

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
working for you*

Meeting Minutes

Friday, November 16, 2018

11:00 AM

Special Meeting

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, 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 11:00 a.m. on November 16, 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. Thomas Stolz, Deputy County Manager; Mr. Michael D. Pepoon, Interim County Counselor; Ms. Kate Flavin, Public Information Officer; Ms. Lynda Baker, Deputy County Clerk.

ROLL CALL

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

Chairman Dennis said, "Next item, please."

CONSENT

Chairman Dennis said, "Mr. Deputy County Manager."

Mr. Thomas Stolz, Deputy County Manager, greeted the Commissioners and said, "Request you approve consent agenda item A."

MOTION

Commissioner Dennis moved to approve consent agenda item Alpha (A).

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "We have a motion and a second. Any discussion? Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "Sorry, I won't be supportive of this motion. I think we need an outside attorney that's not friends with any Commissioners here or has any previous experience here.

"Particularly if they're friends with some the primary instigators of everything that's going on and I don't think this is good. Actually, and I've voiced that previously and that's my position. Nothing personal about Mr. Pepoon, but I just think we need to have somebody who doesn't have previous connection to the Commissioners and this county in this position."

Chairman Dennis said, "Thank you. Commissioner Howell."

Commissioner Howell thanked the Chairman and said, "I guess it was my understanding we were going to do a month-to-month contract. This is not, this appears to be a full-time hire with benefits. I don't quite understand why we're doing that. This is a temporary position. It's supposed to be month-to-month and that's not what I see here. So no offense to anybody, but this is not what I expected today. So I

will probably vote no today, thank you."

Chairman Dennis said, "It is an interim position, reaffirm that with the decision to be made on a permanent individual, we have to start advertising here in the near future. But I doubt the decision is made before the new Commission is seated."

Commissioner Howell said, "Well, once again I don't know why we'd not clarify our relationship with Mr. Pepoon in some type of a contract, so we are clear exactly what we're expecting and how long this supposed to last. Again, I don't understand why this comes with 40 hours of sick leave and 40 hours of vacation on day one. I just don't, if someone's going to be here for a couple of months it seems a little bit unnecessary to me."

Chairman Dennis said, "Okay."

Commissioner Howell said, "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, "Next item, please."

A [18-982](#)

Hire an Interim County Counselor above grade minimum with vacation and sick leave.

Approved on the Consent Agenda

EXECUTIVE SESSION

MOTION

Commissioner Unruh moved that the Board of County Commissioners recess into executive session for 30 minutes, until 11:32 a.m. to consult with an attorney for this Commission which would be deemed privileged in the attorney-client relationship. The executive session is required to protect attorney-client privilege and the public interest and to consider a claim against the county and that the Board of County Commissioners will return to this room from executive session no sooner than 11:32 a.m.

Commissioner O'Donnell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
----------------------------------	------------

Commissioner Ranzau	Aye
Commissioner Howell	Aye
Commissioner Unruh	Aye
Chairman Dennis	Aye

The Board of County Commissioners recessed into executive session at 11:02 a.m. and returned at 11:33 a.m.

Chairman Dennis said, "I'll state that during executive session no action was taken. Does anything else need to come before the board today? Seeing nothing, oh I'm sorry. Commissioner Ranzau."

Commissioner Ranzau said, "Yeah, I just have a question, Counselor. You know we have passed, talked about having an investigation in to Commissioner misconduct after the other one was done. I guess I would like to know what you know, what we're going to get that started now?"

Mr. Michael D. Pepoon, Interim County Counselor, greeted the Commissioners and said, "I will be happy to check into that. Obviously, I started yesterday and not fully up to speed on some of that. But I'll talk to outside counsel and see what they're doing with it."

Commissioner Ranzau said, "Thank you."

Chairman Dennis said, "Thank you. I guess with the comment from Commissioner Ranzau. It's extremely troubling that some of our Commissioners continue to make unproven allegations especially because as everyone has fully cooperated with the external investigations."

"It appears that there's been no further activity for at least six weeks. Unless any Commissioner or person has new credible information, they should stop personal attacks. Meanwhile, I believe it's a good sign that Commissioners Ranzau and Howell have decided to once again attend executive sessions. This demonstrates that we are moving forward with county business. I believe that the majority of the Board of County Commissioners has been focused on the two goals that I've stated from the beginning. We must listen to and protect our employees and we must continue to govern our county providing quality public service to our 500,000 Sedgwick County citizens. Thank you. Commissioner Ranzau."

Commissioner Ranzau said, "Well just to be clear, I, we voted on something it was passed to find out about, investigate conduct of Commissioners for the last two years and the environment that's been created by Commissioners up here. I think you voted for that. So I'm just trying to follow up on something that, make sure we moved forward on. Wasn't saying anything else."

Chairman Dennis said, "We can follow up and discuss it, but once again nothing has happened for at least six weeks and I have found nothing credible that shows that there is any kind of wrong doing in Sedgwick County."

Commissioner Ranzau said, "You're talking about the F.B.I. (Federal Bureau of Investigation) investigation. I'm talking about conduct in general for the last two years that may or may not even be investigated by the F.B.I., as I said back then. I think there has been an atmosphere created by Commissioners, which makes it hard for

some people to do their jobs and you agreed to investigate that. I'm not talking about any F.B.I. investigation. So that's all I'm talking about."

Chairman Dennis said, "Okay. Thank you. Anything else need to come before the board today? Seeing nothing."

Approved

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:36 a.m.