KANSAS ASSOCIATION OF COUNTIES
GOVERNING BOARD

MINUTES OF OCTOBER 23, 2009 MEETING
KAC OFFICE, LOWER LEVEL
TOPEKA, SHAWNEE COUNTY, KANSAS

Attendance

Board Members Present: Michele Abbott, Marion County Emergency Management Director; Sheila Biggs, Dickinson County Commissioner; Joe Connor, Unified Government Health Department Administrator; Jack Frick, Scott County Commissioner; J.R. McMahon II, Miami County Director of Public Works; John Miller, Norton County Commissioner; Tim Norton, Sedgwick County Commissioner; Duane Patrick, McPherson County Commissioner; Dennis Peterson, Riley County Noxious Weed Director; Dale Phillips, Barton County Noxious Weed Director; Tom Wagner, Atchison County Commissioner; Dick Works, Allen County Commissioner (left at 11:30 a.m.).

Board Members Absent: Terry David, Rice County EMS Director; Mark Low, Finney County Appraiser; Larry McAulay, Johnson County Director of Legal Services.

Others Present: Randall Allen, KAC Executive Director; Dennis Kriesel, KAC Senior Policy Analyst; Sarah Meyer, KAC Conference Coordinator (10:41 – 11:19 a.m.); Melissa Wangemann, KAC General Counsel (arrived at 11:45 a.m.).

Proceedings

President Connor called the meeting to order at 10:03 a.m.

Tim Norton moved and Dennis Peterson seconded a motion approving the agenda. The motion passed unanimously.

Tom Wagner moved and Dennis Peterson seconded a motion approving the September 10, 2009 meeting minutes. The motion passed unanimously.

Dick Works, Treasurer, presented the Report of Bills and Payrolls. He indicated that the original document included one discrepancy (i.e. omission of a payment to KPERS in the amount of $190.26). He also informed the board that the KAC has received its first payment from Haake Benefits stemming from technical services provided to two counties (Harvey, Norton). The check amount of $8,220 is not included in the totals of the financial report because it has not yet been deposited. Works stated social security numbers are not needed on expense reimbursement forms submitted by board members. Dick Works moved and Tim Norton seconded a motion approving the bills and payrolls report, as revised. The motion passed unanimously.

Randall Allen presented the Monthly Financial Report for September, 2009. He noted substantial balances ($464,000) are due to holding money for the Kansas Collaborative as the fiscal agent. He noted receipt of the $25,000 from KDOT for the 2009 Local Road Engineer
program. Allen also summarized the Report of Bank Account Balances and their arrangements (and indicated that they are fully insured). Abbott asked about the source of the Collaborative funds, and Allen stated they come from a variety of sources (e.g., federal, state) and there are no limits on the interest earned (which the KAC keeps).

Dennis Peterson asked about the expenses on Collaborative being higher than the income. Allen explained the time-frames vary. Peterson asked if there was another way to track these financials, to know the KAC’s real money versus money that isn’t really the Association’s. Randall Allen suggested he could, at the start of the fiscal year, show the Collaborative’s money in an entirely separate budget. Tim Norton suggested a below-the-line method, with a section explaining the Collaborative monies but not having them figured into the rest of the budget. Mr. Allen asked if it could wait to the next fiscal year or if it was needed in the next report. Dennis Peterson stated he felt it should be done during the creation of the 2010 budget.

Tim Norton asked if the Collaborative passes through any monies to another entity. Allen said no, all funds pass through KAC per agreement (5% administrative fee kept by the Association). Allen clarified that the funds are commingled, so interest from the Collaborative is combined with interest earned from other funding sources. Frick stated going to accrual basis would clarify some of this. Miller asked if the audit report indicated how the auditors wanted it presented. Allen referred to the September 2009 minutes, in which Allen is to present a recommendation to the finance committee between accrual and cash basis. Allen indicated that would probably happen at the next meeting, which will in turn determine the method to be used in 2010.


Joe Connor appointed the nominating committee of Dick Works, Dennis Peterson, and himself to bring a slate of officers for 2010 to the December, 2009 board meeting. He asked that if anyone else is interested in being on nominating committee to let him know.

President Connor requested an executive session from 10:25 – 10:40 a.m. for the purpose of discussing employment matters of non-elected personnel, pursuant to K.S.A. 75-4319 (b) (1), specifically to discuss the performance appraisal of the Executive Director. Duane Patrick moved and J.R. McMahon seconded a motion to go into executive session. The motion passed unanimously. (10:25 a.m.)

Dennis Peterson moved and Duane Patrick seconded a motion ending executive session. The motion passed unanimously (10:41 a.m.). President Connor announced that no action was taken in the executive session.

Sarah Meyer briefed the board on the KAC’s 34th Annual Conference. Full conference registrations are dramatically lower than the 2008 final count. The “Monday-only” count (full day) is already higher than in 2008. There is very limited registration so far in the Affiliate/Associate category (new for this year). Pre-Conference count is on track (73 so far versus 79 in 2008). Spouse/Guest count is down, and Exhibit Booth registration is substantially down as well. Mr. Allen expressed that staff is very concerned by these counts, and plan to increase email notifications to try and obtain more registrations. Allen urged board members to work within their affiliate groups, their regional areas, and their own organizations to try and
drum up more registrations. Allen expressed extreme frustration with the hunting excuse (the hunting season starting date moved to correspond with our conference weekend, since originally the conference was not scheduled during pheasant hunting season). Allen also focused on the issue of affiliate members not registering, and wanted confirmation that the plan was still to man the doors and bill those who aren’t registered and try to enter their affiliate/associate meetings.

J.R. McMahon stated he felt the affiliate should be billed if they are over-attended (versus the registrants). Joe Connor asked for some clear direction to come out of the board, at the present meeting. Michele Abbott suggested a sign-in sheet that indicates billing will happen if not already registered. Miller suggested watching the doors and sending anyone without a name-tag to the registration desk, or using a sign-in. Dennis Peterson suggested sending a letter to all the affiliate/associate presidents from the KAC Board. Dale Phillips wants the focus to be on those where the problem is, but doesn’t want to offend those not abusing the privilege.

Joe Connor asked for a motion authorizing a letter from Randall Allen to affiliate/associate presidents stressing the attendance and registration enforcement. Duane Patrick moved and Dennis Peterson seconded a motion instructing Randall Allen to prepare a letter, on behalf of the KAC Governing Board, to affiliate/associate presidents (and their executive directors, if any) explaining the requirement that attendees for their meetings register for the KAC annual conference. The motion passed. Dennis Peterson explained the problem within his association (weed directors), and how they moved their meeting offsite last year. Michele Abbott asked if a list of who gets the letter could be provided to the board. Dennis Peterson asked for a copy of registered attendees. Jack Frick asked that the tone of the letter be positive.

Dale Phillips praised Sarah Meyer’s work, and said he was impressed that the numbers for the conference are as strong as they are. Michele Abbott felt the door guard needs to be appropriate to the task. J.R. McMahon suggested the affiliate representative should be the one guarding the door. John Miller agreed. Jack Frick noted some attendance issues relating to the fall harvest could also hurt numbers, but that it should not be taken personally by staff.

Randall Allen stated that everyone should have a copy of the preliminary agenda, and expressed appreciation to all that are willing to convene a session or be on a panel. Meyer talked about the strong possibility that Foley Equipment would sponsor a dinner up to $40,000. The event still requires registration (or a $40 ticket). Sarah Meyer said that a few board members need to inform her about their plans to attend the board/staff dinner on Saturday evening, November 14. Dale Phillips inquired about hotel cancellation procedures.

John Miller, in his Employee Benefits Trust (EBT) Board update, noted that Haake Benefits just paid the KAC $8k for consulting services. Miller anticipates another check soon. Miller said they are thinking of reshaping the marketing of the EBT to providing technical assistance on health insurance issues, such as when dealing with RFPs and determining which carrier to use and which plan design to adopt. John Miller is hoping this can be successfully promoted. Miller is hoping to get some county clerks together at the conference to help get the word out about what the KAC is doing with the Haake group. Joe Connor added that they’ll tweak the message and use the conference as a sort of test group with the clerks; the goal is to refocus the effort. Joe Connor stated they want to assemble a small group of perhaps 2-3 clerks at the KAC conference.
Allen presented a new successor lease agreement (January 1, 2010 – December 31, 2014) from the League of Kansas Municipalities. He said that Melissa Wangemann’s earlier concerns with the lease have been addressed. The rates are the same as are currently in place. Allen stressed the convenience of the current location, and recommended adoption of the lease agreement. Michele Abbott moved and Tom Wagner seconded a motion approving the new lease agreement as presented and authorizing Randall Allen to execute the new lease. The motion passed unanimously.

Allen explained the discussions’ KAC has had for several months with KCAMP concerning an Exclusive Referral agreement. In return for services provided to KCAMP by the KAC, the KAC would receive $20,000 annually for this referral work. The KCAMP board has already approved the agreement. Dale Phillips moved and J.R. McMahon seconded a motion to approve the Exclusive Referral Agreement with KCAMP and authorize the Executive Director to sign. The motion passed unanimously with Miller’s abstention (due to sitting on both groups’ governing boards).

Melissa Wangemann distributed a memorandum with her legislative report. She explained the Special Utilities Committee met to talk about E911, with particular focus on the Governor’s Office planning to engage a $200k+ consultant, and their decision to not apply for the full federal grant amount Kansas is eligible for. Wangemann said the KAC/LKM continue to meet with the telecoms on E-911 talks (November 2nd is the next meeting). Wangemann said the telecoms don’t want to pay above $0.50/unit but local government needs $0.60/unit. She also expects Chairman Holmes (House Utilities) to try and limit usage on E-911 monies.

Melissa Wangemann discussed the DUI Commission, and said that they do not anticipate any legislation until 2011. She explained the House Appropriations meeting with the Flint Hills Center’s presentation on unencumbered funds. They also heard Dr. Art Hall’s presentation in which he called KPERS “bankrupt” and the suggestion of going to a 401(k) pension program in lieu of the current defined benefits plan. The committee had interest in doing this for new hires. Wangemann also spoke about the Special Committee on Transportation, and that there is interest in funding the CTP. The next meeting is to develop a possible financing proposal. Wangemann covered the last meeting of the KAC Legislative Policy Committee, and highlighted the new provisions in the draft 2010 KAC legislative policy statement.

J.R. McMahon asked if the Flint Hills Center has the ears of legislators. Wangemann confirmed that yes, they are being well received by many legislators, at least publicly. Joe Connor thanked the members of the KAC’s policy committee for their work.

Randall Allen presented the preliminary draft of the KAC’s 2010 budget. He provided a memorandum containing recommendations as well as the preliminary budget by line item. Allen’s 2010 preliminary budget is 5.3% less than the 2009 adopted budget. Allen stressed the importance of an E-911 bill to the 2010 (and future year) KAC budgets, and that he requested that the board engage Kathy Damron and Strategic Communications to provide legislative advisory services to assist the KAC in the E-911 efforts.

Randall Allen asked Dennis Kriesel to display a short segment from the Kansas Dental Association’s “Video Minute,” which is a way to communicate legislative updates on the Dental Association’s website. Kriesel explained how the KAC could perform a similar service. He also
provided some pricing information and described other uses for the A/V equipment that the Association could take advantage of. Tim Norton expressed support for the idea of providing information in this format. Tim Norton further asked about the viability of rapidly acquiring the equipment and using it to help promote the conference. Dennis Peterson suggested putting such a promotional item up on the homepage. Tim Norton offered the use of Sedgwick County’s studio if desired.

J.R. McMahon said that he feels that the KAC sometimes comes across as a monolithic organization, and that the KAC should indicate that it provides legislative advocacy, member services, and business-type services. Joe Connor expressed concern about KAC fulfilling the contractual duties of the two secretariat contracts (CCAK, KCCA). Joe Connor asked what the arrangement would be for the contracted assistance on the E-911 issue. Randall Allen explained it would just be for the 2010 legislative session. Jack Frick commended Allen for the aggressive budget. Jack Frick also indicated that the KAC should work closely with the Kansas Legislative Policy Group (KLPG) to assure passage of an E911 bill, as this is KLPG’s #1 issue for the 2010 session. Randall Allen explained his concern that counties get what we need in the E-911 legislation in 2010. Wangemann explained the purpose of the contract lobbyist would not be to personally lobby legislators, but rather to help her with the relationships between the various players.

Jack Frick said that he would really like to see accrual-based monthly financial statements. John Miller suggested pursuing a three-function explanation of the budget (and KAC programs and services), as urged by J.R. McMahon earlier. John Miller suggested creating three short videos for the KAC’s website focusing on each of those three primary functions. Jack Frick discussed some website options for displaying that content.

Tim Norton moved, and Jack Frick seconded, a motion to provide $2,000 in the 2009 budget and $6,000 in 2010 to engage the services of Kathy Damron (Strategic Communications) for the legislative advisory services to aid with passage of new E-911 legislation, and authorize the Executive Director to engage Ms. Damron’s services. The motion passed unanimously.

Duane Patrick asked about the impact of a reorganization on the ability of the KAC to get its work done. Allen explained that the suggested changes would represent a net gain money-wise (through cost reductions) to the Association. McMahon asked that a copy of the budget with the previous year’s (2009) numbers be provided. McMahon asked about salary and wage increases in next year’s budget. Allen said there was provision for some compensation adjustments in the draft budget, and indicated that he would send additional, detailed information by email to the board.

Joe Connor asked the board members to email Randall Allen with any questions/suggestions regarding the budget.

During KAC Board Information Exchange, Allen described the visits he and Connor paid to Brown and Doniphan counties, and Connor elaborated a bit. Biggs said she is still meeting with the North Central Kansas counties on transit pilot projects and thinks they are getting closer to some agreements, and some centralized dispatch after the first of the year. Jack Frick said Scott County voters just approved a bond issue ($24 million) for a new hospital, and that it is a big deal for economic development. John Miller said that the Goodland Area Vocational Technical
College is trying to drum up more enthusiasm in northwest Kansas, and Norton County is trying to work with its prison to bring some of that technical education out to the prison facility. Norton County expects 18 legislators over the next month-and-a-half to tour their prison. J.R. McMahon said it looks like the Federal Funds Exchange Program will happen despite KDOT’s budget woes, and that’s a win-win for everyone. Duane Patrick is trying to get some local newspaper coverage of activities involving KAC and how it benefits the state and counties. Dennis Peterson said the County Weed Directors Association’s booth won a grand champion prize at the State Fair. Tim Norton said he just finished his participation in the Kansas Public Health Leadership Institute, and that he has developed three training programs for county commissioners on their role as members of boards of health. John Miller said Norton County is one of the 30 beta (i.e. test) counties across the United States working on accreditation of its public health department via regionalization. Tim Norton offered to drive to Norton County to provide the training on the role of local boards of health, if desired. Tom Wagner said the Collaborative’s booth at the KAC annual conference would have Atchison County’s GIS person there to answer questions; in addition their county’s new hospital will open the first week in January. Wagner also said he was glad Randall is concerned about the conference attendance, and that he is sure the conference will be good and hopefully that will result in better attendance next year. Joe Connor asked all commissioner board members to support their local health department directors as they struggle with the massive efforts to vaccinate citizens for H1N1.

Allen advised the board to mark November 5 on their calendars as the date when the Consensus Revenue Estimate (CRE) group meets. Preliminary information indicates that the outcome of the CRS meeting may be really, really bad.

The meeting was adjourned at 2:09 p.m.

Minutes prepared by Dennis Kriesel, and edited by Randall Allen.

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Michele Abbott, Board Secretary

Minutes approved by the KAC Board on November 15, 2009.