

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, November 7, 2018

1:30 PM

BOCC Meeting Room

### **Board of Sedgwick County Commissioners**

*Pursuant to Resolution #007-2016, adopted by the Board of County Commissioners on January 20, 2016, members of the public are allowed to address the County Commission for a period of time limited to not more than five minutes or such time limits as may become necessary.*

*Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Sedgwick County, should contact the office of Crissy Magee, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203. Phone: 316-660-7056, TDD: Kansas Relay at 711 or 800-766-3777*

*Email: [Crissy.Magee@sedgwick.gov](mailto:Crissy.Magee@sedgwick.gov), as soon as possible but no later than 48 hours before the scheduled event. Please include the name, location, date and time of the service or program, your contact information and the type of aid, service, or policy modification needed.*

## **ORDER OF BUSINESS**

### **CALL MEETING TO ORDER**

*The Special Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 1:28 p.m. on November 7, 2018 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David T. Dennis, with the following present: Chair Pro-Tem Commissioner David M. Unruh; Commissioner Michael B. O'Donnell II; Commissioner Richard Ranzau; Commissioner James M. Howell; Mr. Michael Scholes, County Manager; Mr. Thomas Stolz, Deputy County Manager; Mr. Karen Powell, Deputy County Counselor; Ms. Kate Flavin, Public Information Officer; Ms. Heddie Page, Deputy County Clerk.*

### **ROLL CALL**

*The Clerk reported, after calling roll, that all Commissioners were present.*

*Chairman Dennis said, "Next item, please."*

### **CONSENT**

*Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "Commissioners, recommend you approve consent agenda item Alpha (A)."*

*Chairman Dennis said, "Thank you, sir."*

#### **MOTION**

*Commissioner Dennis moved to adopt the consent agenda.*

*Commissioner Unruh seconded the motion.*

*There was no discussion on the motion, the vote was called.*

#### **VOTE**

Commissioner O'Donnell II	Aye
Commissioner Ranzau	No
Commissioner Howell	No
Commissioner Unruh	Aye
Chairman Dennis	Aye

*Chairman Dennis said, "Next item, please."*

**A**     [18-961](#)

**Conflict Waiver - Foulston Siefkin.**

**Approved on the Consent Agenda**

## **EXECUTIVE SESSION**

### *MOTION*

*Commissioner Unruh moved that the Board of County Commissioners recess into executive session for 45 minutes until 2:15 p.m. to discuss personnel matters of nonelected personnel. The Board of County Commissioners will return to this room for open session no sooner than 2:15 p.m. The executive session is required to protect the privacy interests of an identifiable individual.*

*Commissioner O'Donnell seconded the motion.*

*Chairman Dennis said, "Thank you. We have a motion and a second. Commissioner Howell."*

*Commissioner Howell thanked the Chairman and said, "Mr. Chairman, I have a couple other questions and maybe some comments. But are we planning to negotiate settlement discussions? Is that what this is about, really is this related to the letter we got from Kelly Rundell last week?"*

*Chairman Dennis said, "Yes."*

*Commissioner Howell said, "It is, okay. I have a couple of questions for you then. The executive session that happened on October 24th, I did not attend, so I can't answer the question myself. But was that talking, was that discussion about one personnel matter or two personnel matters?"*

*Chairman Dennis said, "One."*

*Commissioner Howell said, "One personnel matter. Okay, good. My question is, has there been anybody on this Commission been negotiating details of a settlement we're going to discuss in the backroom here today? In other words, have any of you, my colleagues, been discussing details of settlement options for us to consider here going up in this executive session?"*

*Chairman Dennis said, "I'm aware of what the, has been offered."*

*Commissioner Howell said, "In other words, in the letters we received last week."*

*Chairman Dennis said, "Correct."*

*Commissioner Howell said, "Okay. That's the extent of our involvement in getting us to this point."*

*Chairman Dennis said, "I can give you more information in executive session."*

*Commissioner Howell said, "Okay again, I would've preferred to do this last Friday. I tried to call for a meeting, so we didn't do it then. But if that is all we're doing today is what we could have done last Friday, that's fine. I'll support it in that case, but I want to make sure we didn't have something happen independently since that time. So thank you. That's all I have Mr. Chairman."*

*Chairman Dennis said, "Thank you. Commissioner Ranzau."*

*Commissioner Ranzau thanked the Chairman and said, "Just to clarify, have there been responses made in response to that letter?"*

*Chairman Dennis said, "Any response."*

*Commissioner Ranzau said, "Have we responded to them in any way, shape or form through you or an attorney representing us?"*

*Chairman Dennis said, "I think I can answer that better in executive session."*

*Commissioner Ranzau said, "Well, no I need to know here. I don't need to know what the response was, but has there been dialog back and forth on this issue?"*

*Chairman Dennis said, "You're going to have to talk to our attorney. I've talked to our attorney."*

*Commissioner Ranzau said, "About a response."*

*Chairman Dennis said, "Well, I don't know exactly what your question is, so I can explain it better in executive session."*

*Commissioner Ranzau said, "Well, they say we want this, has there been response as to how we should respond to that?"*

*Chairman Dennis said, "I don't know how we should respond. We have to have all five of us to go into executive session."*

*Commissioner Ranzau said, "Well, that's my question. I want to know if there has been a response or discussion about responding to this. I mean who, it appears to me that there has been some settlement discussion going on. I simply want to know who has authorized these discussions that have been going on and when?"*

*Chairman Dennis said, "I have talked to our attorney several times, but there is no negotiation because it has to take our entire Board of County Commissioners."*

*Commissioner Ranzau said, "Well, I understand that's the case, but it appears to me that there has been some settlement discussions going on."*

*Chairman Dennis said, "Then we can discuss that in executive session. I don't know what you're referring to until we can get into executive session and find out."*

*Commissioner Ranzau said, "Well, I have concern that there has been stuff that hasn't been authorized. But I can't seem to get a straight answer on things."*

*Chairman Dennis said, "Okay. Any further questions? We have a motion, but we've taken up five of the minutes. Do we want to amend the motion to extend this until 2:20 [p.m.]?"*

*Commissioner Ranzau said, "Well, we haven't even voted."*

*Chairman Dennis said, "No, we have left it."*

*Commissioner Ranzau said, "Oh, I gotcha."*

*Chairman Dennis said, "We've made a motion, but..."*

**AMENDED MOTION**

*Commissioner Unruh moved that the Board of County Commissioners recess into executive session for 45 minutes, until 2:20 p.m. to discuss personnel matters of nonelected personnel. The Board of County Commissioners will return to this room for open session no sooner than 2:20 p.m. The executive session is required to protect the privacy interests of an identifiable individual.*

*Commissioner O'Donnell seconded the motion.*

*Chairman Dennis said, "We have a motion and a second to go into executive session until 2:20 [p.m.]. Any further discussion? Seeing none, Madam Clerk, call the roll."*

**VOTE**

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

*The Board of County Commissioners recessed into executive session at 1:33 p.m. and returned at 2:38 p.m.*

**Approved**

[18-968](#)

**Appointment of an Acting County Counselor.**

*Chairman Dennis said, "Do we have a motion?"*

**MOTION**

*Commissioner Unruh moved to place Eric Yost on paid administrative leave until further notice and furthermore move to appoint Karen Powell as acting County Counselor until Eric Yost returns to full duty or the County Counselor position is filled by an interim or appointed County Counselor.*

*Commissioner Dennis seconded the motion.*

*Chairman Dennis said, "Any discussion? Commissioner Howell."*

*Commissioner Howell said, "I don't have any prepared remarks, but I just want to share my heart. That is I think this is completely unnecessary. This isn't solving a problem today. This is simply just adding a chapter to this story. I would tell you I think that Counselor Yost is a good man. This is just my opinion, I don't have any information that he's done anything wrong in my opinion. I think that we are acting unnecessarily and in a way that is going to continue to harm the county. So I will not support the motion today. Thank you."*

*Chairman Dennis said, "Thank you. Any further discussion? Seeing none, Madam*

*Clerk, call the roll."*

**VOTE**

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>No</i>
<i>Commissioner Howell</i>	<i>No</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

*Chairman Dennis said, "Anything else need to come before the board today?"*

**Approved**

**ADJOURNMENT**