his responsibilities are as trustee and road overseer and there was some dispute among the individuals of those responsibilities. Mr. Gaskill said when he gets paid for what he's done; he will do his job and keep the roads up. The Commission advised them that the issue needs to be resolved by the township.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$304.64. Prior year orders in the amount of \$110.64 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.

Jim D. Newell, Vice-Chairman

Shane J. Shields, County Clerk

County Commission
March 25, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Health Department Director Laura Rettig met with the Commission regarding a personnel issue. She requested authorization to change the Administrative Assistant II position in her department from a pay level seven to a level of eight. Director Rettig advised that the employee in that position is at the highest step. Director Rettig also requested authorization to increase the pay level of the Receptionist position by one level. The Commission unanimously approved both requests.

County Counselor Jack Potucek met with the Commission. The cereal malt beverage application submitted by John P. Harper was discussed. Counselor Potucek advised that the use of the license is intended for the retail sale of cereal malt beverage. The applicant stated yesterday that is not his intended use, therefore, Counselor Potucek advised that there is sufficient grounds to deny the issuance of a license. The Commission also expressed concern with setting a precedent if a license is issued in this case. The Commission unanimously determined the application is not approved.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, met with the Commission. Wellington City Manager Gus Collins was also present. Director Hansel first discussed the upcoming Wheat Festival. She asked the Commission for the authority to use the Raymond Frye parking lot for the carnival during the festival. The Commission approved the use of the parking lot as they have done for a number of years.

Director Hansel and City Manager Gus Collins discussed a legislative hearing that was held last week in Topeka. They expressed concern with the misinformation that was voiced during that hearing from a number of the parties present. Director Hansel and City Manager Gus Collins also discussed the idea of holding some type of county-wide luncheon or meeting inviting the city officials of all of the cities in the county. The intent would be for accurate information to be provided to all of the city officials. City Manager Collins advised that the revenue sharing he proposed at the December public meeting is confirmed. The final formula for the revenue sharing needs to be finalized. After discussion, the Commission unanimously approved conducting an information meeting with city officials of the cities in the county. Director Hansel will arrange the meeting and will contact Economic Development Director Janis Hellard.

E911 Director James Reed met with the Commission regarding a contractual issue. He asked the Commission for authorization to sign a contract with American Tower for radio tower rental. The tower is near US160 and Oliver Road. Director Reed provided background and history of the tower and previous rental by Sumner County Fire District No. 9. He also reported on the improved radio coverage and benefits the tower would provide to emergency responders in the area. Counselor Potucek had approved the contract as to form. The Commission unanimously approved the contract and authorized Director Reed to sign it.

Director Reed also made the Commission aware of a contractual issue between Fire District No. 9 and the Clearwater Fire Department. In a long-standing contractual agreement with FD#9, Clearwater has provided fire protection to London Township. Clearwater has proposed an increase in the contract amount, which FD#9 has not agreed to. The issue may affect the mutual aid agreement between Clearwater and the fire district.

County Counselor Potucek met again with the Commission. The repair and replacement of the courthouse roof was discussed. The contractor is now indicating it will be April before he is able to start the project. Counselor Potucek also discussed an issue relating to Sumner Memorial Gardens and a request to place some type of memorial.

The Commission spoke with Representative Vince Wetta by phone. Representative Wetta provided the Commission a report of the hearing held last week on House Bill 2917.

The Commission reviewed and unanimously approved the claims for the end of March in the amount of \$266,248.19.

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

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

Jim D. Newell, Vice-Chairman

Shane J. Shields, County Clerk

County Commission
March 31, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

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

Planning and Zoning Director Jon Bristor met with the Commission for evaluation purposes. At 9:32 a.m., the Commission upon unanimous vote entered into executive session with Director Bristor for fifteen minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:45 a.m.

Undersheriff Jerry Osborn met briefly with the Commission. The title of the used vehicle purchased by the Sheriff's Department was signed. The Commissioners went outside to view the vehicle with the Undersheriff.

County Counselor Jack Potucek met with the Commission. He provided a brief update on several issues.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$990.10.

The Commission reviewed and unanimously approved claims in the amount of \$226,776.24.

The Commission received a phone call from Marla Morley, Mayor of the City of Belle Plaine. She advised that she had several questions about the lawsuit that had been posed to her. Mayor Morley asked how the lawsuit is being funded or paid for. Commissioner Newell referred Mayor Morley to the County Counselor for any questions regarding the lawsuit. Mayor Morley asked how much the suit had cost so far. Commissioner Newell advised that he did not know the amount at this point.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
April 1, 2008 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 Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$11.08.

Treasurer Carolyn Heasty met with the Commission on several issues. She introduced the newest employee to her office, Danielle Shields. Treasurer Heasty submitted a prepared resolution abating tax interest and penalty in a personal property situation. She explained the situation and recommended the abatement be approved for the tax year of 1999 due to clerical confusion and/or error. The Commission unanimously approved resolution 2008/07 abating interest and penalty in the amount of \$1,069.13. Treasurer Heasty submitted the latest sales tax report from the State. For March, the compensating use tax collected was \$21,910.36 and the sales tax was \$161,160.31. The quarterly driver's license review report was also provided. For the first quarter, 778 customers were processed with about \$12,000 collected in fees. Treasurer Heasty inquired about the status of storage relocation pending replacement of the courthouse roof. Once she is able to use storage space in the former jail, she will be able to vacate space in the County Attorney's Office. The Commission advised that the contractor has had delays, but most recently has indicted the project will begin the week of April 14.

County Counselor Jack Potucek met with the Commission. At 10:54 a.m., the Commission entered into executive session with Counselor Potucek to discuss an attorney-client privileged matter for fifteen minutes. County Clerk Shields was asked to remain present and he did so. The Commission reconvened in open session at 11:09 a.m.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
April 7, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commission Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. State Representative Vince Wetta and Marvin Simonton were present.

County Counselor Jack Potucek, Attorney David Cooper, and Attorney Teresa Watson met with the Commission. At 9:07 a.m., the Commission upon unanimous vote entered executive session with Counselor Potucek, Attorney Cooper, and Attorney Watson for thirty minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present. At 9:18 a.m., Counselor Potucek left the meeting for a District Court hearing, unrelated to the executive session. Counselor Potucek returned and reentered the executive session at 9:31 a.m. At 9:37 a.m., the executive session upon unanimous vote was extended for thirty minutes with the same parties present. The Commission reconvened in open session at 10:07 a.m. with no binding action taken.

Greg Olsen, Chief Executive Officer for Sumner Mental Health, met with the Commission. Mental Health Board member Ernie Fink was also present. Mr. Olsen submitted an annual report for the Mental Health center. A funding issue was discussed. Mr. Olsen advised that the sale of the north campus should move forward in order to cover their debt to the county. The Commission inquired how it would affect operations. Mr. Olsen said it would be a negative affect and they will have to move people. Mr. Olsen advised the funding problem is the total unpredictability of funding from the State. He advised that Futures Unlimited has expressed an interest in the north campus. He asked about exploring the possibility of some type of lease purchase agreement. Commissioner Newell asked about what funding, the funding that was being held by the State, has been received. Mr. Olsen advised that \$135,000 was received and he is expecting \$100,000 within the next two weeks. The money received was needed for operations. The main purpose in selling the north campus is to repay the county's money. Commission Newell asked, if the money issue went away, could you still afford the north campus. Mr. Olsen said they could. The Commission advised they would review the current budget and funding issued before making a final decision. Mr. Fink advised that of the 27 mental health centers across the state, 15 are losing money. The cost for maintenance of the main building, which mental health pays, was discussed. The maintenance costs will be an item discussed in the budget.

Road and Bridge Director Melvin Matlock met with the Commission. He discussed an issue regarding the Chikaskia River near Drury and a complaint received from a citizen. The problem is actually on private property and not something the county should become involved in. In other items, Director Matlock reported that the inspections for the smaller bridges will begin soon. The county is up to date on all bridge inspections. He also reported that the tanks from the old fuel station have been removed.

The Commission returned a phone call to Thor Martin regarding the Argonia River Walk project. Director Matlock remained present. Mr. Martin advised that he was following up on a meeting with the Commission from May 30, 2006. He advised the project had begun and discussed the easements involved. There is one homeowner who continues to be unwilling to grant an easement. There is also some type of pillars that the property owner has placed on the road right-of-way. In previous discussions the Commission indicated they would support the project if three things were done. Mr. Martin advised that a signed petition showing community support was completed, a survey was performed, and the Argonia City Council has approved the project. The Commission expressed their support for the project and approved the use of the county right-of-way. But, it is up to the City of Argonia, if they wish to proceed.

State Representative Vince Wetta met again briefly with the Commission. Legislative items and issues were discussed relating to the drivers license bill, immigration, and the intermodal transportation center in Gardner.

The Commission reviewed and unanimously approved the minutes for March 31 and April 1.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$1,941.50. Prior year orders in the amount of \$430.06 were also approved.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
April 8, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Planning and Zoning Director Jon Bristol met with the Commission. He discussed the establishment of a local environmental protection program committee for the county. The Local Environmental Protection Program requires a committee be formed. After discussion, the Commission unanimously adopted Resolution 2008-08 establishing the committee that shall consist of the members of the Sumner County Planning Commission as appointed by resolution.

Emergency Management Director James Fair met with the Commission for evaluation purposes. At 9:30 a.m., the Commission upon unanimous vote entered into executive session with Director Fair for twenty minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:47 a.m.

Director Fair explained and discussed an emergency alert radio warning system. There will be further research done regarding the system.

Economic Development Director Janis Hellard talked with the Commission by phone. She reported an inquiry was made to her regarding some type of meeting being planned with representatives of the cities in the county. Director Hellard advised she was not aware of any meeting. The Commission informed her of the meeting with Wellington Chamber Executive Director Shelly Hansel and Wellington City Manager Gus Collins a couple of weeks ago. The idea of a meeting was proposed by Director Hansel to address some of the misinformation regarding the casino issue. Director Hansel was going to arrange the meeting and had indicated she would contact Director Hellard.

Maintenance Director Gary Yoder met with the Commission. He submitted a bid obtained for the replacement of carpet at the Community Corrections building. After discussion, the Commission asked that he attempt to obtain a bid from a vendor in Argonia who performs the same work. Director Yoder submitted a bid from Johnson Controls to install a new thermostat and compressor for the boiler system at the Deseret Healthcare building. The controls are in need of replacement. The bid amount was \$3,360. The Commission unanimously approved the proposals and advised Director Yoder to proceed. Director Yoder discussed the repair needed for the water softener system at the nursing home. He submitted two bids obtained. Repairing the old system would be nearly the same, if not more, compared to a new system. After review and discussion, the Commission unanimously approved the bid from Dooley's Rainwater for a new Kinetico system. Both projects will be paid with funds budgeted for possible improvements to the building.

Janet Etheridge, Argonia City Clerk, spoke with the Commission by phone. She asked for documented proof that the Commission has approved the River Walk project to go into the right-of-way. An easement issue remains with one property-owner. The Commission advised that yesterday's meeting minutes would be officially approved next week and they would be sent to the City.

Larry Odum, a resident of Gore Township, met with the Commission. He inquired what kind of service he could expect from the county and township where he lives. Mr. Odum advised that his roads are in poor condition and he has spoken with his township official. It was confirmed that the roads involved are township roads. Chairman Martin explained that the Commission has no authority in the issue. The township board is the elected governing body of the township. The Commission does not have the authority to direct the township board to take any action.

County Counselor Jack Potucek met with the Commission. He discussed the proposed plan to address the need of confidential conference space on the third floor. There is the need for meeting space for attorneys to meet with their client before court hearings. Details of the proposed plan will be worked out so that it can be done as soon as the roof project is completed.

The Commission also further discussed the River Walk project. The Commission contacted Road and Bridge Director Matlock regarding the survey that was completed. Director Matlock was able to confirm that the survey was completed by a licensed surveyor. After discussion, it was determined that the Clerk and Counselor would prepare a letter to send to the City and to the property owner informing them that the County approves the use of the right-of-way for the project.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
April 14, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was Deputy County Clerk Debra A. Norris. Commission Chairman Gary Martin was not present as he was attending a meeting of the Regional Economic Area Partnership. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

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

Treasurer Carolyn Heasty met with the Commission. Also present were Deputy Treasurer Vicki Clasen and Tax Clerk II Sharon Moss. Treasurer Heasty presented both employees with plaques in recognition of their 10 years of service to the county. She complimented and thanked both as did the Commissioners.

Road and Bridge Director Melvin Matlock met with the Commission. He briefly discussed the River Walk project in Argonia. He reported that the issue regarding property in the county road right-of-way has been resolved. The property owner is willing to let the property be removed.

Jay Rinehart and Staley McCormick met with the Commission regarding road issues in Greene Township. Director Matlock remained present for the meeting. Mr. Rinehart and Mr. McCormick both discussed a number of issues and concerns with road conditions and maintenance in the township. Road maintenance and governance issues relating to all townships, in general, were discussed.

Commission Chairman Gary Martin entered the meeting at 10:17 a.m.

Discussion continued regarding township issues in Greene Township. It was determined that Director Matlock will attempt to meet with Greene Township Trustee Donnie Gressell later in the week and discuss the various road and maintenance issues. As discussed in previous meetings regarding townships, Commissioner Newell mentioned that the township officers are elected officials and the Commission has no control over what is done. Director Matlock advised that he would report back to the Commission. Commissioner Gracy also reported that he had received a complaint about the Jordan Cemetery in the township. He asked Director Matlock to also address that issue with Trustee Gressell.

Commissioner Newell reported that masonry work being done on the courthouse roof was halted due to noise interference with court proceedings. The conflict with court proceedings and the necessity to complete the work was discussed with Counselor Potucek.

Maintenance Director Gary Yoder met with Commission regarding the roof issue. He advised that, according to the Court, the next available time the roof work could proceed would not be until June. The masonry work must be completed before the roof can be replaced. It was suggested that Director Yoder contact the company to work on scheduling.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$323,480.66.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$9,954.07.

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.

Garey E. Martin, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
April 15, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

C. W. Mathews, London Township Treasurer, and Marvin Schauf, Clearwater Fire Chief, met with the Commission. E911 Director James Reed was also present. The contractual issue between Fire District No. 9 and the Clearwater Fire Department was discussed. In the past, District 9 has contracted with Clearwater to provide fire protection to a portion of London Township. Chief Schauf reported that the district ended the contract this year. Some citizens now have concerns regarding fire protection. The ending of the contract relates to Clearwater's request that the fire district contribute funding for the replacement of a tank truck. The fire district has indicated that they do not have the funding to assist and cannot raise the mill levy. Chief Schauf and Mr. Mathews asked if there was anything the Commission could do in the situation. After discussion, the Commission advised they would further research the issue and discuss with the County Counselor. Near the end of the meeting Mulvane Public Safety Director David Williams and Fire Captain Lowell Ester entered the meeting. They advised their interest was to see how the issue might be resolved. They are willing to assist in fire protection, but do not wish to assume more territory for their response area.

Appraiser Della Rowley and Information Services Director Doug Stice met with the Commission. The computer hardware equipment that will be necessitated by the new ORION system was discussed. The State will pay for some of the up front costs, but ongoing maintenance and future replacement of the necessary hardware will be the county's expense. Director Stice advised that some of the hardware items are also already in place. Director Rowley advised that the current state schedule indicates Sumner County going on the new system next year. Director Rowley said she will be inquiring about delaying that until 2010. The estimated cost for the first year is \$13,000. An annual amount of \$7,500 would also be budgeted to build a reserve to replace the computer server on a 3 to 5 year basis. Changing to the ORION system is necessary as the state will end their support of the existing CAMA system.

Road and Bridge Director Melvin Matlock met with the Commission. He submitted a proposed new pay scale for the Commission's consideration. The pay scale extends the steps in each level seven additional places. Extending the steps will provide further movement for long term employees before they reach the top of their position level. Details of the scale were reviewed. The proposal will be further discussed at the planning session next week. Director Matlock discussed several of the manager positions within his department. He requested authorization to adjust several of the positions and explained why the adjustments are needed. Personnel forms were submitted.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, met with the Commission. She reported that according to the schedule from the lottery commission, the public comment hearings are set for July 10 and 11. Those dates are the same as the Sumner County Wheat Festival and access to the Raymond Fyre complex will be complicated due to the carnival that will be set up in the parking lot. It is unknown for sure where the Lottery Commission will hold the meeting, but several sites in Wellington will be in use due to the festival.

County Counselor Jack Potucek met with the Commission regarding several issues. The Commission asked that he research the fire district issue. Counselor Potucek reported that a responsive pleading was filed in the lawsuit from Mulvane. He requested an executive session to discuss an attorney-client privileged matter. At 11:04 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privilege matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 11:14 a.m.

The issue that arose yesterday regarding the work on the courthouse roof was discussed. It was determined that Counselor Potucek will discuss the issue with the District Court Judges and Chairman Martin will contact the contractor and also involve Maintenance Director Yoder.

Counselor Potucek reported that Sumner County's case regarding the Harper County landfill has been scheduled before the Supreme Court for May 14. Attorney Robert Eye had been in contact with him. The dedication of the new courtroom was discussed. Counselor Potucek provided a proposed agenda for the dedication. The ceremony is planned for May 9. The agenda was approved.

County Attorney Kassie McEntire met with the Commission. She advised that a Special Prosecutor is necessary for a case filed in her office due to a conflict. Statute, KSA 22a-106, requires that authorization for a special prosecutor must be obtained from the Commission. Funding for the position will come from the County Attorney budget. The Commission unanimously authorized the position.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$922.16

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
April 21, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commission Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The personnel present for county departments were the following; Deputy County Appraiser Laurie Walta, Community Corrections Director Brad Macy, County Counselor Jack Potucek, Jami Ternes, representing the County Attorney's Office, E911 Assistant Director B.J. Tracy, Emergency Management Director James Fair, Health Director Laura Rettig, 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, Undersheriff Jerry Osborn, Treasurer Carolyn Heasty. Carolyn Jones, Clerk of the District Court, Janet Donley, Director for the Sumner Board for Senior Services, Linda Mirt, County Extension Agent, Janis Hellard, Economic Development Director, and Doug Norris, Chief Financial Officer for Futures Unlimited, were also present. Information Services Director Doug Stice and Greg Olsen, Chief Executive Officer for Sumner Mental Health, had both provided written reports to the Commission as they were unable to be in attendance.

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

There being no further business the meeting was concluded with the Board of County Commissioners adjourning at 1:17 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
April 22, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

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

The Commission received correspondence from Kim Hefley, USD353 Elementary Counselor, and Jane Hofmeister, USD353 Middle School Counselor. A request was made for waiver of the fee for the use of the Raymond Frye complex for peer mediation training for two days in the fall for the 2008-2009 school year. Students received training as peer mediators. The Commission unanimously agreed to waive the fee.

Sumner County Fire District No. 9 Board Members Don Clewell, Ted Rieckenberg, Bill Taylor, and John Skinner met with the Commission. County Counselor Jack Potucek was also present. The fire service issue between the fire district and Clearwater was discussed. Mr. Clewell explained the history of the agreement where Clearwater provides fire service to the west three-sevenths of London Township. The contact that they have had with Clearwater officials was reviewed. It was also explained that, with newer modern equipment, fire vehicle from District 9 can make a faster response to the area compared to years ago. The availability of personnel was discussed and it was acknowledged that has on a rare occasion to be an issue during a weekday. The personnel issue impacts the entire district and mutual aid agreements are maintained with other departments. The fire district has already made payment to Clearwater for 2008. The district ended the contract for 2009, 2010, and 2011 when the Board determined that could not agree to Clearwater's fee increase of two mills. After discussion, the Commission expressed understanding of and agreement in the Board's decision. It was recommended that they again ask Clearwater officials to confirm, in writing, what their plans are regarding the agreement for 2008.

Don Klausmeyer and Sharon Zenner, of Klausmeyer Construction, met with the Commission regarding a project under the Neighborhood Revitalization Program. Carolyn Farley, of the Appraiser's Office, was also present. It was explained that an NRP application was filed Friday and construction was begun before the Appraiser arrived the same day to take the required photographs. After reviewing and considering past situations it was determined that no exception could be made. The Commission recommended that the basement be filled back in and then the eligibility requirements can be met.

Noxious Weeds Director Robin Walcher met with the Commission regarding a personnel issue. She requested authorization to change the temporary chemical applicator position to part-time. The temporary position is only for a six-month period. A part-time position would remain available and the employee in that position could be used more throughout the year when weather permits. The same funds already approved in the 2008 budget would be used for the position. The Commission unanimously authorized changing the temporary position to part-time.

Economic Development Director Janis Hellard and Marvin White, Chairman of the Economic Development Commission, met with the Commission. Mr. White submitted the 2008-2010 Economic Development Strategic Plan for Sumner County. The plan, which has been in place for a number of years, is required to be updated every three years. Having a plan in place allows business to be eligible to receive various incentives. The Commissioners will review the plan and resolutions relating to the plan will need to be adopted next week, if they approve.

County Counselor Jack Potucek met with the Commission. At 11:32 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 25 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 11:43 a.m.

The Commission spoke with Attorney David Cooper by telephone. At 11:45 a.m., the Commission upon unanimous vote entered into executive session with Attorney Cooper, Counselor Potucek, and County Clerk Shields for 15 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:59 a.m.

The replacement of the courthouse roof was discussed. The project is to begin April 28. Options to address interference with court proceedings due to construction noise had been considered. Counselor Potucek had been asked to discuss with the District Court Judges noise interference issues with the court proceeding due to the construction. He reported that the Wellington City Manager was contacted and the city council chambers will be made available on Thursdays and Fridays for the next three weeks. The Judges are in agreement that, if necessary, the docket call on those days will be moved to the city council chambers. The court will also not schedule any jury trials for about the next three weeks. The project, if no significant delays are experienced, should be completed by then.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$134.44.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
April 28, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commission Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Marlena Graham, of Platinum Insurance Services and Michael Graham, of Solid Financial Solutions, met with the Commission. Information was provided on the services they can provide. Solid Financial Solutions is appointed with multiple insurance companies and they would administer all insurance. Administrating for multiple companies is something new and they discussed some of the details involved. Billing would still be handled by the county for each insurance company. After discussion, the Commission asked for further information and a list of other counties that are served.

County Appraiser Della Rowley met with the Commission regarding a personnel issue. She discussed the two full-time positions that she is filling in her department with the planned beginning date near June. She asked for authorization to hire one of the positions on a temporary basis in order to enable the person that will fill the position to attend several days of training in May. The Commission unanimously approved the temporary position, which will then become the full-time position already authorized.

Sheriff Gerald Gilkey met with the Commission. He reported that he would be meeting with both District Judges this afternoon to discuss the possibility of video court appearances by inmates in the detention facility. Sheriff Gilkey also advised that he was approached by Kelli Barton, of the Challenger Learning Center, regarding a 40ft bus that they wish to sell. He advised that the bus could be used as a command center when needed. They are asking a price of \$4,000 and he has offered \$3,000. Chairman Martin inquired about the use of the bus. Sheriff Gilkey advised they have used the trailer that Emergency Management has, but space is limited due to its size. He said adding the bus would be enhancing capability and not duplicating. The bus could also be used at special events through out the county. The Commission expressed their support for obtaining the bus, if a sale could be negotiated.

Commissioner Newell made the Sheriff aware of a complaint he received about a department vehicle being used for a participant's entrance to the Wellington Prom. Sheriff Gilkey advised that vehicles have been used in the past at high school proms across the county. He said views it as public relations and supporting your local community. Commissioner Newell expressed his disagreement and that he does not believe department vehicles should be used for such purposes.

Director Janis Hellard and Chairman Marvin White, of the Sumner County Economic Development Commission, met with the Commission. The updated strategic plan that was presented last week was discussed. The Commissioners had no questions regarding the plan and expressed their support. Two resolutions relating to the plan were unanimously adopted. The first resolution, no. 2008-09, reconfirmed that a regional economic development organization has been established as required for the purpose of qualifying the County of Sumner as a designated non-metropolitan business region. The second resolution, no. 2008-10, was adopted showing support for the qualifying regional strategic plan and requesting that the Secretary of the Kansas Department of Commerce designate the County of Sumner as a Kansas Enterprise Zone designated non-metropolitan business region.

Brad Macy, Community Corrections Director, met with the Commission. He submitted the Community Corrections Comprehensive Plan for Grant Application FY09 that is required by the Department of Corrections. Some details of the plan and items contained within were discussed. The Commission unanimously approved the plan and it was signed.

Duane Hodges, a resident in the Belle Plaine area, met with the Commission regarding a drainage issue within the Cowskin Drainage District. Mr. Hodges said he had talked with the President of the drainage district board, but was informed due to some type of court hearing or action 8 to 10 years ago; the specific issue was not the district's responsibility. Mr. Hodges asked if the Commission could confirm what change occurred in the past. The Commission and County Clerk were not aware of any change or court action. It was recommended that Mr. Hodges confirm more specific history with the President of the drainage district board.

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

Road and Bridge Director Melvin Matlock talked with the Commission by phone. He provided brief updates on recent road and maintenance issues.

The Commission spoke with a representative of the Conway Springs Farmers Cooperative Grain Association regarding grain being stored in their facility. The milo is from the county owned Cedar View farm ground. The decision was made to sell the crop.

The Commission reviewed and unanimously approved end of month claims in the amount of \$221,346.95.

There being no further business, the Board of County Commissioners adjourned at 12:05 p.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
April 29, 2008 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Jim D. Newell was not present. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Treasurer Carolyn Heasty met with the Commission and provided the latest sales tax report from the State. The total sales tax collected for April was \$167,198.15.

Emergency Management Director James Fair and Assistant Director Chris Ball met with the Commission. Also present was Richard (Dick) Elder and Chance Hayes of the National Weather Service in Wichita and Teresa Lee, of the Wellington Daily News. Mr. Hayes spoke first and explained the National Weather Service's StormReady program. The program requires that set criteria has to be met. Mr. Hayes announced that Sumner County is the sixth county out of 26 in the Wichita office's area to be designated a StormReady county. Mr. Hayes applauded the support that the Commission provides to the Emergency Management Department. Mr. Elder also complimented the support given to the department and talked about how the local level helps them educate the public. The Commission complimented Director Fair and Assistant Director Ball for their work. Chairman Martin acknowledged changes made and opinions that had to be overcome relating to emergency management operations.

Gary Burkhardt, of Conway Springs, met briefly with the Commission.

Pastor Michael Wolff met with the Commission. Pastor Wolff explained that he had talked with Sheriff Gilkey about the possibility of implementing a juvenile curfew for the County. Sheriff Gilkey expressed his support for the idea and recommended Pastor Wolff talk with the Commission. Pastor Wolff explained that he is a member of the Sumner County Community Drug Action Team and a curfew would aid in the efforts to fight juvenile delinquency, truancy, underage drinking, and other problems. He provided the Commission a copy of the City of Wellington's curfew ordinance. The Commission advised they would review Wellington's ordinance and consider the idea.

County Counselor Jack Potucek met with the Commission. He reported that he and Attorney David Cooper filed the lawsuit yesterday regarding the new method of annexations being done by the City of Mulvane. Not all annexation documents have been received yet, but the suit was filed to meet the deadline from the first annexation filed. The timeline relating to court hearings and lottery commission hearings was reviewed.

Teresa Lee, of the Wellington Daily News, returned and briefly met with the Commission. She inquired about Pastor Wolff's meeting regarding a juvenile curfew. The Commission advised that they will consider the idea and discuss further when Commission Newell is present and also discuss with Sheriff Gilkey.

Counselor Potucek provided a brief update on the tax sale scheduled for next Tuesday. There are currently 30 properties remaining in the sale at this point.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$374.20.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
May 5, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commission Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Lou Bradbury, Tammy Bradbury, and Jennifer McDaniel, met with the Commission regarding the Juvenile Intake program. Lou is currently the Director for the program, but will be leaving the position in a couple of months. Concern was expressed with the plan for the program to be managed by South Central Kansas Community Corrections (SCKCC) in Pratt. Pratt County, as the administrative county, will place the program under the SCKCC when Director Bradbury leaves. The Wellington Police Department and the Sheriff's Office have both expressed concern about services locally, if managed from Pratt. The Commission encouraged that law enforcement express their concerns to the Pratt County Commission. Correspondence will also be drafted that the Commission will send to Pratt County. Director Bradbury urged the Commission, if the opportunity arises, to consider assuming the responsibility as administrative county as Sumner County was in the beginning of the program. The Commission expressed their support for the possibility of returning to the position of administrative county.

Maintenance Director Gary Yoder met with the Commission. He discussed his attempt to obtain another bid for the work at the Community Corrections building. Director Yoder advised the business contacted did not wish provide a bid without some assurance of selection. The Commission authorized that the work proceed with the bid already obtained.

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

The Commission reviewed an application for the sale of fireworks submitted by Sally Mercer. All of the necessary documentation and requirements were met. The Commission unanimously approved the application and directed the issuance of a permit.

County Counselor Jack Potucek met with the Commission along with other county staff. The properties in the tax sale scheduled for tomorrow were reviewed. Counselor Potucek reported that the redemption is better than 94%. At the beginning of the process there were 208 parcels of property involved and, as of the present time, 11 parcels remain. The Commission determined the county's opening bid for each property.

There being no further business, the Board of County Commissioners adjourned at 12:05 p.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
May 6, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was Kelly Lacey, of the County Clerk's Office. Commission Chairman Garey E. Martin was not present. The meeting was opened with the Pledge of Allegiance.

Scott Blake met with Commission regarding road maintenance in Ryan Township. Mr. Blake complained that the roads in his area are still not being graded. He also questioned why the Commission appointed Roger Ray to township office when he was not voted in at the last election. Commissioner Newell answered that he had received twenty phone calls from the community asking that Mr. Ray be appointed. Regarding the road maintenance issue, the Commission advised that they would pass the complaint on to Mr. Ray. The Commission noted that the township is an entity of its own and they have no control over the township.

Health Department Director Laura Rettig met with the Commission and provided updates on several public health and home health issues. She reported the South Central Metro Region hired a planner and he is working part-time with the Health Department. The position is grant funded. Director Rettig reported that the National Incident Management System (NIMS) is mandating a Special Needs Shelter. She is working with Emergency Management Director Fair to locate a site that would serve the purpose. The American Red Cross has designated shelter sites, but a special need shelter must meet some additional requirements. She will continue researching the issue and looking for a suitable site.

Director Rettig reported that the department's Home Health Agency recently participated in an agency review. The review is performed by a consultant and is done to aid in preparing for a State review. Overall the agency did well and she provided a copy of the review report. A couple of needs identified in the review were discussed and will be worked on. A current designation of a Public Health Officer was also an item in the review. Director Rettig was asked to schedule again with the Commission when all members are present to further discuss the designation.

Director Rettig discussed several personnel matters with the Commission. Several positions were discussed and changes that will be occurring were considered. She also discussed the idea of a furlough policy for some of the home health positions due to the work load sometimes widely varying relating to the number of clients at any given time. The Commission indicated they would consider the idea, and also asked Director Rettig to provide additional information.

Dennis Metz and Bob Hendricks met with the Commission regarding Wind Energy. They advised that they are asking for support from city and county officials and individuals. Information on wind energy was provided. A prepared resolution was also provided for the Commission's consideration to adopt. The resolution expresses support for the development of wind energy in the county.

The Commission advised they would consider the resolution when all members were present. The Commissioners were invited to attend a wind farm tour sponsored by the Sumner County Farm Bureau and the Sumner County Economic Development Commission.

County Counselor Jack Potucek met with the Commission. The agenda for the dedication ceremony for the new courtroom on Friday was discussed. There dedication will take place at 2:00 p.m. Counselor Potucek reported that the tax sale was conducted with 7 parcels of property available. He reported a 97% redemption rate for all properties that were in the initial case filing.

E911 Director James Reed met briefly with the Commission. He reported that there have been several recent failures of some of the 911 equipment. The problem, according to A.T. & T. officials, is the high temperature in the equipment room. The temperature has been a known problem and county maintenance staff have done all they can do to reduce the temperature. Director Reed inquired the status of the courthouse roof replacement. Once the district court files are moved there will be increase space that will aid ventilation of the equipment room. The move of the files cannot occur until the roof replacement is done. The Commission advised the roof work is scheduled and could begin any day dependent on the weather.

Counselor Potucek and Attorney David Cooper met with the Commission. Attorney Cooper reported that an amended pleading had been submitted regarding the serial annexations. The next hearing related to the annexation issue is set for June 6th. He reported that the Supreme Court will hear arguments next week regarding the constitutionality of the lottery act.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
May 12, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present as he was attending a Regional Economic Area Partnership meeting in Bel Aire. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and State Representative Vince Wetta were both present.

The Commission discussed various issues surrounding the casino issue. The planned meetings of the Lottery Commission were discussed. The first meeting relating to the south-central zone is next Monday, beginning at 1:00 p.m. in Topeka. The Lottery Commission will hear presentations from developers seeking to become lottery gaming facility managers. The meeting will be held at the Capitol Plaza Hotel and will be open to the public, although, there will be no public comment allowed.

Road and Bridge Director Melvin Matlock met with the Commission regarding several items. The Maintenance staff had contacted him regarding a drainage problem around the maintenance/storage building at the detention facility. Director Matlock advised he viewed the area and recommended that guttering be placed on the building before they do any drainage work. Without the guttering any rock placed or dirt work done will not permanently resolve the problem. Director Matlock advised that Duane Hodges will be meeting with the Department of Water Resources regarding the drainage issue he met with the Commission about a couple of weeks ago.

Director Matlock also discussed budget and personnel issues. He asked for authority to change the pay level for the Superintendent position from level 10 to level 12. The responsibilities of the position were discussed. The Commission unanimously approved the change to level 12.

Commission Chairman Martin entered the meeting at 11:19 a.m.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, met with the Commission. She reported that a bus trip is being organized for next Monday, May 19. The trip will be to attend the meeting of the Lottery Commission where they will be hearing developer presentations. The bus will be leaving at 9:00 a.m. from the Wellington Steakhouse.

Appraiser Della Rowley met briefly with the Commission. She informed the Commission that she has been asked to serve as Vice-President of the Kansas County Appraiser's Association. The Commission gave their congratulations.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$662.56.

The Commission reviewed and unanimously approved mid-month claims in the amount of \$181,257.93.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
May 13, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission reviewed and discussed the prepared resolution left last week by Dennis Metz and Bob Hendricks relating to wind energy. The resolution, in recognition of the abundant, natural, and renewable wind resource in the State of Kansas, supports the development of wind energy within Sumner County. The Commission unanimously adopted Resolution 2008-11.

Linda Mirt, County Extension Agent, met with the Commission. She submitted the proposed 2009 budget for the Extension Council. The county appropriation asked for is \$161,163, which is a 5.14% increase from 2008. The majority of the increase is in employee benefit costs. Several of the 4H programs were discussed. Linda also submitted the 2009 4H club budget request. The request is for \$3,000, which is the same as 2008.

The Commission spoke by phone with Sandy Ring, of the South Central Kansas Economic Development District. She reported on the bid opening that was held by the Peck Improvement District yesterday for their sewer project. The lowest bid received was approximately one million dollars more than the original project amount. Sandy reported that USDA officials will be researching if there is any possibility to obtain additional funding for the project and Al Reiss, of Reiss and Goodness Engineers, will research options to reduce the project cost.

Sheriff Gerald Gilkey spoke with the Commission by phone and asked their thoughts regarding the juvenile curfew that was proposed to them by Pastor Wolff. The Commissioners advised they would like to know more details of the curfew and its enforcement. They would also like to know what cities in the county already have a curfew in place. Sheriff Gilkey also advised he would like to discuss the issue with the Sheriff's Office steering committee. It was determined that the Sheriff will research further and gather more information to provide to the Commission.

County Counselor Jack Potucek met with the Commission. He provided a report on the hearing before the Kansas Supreme Court regarding the Harper County landfill issue. Attorney Robert Eye argued on behalf of Sumner County. The county is asking for an administrative review of the permitting process for the landfill. The specific issue before the court is whether Sumner County has standing in the matter. A decision should be made by the Court by June 26th. Counselor Potucek also reported that tomorrow the Supreme Court hearing regarding the constitutionality of the expanded lottery will be held. Counselor Potucek will be attending the hearing along with Attorney David Cooper.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
May 19, 2008 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 Garey E. Martin and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present as he was attending the meeting of the Lottery Commission in Topeka. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

The Commission reviewed and unanimously approved the minutes for May 12 and 13.

Undersheriff Jerry Osborn met with the Commission. Information Services Director Doug Stice was also present. The equipment needed to accomplish the video appearances of inmates in court was discussed. Undersheriff Osborn advised that Sheriff Gilkey has met with the District Judges on the issue and both support video appearances. Undersheriff Osborn and Director Stice obtained quotes for the necessary equipment. Video appearances will reduce the number of transports of inmates to the courthouse, saving expenses in several areas. Possible methods of funding for the equipment were considered. Undersheriff Osborn will further research the availability of funds.

Planning and Zoning Director Jon Bristor met with the Commission. He reported that Randy Andra is willing to fill the unexpired term on the Planning Commission as the Commission District 2 representative. The Commission unanimously approved the appointment of Randy Andra and adopted Resolution 2008-12.

Director Bristor reported that FEMA funds have become available through the State to update the county's floodplain maps. In the process there may be some area added to and/or some area removed from the floodplain. There will be a process for updating the maps and there will be public meetings involved.

Director Bristor discussed membership in the National Association of County Officials (NACO) organization. The NACO conference this year is being held in Kansas City. After discussion, the Commission authorized Director Bristor to join NACO on behalf of the county.

Elliott Jackson, county auditor, met with the Commission. Funding issues related to the 2008 budget were briefly discussed. The \$165,000 in funding that was provided to Sumner Mental Health in 2007 with the expectation that it would be returned in 2008 was considered. What impact the funding issue will have was discussed.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$296.06.

The Commission reviewed and unanimously approved claims in the amount of \$127,668.88. The claims related to utilities and employee benefits.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
May 20, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Counselor Jack Potucek met with the Commission. He provided a brief update on the developer presentations that were given to the Lottery Commission yesterday. Counselor Potucek and Commissioner Gracy both attended the meeting. State Representative Vince Wetta entered the Commission meeting and discussion of yesterday's meeting continued. Representative Wetta had also attended the meeting.

Treasurer Carolyn Heasty met briefly with the Commission. She provided a copy of an October 2006 memorandum from the Department of Revenue regarding the registration of mini trucks. The Department of Revenue's determination is that the mini truck types of vehicles are non-highway vehicles.

Janet Donley, Director for the Sumner Board of Senior Services, met with the Commission. She discussed the incentive money for the Senior Care Act. If \$1,000 in incentive money is provided, the State will match that amount with \$2,000. The Commission has authorized the incentive for the past several years. Director Donley advised that, if State funding does not become available, the incentive money will not be necessary. The Commission unanimously approved the use of \$1,000 in mill levy funds for the Senior Care Act matching funds.

Commissioner Newell left the meeting at 10:04 a.m. to attend a funeral.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$168.42. Prior year orders in the amount of \$89.76 were also unanimously approved.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
May 27, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Beginning 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 as were several citizens involved in the zoning cases. The first case heard was No. 02PC-08 with the application by Michael D. Boardman and Karen D. Boardman, Trustees of the Michael D. Boardman and Karen D. Boardman Revocable Trust. The purpose was for a conditional use to allow an existing manufactured home as a second dwelling at 1021 N. Hoover Rd. Director Bristor advised there was no opposition expressed. The Planning Commission, with 9 members present, unanimously recommended approval. There would be a two-year time period and then the conditional use would expire. The Commission unanimously approved case no. 02PC-09 and adopted Resolution 2008-13.

The second case was no. 03PC-08 with the application by J. Lewis Franklin, Trustee of the Franklin Family Trust for a zone change from A-3 Agricultural District to an R-R Rural Residential District to sell the existing home. The location is 1315 E. 50th St., Oxford. There was no opposition expressed and the Planning Commission, with 9 members present, unanimously recommended approval. The Commission unanimously approved case no. 03PC-08 and adopted Resolution 2008-14.

The third case was no. 05PC-08 with the application by Edward and Victoria May, owners, Anthony and Michelle May, agents. The case was for a zone change of one Agricultural A-R tract to two Rural Residential R-R tracts to plat the existing home site and a new home site. The location is 1131 W. 90th Ave, Conway Springs. Director Bristor reported there was no opposition and the Planning Commission, with 9 members present, recommended approval. The Commission unanimously approved case no. 05PC-08 and adopted Resolution 2008-15.

The fourth case heard was No. 06PC-08, an application by Georgette Lamar and Rebecca E. Lamar, owners. It was for a conditional use permit to allow a manufactured home as a second dwelling. The location is 1146 N. Oliver Rd., Belle Plaine. Director Bristor advised there were some concerns expressed at the Planning Commission meeting. A letter was submitted by a nearby property owner and another resident spoke at the hearing. The Planning Commission, with 9 members present, recommended approval. The applicant would be required to annually submit a letter advising of the situation for the need of the second dwelling. Once the situation changes, the manufactured home will have to be removed. Director Bristor advised that similar hardship situations have been approved in the past. The Commission unanimously approved case no. 06PC-08 and adopted Resolution 2008-16.

The final case heard was No. 04PC-08 and was an update to zoning regulations. Director Bristor advised that there were no major changes involved. No concerns or opposition was expressed at the planning meeting and the Planning Commission, with 9 members present, unanimously recommended approval. The Commission unanimously approved case no. 04PC-08 and adopted Resolution 2008-17.

Deputy Kenny Kelley met with the Commission regarding the Justice Authority Grant. The grant was applied for in two phases and it is now time for the second phase. The total funding necessary for the purchase of mobile video cameras is \$11,985. The county must initially pay the full amount and then an amount of \$8,988 will be refunded from grant funds. Reimbursement usually is received within 30 days. The Commission unanimously approved the payment.

County Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission regarding a Neighborhood Revitalization Plan project application. Some foundation work has already been performed for the particular project. Photographs of the project and work were reviewed. There is some question what the property owner is planning to do in the project. The Appraiser's office will confirm the project details with the applicant, which will determine if the application may proceed.

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

The Commission reviewed an application to retail cereal malt beverage submitted by Ankur Inc. d/b/a/ Economy Inn and Restaurant. County Clerk Shields reported that the required notice was mailed to the township board and their reply was received. The township board recommended approval of the license. The Commission unanimously approved the application and directed that a license be issued.

County Counselor Jack Potucek met with the Commission. He provided the latest update regarding the meeting of the Lottery Commission, which began at 9:00 a.m. Three of the four developers for Sumner County were approved. One developer, Chisholm Creek, withdrew its application.

Greg Olsen, Chief Executive Officer for Sumner Mental Health, met with the Commission along with Thomas Graber, retired District Court Judge. County Counselor Jack Potucek was also present. Mr. Olsen submitted the 2009 budget and a white paper regarding future funding concerns and strategies for Sumner Mental Health. The funding difficulties experienced by Sumner Mental Health and the mental health agencies across the state were discussed. Beginning in 2005 through 2007, the center experienced operating losses that occurred due to the loss of Certified Match and grant funding from the State of Kansas. The combined losses of revenue in 2007 from these sources exceeded one half million dollars. Mr. Olsen's forecast is that the center will again become profitable in 2009, but 2008 will be difficult. Mr. Olsen explained actions to seek further economies and action options of last resort. The budget proposal for 2009 asks for an increase of \$29,800 in funding and that the county covers some of the maintenance upkeep needs of the building. Mr. Olsen said his intent would be for the Commissioners to walk through the building in the next few weeks and maintenance items would be reviewed. The Commission will review the information provided and a meeting will be scheduled in the future.

The Commission reviewed and unanimously approved the claims for the end of May in the amount of \$354,102.20.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
June 2, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission spoke with Maintenance Director Gary Yoder regarding water leak issues from the recent rains.

Mr. and Mrs. Warren Coppeler called and spoke with the Commission by phone. They complained of the road conditions near their residence at 170th St. S. and Meridian. They complained that the township has not cleaned the ditches. The Commission advised they would have Road and Bridge Director Melvin Matlock contact the township officials.

Health Department Director Laura Rettig met with the Commission on several matters. She discussed an issue regarding the Health Department's website. She also discussed building issues relating to a water leak around a window and access to facilities. Director Rettig provided an update on personnel issues and staffing. She provided information on the Public Health Preparedness grants. The designation of a Public Health Officer was discussed again. Making a current designation to the position was talked about several weeks ago. After discussion, the Commission determined that Director Rettig will be appointed to the position. A resolution will be prepared for the Commission to officially adopt.

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

Undersheriff Jerry Osborn met briefly with the Commission regarding a funding issue to accomplish the video court appearances of inmates.

Jeannine Simonian met with the Commission regarding a flooding issue in the Belle Plaine area. Several other citizens were present as well as Road and Bridge Director Melvin Matlock and Planning and Zoning Director Jon Bristor. Mrs. Simonian expressed concern with the flooding that occurs in the area of the Arboretum and the nearby housing addition. She explained some of the damage that has occurred. She explained that they were not informed that it was a flood area when they purchased their home. Mrs. Simonian said she is not sure what can be done, but feels something should be done. Director Matlock and several of the citizens present discussed the history of the flooding problem and what possible factors have contributed to the problem.

It was discussed that the problem or part of the problem may be drainage issues on private property. Directors Matlock and Bristor both advised that the County can not force private property owners to maintain drainage. In those cases, private litigation by those whose property is being damaged is an option. Lengthy discussion continued with additional citizens entering the meeting. Drainage and flooding problems north of Belle Plaine in the Cowskin Creek area also became part of the dialogue. Regarding the immediate Belle Plaine area and the Euphrates creek, it was determined that Director Matlock will work with Robin Macy to further research and investigate the cause/s of the flooding. Options available to address the issue could then be explored. Director Bristor will also research the original plat for the housing addition in the area regarding what retention ditches were planned and, if they are in place.

Those citizens present regarding flooding issues north of Belle Plaine remained present and the discussion continued. Possible causes of the flooding were discussed and several residents provided photographs of the area. One citizen advised that they had talked with the Board of Water Resources who told them there was nothing the Board could do. The work that Sedgwick County had done regarding the Cowskin Creek was discussed. Director Matlock advised that there was no funding allocated to Sumner County for the cleaning of the Cowskin Creek.

Emergency Management Director James Fair and Assistant Director Chris Ball met with the Commission. Director Matlock, Director Bristor, and several citizens remained present. Director Fair advised that with the recent flood damage it appears that there will be sufficient cost to meet the threshold required for declaring a disaster. Sumner County has already been included in the State of Disaster Emergency declaration signed by Governor Sebelius.

After discussion, the Commission unanimously declared Sumner County a disaster area due to the recent flooding. A resolution will be prepared and signed.

Several residents who remained from the earlier meeting posed questions relating to flooding north of Belle Plaine in the Cowskin Creek area. Most, if not all, of the citizens present said the severe flooding problems have only occurred in the last few years. What has changed from previous years was a topic discussed at length. The possibility that drainage is blocked somewhere on private property in the area was considered. A problem or a bottleneck created somewhere between Hillside Road and a rock dam was discussed. It was determined that Director Matlock would contact both Belle Plaine Township and Cowskin Drainage District officials about the flooding problems.

Emergency Management Director Fair returned with the resolution prepared declaring Sumner County a disaster area due to the recent flooding. The Commission unanimously adopted Resolution 2008-18.

Road and Bridge Director Matlock met with the Commission regarding the 2009 budget. Funding relating to fuel cost was briefly discussed.

County Counselor Jack Potucek and Attorney David Cooper met with the Commission. At 11:56 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Attorney Cooper for 30 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 12:26 p.m.

The Commission reviewed and unanimously approved tax abatement orders for prior years in the amount of \$4,190.77.

There being no further business, the Board of County Commissioners adjourned at 1:11 p.m.

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

Jim D. Newell, Vice-Chairman

Shane J. Shields, County Clerk

County Commission
June 3, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Treasurer Carolyn Heasty met with the Commission and provided the latest sales tax report from the State. Approximately \$183,000 was collected in sales tax and compensating use tax for May. She also provided information on interest earned.

Planning and Zoning Director Jon Bristor, Sheriff Gerald Gilkey, and Undersheriff Jerry Osborn met with the Commission. Also present were Glen Wiltse, Director of Sedgwick County Code Enforcement, Richard Haven, Animal Control Supervisor, Health Department Director Laura Rettig, and Linda Stewart. The purpose of the meeting was to discuss the possibility of initiating animal control in Sumner County. Mr. Wiltse provided a synopsis of how his office operates relating to animal control and a brief history of animal control enforcement in Sedgwick County. In Sedgwick County animal control is under the Code Enforcement department. Sedgwick County has five full time animal control positions and one supervisor. Expenses and revenue relating to animal control were discussed. The 2009 budget for animal control is over \$400,000. Training needs were considered.

Enforcement regarding court action was also a topic discussed. Sedgwick County has a code enforcement court, but Sumner County animal control cases would have to be handled through District Court. Whether animal control is best placed under law enforcement or code enforcement was discussed. Director Wiltse expressed his view that animal control is best placed under law enforcement. Sedgwick County also has an animal control advisory board in place.

Linda Stewart, of the Wellington Humane Society, advised that land has been donated where a facility can be built. At some point in the future the facility will become a reality. At that point, the Humane Society would like to see the city and county cooperate relating to animal control. The Commissioners expressed that they are in favor of working towards that goal. Sheriff Gilkey said the problems in Sumner County are an increasing number of dog bites, and increased care or cruelty issues with livestock. He said manpower, equipment and funding is needed to take care of the problem. After discussion, it was determined the best next step to take would be to form a committee to develop a plan for the future. Sheriff Gilkey was asked to prepare information and budget needs in order for the Commission to consider implementing an animal control plan for 2009.

County Appraiser Della Rowley met with the Commission. She first introduced two new staff members, Jeff McCullough and Jazzmyne Word. Director Rowley provided information on the informal appeal hearings held for 2008. There have been 487 hearings held with 286 resulting in changes made and 162 with no changes. Director Rowley submitted the 2009 budget proposal for the Appraiser's office and explained several items contained within.

Community Corrections Director Brad Macy met with the Commission. He discussed the current Intensive Supervision Officer position that he has available. He also discussed the truancy program and the truancy officer position.

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

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

Jim D. Newell, Vice-Chairman

Shane J. Shields, County Clerk

County Commission
June 9, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present as he was attending a meeting of the Regional Economic Area Partnership. The meeting was opened with the Pledge of Allegiance. Tabitha LeValley, of Attorney Martin Peck's Office, was also present.

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

Road and Bridge Director Melvin Matlock met with the Commission and provided an update regarding the flooding discussed last week in the Belle Plaine area. Director Matlock advised that he had met with residents and township officials about the areas of 120th and 130th Ave. North. The drainage was discussed and the circumstances that may be impacting the drainage. Director Matlock advised that a citizen in the area will ensure drainage is occurring on his property. Also, the township will take action to build a road back up and some other action. The township has received permission from a property owner to do some drainage work. Regarding the flooding in the area of the arboretum, Director Matlock said they are waiting for the water to go down so they can walk through the Euphrates creek bed area and investigate any cause.

County Counselor Jack Potucek met briefly with the Commission. He advised he would reschedule to meet with them to tomorrow.

Commission Chairman Martin entered the meeting at 9:49 a.m.

Chairman Martin provided a report on the courthouse roof replacement. A meeting is scheduled with the roofing company representatives and the District Judges to review a plan to begin construction on July 1. Chairman Martin advised that the training room at the detention facility may be used, if necessary, for court appearances.

Emergency Management Director James Fair met briefly with the Commission. The recent flooding and weather events were discussed.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
June 10, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Tabitha LeValley, of Attorney Martin Peck's Office, was also present.

The Commission received a phone call from a representative of a company in Indiana. The company provides mobile banking services. They asked for contact information for the casino developers in Sumner County. The representative was asked to send a request via e-mail to the County Clerk and the information would be provided.

Chairman Martin reported that he was elected to serve on the Executive Committee of the Regional Economic Area Partnership. He will serve as the at-large member.

Greg Olsen, Executive Director for Sumner Mental, met with the Commission. Also present was Lonnie Cooper, CPA. Mr. Olsen provided a cash flow statement that was developed at the Commission's request in the meeting two weeks ago. Mr. Cooper provided an overview of the report. Expenditures have remained about the same for about four years and are expected to be near the same this year. Revenue has decreased because the State has changed their funding model and has cut back funding. The State has indicated that the reduced funding should be made up from Medicaid funding, but that has not materialized. The billing process through Medicaid was discussed. Mr. Cooper explained that adjusting expenses to balance to revenue is necessary and continued attempts to enhance revenue. There will be a liquidity issue before the end of the year. Sale of the north campus building would provide revenue through the end of the year.

The Commission inquired where mental health services would come from if Sumner Mental Health was not present. Mr. Olsen advised where that has happened before another Center would take over. Although, right now no other Center would want to take over as everyone is experiencing funding problems. Mr. Olsen discussed what impact no availability of mental health service would have. The cash flow statement was further discussed as it indicates a funding deficit by October of this year. The Commission inquired if the north building is sold, how he would adjust operations. Mr. Olsen explained what adjustments would be made. Mr. Olsen also again discussed that assistance with maintenance of the building would be very helpful. They would still maintain day-to-day janitorial needs, but upkeep needs for the building would be helpful. At the end of the discussion, everyone's consensus was that the north campus building will be sold.

Sheriff Gerald Gilkey met briefly with the Commission. He provided an update on the rash of burglaries that have recently occurred are being investigated.

County Counselor Jack Potucek met with the Commission. He asked for an executive session to discuss an attorney-client privileged matter. At 10:51 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek to discuss an attorney-client privileged matter for 20 minutes. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 11:11 a.m. Chairman Martin indicated no binding action.

Counselor Potucek submitted the 2009 budget for his department and the tax foreclosure budget. Counselor Potucek discussed details of the department budget. He asked that the Commission give consideration to his salary. Counselor Potucek advised that the casino issue has impacted his time for private practice. Time devoted to the casino issue in general is considered as part of his county responsibility. Hours devoted to the specific litigation involved in the casino issue is being billed to the endorsed developers as per the pre-development agreement.

The Commission discussed with Counselor Potucek the sale of the north campus building of Sumner Mental Health. Sale procedures required by statute will be reviewed and further discussed next week.

The Commission reviewed and unanimously approved claims in the amount of \$212,671.77. Claims, in the amount of \$757.83, for utility billing were also approved.

The Commission reviewed and determined their department budget for 2009. An increase was made in the insurance and bonds line item as the bond will have to be renewed for the District 2 Commission position. After discussion, the Commission also included the 5% cost of living adjustment proposed for all employees in their personal services with Commissioner Newell opposed.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
June 16, 2008 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 Garey E. Martin, Commissioner Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission spoke by phone with Emergency Management Director James Fair. Commissioner Gracy had been contacted by an individual from Geuda Springs who expressed a concern that they were not being notified of approaching severe storms. Director Fair advised that pages are sent out and a general broadcast is made on emergency frequencies when warnings are issued. He advised that he was aware of one warning that was not aired due the dispatch center being extremely busy at the time the warning was issued. There had been storms earlier that same evening and additional storms were predicted. Director Fair confirmed that he has spoken with the individual that had contacted Commissioner Gracy.

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

Economic Development Director Janis Hellard met with the Commission. The utility expense for the Economic Development office was discussed. The need to increase the amount budgeted for 2009 was considered based on the current year-to-date expenditures. The amount will be considered during budget preparation. Director Hellard also provided a brief update on several economic development projects.

Tom McAlister met with the Board of County Commissioners. He reported that representatives of Penn National Gaming would be visiting Wellington later in the week and also next week.

Elliott Jackson, County Auditor, met with the Commission. County Treasurer Carolyn Heasty was also present. The Commission has asked for a report on the possibility of paying of the sales tax bonds early. Mr. Jackson advised that the bonds may be called in October of 2014. Payments must be made through that date. If sales tax collections continue at the same pace as they have to date, sufficient revenue should be available by the end of 2010 to pay off the bonds. Therefore, the sales tax could be ended after 2010. The Commission will further discuss with Chuck Bouilly, of George K. Baum and Company, at some point in the future. George K. Baum is the bonding company used by the county.

Mr. Jackson also discussed the motor vehicle tax fund. He reported that the amount in the fund has grown over the last two years. The motor vehicle taxes are collected and then distributed to the taxing entities. Treasurer Heasty advised that she is researching why the amount in the fund has grown.

Al Reiss, of Reiss and Goodness Engineers, met with the Commission regarding the Peck Improvement District. Dennis Langlois and Judy Titus, Peck Improvement District officers, were also present. The District's sewer project was discussed. Mr. Reiss advised that Rural Development is trying to find additional funding due the bids submitted at the first bid-letting being significantly higher than projected. Due to the bids being so high and the County Commission must also be involved in the bid process; a seconded bid-letting is scheduled. Sandy Ring, of the South Central Kansas Economic Development District entered the meeting. The advertisement for the bid-letting was completed and approved by the Commission. Bids will be received until July 21, 2008, at 11:00 a.m., and then opened.

Emergency Management Director James Fair and Assistant Director Chris Ball met with the Commission. Director Fair made the Commission aware of calls received from the area of 119th Street and Hillside regarding private wells of residences being under water. Director Fair advised that they are researching what aid, if any, might be available to assist in the problem.

County Counselor Jack Potucek met with the Commission. Items relating to the casino issue were briefly discussed. Counselor Potucek reported that he will be attending the court hearing in Shawnee County District Court on Tuesday.

The Commission reviewed and unanimously approved tax abatement orders for prior years in the amount of \$771.68.

There being no further business, the Board of County Commissioners adjourned at 12:05 p.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
June 17, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was also present.

The Commissioners talked with Emergency Management Director James Fair by phone regarding the issue yesterday with private water wells. Director Fair advised that State aid is not available since the residents have access and can obtain their own water from other sources.

Tabitha LeValley, of Attorney Martin Peck's Office, entered the meeting.

The Commission received correspondence from the City of Wellington. The correspondence had been sent to each incorporated city in the county and informed them of the Wellington City Council's action to approve a form of revenue sharing if the casino development is sited/approved in Wellington. The formula is based on the population of the residents residing in Sumner County in each city.

Teresa Watson, Attorney with Fisher, Patterson, Sayler and Smith LLP, met with the Commission. The attorney firm is representing Sumner County in the lottery act issues. Attorney Watson requested an executive session to discuss an attorney-client privileged matter and work product and to adjourn to the north courtroom for the session. At 9:27 a.m., the Commission upon unanimous vote entered into executive session with Attorney Watson to discuss an attorney-client privilege matter and work product for one hour in the north courtroom. Also present in the executive session were Keith Walberg and Rusty Wiley, agents of Attorney Watson. At 10:27 a.m., the Commission reconvened in open session in the north courtroom.

At 10:28 a.m., the Commission upon unanimous vote entered into executive session with Attorney Watson, Keith Walberg, and Rusty Wiley, to discuss an attorney-client privileged matter and work product for one hour in the north courtroom. At 11:28 a.m., the Commission reconvened in open session. At 11:30 a.m., the Commission upon unanimous vote entered into executive session with the same parties present to discuss an attorney-client privileged matter and work product for thirty minutes in the north courtroom. The Commission reconvened in open session at 11:51 a.m. and returned to the Commission chambers. Chairman Martin advised no binding action was taken.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
June 23, 2008 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 Garey E. Martin, Commissioner Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

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

At 9:30 a.m., due to the number of people in attendance for the meeting scheduled by Belle Plaine Township Trustee Steve Warner regarding flooding, the meeting was moved to the middle courtroom on the 2nd floor of the courthouse. At 9:38 a.m., the meeting began in the middle courtroom. Trustee Warner was present as were county department directors Jon Bristor, Planning and Zoning, Melvin Matlock, Road and Bridge, and James Fair, Emergency Management. Also present were Matt Scherer and John Roth of the Kansas Department of Agriculture, Division of Water Resources. State Representatives Vince Wetta and Pete DeGraaf were present. Approximately 35 citizens, most being residents of the area, were also present.

Mr. Warner opened the meeting acknowledging that a water drainage problem exists in Belle Plaine Township. He said with the record rainfalls that water table is up, but water is not going where it is supposed to. Mr. Warner said the township has done everything it can do, but needs help to address the problem. During the nearly hour and a half meeting many flood related topics were discussed and many concerns expressed. Mr. Warner said there is some work the township has planned, but it can't be done until it is dry. In this case, a landowner has agreed to allow the township onto his private property to do the work. It was acknowledged that the entire area is very flat and drainage can be easily impacted by property owners or environmental changes. The history of the development of the area was discussed. Much of the area involved is in the extra-territorial zoning area of the City of Mulvane. What governmental entity has the jurisdiction and/or authority to address the problem was discussed.

The officials with the Division of Water Resources explained that the State does not regulate drainage. They have the authority to deal with water issues created by waterways, not local drainage problems. They acknowledged an ongoing lawsuit with a property owner in the K53 area regarding whether a stream exists or not. It may be some time before the suit is resolved. Everyone agreed that a comprehensive drainage study of the area needs to be completed so the specific problem areas can be clearly identified and dealt with. How to accomplish such a study and who would pay for such a study was considered. Many of the citizens present participated in the discussion and expressed their concerns and experience with the flooding. The Belle Plaine Township was complimented by a citizen for the steps the township has taken to deal with the problem.

As a result of the meeting, a resident of the area recommended that each housing development select someone to represent their individual development in the issue. It was expressed that the City of Mulvane should be contacted due to their extra-territorial zoning area and Mulvane had actually approved some of the developments. It was expressed several times during the meeting that the problem has developed over many years and will take time to resolve. The Commissions expressed that they will work to assist in a resolution. The meeting was concluded at 11:02 a.m.

The Commission returned to the Commission room at 11:13 a.m. Those present were Road and Bridge Director Matlock, Planning and Zoning Director Bristor, Emergency Management Director Fair, Belle Plaine Township Trustee Warner, State Division of Water Resources officials Scherer and Roth, and State Representative DeGraaf. Various steps and research that will continue to attempt to find remedies to the flooding were discussed. The pending court case between the State and a property owner was briefly discussed. Mr. Scherer said it will take some time to come to a conclusion and it will not totally resolve the drainage issue even if the State is successful. The Cowskin Drainage District was mentioned and Mr. Scherer recommended that they should be involved. The meeting was ended at 11:26 a.m.

County Counselor Jack Potucek met with the Commission and requested an executive session to discuss non-elected personnel. At 11:29 a.m., the Commission upon unanimous vote entered into executive session for ten minutes to discuss non-elected personnel with Counselor Potucek and County Clerk Shields. At 11:39 a.m., the Commission

reconvened in open session. At 11:40 a.m., the Commission upon unanimous vote extended the executive session ten additional minutes with the same parties remaining present. The Commission reconvened in open session at 11:49 a.m. Chairman Martin advised no binding action was taken.

County Counselor Jack Potucek requested an executive session to discuss an attorney-client privileged matter. At 11:51 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for ten minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 12:01 p.m. Chairman Martin advised no binding action taken.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$80.38. Prior year orders in the amount of \$248.34 were also unanimously approved.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
June 24, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

The Commission continued their discussion regarding the flooding issue from yesterday. Those present were Health Department Director Laura Rettig, Road and Bridge Director Melvin Matlock, Planning and Zoning Department Jon Bristol, and Emergency Management Director James Fair. State Representative for the 81st District Pete DeGraaf was also present. Belle Plaine Township Trustee Steve Warner also entered the meeting. The flooding in the area was further discussed and what steps can be taken to address the problem. Topics from health issues to obtaining a comprehensive drainage survey of the area were discussed. A portion of the area is within the extra-territorial zoning jurisdiction of the City of Mulvane and it was discussed that the City should be involved. Director Fair discussed the mitigation planning grant and that it might be possible to have a study completed within the mitigation planning process. Director Matlock will also contact a company to obtain a cost estimate for a drainage survey. The area that should be included and specific details the survey should encompass was considered. Director Bristol will also contact the City of Mulvane Zoning Administrator regarding the flooding issue. Other steps will continue to be researched and taken, where possible, to attempt to address the flooding issue.

County Counselor Jack Potucek met with the Commission. He requested an executive session to discuss an attorney-client privileged matter. At 10:27 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields remained present for the session. At 10:42 a.m., the Commission reconvened in open session. At 10:43 a.m., the Commission upon unanimous vote extended the executive session with Counselor Potucek and County Clerk Shields for five minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 10:47 a.m.

At 10:47 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:53 a.m. Chairman Martin advised no binding action was taken as a result of any of the executive sessions.

Commissioner Newell left the meeting at 10:54 a.m.

The Commission received correspondence for the Office of Judicial Administration. The mileage reimbursement rate for the courts will be changed to 50.5 cents per mile effective July 1, 2008. The Commission, upon unanimous vote, set the county mileage reimbursement rate to 50.5 cents per mile also effective July 1, 2008.

The Commission reviewed and unanimously approved the end of the month claims in the amount of \$405,739.26.

Kenny Kelley met briefly with the Commission. A personnel issue was discussed.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
June 30, 2008 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 Garey E. Martin, Commissioner Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Robert H. Miller and Marvin Simonton were present.

The Commissioners reviewed and unanimously approved the minutes for June 23 and 24.

At 9:51 a.m., the Commission upon unanimous vote entered into executive session with County Clerk Shields for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session 9:58 a.m. Chairman Martin advised no binding action taken.

Health Department Director Laura Rettig met with the Commission regarding a personnel issue. At 10:00 a.m., the Commission upon unanimous vote entered into executive session with Director Rettig and County Clerk Shields for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:10 a.m.

Planning and Zoning Director Jon Bristor met briefly with the Commission. He submitted the Local Environmental Protection Program grant for fiscal year 2009. The Commission, upon unanimous vote, unanimously authorized the Chairman to sign the grant.

Chairman Martin left the meeting at 10:17 a.m. to attend an executive committee meeting of the Regional Economic Area Partnership in Wichita.

The Commission received correspondence from Kelli Barton with the Challenger Learning Center of Kansas. She reported that the annual conference of the Challenger Learning Center for Space Science Education will be in Wichita this year. The Wellington Center will be the host center for personnel from the over 50 Center's participating. They will be using the Raymond Frye complex on August 26 to host meetings and a luncheon. Ms. Barton asked the Commission for consideration of waiving the fee. The Commission, upon unanimous vote, unanimously approved the waiver of the fee for use of the Frye complex.

County Counselor Jack Potucek met briefly with the Commission. He reported that a conference was completed with District Judge McQuin and the parties involved in the Board of County Commissioners verses City of Mulvane suit. It was determined that a four month discovery period would proceed.

Emergency Management Director James Fair met briefly with the Commission. He reported that he had talked again late last week with a FEMA official regarding the recent flooding. The official will submit a report regarding the Belle Plaine area in an attempt to have the area reviewed. Director Fair also advised that he is proceeding with scheduling the first meeting regarding the Mitigation Plan grant. There is some conflict with availability of meeting space and availability of the contractor involved.

E911 Director James Reed met briefly with the Commission. He reported that, as of today, his department has two additional dispatcher vacancies. The hiring process was just nearly completed for the three current openings. Director Reed advised that there will be an increase in overtime in order to provide adequate coverage until new staff is trained.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 1, 2008 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 Garey E. Martin and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Jennifer Lejuerne were also present.

Treasurer Carolyn Heasty met briefly with the Commission. She provided the latest sales tax report from the State and interest reports for funds in the Municipal Investment Pool. The sales tax collected was slightly less than the previous month.

Commissioner Gracy entered the meeting at 10:31 a.m.

Planning and Zoning Director Jon Bristor met with the Commission regarding the Local Environmental Protection Program Committee. The committee was established as a new requirement for the grant. Director Bristor advised that a public water supply representative and a representative of the Natural Resources Conservation Service are required on the committee. Resolution 2008-19, adding two at-large members, was unanimously adopted. Resolution 2008-20 appointing the District Conservationist, for the Natural Resources Conservation Service, and the Public Water Supply Operator Supervisor, for the City of Wellington, to the committee was unanimously adopted. The Commission also briefly discussed air quality issues and a recent meeting that Director Bristor attended.

The Commission met with Road and Bridge Director Melvin Matlock regarding the 2009 budget proposal. The budget increase due to fuel was discussed. Director Matlock advised that, if cash carry-over is not available to offset the fuel increase, the cost may have to be absorbed by reducing projects.

Commissioner Newell inquired from Director Matlock what benefit there might be from a four-day work week. Director Matlock said they have discussed that possibility within the department. He said they are in the process of further research the idea and what benefits might be experienced. The impact on the workers, county and employee fuel costs, and work product was discussed. Director Matlock will continue to research the four-day work week idea.

Director Matlock also briefly reported on the flooding issues in Belle Plaine Township. He expressed concerns that the issue would worsen with a casino development. He has concerns as both the Road and Bridge Director for the county and on a personal basis as he lives in the Belle Plaine area. He advised that he wished to speak at the lottery review board hearing next week. The Commission advised they do not oppose his speaking on a personal basis.

County Counselor Jack Potucek met with the Commission and asked for an executive session to discuss an attorney-client matter. At 11:18 a.m., upon unanimous vote, the Commission entered into executive session with Counselor Potucek for 20 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 11:38 a.m. Chairman Martin advised no binding action.

The Commission unanimously called for a special meeting tomorrow, July 2, at 9:30 a.m. The purpose of the meeting will be to discuss pending litigation and casino related items. Counselor Potucek will be in attendance.

There being no further business, the Board of County Commissioners adjourned at 11:49 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 2, 2008 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 Garey E. Martin, Commissioner Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Others present included Attorney David Cooper, J. C. Long, Nancy Seitz, and Attorney Martin Peck.

Attorney Cooper advised that a recent Attorney General opinion was issued relating to Lottery Review Board testimony. He also asked for an executive session to discuss attorney-client privileged matters. At 9:32 a.m., the Commission upon unanimous vote entered into executive session with County Counselor Jack Potucek, Attorney Cooper, and County Clerk Shields for 40 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 9:46 a.m.

The Commission contacted Attorney Teresa Watson by phone. At 9:47 a.m., upon unanimous vote the Commission entered into executive session with Attorney Watson, Counselor Potucek, Attorney Cooper, and County Clerk Shields for 40 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 9:26 a.m. Chairman Martin advised no binding action taken.

There being no further business, the Board of County Commissioners adjourned at 9:27 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 7, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin 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. Marvin Simonton was present.

Tabitha LeValley, of Attorney Martin Peck's office, entered the meeting.

Treasurer Carolyn Heasty met with the Commission regarding a Neighborhood Revitalization Project (NRP). Treasurer Heasty provided the details of the specific case and why the project was removed from NRP due to the owner not paying the taxes before they became delinquent. The NRP plan calls for projects to be removed if taxes become delinquent. Treasurer Heasty asked that the Commission uphold the rules of the plan as adopted. Treasurer Heasty advised that there were projects of 13 other taxpayers also removed for the same reason.

Galen Crum, a resident in Belle Plaine Township, met briefly with the Commission. The Cowskin Creek and a flood gate built many years ago were discussed.

The Commission met with Maintenance Director Gary Yoder. He reported that the replacement of the roof on the south side of the courthouse is completed. There is one location where a problem will need to be addressed. Replacement of the roof in the middle section will begin tomorrow.

County Counselor Jack Potucek met with the Commission. He asked for an executive session to discuss an attorney-client privileged matter. At 10:51 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for 20 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:11 a.m. Chairman Martin advised no binding action taken.

The Commission reviewed and unanimously approved the minutes for June 30 and July 1. The minutes of the special meeting on July 2 were also reviewed and unanimously approved.

Emergency Management Director James Fair met briefly with the Commission. He reported that the mitigation plan meeting previously talked last week will be held during the first part of August.

The Commission met with Elliott Jackson, county auditor. Preliminary information and budget numbers were reviewed and discussed.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 8, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Vince Wetta, 80th District State Representative, met with the Commission. The Attorney General's opinion regarding state and local officials and the Lottery Review Board was discussed. Commissioner Newell also inquired of Representative Wetta, if after the casino issue is resolved, will there be legislative action to address the annexation statutes. Representative Wetta offered his opinion that there will be legislative action to address the shoestring annexation issue.

Lloyd Buzzi, of Marvel Gaming, met briefly with the Commission. Representative Wetta was still present. The Lottery Gaming Facility Review Board meeting for Thursday and Friday was discussed.

Jennifer Lejuerne entered the meeting.

Mr. Buzzi provided the Commission with a business card prepared expressing support for a central location and providing information of the Lottery Gaming Facility Review Board meeting and contact information. The Lottery Gaming Facility Review Board meeting was discussed. County Counselor Jack Potucek entered the meeting. The time designated for sign up for the public comment portion of the meeting was discussed.

Jeremy Jones, Public Works Director for the City of Wellington, met with the Commission. Also present were City staff members Doug Kinney and Cabel Reid. A report was provided explaining the projects completed in 2008 at the Wellington Lake and the projects planned for 2009. Attendance and use at the lake were discussed. Wellington City Manager Gus Collins entered the meeting. Director Jones asked the Commission to again consider including an amount in the 2009 budget to assist with lake improvements. The Commission has, for a number of years now, annually provided \$15,000 to assist with projects at the lake. The Commission advised that they will consider the request for 2009. Payment of the 2008 funds will be considered next week.

Wellington City Manager Gus Collins briefly discussed the Lottery Gaming Facility Review Board meeting.

County Counselor Potucek met with the Commission and asked for an executive session for an attorney-client privileged matter. At 9:44 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and County Clerk Shields for 10 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 9:54 a.m. At 9:54 a.m., the Commission upon unanimous vote entered into executive session for 10 minutes with Counselor Potucek and Clerk Shields to discuss an attorney-client privileged matter. The Commission reconvened in open session at 10:04 a.m.

Chad Gill and Attorney Chad Renn met with the Commission regarding a Neighborhood Revitalization Project (NRP) issue. Also present were County Treasurer Carolyn Heasty, Appraiser Della Rowley, and Appraiser staff member Carolyn Farley. Attorney Renn explained the issue involving the removal of Mr. Gill's properties from the NRP plan due to taxes being paid late on one of the property. Mr. Gill was not aware that a member of his office staff paid the taxes late and did not become aware of the issue until he received a letter from the Treasurer. Mr. Renn said that Mr. Gill understands that it is his obligation and that is what the plan requires. The NRP calls for a project to be removed from the plan if taxes become delinquent and any other projects then also become ineligible. Mr. Renn explained that Mr. Gill immediately addressed the issue once receiving notice from the Treasurer. Mr. Renn said they understand that the Treasurer is following the rules set out in the program, but asked for the Commission to reconsider in this case. Several details relating to the NRP program were discussed.

At 10:21 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. Treasurer Heasty, Appraiser Rowley, staff-member Farley, and Clerk Shields remained present for the session. The Commission reconvened in open session at 10:31 a.m.

Chairman Martin explained that similar occurrences in the NRP program have happened in the past. In those circumstances projects have been removed. Chairman Martin advised that the Commission can not make any exception in this circumstance. Mr. Renn asked about an appeal process. Counselor Potucek suggested that, if Attorney Renn wishes to and the Commission wishes to allow, Attorney Renn submit a written proposal to the county as to how it is believed that his client is not being properly handled by the county. The information could then be reviewed. The NRP program does not actually provide for any appeal procedures. The Commissioners were in agreement that something could be submitted in writing for review.

Health Department Director Laura Retting met with the Commission regarding a personnel issue. At 10:45 a.m., the Commission upon unanimous vote entered into executive session with Director Rettig and Clerk Shields for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:54 a.m. The Commission unanimously made the determination to deny a request for a leave of absence submitted by a Health Department employee.

Emergency Management Director James Fair and Health Department Director Rettig met with the Commission to discuss an emergency operations center (EOC). The emergency management office does not provide sufficient space, if an extended activation of the EOC would be necessary. The possibility of using the adjoining office space formerly used by United Way was discussed. They reported that an Emergency Operations Center Grant program has recently become available through the Department Homeland Security. The county cost for the necessary updates and renovation to the space would be approximately \$12,275. A public health grant is available to cover about \$6,000 in computer costs and a portion of emergency management funding would also be used. The end result in cost to the county would be about \$4,200. Having an EOC readily available would benefit the entire county, if a disaster were to occur. The Commission unanimously authorized the submittal of a grant application.

Community Corrections Director Brad Macy met with the Commission regarding his budget. He reported that the final budget approved by the Department of Corrections was \$540 less than what was asked for. Director Macy submitted documentation for the Commission to approve making a budget change relating to the reduction.

Counselor Potucek met with the Commission. At 11:17 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Clerk Shields for 25 minutes to discuss an attorney-client privileged matter. At 11:42 a.m., the Commission reconvened in open session. At 11:42 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Clerk Shields for 20 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:57 a.m.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 14, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Jennifer Lejuerne were present.

The Commission reviewed the minutes for July 7 and 8. The minutes were unanimously approved with one amendment.

County Clerk Shields submitted prepared Resolution 2008-21 for the levy of up to one mill to continue the Service Program for the Elderly. The resolution must be adopted annually by the Commission. The Commission unanimously adopted Resolution 2008-21.

County Appraiser Della Rowley and staff member Carolyn Farley met with the Commission regarding the Neighborhood Revitalization Program (NRP). A specific project was first discussed. In the case the property owner had previously asked for an extension due to family health reasons and the Commission granted the extension. The project is still not completed. The owner expects to complete it by the end of August. After discussion, it was determined to handle the situation the same as other previous cases. The project will be considered completed at the present percentage.

The second NRP topic discussed regarded projects in the first year of the program. Appraiser Rowley explained that in researching why the NRP amounts were so high this year, it was found two major projects contributed to the total. In the research, Appraiser Rowley explained an issue found relating to the payment of taxes. It was found that some applicants have paid taxes late between the date of project application and the date of project completion. How to address those instances that have now been found was considered. After discussion, the Commission directed Appraiser Rowley to review the issue with County Counselor Potucek.

Appraiser Rowley submitted a proposal to the Commission for her office staff to rotate to a four day ten hour work week. The four day work week has been discussed among the department Directors. Appraiser Rowley advised that she has sufficient staff and with the work her office performs, she could rotate staff through a four day work week. Commissioner Newell advised that he recently mentioned the idea to Road & Bridge Director Matlock to see if a four-day work week might provide any savings in fuel costs. Commissioner Newell said he would like to see that department try it, if it might benefit the county. He said he does not wish to see any other department switch at this time.

Road and Bridge Director Melvin Matlock met with the Commission. He reported that he had obtained an estimate of the cost for a survey for the Belle Plaine and Mulvane area regarding flooding. The estimate was obtained from Cook, Flatt & Strobel, Engineers, P.A., and the total estimate for all areas is \$64,600. The proposal is broken out into four different areas or developments. Director Matlock will provide a copy of the estimate to the Belle Plaine Township and also review with Planning and Zoning Director Jon Bristor.

Director Matlock discussed the four-day work week. He reported that in performing a cost analysis, the estimate is that an annual savings of \$12,000 would be experienced by the county. The main savings would be in fuel cost. The average savings to an employee was estimated to be \$300 per year. Director Matlock advised that he did involve all of his employees in discussing the four-day work week. The possible detrimental impact of such a work week was considered. He recommended that a four-day week would only be best between April and November. After discussion, the Commission unanimously agreed to have the Road and Bridge Department try the four-day work week on a trial basis beginning in the next few weeks until November 1st. How the work week impacts expenses, work product, and employee morale will be tracked.

Director Matlock advised that he had further reviewed the 2009 budget for his department. The increase in fuel cost, of \$310,000, will be removed from the budget. The funds for the increased fuel costs will be taken out of projects. The budget will not be increased other than in personal services.

Director Matlock also discussed the flooding problems in the Belle Plaine and Mulvane area and the information he provided at the Lottery Facility Review Board meeting last week. He reported that he has offered to the Review Board to provide more detailed information and maps to the Board for their review.

County Counselor Jack Potucek met with the Commission. At 10:37 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privilege matter. County Clerk Shields also remained present for the session. At 10:52 a.m., the Commission reconvened in open session. At 10:52 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Clerk Shields for 10 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:00 a.m. Chairman Martin advised no binding action taken as a result of the executive sessions.

The Commission reviewed a proposed job description change submitted by the Appraiser. The change was in title only of the Personal Property Deputy Appraiser to Deputy Appraiser Special Assistant. There was no change in pay level of the position. The change was made due to the position's responsibility including more than just personal property. The Commission unanimously approved the description change.

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

The Commission conducted a budget work session for the afternoon reviewing various individual department budgets.

The Commission met with Sheriff Gerald Gilkey and Undersheriff Jerry Osborn regarding the Sheriff Department budget. The 2009 budget includes two new deputy positions, one is planned to be a community resource officer and partially covered by a grant that has been applied for. It should be known around September if the grant application was successful. The records clerk position will change from part-time to full-time. Commissioner Newell expressed that he would like to delay the new deputy position that is not covered by grant funds. After further discussion, the positions were approved with the one position contingent on receiving the grant. The Commission also advised they were not ready to implement the animal control program with a proposed budget of \$60,000.

The Commission discussed continuing to budget funds to assist in projects at the Wellington Lake. An amount of \$15,000 will be budgeted, which is the same amount as the current year. They also authorized payment of the planned amount for 2008.

Several other budgets were reviewed.

The Commission reviewed and unanimously approved the July mid-month claims in the amount of \$731,634.68.

There being no further business, the Board of County Commissioners adjourned at 3:23 p.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 15, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission met briefly with Marion Nuss, Maintenance Department Building Superintendent for the Law Enforcement/Detention Center. The Commission relayed the compliments from Sheriff Gilkey for his work at the detention center. Other items relating to maintenance at the detention center were briefly discussed including drainage around the storage building at the center. The Commission directed that guttering be purchased for the building from capital improvement funds. Once the guttering is installed, the Road and Bridge Department can do ground work to assist in water drainage.

Jennifer Lejuerne entered the meeting.

Lou and Tammy Bradbury met with the Commission. Also present was John Barrett, Attorney, who advised he was there representing Gerald Farha. Mrs. Bradbury advised that the CASA program operated a fireworks stand for Farha under a verbal agreement for a percentage of the total sales as a fundraiser for CASA. There is now a dispute in how much Farha is willing to pay relating to inventory and sales that were made. Various details were voiced by both parties. The county issues the license for the fireworks stand, although the Commissioners said they are not sure how they are involved in the dispute. Chairman Martin told Mr. Barrett that, if he wanted to submit something to the County Counselor, it would be reviewed. Mrs. Bradbury will also update the CASA Board and a meeting of the Board will be called.

Marion Nuss met again briefly with the Commission. He provided a bid obtained for the guttering at the storage building at the detention center. The bid was \$144.40. The Commission unanimously approved the bid and directed the project to proceed.

County Counselor Jack Potucek met with the Commission. At 10:33 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 20 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 10:53 a.m. At 10:53 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Clerk Shields for 20 minutes to discuss an attorney-client privileged matter. County Clerk Shields left the meeting at 11:08 a.m. The Commission reconvened in open session at 11:13 a.m.

The Commission unanimously approved to proceed with the sale of the north campus building of Sumner Mental Health.

Tammy Bradbury spoke with the Commission by phone. She reported that a CASA board meeting will be held Wednesday at noon.

The Commission discussed the Counselor's 2009 budget with Counselor Potucek.

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

The Commission conducted a budget work session for the afternoon reviewing various individual department budgets. The Commission met with Register of Deeds Joyce Lowe and Information Services Director Doug Stice regarding their budgets.

There being no further business, the Board of County Commissioners adjourned at 4:37 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 21, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. State Representative for the 80th District Vince Wetta and Marvin Simonton were present.

Jennifer LeJuernne entered the meeting.

Representative Wetta briefly discussed the casino issue. He plans on attending the Lottery meetings on August 21 and 22. Representative Wetta talked about the importance of attending the meetings this week. The recent energy meeting held during the Sumner County Wheat Festival was also discussed. The revenue and budget status of the State was a topic of discussion. Recycling was discussed as well as possible recycling programs to begin when a casino comes on line.

Road and Bridge Director Melvin Matlock met with the Commission to discuss chip seal operations. The impact truck traffic is having on the county roads was discussed. The Geuda Springs road was specifically talked about. Steps taken to keep the heavy truck traffic off the roads were discussed, which affects only through traffic not local. Plans for 2008 were to chip seal the Clearwater, Corbin, and Lake Roads. Director Matlock reported that funds for asphalt have been totally depleted. Director Matlock discussed delaying the chip seal projects and using those funds to purchase asphalt. After further discussion, the Commission agreed with that plan. Director Matlock advised that chip seal projects will have to be performed next year or the county will get to far behind.

Director Matlock reported that he will be meeting with Ray Fleming, Zoning Administrator for the City of Mulvane, regarding the flooding in the Belle Plaine and Mulvane areas this afternoon. County Planning and Zoning Director Jon Bristor will not be able to attend the meeting. Director Matlock also advised that he has attempted to contact Melvin Barner and Jeff Hatfield, Directors for the Cowskin Drainage District.

Director Matlock reported that the Road and Bridge Department began the four ten-hour day work week this week. Costs will be tracked relating to the work week.

Commissioner Gracy discussed a complaint received about four-wheelers tearing up the township roads. Director Matlock advised that the township officials usually report to the Sheriff's Office. Citizens should also report to law enforcement when they observe four-wheelers on the county or township roads.

The Commission reviewed and unanimously approved the minutes for July 14 and 15 with one amendment.

The Commission met with Elliott Jackson, county auditor. Various items regarding the budget were reviewed and discussed.

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

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$315.66. Prior year orders in the amount of \$54.88 were also unanimously approved.

County Counselor Jack Potucek met with the Commission and requested an executive session for an attorney-client privileged matter. At 1:50 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 2:00 p.m. At 2:00 p.m., the Commission upon unanimous vote again entered into executive session with Counselor Potucek and County Clerk Shields for 10 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 2:09 p.m.

The Commission conducted a work session for the rest of the afternoon reviewing various individual department budgets. The Commission met with Maintenance Director Gary Yoder and E911 Director James Reed regarding their budgets.

There being no further business, the Board of County Commissioners adjourned at 4:45 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 22, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Jennifer LeJuernne was present.

The Commission met with Planning and Zoning Director Jon Bristol regarding the 2009 budget. The personal services portion was reviewed and later revised.

The Commission met with Health Department Director Laura Rettig regarding the 2009 budget. The personal services portion of the budget was reviewed in detail. The grants related to various personal service areas were discussed. Director Rettig will further review the budget and return to the Commission.

County Counselor Jack Potucek met with the Commission and requested an executive session to discuss an attorney-client privileged matter. At 11:31 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remains present. The Commission reconvened in open session at 11:46 a.m. At 11:46 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for 15 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:58 a.m.

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 Greg Olsen and Rick Gaskill of the Sumner Mental Health regarding budget issues. Mr. Olsen reported that revenue is slightly up for the Center and they are working on a couple of contractual possibilities to increase revenue. The Commission inquired about an \$80,000 information system. The sale of the north campus building and the use of funds from the sale were discussed. Funds from the sale will be used to offset the \$165,000 Sumner Mental Health owes the county. Anything above that amount may be used to assist Mental Health in maintaining operation through the end of this year. The increase in funding requested for 2009 was discussed. Mr. Olsen advised the increase is to maintain staff and operations.

Building maintenance of the main center was discussed. In the past Mental Health has taken care of the building maintenance. There are some maintenance needs for the building that have been placed on hold due to funding issues. The Commission advised that they will address the major maintenance items as much as they can until Mental Health can once again assume the building maintenance or upkeep. Mr. Olsen said they could provide a list of needs and they would take the lead on obtaining bids for the work.

The Commission conducted a work session reviewing various individual departmental budgets and other funds. Elliott Jackson was involved in several portions of the session to provide additional information and details.

Health Department Director Laura Rettig met with the Commission regarding budget. She provided revisions in the personal service areas of the Health Department budget.

County Counselor Jack Potucek met again with the Commission and requested an executive session for an attorney-client privileged matter. At 4:26 p.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for 10 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 4:36 p.m.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 28, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Jennifer LeJuernne entered the meeting.

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

Maintenance Director Gary Yoder met with the Commission. He provided a bid obtained from Carroll Glass Company for the replacement of the windows on the east side of the courthouse. Two bids were obtained, one for a bronze finish at \$19,804.00 and one for silver finish at \$27,468.00. The bronze finish is what the other three sides of the courthouse have been replaced with. The Commission unanimously approved to proceed with the project with the bronze finish. Equipment reserve funds will be used for the project.

Director Yoder advised that he had talked with Merle Webster, Administrator of the Deseret Nursing and Rehabilitation Center, regarding the status of the transport van. The administrator confirmed they are no longer using the transport van at the center. The van is owned by the county. Sheriff Gerald Gilkey, who was now present, indicated the van could serve a purpose in his department as a mobile command post. The Commission authorized the Sheriff to inspect the van to confirm if it would serve any need.

Attorney Charles Watson met with the Commission regarding access to the law library. Mr. Watson explained that he sometimes would like access to the law library after hours to conduct research. The law library is available to members of the Sumner County Bar Association. He asked if it would be possible to obtain a card key that would allow him access to only the law library. Sheriff Gilkey, who was present, advised he could provide a card key with only that access and the Commission approved.

Sheriff Gilkey and Undersheriff Jerry Osborn met with the Commission. Sheriff Gilkey complimented Marion Nuss, Building Superintendent for the Detention Center, for the work he has done at the center. Sheriff Gilkey inquired if it would be possible for the Sheriff to gain more control of his day-to-day activities. The process at this time is for a work order to be completed and submitted to Maintenance Director Yoder. The Commission expressed their approval for a system of more ease for day-to-day work, but if the work requires funds that would impact the Maintenance Department budget, the present work order system should be used. Maintenance Director Yoder was called back to the meeting. The Commission discussed the day-to-day work at the detention center. Director Yoder was in full agreement with the Sheriff contacting Building Superintendent Nuss directly regarding day-to-day needs that arise.

The Commission discussed the 2009 budget proposal with Sheriff Gilkey. The added positions asked for in his department were discussed. The position relating to the Community Policing grant application was further considered. The Sheriff is also asking for one additional Deputy position besides the community policing position, if the grant is received. He said the case load continues to increase and it is difficult for the deputies to complete what they have to do. Regarding the grant, it will not be known until September if the grant application is successful. Other personnel issues and compensation was also discussed.

Joshua Delaughder, of the Belle Plaine News, entered the meeting.

The personnel area and issues were discussed at length. Commission Newell expressed reluctance in the increase shown in personnel services. He would like to hold off on the added position. Chairman Martin advised he understands and approves the budget submitted. Commissioner Newell said he does not support the increase. Commissioner Gracy asked only of the Sheriff that you prove to me that you need the people. Commissioner Newell said if the budget is going to remain as submitted, he would hope to see a reduction in employee turnover.

Community Corrections Director Brad Macy met with the Commission. He provided year-end reports regarding Department of Corrections programs. The reports, relating to performance measures and year-end outcomes, were reviewed. For the performance measures, all goals and objectives were met. For the year-end outcomes, the majority of goals and objectives were met. The reports were unanimously approved by the Commission and the reports were signed.

Mr. Delaughder, of the Belle Plaine News, asked the Commissioners a few questions. He said there are rumors going around that if Wellington is not chosen, citizens will petition to reject the non-binding election and not be a host county. Mr. Delaughder first asked the County Clerk if the petition process was possible and then he asked if the Commission would support such a request. County Clerk Shields advised there is no petition process, to his knowledge, to reverse the non-binding election. Chairman Martin advised with no process possible, their question was answered. Mr. Delaughder asked if any Commissioner attended city council meetings and told citizens there would be lower taxes of the casino was in Wellington. Commission Newell advised he had attended city council meetings and had said that the City of Wellington planned on revenue sharing with the other entities and that the City of Mulvane was not.

Elliott Jackson, county auditor, met with the Commission. The final steps in the budget process were discussed. The final proposed county budget proposes a mill levy increase of 1.9 mills. Discussion was held regarding the budget. Commissioner Newell said, as it stands now, I am not in favor of voting for the 2009 budget. He said he believes that we have to treat each department fairly and equally, and he doesn't think that's being done. Chairman Martin moved to approve the 2009 Notice of Budget Hearing. Lengthy discussion continued with the motion dying for lack of a second. In further discussion, Chairman Martin recommended that the 1 of the 2 added Deputy positions be removed. The Deputy position for the community policing officer would remain, but will be contingent on receiving the grant. Commissioners Gracy and Newell both agreed with the recommendation. After additional discussion, Chairman Martin moved to approve the Notice of Budget Hearing for 2009 Sumner County budget with a revision to remove funding for the added non-grant Deputy position in the Sheriff's Department. The motion was seconded by Commissioner Gracy. The motion passed in a 2 to 1 vote, with Commissioner Newell opposed. The final proposed budget calls for a levy increase of 1.677 mills.

The Commission reviewed Resolution 2008-22, a resolution expressing the property taxation policy with respect to financing the 2009 annual budget. Commissioner Gracy moved to adopt Resolution 2008-22 and it was seconded by Chairman Martin. The resolution was adopted in a 2 to 1 vote, with Commission Newell opposed.

The Commission reviewed the 2009 Notice of Budget Hearing for the Special Districts. The notice is published by the county. The Commission unanimously approved the Special District Notice.

Emergency Management Director James Fair met with the Commission. He explained an issue relating to a water gauge sign located in the Ponderosa Estates. The sign was placed at the location a number of years ago by a previous Emergency Management Director. It was recently damaged and in the process of replacement, Director Fair became aware there are differing opinions of residents in the area of whether they want the sign. The road is not officially the county's as the road is maintained by the township. The history of the purpose the sign serves was discussed. Director Fair advised he was only making the Commission aware of the situation in case they received any inquiries.

Director Fair reported that the initial meeting for the mitigation plan grant has been set. The meeting will be on August 21.

County Counselor Jack Potucek met with the Commission and asked for an executive session to discuss an attorney-client privileged matter. At 11:44 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 11:59 a.m.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
July 29, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Jennifer LeJuernne entered the meeting.

The Commission met with Maintenance Director Gary Yoder. The Commission inspected the courthouse roof with Director Yoder. The replacement of the roof was completed last Friday.

County Counselor Jack Potucek met with the Commission. The recent Supreme Court ruling in the case of the Board of County Commissioners and the Tri-County Concerned Citizens, Inc. (TCCCI) verses the Kansas Department of Health and Environment (KDHE). The Supreme Court has ruled that the County Commission and TCCCI do have standing in the case. The case will now go back to the Shawnee County District Court for a determination of whether KDHE should have issued the landfill permit. A press release will be prepared and distributed.

Shelly Hansel, Executive Director for the Wellington Chamber of Commerce, met with the Commission. She advised that the Wellington Senior Center is inviting elected and city officials to lunch at the Senior Center on August 5, at 11:30 a.m. Director Hansel is contacting the elected officials at the request and on behalf of the Senior Center.

County Counselor Jack Potucek met with the Commission and asked for an executive session for an attorney-client privileged matter. At 10:34 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 10:44 a.m. Chairman Martin advised no binding action taken.

The Commission unanimously approved the claims for the end of July in the amount of \$471,140.76.

At 11:14 a.m., the Commission left to tour the Law Enforcement/Detention facility.

After touring the Law Enforcement/Detention facility and with there being no further business, the Board of County Commissioners adjourned at 12:25 p.m. from the detention facility.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
August 4, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Sheriff Gerald Gilkey and Marvin Simonton were present.

Tabitha LeValley, of Attorney Martin Peck's Office, entered the meeting at 9:12 a.m.

County Appraiser Della Rowley met briefly with the Commission. She made the Commission aware of a change regarding agricultural land of 20 acres or less. A letter was sent to taxpayers to notify them of the possible change in classification. Appraiser Rowley advised that she is working on the study that will determine the information a taxpayer may need to make a decision on the issue. The study should be completed by November 1st.

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

Deputy County Treasurer Vicki Clasen met briefly with the Commission. She introduced Clifford Fox, the newest employee in the Treasurer's Office.

County Appraiser Della Rowley and staff member, Carolyn Farley, were present for the meeting scheduled by Karl Braddick regarding a Neighborhood Revitalization project. Mr. Braddick never arrived for his appointment.

The Commission reviewed and unanimously approved tax abatement orders for the prior year in the amount of \$3,446.86.

Roger Clark, a resident of Belle Plaine Township, met with the Commission regarding drainage. He discussed the two drainage districts that are located in Belle Plaine Township and the authority of the drainage districts. Mr. Clark talked about the research he has done regarding information about drainage districts. He said no one seems to have or know who has the authority regarding the flooding that is occurring. Mr. Clark said he visited with the County Attorney who referred him to the County Counselor who he will be attempting to meet with.

County Counselor Jack Potucek spoke with the Commissioners by phone from Kansas City. He requested an executive session for attorney-client privileged matters. At 11:21 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for 10 minutes to discuss attorney-client privileged matters. The Commission reconvened in open session at 11:31 a.m. Chairman Martin advised no binding action resulted from the executive session.

The Commission will not meet August 5th.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
August 11, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present due to illness. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Jennifer Lejuerne entered the meeting.

Road and Bridge Director Melvin Matlock met with the Commission. He submitted an agreement with the State for the annual inspection of the pin and hanging bridges. He left the contract for the Commission's approval and signature of each Commissioner once Chairman Martin returns. Director Matlock reported that he met with Melvin Barner, one of the Directors for the Cowskin Drainage District. Flooding issues in the Belle Plaine area were discussed. Director Matlock also reported that he had met with Robin Macy and other individuals regarding the Euphrates Creek area near the Belle Plaine Arboretum. They inspected the area and possible remedies were considered.

Director Matlock advised that he had met with Mulvane City Administrator Kent Hixson and Zoning Administrator Ray Fleming regarding flooding issues. Mr. Fleming said they had been contacted by residents, and they are advising them to formulate a drainage district to address the problems.

Merle Webster, Administrator for Deseret Healthcare and Rehabilitation Center in Wellington, called and talked with the Commission by phone. Mr. Webster advised that the President and the Chief Executive Officer of Deseret Healthcare would be in Wellington on Wednesday and they would like to meet with the Commission to discuss future plans. The possibility of calling a special meeting on Wednesday was discussed. The Commission will consider tomorrow calling a special meeting for Wednesday.

At 11:00 a.m., the Commission held the public hearing for the 2009 County budget and the 2009 Special District budgets. Those present included Elliott Jackson, county auditor, Noxious Weeds Director Robin Walcher, Planning and Zoning Director Jon Bristol, Road and Bridge Director Melvin Matlock and Administrative Assistant Joyce Reynolds, E911 Director James Reed, and Emergency Management Director James Fair. Mr. Jackson provided information regarding the proposed budget. The total levy is up 1.667 mills or 2.9%. Valuation is up \$8,639,899 or 5.1%. However, impacting the valuation is Neighborhood Revitalization refunds that are up \$210,000 or 116.7%, which reduces the net taxes available to the County. Employee benefits are up \$252,015 or 11.1% with the levy up 2.403 mills. Sales tax revenue is sufficient to make the payments on the bonds issued to construct the detention facility. The Commission opened the meeting for public comment or questions with none made by any public. Director Matlock discussed the impact of fuel costs and the cost of materials.

Commissioner Newell and Commissioner Gracy offered comments and both agreed that a vote on approving the budgets will be delayed until Chairman Martin is present. Commissioner Newell said something is going to have to happen somewhere. We are reaching a point of either drastic changes or dropping services. The Road and Bridge Department is already at the point of reducing services. Both Commissioners expressed the hope that the casino will help the county. They also expressed their appreciation for all of the staff working with them.

The Commission reviewed and unanimously approved tax abatement orders for prior years in the amount of \$39.16.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
August 12, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Joe Church were present.

The Commission reviewed and unanimously approved the minutes for August 4, 2008.

Beginning at 9:30 a.m. public hearings were held for a number of zoning cases. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Administrative Assistant Melinda McCurley were present. All of the cases were heard by the Planning Commission, on July 23rd with 8 members present. The cases are listed in the order as brought before the County Commission.

Zoning Case No. 07PC-08

Application by: Anna C. Church, Owner, and Larry "Joe" Church, Agent. Mr. Church was present.

Purpose: Zone Change from "A-2" Agricultural District to "R-R" Rural Residential District to split existing house from agriculture land

Location: 579 E. 90th Street

Vote by Planning Commission: 8 yes recommending approval. No opposition present.

The Commission unanimously approved Case No. 07PC-08 and adopted Resolution No. 2008-23.

Mr. Church provided further details regarding the case and he also complimented the Planning and Zoning staff. He said they were very helpful and easy to work with.

Zoning Case No. 08PC-08

Application by: Jean B. Salsbery, Owner. Ms. Salbery was present.

Purpose: Conditional use to allow a manufactured home as a single family dwelling

Location: Adjacent to 1426 W. 100th Ave

Vote by Planning Commission: 8 yes recommending approval. No opposition present.

The Commission unanimously approved Case No. 08PC-08 and adopted Resolution No. 2008-24.

Director Bristor provided notice regarding KSA 12-760 and advised that it applies to all cases heard. The law provides that within 30 days any person aggrieved thereby may maintain an action in District Court to determine the reasonableness of the decision made by the County Commission.

Zoning Case No. 10PC-08

Application by: Billy D. Ford Jr. and Robin S. Ford, owners. Mr. Ford was present.

Purpose: Zone change a 40 plus acre tract from "A-3" Agricultural District to "A-2" Agricultural District to split existing house from agriculture land

Location: Southeast corner of Rock Rd and 110th St. S.

Director Bristor provided some additional information regarding the case. The zone change is the first of two steps. The second step is a short form plat. There is also a restriction in this case that there cannot be any changes in size or intensity, meaning no building or additional uses can be permitted until a Zone Change and Short Form Plat are approved.

Vote by Planning Commission: 8 yes recommending approval. No opposition present.

The Commission unanimously approved Case No. 10PC-08 and adopted Resolution No. 2008-25.

Zoning Case No. 11PC-08

Application by: Meridith Family Partnership L P, c/o Bill Meridith, Owner, Trisha (Saunders) Skupa, Agent. Ms. Skupa was present.

Purpose: Zone change no less than three (3) acres from "A-3" Agricultural District to "R-R" Rural Residential District to create one (1) tract for a single family dwelling

Location: Southeast corner of 50th Ave N and Tyler Road

Vote by Planning Commission: 8 yes recommending approval. No opposition present.

The Commission unanimously approved Case No. 11PC-08 and adopted Resolution No. 2008-26.

Zoning Case No. 12PC-08

Application by: Henry Wolf Jr., Trustee under Wolf Living Trust Agreement, Owner, Jason and Charles Strickland, applicants.

Purpose: Applicant's intent is to Zone Change an 8.3 plus/minus acre tract of "G-1" Recreation District to "A-C" Agricultural Commercial District

Location: Northwest corner of 160th St (US166) and Broadway Rd.

Vote by Planning Commission: 8 yes recommending approval. No opposition present.

The Commission unanimously approved Case No. 12PC-08 and adopted Resolution No. 2008-27.

Jennifer Lejuerne entered the meeting.

Zoning Case No. 13PC-08

Application by: Henry Wolf Jr., Trustee under Wolf Living Trust Agreement, owner, Jason and Charles Strickland, applicants.

Purpose: Applicant's intent is for a conditional use for storage and building supplies for Kansas Badlands and overflow storage and salvage for Strickland Towing

Location: Northwest corner of 160th St (US166) and Broadway Rd

Vote by Planning Commission: 8 yes recommending approval. No opposition present.

The Commission unanimously approved Case No. 13PC-08 and adopted Resolution No. 2008-28.

Zoning Case No. 14PC-08

Application by: Jennifer Cully, Administrator, Ronald Wolf Estate, owner, Henry Wolf Jr., Trustee of the Wolf Living Trust, Owner, Jason C. Strickland and Charles Strickland, applicants

Purpose: Applicant's intent is for a conditional use for campgrounds, restaurants, and other related uses for a recreations sports facility.

Location: Northwest corner of 160th St. (US166) and Broadway Rd.

Vote by Planning Commission: 7 yes and 1 no by board member opposing liquor sales. No opposition presented by the public.

The Commission unanimously approved Case No. 14PC-08 and adopted Resolution No. 2008-29.

Zoning Case No. 09PC-08

Purpose: Update Sumner County Zoning Regulations

Director Bristor provided information regarding the changes. He advised there were no major changes.

Vote by Planning Commission: 8 yes recommending approval. No concerns or opposition presented.

The Commission unanimously approved Case No. 09PC-08 and adopted Resolution No. 2008-30.

Director Bristor discussed the Board of Zoning Appeals. There is a vacancy on the board due to board member Curtis Kuntz moving out of the county. After discussion, the Commission unanimously adopted Resolution 2008-31 appointing Bruce Weber to fill the vacant position on the Board of Zoning Appeals.

Director Bristor submitted a resolution to amend Resolution NO. 2008-15, which was adopted in a previous zoning case. A correction was necessary in the zoning wording. The Commission unanimously adopted Resolution 2008-32, amending Resolution 2008-15.

Director Bristor discussed a change to the department's fee schedule. The department has previously provided the service of water sampling to the public. Water samples taken were picked up by a courier service and transported to a lab. The testing requires that the samples have to reach the lab within in a certain amount of time. The courier service has been provided by the State at no cost, but the State is now ending the service. Director Bristor reported they had researched using Fed-Ex for transporting of samples, but the cost would require a significant fee increase. A citizen could contact one of the four certified labs in the State and work directly with the lab to accomplish the testing. After discussion, the Commission unanimously adopted Resolution 2008-33 revising the fee schedule to remove the water sampling service.

The Commission talked with Merle Webster, Administrator for the Deseret Healthcare and Rehabilitation Center, regarding meeting tomorrow. Mr. Webster had called yesterday advising the President and the Chief Executive

Officer of Deseret would be in Wellington on Wednesday and would like to meet with the Commission. The Commission unanimously called a special meeting for Wednesday at 10:00 a.m. to meet with the Deseret officials.

The Commission reviewed the agreement submitted yesterday by Road and Bridge Director Matlock regarding the bridge inspections. The Commission unanimously approved the agreement and it was signed.

Mitch Mallory, and Mr. and Mrs. Don Smith met with the Commission regarding the Neighborhood Revitalization Program (NRP). Also present were County Appraiser Della Rowley and Carolyn Farley, staff member. Mr. Smith explained that they had already started their project and were not aware the NRP application had to be submitted prior to any work being done. They had used a local contractor in Wellington who had brought the forms to them. Chairman Martin explained the NRP policy and that the county has not deviated from the policy in previous similar situations. The Commission was unanimous that no exception could be made in this case.

Appraiser Rowley requested an executive session to discuss non-elected personnel. At 11:12 a.m., the Commission upon unanimous entered into executive session with Director Rowley 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 11:27 a.m.

Karl Braddick met with the Commission regarding a project under the Neighborhood Revitalization Program (NRP). Mr. Braddick explained the situation with his project and asked for an extension. He is dealing with the Kansas Historical Society and the Department of Interior regarding the property. A grant application is also involved and the project may not be able to significantly proceed for more than year. After discussion, the Commission unanimously determined that Mr. Braddick can reapply for the NRP when the project is able to move forward and the application fee would be waived. A previous case for a different party was handled in the same manner.

At 11:37 a.m., the Commission upon unanimous vote entered into executive session to discuss non-elected personnel for 15 minutes. County Clerk Shields was asked to remain present which he did. The Commission reconvened in open session at 11:48 a.m. Chairman Martin reported no binding action taken as a result of the session.

The Commission reviewed the County budget and the Special Districts' budgets. Chairman Martin moved to approve the 2009 Summer County Budget. The motion was seconded by Commissioner Gracy. The vote was 2 to 1 with Commissioner Newell opposed.

Chairman Martin moved to approve the 2009 Special Districts' budgets. Commissioner Newell seconded the motion and the vote was unanimous for approval.

The Commission reviewed and unanimously approved the mid-month claims for August in the amount of \$453,020.13.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
August 13, 2008 10:00 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 Garey E. Martin, Commissioner Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission met with representatives of Deseret Healthcare Group. Present were Jon Robertson, Chief Executive Officer, Ty Weston, President, and Merle Webster, Administrator for the Wellington facility. At 10:04 a.m., upon unanimous vote the Commission entered into executive session with the parties present for 30 minutes to discuss confidential data relating to financial affairs or trade secrets of a corporation. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 10:34 a.m.

Mr. Robertson stated that Deseret Healthcare Group is committed and plans to continue to provide care in Sumner County. Mr. Robertson complimented Administrator Webster and the staff of the Wellington facility. The Commission also offered their compliments to Deseret Healthcare, the administration, and the staff of the Wellington facility.

There being no further business, the Board of County Commissioners adjourned at 10:37 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
August 18, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Jennifer Lejuerne entered the meeting.

Treasurer Carolyn Heasty met briefly with the Commission. She provided the State's report of sales tax showing \$182,986.16 collected for July.

The Commission spoke with Sheriff Gerald Gilkey by phone regarding the Detention Health Nurse position. A job description was submitted for Commission's approval. Sheriff Gilkey advised that the position would be on staff and on a part-time basis. He advised that will not be a contract involved as was discussed initially in January. Sheriff Gilkey advised that sufficient funds are available for the remainder of 2008 and the position was budgeted for in 2009. After discussion, the Commission unanimously approved the Detention Health Nurse position.

The Commission received a request from Deputy John Moore, DARE officer for the Sheriff's Department, for funding for the DARE program. For a number of years the Commission has provided funding for the program from the Special Alcohol Fund. The request was for \$4,500. The Commission unanimously approved the funding request.

Bob Mandeville and George Hitt met with the Commission regarding the Sumner County Aviation Festival. They provided information on the upcoming festival scheduled for October 10 and 11. The event schedule includes a performance by the U.S. Air Force F-15E "Strike Eagle" demonstration team, and a "Heritage Flight" featuring the "Strike Eagle" and a WWII P-38 Lightning. Headlining the event will be the "Sons of Legends" featuring the Matt Younkin Airshow, and the Franklin Flying Circus, featuring Kyle Franklin. The static aircraft display is planned to include a number of Stearman trainers, P-51 Mustang fighters, and a Kansas Army National Guard Blackhawk helicopter. A WWII C-47 Dakota will provide rides for a nominal fee and the Young Eagle airplane rides will be available. The D & J Carnival rides will also return. Mr. Mandeville and Mr. Hitt inquired if there might be any funding, such as economic development funding, available to assist in promoting the festival. The Commission recommended that they contact the Sumner County Economic Development Commission. The Commission advised they have no other economic development funding or other funding available. The Commissioners agreed the festival is an excellent event and continues to grow.

Mr. Mandeville discussed the Corbin Water System Association. The association is working on finalizing a number of items. There was a piece of property purchased by the County in the early organization of the system. Mr. Mandeville does not believe the property was ever deeded over to the Association. He advised that the Association is working towards becoming a rural water district. The Commission will research the property issue.

Tony Rangel, of Law/Kingdon Architects, met with the Commission. He reported that John Marx, of Universal Construction, was not available to be present. The bid opening for the relocation of the District Court files was held. With the courthouse roof now replaced the move of the court files to the third floor can now occur. The single bid received was opened. The bid was from Office Installation Co. of Hesston for an amount of \$59,941.47. The work includes the dismantling and reassembling of file shelving and the move of the files. Some of the shelving will also have to be cut down to fit in the new space. The bid was higher than expected. Mr. Rangel advised that bid packages were sent to three companies. The Commission talked with John Marx by phone. Mr. Marx recommended that the Commission table making any decision on acceptance of the bid and allow time for Marx to review the proposal received and discuss with the bidder. The Commission unanimously tabled making any decision on the bid until next Monday.

The Commission reviewed and unanimously approved the minutes for August 11 and 12. The minutes for the special meeting held August 13 were also unanimously approved.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
August 19, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

County Appraiser Della Rowley met with the Commission regarding the appraisal/sales ratio study from the State. The study shows that the county is out of compliance in both residential and commercial classes. Residential property is out of compliance by 7 tenths of a point. Counties must meet certain statistical compliance standards set by the State. Appraiser Rowley reported that it is the southern portion of the county where steps were already implemented and need to be taken to impact overall residential compliance. The commercial ratio has only fifteen sales involved. Appraiser Rowley advised that, in her annual plan required to be submitted to the State, a plan will be proposed to address the compliance issues for next year.

Jennifer Lejuerne entered the meeting.

Road and Bridge Director Melvin Matlock met with the Commission regarding the State Comprehensive Highway Program. He submitted a prepared resolution endorsing transportation improvements for Sumner County, Kansas concerning the enactment by the Kansas Legislature of a new state-wide comprehensive transportation program. The Kansas Association of Counties is encouraging all counties to adopt the resolution. Director Matlock recommended that the Commission adopt the resolution as the county receives five-year plan monies from the State. The Commission unanimously adopted Resolution 2008-34.

Community Corrections Director Brad Macy met with the Commission. He submitted a carry-over budget for the Commission's approval. The carry-over budget must be submitted to the state for the money received from adult offenders. Adult offenders are charged a supervision fee. The Commission unanimously approved the budget submitted. Director Macy also discussed the Community Corrections Advisory Board. He will be working on finding two persons to fill vacancies on the board.

Gary Burkhart met with the Commission. He inquired about emergency medical service (EMS) and fire service in the area of the casino site near the Mulvane interchange. The Commission advised that the area is within Fire District No. 9's response area. Fire District 9 does not provide EMS service, so EMS service would be from Mulvane. Mr. Burkhart discussed ideas of what he believes monies from the casino should be used for.

David Cooper, Attorney for the County on casino issues, talked with the Commission by phone. Attorney Cooper advised he would like to update the Commission on the current status of litigation and he requested an executive session. At 11:26 a.m., the Commission upon unanimous vote entered into executive session with Attorney Cooper for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 11:41 a.m. Chairman Martin advised no binding action taken as a result of the executive session.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
August 25, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Others present included Cindy Antonich, Ed Larson, and Martin Peck.

Jennifer Lejuerne entered the meeting.

Treasurer Carolyn Heasty met briefly with the Commission. The storage space available on the third floor was discussed. Of the three spaces that were previously inmate cells, the Commission provided one each to the Treasurer, Clerk, and Register of Deeds for storage. The Commission recommended she discuss with the other two officials, if she needs additional space.

Other individuals entered the Commission meeting including Economic Development Director Janis Hellard and Sherry Wiley.

Director Hellard reported that she had received a couple of questions that she wanted to let the Commission be aware. The first question that has been posed to her is, with the decision going to Harrah's, will the lawsuit be continued and will the cost be to the taxpayer. The second question some people have inquired of her office is about wanting to recall Sumner County as the host county by some election process. Director Hellard said she didn't know if those questions could be answered yet or where to direct them. Chairman Martin could not, at this point, answer the question regarding continuation of the lawsuit. He said that it has never been a cost to the taxpayers of Sumner County. As to the second question, the County Counselor and County Clerk had previously addressed the question about returning the advisory question to the ballot relating to host county as there is no procedure they are aware of. Chairman Martin recommended further questions be posed to legal counsel.

Cindy Antonich, Wellington City Councilmember, inquired who now investigates Harrah's. The Commission advised that the Racing and Gaming Commission will now conduct the background checks. Sherry Wiley inquired about the lawsuit, if it will be continued. Chairman Martin advised that the Commission could not comment until they visit with legal counsel. Mrs. Wiley said she believes everyone would like to encourage you to pursue it. Mr. Larson expressed that he does not believe everyone feels that way. Once people understand how much money is involved and that the County will still benefit, he doesn't believe everyone necessarily wants the lawsuit to continue. Mr. Larson said if the legislature reopens this it might go to Harvey County. He encouraged the Commission to negotiate with Harrah's, saying something is better than nothing. Commissioner Gracy reiterated that they need to meet with legal counsel and that the Commission went into this from the first with the taxpayers in mind. Perry Wiley entered the meeting.

Mrs. Antonich said that she had received 132 e-mails over the weekend from people wanting to keep up the fight. She expressed her views on the issue and said she believes the process from the State will contribute to voter apathy. Perry Wiley, who had entered the meeting, also express his views. Mr. Wiley said he wants the Commission to continue to fight it all the way. Commissioner Newell said that he understands everyone's feelings, but as long as there is pending litigation, the Commissioners have to limit their comments. Mrs. Antonich thanked the Commission for everything they have done.

Health Department Director Laura Rettig met with the Commission. She presented the by-laws for the Health Advisory Board. The Commission annually adopts the by-laws. Director Rettig advised no changes were made and the Advisory Board already approved the by-laws. The Commission unanimously approved the by-laws.

Director Rettig submitted the Public Health Preparedness and Response agreement. The agreement is between the Kansas Department Health and Environment and the County Health Department. The agreement includes a grant amount of \$25,783. The term is from August 10, 2008 to August 9, 2009. After review, the Commission unanimously approved the agreement.

Director Rettig discussed a vacancy on the Health Advisory Board. Richard Granger recently resigned his position on the Board. Director Rettig will search for a willing replacement and recommend to the Commission. In years past the Mayor of the City of Wellington has served on the Board.

The Commission called Tony Rangel, of Law/Kingdon Architects, regarding the bid opening last week for the move of the court files. Mr. Rangel advised that they are working with the bidder from last week, Office Installation Company (OIC), for a possible modification of the bid submitted. There was additional clarity provided to OIC on some of the work to be performed, which may impact the bid. He also advised that John Marx, of Universal Construction, is also working on options. Mr. Rangel recommended that the Commission delay action on the bid received until the issues are resolved with OIC, which the Commission unanimously agreed with.

Kelly Edgar met with the Commissioners. He expressed his thoughts on the casino issue and other information he had been told. He said a public investigation should be conducted and can be done by the County Attorney.

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

County Counselor Jack Potucek met with the Commission. The Commission contacted Attorney David Cooper and Attorney Teresa Watson by telephone. At 11:32 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek, Attorney Cooper, and Attorney Watson for 30 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 12:02 p.m. Chairman Martin reported no binding action taken as a result of the executive session.

At 12:03 p.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 12:18 p.m. Chairman Martin reported no binding action taken as a result of the executive session.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
August 26, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Jennifer Lejuerne was present as were several members of the news media.

County Counselor Jack Potucek met with the Commission. He inquired the status of the move of the District Court files and the bid received. The Commission advised that they had talked with Tony Rangel yesterday. Action on the bid received is being delayed while issues are clarified with the company.

The Commission talked with Emergency Management Director James Fair by telephone regarding the Red Cross community services disaster facility. Director Fair advised he would follow-up with the local Red Cross representative.

State Representative Vince Wetta entered the meeting. The upcoming meetings regarding wind energy were briefly discussed.

At 9:30 a.m., the Commission held a public hearing on Zoning Case No. 17PC-08. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present along with the owner and applicants in the case. The application was by Alberta B. Clark and Barbara A. Reno, Trustees of the Alberta B. Clark Rev Trust and Carolyn Marlow, applicant. The purpose of the application is the intent to Short Form Plat one (1) lot containing 15.50 acres more or less for development. The location is the northeast corner of Meridian and 200th Street. Director Bristor reported that there was no opposition at the Planning meeting. The Planning Commission, with 9 members present, unanimously recommended approval of the case. The Commission unanimously approved Zoning Case No. 17PC-08 and adopted Resolution 2008-35.

Director Bristor discussed an additional change to the fee schedule. The change involves the expense for a title search when a case proceeds to District Court. A title search is performed in order to ensure notification is made to all of the necessary property owners. The wording change specifies that the cost for the title search will be paid by the parties responsible for the action. The Commission unanimously adopted Resolution 2008-36 amending the fee schedule wording.

State Representative Vince Wetta and Wellington City Manager Gus Collins met with the Commission. Others present included Janis Hellard, Martin Peck, Valerie Bean, Robert Bean, Mark Goodrum, Counselor Potucek, and members of the media. Mr. Collins spoke first, saying after the events of last week we want to continue the cooperative effort. They wish to extend any assistance and anything they can do. The Commission expressed their appreciation and Chairman Martin said they would have no comment today on the status of any action.

Representative Wetta said the ride isn't over yet and that you will have tough decisions to make yet. He discussed the annexation and that, in his estimation it is illegal. He discussed the House of Representatives vote in the last legislative session relating to the annexation issue. Representative Wetta said he had received many phone calls over the weekend with all but one encouraging to stay in there. He said everyone needs to stay together; stay united, and let this thing play out a little longer. Chairman Martin acknowledged that everyone knows there are tough decisions that will have to be made yet and then move on. He expressed his appreciation to the previous County Commission for bringing the casino issue to a vote and his appreciation to Representative Wetta for his work. Representative Wetta said the Commission has taken the high road and he would support whatever they do. Chairman Martin advised that the Commission would have no other comments at this time.

Counselor Potucek requested an executive session to discuss an attorney-client privileged matter. He advised it was non-casino related. The Commission unanimously voted to enter into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present. As the parties present in the room were leaving a Belle Plaine News reporter asked a question of the Commission. He asked if it would be correct that you would whether not have a casino at all rather than exit 33. Chairman Martin

responded and then Counselor Potucek did also that that had been answered previously. The statements made at the Lottery Review Board meeting in Belle Plaine were cited and some discussion followed.

At 10:12 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 10:26 a.m. Chairman Martin advised no binding action as a result of executive session.

At 10:27 a.m., the Commission recessed for five minutes.

The Commission reconvened in open session at 10:38 a.m.

Chairman Martin reported that he had been contact by the Mayor of Belle Plaine who had advised that their Emergency Medical Service may not be able to continue. Chairman Martin advised that he would be attending the Belle Plaine City Council meeting in the evening.

Tony Rangel, of Law/Kingdon Architects, and John Marx, of Universal Construction, talked with the Commission by phone regarding the move of the District Court files. Mr. Rangel advised he had no new information to provide. Representatives of OIC are working on revising the bid, but may not have it available until later today. County Counselor Potucek entered the meeting. Mr. Marx provided information that he had regarding the work necessary. Counselor Potucek discussed the possibility that the Veteran's Memorial organization volunteering to move the files with court supervision. The Commission could consider providing a fee to the organization for their volunteer work, which would help the memorial project. The fee would be less than the amount bid for the work. Mr. Rangel said that could be an option and OIC will be asked to break out their bid for the move of the files and altering one shelving unit.

Counselor Potucek further discussed the issue of the exit 33 casino site and the Commission's at the Belle Plaine meeting. He talked with the KWCH media representative still present. He said the Commission has maintained that an exit 33 proposal would not only have to sustain Lottery Review and Racing and Gaming approval, but also prove in a court of law that the annexation is in fact valid. If all of those things are satisfactorily met, the Commission has wholeheartedly said they would support exit 33. The Commission agreed with Counselor Potucek.

With County Counselor Potucek present, Attorneys David Cooper and Teresa Watson were contacted by telephone. At 11:37 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Attorneys Cooper and Watson for 25 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 12:02 p.m. Chairman Martin advised no binding action as a result of the executive session.

The Commission reviewed and unanimously approved the claims for the end of August in the amount of \$329,750.68.

The Commission reviewed and unanimously approved tax abatement orders for prior years in the amount of \$595.44.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
September 2, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Among the other the several other individuals were present were Marvin Simonton, Jennifer LeJuerne, Dennis Langlois and members of the news media.

Gordon Fell, Chief of Police for the City of Belle Plaine, met with the Commission. Also present were Doug Pfalzgraf, Belle Plaine City Attorney, County Counselor Jack Potucek, E911 Director James Reed, Assistant Director B.J. Tracy, and several other parties. Chief Fell advised the meeting was to address the issue regarding EMS. He advised there has been an interim fix and that Belle Plain is looking for a permanent solution. Mr. Pfalzgraf expressed appreciation for the county's effort and E911 in the situation. The interim solution is that Mulvane EMS is providing coverage and Conway Springs EMS is providing back up. Since Belle Plaine EMS ended August 27, there have been five calls and all have been covered. Mr. Pfalzgraf advised that the interim solution is currently a verbal agreement and he has been directed by the City of Belle Plaine to work with both Mulvane and Conway Springs to develop a written interlocal agreement. He said both communities have been outstanding in helping work through the situation. Belle Plaine has not given up on restoring EMS services, but the difficulty is providing certainty of coverage as required by the State. Mr. Pfalzgraf confirmed that Belle Plaine's EMS license was surrendered to the State rather than be taken, which will make reestablishing a licensed service a simpler process. County Counselor Potucek advised that he and E911 Director Reed became involved due to the concern of what protocol E911 was to use to respond an EMS provider to a call. He said the county would have little to do from here on out in the situation.

The Commission reviewed the minutes for August 25 and 26. The minutes were approved with several amendments.

Counselor Jack Potucek met with the Commission and briefly discussed several issues. The topics included the move of the District Court files and coordinating with the architects, the sale of the Sumner Mental Health north campus building, and the status of the Veteran's Memorial project.

Edward Moses, Managing Director for the Kansas Aggregate Producers Association, and Nadine Stannard, President of Associated Material & Supply Co., Inc., met with the Commission regarding creation of a Natural Resource Development District. Among others present were Counselor Potucek, Planning and Zoning Director Jon Bristor, and Road and Bridge Administrative Assistance Joyce Reynolds. They discussed the creation of a Natural Resource Development District (NRDD). Ms. Stannard owns the sand and gravel operation that has operated, for quite sometime, in Belle Plaine Township. Mr. Moses explained that the idea is to provide landowners and residents of the area notice that is mining activity that will go on in the area. He said the law requires that we submit a petition to you, which we are doing today. If a NRDD is approved, it requires the Register of Deeds to record on the deed of any parcel of land in the NRDD area that the property is within an area of mining activity. Mr. Moses advised that this is the first application made under the new law, KSA 49-625, which provides for the creation of a NRDD. Counselor Potucek provided his opinion and the process as it relates to the extra-territorial zoning area by the City of Mulvane. After discussion, the Commission accepted the application to create a Natural Resource Development District. Planning and Zoning Director Bristor and Counselor Potucek will research the issue and the steps required in the statute. They will report back to the Commission in approximately thirty days.

Clifford Boone met with the Commission regarding an appraisal issue. He explained that a possible discrepancy was found in information the Appraiser's Office has on file for his residence. Mr. Boone said he has made several calls to the Appraiser's Office, but they have not yet returned to his property to conduct a re-measurement of his property to confirm the correct information. He asked the Commission for any assistance in seeing that the Appraiser revisits his property. Mr. Boone also asked about the casino proposal by Mulvane and if they will get any tax relief, referring to the Neighborhood Revitalization Project (NRP). He specifically discussed a shopping center and a housing development included in the project. Chairman Martin advised that the casino development is not subject to the NRP.

County Treasurer Carolyn Heasty provided the latest sales tax report from the State. The total sales tax collected for August was \$194,284.84.

County Counselor Jack Potucek met with the Commission. Attorney David Cooper was contacted by telephone. At 11:44 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Attorney Cooper for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. At 11:59 a.m., the Commission reconvened in open session. At 12:00 p.m., the Commission upon unanimous vote entered into executive session with the same parties present to discuss an attorney-client privileged matter for 10 minutes. The Commission reconvened in open session at 12:09 p.m. Chairman Martin advised no binding action as a result of the executive session.

At 12:10 p.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for 10 minutes to discuss non-elected personnel. At 12:20 p.m., the Commission upon unanimous vote extended the executive session for 10 minutes. At 12:30 p.m., the Commission upon unanimous vote extended the executive session 10 additional minutes. The Commission reconvened in open session at 12:38 p.m. Chairman Martin advised no binding action as a result of the executive session.

Counselor Potucek provided a brief update regarding the move of the District Court files. There was an adjustment made by the contractor in the bid submitted. A reduction was made with the Veteran's Memorial project members performing some of the work. Further adjustment may yet be made and he is working with Tony Rangel, of Law/Kingdon Architects.

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.

Jim D. Newell, Vice-Chairman

Shane J. Shields, County Clerk

County Commission
September 8, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was Kelley Lacey of the County Clerk's Office. Commission Chairman Garey E. Martin was not present as he was attending a meeting of the Regional Economic Area Partnership. The meeting was opened with the Pledge of Allegiance. Others present were Marvin Simonton, Jennifer Lejuerne, and Courtney Carson.

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

Community Corrections Director Brad Macy met with the Commission regarding the two vacancies on the Community Corrections Advisory Board. He recommended the appointment of Gordon Fell, Belle Plaine Chief of Police, and Pam Ireland, Principal of Wellington Christian Academy. The Commission unanimously appointed Chief Fell and Ms. Ireland to the Advisory Board.

Road and Bridge Director Melvin Matlock met with the Commission. He submitted an agreement between Cook, Flatt & Strobel Engineers, P.A., and the county for bridge design, preparation of plans, and permit submittals for replacement of a bridge in the area of one mile south of Belle Plaine over the Euphrates Creek. The agreement was unanimously approved and signed. Director Matlock also reported on a State transportation meeting he attended in Hutchinson. It was reported that the State will become more involved in bridge inspections. The State will provide an approved list of inspectors for counties to choose from.

Commission Chairman Garey Martin entered the meeting at 10:20 a.m.

County Counselor Jack Potucek met briefly with the Commission regarding several issues. The topics included the move of the District Court files, the Court of Tax Appeals, and the Belle Plaine EMS situation.

Commissioner Eldon Gracy left to attend a funeral at 10:50 a.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
September 9, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Jennifer Lejeurne entered the meeting as did Courtney Carson, a few minutes later.

Gary Burkhart met with the Commission. He asked questions about Rural Fire Districts relating to taxing issues. He also asked about and discussed the Belle Plaine Emergency Medical Services situation and the casino issue.

State Representative Vince Wetta entered the meeting. Valerie Bean and Mark Goodrum also entered the meeting.

At 9:30 a.m., the Commission began hearings on several zoning cases. Planning and Zoning Director Jon Bristor and Assistant Director Mary Jenkins were present. The first case, No. 18PC-08, was an application by ATOKA Coal Bed Methane Laboratories Corp., owner, Kent Keppel, agent. The purpose was for a conditional use for the construction of a single meteorological tower for wind research. The tower height would be about 60 meters with about ½ acre to be utilized. The location is the northeast corner of 70th St. and Hillside Rd. Director Bristor reported that citizens spoke at the Planning Commission meeting of their concerns with future use and motive regarding wind energy. No opposition was presented. The Planning Commission, with 9 members present, recommended approval with the regulations observed and site restored to original state within 1 year of project completion. Director Bristor advised that the case had gone through the Board of Appeals relating to distance of a tower from a residence. The Commission unanimously approved Resolution No. 2008-37 approving Zoning Case 18PC-08. Director Bristor cited Kansas statute 12-760 where within 30 days of the county's decision, any person aggrieved thereby may maintain an action in district court to determine the reasonableness of such final decision. He advised the statute would apply all of the cases to be heard today.

Hearings continued for Zoning Cases 19PC-08, 20PC-08, 21PC-08 and 22PC-08. Director Bristor advised all of the cases were identical to case 18PC-08, but with a different location involved. The location for 19PC-08 is the northwest corner of 80th St. and Oliver Rd., 20PC-08 is the northeast corner of 100th St. and Seneca Rd., 21PC-08 is the southeast corner of 60th St. and Woodlawn Rd., and 22PC-08 is the southwest corner of 110th St. and Webb Rd. The Commission unanimously approved each case adopting Resolutions 2008-38, 2008-39, and 2008-40, and 2008-41.

The final case heard was No. 16PC-08 relating to an update to the Zoning Regulations. Director Bristor reported there was no opposition at the Planning Commission meeting. The Planning Commission, in an 8 to 1 vote, recommended approval. The update involved the setback of towers from ½ mile to 1,000 feet. Director Bristor recommended that the Commissioners return the case to the Planning Commission for further deliberation and discussion. The Commission unanimously directed that the case be returned.

Director Bristor discussed a proposed change to the Commercial Wind Energy regulations. He said the regulations state that no turbine shall be closer than 1,000 ft. to a structure. The change provides an exception for the landowner allowing it to be closer to the landowner's residence. Discussion followed and both Chairman Martin and Commissioner Newell expressed that further discussion was warranted. David Timko, who was present, offered comment that he was aware of a turbine that had come apart landing on a residence. He said he does not oppose wind power, but wants reasonable setbacks. The proposed regulation change will be discussed further sometime in the future.

Representative Wetta spoke with the Commission regarding the Racing and Gaming Commission. He discussed that three Wellington citizens had spoke with the Commission last week. Their presentation and the comments of Bob Grable, the Gambling Czar appointed by the Governor, were discussed.

Director Bristor discussed the request last week for a Natural Resources Development District (NRDD). County Counselor Jack Potucek was now also present. Director Bristor explained that the procedures developed, at this

point, to be followed. An application will be required from the requester party and they will need to provide a certified abstract list of property owners within the proposed district. The Planning and Zoning Office will then send certified notice to property owners informing them of a hearing before the Commission. The fee recommended for the procedure is \$500. Counselor Potucek discussed details of the process. The fee amount was discussed and the certified mailing cost was considered. For a large area the cost could exceed that amount. Allowing for some provision to recover the full expense was considered. Director Bristor advised that the Zoning Administrator for Mulvane was contacted. The administrator said he was aware of the request and had informed them to contact the county. After discussion, the Commission instructed Director Bristor to proceed with finalizing the procedures for requesting a NRDD.

At 10:44 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and County Clerk Shields for 15 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:59 a.m. Chairman Martin advised no binding action taken as a result of the executive session.

The Commission met with Information Services Director Doug Stice. At 11:01 a.m., the Commission upon unanimous vote entered into executive session with Director Stice for 15 minutes. Counselor Potucek and County Clerk Shields were asked to remain present, which they did. The Commission reconvened in open session at 11:06 a.m. Commissioner Newell motioned to terminate Doug Stice from county employment. Commissioner Gracy seconded the motion and it passed unanimously

At 11:13 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for 30 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:14 a.m.

The Commission contacted Attorneys David Cooper and Teresa Watson by telephone. At 11:16 a.m., the Commission upon unanimous vote entered into executive session with Attorney Cooper, Attorney Watson, Counselor Potucek, and County Clerk Shields for 30 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 11:46 a.m. At 11:47 a.m., the Commission upon unanimous vote entered into executive session with the same parties for 15 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 12:02 a.m. Chairman Martin advised no binding action taken as a result of the executive session.

The Commission reviewed and unanimously approved mid-month claims in the amount of \$238,978.20

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
September 15, 2008 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 Garey E. Martin, Commissioner Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Jennifer Lejuerne entered the meeting as did Courtney Carson, a short time later.

Doug Hisken met with the Commission regarding the possibility of forming a drainage district in the Belle Plaine area. He provided a map of the proposed area and acknowledged that a district is already in place relating to the Cowskin Creek area. Mr. Hisken discussed the concerns in dealing with the flooding in the area. The need for a comprehensive plan to deal with the problem was discussed. Mr. Hisken said Kansas statute 24-403 deals with the petition process for forming an organization. He would like to ask the Commission and the attorney to discuss this and he wants to be sure that everything is done correctly. Chairman Martin advised that there are many things to look at and how the existing districts will affect the situation. He said they would have to consult with the County Counselor on the legal matters involved. State Representative Vince Wetta, who had entered the meeting, offered that he would again talk with State officials on the matter to see what assistance could be provided.

County Counselor Jack Potucek entered the meeting.

State Representative Vince Wetta discussed para-mutual betting with the Commission. He said that he had previously had phone calls and visits with people in Topeka, and that he had recently received two more phone calls, asking if Sumner County would be willing to vote on para-mutual betting. He said there is some interest in seeing if Sumner County would want to vote on the matter. Counselor Potucek asked if the intent is para-mutual betting or para-mutual betting with slots. Representative Wetta said with slots. Counselor Potucek said he was not sure how it would impact the casino issue and he mentioned an advisory vote. County Clerk Shields advised that an advisory vote cannot be on the November ballot. Any advisory vote, if conducted, would have to be at separate polling places and with separate election workers. Counselor Potucek asked for the opportunity to look into the situation and the legal matters involved.

Emergency Management James Fair met with the Commission. He discussed the flooding that occurred over the weekend. There were issues in the Ponderosa Estates area and south of Argonia. He provided a briefing on the water rescue and the fatality that occurred near Argonia.

Director Fair reported on grant issues. He advised that the Emergency Operations Center (EOC) grant, applied for through FEMA, was not successful. There were only 25 projects chosen nationwide. He advised that, due to additional work being done, there would be additional funding received under the State and Local Assistance grant. He advised some of the EOC work could be done using the additional funding. The Commission asked to see a plan of the work proposed.

Director Fair reported on the Mitigation plan and that one meeting has already been held. He estimated that there will be 3 to 4 more meetings within the next several months. A certified mitigation plan should be completed by this time next year. He also reported on a south central emergency management meeting and plans of the group. Director Fair discussed the 911 Advisory Committee, and that he has been selected to serve as Chairman for next year. The Vice Chairman will be Darren Chambers and the committee recommends the member-at-large to be James Reed. The Commission will consider the recommendation.

Director Fair reported that there may have been sufficient damage that occurred around the county to justify declaring a State of Local Disaster Emergency. Doing so is the first step necessary to possibly qualify for FEMA funds. The Commission unanimously adopted Resolution No. 2008-42 declaring a State of Local Disaster Emergency.

Robert Mandevill and members of the Corbin Water Association met with the Commission. They submitted a petition to form a new water district, known as Rural Water District No. 7. The district would be in the Corbin area. The history of the existing Corbin Water Association was discussed. County Counselor Potucek was still present and the involved statutes for forming a district were briefly reviewed. Upon submission of a petition, the County Clerk will review to verify that the required percentage of property owners have signed the petition. The next date for the petition hearing was set with the Commission for October 14, at 9:30 a.m.

At 11:15 a.m., the Commission received the bids submitted for the sale of the Sumner Mental Health north campus building. County Counselor Jack Potucek was present as well as Thomas Kohmetscher, Chief Executive Officer of Futures Unlimited. There was only one bid submitted to the Clerk's Office. The bid received from Futures Unlimited was opened by Chairman Martin and the amount was for \$171,500. A provision was included that Futures would pay \$500 more than the highest bid, if any others were submitted. There were no other bids submitted. Personal property in the building was discussed. Mr. Kohmetscher advised that he had attempted to talk with Greg Olsen, Chief Executive Officer of Sumner Mental Health, regarding the personal property. Mr. Olson was out of town. Mr. Kohmetscher advised the bid submitted is intended for the property, but they had hoped some of the personal property would be included. Counselor Potucek reported that he had some contact from the attorney for Sumner Mental Health regarding the personal property. He recommended that the Commission table the matter for two weeks to provide time for Mr. Olson to resolve any issues with the property in the building. After discussion the Commission tabled the matter until September 29 at 9:30 a.m.

County Appraiser Della Rowley met with the Commission regarding the GIS system. She provided the Commission an update on the status of computers in her office and an update on the GIS system and installation of a new server necessary for the system.

County Clerk Shields requested an executive session to discuss non-elected personnel. At 11:47 a.m., the Commission upon unanimous vote entered into executive session with County Clerk Shields and Counselor Potucek for 10 minutes to discuss non-elected personnel. At 11:54 a.m., the Commission reconvened in open session. Chairman Martin advised no binding action as a result of the session.

At 11:54 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 12:04 p.m. Chairman Martin advised no binding action as a result of the session.

The Commission returned a phone call to William Baker. Mr. Baker expressed concern with the operation of Fire District No. 5 and the actions of the District 5 Fire Chief. Mr. Baker discussed a number of specific items of concern relating to safety. He asked what could be done. The Commission recommended that he and any others with concern first approach the Fire District Board. The Fire District Board would be the first level to address concerns.

There being no further business, the Board of County Commissioners adjourned at 12:42 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
September 16, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Road and Bridge Director Melvin Matlock and Marvin Simonton were present.

Director Matlock reviewed correspondence that he prepared to send to the Cowskin Drainage District. The Commission approved the letter as prepared.

Jennifer Lejuerne entered the meeting. Courtney Carson also entered the meeting a short time later.

State Representative Vincent Wetta entered the meeting.

Tony Rangel, of Law/Kingdon Architects, and John Marx, of Universal Construction, talked with the Commission by phone. County Counselor Jack Potucek was also present. Mr. Rangel discussed a revised bid from Office Installation Company (OIC) relating to the move of the District Court files. The revised bid excludes the work relating to the move of documents and only deals with the hardware or storage shelving. The revised bid is \$19,577.54. The actual move of the court documents was considered. Counselor Potucek discussed the opportunity for the Veteran's group to move the files and, perhaps, generate funding for the Veteran's Memorial. The costs involved and the initial bid, from OIC, of over \$50,000 was discussed. The amount originally budgeted to accomplish the move was \$25,000. The Commission will consider paying the Veteran's group the amount remaining after OIC's revised bid. Scheduling and coordinating the move among everyone involved will proceed.

State Representative Wetta discussed what he had brought up yesterday regarding para-mutual betting and conducting an election on the question. He said he believes it would be best to wait, for various reasons, on any vote regarding the issue.

Emergency Management Director James Fair met with the Commission. Also present was Assistant Director Chris Ball, Wellington Fire Chief John Lloyd, and Assistant Chief of Technical Services Bill Hellard. The flooding and the water rescues that occurred over the weekend were discussed. One of the Emergency Management boats was lost during the Argonia incident. The need to develop a swift-water rescue program for Sumner County was discussed. The needs, training, and cost for such a program were considered. Chief Lloyd advised there was a previous water rescue program that was initiated after the 1998 flooding and the rescues conducted in the Ponderosa Estates area in the northern part of the county. After the 1998 flooding, two boats were purchased by Emergency Management for the availability to all departments in the county. The Commission and everyone agreed that any program should be a joint effort of all departments. The Commission inquired what was needed. Chief Lloyd advised we need your support and, eventually, we will need resources. After discussion, the Commission unanimously expressed their support and commitment for developing a water rescue program. A letter will be drafted expressing that support. Wellington City Manager Gus Collins, who had entered the meeting earlier, also expressed his support.

Director Fair discussed the emergency operations center. He provided an assessment of the EOC center containing a number of recommendations. Several items contained on the list have already been accomplished.

Director Fair asked for an executive session to discuss non-elected personnel. At 10:48 a.m., the Commission upon unanimous vote entered into executive session with Director Fair for 10 minutes to discuss non-elected personnel. Assistant Director Chris Ball and County Clerk Shields also remained present for the session. The Commission reconvened in open session at 10:54 a.m.

The Commission reviewed and unanimously approved the minutes for September 8 and 9.

An open records request received from Attorney Martin Peck directed to the Board of County Commissioners was discussed. The records requested were 1) "Timeline" submitted by Valerie Bean during the week of September 8, 2008 and 2) Copies of all letters received from Sumner County residents regarding Sumner County, Kansas,

litigation: Case numbers 2008CV24 and 2008CV63. County Clerk Shields advised he does not know what item 1 refers to and that no document was submitted to him. He inquired if the Commission had knowledge of item 1. The Commission advised they had no knowledge of item 1.

County Counselor Potucek met with the Commission. He provided a brief update on a tax appeal case. He also submitted a resolution calling for the next judicial foreclosure tax sale. The Commission unanimously adopted Resolution 2008-43. The resolution is the first step in the steps necessary for the next tax sale.

Sheriff Gerald Gilkey met with the Commission regarding the status of several computer related projects. He discussed the need relating to several projects that were in progress. He will contact Sumner Communications for support regarding the projects.

Counselor Potucek met again with the Commission. Attorneys David Cooper and Teresa Watson were contacted by phone. At 11:33 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek, Attorney Cooper, and Attorney Watson to discuss an attorney-client privileged matter for 20 minutes. County Clerk Shields remained present for the session. The Commission reconvened in open session at 11:53 a.m.

At 11:53 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek, Attorney Cooper, and Attorney Watson to discuss an attorney-client privileged matter for 20 minutes. County Clerk Shields remained present for the session. The Commission reconvened in open session at 12:13 p.m. Chairman Martin advised no binding action as a result of the executive session.

William Baker and his wife met with the Commission regarding Fire District No. 5. Mr. Baker submitted a petition that he had began collecting signatures on relating to the fire district. Action taken by the District 5 Fire Chief, Robert Mandevill, was discussed. Mr. Baker had received e-mail correspondence from the Chief informing him that he was no longer a member of the department. Mr. Baker expressed his concern and complaints with actions of how Chief Mandevill has operated the department. He also discussed various equipment items. Counselor Potucek advised the Commission that they have the authority and responsibility to review the situation. He recommended that they meet with the board members of the fire district to review procedures, protocol, and personnel. A meeting will be arranged with the board.

The Commission reviewed and unanimously approved tax abatement orders for the prior year in the amount of \$118.44.

There being no further business, the Board of County Commissioners adjourned at 12:50 p.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
September 22, 2008 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 Garey E. Martin, Commissioner Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Tabitha LeValley were present.

The Commission reviewed and unanimously approved the minutes for September 15 and 16 with several amendments.

County Clerk Shields asked for an executive session to discuss non-elected personnel. At 9:20 a.m., upon unanimous vote the Commission entered into executive session with County Clerk Shields for 5 minutes to discuss non-elected personnel. County Counselor Jack Potucek had entered the meeting and also remained present for the session. The Commission reconvened in open session at 9:25 a.m.

Courtney Carson entered the meeting.

County Appraiser Della Rowley met with the Commission. She provided updates on the status of the GIS system and hardware. Appraiser Rowley reported there were plans to replace an item of equipment for the GIS technician. The Commission asked that she check on the status of the item.

At 9:38 a.m., the Commission upon unanimous vote entered into executive session with Appraiser Rowley for 15 minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:53 a.m.

Greg Olson, Chief Executive Officer for Sumner Mental Health, met with the Commission. He reported on the implementation of the new software program. The new software was required for all medical providers. Mr. Olson reported that the financial statements are looking better. This history of the Medicaid funding issue was reviewed. How other mental health facilities have been impacted by the funding issue was discussed.

The sale of the Mental Health north annex building and the bid received last week were discussed. Mr. Olson said he believes the bid received was considerably low. He provided a report to the Commission listing details of the property. Mr. Olson estimated the value of the property, at today's prices, would be approximately \$334,000. Mr. Olson also discussed the outstanding note on the building, which is in amount of \$34,538.74. Commissioner Newell asked if the note has to be paid off to finalize the sale. Mr. Olson said he was not sure and Counselor Potucek said he would research it. Counselor Potucek advised that the Commission now has to give consideration of acceptance or rejection of the bid received. The county did retain the right to reject any and all bids. The Commission could determine to reject the bid and follow the alternate process available by statute to negotiate a final sale. Action on the bid received last week was tabled and scheduled to be taken up again on September 29.

Health Department Director Laura Rettig met with the Commission. She reported that they are preparing for a flu vaccine clinic on October 6th. The vaccine has already been received and now related supplies are being received to conduct the clinic. Details will be finalized and public notices made. Director Rettig advised she needs to begin training of other county staff relating to a mass distribution site. A staff of 60 to 80 is necessary, which exceeds the staff available in her department. She will work with the other department directors to accomplish the training. The Commission also unanimously approved flu vaccine shots for all county staff who wish to receive them.

The Commission met again with County Appraiser Della Rowley. The annual statistical and procedural compliance review performed by the Kansas Department of Revenue was discussed. Appraiser Rowley had previously provided an initial report to the Commission.

County Clerk Shields discussed the application process for the Information Services Director position. The Commission confirmed that they would like the committee to review the applications and recommend those applicants that the committee deems should be interviewed. The committee consists of the County Clerk, Treasurer, Appraiser, and the E911 Director. The application period will end on Friday.

Elliott Jackson, county auditor, met with the Commission and presented the annual financial report for 2007. Treasurer Carolyn Heasty was also present. Mr. Jackson reviewed a number of areas within the report including compliance with Kansas statutes. Mr. Jackson also discussed the management letter that was sent earlier this month and the items it addressed. The Commission thanked Mr. Jackson for his assistance and the work he does with the county.

Emergency Management Director James Fair and Assistant Director Chris Ball met with the Commission. Director Fair provided a report on a hazardous material spill that occurred yesterday on US160 near Argonia. The material was fuel that was spilled as a result of a traffic accident. Haz-Mat Response was called to clean up the spill. It will be attempted to recover the cost of the clean-up, approximately \$2,000 to \$3,000, from the auto insurance company involved.

Director Fair reported that the county's boat used in the rescue last week in Argonia was recovered. It is believed the boat will still be useable, but the motor is destroyed.

The Commission received corresponded from Fire District No. 9 that board member Robert Allen had resigned. The fire district board recommended the appointment of Adam Thompson to fill the position. The Commission unanimously appointed Adam Thompson to fill the position.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
September 23, 2008 9:24 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was Deputy County Clerk Debra A. Norris. Commissioner Jim D. Newell was not present. The meeting was opened with the Pledge of Allegiance. Tabitha LeValley and Valerie Bean were present.

The Commission met with Robert Mandevill and David Ginn, board members of County Fire District No. 5. County Counselor Jack Potucek was also present. Operational issues including personnel and equipment were discussed regarding the fire district. Mr. Mandevill reported there are not sufficient personnel or equipment. Training issues were discussed. District 5 pays half of their budget to the Caldwell Fire Department for their back up in responding to calls. The lack of funding necessary to maintain the upkeep of the district was discussed. The Commission, now aware of the vacancy on the fire district board, will appoint a new board member. The Commission asked Mr. Mandevill and Mr. Ginn to return any recommendations for appointment in two weeks.

County Counselor Potucek discussed the protocol of the Commission's authority relating to the fire district. The possibility of seeking assistance the extension services of Kansas State University was considered. Research will be conducted. The Commission was invited to visit the fire district's building and view the equipment. The Commission will do so next Monday.

Courtney Carson has entered the meeting.

Robert Kierzek did not appear for his scheduled meeting regarding roads in the Ponderosa Estates. Several others were present for the expected meeting including Emergency Management Director James Fair, Road and Bridge Director Melvin Matlock, Superintendent Larry Whitham, and Planning and Zoning Director Jon Bristor. Director Fair reported that, in the most recent rains received, a road in Ponderosa Estates was severely cut by the rain. Director Matlock reported that his department is still in recovery mode in addressing all the roads most recently damaged. Directed Fair reported that there is a conference call scheduled with the State on Thursday regarding FEMA disaster funding.

Commissioner Gracy informed Director Matlock of a call he received from a citizen who was unable to reach his farm due to a road being washed out. The citizen had spoken to township officials. Commissioner Gracy told the citizen he would inform Director Matlock.

Director Matlock reported that the owner of the Bartlett Arboretum had reported a channel would be cleaned out and an island, impacting the water flow, would be eliminated. The arboretum was awarded a grant to help with the project. Director Matlock had also been in contact with Melvin Barner, one of the board members of the Cowskin Drainage District. There is some issue as to whether the district's responsibility is drainage or flood control. Director Matlock suggested to Mr. Barner that they consult an attorney for clarification. Director Matlock also advised that he had recently contacted residents around the area of the Cowskin Creek. Much of the recent problems seem to be from flood water, not water from the Cowskin.

Sharan and Bill Williams met with the Commission and expressed some concern regarding the Corbin Water Association. Planning and Zoning Director Jon Bristor was also present. The Williams' reported that the association has been out of compliance with the Kansas Department of Health and Environment (KDHE) for several years. They provided the Commission with correspondence from KDHE. The landowners were just recently notified of the situation. The Commission inquired if Director Bristor had any information. He advised that, once the grant project for the system was completed, the Planning and Zoning Department was no longer involved with the project or system. Mrs. Williams also complained that there is no supporting documentation for the water association. County Counselor Potucek entered the meeting and was updated on the issue. Mrs. Williams expressed concern in the county considered deeding the parcel of property where a part of the water system sits to the association. She asked that any transfer not occur until a rural water district is actually formed. Counselor Potucek recommended to the Commission that any transfer be delayed. Mrs. Williams invited the Commission to attend a scheduled meeting with KDHE officials on October 2. The meeting will be at the Corbin Methodist Church at 1:00

p.m. Commissioner Gracy advised he would attend the meeting. The Commission will further discuss the issue on October 7 at 9:30 a.m.

The Commission reviewed and unanimously approved the end of the month claims in the amount of \$225,705.74.

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

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

Garey E. Martin, Chairman

Debra A. Norris, Deputy County Clerk

County Commission
September 29, 2008 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 Garey E. Martin, Commissioner Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Jennifer Lejuerne entered the meeting.

Treasurer Carolyn Heasty provided a report from the State regarding sales tax. An amount of \$150,215.92 was collected in sales tax and \$20,840.10 for compensating use tax for September.

Valerie Bean entered the meeting.

The Commission discussed a property issue with County Counselor Jack Potucek. An individual had inquired about purchasing property owned by the county in the Timberlake Estates area near Belle Plaine. The county owns the property from one of the previous FEMA flood property buy-out programs. Counselor Potucek advised that, since it is property from the buy-out program, it cannot be sold. It can be leased, but there are limitations on what the property can be used for. Counselor Potucek will contact the individual.

At 9:35 a.m., the Commission took up the tabled issue of the bid consideration for the Mental Health north campus building. Tom Kotmetscher, of Futures Unlimited, Greg Olsen and Rick Gaskill, of Sumner Mental Health, and County Counselor Potucek were present. The bid received two weeks ago was from Futures Unlimited and was for the amount of \$171,500. Counselor Potucek reported that title work confirmed the outstanding mortgage amount on the building is approximately \$35,000. He advised that it appears \$200,000 is needed to clear the structure. That amount includes the \$165,000 that Mental Health owes the county and the outstanding mortgage of \$35,000. Counselor Potucek said he believed it appropriate, if the Commission chose to reject the bid, that an appraisal of the property be obtained. If the Commission chose to reject the bid, the second part of the statutory authorized process could be entered. That process allows for negotiation with potential purchasers.

Courtney Carson entered the meeting.

After some discussion, the Commission unanimously determined to reject the bid received and move into the negotiation phase. The Commission also authorized Counselor Potucek to have an appraisal done for the property. An attempt will be made to obtain an independent appraisal by October 20th.

Mr. Olson reported on the recertification process for Sumner Mental Health. He advised that it turned out as favorable as anyone in the state. The recertification is valid for two years. He provided a copy of the 2007 audit and financial letter. Mr. Olson also reported that Mental Health is involved with another agency that may be interested in the north campus building. He said the agency would be in a position to do a lease purchase back to us.

Counselor Potucek provided an update on the move of the District Court files. Work was performed over the weekend.

The Commission reviewed and unanimously approved the minutes for September 22 and 23.

At 10:06 a.m., the Commission recessed to go to Corbin and tour the Fire District No. 5 facility. The Commission indicated they would return reconvene in the courthouse at about 11:30 a.m.

The Commission arrived at the Fire District #5 facility at 10:32 a.m. and met fire district board members Robert Mandevill and David Ginn. County Clerk Shields was also present. They toured the building and inspected the equipment.

The Commission returned to the courthouse and reconvened in open session at 11:30 a.m. in the Commission room.

The Commission reviewed and unanimously approved tax abatement orders for prior years in the amount of \$2,578.58.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
September 30, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Jennifer Lejuerne and Courtney Carson entered the meeting.

Valerie Bean entered meeting

At 9:30 a.m., the Commission conducted public hearings for three zoning cases. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Administrative Assistant Melinda McCurley were present. The first case heard was Zoning Case No. 23PC-08. The applicants were Raymond L. and Mary Jane Appel, owners. The purpose was for a zone change from "A-2" Agricultural District to "R-R" Rural Residential District to split existing house from agriculture land. The location is 650 W. 80th St., Wellington. Director Bristor advised that the owners qualify for a one-time split. He advised there was no opposition at the Planning Commission hearing and the case was, with 9 members present, unanimously recommended for approval. The Commission unanimously approved Case No. 23PC-08 and adopted Resolution No. 2008-44. Director Bristor read the statement from KSA 12-760 regarding the appeal process for any of the cases heard.

The second case was Zoning Case No. 15PC-08. The application was by Qualified Personal Residence Trust, Todd Lekander, Trustee, Owner, and Randy Flaming, Applicant. Mr. Flaming was present. The purpose was for conditional use to allow an existing manufactured home as a temporary second dwelling to repair mold damage in primary dwelling. The location is 1143 E. 50th Ave, Belle Plaine. Director Bristor provided the history of the case relating to the Planning Commission. The case was tabled two different times due to no one appearing for the case. Notification was sent to the applicant each time. At the third hearing scheduled before the Planning Commission, when no one appeared, the Planning Commission voted unanimously to recommend denial of the case due to lack of contact or interest by the applicant. Mr. Flaming was asked for comment. He explained the reasons involved for his not being able to attend the Planning Commission meetings. Director Bristor provided other details and history of the case. He explained that the Commission could either uphold the Planning Commission's recommendation of denial or the case could be sent back to the Planning Commission. After some discussion, the unanimous decision was to send the case back to the Planning Commission. Chairman Martin encouraged the applicant to appear before the Planning Commission.

The third case, No. 16PC-08, with for the purpose of updating the Sumner County Zoning Regulations. Director Bristor explained that the case deals with tower setbacks and the case was previously sent back to the Planning Commission for further deliberation. Director Bristor reviewed the proposed changes. The Planning Commission, in a 7 to 2 vote, recommended approval of the case. The reasons given for the two opposing votes were discussed. After discussion, the Commission unanimously approved Case No. 16PC-08 and adopted Resolution No. 2008-45.

Director Bristor submitted a prepared resolution relating to the Fee Schedule for Planning-Zoning-Environmental Health Department. He advised no change was made in any fees, but wording was added relating to commercial wind energy projects. The Commission unanimously approved Resolution 2008-46 adopting the fee schedule.

Marion Nuss, representing Nuss Lawn Service, met with the Commission regarding the contract for lawn service at the law enforcement center and lawn service and maintenance at Sumner Memorial Gardens. Mr. Nuss discussed that the existing contract expires in about a week and inquired if the Commission wished to renew it. After discussion the Commission unanimously indicated the contract would be renewed. They recommended to Mr. Nuss that he contact Maintenance Director Yoder.

Sharan and Bill Williams met with the Commission regarding the Corbin Water Association. They provided a copy of correspondence received from the Kansas Department of Health and Environment (KDHE) dated September 24, 2008. An administrative order for compliance was made by KDHE and a penalty was assessed to the Association of \$3,500. Mrs. Williams discussed details and the history of the lease agreement for the property that is leased to the

Association. The Commission advised they would have Counselor Potucek review the lease agreement and details. The Commission recommended that proceeding with the formation of a rural water district would be best. Mrs. Williams reported there is a meeting this week with KDHE officials.

Andrew Bilyeu met with the Commission

The Commission, after discussion, advised they are not interested in allowing a registration box in the Frye complex.

Andrew Bilyeu, a local representative for PowerWorks, met with the Commission. Mr. Bilyeu asked for permission to place a registration box in the Raymond Frye complex for a free drawing for a device that the company offers. After discussion, the Commission advised they are not interest in allowing a registration box in the facility.

Dave Hamilton, representing the Slate Valley Sportsman's Association, met with the Commission. He submitted a request to vacate River Road from 90th St. South north to its intersection with Slate Creek. Mr. Hamilton advised that the association owns the land on both sides of the road. He also explained why they desire to have the road vacated. The request was received and a public hearing will be scheduled according to the statutory process.

Health Department Director Laura Rettig met with the Commission. At 11:39 a.m., the Commission entered into executive session with Director Rettig and County Clerk Shields for 10 minutes to discuss non-elected personnel. At 11:46 a.m., the Commission reconvened in open session. The Commission unanimously approved granting of a leave of absence to November 15, 2008, for a part-time Health Department employee.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
October 6, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present due to illness. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

State Representative Vincent Wetta entered the meeting. The current national economic situation and factors were discussed as well as how they may impact the upcoming State legislative session. Representative Wetta also encouraged the Commission to hang in there with the lawsuit regarding the casino issue.

Valerie Bean entered the meeting.

Courtney Carson entered the meeting.

Robert Mandevill and David Ginn, board members for Sumner County Fire District No. 5, met with the Commission. They provided a list of individuals who might be willing to serve as the third member on the fire district board. The appointment of William Baker was considered. Mr. Ginn advised he would attempt to contact Mr. Baker and confirm if he would be willing to serve. The Commission will delay a decision until Chairman Martin is present.

Jennifer LeJuernne entered the meeting.

Debra Norris met with the Commission regarding a project under the Neighborhood Revitalization Project. County Appraiser Della Rowley and Carolyn Farley, staff member, were present. Mrs. Norris asked for an extension on their project in completing a machine shed. She advised that the project is not completed due to delays caused by the wheat harvest and weather, relating to wind and rain. County Appraiser Rowley advised that in similar situations a six-month extension has been granted. The Commission unanimously approved a six-month extension.

Appraiser Rowley met with the Commission and provided an update on the Geographic Information System (GIS). She reported that personnel from Infinitec, Inc., will be on-site this week to install the GIS server. Requests received for GIS information were also discussed. Appraiser Rowley inquired if the Commission wished Infinitec to address the requests or inform the requestor that access to the information is currently not available. The Commission instructed Appraiser Rowley to consult with Infinitec and if they can accomplish providing the information at a minor cost, then have Infinitec do the work.

The Commission reviewed and unanimously approved the minutes for September 29 and 30.

County Clerk Shields asked for an executive session relating to a personnel issue. At 10:39 a.m., the Commission upon unanimous vote entered into executive session with County Clerk Shields for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:46 a.m.

Sharan and Bill Williams met with the Commission regarding the Corbin Water Association. Mrs. Williams brought a sample of the water that came into their house last week. She said she was told by a representative of Caldwell Utilities that the problem with the water was caused by the Corbin water system not being cleaned or flushed since it was put in. Mrs. Williams said she brought the sample in to show that the responsibilities of the people in charge of the system are not being met. The meeting held last Thursday in Corbin with a representative of the Kansas Department of Health and Environment was discussed. Commissioner Newell said he sees it as another reason for the formation of a rural water district. People of the district will elect the district's board members. Mrs. Williams said some type of entity is needed to see that it is done right. She expressed concern that the same ones that have been running it will be the same ones that continue to run it and the management will not change. Commissioner Newell expressed that he does not see how the Commission has any authority in the issue. Mrs. Williams asked if the Commission would consider signing back to them the ½ acre tract of property where part of the system is located. The Commission advised they would have to discuss the property issue with County Counselor Potucek.

County Counselor Jack Potucek met with the Commission. He reported that he is still working on obtaining an independent appraisal for the Sumner Mental Health north annex property.

Counselor Potucek commended District Court Clerk Carolyn Jones and staff for their work with the move of the court files. He also expressed thanks to the Sheriff for the assistance of trustees to move files.

County Clerk Shields left the meeting at 11:45 a.m. Deputy County Clerk Debra Norris was present for the remainder of the meeting.

The Commission discussed with Counselor Potucek the issues relating to the Corbin Water Association. Counselor Potucek will contact Attorney Lowell Dierking. It was indicated by Robert Mandevill that the association was going to hire Mr. Dierking to review some of the paperwork involved.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
October 7, 2008 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 Garey E. Martin and Commissioner Jim D. Newell. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present. The meeting was opened with the Pledge of Allegiance.

Nancy Seitz entered the meeting. Courtney Carson also entered the meeting a few minutes later.

David Ginn contacted the Commission and informed them that he had talked with William Baker regarding serving on the Fire District Board. Mr. Baker expressed a willingness to serve.

Jennifer LeJuernne entered the meeting.

Planning and Zoning Director Jon Bristor met with the Commission regarding one-year platting requirement extension. County Counselor Jack Potucek was contacted by phone. Counselor Potucek recommended an executive session for an attorney-client privileged matter. At 9:33 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek, Planning and Zoning Director Bristor, and County Clerk Shields to discuss an attorney-client privileged matter for ten minutes. The Commission reconvened in open session at 9:41 a.m.

Director Bristor submitted a prepared resolution allowing an extension on certain lands located in Sumner County. The resolution grants a six-month extension to the one (1) year platting requirement on Zoning Cases No. 20PC-07, 22PC-07, 27PC-07, 28PC-07, 30PC-07, and 31PC-07. Resolution 2008-47 was unanimously adopted.

Emergency Management Director James Fair met with the Commission. He discussed the Emergency Management Performance Grant funding. The funding has been applied for annually and the amount received has declined over the most recent years. The funding available for 2009 may be approximately \$24,000. The Commission unanimously approved the 2009 Cooperative Agreement Program Submission and it was signed by the Chairman.

Director Fair discussed the status of the rescue boat. He reported that the county boat used in the Argonia rescue had been inspected and determined to be water worthy, although the boat motor was destroyed. Director Fair and Wellington Fire Chief are continuing to work on a county-wide water rescue program.

The Commission spoke by phone with William Baker regarding serving as a board member on Fire District No. 5. Mr. Baker's serving on the board was discussed. The Commission unanimously appointed William Baker as a member of board.

There being no further business, the Board of County Commissioners adjourned at 11:06 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
October 14, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Jennifer LeJuerne entered the meeting as did Courtney Carson a few minutes later.

Road and Bridge Director Melvin Matlock met with the Commission regarding the landfill property. Director Matlock explained that at the time the landfill was sold to the City of Wellington the plans for expanding the landfill area to the north had not been received yet. The plans when received were given to the City. Based on the new plans, sufficient ground was not sold to the City to accomplish the expansion. The City needs some additional ground to satisfy the new design and drainage. The ground has no value as it is between the landfill and the creek. A legal description is being drawn up and Director Matlock will submit it to the Commission once completed. The Commission will then consider the next step to provide the property to the City.

Director Matlock discussed a need relating to virus protection for a computer. The Commission gave approval to purchase the necessary protection.

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

At 10:08 a.m., the Commission held a public hearing on a request to vacate a portion of River Road. The request was submitted to the Commission by Dave Hamilton, Director of the Slate Valley Sportsman's Association. The request was to vacate that portion of River Road, also known as Road #312, from 90th Street South to Slate Creek. County Clerk Shields reported that the required notice was published and required notice was sent to the adjoining landowners. The legal description was discussed. The official street name is 90th Street South and the portion of River Road being vacated goes north to Slate Creek. There was no one present expressing opposition to vacating the road. The Commission discussed the request they made of Mr. Hamilton to provide a copy of the minutes of the meeting where the Association voted to request the road be vacated. Commissioner Newell also advised he had talked with Mr. Hamilton by phone last week regarding the minutes. After discussion, the Commission tabled the matter until October 20, 2008, at 10:00 a.m. The County Clerk was directed to contact Mr. Hamilton and ask that he sign the request that was submitted.

County Counselor Jack Potucek met with the Commission. He reported that he had contacted a commercial property appraiser out of Ponca City, Oklahoma. He is proceeding with obtaining the appraisal for the Sumner Mental Health north annex property. Counselor Potucek also reported that he had contacted Attorney Lowell Dierking of Caldwell last week regarding the Corbin Water Association. Mr. Dierking said he had not been contacted by the Association to do any work.

Marian Nuss met briefly with the Commission. He submitted the agreement between Nuss Lawn Service and the County for lawn service and maintenance at the Law Enforcement Center, as well as lawn service, maintenance, and burial site service at the Sumner Memorial Gardens. The existing agreement expires today. The Commission unanimously approved the agreement and it was signed.

E911 Director James Reed met with the Commission for evaluation purposes. At 10:31 a.m., the Commission upon unanimous vote entered into executive session with Director Reed for 20 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:51 a.m.

Community Corrections Director Brad Macy met with the Commission. He recommended the appointment of Judy Lewis as a member of the Community Corrections Advisory Board. The Commission unanimously approved the appointment.

Director Macy also discussed the possibility of purchasing a vehicle for his department. There is about \$9,000 available in carryover money in the State funding. Director Macy also advised there is some reimbursed funding

available. The need for the vehicle and details of funding and insurance were discussed. The Commission unanimously authorized the purchase of a vehicle.

Noxious Weeds Director Robin Walcher met with the Commission regarding a personnel issue. She proposed moving the Chemical Applicator II position to a level 6 from a level 4 on the County pay scale. Director Walcher advised that the levels have not been adjusted for several years since the job descriptions were created. She discussed the work and the variety of tasks performed including obtaining a commercial applicators license. Experienced chemical applicators are able to earn a higher wage above the level currently available with the county. The Commission inquired if the change could be done within the budget submitted for 2009 and Director Walcher said it could. The Commission unanimously approved moving the Chemical Applicator II position to a level 6.

Emergency Management Director James Fair met briefly with the Commission. He reported that he had met with FEMA officials this morning. Data and costs are still being collected to attempt to qualify Sumner County for the declaration of a Federal disaster.

The Commission reviewed and unanimously approved mid-month claims in the amount of \$350,468.25.

At 12:07 p.m., the Commissioners recessed for lunch and announced that they would return at 3:30 p.m.

At 3:30 p.m. the Commissioners reconvened in open session. Also present were E911 Director James Reed and County Treasurer Carolyn Heasty.

At 3:31p.m., upon unanimous vote the Commission entered executive session for the purpose of interviewing an applicant for the Information Services Director position. Director Reed, Treasurer Heasty, and County Clerk Shields also remained present. At 3:46 p.m., the Commission upon unanimous vote extended the executive session for 15 minutes for the same purpose. At 4:22 p.m., the applicant left the meeting. The Commission reconvened in open session at 4:29 p.m.

At 4:30p.m., upon unanimous vote the Commission entered executive session for the purpose of interviewing an applicant for the Information Services Director position. Director Reed, Treasurer Heasty, and County Clerk Shields also remained present. At 5:15 p.m., the Commission upon unanimous vote extended the executive session for 15 minutes for the same purpose. The Commission reconvened in open session at 5:25 p.m.

There being no further business, the Board of County Commissioners adjourned at 5:32 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
October 20, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

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

Courtney Carson entered the meeting.

County Counselor Jack Potucek met with the Commission and recommended an executive session to discuss an attorney-client privileged matter. At 9:17 a.m., the Commission entered into executive session with Counselor Potucek to discuss an attorney-client privileged matter for 10 minutes. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 9:27 a.m.

Tom Kotmetscher, Chief Executive Officer for Futures Unlimited, met briefly with the Commission. He inquired about the appraisal of the Sumner Mental Health North Annex property. The Commission advised that Counselor Potucek has contacted an independent appraiser, but the appraisal has not been completed yet.

Noxious Weeds Director Robin Walcher met with the Commission. At 9:38 a.m., the Commission upon unanimous vote entered into executive session with Director Walcher for 15 minutes to discuss non-elected personnel. At 9:52 a.m., the Commission reconvened in open session.

At 10:00 a.m., the Commission took up the request to vacate a road that was previously tabled. The request was submitted by Dave Hamilton, Director of the Slate Valley Sportsman's Association. Mr. Hamilton was present. He provided a copy of the minutes for the Association's meeting relating to requesting the road be vacated and he also signed the request submitted. The Commission unanimously adopted Resolution 2008-48 closing that portion of River Road also known as Road #312, from 90th St. South to Slate Creek, Township 33 South, Range 2 East, County of Sumner, State of Kansas.

Attorneys David Cooper and Teresa Watson entered the meeting. Commissioner Martin left the meeting with the attorneys at 10:05 a.m.

Keala Timko and several individuals representing the Alternative Energy Task Force met with the Commission. Mrs. Timko spoke on behalf of the group and explained that they had created a working group called the Alternative Energy Task Force. She explained that they had been part of a larger group since about August, but broke off two or three weeks ago as a separate group. The task force is focused on a bigger picture of alternative energy and the other group is focused on wind energy. Mrs. Timko further explained some of the details and goals of the Task Force with the purpose of making alternative energy more profitable for the entire community. The Commission was asked to recognize and endorse the Task Force by adopting a prepared resolution. Commissioner Newell asked if by the Commission endorsing the task force, is anyone else being excluded. It was also expressed that the Commission did not want to give the task force or anyone a monopoly. The reply was that an endorsement would not exclude other groups and the Task Force does not want a monopoly. After discussion, Commissioner Newell advised the Commission would give further consideration to the request and no decision would be made without all Commission members present. A meeting was scheduled on November 3, at 9:30 a.m., for the Task Force to return and meet with the Commission.

Alice Stiles, Carl Stiles, and Robert Mandevill met with the Commission. They submitted a new petition to incorporate and organize a Rural Water District in Sumner County, Kansas. The petition submitted previously had significant problems with the legal description submitted for the proposed district. The meetings required to be held by statute relating to submission of a petition were scheduled. The meeting for the hearing of the petition was set for November 12, at 6:30 p.m. to be held at the Raymond Frye Complex. The landowners meeting, required by statute to be immediately thereafter, for the purpose of electing directors providing the district is incorporated was set for 7:00 p.m. on the same date and at the same location. The meeting of the landowners for the purpose of

adopting bylaws for the district was set for November 18, at 6:30 p.m., to be held at the Corbin United Methodist Church. The County Clerk will make the required publication for the hearings and mail notice to each of the petitioners as required by statute.

Commissioner Martin returned to the meeting at 11:54 a.m.

County Counselor Potucek and Attorney David Cooper met with the Commission. Attorney Cooper recommended an executive session for an attorney-client privileged matter. At 11:56 a.m., the Commission upon unanimous vote entered into executive session for 10 minutes with Counselor Potucek and Attorney Cooper to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 12:02 p.m.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
October 21, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Eldon B. Gracy was not present. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Gary Burkhart entered the meeting.

Courtney Carson entered the meeting.

Bob Hendricks and Dennis Metz met with the Commission. Information and a timeline of events were provided regarding the organization of the Sumner County Wind Coalition. It was explained that one single group had been working on wind energy, but after disagreements and the apparent different directions some members wanted to head, another group was formed. Mr. Hendricks said that group met with the Commission yesterday. He also explained the different directions that the Coalition and the Task Force are wanting to work towards. After discussion, Commission Newell asked why the Commission does not endorse both groups. Mr. Hendricks said he believes both groups can be endorsed. He said the Coalition does not oppose what the other group wants to do, but they do not want one group to be the official spokesman for all. Mr. Hendricks and Mr. Metz an endorsement equally for both groups, would be fine with them. Chairman Martin said a lot more research needs to be done by all those involved including the county. The Commission made no decision regarding any endorsements.

Greg Olson, Chief Executive Officer for Sumner Mental Health, met with the Commission. He reported that he had talked with Counselor Potucek and the steps to accomplish an independent appraisal for the north annex property are proceeding. Mr. Olson also provided a cash flow report and discussed factors improving cash flow. Mr. Olson provided bids obtained for replacement of the windows in the main Mental Health building.

County Counselor Jack Potucek met with the Commission. The Commission toured the third floor storage area and viewed the location of the District Court files. Counselor Potucek also reported on other matters. Regarding the inquiry from an individual wishing to purchase a county owned property in the Timber Lakes addition, the property is from a FEMA flood buyout program several years ago. Counselor Potucek advised that the property cannot be sold. He also reported on the status of the appraisal of the Sumner Mental Health north annex property. The walk-through for the appraisal should occur next week.

At 10:26 Commissioner Newell left the meeting.

It was determined that the previously scheduled applicant interviews for the Information Services Director position would proceed with only the interview committee participating. The interviews were scheduled to be held, with the Commission present, for 11:00 a.m. and several in the afternoon. Commissioners Newell and Gracy may not be able to be present due to depositions relating to the Mulvane annexation lawsuit.

There being no further business, the Board of County Commissioners adjourned at 11:06 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
October 28, 2008 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Jim D. Newell was not present. The meeting was opened with the Pledge of Allegiance.

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

The Commissioners talked with Road and Bridge Director Melvin Matlock by phone. Commissioner Gracy reported he was contacted by a County Commissioner from Grant County, Oklahoma, regarding a road issue southwest of Caldwell. Director Matlock confirmed that he was contacted by the Commissioner and he provided him the contact information for the township.

State Representative Vince Wetta met with the Commission. Various economic issues and the impact that may result on the State were discussed.

The Commission reviewed and unanimously approved the claims in the amount of \$485,637.59 for the end of October.

There being no further business, the Board of County Commissioners adjourned at 11:03 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
November 3, 2008 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Jim D. Newell was not present. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Kourtney Carson entered the meeting.

The Commission reviewed and unanimously approved the minutes for October 28.

Appraiser Della Rowley, Treasurer Carolyn Heasty, and E911 Director James Reed met with the Commission. They along with County Clerk Shields served as the interview committee for the Information Service Director applicants. At 9:09 a.m., the Commission entered into executive session with the committee members for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:17 a.m. Chairman Martin reported no binding action as a result of the session.

Treasurer Heasty provided a report from the State showing the October sales tax collections in the amount of \$185,820.71.

Several members of the Alternative Energy Task Force met with the Commission. Planning and Zoning Director Jon Bristor was also present. The group met with the Commission two weeks ago and asked for the Commission's endorsement by adopting a resolution. The Commission advised that they would consider the issue. The Commission expressed support for what the group is doing, but expressed hesitancy in an endorsement. The other group formed relating to wind energy and who had also approached the Commission was discussed. The Commission expressed that they support what everyone is doing.

Commissioner Newell entered the meeting.

The discussion with members of the Alternative Energy Task Force continued. Mrs. Timko, a member of the group, explained their purpose and that they are focusing on all types of alternate energy across the county. She said the group hoped to obtain recognition and endorsement from the county to show interested parties that they are a viable group. Dennis Ramey, a member of the group who is with Cowley College and Baker University, said without some type of recognition or endorsement they would not be able to get other colleges to join with them. After further discussion, the Commission advised they would have Counselor Potucek review the proposed resolution that was submitted. The Commission will consider some type of joint recognition of both groups.

At 9:47 a.m., the Commission upon unanimous vote entered into executive session for 10 minutes to discuss non-elected personnel. County Clerk Shields was asked to remain present, which he did. The Commission reconvened in open session at 9:57 a.m.

Commissioner Jim Newell left the meeting.

Planning and Zoning Director Jon Bristor met with the Commission along with Edward Moses, Managing Director for the Kansas Aggregate Producers Association, and Nadine Stannard, President of Associated Material & Supply Co. Inc. Also present were Planning and Zoning staff Mary Jenkins and Malinda McCurley. Mr. Moses and Mrs. Stannard had approached the Commission several weeks ago about creating a Natural Resource Development District (NRDD) in the northeastern portion of Belle Plaine Township. Mr. Moses advised then that this is the first application for a NRDD under the new law. It was determined at the previous meeting that procedures needed to be developed to provide a process under the statute. Director Bristor advised that a process has been developed and he explained the steps. He explained that today's meeting is the pre-approval hearing for the Commission to determine if they agree with the proposed area to be included. The next step is for the petitioner to obtain a certified abstract listing of the property owners in the proposed area and submit it to the Planning and Zoning department. A final hearing date will be set and property owners will be notified by certified mail of the hearing. A NRDD, if approved, requires the Register of Deeds to record on the deed of any parcel of land in the district that the property is within an

area of mining activity. The law is intended to inform property owners and potential property owners that mining activity may occur in the area. After some further discussion of the procedures, the Commission made no changes in the proposed area. The process for creating the NRDD will proceed.

Janet Donley, Director for Senior Services, met with the Commission regarding several items. She provided a copy of the letter she sent to the Treasurer requesting the additional amount of funds to reach the full authorized budgeted amount for Senior Services. Director Donley provided the board member list for 2009. She also discussed the Medicare Part-D program for 2009.

County Counselor Jack Potucek met with the Commission. At 10:37 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek to discuss an attorney-client privileged matter for 10 minutes. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 10:47 a.m.

County Clerk Shields advised the Commission that the petition submitted to incorporate a rural water district in the area of Corbin was found to not be in compliance with the statute. The petition does not meet the requirement for 50% of the signatures of the landowners in the proposed area. Counselor Potucek explained details of the requirement. A new petition would need to be submitted. County Clerk Shields advised notice would be mailed to all petitioners.

Eric Page met with the Commission regarding his project under the Neighborhood Revitalization Program (NRP). Appraiser Della Rowley and staff member, Carolyn Farley, were also present. Mr. Page asked for a six-month extension for his project. He explained the reasons, out of his control, as to why the project has been delayed. He also explained that he is considering legal action with the builder involved. After review of the case, the Commission unanimously granted a six-month extension for the project. If at that time the project is not 80% complete, a waiver can be signed considering the project complete. The process is the same as has been done in other similar cases.

Appraiser Rowley discussed an issue relating to the Geographic Information System. A license agreement regarding digital data sets was discussed. Appraiser Rowley advised that Counselor Potucek had reviewed and approved the contract. The Commission gave their approval to proceed with use of the contract.

Road and Bridge Director Melvin Matlock met with the Commission on several matters. He reported on vehicles purchases planned. Among the vehicles, one semi will be replaced. A second semi needs to be replaced, but may have to be delayed if sufficient funding does not remain by the end of the year. Director Matlock discussed the tractors used for mowing and provided some information to the Commission regarding maintenance and related costs. Director Matlock reported that the Frye complex was used last week for a safety meeting for his department. He asked the Commission to waive the fee for its use, which they agreed to. Director Matlock also reported that there will be four more locations that will receive railroad crossing gates.

Emergency Management Director James Fair and Assistant Director Chris Ball met with the Commission. Director Fair reported that notification was received that Sumner County was declared a disaster area for the period of September 11 through the 17. Director Fair also discussed the current status of the county's two rescue boats. He provided information regarding the insurance settlement for the boat motor that was damaged. The plan to upgrade the county equipment was also discussed. About \$10,000 is necessary to accomplish replacing one boat and purchasing the inflatable craft that works with the boat for swift water, ice/frozen surface rescues. Discussion on water rescue and technical rescue programs was held. The Commission will further consider funding and program issues.

There being no further business, the Board of County Commissioners adjourned at 12:11 p.m. The Commission will not be meeting on November 4.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
November 10, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Kourtney Carson entered the meeting.

County Clerk Shields requested an executive session to discuss non-elected personnel. At 1:37 p.m., the Commission upon unanimous vote entered into executive session with Clerk Shields for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 1:42 p.m.

Chairman Martin moved to hire Fred Sirmons as the Information Services Director effective December 1, 2008. Commissioner Newell seconded the motion and it passed unanimously.

The Commission reviewed and unanimously approved the minutes for November 3.

Dave Hamilton, Director of the Slate Valley Sportsman's Association, submitted a request to vacate a portion of 90th Street South in Valverde Township. Mr. Hamilton explained that the area is susceptible to flooding and is impassable to vehicular traffic most of the time. The Association would like to close the portion of the road to limit trespassing and property damage. The County Clerk will proceed with the steps for setting a public hearing date and giving notice to adjoining landowners to the road portion proposed to be vacated.

Health Department Director Laura Rettig met with the Commission. At 2:30 p.m., the Commission upon unanimous vote entered into executive session with Director Rettig for 20 minutes to discuss non-elected personnel. The Commission reconvened in open session at 2:46 p.m.

The Commission received correspondence regarding the efforts to bring passenger rail service in Kansas. The Kansas Department of Transportation and the Transportation Committee has asked those along the proposed route to adopt a resolution endorsing passenger rail service in the 10-year state-wide comprehensive transportation program. After discussion the Commission unanimously adopted Resolution 2008-49.

The Commission discussed a request received for the rental of the Frye auditorium for the use of a tool sale. Linda Mirt, County Extension Agent, had informed the Commission of the condition the auditorium was left when last used by the same group. After discussion, the Commission unanimously agreed to deny the rental request.

Community Corrections Director Brad Macy met with the Commission. He provided a copy of the bids received for the purchase of a vehicle for his department. The Commission authorized the purchase in a previous meeting. The Commission approved Director Macy accepting the bid for the vehicle that will best serve the department's needs.

County Counselor Jack Potucek met with the Commission. At 3:51 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 4:01 p.m.

Alice and Carl Stiles met with the Commission. They asked the Chairman Martin to sign the petition for the incorporation of a rural water district in the area of Corbin. The county owns one of the properties in the proposed area for the district. Chairman Martin was unanimously authorized to sign the petition. County Clerk Shields will review the petition signatures to confirm that the required 50% of landowners has been met. Once that is confirmed a hearing date will be set.

The Commission reviewed and unanimously approved mid-month claims in the amount of \$167,169.79. Claims for utilities in the amount of \$1,051.71 were also unanimously approved.

There being no further business, the Board of County Commissioners adjourned at 4:32 p.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
November 24, 2008 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 Garey E. Martin and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commissioner Jim D. Newell was not present. The meeting was opened with the Pledge of Allegiance. Marvin Simonton was present.

Janis Hellard, Director for the Sumner County Economic Development Commission, met with the Commission. The latest development in the casino process was discussed. Commission Chairman Martin advised that the Commission was not in session last week and has not yet visited with the County Counselor on the matter. She advised that the Economic Development Commission previously ended the contract they had with a lobbyist. That may have to be reconsidered and it was discussed that the City of Mulvane has hired a lobbyist.

Kourtney Carson entered the meeting.

Director Hellard discussed energy issues and the interest that has been expressed by other parties. The Work Force Alliance and other economic development items were also briefly discussed.

County Clerk Shields submitted the Notice of Budget Hearing for Amending the 2008 Budget for the Commission's approval. The public hearing is set for December 15, at 11:00 a.m. There are budgets for three funds that need to be amended, Soil Conservation, Community Corrections, and the Prosecuting Attorney Training. The Commission unanimously approved the Notice for publication.

Della Rowley, County Appraiser, met with the Commission. She provided a proposal from Manatron for a software package that would allow for on-line filing of personal property information. The on-line filing would make it much more convenient for the customer. The one-time cost for the software package is \$2,995 and the annual maintenance cost is \$2,075. Appraiser Rowley advised that purchase of the software was planned with the former Information Services Director. After discussion, the Commission asked that Appraiser Rowley meet with the new Information Services Director who will begin on December 1 and review the planned purchase.

Commissioner Newell entered the meeting at 9:30 a.m.

Appraiser Rowley provided an update on the Geographic Information System (GIS) and the providing of GIS data. A contract must be signed by the requesting company and there is a fee that must be paid. Information on requests received was discussed. Appraiser Rowley also discussed a personnel issue.

The Commission met with Maintenance Director Gary Yoder. County Counselor Jack Potucek was also present. The bid received for the shelving units necessary to complete the move of the District Court files was reviewed and discussed. The bid, from Office Installation Company for \$2,072, was received through Tony Rangel, with Law/Kingdon. The Commission unanimously approved the bid. The remaining work to be done in the law library was also discussed. Counselor Potucek had received contact from the contractor and the work should be done in the first week in January.

The Commission discussed with Director Yoder issues relating to the Health Department and the Planning and Zoning Department buildings. Water leaks that continue to occur and the interior problems possibly being created were discussed. Director Yoder reported what had been discovered at the Planning and Zoning building and the steps that will be taken to attempt to resolve the problem. Director Yoder will look into the problems at the Health Department.

Director Yoder also discussed building issues with the Slate Creek Nursing and Rehabilitation Center. There are a number of doors that now need to be replaced and requirements that have to be met for the eye-wash stations in the facility. Other issues relating to bill payment and responsibilities were discussed. The Commission asked Director Yoder to provide them a list of any issues that need to be addressed.

At 10:30 a.m., the Commission acting as the Board of Canvassers for the General Election determined the outcome of the three races that resulted in tie votes. County Clerk Shields cited the applicable statute that calls for the board to determine by lot which person is elected. Notice was mailed to each person notifying them that the determination would be made today at 10:30 a.m. The first race determined was for the office of Director for the Peck Improvement District. Three Director positions were elected and a tie vote resulted for the third position between Michelle Langlois and Kathy Kraft. Michelle and Dennis Langlois were present. In the draw of cards, the winning card was drawn for Kathy Kraft. The other two races were then determined. For Greene Township Treasurer the tie vote was between Deanne Gould and Larry Tompkins. The winning card was drawn for Tompkins. For Walton Township Treasurer the tie vote was between Julie Russell and Jason Messenger. The winning card was drawn for Messenger. County Clerk Shields will mail notice to all those involved who were not present.

Community Corrections Director Brad Macy met with the Commission. He submitted an application for the Commission's approval for unexpended funds for the adult program. State-wide there was funding of 1.7 million not expended. The Commission unanimously approved the application.

E911 Director James Reed met with the Commission. Various communication issues were briefly discussed.

The Commission discussed the possibility of granting January 2 as a holiday for county employees. After discussion, the Commission unanimously designated January 2, 2009, as a county holiday.

Emergency Management Director James Fair met with the Commission. Also present were Assistant Director Chris Ball, Wellington City Manager Gus Collins, Wellington Fire Chief John Lloyd, Safety and Training Officer Bill Hellard. Director Fair reviewed the previous meeting regarding the rescue boat discussion. The Commission wished to confirm the City of Wellington's position. City Manager Collins said the City is committed to continue assisting in the training and expanding the training for the entire county. Also, one of the boats is stored by Wellington and they will deliver it when necessary. Director Fair reviewed the equipment plans that would result with two boats of the same size and horsepower along with an inflatable rescue craft. He also advised that with additional funding received from the State and Local grant and FEMA funds being applied for, only \$2,500 is needed from some other source. The equipment, ropes and rigging, being purchase by the City was also discussed. After discussion, the Commission unanimously approved the use of \$2,500 in contingency funding to accomplish the boat purchase.

Director Fair briefed the Commission on an issue regarding the old railroad bridge near Oxford. The abandoned bridge fell into the river and it is now causing deterioration of the river bank near the City's public lagoon system. A meeting was held last week with representatives of the Kansas Department of Health and Environment, the State Water Resources Board, and the Army Corp of Engineers. The issue is who will remove the bridge debris from the river. Director Fair advised that no one, as yet, has claimed ownership of the bridge. The City has applied for FEMA funds since the event occurred during the flooding, but it is doubtful sufficient funding will be available. There may be the possibility of applying for urgent need funding with the assistance of our Federal legislative delegation.

Deputy County Attorney and County-Attorney elect Evan Watson met with the Commission regarding personnel issues. At 11:59 a.m., the Commission upon unanimous vote entered into executive session with Attorney Watson for 10 minutes to discuss non-elected personnel. At 12:09 a.m., upon unanimous vote the executive session was extended 10 minutes for the same purpose. The Commission reconvened in open session at 12:17 a.m. Chairman Martin reported no binding action.

The Commission discussed the holidays for 2009. In addition to the regular holidays as set in the adopted personnel policy the Commission designated December 24 as a holiday for 2009. The courthouse will also close for business at noon on December 31 for the year-end audit. January 2, 2009, was also designated as a holiday for 2009 earlier in the meeting.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
November 25, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Kourtney Carson were present.

The Commission reviewed an application for license to retail cereal malt beverage submitted by Crescent Stores Corporation of Independence, Kansas. The location of the premise for the license is 882 E. 160th St. S., South Haven. The advisory recommendation returned by the Guelph Township Board was that the applicant should be granted a license. The Commission unanimously approved the application and a license was issued.

At 9:30 a.m., the Commission held a public hearing on a zoning case no. 12PC-06. Planning and Zoning Director Jon Bristor, Assistant Director Mary Jenkins, and Field Technician Cliff Bales were present. The applicant is Farmers and Merchants State Bank of Argonia, owner, Bob Bakken, agent, formerly owned by Applegate Farms, Inc. Mr. Bakken was present. The purpose is to short form plat one lot for light industrial. The location is 1019 N. Ridge Rd. Director Bristor explained the history of the case. The Planning Commission, with 9 members present, recommended approval of the case. The Commission unanimously approved the case and adopted Resolution 2008-50.

Director Bristor discussed the issue relating to the railroad bridge near Oxford. He reported that he was just recently contacted and brought into the discussion. His research, at this point, indicates that the railroad still remains a public right-of-way. Director Bristor has contacted representatives of the Southern Kansas Railway regarding the bridge and the current situation. All agreed that Director Bristor continue his contacts with the railroad to attempt to resolve the situation.

Director Bristor discussed the zoning regulations relating to public entertainment events. Regarding such events many counties have such requests come directly to the Board of County Commissioners while a few still have the request process through the Planning Commission. The various processes were discussed. Director Bristor asked the Commission's recommendation for how they wish the process to be set. After discussion, the Commission recommended the regulations remain as is, any request come directly to the Board.

Road and Bridge Director Melvin Matlock met with the Commission on new Federal regulations regarding signage. New regulations require a different reflectivity on all signs. By 2012 a program must be in place to regulate all signs, by 2015 all the safety and regulatory signs must be changed, and by 2018 all street name signs must be changed. Director Matlock advised they are working on plans to meet the regulations and to determine the costs involved.

Treasurer Carolyn Heasty submitted the latest sales tax report from the State. The grand total of the sales tax and compensating use tax collected for November is \$174,465.37. The compensating use tax comes from businesses and industries located in the county that are buying supplies outside the State.

The Commission held a public hearing for vacating a road. Dave Hamilton, Director for the Slate Valley Sportsman's Association, Valverde Township Trustee Dale Hutchins, and Road and Bridge Director Matlock were present. Mr. Hamilton had submitted, on behalf of the Sportsman's Association, a request to vacate a portion of 90th Street in Valverde Township. County Clerk Shields advised that Notice of the hearing was published and was mailed to the adjoining landowners as required by statute. The Commission opened the hearing for comment. Mr. Hutchins advised that the township does not want the road closed. He said when it is dry the road can be used by fire vehicles and farmers also use the road. If it is closed, he said we would have to go around six miles. The Commission inquired about maintenance on the road. Mr. Hutchins said the township does what it can, this year all the flooding has been a problem. Mr. Hamilton said they had hoped to close the road to limit access and prevent destruction and vandalism to property. After further discussion, the Commission unanimously denied the request to vacate the road.

County Counselor Jack Potucek met with the Commission. At 11:15 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 30 minutes to discuss an attorney-client privilege matter. County Clerk Shields also remained present for the session. At 11:45 a.m., upon unanimous vote the Commission extended the session for 15 minutes for attorney-client privileged matters. The Commission reconvened in open session at 11:50 a.m.

At 11:57 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and County Clerk Shields for fifteen minutes to discuss non-elected personnel. The Commission reconvened in open session at 12:10 p.m.

At 12:12 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. The Commission reconvened in open session at 12:21 a.m.

The Commission reviewed and unanimously approved the claims for the end of November in the amount of \$370,415.10.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 1, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin Simonton and Kourtney Carson were present.

Keala Timko met briefly with the Commission. She inquired the status of adopting a resolution relating to the Alternate Energy Task Force. The Commission advised they would review the status with County Counselor Jack Potucek.

The Commission reviewed a prepared resolution submitted by the Road and Bridge Department. The resolution is adopted annually relating to the traffic control devices in the county. The Commission unanimously adopted Resolution 2008-51.

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

The Commission met with the department directors. Skeet Sirmons was introduced as the Information Services Director for the county. The county department directors present included Health Department Director Laura Rettig, Sheriff Gerald Gilkey, Undersheriff Jerry Osborn, Emergency Management Director James Fair, Register of Deeds Joyce Lowe, Road and Bridge Director Melvin Matlock, Appraiser Della Rowley, Treasurer Carolyn Heasty, E911 Director James Reed, E911 Assistant Director B.J. Tracy, Planning and Zoning Director Jon Bristor, Noxious Weeds Director Robin Walcher, and County Attorney Kassie McEntire. Also present were Janis Hellard, Director for the Sumner County Economic Development Commission, and Janet Donley, Director for the Sumner Board for Senior Services.

Health Department Director Rettig met with the Commission. She reported to the Commission on the bids she had obtained to replace the 1996 vehicle in her department. Director Rettig also reported on the Strategic National Stockpile assessment that was conducted by the State. The county passed the assessment.

County Counselor Jack Potucek met with the Commission. He reported that Attorney David Cooper and Teresa Watson were on their way from Topeka, but they are delayed due to snow. They expect to arrive by noon.

At 11:15 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 15 minutes to discuss non-elected personnel. The Commission reconvened in open session at 11:21 a.m.

The Commission provided Counselor Potucek information submitted by Maintenance Director Gary Yoder regarding invoices for the Slate Creek Nursing and Rehabilitation Center. Counselor Potucek was asked to review the lease contract relating to the payment of expenses. The Commission also discussed the resolution relating to the alternate energy and wind energy groups. Counselor Potucek will review the proposed resolution and consider revisions.

Counselor Potucek, Attorney David Cooper, and Attorney Teresa Watson met with the Commission. Counselor Potucek recommended an executive session for pending litigation. At 12:07 p.m., the Commission upon unanimous vote entered into executive session with Potucek, Cooper, and Watson for 30 minutes to discuss an attorney-client privileged matter. At 12:37 p.m., the Commission reconvened in open session. At 12:37 p.m., the Commission upon unanimous vote entered into executive session with Potucek, Cooper, and Watson for 15 minutes to discuss an attorney-client privileged matter. At 12:52 p.m., the Commission reconvened in open session. Chairman Martin reported no binding action as a result of the executive sessions.

There being no further business, the Board of County Commissioners adjourned at 12:59 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 2, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present. The meeting was opened with the Pledge of Allegiance.

Treasurer Carolyn Heasty met with the Commission. A security issue regarding the courthouse was discussed.

Kourtney Carson entered the meeting at 9:40 a.m.

State Representative Vince Wetta met with the Commission. The legislative leadership changes that were made yesterday were briefly discussed. Other legislative races in the area were discussed. It was also discussed that the Racing and Gaming Commission will take action this week regarding Harrah's withdrawal.

County Counselor Jack Potucek entered the meeting.

Representative Wetta discussed transportation and energy issues. The interest in expanding passenger train service from Oklahoma City into Kansas was discussed. Commissioner Newell inquired about quiet zones relating to railway traffic and discussion followed.

The Commission met with E911 Director James Reed. Door access and security issues relating to the courthouse were discussed.

Counselor Potucek met again with the Commission on several items. He reported that work has begun on the Veteran's Park walking path. Counselor Potucek inquired if Road and Bridge Director Melvin Matlock could be consulted regarding an issue with two bridges for the pathway. The Commission authorized that Director Matlock could be consulted. Counselor Potucek discussed the appraisal for the Mental Health annex property. The cost for the appraisal will be about \$2,500 and, if the Commission authorizes, he said he would get it started. The Commission unanimously authorized the appraisal. Counselor Potucek inquired about a contract for the replacement of windows at the Sumner Mental Health building. Greg Olson, of Sumner Mental Health, had obtained bids and previously submitted them to the Commission. The Commission advised they had no contract, and the intent was not to spend funds until funds are received from the sale of the annex.

E911 Director James Reed and Marcie Bristor, Dispatch Watch Supervisor, met with the Commission. Door access and security issues were further discussed. It was confirmed that the Sheriff's Office is the only department with access to program the system. The Commission asked Director Reed to further research access and programming issues with door access outside of business hours.

Al Reiss, of Reiss & Goodness Engineers, met with the Commission regarding the Peck Improvement District project. He reported that he had been told by Topeka that bid-letting can proceed for the project. Mr. Reiss provided the Commission a copy of the publication. After discussion, the date of January 6 was set as the pre-bid conference date and January 13, at 11:00 a.m., was set as the bid-letting date and time.

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

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

Jim D. Newell, Vice-Chairman

Shane J. Shields, County Clerk

County Commission
December 8, 2008 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 Jim D. Newell and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. Commission Chairman Garey E. Martin was not present as he was attending a meeting of the Regional Economic Area Partnership. The meeting was opened with the Pledge of Allegiance.

Kourtney Carson entered the meeting at 9:13 a.m.

County Attorney Kassie McEntire met with the Commission and requested an executive session to discuss non-elected personnel. At 10:00 a.m., the Commission upon unanimous vote entered into executive session with County Attorney McEntire to discuss non-elected personnel for 10 minutes. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 10:10 a.m.

Greg Olson, Chief Executive Officer for Sumner Mental Health, met with the Commission. County Counselor Jack Potucek was also present. Mr. Olson inquired about the replacement of windows at the Mental Health building. He had obtained bids and submitted previously to the Commission. Commissioner Newell said it was his impression from a previous meeting that the Commission would try to assist when funds were received for the sale of the north annex building and that has not occurred yet. Mr. Olson reported that cash flow for operations is slightly improving. Counselor Potucek reported on the appraisal process for the north annex building. A walk-through of the building with the private appraiser is planned for tomorrow morning.

The Commission reviewed and unanimously approved the minutes for December 1 and 2.

Commission Chairman Martin entered the meeting at 10:31 a.m.

The Commission met with Bob Mandevill regarding the Corbin Water Association. The Commission inquired about the money that was put in by residents in the past. Mr. Mandevill advised that an engineer was hired to map out the area in the original attempt to create a rural water district several years ago. He believes the funds are in the Caldwell State Bank and that Attorney Troy Dierking or Betty Frazier would have information on the account. Mr. Mandevill explained the history, he was aware of, relating to the previous attempt to create a district.

The Commission discussed the salaries for the elected officials for 2009. Commissioner Gracy moved to adopt Resolution 2008-52 and it was seconded by Commissioner Newell. In discussion Commissioner Newell expressed that he does not support the increase in the Commissioners' salary. The vote for adopting Resolution 2008-52 was 2 to 1, with Commissioner Newell voting no.

At 11:06 a.m., upon unanimous vote the Commission entered into executive session to discuss non-elected personnel for 5 minutes. County Clerk Shields remained present for the session. The Commission reconvened in open session at 11:10 a.m.

Merle Webster, Director for the Slate Creek Nursing and Rehabilitation Center, met with the Commission. County Counselor Jack Potucek was also present. Mr. Webster reported that Jon Robertson, Chief Executive Officer for Desert Health Group, would like to meet with the Commission sometime later this week as he will be in the area. Counselor Potucek recommended an executive session to discuss confidential data relating to financial affairs of a corporation. At 11:26 a.m., the Commission upon unanimous vote entered into executive session with Mr. Webster and Counselor Potucek for 5 minutes for the recommended purpose. The Commission reconvened in open session at 11:31 a.m.

County Counselor Potucek discussed several items with the Commission. He reported that he had reviewed a contractual agreement for the E911 department and approved it as to form.

The Commission met with E911 Director James Reed regarding the contractual agreement. He explained the contract is with ADT for their Select Link Service. The service provides the capability for sending notification to personnel through various and multiple communication methods including e-mail, telephone, and text message.

Various recipient groups can also be set up in the system. After discussion, the Commission unanimously approved the purchase and authorized Director Reed to sign the contract.

Counselor Potucek requested an executive session to discuss an attorney-client privileged matter. At 11:51 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields remained present for the session. At 12:01 p.m., the Commission upon unanimous vote extended the executive session with Counselor Potucek for 5 minutes for an attorney-client privileged matter. County Clerk Shields remained present. The Commission reconvened in open session at 12:06 p.m.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 9, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Gary Burkhart met briefly with the Commission.

Kourtney Carson entered the meeting.

At 9:30 a.m., the Commission held public hearings on two zoning cases. Planning and Zoning Director Jon Bristor and Administrative Assistant Melinda McCurley were present. The first zoning case was No. 15PC-08. The application was by Qualified Personal Residence Trust, Todd Lekander, Trustee, owner, Randy Flaming, Applicant. The purpose was for a conditional use to allow an existing manufactured home as a temporary second dwelling to repair mold damage in primary dwelling. The location was 1143 E. 50th Ave. Director Bristor advised that the Planning Commission, with 9 members present, recommended denial due to no applicant representation being present. Director Bristor advised that the applicant arrived at the planning meeting after the case had been closed. The history of the case was explained and the delays that occurred due to the applicant not appearing. Randy Flaming, the applicant, entered the meeting at 9:32 a.m.

Director Bristor continued with the history of the case. The Commission asked Mr. Flaming for comment. He explained why the delays had occurred and acknowledged that they had gone on for some time. The Commission, after discussion, unanimously denied the conditional use permit and allowed that the manufactured home be removed on or before 60 days from today. Director Bristor read KSA 12-760 regarding the appeal process.

The second case heard was No. 24PC-08 and related to updates to the Sumner County Zoning Regulations. Director Bristor explained the updates related to setback requirements for various zoning districts and an update relating to commercial feed lots. After discussion, the Commission unanimously approved Case No. 24PC-08 and adopted Resolution 2008-53.

Director Bristor submitted two prepared resolutions. One for renewing the terms of the Planning Commission members expiring this year and another for renewing the terms of the Board of Appeals members. All the current members with terms expiring were willing to continue serving. The Commission unanimously adopted Resolution 2008-54 for the Planning Commission members and Resolution 2008-55 for the Board of Appeals members.

Director Bristor covered several other items. He reported on the railroad bridge near Oxford. He had been in contact with the Chief Operating Officer for the railroad. Within the next 5 to 10 days the railroad will be sending someone to obtain bids to remove the bridge and the bridge debris from the water. Director Bristor has been in contact with Oxford city officials and will contact the other agencies involved. The public hearing regarding the Natural Resource Development District is scheduled for January 12, at 10:00 a.m. It will be held at the Raymond Frye complex. Director Bristor discussed the status of resolving the roof leak for the Planning and Zoning building. The Commission advised they would check with Maintenance Director Yoder.

State Representative Vince Wetta met briefly with the Commission. Legislative issues and committee chair appointments were discussed. The timeline for the casino process was also discussed.

Road and Bridge Director Melvin Matlock spoke with the Commission by phone. The Veteran's Memorial Park was discussed regarding the bridge necessary for the walking path. After discussion, the Commission unanimously approved the use of materials available at Road and Bridge and for some of the work to be done.

The Commission met with Deputy County Appraiser Laurie Walta. At 10:31 a.m., the Commission upon unanimous vote entered into executive session with Deputy Appraiser Walta for 10 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:34 a.m. The Commission unanimously approved the granting of a leave of absence of up to 30 days, if needed, to an employee in the Appraiser's office.

The Commission reviewed correspondence received from Renee Price and Jed Tencleve. Price was elected as Osborne Township Trustee and Tencleve was elected as Osborne Township Treasurer in the November election. Both submitted letters declining the position. The Commission received correspondence from the Osborne Township Board asking that Price be appointed as Treasurer and Tencleve be appointed as Trustee for the new term. After discussion, the Commission unanimously appointed Jed Tencleve as Osborne Township Trustee and Renee Price as Osborne Township Treasurer, both for the term beginning January 12, 2009.

The Commission reviewed and unanimously approved the mid-month claims in the amount of \$269,986.31.

Sheriff Gerald Gilkey spoke with the Commission by phone regarding courthouse security issues. He advised steps are being taken to resolve the resent issues relating to door access.

The Commission recessed at 11:59 a.m. with plans to reconvene at 6:30 p.m. at the Raymond Frye complex for the public hearing regarding a petition for a Rural Water District.

At 6:30 p.m., the Commission reconvened in open session at the Frye complex. Commissioner Eldon Gracy was not present.

The hearing and consideration for the petition submitted for the incorporation and organization of Rural Water District No. 7 was held. A number of landowners of the proposed district were present. County Clerk Shields advised the petition was submitted November 10, 2008, and was found to meet the requirements of KSA 82a-614. The required percentage of landowners' signatures was met. He confirmed the notice required by statute to be sent to the petitioners was mailed and the required legal publication was made. The required mailing to the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture was also sent.

The Commission opened the hearing to public comment. A question was addressed regarding the boundaries of the district and a specific parcel of property. A map of the proposed district was also reviewed. With no other public comment offered, the Commission closed the public comment portion of the meeting. The Commission unanimously found that the petition is in conformity with the statute. Chairman Martin moved to declare the district within the boundaries defined in the petition to constitute a quasi-municipal corporation and to be incorporated as a rural water district under the name of "rural water district No. 7, Sumner County, Kansas." Commissioner Newell seconded the motion and it passed unanimously.

At 7:00 p.m., the meeting of landowners for the purpose of electing a board of directors was held as per statute. After discussion occurred, Carl Stiles moved to have 7 members on the Board of Directors. The motion was seconded by Gary Ginn and it passed unanimously with nine landowners present and voting. The statute relating to the Board of directors; qualifications; election; bylaws; adoption was reviewed and discussed. Nancy Zogleman moved a slate of directors of Bob Mandevill, Marshall Love, Gary Ginn, Amy Shoffner, Carl Stiles, Joyce Lowe, and Nancy Zogleman. Bob Mandevill seconded the motion. The slate of directors was unanimously approved with nine landowners voting.

The next meeting required by statute for the Rural Water District will be December 16, 2008, at 6:30 p.m., at the Corbin United Methodist Church. The meeting is for the purpose of adopting bylaws for the district. The Notice required by statute and previously mailed to all petitioners provided the date and time of the meeting.

The Commission was asked if they had any problem with the transferring of funds from the Corbin Water Association to Rural Water District No. 7. Chairman Martin advised they have no authority or involvement with the funds for the Corbin Water Association. The County does own a parcel of property where part of the water system equipment is located. The Commission will have Counselor Potucek prepare the paperwork for the transfer of property to the district.

There being no further business, the Board of County Commissioners adjourned at 7:16 p.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 15, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Kourtney Carson entered the meeting at 9:12 a.m.

Road and Bridge Director Matlock met with the Commission. Commissioner Gracy discussed FEMA funds relating to a question posed to him by a township officer.

The Commission unanimously approved the minutes for December 8 and 9.

Director Matlock reported on the bids received for the purchase of three vehicles. The department is purchasing a dump truck, a semi truck, and a pick up.

At 9:37 a.m., the Commission upon unanimous vote entered into executive session with Director Matlock for 15 minutes to discuss non-elected personnel. The Commission reconvened in open session at 9:52 a.m.

At 10:30 a.m., the Commission opened the bids received for the official county legal publication for 2009. Individuals present included Joshua Delaughder, Editor for the Belle Plaine News, Jessica Tims-Seegler, Publisher/Editor for the Wellington News, and two Wellington News staff members. Notice that bids were being accepted was previously sent to all print media in the county. Two bids were received, the Belle Plaine News and the Wellington News. The Wellington News submitted a bid of 99 cents per line and indicated the price includes free online legals on their web site. The Wellington News is a three-day-a-week publication with a circulation of 2,080. The Belle Plaine News submitted a bid of \$1.00 per column inch. It is published on Thursdays and circulates 1,000 copies to Sumner County addresses. The Belle Plaine News bid also included a handwritten note that the News would be willing to advertise the publication of particular county notices in the other county newspapers. For notices costing the county \$3,000 or more, the News would spend 10% of the cost to advertise, in the other newspapers in Sumner County, that that particular notice is or has been published in the Belle Plaine News, that the Belle Plaine News is the official publication for Sumner County and provide instructions on how to obtain a copy of the notice. The Commissioners considered the differences in the bids.

The Commissioners discussed the difference in the bids regarding the bid per line compared to per column inch. After discussion, everyone seemed to be in agreement that the \$1.00 per column inch for the Belle Plaine News would compare to \$6.00 per column inch for the Wellington News. Discussion occurred at some length regarding circulation numbers and methods, publication deadlines, and public exposure. The Wellington News personnel provided information on their weekender edition where 5,800 papers are distributed county-wide. The weekender edition includes the legal publications for that week. After further discussion, the Commission unanimously approved and accepted the bid form the Wellington News as the official publication for the county in 2009.

At 11:00 a.m., the Commission held the public hearing for amending the 2008 budget for three county funds. Elliott Jackson, county auditor was present. The amendment of three funds was proposed, Soil Conservation, Community Corrections, and Prosecuting Attorney. The Community Corrections and Prosecuting Attorney funds do not involve tax dollars. The Soil Conservation fund was proposed to be amended as a precaution in case some additional cash available in the fund would be distributed. After discussion, the Commission unanimously approved and adopted the budgets as amended.

Mr. Jackson provided information to the Commission on recent FDIC insurance changes made.

Shahnax Ghavami, Electrical Engineer with the Satellite Engineering Division of the Federal Communications Commission, met with the Commission. She advised she is meeting with County Commissions across the state to discuss the change from analog to digital television and asking for help in disseminating information to the public. Ms. Ghavami provided information regarding the change and advised that coupons will be available to the public,

for a limited time, for the purchase of a converter box. With the coupon, the approximate cost is about \$10 to \$20. The application form for a coupon is available on-line at <https://www.dtv2009.gov/>. Ms. Ghavami left information to be posted.

The Commission unanimously approved membership in the Regional Economic Area Partnership for 2009 and authorized payment. The Commission unanimously appointed Commissioner Martin as representative for REAP and the Water Resources Committee. Commissioner Gracy was appointed as the alternate for both.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 16, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Kourtney Carson entered the meeting at 9:15 a.m.

Information Services Director Skeet Sirmons met with the Commission. He provided a status report on projects and information technology for the county. He discussed what projects he had discovered were still pending from the previous Director's tenure. The video arraignment for court appearances is a high priority. Director Sirmons will provide monthly status reports to the Commission on information technology projects.

County Appraiser Della Rowley and Carolyn Farley, staff member, met with the Commission regarding a project under the Neighborhood Revitalization Program (NRP). For the involved project the applicant failed to comply with the NRP procedures as he failed to obtain a building permit. The project has already been totally completed. The Planning and Zoning Department has fined the property owner. After discussion, it was agreed that the NRP application fee would be refunded.

Undersheriff Jerry Osborn met with the Commission. He provided the bids obtained for adding 6 triple bunk beds in the detention facility. Adding the bunks was previously discussed and the Commission approved obtaining bids. Two bids were received, one from Greeno Industries and the other from Bob Barker Company. A shipping charge would have to be added, if ordered from Bob Barker Company. The Commission had provided for an amount of up to \$10,000 to be used in the 2008 budget for the bunks. Commissioner Newell questioned if the added beds would require added personnel. Undersheriff Osborn advised that existing personnel would be sufficient, although, he would like to see additional detention officers. After discussion and review, the Commission unanimously approved the bid from Greeno Industries Inc. in the amount of \$982.00 per triple bunk, a total amount of \$5,892.

Maintenance Director Gary Yoder met with the Commission for evaluation purposes. At 10:39 a.m., the Commission upon unanimous vote entered into executive session with Director Yoder for 15 minutes to discuss non-elected personnel. The Commission reconvened in open session at 10:52 a.m.

Director Yoder discussed projects. He advised that he has continued attempts to have Brownlee Heating and Air regarding resolving the roof leak at the Planning and Zoning building. If not accomplished within another week, Director Yoder will contact another company.

County Counselor Jack Potucek met with the Commission and recommended an executive session for an attorney-client privileged matter. At 11:02 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 11:12 a.m.

The Commission contacted Attorney David Cooper by telephone. County Counselor Jack Potucek was still present and recommended an executive session. At 11:17 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek and Attorney Cooper for 30 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 11:47 a.m.

At 11:48 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Attorney Cooper for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 12:03 p.m.

At 12:03 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Attorney Cooper for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 12:18 p.m.

At 12:18 p.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek and Attorney Cooper for 15 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 12:33 p.m.

Chairman Martin moved that in anticipation of the Lottery Commission's scheduled announcement on January 1, 2009, of the publication of the revised application and review procedures, the Commission directs the County Counselor and legal staff to prepare a draft of a Request for Proposals to be made available to interested casino developers. Commissioner Newell seconded the motion and it passed unanimously.

There being no further business, the Board of County Commissioners adjourned at 12:36 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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 22, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Kourtney Carson entered the meeting at 9:21 a.m.

The Commissioners reviewed and unanimously approved the minutes for December 15 and 16 with one correction.

State Representative Vince Wetta met briefly with the Commission and wished everyone a Merry Christmas. He also reported that he had been assigned to the House Agricultural committee.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$40,177.60.

Chris Gallardo, Ryan Township Treasurer, met with the Commission. He inquired about the authority of township officers. Mr. Gallardo was provided a listing of the statutes relating to township officers and townships in general.

Larry McDonald met briefly with the Commission. He had received notice from the Planning and Zoning Department regarding the hearing on the Natural Resource Development District and had several questions on the matter. The Commission encouraged him to attend the public hearing scheduled for January 12, at 10:00 a.m., at the Raymond Frye complex.

County Counselor Jack Potucek met with the Commission. At 11:50 a.m., the Commission upon unanimous vote entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 11:59 a.m. Chairman Martin advised no binding action taken as a result of the session.

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.

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 23, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

Sheriff Gerald Gilkey and Information Services Director Skeet Sirmons met with the Commission. Director Sirmons explained some outstanding issues with the computer server currently being used by the Sheriff's Office. The server has been used since 1999 and has reached its capacity. Bids were obtained in September to replace the service, but action was delayed due to the personnel change in the Information Services department. Director Sirmons advised that he had obtained an updated bid from the company that provides the software for the various Sheriff's programs. The bid for purchase of the server is \$12,069.37. Sheriff Gilkey advised that he could cover about half of the cost from the Work Release fund and Director Sirmons advised the remaining amount would come from the Capital Improvement fund. The Commission unanimously approved the purchase.

Laurie Kreifels spoke with the Commission by phone regarding a project under the Neighborhood Revitalization Program (NRP). County Appraiser Della Rowley was also present. Mrs. Kreifels explained the project status and asked for an extension as the application expired in November. Appraiser Rowley advised that the project is estimated to be about 75% complete. Mrs. Kreifels asked for a six-month extension and advised the project, a room addition, could be completed within that time. The planned garage project would have to be reapplied for. After discussion, the Commission unanimously approved a six-month extension.

County Counselor Jack Potucek met with the Commission. An issue involving a former employee and membership in the Kansas Public Employees Retirement System was discussed. Further research will be done on the issue.

The Commission talked with Attorney David Cooper by phone. At 11:29 a.m., the Commission upon unanimous vote entered into executive session with Attorney Cooper and County Counselor Potucek for 30 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 11:59 a.m.

Counselor Potucek provided an update on the annexation lawsuit. A hearing on the motion for summary judgment is scheduled for the first week in January.

There being no further business, the Board of County Commissioners adjourned at 12:05 p.m.

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 29, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance. Marvin and Nita Simonton were present.

Kourtney Carson entered the meeting at 9:19 a.m.

County Counselor Jack Potucek met with the Commission. He asked for an executive session for an attorney-client privileged matter. At 9:20 a.m., the Commission upon unanimous vote entered executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. County Clerk Shields also remained present for the session. The Commission reconvened in open session at 9:29 a.m. Chairman Martin reported no binding action taken as a result of the executive session.

The Commission reviewed and unanimously approved the minutes for December 22 and 23.

The Commission reviewed an application for license to retail cereal malt beverage submitted by Crescent Store Corporation at the location of 882 E. 160th St. South. County Clerk Shields reported the required notice was sent to the Guelph Township Board and they returned a recommendation for approval. The Commission unanimously approved the issuance of a license.

Counselor Potucek met again with the Commission. He submitted the Request for Proposal (RFP) document for Lottery Gaming Facilities to be located in Sumner County, Kansas, for the Commission's final approval. The Commission unanimously approved the RFP to be provided to interested casino developers. The Clerk was directed to disseminate the RFP with a prepared cover letter to the local news media and to interested parties. The list will be sent to approximately 23 parties. The parties are possible developers and/or interested parties learned of in the first RFP process.

County Treasurer Carolyn Heasty submitted the latest sales tax report from the Department of Revenue. The total amount collected was \$180,200.51.

The Commissioners reviewed and unanimously approved the claims for the end of December in the amount of \$246,854.86.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk

County Commission
December 30, 2008 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 Garey E. Martin, Commissioner Jim D. Newell, and Commissioner Eldon B. Gracy. Also present was County Clerk Shane J. Shields. The meeting was opened with the Pledge of Allegiance.

The Commission met with Maintenance Director Gary Yoder. Utility costs and expenses for the Raymond Frye complex were reviewed and discussed.

Commissioner Newell excused himself from the meeting at 10:13 a.m.

The Commission met with Counselor Potucek and Maintenance Director Yoder. The status of the plans to create one or two meeting rooms on the third floor was reviewed. The need for a confidential meeting space for attorney's to meet with incarcerated clients between court appearances was previously identified. The space available and issues involved were reviewed. The Commission toured the third floor area.

The Commission reviewed and unanimously approved tax abatement orders in the amount of \$333.32.

County Clerk Shields left the meeting at 10:51 a.m. Deputy County Clerk Debra Norris was present for the remainder of the meeting.

At 10:52 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 10 minutes to discuss an attorney-client privileged matter. Commissioner Newell entered the meeting at 11:00 a.m. At 11:02 a.m., the Commission reconvened in open session. Chairman Martin reported no binding action taken as a result of the session.

At 11:02 a.m., upon unanimous vote the Commission entered into executive session with Counselor Potucek for 15 minutes to discuss an attorney-client privileged matter. At 11:17 a.m., the Commission reconvened in open session. At 11:17 a.m., upon unanimous vote the Commission returned to executive session for 15 minutes with Counselor Potucek for an attorney-client privileged matter. At 11:32 a.m., the Commission reconvened in open session. At 11:32 a.m., upon unanimous vote the Commission returned to executive session for 5 minutes with Counselor Potucek for an attorney-client privileged matter. The Commission reconvened in open session at 11:37 a.m. Chairman Martin reported no binding action taken as a result of the session.

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

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

Garey E. Martin, Chairman

Shane J. Shields, County Clerk