

**CHARTER COMMISSION AGENDA
KU Edwards Campus- BEST Conf. Ctr
And
VIRTUAL MEETING
MONDAY, JANUARY 10, 2022
4:00 PM**

CALL TO ORDER

1. Roll call and Quorum

APPROVALS

1. Consider the Approval of the January 10, 2022 Agenda.
2. Consider the Approval of the December 22, 2021 Minutes.

OLD BUSINESS

NEW BUSINESS

1. Proposed Amendments for Final Votes.
(see attachment for order)
2. Note of Other Items for Processing (possible Clean Up Items) and Other Processing Notes by the Chairman (see attachment)
3. Proposed Recommendations to the Board of County Commissioners Discussion.
(see attachment for order)
4. Discussion of Final Report, Minority Report and other process issues.

NEXT MEETING AGENDA (Wednesday, January 26, 2021 at: 4:00 p.m.)

KU Edwards BEST Conference Center– In Person and Virtual

Continued consideration of Charter Commission Responsibilities

ADJOURNMENT

Facilities Reminder:

- Masks are required, regardless of vaccine status protect.ku.edu.
- Please try to have appropriate physical distance between others.

Charter Website at: <https://charter.jocogov.org/>

01/10/2022 Items for Final Votes

Elected Position/ Unincorporated area

- ~~Establishment of “Johnson County Unincorporated Trustee” Position Elected by the Unincorporated Citizens of Johnson County.~~
(Clerks Note: Held for Legal Opinion) (see new proposal below)

****Submitted new wording for above proposed amendment as of 12/20/2021****

Amendment mandating that the Johnson County Planning and Zoning Commission, with the advice and consent of the Township Trustees, spend certain monies from the general fund, reserves, and public works funds of Johnson County, Kansas on the maintenance and upkeep of roads, bridges, culverts, and overall capital improvement in the unincorporated areas of Johnson County, Kansas.

Board of County Commissioners

- ~~At Section 2.02, the fourth sentence shall be deleted and replaced with the following: "Six Commissioners shall continue to be elected to four year terms consistent with past practice. The Seventh District Commissioner elected in November 2022 shall be elected to a five year term, after which term the Seventh District Commissioner shall thereafter be elected to four year terms beginning in November 2027."~~
(see new proposal below submitted 1/6/2022)

At Section 2.02, the fourth sentence shall be deleted and replaced with the following: "Six Commissioners shall continue to be elected to four-year terms consistent with past practice. The Seventh District Commissioner (Chair) shall be elected to six-year terms, starting with the term beginning after the November 2022 election."

Application of BOCC Policies to Sheriff and District Attorney

- Modify Article V as follows: (NEW Document from Submitter 12-17-2021; request modified from Blue/Red Line document submitted 12/6/2021-)

Modify Article V as follows:

1. Modify Section 5.02, bullet 1, sentence 2 to read as follows: “Except as provided by law or this Charter, the County Manager shall appoint, suspend, or dismiss all non-elected department directors and division heads, including the County Clerk, the Register of Deeds, and the County Treasurer. The statutory duties of the County Clerk shall be performed by, or as necessary, consolidated under the authority of and as delegated and assigned by the County Manager. The statutory duties of the Register of Deeds shall be performed by the County Clerk, or as necessary, consolidated under the authority of and as delegated and assigned by the County Manager. The statutory duties of the County Treasurer shall be performed by, or as necessary, consolidated under the authority of and as delegated and assigned by the County Manager.”
2. Modify Section 5.05 by deleting bullets, 1, 2, 3, and redraft the remaining provisions t, subject to o read as follows: “Sheriff shall be elected, subject to amendments as provided or allowed by law. The Commissioners shall review and approve the Sheriff’s budget. The Sheriff’s office is subject to the personnel policies and procedures established by the BOCC and all other administrative policies adopted by the Commission to the extent not inconsistent with law.”
“While the District Attorney of the 10th judicial district is not a county official, this elected, state position shall comply with administrative policies adopted by the Commission to the extent not inconsistent with law.”

OTHER ITEMS:

Remaining items to process:

Clean-up

- Delete the current Section 2.08 and renumber the current Section 2.09 as Section 2.08.

- Delete the text of the current Section 6.03. Insert the text of the current Section 6.04.
Eliminate the heading of the current Section 6.04.
Modify bullet one of the new text of Sec. 6.03 to add the parenthetical (second Thursday of January 2001) after the word “Charter.” The bullet now reads: “A Charter Commission, composed and appointed provided by statute, shall be created within 30 days of a date which follows 10 years after the effective date of this Charter (the second Thursday of January 2001), and at least every 10 years thereafter.”
Delete all of Article VII.

01/10/2022 Items – Proposed Recommendations to Board of County Commissioners

3 Proposed Recommendations to the BOCC

- Reorganize Sub-Commissions not currently under the direct control of the Elected County Commissioners and the Charter Commission to a structure that is.

- Continued effort to move forward on consolidation of rural fire districts in Johnson County.

- The dialogue within the Charter Commission and the public comments received made apparent a lack of public understanding of the balance of authority between the BOCC and the Sheriff's Office. On one hand, the Sheriff is an elected position with some independent statutory authority. On the other hand, this authority is statutorily circumscribed by the general power of the BOCC to establish personnel policies and procedures and pay plans for county employees and the power to review and approve the budget for the operations of the Sheriff's Office.

The Charter Commission recommends that the BOCC budgetary process include and result in:

1. A clear statement of the statutory duties of the Sheriff's Office.
2. A line item budget which identifies funds required to meet these statutory duties.
3. A line item budget which identifies funds for discretionary programs and projects.
4. A budget total which combines the two and which may not be exceeded without additional approval of the BOCC.