

Published on: \_\_\_\_\_

**CHARTER RESOLUTION NO. \_\_\_\_\_**

Effective: \_\_\_\_\_

**A CHARTER RESOLUTION EXEMPTING SEDGWICK COUNTY, KANSAS FROM APPLICATION OF K.S.A. 19-4314 AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT**

WHEREAS, Sedgwick County, Kansas (County) is a duly organized county within the State of Kansas;

WHEREAS, pursuant to K.S.A. 19-4304, the Board of County Commissioners of Sedgwick County, Kansas created the Sedgwick County Sheriff's Civil Service Board for the purpose of reviewing and regulating personnel matters related to employees of the Sedgwick County Sheriff's Office;

WHEREAS, the statutory provisions of K.S.A. 19-4303 *et seq.* in regard to civil service boards in Kansas, are not uniformly applicable to all counties, and the County may exercise its home rule powers to exempt the County from application of those statutory provisions and may adopt substitute and additional legislative provisions;

WHEREAS, K.S.A. 19-4314 sets forth various positions within the Sheriff's Office which are excluded from the application of civil service board provisions;

WHEREAS, Sedgwick County Charter Resolution 60, section 6 made the provisions of K.S.A. 19-4314 inapplicable to the County and provided substitute legislative provisions;

WHEREAS, County now deems it necessary and advisable to amend the provisions in Charter Resolution 60, section 6 to also exempt the Sheriff's Legal Advisor, a position transferred to the Sheriff's Office from the County Counselor's Office, from application of civil service board provisions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS that Sedgwick County, Kansas, elects to and does hereby exempt itself from and makes inapplicable to the County the provisions of K.S.A. 19-4314 and that the following provisions shall be and hereby are adopted to govern the applicability of the Civil Service Board's procedures to certain persons.

**SECTION 1.** The provisions of Charter Resolution 60 and applicable provisions of K.S.A. 19-4303 *et seq.* shall apply to all officers or employees of the sheriff's office other than the sheriff, undersheriff, sheriff's chief deputy, legal advisor or senior administrative officer.

The provisions of Charter Resolution 60 and applicable provisions of K.S.A. 19-4303 *et seq.* shall not apply to temporary personnel employed for a period of not to exceed sixty (60) days continuous service or temporary personnel employed for less than one hundred fifty (150) days total service in any calendar year.

**SECTION 2.** Section 6 of Sedgwick County, Kansas Charter Resolution 60 is hereby repealed.

**SECTION 3. Severability.** If any provision or section of this charter resolution is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this resolution. This charter resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

**SECTION 4. Publication.** This Charter Resolution shall be published once each week for two consecutive weeks in the official county newspaper. The County Clerk is directed to publish in such a manner forthwith.

**SECTION 5. Effective Date.** This Charter Resolution shall take effect sixty-one (61) days after final publication unless a petition signed by a number of electors of the County equal to not less than two percent (2%) of the number of electors who voted at the last preceding November general election or one hundred electors, whichever is greater, shall be filed in the office of the County election officer demanding that this resolution be submitted to a vote of the electors, in which event this charter resolution shall take effect when approved by a majority of the electors voting at an election held for such purpose.

Commissioners present and voting were:

DAVID M. UNRUH \_\_\_\_\_  
TIM R. NORTON \_\_\_\_\_  
KARL PETERJOHN \_\_\_\_\_  
RICHARD RANZAU \_\_\_\_\_  
JAMES M. HOWELL \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

\_\_\_\_\_  
KELLY B. ARNOLD, County Clerk

\_\_\_\_\_  
JAMES M. HOWELL, Chairman  
Commissioner, Fifth District

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RICHARD RANZAU, Chair Pro Tem  
Commissioner, Fourth District

APPROVED AS TO FORM:



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KAREN L. POWELL  
Deputy County Counselor

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DAVID M. UNRUH  
Commissioner, First District

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TIM R. NORTON  
Commissioner, Second District

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KARL PETERJOHN  
Commissioner, Third District

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