

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: 8/12/21

Description of proposed amendment:

Change election status of the sheriff's position to a nonpartisan race.

Purpose and reason for proposed amendment:

Law enforcement top officials should not be deemed to serve one party or another.

Charter Sections/County Departments or Agencies Affected:

Section 5.05. ELECTED COUNTY OFFICIALS

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 "yes" votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 "yes" votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: 8/12/21

Description of proposed amendment:

Create a public health and safety governing board to provide oversight for the public health department and county sheriff's department.

Purpose and reason for proposed amendment:

To ensure accountability and consistency for maintaining public health and safety, similar to what is already in place for other departments within the county government.

Charter Sections/County Departments or Agencies Affected:

Section 5.04. GOVERNING BOARDS.

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 "yes" votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 "yes" votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: 09.13.2021

Description of proposed amendment:

Change the format of all county elections to partisan.

Purpose and reason for proposed amendment:

Non-partisan elections are confusing to voters. Research shows that in non-partisan elections voters will turn to whatever cue is available to identify a candidate, often voting only because they like a candidate's name. Research also shows that non-partisan elections produce elected officials more representative of the upper socioeconomic strata than of the general populace and not reflective of the demographics of the people they represent. For example, the current BOCC does not reflect the diversity of the county.

Chairman Eilert, in his comments to the charter commission, said he felt that elected positions that enact policy should be elected on a partisan basis.

Charter Sections/County Departments or Agencies Affected:

Section 3.01

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 "yes" votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 "yes" votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: 09.13.2021

Description of proposed amendment:

All vacancies on the Board of County Commissioners should be filled by special election unless the next scheduled election is within 90 days of the position becoming vacant.

Purpose and reason for proposed amendment:

Appointment of a replacement to fill a vacancy by the very governing body that has need of a replacement is contrary to the principles of a republic form of government and does not allow the citizens any say in who is governing them. This is truly a situation of "taxation without representation." This practice also leads to appointments that serve the will of the BOCC, not the will of the people of the county.

Charter Sections/County Departments or Agencies Affected:
Section 3.03

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 "yes" votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 "yes" votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: _____

Date: 09.13.2021

Description of proposed amendment:

The directors and members of the governing boards of Johnson County Library System, Parks and Recreation District, Mental Health Center, Developmental Supports, and the Airport Commission shall be appointed by the Board of County Commissioners, based on education and experience for the position appointed to. ALL appointees shall maintain residency within Johnson County and be a qualified elector.

Purpose and reason for proposed amendment:

County government is local government and, as such, is the government closest to the people. The best interests of Johnson County are represented by its citizens, not by persons who live outside the county and who have no vested interest in the county. These positions have considerable power to tax to the citizens and should be citizens of the county as well.

Charter Sections/County Departments or Agencies Affected:

Section 5.04

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 “yes” votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 “yes” votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED] _____

Date: November 1, 2021

Description of proposed amendment:

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

Purpose and reason for proposed amendment:

The current Section 2.08 deals exclusively with events and actions which have been overcome by the passage of time and will not be repeated in the future. Therefore, the text is extraneous and purely historical.

Charter Sections/County Departments or Agencies Affected:

Charter Section 2.04 deals with current and future Commissioner Districts.

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 "yes" votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 "yes" votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: November 1, 2021

Description of proposed amendment:

Modify Article V as follows:

1. Modify Section 5.02, bullet 1, sentence 2 to read as follow: “Except as provided by law or this Charter, the County Manager shall appoint, suspend, or dismiss all non-elected department directors and division heads, including the County Clerk, the Register of Deeds, and the County Treasurer.”
2. Modify Section 5.05 by deleting bullets, 1, 2, 3, and redraft the remaining provisions to read as follows: “The District Attorney and the Sheriff shall be selected by popular vote in a nonpartisan election held every 4 years. The Commissioners shall review and approve the budgets for each elected office. Each elected office is subject to the personnel policies and procedures established by the BOCC and all other administrative policies adopted by Commission to the extent not inconsistent with law.”

Purpose and reason for proposed amendment:

1. The modification of Sec. 5.02 summarizes current facts and avoids ambiguity once bullets 1, 2, and 3 of Section 5.05 are deleted. The deletion is appropriate because these bullets deal exclusively with past events and actions which will not be repeated in the future. Therefore, the text is extraneous and purely historical.
2. Sentence 1 of the new Section 5.05 is both restatement of current facts (these positions are elected every 4 years) and a change to rationalize all county elections by making ALL positions non-partisan, that is free from party designations or party labels. It keeps national issues from being mixed with local issues. It allows for and opens those running to be receptive to insight from many sources rather than being pigeon-holed based on a particular party's ideology.
3. The balance of the proposed Sec. 5.05 is a statement of the authority and duty of the Commissioners pursuant to state law, K.S.A 19-805(c) and (d) related to the Sheriff and K.S.A. 22a-106 for he D.A.

Charter Sections/County Departments or Agencies Affected: Offices of the Sheriff and the Distract Attorney

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 “yes” votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 “yes” votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: November 1, 2021

Description of proposed amendment:

Delete the text of the current Section 6.03. Insert the text of the current Section 6.04.

Eliminate the heading of the current Section 6.04.

Modify bullet one of the new text of Sec. 6.03 to add the parenthetical (second Thursday of January 2001) after the word "Charter." The bullet now reads: "A Charter Commission, composed and appointed provided by statute, shall be created within 30 days of a date which follows 10 years after the effective date of this Charter (the second Thursday of January 2001), and at least every 10 years thereafter."

Delete all of Article VII.

Purpose and reason for proposed amendment:

The old Section 6.03 and all of Article VII are made either redundant (effective date now in new Section 6.03 so not needed in Sec. 7.03) or the proposed deletion deals with events and actions which have been overcome by the passage of time and will not be repeated in the future. Therefore, the text is extraneous and purely historical.

Charter Sections/County Departments or Agencies Affected: Sections 6.03, 6.04 and Article VII

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 "yes" votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 "yes" votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: November 1, 2021

Description of proposed amendment:

The Board of County Commissioners shall form a Health Advisory Council which shall provide guidance when the BOCC acts as the Public Health Board. The Health Advisory Council shall be composed of representatives of interested groups and parties, including but not limited to, physicians, patients, caregivers, pharmacies, hospitals, and the general public.

Purpose and reason for proposed amendment:

The Health Advisory Council could provide a public venue for reaching consensus on difficult public health questions. While elected officials (BOCC) would continue to make the final decisions as the Public Health Board, those decisions would be guided by advice and counsel from a full range of persons versed in the matter.

Charter Sections/County Departments or Agencies Affected:

New Charter Section. Departments Affected: Health and Environment; Mental Health

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 “yes” votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 “yes” votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: November 1, 2021

Description of proposed amendment:

Add the following sentence at the end of Section 2.05: *"Increases in compensation and benefits that exceed the increase in the Consumer Price Index over the time period since the last compensation or benefits increase shall require approval by the voters."*

Purpose and reason for proposed amendment:

As a general matter, some upper limit on public elected officials' authority to increase their own individual compensation and benefits is best practice because the decision involves an inherent financial conflict-of-interest with public tax revenues.

Charter Sections/County Departments or Agencies Affected:

County Commission

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 "yes" votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 "yes" votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: November 1, 2021

Description of proposed amendment:

At Section 2.02, the fourth sentence shall be deleted and replaced with the following: *"Six Commissioners shall continue to be elected to four-year terms consistent with past practice. The Seventh District Commissioner elected in November 2022 shall be elected to a five-year term, after which term the Seventh District Commissioner shall thereafter be elected to four-year terms beginning in November 2027."*

Purpose and reason for proposed amendment:

The current structure of having the Seventh District Commissioner (the at-large Chair) election at the same time three Commissioners are elected creates a permanent structural imbalance and unfairness skewing in favor of residents in three County districts at the expense of those in other three districts. The Commissioners representing three districts are forever barred from running for Chair while keeping their Commission seats, while the Commissioners from the other three districts are allowed to do so.

Charter Sections/County Departments or Agencies Affected:

County Commission

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 "yes" votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 "yes" votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: 11/1/21

Description of proposed amendment:

BOCC are to approve new hires or reappointments of department directors or division heads.

Purpose and reason for proposed amendment:

There was an overwhelming request by the public both in person and in written documents submitted to keep the county as an elected vs an appointed form of government. While most of this was related to keeping the sheriff elected a great number of Johnson County citizens also want to move the former elected positions that are now appointed back to elected seats. Having the hiring and appointments of any and all directors or managers of county departments or divisions require the approval of the BOCC whether these are currently done by the BOCC or the County Manager will give the folks reassurance their elected commissioners are managing the county.

Charter Sections/County Departments or Agencies Affected:

Sections: 2.06, 4.03, and 5.02

This amendment only relates to section 5.05 for the County Clerk, Register of Deeds and County Treasurer positions; all others listed in this section are elected officials and this amendment would not apply to those elected positions.

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 “yes” votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 “yes” votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED] _____

Date: 11/01/2021 _____

Description of proposed amendment:

Change the positions of County Clerk, Register of Deeds, and County Treasurer to elected positions from their current status as appointed positions.

Purpose and reason for proposed amendment:

Sedgwick, Shawnee, Douglas, and Leavenworth counties all elect these positions through a public ballot. Wyandotte County elects a Register of Deeds. This amendment would bring Johnson County into congruence with the prevalent method of selection for these offices used in the State of Kansas.

Charter Sections/County Departments or Agencies Affected:

5.05 Elected County Officials

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 “yes” votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 “yes” votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: 11/1/2021

Description of proposed amendment:

Establishment of “*Johnson County Unincorporated Trustee*” Position Elected by the Unincorporated Citizens of Johnson County.

Purpose and reason for proposed amendment:

The US Government Structure was developed to ensure all citizens were fairly represented at ALL levels of Government to include Federal, State, County, City and Townships. That is not happening today for the Unincorporated citizens of Johnson County Kansas.

Today's Unincorporated Area represents ~ 40% of the total Johnson County land mass, but only ~10% of the population. Only two of the seven County Commissioners have Unincorporated Constituents in their District (3 and 6). This has created an environment where the Unincorporated Citizens are left without an impactful voice within our County Government Structure as it exists today. As a result, the Unincorporated Citizens have suffered the following consequences to include, but not limited to:

- Poor Road Conditions (Dusty/Muddy Roads)
- Lack of proper county right of way maintenance (Overgrowth, dangerous ditches)
- Limited to no capital infrastructure improvements
 - Paved Roads
 - Replaced bridges/Culverts
 - Lack of roadway development to properly support the Intermodal

Additionally, the Unincorporated Citizens have endured reduced representation for key commissions recommending rules/regulations impacting ONLY the Unincorporated Citizens while the unincorporated citizens are excluded from participating in any city government elections. Funding shall come from currently approved and/or proposed General Expense and Capital Budgets for employees, contractors, facilities, equipment, supporting staff, etc., plus, 10% increase for annual Expense budget & \$20M annually for capital improvements to bring the Unincorporated area up to Incorporated infrastructure standards, or until an agreement can be reached amongst the newly elected Trustee and the BOCC.

There shall be a temporary office created, staffed and funded by the county for approximately one year which shall be called the “Transformation Office”. The Transformation Office shall report directly to the Johnson County District Attorney’s office with the goal of ensuring a timely, seamless and fair transition into the new organization structure. Note: There are more than \$350M in reserves that can be drawn from if needed.

Charter Sections/County Departments or Agencies Affected:

- Public Works Dept
- Planning/Development/Zoning Department.

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 “yes” votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 “yes” votes to advance to ballot):

Yes: _____ No: _____

2021 JOHNSON COUNTY CHARTER COMMISSION

PROPOSED AMENDMENT TO HOME RULE CHARTER

Submitted by: [REDACTED]

Date: 11/1/2021

Description of proposed amendment:

Change the Head of the Johnson County Appraisal Office to an elected position.

Purpose and reason for proposed amendment:

The current Johnson County Appraiser is appointed by the BOCC, over seen by the Chairman of the Board and the State Appraisal office. This structure creates a “Conflict of Interest” at the county level because it is the goal of the Chairman of the Board to maximize revenues to fund Johnson County Operations the chairman oversees.

Additionally, because the position reports to the State, it removes the ability of locally elected Commissioners to represent their citizens best interest when they believe their constituents are being unfairly assessed. This has created an environment where the Appraiser IS NOT held accountable by the people.

Funding shall come from the existing approved or proposed expense/capital budgets currently funded for employees, contractors, facilities, equipment, supporting staff, etc. There shall be a budget allowance made available to facilitate a seamless transition of this office, with the goal of having a “Net-Neutral” financial impact in 2 years adjusted for the # of taxpayers and inflation. **There shall be a temporary office created, staffed and funded by the county for approximately one year which shall be called the “Transformation Office”. The Transformation Office shall report directly to the Johnson County District Attorney’s office with the goal of ensuring a timely, seamless and fair transition into the new organization structure.** Note: There are more than \$350M in reserves that can be drawn from if needed.

Charter Sections/County Departments or Agencies Affected:

- Current Appraiser’s Office
- Additional groups/resources may be included to ensure a fully accountable and self-sufficient team is established. (ie-IT Support)

Disclosure: This change may be dependent upon changes to existing Kansas State Statute

For Commission Use Only:

Date of Initial Consideration: _____

Vote to Advance to Full Consideration (requires 9 “yes” votes to advance):

Yes: _____ No: _____

Date of Full Consideration: _____

Vote on Full Consideration (requires 13 “yes” votes to advance to ballot):

Yes: _____ No: _____