KAC Governing Board
Minutes
September 22, 2017

Attendance

Board Members Present: Nick Baldetti, Director of the Reno County Health Department; John Bartolac, Johnson County Director of Records and Tax Administration; Jeff Blosser, Morris County Engineer and Road Supervisor; Craig Cox, Riley County Assistant Counselor; Max Dibble, Phillips County Commissioner, President; Ed Eilert, Urban County Representative; Patti Israel, Ford County Appraiser; Dave Johnston, Sedgwick County EMS Operations Manager; Richard Malm, NACo Representative; Lynn Peterson, Dickinson County Commissioner; Lon Pishny, Finney County Commissioner; Clair Schrock, Thomas County Noxious Weed Director; Gary Scoby, Nemaha County Commissioner; Hannah Stambaugh, Saline County Emergency Management Director; and Dan Woydziak, Butler County Commissioner.

Board Members Absent: Rob Roberts, Miami County Commissioner and Barbara Wasinger, Rural County Representative.

Others Present: Randall Allen, KAC Executive Director; Dennis Kriesel, Operations and Finance Director; Dorrie Sullivan, Education and Conference Director; and Melissa Wangemann, General Counsel.

President Dibble opened the meeting at 9:00 a.m. Chairman Max Dibble noted that Fred Johnson was appointed as district court judge, and that Craig Cox was selected as the new representative of the County Counselors Association of Kansas. President Dibble welcomed Craig Cox to the board.

President Dibble reviewed the agenda, noting that Melissa Wangemann needed to leave the meeting to attend another meeting, so he suggested moving items 7 and 8 up on the agenda. Lynn Peterson moved and Dan Woydziak seconded a motion to amend the agenda to move items 7 and 8 up after item 4. The motion passed.

Under item 7, John Bartolac presented the draft of the amended Bylaws, explaining the edits created by the subcommittee drafting the bylaws amendments. He reviewed each edit one by one. The first edit included a question on whether the decision to accept an affiliate member should be made by the executive board or a majority of the association; Randall Allen noted that the full membership decides affiliates and the board decides associates. John Bartolac discussed the NACo representative election if only one nomination is received. The board decided to keep the language saying the board would approve or deny the nominee, noting if...
the board denies the nominee, the process for nominations and elections would begin anew under Section 3.

The board discussed section 9 of the bylaws that relates to aligning the affiliate terms of office and discussed deleting references to urban and rural since their alignment has already occurred. Melissa Wangemann noted that the board may need to retain the language relating to aligning affiliate organizations, as they may need adjusted terms to allow members to go on and off the board in different years to maintain balance on the board. Craig Cox suggested deleting the reference to urban and rural designees. The committee will review the pre-2016 language that was contained in the Bylaws prior to when the urban and rural representatives were added. John Bartolac discussed the edit to Article X relating to a simple majority vote needed to constitute action by the governing board.

John Bartolac discussed Article XV relating to the legislative committee. The question presented was whether KAC has a legislative committee or whether the KAC Board simply decides all legislative policy. Lon Pishny noted that the decision made by the board in Wilson, KS was that the governing board makes the legislative decisions based on input from its members. He suggested deleting article 15 and add language to article 10 instead that makes the governing board in charge of legislative decisions. The bylaws already allow the governing board to appoint committees to discuss legislative issues. Melissa Wangemann noted the legislative process used by the League of Kansas Municipalities and how they use committees to consider issues and then the issues are brought to the board for a final decision. Melissa Wangemann explained the concept of a governing board versus a committee, noting the similarities to the Kansas Senate acting as the Senate sometimes and acting as a Committee of the Whole when considering legislation. John Bartolac asked whether there would be a separate chairman, and Melissa Wangemann reminded the board they discussed the need for a separate chairman at their Wilson meeting. Richard Malm said serving as president of KAC and serving as chairman of the legislative policy committee is too much for one person. Lon Pishny and Ed Eilert discussed the ability of the president to appoint a chairman. Randall Allen noted the work of the president at the annual conference, which is especially heavy at the conference. Randall Allen questioned whether the board should include associates in the legislative process in order to provide inclusion, as discussed at the Wilson meeting. He noted that the Sheriffs are an associate organization, and he would not them to perceive that they were excluded from the LPC. Dan Woydziak said the president has too much work to serve as chairman of the LPC. Dan Woydziak suggested adding the associate members to the committee. Lon Pishny discussed the makeup of the board that will decide legislative issues, and the use of task forces or committees that could create inclusion. Richard Malm said his intent was to bring the decision back to the governing board to create inclusion. John Bartolac clarified that the affiliate members are already on the KAC governing board. Associate members are not on
the board, but Dan Woydziak indicated they should be included in the legislative process. Dan Woydziak said a seat at the table makes a big difference instead of just asking for feedback. Hannah Stambaugh said her affiliate organization has its own legislative affairs committee, and Patti Israel said the Kansas County Appraisers Association has its own legislative affairs committee, too. Richard Malm suggested that there be a separate legislative committee that includes the board and the associates. Jeff Blosser said the board is closest to issues and need to make the decisions, but if you don’t include the associates they will feel alienated. John Bartolac asked the board to provide feedback on two concepts; 1. Governing board serves as LPC with input from others, or 2. board plus associates serve as LPC. Lon Pishny said there may be a third concept that doesn’t allow for a separate committee.

John Bartolac took a poll of the board members and the following supported concept #2: Max Dibble, John Bartolac, Patti Israel, Richard Malm, Ed Eilert, Dan Woydziak, Jeff Blosser, Ed Eilert, Clair Schrock, Hannah Stambaugh, Craig Cox, Gary Scoby and Nick Baldetti. Lon Pishny supported concept #1. Lynn Peterson and Dave Johnston did not answer when roll was called.

John Bartolac said, based on the vote, Article 15 of the bylaws remains in existence. The governing board plus associates will serve as the LPC. The LPC stays as a standing committee in the Bylaws.

John Bartolac reviewed Article XI and XII relating to bonding language for the certain officers and KAC employees. Dennis Kriesel recommended removing the bonding language because it creates specific requirements, whereas insurance can be used to cover the liability concerns. KAC can purchase insurance coverage to cover losses from criminal theft or malfeasance. The board decided to eliminate the bonding sentence in Section 2 and all of Section 2 in Article XII.

Melissa Wangemann gave the report of the Legislative Policy Committee, noting the conversation at the Thursday meeting on various subjects before the committee. She said that the action items requiring continued discussion at the October meeting include constitutional home rule, fees or taxes to cover the damage resulting from quarrying rock or similar situations where roads/bridges/infrastructure are impacted by private industry, the authority of a county over the appointed Election Commissioner, and the dark store appraisal theory that’s impacting valuations nationwide. Ed Eilert asked about the tax lid, and Melissa Wangemann noted the conversation with Chris Courtwright about the tax lid, and the potential for discussion on that subject at the December interim tax committee meeting. Lon Pishny said they would discuss the tax lid more at the October meeting. Lon Pishny noted that legislators are saying the 2018 session will be short, and KAC should prioritize its issues for the 2018 session. Hannah Stambaugh asked about the next LPC meeting and Melissa Wangemann advised it is set for October 24.
The board moved to the agenda item of adopting the August minutes. Chairman Dibble noted that the word “space” in reference to “storage space” in the August minutes was misspelled. No other changes were proposed. Lynn Peterson moved and Ed Eilert seconded the motion to approve the minutes as corrected. The motion passed.

Lynn Peterson announced he had another meeting and had to leave at this time (10:05 AM).

President Dibble turned to Dennis Kriesel to give his July 2017 financial report. Dennis Kriesel noted there was no interesting activity, but that there was improvement in the revenues due to the annual conference registrations coming in. The annual conference income is at $37,001. John Bartolac moved to approve the report and place it on file, and Dan Woydziak seconded the motion. The motion passed.

Randall Allen requested travel authorization for Richard Malm to attend the NACo meeting in Fort Worth, Texas. Randall Allen summarized the nature of the meeting, and noted it is a budgeted trip. Dan Woydziak moved to approve the travel and Ed Eilert seconded the motion to approve the travel. The motion passed.

President Dibble called on Randall Allen to present his Executive Director’s report. He noted John Bartolac informed him earlier in the day that the Register of Deeds Association voted to ask for reinstatement as a KAC affiliate, which, if approved, would be effective January 1, 2018. Randall Allen said he would request the KAC Governing Board endorse the decision, and that it will be voted on at the KAC Annual Conference business meeting. Allen then reviewed the KAC Annual Conference status report. He noted, since the report was released, we have met budget on vendor booths, and the main goal now is attendee registrations. He sent out a map via email to show the counties that have not registered anyone for the conference. Dorrie Sullivan added that KAC is now 77% of the budget overall, and that the main push at this point is registrations. Sullivan said not to expect more sponsorships at this stage, and KAC is likely to end slightly short of target in that category. Randall Allen then discussed the survey recently sent out as part of the strategic planning process. Surveys went out to 618 individuals with 127 responding so far. Randall Allen then noted KAC has been fielding a number of calls from counties that have hospitals in dire financial straits, and KAC is trying to link those counties with resources to help them. Randall Allen is concerned this may be a statewide, pervasive trend. Ed Eilert asked how many hospitals are county-owned; Randall Allen said he’d follow up on that, but estimated the number was in the high 40s. Dennis Kriesel said the number that he retrieved from the Kansas Hospital Association in 2013 was 40.

Randall Allen asked the affiliate members of the board to inform KAC of their meetings. He said having KAC staff attend the meeting would help us interact with our affiliate members. Randall Allen also said there may need to be a special meeting to review the Bylaws because the
October conference call meeting is dedicated to the budget, and Melissa Wangemann is unable to attend the October meeting.

Max Dibble gave his President’s Report. He complimented KAC on getting the survey out, and indicated that he hoped we would move from strategic planning to strategic doing. He reminded the board of the board/staff dinner before the KAC Annual Conference. President Dibble thanked the board members participating in the meetings and serving as conveners, and looked forward to an excellent turnout at the conference.

Gary Scoby asked for confirmation on the October 13th meeting. Max Dibble and Randall Allen both confirmed the conference call is still on. There is no expectation for discussion on the Bylaws at that meeting as the focus will be on 2018 KAC Budget. Max Dibble asked if there was any input on subleasing KAC space. Randall Allen said there was no progress on sublease options.

Joh Bartolac thanked Lon Pishny for working with him on the bylaws.

Randall Allen completed the second roll call at 10:29 am and the following board members were absent: Barbara Wasinger, Ed Eilert (just stepped out), Rob Roberts, Lynn Peterson, Dave Johnston.

Jeff Blosser noted that KHWA will be sending a RFP for secretariat services in next 10 days or so.

The meeting was adjourned at 10:30 a.m.