A TIME TO SHINE

By Bruce Chladny, Executive Director

"Constitutional home rule” was the buzz phrase last year at the KAC Annual Conference in Wichita. What does that mean, and many asked why do we need it? Admittedly and collectively we all had a difficult time coming up with good, solid examples of when it had been used, or even when would it be used – until now!

Constitutional home rule guarantees locally elected officials have the ability to more freely decide what is best for their communities. When the State tries to impose limits or regulations or when situations do not treat each community the same, home rule allows local decisions to be made by local leaders. Who best to know what is needed than the people living and working in that area or situation? Think “One size does not fit all” when it comes to major issues that impact every Kansan.

As you are well aware, Kansas Governor Laura Kelly made the difficult decision to veto legislation that would have severely crippled the executive powers for not only her but for future governors to come. And by that action, you, as counties, are now responsible for creating a reopening plan amid the COVID-19 pandemic. You now have local control with the State’s Ad Astra plan as a guide. You are being asked to demonstrate responsible local governance and leadership.

So, what does this mean? To take a quote from the Governor during her press conference announcing our new reality, “Being a leader means being willing to do what’s difficult and even unpopular. It means standing up for what’s right and not being bullied into taking action that would be disastrous to the people of Kansas,” she stated. “That will always be my top priority.” And I would argue that this should always be your top priority as well.

The sole role of local governance is to protect local interests concerning the livelihood of the community. And it centers around transparency and openness. Members of the community are entitled to know what actions the government is taking and how this will impact them. Local Governance means keeping the public informed and aware of all the decisions and allows for input and discussion. Kimberly Qualls, KAC’s Education and Communications Manager, has been working with the Kansas
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Health Institute to monitor your reopening plans. The goal of this cooperative effort is to provide a statewide snapshot of the reopening process. Many groups are interested in what is happening. For example, media, industry, and fellow Kansans want to know what is working, what is not, and where are safe travel destinations. I encourage you to stay connected and complete the survey. And if you do not already have a plan, get one even if it is as simple as following the Ad Astra plan.

During a conversation that I had last week the person stated: “This entire process has been political. Why is it that I can shop at the big box store and not get COVID-19, but I cannot shop at the local mom and pop place because I might?!” I could not answer that question, but you are now being asked to.
A lot of things have happened with Governor Laura Kelly and the Kansas Legislature these past few weeks. I hope you have utilized the KAC Zoom meetings to help your county work through all the information coming out of Topeka.

The Governor has established the Strengthening People and Revitalizing Kansas (SPARK) Taskforce Committee to oversee the distribution of the CARES funding that was sent to the State of Kansas to be shared with local governments. (To see a list of the SPARK Taskforce members click here.) This taskforce will provide recommendations for the distribution of over $1 billion across the state. KAC asked to have a seat on the committee; however, our organization was not selected to serve. We will support the requests from all counties that file an application for funding COVID-19 issues with the committee Governor Kelly has established. We will also monitor each meeting they hold and distribute a report on their actions.

Management of COVID-19 health and operation procedures has been handed back to counties to handle under the “Home Rule” statutory authority. You may recall before the legislature was about to convene KAC was working on a proposal to request a change of Home Rule authority from statutory to constitutional with a vote of all registered voters in Kansas. This change would match up to Home Rule authority that cities have. We were discouraged by members of the Legislature to ask for a bill to do just that as there were other constitutional amendments being put together for consideration this year. With that in mind, the KAC withheld its action. Now the Governor and Legislature can observe the value of Home Rule and the need to protect County Home Rule by constitutional amendment over the next few months. Now is the time and this is their chance to see how effective Home Rule works at the county level.

As each county reopens up their jurisdiction during this COVID-19 pandemic, I wish you a safe and healthy month of June.
Kansas County Reopen Plans. KAC continues to partner with the Kansas Association of Local Health Departments (KALHD) and the Kansas Health Institute (KHI) to track and provide summary information on COVID-19 reopen plans in each Kansas county. This summary information for the county reopen plans is shared with the public – our Kansas citizens, the media and industry partners to provide a statewide look at the restrictions and guidance in place during each phase of the state’s Ad Astra Reopening Plan.

To see all Kansas County Reopen Plans for current Phase 2 and 3, as well as the past Phase 1 and 1.5, click on the Kansas Twist article link below.

A Kansas Twist—Reopening Plans for Kansas Counties
https://www.khi.org/announcements/article/20-25

Next steps include one last round for full reopen ‘phase out’ plans. KHI plans to wrap up the Kansas county reopen plan summaries by early July.

Kansas County COVID-19 Response Costs. KAC has also been tracking COVID-19 response costs for Kansas counties. This statewide view of COVID-19 response expenses by county is updated as KAC receives additional information. You can find the current COVID-19 statewide expenses by county spreadsheet here.

Thank You Kansas Counties.
KAC wants to say THANK YOU to all our Kansas Counties for your ongoing support in providing what seems like never-ending requests for information related to the COVID-19 pandemic! Because of your efforts, we are able to provide relevant timely information to not only keep your constituents informed, but also many external partners at the state and federal level. We are all in this together!

Stay safe and continue to keep up the amazing work that I have witnessed from all our Kansas counties during this unprecedented time of COVID-19!

EMPLOYMENT OPPORTUNITIES

Appraiser – Osborne County
Osborne County is requesting applicants for the position of County Appraiser. Responsibilities are administrative and supervisory work in appraiser’s office, be responsible for annual valuation of all real and personal property, as well as field inspections, data collection, index/ depreciation studies; valuation hearing; and prepare annual maintenance reports. Strong leadership, interpersonal communication, planning and decision-making skills are necessary, as well as fiscal management experience. Requirements include CAE, RES, RMA, or general certification from Kansas Real Estate Appraisal board, three years appraisal experience, along with high school diploma or equivalent. Applicant will be qualified by Director of Property Valuation and meet all qualification of the State of Kansas. Salary Based on Experience. EOE and ADA employer. Please send resumes to: Osborne County Clerk, P.O. Box 160, Osborne, KS 67473 or for more information call 785-346-2431.
Looking Ahead

By Jay Hall, Legislative Policy Director & General Counsel

As we transition from the legislative session to the special session, I am reminded that the primary election is only two months away, and the general election will be here before we even know it. As those dates approach, it is time to think about how to interact with each candidate so that the best candidate for the job can be selected.

1. County commissioners should ask each candidate for their contact information. Do not just ask the presumed “top” candidate for their contact information. Upsets happen in each election cycle. You should be forming a working relationship with each candidate in the event that a new candidate emerges. Additionally, any candidate that will not share contact information with a county official that they represent now will likely not be responsive to you later on, and will likely not be supportive of county initiatives.

2. During community forums, county officials should be asking three critical questions of each candidate.
   • Do you support constitutional home rule for Kansas counties?
   • Will you oppose unfunded mandates to counties?
   • If mandates are necessary, will you provide the necessary funding to counties to carry out these mandates?

Each of these questions has a clear purpose. Home rule authority is important to counties. Having elected state leaders that support the ability of counties to make decisions for their jurisdictions is critically important to ensuring that counties are able to carry out their tasks. The last two questions are clearly linked. Too often, we see mandates passed at the state level, but without any funding for counties to actually carry those out. At the same time, however, there is criticism that counties raise their taxes to carry out these directives without acknowledging that more responsibility has been placed on county officials through these mandates. Asking candidates for their stances on these issues will help make it clear what their stance is on these issues.

3. Invite candidates to commission meetings so they can see how your meetings are run. Many candidates that have not been in local government may be unfamiliar with county government processes. Introducing them to things like budget hearings and allowing them to hear reports from other county officials, particularly as we work through both COVID-19 and other county business in these meetings.

4. Finally, above all else, communicate with the candidates. Candidates should know what your needs are locally. If you are not communicating with them, they will not know. The first time they talk to you should not be in the midst of a local crisis. You should already have a relationship with them by then.

The KAC Demographics and Taxation report is now available on the KAC website. This report was carefully prepared by KAC law clerk and recent Washburn Law School graduate Jo Shaw. Ms. Shaw will sit for the bar examination later this summer. KAC is grateful to Ms. Shaw for her hard work and dedication on a variety of projects during the Spring 2020 semester, particularly during the COVID-19 crisis. We thank her for her efforts and wish her well as she moves on in her career.
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Computer Information Concepts
The purpose of Public Health Emergency Preparedness (PHEP) is to ready our state and counties for a host of public health emergencies. These range from natural disasters (e.g., floods and tornados), bioterrorism, and the most recent test of our capabilities: pandemics. COVID-19 has put state and local governments to the test on a variety of fronts, and public health is at the forefront in combating the disease.

The good news is a lot of preliminary work the counties have been doing via the PHEP program has paid dividends when it comes to the COVID-19 response. Two such counties that demonstrate this are Reno and Crawford.

In Reno County, the arrival of COVID-19 resulted in providing public information. Reno developed consistent messaging based around guidance from the Centers for Disease Control (CDC) and Kansas Department of Health and Environment (KDHE). This was deemed a critical step to combat misinformation circulating via social media. Reno also established two new ways for the public to ask questions. One was the establishment of a COVID-19 hotline; staffed by employees of the Reno County Health Department. This hotline allowed individuals to call in with questions, verify information, and address reports of violations of the various isolation and quarantine mandates that were put in place. The other step was the creation of a live chatline for questions. Additionally, planning actions and striving toward transparency to provide as accurate information as possible led to the formulation of a COVID-19 digital dashboard that is public facing and is updated daily, offering the most up-to-date metrics for Reno County constituents.

Reno County identified a shortage of personal protective equipment (PPE) to protect all the community’s healthcare workers and first responders. Given funding was not readily available for additional PPE purchases, Reno decided to get creative. A local brewery started to produce hand sanitizer and donated several half-gallon jugs to Reno County Emergency Management, which then distributed the sanitizer to facilities that submitted requests. Groups were approached to sew face masks for healthcare workers in the county, collectively forming what became known as the Sewing Angels of Reno County. Over 1,700 masks were produced. A donation request was put forth to the community, and many citizens stepped up to provide gloves, N95 masks, face shields, and barrier gowns.

A lot of these collaborations were possible because community relationships had already been established in Reno County via the PHEP work that happens every year. Crawford County tells of similar success.

Since COVID-19 reached Kansas the Crawford County Health Department has worked diligently to respond to the pandemic and prevent the disease’s spread. The Crawford County Sheriff’s Department provided a trailer to the health department to serve as an onsite testing unit. The trailer allows a place to collect patient test samples without risking exposure inside the health department’s permanent structure. Crawford not only tests for COVID-19 but also screens their patients for Influenza A/B and strep first to rule those conditions out.
Crawford County’s health department, sheriff’s department, and emergency manager worked with the county’s local emergency planning committee to identify a solution after a homeless resident was tested for COVID-19 in an emergency room but had no home to self-isolate in. Crawford County was able to establish a process to provide isolated living shelters should positive cases present in the homeless community via an isolation/quarantine tent at the local health department. One tent was set up initially but Crawford has the capability to erect more as needed. The shelter system can be monitored with a sheriff deputy who can be based in a recreational vehicle to stay separated from the cases. Each such shelter is provided with a cot, foldable chair, sleeping bag, trash can, roll of paper towels, toothbrush/toothpaste, wipes, blanket, pillow, comb, mask, and an educational packet with information on COVID-19 and mental health resources.

Both Crawford and Reno demonstrate the importance of community collaboration and teamwork in the face of an emergency. Their efforts under PHEP were designed to prepare them for a situation like COVID-19. While the coronavirus is straining resources across the board it is good to know such preparedness efforts can make a major difference.

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