

**KANSAS ASSOCIATION OF COUNTIES  
GOVERNING BOARD**

Minutes of December 2, 2011 Special Meeting  
via conference call  
Topeka, Shawnee County, Kansas

**Attendance**

Board Members Present: Ben **Bennett**, Geary County Commissioner; Jim **Emerson**, Crawford County Counselor; Jack **Frick**, Scott County Commissioner; Bill **Guy**, Reno County Emergency Management Director; Mark **Low**, Finney County Appraiser; Kerry **McCue**, Ellis County EMS Director; J.R. **McMahon** II, Miami County Director of Public Works; Richard **Malm**, Jefferson County Commissioner; John **Miller**, Norton County Commissioner; Tim **Norton**, Sedgwick County Commissioner; Dan **Partridge**, Lawrence-Douglas County Health Department Administrator; Duane **Patrick**, McPherson County Commissioner (NACo representative); Dale **Phillips**, Barton County Noxious Weed Director; and Dick **Works**, Allen County Commissioner.

Board Members Absent: Sheila Biggs, Dickinson County Commissioner.

Others Present: Randall Allen, KAC Executive Director; Melissa Wangemann, KAC General Counsel.

**Proceedings**

J.R. McMahon called the meeting to order. Randall Allen took roll call to determine who was present.

Ben Bennett moved to recess into executive session from 9:03 to 9:33 a.m. for the statutory reason of attorney/client privileged communications for the purpose of discussing the demand letter received from the League of Kansas Municipalities. Duane Patrick seconded the motion.

At 9:33 the Board returned to its Board meeting, and Ben Bennett moved to recess into executive session from 9:34 to 9:49 a.m. for the statutory reason of attorney/client privileged communications for the purpose of discussing the demand letter received from the League of Kansas Municipalities.

At 9:49 the Board returned to its Board meeting, noting that no action was taken in the executive session. Mark Low moved that KAC send a letter to LKM requesting that both parties give the software (and database if appropriate) to the 911 Coordinating Council. Dale Phillips seconded the motion. There was discussion that the software was purchased using public monies and its purpose is to serve the public (i.e., PSAPs) and

that it is appropriately owned by the public agency tasked with 911. The letter will be courtesy copied to the Board and the 911 Coordinating Council. The motion passed on a roll vote as follows: Bennett – yes, Emerson – yes, Frick – yes, Guy – yes, Low – yes, Malm – yes, McCue – yes, McMahon – yes, Miller – absent for the vote, Norton – absent for the vote, Phillips – yes, Partridge – abstain, Patrick – yes, Works – yes.

J.R. McMahon announced to the Board that evaluations were due to him by Friday, December 9.

Mark Low moved to adjourn and Duane Patrick seconded the motion. The Board of Directors adjourned at 10:01 a.m.