

CAPTION FILE

Johnson County Charter Commission Meeting

Monday, October 11, 2021

5:30pm

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>> Chairman Musil: Good evening, everybody. I apologize for the delay. There have been several run-throughs on the technology; but it is not working perfectly so that the folks that are watching the virtual broadcast can hear what's going on in this room. So, this little thing is called a pup -- puck. It will be moved to the microphone as you're speaking because that's how people on Zoom will hear. Okay? So, when this gentleman moves around, that's what he's doing is moving the puck from one microphone to the other.

Welcome to the meeting of the 2021 Johnson County Charter Commission. I'm Greg Musil. I'm the Chair of the Commission. It's a 25-member volunteer commission appointed by various folks from around the county. This is our rescheduled first public hearing of two public hearings. The second public hearing is anticipated -- it was scheduled to be on October 27th, again at 5:30, again, in this hotel, presumably in the same room. We've been meeting since March either virtually or in person to learn about the county and to be prepared to fulfill our role as a commission. Our meetings are generally the second Monday and the fourth Wednesday of the month. The Johnson County Home Rule Charter was initially adopted by voters in 2020. The Charter requires the appointment every ten years of a 25-member Charter Commission for purpose of reviewing the Charter and considering whether any amendments to the Charter should be placed on the ballot for the voters to consider. The Charter may be amended only by the voters. The way to put something on the ballot is either thru the Charter Commission with 13 votes out of 25 members, or by a super majority vote of the County Commission.

First of all, I want to thank the County staff for all the work that's gone into this. It's not easy to meld the technology between the hotel and what we need for Zoom. So we hope it will continue to work. The Charter requires the Charter Commission to hold at least one public hearing. We're going to hold two, at least two. If you want to see any of the past meetings, or the agendas, or the recordings of the previous meetings, the website is www.charter.jocogov.org. It

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is also linked on the county's main website, which is www.jocogov.org. The website includes future meeting dates, agendas, minutes, and videos of each Charter Commission meeting, as well as a copy of the Home Rule Charter. No proposed amendments have been presented to the Commission. At our last meeting we established November 1 as the relatively firm but not absolute concrete deadline for people to submit -- for Charter members to submit amendments that could be considered by the Commission. And those would then be discussed at our future meetings on November 8th and November 17th, and then two meetings in December. At some point in that, votes will be taken on each of those. Our rules establish that if nine votes are received, then the proposal will receive full consideration. If 13 votes are received, then it would go on the ballot next November, November, 2022.

We are here for a public hearing tonight. We have over 50 speakers who have preregistered or who have signed in tonight. So we're going to try to get through those. We will end the public hearing about 7:55 with any clean up so we can be out of here by 8. We have a time limit on when we have the room. Here, quickly, are the rules. Each speaker will be allotted two minutes. Deputy County Clerk to my left, Lynda Sader, will call out the names of the speakers, although they also have been presented on the board. If you would be ready to go. We have multiple podiums, so, if you're next and somebody is at this podium, please come on up to the other podium so we don't lose a lot of time in between speakers. You will see a countdown for two minutes. Virtual speakers should see the same countdown on their monitor. Let's see. We always accept written comments. We've had a lot of written comments on the website. Those are distributed to every Charter Commission member. Every one of our meetings has been recorded. These public hearings are recorded. A number of our commissioners tonight are on Zoom. And anybody that was unable to attend or is out of town and without a Zoom link will be able to watch this on the recording.

I guess the first thing I should have done was to ask for a roll call of commissioners to make sure we have enough people here. I'm sure we do, but Lynda.

>> Clerk: Wendy Bingesser.

>> [Speaker off-mic]

>> Clerk: Thank you. Mike Boehm. Mike Boehm.

>> Chairman Musil: I think he was unavailable.

>> Clerk: Karin Brownlee.

>> Present.

>> Clerk: Thank you. Vicki Charlesworth.

>> Vicki Charlesworth, present.

>> Thank you. Jim Denning.

>> Denning, here.

>> Clerk: Thank you. Jane Dirks.

>> Jane Dirks, here.

>> Clerk: Thank you. Jimmy Gaona.

>> Jimmy Gaona, here.

>> Clerk: Thank you. Tedrick Housh is absent. Randy Hutchins. Randy Hutchins.

>> Unidentified Speaker: Randy Hutchins is available on Zoom.

>> Clerk: He is on Zoom?

>> Unidentified Speaker: That is correct.

>> Clerk: Or he's not?

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>> Unidentified Speaker: He is present on Zoom.

>> Clerk: Randy, can you unmute yourself and speak that you are available on Zoom? I'll come back. Chris Iliff. Chris Iliff. Okay. Absent. Laura Klingensmith.

>> Laura Klingensmith, here.

>> Clerk: Thank you. Joy Koesten. Should be on Zoom. Joy?

>> Unidentified Speaker: Joy is not present on Zoom.

>> Clerk: Thank you. Brent McCune.

>> [Speaker off-mic].

>> Clerk: Thank you. Eric Mikkelson.

>> Eric Mikkelson, present.

>> Clerk: Thank you. Ed Peterson.

>> Ed Peterson, present.

>> Clerk: Thank you. Dawn Rattan.

>> Dawn Rattan is present.

>> Clerk: Thank you. Leslee Rivarola.

>> Leslee Rivarola is present.

>> Clerk: Thank you. Don Roberts. Don Roberts. Kyle Russell.

>> Kyle Russell, present.

>> Clerk: Thank you. Paula Schwach. She is absent. She had a council meeting tonight. Brenda Sharpe. She's -- I can see Brenda on Zoom.

>> Sorry, you cut out. Brenda Sharpe, present.

>> Clerk: Thank you. Greg Shelton.

>> Greg Shelton, present.

>> Clerk: Thank you. Greg Smith.

>> Greg Smith is here.

>> Clerk: Thank you. Zach Thomas.

>> Zach Thomas here as well.

>> Clerk: Thank you. Chair Musil.

>> Chairman Musil: Here.

>> Randy Hutchins: Randy Hutchins is present as well.

>> Clerk: Thank you. We have 19 present.

>> Chairman Musil: 19 out of 25 are present, so we do have a quorum. We have two business items to consider? First of all, approval of tonight's agenda, which is basically a public hearing. Is there any question or do I have a motion to approve the agenda for tonight's meeting?

>> Jim Denning: Motion to approve.

>> Chairman Musil: Motion by Senator Denning. Is there a second?

>> [Speaker off-mic].

>> Chairman Musil: Council member Brownlee. All those in favor, say aye.

>> All: Aye.

>> Chairman Musil: Any opposed, no. Agenda is approved. Second item is approval of the minutes from the September 22, 2021, meeting. Are there any additions or corrections? If not, I would accept a motion to approve the minutes as published.

>> Unidentified Speaker: So moved.

>> Chairman Musil: Was that Mr. McCune?

>> Greg Shelton: That was Greg Shelton.

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>> Chairman Musil: Greg Shelton. Greg, I'll take you as a second. Brad had already moved here in the room. Moved and seconded to approve the minutes. All in favor, say aye.

>> All: Aye

>> Chairman Musil: Opposed, no. Minutes are approved. We will get to our public hearing just very quickly. We're late, so we will try to go a little bit past 8 if we have more speakers signed up. The order of the speakers is to take those who preregistered for September 13th, first virtual and then in person. And then we will take those who preregistered tonight, October 11, virtual, and then those who preregistered in person. And then anybody that registered tonight at the door. Again, if you see your name up there and you're next, please go to the open podium. We have three. I would try to avoid the one on the far -- my far left, your far right, just because it's going to be harder for people to keep an eye on you.

So, see if we have anything else on here before we go. I think we're ready to go. Lynda, would you call the first -- we're going to call Bill Jacobson as the first speaker. If Bill wants to make his way -- he's going to be virtual. That's right.

>> Bill Jacobson: Hello. Can you hear me? Hello, can you hear me?

>> Chairman Musil: Yes, Bill. If you would hold on for a minute, we're still having some technical issues. Okay, Bill, you are ready to go. You will not see the timer. We will see it on our screen? I'll set my phone and try to give you a few seconds warning, Bill, if that's okay.

>> Bill Jacobson: Okay.

>> Chairman Musil: You won't be able to see the timer on your screen.

>> Bill Jacobson: Okay.

>> Chairman Musil: Each speaker, please give your name and the city you are from.

>> Bill Jacobson: Good evening. My name is Bill Jacobson. I'm a lifelong resident of Overland Park. I wanted to speak today and echo what many are saying about retaining the voting rights of the people of Johnson County to elect their own sheriff. It is critical that this position is elected by citizens and not have those rights stripped away and given to the Board of County Commissioners to use as an extension of their own office. The Board of County Commissioners and the Sheriff's Office need to continue to be separate.

I also wanted to speak to you about a proposal that I'm calling the Voter Awareness Act. I think a majority of the people would agree that in order to have a truly representative government in Johnson County, it's critical that voters know what value or political party a candidate supports. Even with more and more social media outlets available to gather information about candidates, it can still be very difficult to determine how a particular candidate will vote on a specific issue as many of these politicians can avoid questions by simply saying that the question is a political question and this is a non-political seat. This current structure does not allow the voters the ability to determine if the candidate represents their position on many topics. This is exactly what happened to me. Every time I inquired about a candidate's position on many topics in our recent primary election, they simply stated it was a political question and refused to answer the question. So, what I'm proposing is this Charter Commission consider making many of these positions party affiliated. This would ensure that the voters of Johnson County can elect those candidates that more closely align with their own values and thus giving Johnson County a true representative government at all levels. Thank you.

[Applause]

>> Chairman Musil: Thank you. In order to get through as many people as possible, if you simply agree with somebody and you can say that, that will save time for other speakers. And I

appreciate the applause; but, again, that will take more time, and if we can get more people through, that will be better for everybody I believe. Next on the virtual is?

>> Clerk: Amber Stenger. Amber Stenger.

>> Amber Stenger: Thank you. Thank you for giving -- can you hear me?

>> Clerk: Yes. Go ahead.

>> Amber Stenger: Okay. Great. Thank you for giving the community this opportunity to speak. My name is Amber Stenger, and I'm a resident of Shawnee. I'm here tonight as president of the League of Women Voters of Johnson County. The League is a nonpartisan grassroots organization that, for more than 100 years, has fought to protect and strengthen our democracy, and ensure full participation of citizens in the process. The Johnson County League advocated strongly for adopting the Home Rule Charter form of government in 2000, and continues to support it as the best available structure of government for Johnson County. An essential pillar of the Charter voters approved in 2000 was making county commissioner races nonpartisan. This has served Johnson County residents well in the past 20 years. The adage, "if it isn't broken, don't fix it" definitely applies here. More Johnson Countians voted in the 2020 general election than nearly ever before, with 77% of total registered voters casting ballots. County commission positions were among the races voters decided in that high turnout year. Nonpartisan elections in our county include governing bodies for 20 city councils and mayors, six school boards, the Water 1 board, the JCCC Board of Trustees and, of course, the county. The current nonpartisan system is familiar to voters and benefits our community in several ways. First, the system better reflects the growing number of voters who are independent. As of August, 2021, 26% of all registered voters in Johnson County were unaffiliated with a political party. Second, candidates have to declare their own positions on pressing local issues instead of relying on party planks. And, third -- the timer just popped up. Third, races are less polarizing outside the party framework, focusing more on the ability and positions of the candidates than preconceived notions based on party affiliations. And last, it fosters a more collaborative environment among elected officials. Voters knew what they were doing in 2000. Nonpartisan elections work for these all-important county races. We urge you to keep a good thing, Johnson County, going and not mess with the system that is working. Thank you for your time and attention this evening.

>> Clerk: Now we have Rene Martinez. Rene Martinez.

>> Unidentified Speaker: I'm sorry. Can you repeat the last name?

>> Clerk: Martinez. Rene Martinez. Okay. Thank you. We'll go on. Now we have Emily Coleman. Emily Coleman.

>> Emily Coleman: Good evening. My name is Emily Coleman. I'm from Spring Hill, Kansas. Three main points I would like to speak to. First, I would like to reiterate four very pointed questions iterated in the Minority Report of 2010 Charter Commission. One: Is this program, service, or proposal necessary, or a good idea? Two: If it is necessary, is it something that the government should be doing? Three: If the government should be doing it, can we afford it? Four: If we can afford it, is it being performed with the maximum proficiency? I think it's imperative to remind voters of Johnson County that we have only had a Charter for 20 years; and there's no reason that the Charter couldn't be dissolved today. As there is no reason that county positions like the County Manager, which has enjoyed a 25% pay increase, as citizens of Johnson County have enjoyed a 25% tax increase, couldn't be returned to an elected position. As we have seen, the consolidation of power and accountability to the Board of County Commissioners alone as opposed to taxpayers and powers of status quo that eliminates or limits personal freedom. A

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Charter member recently posed, too, that a board of health should be formed composed specifically of stakeholders from the medical community. My question is: How could it be possible for a one-sided board, staffed with only for-profit medical -- for-profit medical fascists to be fairly representative the rights of citizens of Johnson County over profits of the medical industry? Three: If Commissioner Hanzlick wants to live in a place like Seattle, Washington, she should perhaps probably move there. From what I can see, there isn't a particular thing that makes Seattle more desirable than Johnson County other than coastal access, which we are not going to replicate by appointing our Sheriff. Today, an elected constitutional Sheriff has been the only check on the Board of Commissioners' otherwise runaway superiority complex that has sought to use the pandemic to promote and usher the Johnson County's own version of the Green New Deal. Thank you for the opportunity to speak; and I remind all people that ultimately no matter what the County determines --

>> Clerk: Now we have Tracey Osborne Oltjen. Then, after that, we will have Lyn Levine. Tracey Osborne Oltjen.

>> Tracey Osborne Oltjen: Good evening. Can you hear me?

>> Clerk: Yes, we can hear you.

>> Tracey Osborne Oltjen: Thank you for the opportunity to provide testimony this evening on behalf of the Overland Park Chamber of Commerce and the business community. First, thank you for your service. I served on the Charter Commission in 2011, so I understand the time and energy commitment you are making. It's critical in a growing and dynamic county like ours that we regularly assess our county structure and make any needed recommendations. I want to focus on two issues: Elections, and whether change is needed in our Charter. First issue, the Overland Park Chamber has long been an advocate for nonpartisan elections. Our members believe this is the best approach to local governance and recently reiterated this in our policy agendas. We believe civility should be one of the cornerstones of our democratic process --

>> Unidentified Speaker: Randy, are you available to take that down? If you want to try to see, make another trip down there --

>> Tracey Osborne Oltjen: While it is true that potholes aren't partisan, it's also true that the hyper partisan dysfunctional --

>> Chairman Musil: Tracey, would you hang on for just a second? I think we had a Charter Commissioner on Zoom that was unmuted. Somebody broke in. Could you -- I don't know where to tell you to start, but probably 10 or 15 minutes ago.

[Laughter]

>> Tracey Osborne Oltjen: Did you hear anything of what I said? Do you want me to say it over again?

>> Chairman Musil: I don't want you to start over; but probably a couple sentences before.

>> Tracey Osborne Oltjen: Okay. I'll just begin with we've been an advocate of nonpartisan elections. We believe it's the best approach to local governance and we reiterated this in our policy agendas. We believe civility should be one of the cornerstones of our domestic process. We ask that you continue to support nonpartisan elections in Johnson County. While it is true that potholes aren't partisan, it's also true that the hyper partisan dysfunctional nature of our state and national politics will be even more destructive at the local level where decisions that impact our daily lives are made. We believe nonpartisan elections have served us well in the past and will continue to do so into the future.

Our second issue. We do not believe that any structural issues merit changing our county's

Charter; therefore, we recommend that no ballot amendments to Johnson County's constitution be forwarded to the Board of County Commissioners. Thank you very much for your consideration.

>> Clerk: Now we have Lyn Levine. Then we will have Ali Seeling. Lyn Levine.

>> Lyn Levine: Hi, this is Lyn Levine. Thank you for giving me the time to speak. Why do we want to change something that is working well? That's one of my questions. The county Sheriff position should remain being elected by the voters as stated in the current Johnson County Charter and not be appointed by the commission. This has served the people well. Our current Sheriff is very well-respected. The Sheriff should be accountable to the people, and be required to live in Johnson County, and have knowledge of the position they are being appointed to. I don't think that Kansas should be following examples from a liberal West Coast. That's not our culture. If the West Coast is focused on the things they want, perhaps we should do the opposite. The definition of democracy is governed by the people. That's why I think this should be -- it should stay the way it is. Now is not the time to change this process. I would love to know the issues of what is prompting the need to make any changes. Thank you for your time.

>> Clerk: Now we have Ali Seeling. Ali Seeling. Then we will have Manuel and Sharol Gutierrez.

>> Ali Seeling: Good evening. Can you hear me?

>> Clerk: Yes.

>> Ali Seeling: Hello. Good evening. My name is Ali Seeling. I apologize for being on Zoom. I would love to be in person with you. But I'm preparing for a school board meeting myself. I am a lifelong resident of Johnson County. I reside in Olathe with my husband and four kids. I'm currently a sitting school board member for the Spring Hill School District. This has been an interesting year and a half to say the least.

I would first like to publicly express my gratitude and appreciation for Sheriff Hayden and his assistance and direction this past year. Navigating the pandemic has been a challenge; however, his leadership has been phenomenal. I want to speak with you tonight to encourage you to always keep our local county sheriff position as an elected position. You may or may not be discussing this tonight. Regardless if you are or not, it is worth sharing my strong opposition, and that of many others, for now and for future that the elected sheriff never be considered an appointed position by the Board of County Commissioners. I am very data-driven and believe data-driven decisions are imperative. There is no option to make community health and safety decisions without a strong data to support it. With that, there is a reason that 41 states and almost 3100 jurisdictions across the United States have four-year elected sheriffs. We the people have the right to elect who we want to represent us, who we want to enforce the laws, provide law enforcement services, and ensure our public safety. Looking back at this past 19 months, we can clearly see how important a Johnson County Sheriff has been in ensuring a checks and balance system across the county. Checks and balances is at the very foundation of our great country. The Sheriff provides a check and balance in our county. Having an elected Sheriff means he works for the people, not for the Board of County Commissioners. If appointed by the BOCC, they would be under their influence, much like our current health department. If the Sheriff is appointed, not only would they answer to the BOCC instead of the people, they would be subject to politicization we have clearly seen in our current BOCC. If the Sheriff were appointed by them and then answer to them, this would disrupt the important checks and balances. If and when this becomes a topic of discussion, please know that the residents of Johnson County take this very seriously. We would like to see this conversation shut down before it even gets to a

potential ballot. The Charter Commission in Johnson County is in place to study the structure of Johnson County government, and to make recommendation for improvements. I strongly oppose any changes to our --

>> Clerk: Now we have Manuel and Sharol Gutierrez. Then we will have Mason Shubkagel. Manuel and Sharol Gutierrez.

>> Sharol Gutierrez: Yes. Can you hear us?

>> Clerk: Yes.

>> Sharol Gutierrez: Hi. Yes, this is Manuel and Sharol Gutierrez. We're from Olathe, Kansas. And Manuel and I are in agreement with Bill Jacobson and all who have expressed opposition to any proposition to give away our voting rights. We do still live in a republic which is in favor of freedom and voting rights for all legitimate taxpaying citizens. Thank you.

>> Clerk: Mason Shubkagel. And then Michael Kerner. Mason.

>> Unidentified Speaker: Mason is not here.

>> Clerk: Thank you. Now we will have Michael Kerner. And then we will start in-person. We have Brandy Haeberle. Michael Kerner.

>> Michael Kerner: Okay. This is Michael Kerner. I live in Lenexa. George Washington warned us that the government is a useful servant, but a fearful master. The last 18 months have proven the truth of that maxim very clearly. Government is a very dangerous entity to all of us. We have seen that even low-level government entities like school boards, city councils, and county commissioners can do lots of damage and create economic catastrophes. We have also seen how an elected Sheriff helps protect the citizens of the county from some of those arbitrary and foolish demands of the commissioners. An appointed sheriff would have had no choice but to enforce those foolish demands at gunpoint. Even if --

>> Chairman Musil: Michael, we are not able to hear you in the room. We have interference. Can we come back to you in a few minutes and see if there's a better connection?

>> Michael Kerner: Sure thing.

>> Chairman Musil: We will not forget you; but let us come back to you after another speaker or two. Thank you.

>> Clerk: I want to check. Chairman would like me to check to see if Rene Martinez or Mason Shubkagel is on yet.

>> Unidentified Speaker: Neither speaker is available on Zoom.

>> Clerk: Thank you. Now we will start in person. We have Brandy Haeberle. She was virtual, but she is in person tonight. After Brandy, we will have Victoria Kline, then Matt Couch. Brandy.

>> Brandy Haeberle: Hi, I'm Brandy. Can you hear me? I am from Olathe. And I want to say that I support everything that Bill Jacobson, Amber Stenger, and Emily Coleman have said. As well as Tracey. I also wanted to say that I firmly request that we add [indiscernible] to the -- we don't have the funds for that. The taxpayers are already [indiscernible].

>> Clerk: Victoria Kline. Then we will have Matt Couch. Then we will have Scott Bozarth. Victoria Kline.

>> Victoria Kline: Hi, I'm Victoria Kline from Overland Park. I am trying to figure out how this type of representative government is working for the people of Johnson County. The Charter Commission, Mid-America Area Regional Council, the Board of County Commissioners. This present government has lawsuits against the Board of County Commissioners, the school boards, businesses. Our Kansas Congress is scrambling to get a special session to alleviate the overreach.

A large citizenry has rights violated against the Kansas and U.S. Constitution. How are these 25 appointed Charter members actually helping? We have never organized. We need to organize debate at least four times a year. Citizens allowed to ask questions and interact with debate participants, set up Town Halls where the BOCC are listening to their citizens' issues and each other. Keep the present [indiscernible] notify JoCo to let people know of these opportunities. The county should pay for documentaries that have both sides' position shown in our local leaders for these two weeks. Do not understand the words "body politics" in the Preamble of the State Constitution. The body politics is to come together to protect our joint commerce, safety, and public well-being. Public health involve bylaws that address proper general rules of public health, private and public healthcare. General public health [indiscernible] another person's property, children, and body. None of which is concerned financially with body politics. Moreover, newspaper articles do not allow people discussion among the citizens. I had a woman tell me that she was on the planning committee meeting for Johnson County back in 1980. Made a beautiful plan, only to see land developers begin work that did not comply with what the planning committee had decided. The planning committee of citizens were discounted. Are we supposed to bring lawsuit each time a land development company or board ignores our voice? We need to revisit home rule. On the ballot, we need to dismantle Midwest Area Regional Council. If this Charter's report sums up that everything that's going on with this government, this has been a total waste of time.

[Loud applause in the gallery].

>> Clerk: Matt Couch. We have Scott Bozarth. Scott Bozarth.

>> Scot Bozarth: I'm Scott Bozarth from Merriam, Kansas. In looking at history and creation of the Charter Commission, it's abundantly clear government will be government. Our local government proposed and created more government. Johnson County expanded and consolidated power, and diverted accountability from -- away from the citizenry under the guise of more accountability. Several elected positions like County Clerk, Treasurer, and Recorder of Deeds became appointments under the control of the County Manager. Who is just a [indiscernible]. Decisions like this certainly help explain why my three bedroom house was valued like Buckingham Palace last year, and Windsor Castle this year. The Home Rule Charter also left open the possibility that we the people can be duped out of electing our Sheriff and our District Attorney. That's insanity. The Sheriff is the only law enforcement of the county that is accountable to the citizens of this county.

[Loud applause in the gallery]

>> Scott Bozarth: Can you imagine what the past 18 months would have looked like if the Sheriff and DA were appointed by the County Manager and the Board of County Commissioners? I think some of you can imagine it, and I think some of you like it. If this nonpartisan county controlled the Sheriff and District Attorney, shutting down small business, forcing masks upon the peasants wouldn't be enough. They would have used their full force to destroy the hair stylist, jail the local ice cream shop, and half of us in this room would be labeled domestic terrorists. Myself and all the people here are fed up with these back door deals and ideological programs this county is doing in our names. It needs to stop. And you need to be part of the solution.

[Loud cheers and applause in the gallery]

>> Clerk: Now we have Debbie Detmer. Then we will have Stephanie Berland, and then Danedri Herbert. Debbie Detmer.

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Okay. We will go on to Stephanie Berland, and then Danedri Herbert, and then Shara Collins. Stephanie Berland.

>> Unidentified Speaker: In 2000, home rule versus state governance was adopted by citizens and touted by local leaders as a means for local government to be more transparent, more community involvement, and fit the needs of Johnson County residents. Since then, especially in the last 12 years, groups have formed and hired legal counsel to fight the BOCC. Concerned Citizens of Johnson County, Anhydrous Ammonia Group, Subdivisions Made Retail Change, et cetera. They have been trying to fill an obvious void of when home rule has run amuck. That has been the only way the public has been able to combat what appears to be moves by the Board that are in conflict with state law, Charter violations, or just blatant abuse. Based on the current Charter, I firmly believe the BOCC should be fined for ignoring the resolution of the current county auditor appointment which states verbatim qualification. No ambiguity. Shall is the term. It is woefully ignored to this day. Other potential abuses. Should the County Manager receive tens of thousands of COVID money bonuses since being appointed and not being an employee? Should all these high-dollar bonuses have gone through the BOCC approval process since it totaled over 100,000 in aggregate? Did the BOCC violate the Charter by basically giving themselves absolute power with the marked Climate Action Plan over buildings transit by also being the sitting board of health? When the manager, attorney, auditor, and appraiser are appointed, and then the attorney and auditor serve at the pleasure of the Board, are given raises by the Board, have their contracts renewed by the Board, will they stand up to the Board? And someone had the gall then to say that they wanted to appoint the Sheriff. This Charter Commission needs to propose a precise, concrete solution for citizens to have the ability to get answers without invoking KORA, the Kansas Open Records Act, or hire an attorney. You have sitting commissioners who are unable to get information. Elect the County Auditor and have them serve at the pleasure of the --

[Loud applause in the gallery]

Two term limits for county commissioners so they cannot get entrenched.

[Loud applause in the gallery]

If they violate the Charter. This BOCC needs oversight. Systematically has moved to an oligarchy. Adopt a plan that has internal checks and balances.

[Loud cheers and applause in the gallery]

>> Clerk: After that, we will have Shara Collins, then Teresa Rose. Danedri Herbert.

>> Danedri.

>> Clerk: Now we have Shara Collins. Shara Collins. Then we will have Teresa Rose. And then Lawrence Settles. Shara Collins.

>> Thank you all for risking your lives to be here this evening. I'm Shara Collins. I'm from Overland Park. The U.S. Constitution and the Kansas Constitution says we the people, not we the governing. Let it be on record that I oppose any change in the Johnson County Charter. Specifically speaking to the removal of an elected position and replacing it with appointed positions. Our Sheriff must remain elected. We the people have elected you to officially carry out the duty of the will of the people in our country, not a government powered by you. You showed us time and time again over the last year that you are ruled by an authoritative hierarchy and you cover yourselves. We have two systems of government existing in our world today. We have a sovereign God-centered nation by which we are founded; and then we have the pagan, Marxist, communist model by which you have chosen -- [indiscernible].

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[Loud applause in the gallery]

To carry out the will of the people. You are disregarding facts, data, and actual science with regard to COVID-19. Please answer the question why you only listen to one set of data and facts from the veterinarian, Dr. Areola, with the Johnson County Health Department. Manipulated lies [indiscernible] disregard all the facts and data and evidence provided by thousands of world-renowned doctors, scientists, epidemiologists. Are dictating from above with this Nazi style government. And I quote, U.S. Code 200.30, paragraph 8: The federal awarding agency may include programs specifically requirements as applicable. These requirements must be aligned with strategic goals, objectives, all rules relevant to the program. In other words, the feds will give you the money if you will do what they say. This is in direct reference to the American Rescue Project Act for which the State of Kansas received over \$5 billion of relief money. The last thing we need is to amend the Johnson County Charter to give you more power to choose who you want in the positions of our government. On the Johnson County web app last week -- actually, it was about a month ago before this meeting, Mr. Eilert stated the Sheriff position would not be up for vote as an appointed position, but the other positions of Clerk, Registrar, or Trustee were just [indiscernible] positions, insinuating they were not worthy of elected positions. Commissioners need to uphold their oath of office. They serve the people. Or it will be our duty to remove you and replace you.

[Loud cheers and applause in background]

>> Clerk: Then we will have Lawrence Settles. Then we will have Teresa McCarthy. Teresa Rose.

>> Teresa Rose: Hi, my name is Teresa Rose and I live in Olathe, Kansas. First of all, I want to thank you, each and every one of you. I know this is a volunteer position, and I know it's not easy sitting here on this side of the room. I wanted to be more personal with my presentation. I wanted to talk about public perception of safety. When I was a teenager, I moved to Johnson County with my parents, and my dad had found a job in Kansas City, Missouri. But they chose Johnson County on purpose because of the schools, because of the community, because of the low crime rate, and because of the safety. We have enjoyed living here. I've enjoyed raising my children in the same community. When Commissioner Hanzlick proposed that we make this change to the office of the Sheriff, she mentioned King County in Washington State. And what I don't think she realized is, and I don't know if many people realize this, King County is not doing well. There's a lot of people leaving that county because they don't feel safe and because the crime rate is actually going up. People are leaving in droves. And what I do know is that criminals take advantage when there's a yes-man in office, in the office of sheriff. I agree with everyone -- everything that everyone has said, because we do need constitutional sheriff. We need someone who will be a buffer between us and the government. We need someone that works for us, we the people. And we have the right to elect that said person. So I'm very thankful that we have a constitutional sheriff. And actually, I also wanted to say that there couldn't be a worse time to make this decision. In the current climate of this country. Damaged confidence in both local and federal governments. This would create a devastating blow to the community at large. So we the people are asking you to uphold the position of an elected sheriff in Johnson County to create a place where people will want to work, live, and raise their children. Thank you.

[Loud applause in the gallery].

>> Clerk: Next we have Lawrence Settles and Teresa McCarthy. After those two, we will try to

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come back to Michael Kerner on the virtual. Lawrence Settles. Teresa McCarthy.

>> Teresa McCarthy: My name is Teresa McCarthy. I am from Olathe, Kansas. I'm surprised to find myself here this evening addressing this appointed Charter Commission. I'm here to say very clearly that no appointed official ever has the right to do away with an elected office or officer. My vote put Sheriff Hayden in office. These votes, the citizens elected him, and each represents a voice. My voice will not be silenced or done away with by anyone who is simply appointed. Appointment is not of the people, for the people, or by the people. An elected office official is. Unless there's fraud. Jane Hanzlick has gone on record saying, and I quote, some people don't feel well represented by Sheriff Hayden and by District Attorney Steve Howell. She continues: I hear from constituents that are very concerned about the hyper partisanship they see in those positions. First of all, words like "some" and "very" are abstract and not measurable. The statements appear to be nothing more than hyperbole. Voters have demonstrated their support of Sheriff Hayden by voting for Hayden. Hanzlick wants Johnson County to emulate King County where Seattle, Washington is. If I wanted to live in that political chaos and disorder, I would move there. In 2019, 60,000 citizens of Washington State exited their state. From July, 2020, to July, 2021, 125,000 citizens had left Washington State, stating unsafe conditions for their children and their personal property. William Waters is a name we need to remember. In 1652, the colonists were the first to elect a sheriff. Our nation has been built on elections. This is the grassroot of our democracy. When we stop electing a sheriff and begin appointing a sheriff, we live under the domination of tyranny. I lived eight years in Communist China, eight years in the People's Republic of China. I know what it is like to have appointed law enforcement. We cannot go that route.

[Loud cheers and applause in the gallery]

>> Clerk: Now we are going to try to go to Michael Kerner again on virtual. Michael Kerner.

>> Michael Kerner: Okay. Here I am. Michael Kerner. Lenexa. George Washington warned us that the government is a useful --

>> Clerk: Michael?

>> Michael Kerner: Yes. You're still not hearing me?

>> Unidentified Speaker: We can hear Michael on Zoom.

>> Michael Kerner: Shall I continue or --

>> Chairman Musil: Continue Michael.

>> Michael Kerner: I'm just going to hold on for a moment.

>> Chairman Musil: Go ahead, Michael.

>> Michael Kerner: Okay. George Washington warned us that the government is a useful servant, but a fearful master. The last 18 months have proven the truth of that maxim very clearly. Government is a very dangerous entity at all levels. We have seen that even low-level government entities like school boards, city councils, county commissioners can do lots of damage and create economic catastrophes. We have also seen how an elected sheriff helped to protect the citizens of the county from some of those arbitrary and foolish demands. An appointed sheriff would have had no choice but to enforce those foolish demands at gunpoint. Even if you do not agree that the various masks, distancing, and business shutdown rules were idiotic, you must see that another entity that stands in the way of enforcement of any future even more foolish rules is a good thing to have in place. If your new Charter includes making the office of sheriff appointed, you will have a very strong and determined group of citizens campaigning for rejection. The most important job of government at any level is to protect the

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freedom of the citizens. If that government, with whatever excuse, decides to abridge the rights of its citizens, we want as many obstacles to that as possible. Freedom to make your own decision is always the best answer no matter what the question. Don't do anything to interfere with that principle. Thank you.

>> Clerk: Next, we will have Teresa and Daryl McCarthy. Then we will have Daniel Austin. Then we will have Rebecca Shipley. Daryl McCarthy.

>> Daryl McCarthy: I'm Daryl McCarthy. I live a few blocks away here in Olathe. I am an academic, and I serve as Director of the European Academic Network. I've lived in Johnson County since 1979, and during those years, I've traveled all over the world in my work. It's given me the opportunity to observe two fundamental requirements for a flourishing society. That is: Rule of law, and representative government. And all of us who have been in leadership and management have had the opportunity to learn that, without accountability, work standards and performance suffer dramatically. Elections provide ultimate accountability. And with the current climate of rising crime across the nation, and defunding of law enforcement, making the sheriff an appointed position is one giant step closer to making the sheriff just another government bureaucrat. Instead of making the sheriff an appointed position, we actually need to move back to make more county officers, such as the officers of the treasurer [indiscernible].

[Loud applause in the gallery]

>> Clerk: Next we will have Daniel Austin, Rebecca Shipley, and Linda Schirber. Daniel Austin.

>> Daniel Austin: My name is Daniel Austin. I reside in Merriam, Kansas. It's very concerning to me that having the sheriff made into an appointed position instead of elected one is even up for consideration. But then again, I shouldn't be surprised because so much has happened behind the scenes to get more power to the government, and most of us have been asleep up until this point. Well, now we're awake, and we're here to address the obvious issue, which is keeping the sheriff elected. But I want to take it a step further, which is to say that any appointed positions that were originally elected by the people need to be reversed back to that option. This country is run by the will of the people and it needs to stay that way. Appointing officials for political offices allows for corruption and the government to act outside their authority in multiple different ways and have no accountability whatsoever. This cannot keep happening. The elected body needs to represent the will of the people. Turning elected positions into appointed ones so that future replacements can do your dirty work for you is nothing short of oppression and tyranny.

[Indiscernible]. Realize that corruption also takes place with elected officials, which is why I turn my attention to the people and say do your research before you go in to vote. Not just for presidential elections, but all elections, especially local. I would argue that local positions are even more important than presidential elections because everything starts at the local level. If you want great things to happen, you need the most honest, courageous, ethical people who will stand up and do the right thing. It's by starting at the local level that our country will be better served nationwide as time goes on.

[Loud applause in the gallery]

>> Clerk: Next we have Rebecca Shipley. Then we will have Linda Schirber and Kathryn Andries. Rebecca Shipley.

>> Rebecca Shipley: Hi, Rebecca Shipley, Olathe resident. In regards to should the sheriff be appointed instead of elected, let me make clear, there is no time in a constitutional republic that this notion be entertained. The Sheriff is the highest authority in this county. He has the

authority to deny enforcement and laws from corrupt federal, state, and local governing bodies. Sheriff Hayden has been doing that for the past 18 months and longer. He is our county's best leader, and that really upsets the final slot of the BOCC. The Johnson County BOCC, specifically, Janee Hanzlick, is attempting to decrease this protection by Hayden by attempting to move the office to appointed. Making the BOCC the highest office in the county. Over the past 18 months, that dais has proven they are incapable of upholding the oath they took in that office. They are incapable of holding the rights of business owners, landowners, and individual citizens of this county. They have grossly overstepped their authority and are attempting to grab more. For Ms. Hanzlick to suggest that this move is in the community's best interest is malicious and spiteful. This would be nothing more than a power grab by this corrupt BOCC, and the notion needs to be abolished here and now. Furthermore, I ask this Charter, like many before me, that we should be looking for ways to decrease the power of the BOCC. We should be looking at making current appointed positions, like the Director of Health, into an elected position.

[Indiscernible].

[Loud cheers applause in the gallery]

>> Need to be accountable to the citizens of this community and not to corrupt power-hungry body of the Commissioners. Thank you. And especially thank you to the six that stayed in the last meeting.

[Loud applause in the gallery]

These six have my utmost respect that you would even listen to the people of this community, which is what you volunteered to do, and I praise you. Thank you.

[Loud applause in the gallery]

>> Clerk: Linda Schirber and April Ramdass. Linda Schirber. Kathryn Andries. April Ramdass.

Now we will try for Neil Melton. Then Daniel Renaud and Jon Aumann. Neil Melton. Neil Melton. Daniel Renaud.

>> Daniel Renaud: Hi, my name is Dan Renaud. I'm a 25-year resident of Shawnee. I also attended the September 13th meeting, which really turned into a fiasco. I want to first start by saying I really want to thank Sheriff Hayden for his dedication and outstanding performance as Sheriff.

[Loud applause in the gallery]

I'd like to include all of his staff, policemen, patrolmen, everybody in the offices and everything else in that same statement. I, too, would like to thank the Commissioners that stayed after everybody else walked out last time. Having you stay, the six of you, and being able to listen to our concerns, meant a lot to everybody in that room. And I just want to thank you. For those that didn't stay, you would have seen what you've seen tonight, a lot of really heart-felt messages. There was a lot of good speeches. Unfortunately, they weren't filmed -- or at least not professionally. I hear there's a film out there. But you missed a lot of information. Let's get a little bit dirty. It's my opinion right now that you have already, many of you, made your decision, and that's unfortunate. Moving our times from three minutes to two does not make you listen any faster. This radical proposal, in my opinion, is no more than a hack job to take away our right to vote, period. And we can't have that. And it's been decades since we've had a liberal in the seat of the Johnson County Sheriff. If you can't win in the ballot box, then force this kind of underhanded plan. Okay? There's no way we can have this.

>> Chairman Musil: You need to wrap up.

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>> Thank you. I've got one more statement. In closing, after listening and being in that September the 13th meeting, I'd like to extend to you the same level of respect that you gave us. So with that ...

>> Clerk: Jon Aumann. Brad Teager. Richard Fetterman. Stephen Snitz. Sid Mitchell. Sheila Albers. Stephen Snitz.

>> Unidentified Speaker: Have I got this? Okay. People have already suggested what I was going to suggest, so I'll just fifth the motion, or sixth the motion. We don't want any more nonpartisan elections. Okay. We want our officials to be elected. Including the ones that have already been changed to partisan. We want it back. Okay. We want to be able to vote. And the reason is appointed officials are not directly responsible to the citizens. Elected officials are. And as to the issue of nonpartisanship. It's been used as a weapon. That label allows the intentional misuse of language to confuse voters about candidates' positions on issues. I'm one of these people that walks doors for candidates in elections, and I have heard the following over and over and over. I've walked 6,000 doors. I can't believe it myself. I can't tell them apart. How do I tell who to vote for when they all sound alike? This is what you get when they hide behind nonpartisanship. Okay. As citizens, over the last 20 months, or whatever we've had the COVID bs, we now understand -- we don't have any trust anymore in our elected officials. We now understand that we, the citizens, have to watch what they are doing and report on it to others. If we don't have the ability to vote them out of office when they misbehave, that is a sin on our creation of our country. And it has to be stopped. So, basically, we're saying nonpartisan elections are out, and elections are in. Not nominations by a bureaucrat. Thank you.

[Loud applause in the gallery]

>> Clerk: Sid Mitchell. Sid Mitchell. Sheila Albers. Sheila Albers. Then we will have Sheila Barkofske. Do we have Sheila Albers? Sheila Barkofske. Dallas Guthrie. Then Ronald Garffie. Sheila Barkofske.

>> Sheila Barkofske: Hi, my name is Sheila Barkofske, and I live in Overland Park. First I want to thank and acknowledge those members of the commission that stayed after the last public meeting, after the last public meeting had been canceled. I was so impressed by their action that I took the time and the effort to personally attend and speak before the Johnson County Board of Commissioners to acknowledge and thank them. For one of the commissioners -- commission members that stayed to hear us out. The idea of making the county sheriff an appointed position was a suggestion floated by one commission member alone and had little or no support among the other members. Since I don't know if that's true or not, I am here to voice my opposition to changing the office of county sheriff from its current elected status to an appointed one, and would vote against any measure should it make it to the ballot. As several speakers that evening pointed out, there are only two other counties within the country that do not elect their county sheriff. There is a reason for that. And at the heart of that reason is a healthy distrust of government. You would have to be a hermit not to see that distrust is growing precisely because of the actions like this. It is seen as one more nail in the coffin of a government of the people, by the people, and for the people. Thank you for the opportunity to speak.

[Loud applause in the gallery]

>> Clerk: Dallas Guthrie, Ronald Garffie and Carolyn Cornelius. Dallas Guthrie.

Can you please announce your name, please? Thank you.

>> My name is Jon Purdue. And I am a lifelong area resident. And I'm not -- say again? Can you hear me now? I'm a lifelong area resident. I'm not an eloquent speaker. A lot of the people

up here have already conveyed what I want to say; but I do have something I do want to put out. And that is that I stand with Sheriff Hayden and the men and women of Johnson County Sheriff's office. I firmly stand behind the Constitution of the United States and the Constitution of the State of Kansas. I remember my oath. I swore to support, obey, defend the Constitution; and that I had the courage to hold myself accountable for my own actions. I have the strength to withstand unethical, pressure, fear, or danger; and that I answer to the people that I serve and not a government entity. Thank you.

>> Clerk: Next we have Ronald Garffie. Carolyn Cornelius. Stan Erwine. Ronald Garffie. Carolyn Cornelius. Stan Erwine. Kathryn Andries. Katherine Andries.

>> Chairman Musil: With that, we are through everybody preregistered in any form for September 13th. We have some speakers left that preregistered for tonight, as well as some folks that signed up tonight. We are going to take -- I think given the number left, we are going to take a ten-minute break so our closed captioner can rest her fingers and we can all take a break. Restrooms are around the corner that way, and I think there are some out in the lobby. We will be back here at -- we will be back here at 7 o'clock. 13 minutes. 7 o'clock, please.

[Break]

>> Chairman Musil: We will reconvene the meeting of the Charter Commission after a short break. It is 7:03 p.m. Lynda, do you have an announcement?

>> Clerk: Yes. We have additional speakers that are in person. At this point in time, we need to start using this podium over here, please, the one in the middle. It's working with our technology. So, thank you.

Now we have Al Osterhaus. Al Osterhaus.

>> Al Osterhaus: My name is Al Osterhaus -- is it on? Yes. I live in Merriam. Ernest Hemingway, when asked about his bankruptcy, replied "At first it was gradual, then it was sudden." At first it was gradual, then it was sudden. Let us not pass laws or enact policies that will, one day, prompt our children and grandchildren to ask, "When did we lose our freedom?" To which you will reply: At first it was gradual, then it was sudden. Based on all these issues that we talked about. Talk about the sheriff. The Sheriff position must remain elected, not appointed, because we don't want to tell our children and grandchildren, we lost our freedoms first gradually, then suddenly. Thank you.

[Applause in gallery]

>> Clerk: Now we will have Dave Owen. Then Laurel Austin. Then Michael Sikora. Dave Owen.

>> Dave Owen: Thank you very much. Mr. Chairman, members of the commission. My name is Dave Owen. I've lived in this county for 73 years and currently live in Lenexa. I appreciate being able to share my thoughts here this evening on an issue that I consider to be of utmost importance. Not only for Johnson County, but for every county in the state. By way of introduction, I'm a former State Senator and Lieutenant Governor of Kansas. I've been around here long enough that I remember that Johnson County was a bastion of good government, primarily because we elected partisan, partisan elections, and they were responsible to the people who elected them. And I would hope that someday we could go back to that. I'm troubled by the movement, as many others have been, to make the Johnson County Sheriff an appointed position. I'm no stranger to law enforcement, having served on the Overland Park Civil Service Commission in the past and selected the officers to serve, and responsible for their promotion. I also, when I served in the State Senate, was responsible for the budget of the state prison system.

And by way of a connection to the Sheriff's Office, when I first ran for office in 1968, my partner, and traveling around the county to try to get elected was Sheriff Brett Allenbrand, and his first attempt to run for office as well. So, I know this county pretty well. Government is best when it's close and responsible to the people. Having the County Commission appoint the Sheriff rather than being elected by the people will be a mistake of the highest order. Public safety is too important to have a sheriff who is directed and second-guessed by others who may have a different agenda. The next step in this progression is a move to defund the police and the Sheriff's Office, and give the power of law enforcement budget to individuals whose priority may not be public safety. The people of this county have elected outstanding Sheriffs from the beginning. And as members of this Commission, you have an enormous impact on county public policy. I encourage each of you to make it known where you stand on electing the Sheriff and defunding the police department so the people know where you stand. And I respectfully request that you do not support a recommendation to put appointing the Sheriff of Johnson County on the ballot. Thank you.

[Applause in the gallery]

>> Clerk: Laurel Austin. Then we will have Michael Sikora and Linda Stainbrook. Laurel Austin.

>> Laurel Austin: Hello. My name is Laurel Austin and I live in Lenexa. I'm here to address the consideration of having our Sheriff changed from an elected position to an appointed position. We have already witnessed, starting March 11th, 2020, a total tyrannical, out of touch, overreaching, power-grabbing government. To make this position an appointed one would leave no checks and balances. To take away the will of the people who this government is supposed to serve. We, the people, are not to serve you. You are to serve us. And our Sheriff elected -- keep our Sheriff elected. He is the only thing standing between us citizens and a tyrannical, overreaching government. Let's take this a step further. There have been positions that have already been changed from elected to appointed. Those need to revert back. And if September 13th is any indication of what a Charter is about, it should be dissolved. One more thing, let's delete that Green New Deal. Backlog of [indiscernible].

[Loud cheers and applause in the gallery]

>> This wonderful county. Now is not the time to stay silent. Now is the time to speak up. Even if it's uncomfortable, even if it's awkward. Do the research, be informed, and go out and vote in your local elections. What do we say to Satan? Not today.

[Loud cheers and applause in the gallery]

>> Clerk: Now we have Michael Sikora, Linda Stainbrook, and Cheryl Marquis. Michael Sikora. Linda Stainbrook.

>> Linda Stainbrook: My name is Linda Stainbrook. I'm a 73-year resident of Johnson County, Kansas. And I am so proud of the eloquence of all of these patriots here tonight. I don't think I can say anything any better. Other than on the issue of nonpartisan. What have you got to hide? I think partisan should be how we elect our people, and everybody needs to know where every candidate is coming from. Thank you.

[Loud applause in the gallery]

>> Clerk: Now we have Cheryl Marquis. Then we will start with Marcia O'Neill, [indiscernible]. Cheryl Marquis.

>> Cheryl Marquis: Thank you. My name is Cheryl Marquis. And I want to thank you for allowing me to speak tonight. Before I start, though, I wanted to say I spoke with Vicki during

the break, and she had mentioned to me -- and I think it's very important, I think everybody would agree -- someone was going to say tonight, among you all, that it's not a done deal and there are things that need to be considered. And considering what's been going on in this last year in our federal government, I think we, the people, would like to know if our voices are really being heard, or if this is just for show. Exactly. So we would like to hear from you tonight, please, before we leave. Let us know where you all stand.

[Loud applause in the gallery]

And I am not an eloquent speaker; but I love the voices of the people that I heard here tonight. They reflect my heart completely. And I noticed in our Preamble for Kansas: We, the people of Johnson County, Kansas, in order to avail ourselves of the benefits and responsibilities of Home Rule powers, to create a county government to serve our present and future needs, and to permit the people of this county to make changes in our own government, do, under God, adopt this Home Rule Charter and any alternative sections of articles -- or articles as determined by the electorate. And I've read a lot of the sections in here, and you all have a great deal of power, and a great deal of responsibility on your heads. And we appreciate that. But more than that, because we, the people, have elected you, and we, the people, are paying you out of our hard-earned money, we want for you to hear our voices and know how concerned we are. We have nothing against you as people. What we want is our United States back. Of the people, by the people, and for the people. That is [indiscernible].

[Loud cheers and applause in the gallery]

And I know that this government, our federal government, we're -- we're not woke. We're awakened, and we know what's going on.

>> Chairman Musil: You need to wrap up. Thank you.

>> Cheryl Marquis: Yes, sir. Yes. And just want you to know that we want our Sheriff to be elected. Because if he's appointed, he is just one more piece of the pie that the federal government has taken away from the states little by little. Thank you.

[Applause in the gallery]

>> Clerk: Now we have Marcia O'Neill. Then Anna Vancopen (phonetic spelling) and Jon Purdue. Marcia O'Neill.

>> Marcia O'Neill: Yes. My name is Marcia O'Neill. I live in Lenexa. The Sheriff should be elected by the citizens of Johnson County. This election should be by paper ballot only.

[Indiscernible].

[Loud cheers and applause in the gallery]

As well as any future elections. If that vote is compromised by fraud and no action is taken to correct it by full forensic audit, the citizens of Johnson County will select our own protector, a Johnson County militia.

[Loud cheers and applause in gallery]

>> Clerk: Now we have Anna Vancopen. Then it will be Jon Purdue and then Dr. Ronald B Wilson. Anna Vancopen.

>> Good evening. Hi. My name is Anna Vancopen (phonetic spelling). I am a resident of Overland Park, a taxpayer. I'm a voter. I'm DAR and multiple patriot. I want to -- I agree with many, most of the perspectives that we have heard tonight. But I want to reiterate some comments or talk about process. The process that you all are taking to come up with your recommendations, to -- that you want to put forward to ballot. And decisions that you make. And while you are appointed by various people in our county, I want you to remember and think

about the voice of the people, what you've heard tonight. And for those of you that were appointed by Commissioners, it's your job to take back what you're hearing from the people to those Commissioners to make sure that our voice is heard. And we are relying on you to do that. One of the questions I have for you, beyond the two minutes that you're giving a handful of residents to share their perspective, what additional research are you gathering? How else are you carrying the voice of the people? And I would also like transparency about what that is. So, I don't know that hearing from a couple hundred people over the course of two meetings, two minutes each, is enough for you to really understand what the people are saying. Or maybe it is. I also would be looking for transparency into whose interest is served by your recommendations and your decisions. So think about that. So, you guys know and we all know things are changing out there. And I really urge this Charter Commission to not be fooled that the people are not watching and we're not listening, because we are, and we're gaining momentum. The people want fewer powers for the county government, and we want more of a voice in the decisions that are made on our behalf. And that's what this Charter Commission is about. Thank you.

>> Clerk: Now we have Jon Purdue and Dr. Ronald Lee Wilson and Eric Payne. Jon Purdue.

>> [Speaker off-mic]

>> Clerk: Now we have Dr. Ronald Lee Wilson.

>> Ronald Wilson: Thank you. It's a joy to be able to address you. Mr. Chairman, members of the Commission, thank you for your hard work. I am Ronald D. Wilson and I am a resident of Olathe, Kansas. And I am very active member [indiscernible]. Anyhow, I rise to lend my support to those who believe in the continuing election of all of those offices to be our servants in government. Elected officers, much more important and valuable than those who are appointed who cease to be leaders and only be functionaries. I believe we need to have elected officers who are not subservient to the governing commission, but who are subservient to the people. And feel that that is a major premise that we need always to uphold. I propose, Mr. Chairman, that the -- that this group take a good close look at those places on the ballot where, your Commission, where you can make significant changes. We need to have elected offices in those departments that are not just as to the Sheriff, he must be elected, and the District Attorney, but also the other offices that are just as vitally important. The Director of Deeds, the keeper of deeds, the one that does the accounting and all of the other important and valuable tools that we have in our democracy. This is important and we're here to speak up. I remember a great poem that said: I am one. I am only one. But I am one. I cannot do everything; but I can do something. And because I can't do everything, I will not shirk the responsibility to do the something that I can do.

I think you need to know that if this proposal should go through, the whole thing will go down in defeat at an election of the electors of this Johnson County. Thank you very much.

>> Clerk: Now we have Erica Payne, then Scott Mosier, then Charlie Coe. Erica Payne.

>> Erica Payne: I'm Erica Payne. I live in Roeland Park. I am actually appalled. I've never been to one of these meetings. I'm appalled that we are even thinking about making the DA and the Sheriff appointed. I'm also appalled at the things going on in the county, especially the Green New Deal. [Indiscernible].

[Loud applause in the gallery]

I had no idea that it was on the ballot. I didn't see it. When I went and read the Green New Deal on the website, it literally read like a communist manifesto. It had everything but comrade for distribution of wealth. There's things going on. People are waking up. And people are going to take their power back. Thank you.

[Loud cheers and applause in the gallery]

>> Clerk: Now we have Scott Mosier, Charlie Coe, Steve Cline. Scott Mosier.

>> Unidentified Speaker: Hi. I appreciate you all being here and listening. Or are you? That's my question. I'm running for City Council in Overland Park. And over and over I see elected officials sitting there listening to what people are saying, supposedly, but doing nothing about it. There is one thing that I have taken from this meeting tonight is that everybody is telling you and suggesting to you, partisanship aside, that the voice of the people needs to be heard and that the sheriff needs to be an elected position. You need to hear that. Not just listen, but hear. And act accordingly. One thing I can tell you is I have history with law enforcement. My son, Mike, gave his life to Overland Park a year and a half ago. Mike Mosier. He died for his city doing what he loved to do; but at the same time, enforcing and upholding the laws of our city and our county. And I will tell you that he was unencumbered when he exercised his job. The Sheriff cannot be beholdin' to anyone. When people say and use the word "appointed", to me, I hear beholdin'. I hear that they're beheld to what that person wants. I would hope that you have the fortitude, and the honesty, and integrity to do what you know is right. The Sheriff is our first -- our first layer of the Constitution to do what's right for the people and we need to stand up to that.

>> Clerk: Now we have Charlie Pogue, Steve Cline. And I think Renee Hudson. So we will have Charlie Pogue.

>> Charlie Pogue: Good evening. My name is Charlie Pogue. I'm from western Johnson County. So, these guys back here at the back of the room, they're my second line of defense. I'm the first. So, we thank you guys. I just really wanted to focus tonight on what you guys are doing. I didn't even know this was coming. I got a letter and realized that you guys were stealing my vote. I'm a Christian. I'm a faithful Christian. I'm a family man. I heard -- I've had jobs in this county. I've created jobs in this county. I've started farms in this county. I'm a retired military for 22 years. All three of my kids are serving right now. And you guys are gonna, like a thief in the night, steal their vote. They've earned that vote. I've earned that vote. They've all earned that vote. This is not yours to steal. We will not tolerate it. I met Sheriff Hayden in a wheat field before he ever became Sheriff. I don't know him very well; but I know these guys do three things. They use common sense. They use integrity. And they have an even application of the law across the citizens. That's what we want. We don't care what you all think we should want. I am not broken. I do not need your approval. I am not Britney Spears. I do not need your conservatorship. I do not need it. And I do not want it. No, thank you. These are good guys. And we put them there, and they're loyal to us for a reason. They answer to the people for a reason. Not to you. It's set up that way originally and it's worked for, what, 150 years. I think it will work now. Without any problem. We are waking up. I had no idea you guys were doing this. This is madness. And the rest of the county is going to wake up as well as the rest of the state. It's insane. And I'm ashamed of you thieves in the night. That's it.

[Loud cheers and applause in the gallery]

>> Clerk: Now we have Steve Cline. Then we will have Renee Hudson and George Nayaman (phonetic spelling). Steve Cline.

>> Steve Cline: Yes, Steve. We the people. It's a cliché, maybe, I don't know. I sense. This is like us versus them. What is the game that's being played here? We the people. We are all we the people. Compassion needs to set in. And it's still in all of us. And I believe it is. I believe there's a whole lot of people out here that are here because they care. They care. You guys are here because you care. We all care. We are all we the people. When I walked in here, I got this

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piece of paper. Interesting. Because some of us step over the line. Take back Johnson County, Kansas. Are you sick of the County Commissioners ignoring your Constitutional rights? Are you ready to put an end to the unethical and co-parenting behaviors by Johnson County leaders? Are you ready to sign a recall petition? Our group was formed to work on recalling Johnson County officials who continue to vote for such controversial issues as -- and controversial issues. I'm not going to go over them. Masking children. Seriously. Vaccination. Is that even a question? I mean, come on. And there's tons and tons of education to get out there. But, they've chosen to pick two out. Janette Hanzlick and Shirley Allenbrand. They're calling for a recall. We have 90 days to collect 20,000 signatures in each district. You must be a registered Kansas voter within the targeted district to sign your petition. It's interesting that we, the people, are having to come up with stuff like this. And then our forefathers put forth to us Article V of the Constitution. Allows the states to call convention of states to propose constitutional amendments to limit federal spending, debt and regulations. Amendments can put big government back in its constitutional box and restore power to the state of the people. We are getting educated. Let's all get educated together and maintain we, the people. We are a great country. Let's maintain the greatness of our country. Thank you guys all. You are in a position. You were put there by commissions, other people, I don't know. You're making decisions. We ask the [indiscernible]. All of us.

>> Clerk: I think this is Renee Hudson. They signed up tonight. Last name is Hudson. Either Renee or Renee Hudson. [Indiscernible]. Okay. Thank you. Now we have George Nayaman. George Nayaman.

>> Unidentified Speaker: You should strike her address from the [indiscernible].

>> George Bailey: Good evening. My name is George Bailey. But I'm a new resident to Olathe. We, the people. Several people here have made that same comment, or at least used that phrase. One of the things that is most disheartening for me as an 80-year-old man is to see what is happening by way of a separation between we the people and the politicians who seem now in so many ways to be products of an education system that is appalling. I think we all could agree on we are seeing things that are and we're getting the results. Seeds have been sown and now we are reaping the problems. And my comment to you folks as somebody that lived in Minnesota, I have seen government in a different light. And I'm gonna tell you, at least from what I see here and some of the comments that I've heard tonight, I'm encouraged as a new resident. I'm concerned, you know. I have been involved in politics. My dad and I served in Republican circles in Minnesota. We were on state central committee. We saw the problems in trying to get the candidates to put their name on the ballot. But I'm going to tell you that I would far sooner have people elected than I would have products of back rooms. And too often, those back rooms and those people who are now occupying relatively high posts -- perhaps not here in the state, I'm not that familiar with all of the ins and outs and the politicians here -- but I'm going to tell you that the reality is whenever they sink to the depths as some -- well, we saw it on a national basis, and when it sinks that deep, all the sudden, we get the products that are not very, well, to say the least, they're not noble. We would expect that somebody like a sheriff be somebody that is responsible to us. And I know of no other better way than to have that somebody brought to the forefront to run for election and face us on a ballot. I don't like the idea of anything going on in back rooms. And that's what politics is all about. It's not what happens in the front. It's not what is shown -- whenever we see the literature coming from politicians. It's what happens in the back rooms that is disheartening.

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I'd like to add one other thing. I talked to a few of the police officers here, the Sheriff's deputies. For all of us, as we go out, you know, I would encourage you to do something as simple as to say thank you. You know, this is becoming a nation with problems in police forces that are absolutely monumental. I have friends who are either retired or active police officers right now. And for all of those people who don the uniform and go out to protect us, thank you. And I think that it's appropriate that we do as much as we can for them. And it can be as simple as this. It can be a shake of the hand. And it may be if you see them in a restaurant, buy their meal for cryin' out loud.

[Loud cheers and applause in the gallery]

>> Chairman Musil: Thank you all, all of you that attended, whether live here in person or by Zoom. We have gone through all the registered speakers and those who registered tonight. There will be another registration opportunity on the website for the October 27th hearing. Similar fashion, where we will take those by Zoom first, those who registered in person next, and those who register that night. Again, that meeting starts at 5:30 p.m. just as tonight.

I do want to clarify a couple things that I heard tonight because I thought I said at the start of the meeting. This Commission is appointed. 25 volunteers appointed by a variety of people. And I want to make sure you understand, the public understands, [indiscernible] that have the right to appoint under the state statute. The State Legislature, three members were appointed by the Kansas State Senate Delegation of Johnson County. Three members were appointed by the Kansas House of Representatives who are in Johnson County. Each political party, Republican and Democrat, received two appointments. The Johnson County Board of County Commissioners received eight appointments, two by the Chair, and one each by each of the six District Commissioners. The Johnson County Chambers collectively were entitled to appoint two people. The Johnson County cities were entitled to appoint three people who are elected mayors of those cities. And the Johnson County Planning Commission for the unincorporated areas of the county appointed two representatives to the Charter Commission. So, that is the statutory makeup of this Commission.

As I said, we will hold our second Commission Public hearing on October 27th. I heard some comments I think were directed to County Commission. We are not paid. We are volunteers. We've been giving four to five hours a month for eight months to learn about the county, to listen to the county. With respect to transparency, please go to the Charter Commission website, charter.jocogov.org. Every meeting agenda is published there. Every set of minutes, once approved, is published there. Every meeting recorded is there if you would like to watch anything and everything that happened. The presentations that were made by various departments of the county are posted there. The Charter, Home Rule Charter itself is posted there if you haven't had a chance to review it. Again, our process is that by November 1st, we are asking Charter Commission members to submit any proposed amendments that they would like the Commission to consider. The Commission will then consider those after our two public hearings. And sometime in November and December -- November meeting is November 8, and November 17th. They will be virtual and in person. We will consider and allow the proponent of each amendment to make a presentation as to why. Then we will take an initial vote and see if it receives nine votes of the Commission to go on to a longer discussion, debate, about that proposed amendment. Ultimately, if it reaches the second point, a vote will be taken, and it requires 13 votes to be placed on the ballot, again, next November. This Commission does not make any decisions one way or the other on the issues that were discussed tonight, other than a

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decision about whether or not to place it on the ballot. So, that is the process going forward. I appreciate everybody that was here tonight.

As to whether we have heard and listened, you will be the judge of that after, when we discuss the events. I was trained very carefully on the City Council. You listen carefully with an open mind to all the public comments and all the public hearings are completed. For that reason, I think all of us up here will wait and see what we hear by October 27th, what written comments are presented on the website where everyone has a right to submit written comments. And then we will discuss and debate any proposed amendments in November or in December. We have a deadline to submit a regular report by the end of January, 2022, I believe. End of February. We do not anticipate taking that long. I'm hoping that by the end of the year, we will know what [indiscernible] soon be working on a written report. So, with that, I would entertain a motion to adjourn.

>> Unidentified Speaker: So move.

>> [Speaker off-mic].

>> Chairman Musil: Moved by Kyle Russell. Seconded by Karin Brownlee. All those in favor say aye.

>> All: Aye.

>> Chairman Musil: Opposed say no. That motion carries. We are adjourned. Thank you all for coming. Drive safely.

[End of session]

The text herein was produced during real-time closed captioning of this meeting in order to facilitate communication accessibility and may not be verbatim. This is not a certified transcript.