

**2021 JOHNSON COUNTY CHARTER COMMISSION****4<sup>th</sup> Regular Meeting Minutes****Wednesday May 26, 2021**CALL TO ORDER

The fourth regular meeting of the 2021 Johnson County Charter Commission convened on Wednesday, May 26, 2021 at 4:00 p.m. via Zoom (virtual). Greg Musil, Chairman of the Charter Commission called the meeting to order and asked the Clerk to call the roll.

1. Roll Call

The roll being called, it was found the following Members were present and participated in the meeting, to wit:

**Officers:**

Greg Musil, Chairman

Dawn Rattan, Vice-Chair

Ed Peterson, Secretary

**Members:**

Wendy Bingesser

Mike Boehm

Vicki Charlesworth

Jim Denning

Jane Dirks

Tedrick Housh

Randy Hutchins

Chris Iliff

Laura Klingensmith

Joy Koesten

Brent McCune

Eric Mikkelson

Leslee Rivarola

Don Roberts

Kyle Russell

Paula Schwach

Brenda Sharpe

Greg Shelton

Greg Smith

Zach Thomas

**Members Absent:**

Karin Brownlee (note- joined meeting at 4:23 p.m. Item #4-Rules of Order)

Jimmy Gaona

Also present were Maury Thompson, Deputy County Manager; Cindy Dunham, Interim Chief Legal Counsel; Lynda Sader, Deputy County Clerk; Aaron Otto, Airport; Susan Pekarek, Wastewater; Brian Pietig, Public Works, and Jay Leipzig, Planning/Housing/Community Development.

Chairman Musil welcomed the Commissioners, and the guest presenters.

APPROVAL OF MINUTES

1. Consider the Approval of the May 26, 2021 Agenda.

Brent McCune moved to *Approve* the May 26, 2021 agenda as presented. Leslee Rivarola seconded the motion. The motion carried unanimously. (23 with No objections)

2. Consider the Approval of the May 10, 2021 Minutes.

Brent McCune moved to Approve the May 10, 2021 Minutes as presented. Jim Denning seconded the motion. The motion carried unanimously. (23 with No objections)

OLD BUSINESS

[None]

NEW BUSINESS

1. Discussion of Chat on Zoom – Chair Musil/ Cindy Dunham, Legal Counsel

Chair Musil stated that the Chat function of Zoom would only be used for the recording of late arrivals or when leaving the meeting early. All other information and questions should be stated in the live meeting.

2. Future Meetings – Chair Musil

- Location and COVID Protocols

Chair Musil stated many of the future meetings will be held at the KU Edwards Campus along with a virtual option, some dates are not available, including the June 14 meeting which will be held totally virtual. Other dates not available will be reviewed for other alternative locations but may be held totally virtual.

3. Website - Lynda Sader, Deputy County Clerk

Lynda Sader, Clerk stated the Charter Commission website is “live” and available to the public now. The web location is [Charter.jocogov.org](http://Charter.jocogov.org)

[Karin Brownlee entered the meeting at 4:23 p.m.]

#### 4. Rules of Order- Chair Musil

Greg Smith moved to *Approve* the Rules of Order to include a Minority Report with No threshold for inclusion with the Final report. Zach Thomas seconded the motion.

Bingesser – Yes  
 Boehm – Yes  
 Brownlee – Yes  
 Charlesworth – No  
 Denning - Yes  
 Dirks – Yes  
 Housh – Yes  
 Hutchins – Yes  
 Iliff – Yes  
 Klingensmith – Yes  
 Koesten – No  
 McCune – Yes  
 Mikkelson – No  
 Peterson – No  
 Rattan – No  
 Rivarola – Yes  
 Roberts – Yes  
 Russell – No  
 Schwach – No  
 Sharpe – Yes  
 Shelton – No  
 Smith – Yes  
 Thomas – No  
 Chairman Musil – Yes

After a voice roll call vote, the motion passed 15-9.

Kyle Russell moved to *Approve* to have “9” inserted in Section 6.c. for the wording of “X” on the proposed Rules of Order. Paula Schwach seconded the motion.

With a voice vote, the motion passed 22-2 with confirmation of “No” votes of Denning and Smith.

Eric Mikkelson moved to *Approve* to adopt the proposed Rules of Order as amended. Brenda Sharpe seconded the motion. The motion carried unanimously. (24 with No objections)

[Chair Musil announced with time constraints, he would ask Jay Leipzig, Planning/Housing/Community Development to Present at the June 14, 2021 meeting. Therefore, Jay Leipzig was excused from the meeting.]

5. Discuss Plan to Prioritize Department/Agencies/Offices- Chair Musil

Chair Musil stated with 20 responses, the Executive Committee will move forward on setting a schedule. He stated that for June 14, we will have Planning/Housing/Community Development, Corrections, Emergency Management and Med-Act.

The Charter Commission Authority document was discussed. The members were asked to review and send any comments or suggestion to Chair Musil.

6. Discuss: Questions for Current County Commissioners and Former County Managers- Chair Musil

Chairman Musil stated that the Charter Commission members should think of questions and information that they would want the current Board of County Commissioners and former County Managers to answer/provide and forward those to hee Clerk as soon as possible.

7. Presentation- Overview of Airports, Wastewater, Public Works, and Planning/Housing/Community Development

- **Airport – Aaron Otto**

Aaron Otto, Airport, presented a presentation document and spoke to how the Airport is different to other areas of organizations of Johnson County Government. The Airport Commission is an agency that by statue, giving the power to the County Commission to create an Airport Commission and delegate certain assignments, roles and responsibilities to it.

Mr. Otto presented a history of both airports which are owned by the Johnson County Government. The airport responsibility also includes a short line railroad.

The reporting responsibility is that the JOCO County Commissioners appoint an Airport Commission and Aaron as the Executive Director reports to the both. The Airport Commission Vision is to Promote aerospace activities in Johnson County and provide economic value and job creation.

Mr. Otto spoke to responsibilities of the Airport and the businesses located at the New Century Airport. The Economic Impact was shown and discussed the New Century Business Park Revenue Benefits. Revenue and Expense Summary by Cost Center was shown in the presentation and the Airport was self-sufficient between 2005 to 2020. He reviewed the strengths, weaknesses, opportunities and threats of the Airport Commission. He also noted that the Blue Angels will appear at the 2021 Airshow at New Century on July 3 and 4, 2021.

Question and answer session was then held.

Topics covered were connections with the intermodal, what could be offered for shipping cargo, reserving land for aviation businesses only, and T-hangars including the waiting time to rent a T-hangar. Mr. Otto stated that the cost and limits on rates/cost recovery for T-hangar rentals are obstacles.

Considerations that should be known by the Commission pertaining to other airports, such as MCI, Wheeler Airport, etc. were discussed.

The concerns of the workforce and affordable housing were discussed. Mr. Otto also stated what they are doing to attract tenants to fill the void of the tenant that left the 470k square foot office building.

- **Wastewater- Susan Pekarek**

Susan Pekarek, Wastewater, presented a presentation document and spoke to the role of Johnson County Wastewater. The primary responsibility is for the safe collection, transport and treatment of wastewater generated by residential, commercial, and industrial customers. It was established in the mid 1940's. The oldest facility is the Nelson Complex. They serve about 500,000 in the county and is the largest provider. There are 6 major treatment plants, over 30 pumping stations, 2300 miles of sanitary sewer pipe under the ground and over 59,000 manholes.

Wastewater reports to the County Manager's office, then up to the JOCO Board of County Commissioners. Wastewater is not supported by taxes; it is funded by the rate payers. They operate under their own Charter, WW Charter Resolution No. 29-92 (version 2013); User Charge Resolution 13-022 – Adopted System of Charges for Wastewater Operations and Maintenance and Capital Improvement Program; and Connection Fee Resolution 13-021 – Adopted standard table of water meter sizes and equivalency use classifications for calculating connection fees.

Wastewater operates as a Utility. Each year they update their financial plan and prepare a 10 year outlook for rates.

They have Asset Management Goals of 1) Sustain Performance as Systems Age/Deteriorate, 2) Use Data to Drive Decisions, 3) Establish Prudent CIP and Operation & Maintenance (O&M) Budgets, and 4) Facilitate Continuous Improvements and Knowledge Transfer. One asset management win is the reduction in Dry Weather Backups.

Ms. Pekarek stated they do long-term planning to stabilize their rates and take advantage of opportunities as they come along such as low interest rates and refinancing debt.

Even with all the capitol investment, Johnson County Wastewater rates are still among the lowest rates in the metro area and the rates are below the national level.

Ms. Pekarek also provided an update on the Tomahawk Creek facility construction project.

Question and answer session was then held.

Ms. Pekarek stated that the County Charter does not really effect Wastewater. Wastewater has their own Charter.

She stated that probably more than 90% of Wastewater customers have WaterOne as their water provider. So whether it's WaterOne, Water7 or Olathe or others, Wastewater has agreements to receive the data of water usage so that Wastewater can bill our customers. She stated that they have a good relationship with the other providers, and feel that they have always been able to work through any issues.

Ms. Pekarek stated that Wastewater has a 40-50% range of sludge that can be reused. She stated that staff will increase with the new plant coming online. She stated that staff will need to be added over the next ten years, but they will continue to right size the staff. With development, they have staffed up and have also reorganized the engineering group. They started a Wastewater Advisory Group to evaluate processes.

- **Public Works- Brian Pietig**

Brian Pietig, Public Works, presented a presentation document and spoke to the role of Johnson County Public Works. He stated their roles are mainly to maintain and improve the roads/bridges in Unincorporated Johnson County. These are funded with general revenues, which includes the administration, noxious weeds, plat and survey reviews, dust control and coordination with the Planning department. Another role is Urban Services – Coordinates and provides financing with the Cities of Johnson County with the CARS Program and the Stormwater Program.

Public Works reports to the Infrastructure Bureau Chief of the County Managers Office and the BOCC. (They are Not -Fleet, Transit, Water, Electricity, Trash, Parks, Wasterwater or Buildings.)

Pertaining to the Maintenance within Public Works, they have a Road and Bridge Inventory of

- Gravel Roads – 135 miles
  - o Chip Seal – 30 miles
- Paved Roads – 240 Miles
- Bridges – 110

Preventative maintenance is the #1 goal.

Improvements are also important of the Road and Bridges. He noted that they are focusing on the roads to improve safety. He stated that our bridges are in really good shape.

The CARS (County Assistance Road System) was formalized in 1983. Stormwater Management Program (SMP) was created in 1991 for flood management. They are now focusing on the Watershed project, not on the city project. They will also look at not just flood management but look at quality and maintenance of those projects.

The challenges are annexation patterns (strain on County roads), boundary projects, static budgets, climate change and distracted driving.

Question and answer session was then held.

Mr. Pietig stated that the Charter does not really affect the Public Works department. The allocation formula for the CARS program and the Stormwater Management program was discussed. The Stormwater program is priority based. The CARS program funding is based on a combination of the cities assessed valuation/population compared to the county assessed valuation/population. The cities submit requests for projects.

About \$2 million of general revenues and \$2 million from federal funds are for Capitol projects and most all is spent for the unincorporated. We have no chip/seal roads and we have a Dust control program. We have a 75 year life cycle on bridges and have 2 or 3 to be replaced in the next few years.

At this time a question and answer session was held for all three presentations.

Aaron Otto stated that there are really no issues or challenges with the Charter that are affecting the Airports. He also stated that the North Supply building is now owned by the County. It is currently not taxed but most all other buildings (about 72%) built since 1992 are taxed.

- **Planning/Housing/Community Development – Jay Leipzig**

[Note: Planning/Housing/Community Development – Jay Leipzig was rescheduled for June 14, 2021.]

**NEXT MEETING AGENDA (Monday, June 14, 2021 at 4:00 p.m.)**

- a. Format
- b. Presentations –to be determined upon review of Commissioners survey responses.

Chairman Musil noted that the June 14 meeting would be held virtually and that Planning/Housing/Community Development; Corrections; Emergency Management, and Med-Act would present.

**ADJOURNMENT**

Greg Shelton moved to adjourn the meeting and Jim Denning seconded the motion. The motion carried unanimously. (24-0)

The meeting was adjourned at 6:01 p.m.

PREPARED BY Lynda Sader

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The journal entry for Wednesday, May 26, 2021, as recited above, having been read and considered by the Charter Commission, and having been found to be correct as written, was approved on this the fourteenth day of June 2021.


CHARTER COMMISSION  
JOHNSON COUNTY, KANSAS



C. Edward Peterson (Jun 16, 2021 18:53 MDT)

ED PETERSON, *Secretary*

ATTEST:

  
Lynda Sader (Jun 17, 2021 07:56 CDT)

LYNDA SADER, *Deputy County Clerk (Clerk to the Commission)*