

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, NOVEMBER 29, 2017

6 p.m.

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Consider approval of Notice to Township Board for Cereal Malt Beverage License for Flamingo Enterprises (Clerk's Office);
- (c) Consider approval of Notice to Township Board for Cereal Malt Beverage License for Clinton Marina (Clerk's Office);
- (d) Consider approval of Notice to Township Board for Cereal Malt Beverage License for Clinton Submarina (Clerk's Office);
- (e) Consider approval for Class "B" Club License for The Bird of Lawrence (Clerk's Office);
- (f) Adopt report of 2017 annual review of Solid Waste Management Plan (Keith Browning);
- (g) Consider recommendation to purchase equipment for Public Works (Doug Stephens); and
- (h) Consider accessing State of Kansas Contract to replace a tractor for Public Works (Doug Stephens)

REGULAR AGENDA

- (2) Discussion of Jail alternatives and possible decisions (Gary Bunting)-No backup
- (3) Consider approval of administrative structure of Community Corrections (Robert Bieniecki)
- (4) (a) Consider approval of Accounts Payable (if necessary)
- (b) Appointments
- (c) **Board of Zoning Appeals (1) positions 10/17**
- (d) **Building Code of Appeals Board (2) positions 12/16**
- (e) **Community Corrections Advisory Board (1) position**
- (f) **Senior Services Board of Directors (3) positions**
- (c) Public Comment
- (d) Miscellaneous
- (5) Adjourn

WEDNESDAY, DECEMBER 6, 2017

6:00 p.m.

-Cereal Malt Beverage Resolution for license (Clerk's Office)

-CUP-17-00499: Consider an amended Conditional Use Permit to renew the Conditional Use approval and to add a work program to the Teen Challenge Group Home, a *Non-Profit, Religious, Educational and Philanthropic Institution* use, located on approximately 17.4 acres at 1332 E 1600 Rd. Submitted by Heart of America Teen Challenge, Inc., property owner of record. Mary Miller is the Planner.

WEDNESDAY, DECEMBER 13, 2017

4:00 p.m.

-Presentation of Cookingham Award to Craig Weinaug

-Consent:

-Consideration of the 2018 Heritage Conservation Council's Natural & Cultural Grant Program Materials (Jan Shupert-Arick)

Regular:

Economic Development Update (Larry McElwain)

Regular
-Amend 2017 Budget (Cammy Owens)

WEDNESDAY, DECEMBER 20, 2017

WEDNESDAY, DECEMBER 27, 2017 – Canceled

WEDNESDAY, JANUARY 3, 2018

-Proclamation for Human Trafficking Awareness Month – Kristen Tebow

WEDNESDAY, JANUARY 10, 2018

WEDNESDAY, JANUARY 17, 2018

WEDNESDAY, JANUARY 24, 2018

WEDNESDAY, JANUARY 31, 2018

***Note:** The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and/or 6:00 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*

NOTICE TO THE TOWNSHIP BOARD

STATE OF KANSAS DOUGLAS COUNTY, ss

TO THE TOWNSHIP CLERK, GRANT TOWNSHIP

This is to notify the members of your Township Board that application has been filed with the Douglas County Commission for **Flamingo Enterprises** to sell Cereal Malt Beverages at retail for consumption on the premises: **1626 E 1550 Rd, Lawrence, KS**.

The Township Board may within (10) days file an advisory recommendation as to the granting of such a license and such advisory recommendation shall be considered by the Board of County Commissioners before such license is issued KSA 41-2702.

Done by the Board of County Commissioners this **29th Day of November 2017**.

CHAIRMAN

COUNTY CLERK

(SEAL)

The board of county commissions in any county shall not issue a license without giving the clerk of the township board in the township where the applicant desires to locate, written notice by registered mail, of the filing of the application.

NOTICE TO THE TOWNSHIP BOARD

STATE OF KANSAS DOUGLAS COUNTY, ss

TO THE TOWNSHIP CLERK, CLINTON TOWNSHIP

This is to notify the members of your Township Board that application has been filed with the Douglas County Commission for **Clinton Marina** to sell Cereal Malt Beverages at retail for consumption off the premises: **1329 E 800 Road**.

The Township Board may within (10) days file an advisory recommendation as to the granting of such a license and such advisory recommendation shall be considered by the Board of County Commissioners before such license is issued KSA 41-2702.

Done by the Board of County Commissioners this **29th Day of November 2017**.

CHAIRMAN

COUNTY CLERK

(SEAL)

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NOTICE TO THE TOWNSHIP BOARD

STATE OF KANSAS DOUGLAS COUNTY, ss

TO THE TOWNSHIP CLERK, CLINTON TOWNSHIP

This is to notify the members of your Township Board that application has been filed with the Douglas County Commission for **Clinton Submarina** to sell Cereal Malt Beverages at retail for consumption on the premises: **1329 E 800 Road**.

The Township Board may within (10) days file an advisory recommendation as to the granting of such a license and such advisory recommendation shall be considered by the Board of County Commissioners before such license is issued KSA 41-2702.

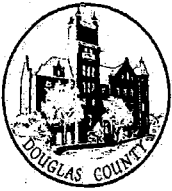
Done by the Board of County Commissioners this **29th day of November, 2017**

CHAIRMAN

COUNTY CLERK

(SEAL)

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JAMIE SHEW
DOUGLAS COUNTY CLERK
1100 Massachusetts
Lawrence, KS 66044

Marni Penrod-Chief Deputy Clerk
Heather Dill-Deputy Clerk Elections

2018

DOUGLAS COUNTY KANSAS OCCUPATIONAL LICENSE APPLICATION

DATE: 10/16/17

APPLICANT: Bird of Lawrence

APPLICANT'S REPRESENTATIVE: Wesley R Kabler

BUSINESS ADDRESS: 1626 E 1550 Rd., Lawrence KS

STATE LIQUOR LICENSE NUMBER: 10-016-0297-00

BUSINESS PHONE: 785-843-9800

DOUGLAS COUNTY USE LOCATION: Same as above

Wesley R Kabler

APPLICANT'S SIGNATURE

COUNTY FEE: \$150.00 COUNTY LICENSE NUMBER 2

DATE ISSUED _____

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee: \$ 150.00 (original)

LICENSE TAX NO. 2

2018

TO WHOM IT MAY CONCERN:

Occupation License is hereby granted to **THE BIRD OF LAWRENCE**

Of CLASS "B" CLUB LICENSE NO. 10-016-0297-00 for the year beginning **January 1, 2018**

at **1626 EAST 1550 ROAD, LAWRENCE, KS 66044** in the Township of **GRANT** in **DOUGLAS COUNTY, KANSAS**

Same having been approved by the governing body of said County as provided by the Laws of Kansas, K.S.A.41-2622, and the regulations of the Board of County Commissioners.

This License will expire **DECEMBER 31, 2018** unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

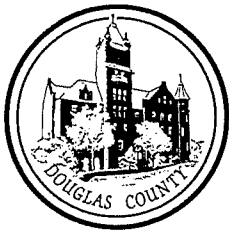
Done by the Board of County Commissioners of DOUGLAS County, Kansas

this 29th Day of November 2017.

Attest: _____

County Clerk

Chairman



DOUGLAS COUNTY PUBLIC WORKS

3755 E. 25th Street
Lawrence, KS 66046
(785) 832-5293 Fax (785) 842-1201
dgcopubw@douglascountyks.org
www.douglascountyks.org

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : November 20, 2017

Re : Consent Agenda Adoption of Report of Annual Review of Solid Waste Management Plan

State statutes require the development of Solid Waste Management (SWM) plans for all counties, and also allow counties to form regions to develop the SWM plans. Jefferson and Douglas County form a 2-county region for formulation of the SWM Plan. The original SWM Plan is dated December 1996. The 2-county region's consultant, Franklin Associates, prepared the plan. K.S.A. 65-3405 requires the plan to be reviewed annually and updated every five years. We conducted a 5-year update in 2014 (submitted in 2015), which was approved by KDHE.

The Douglas/Jefferson Counties Regional SWM Committee met on March 31, 2017 to conduct the annual review of the SWM Plan. K.S.A. 65-3405 requires the BOCC of each county within the SWM region to review and adopt the regional committee's report of the annual review.

Attached is a copy of this year's report of the annual review of the SWM Plan. Eight members of the eleven-member SWM Committee met for this year's annual review. The eight members included representatives from the DGCO Board of County Commissioners, City of Lawrence Public Works-Solid Waste Division, Lawrence-Douglas County Health Department, Lecompton City Council, Jefferson County Public Works Department, KU Environmental Health & Safety Department, Hamm Landfill, and Douglas County Public Works.

Also attached is an updated list of SWM Committee members. Rachel Myslivy resigned from the committee last year. The BoCC should name a replacement committee member in the near future to represent unincorporated areas.

Action Required: Consent Agenda adoption of the report of the 2017 annual review of the Douglas/Jefferson Counties Regional Solid Waste Management Plan.

**2017 ANNUAL REVIEW REPORT
DOUGLAS/JEFFERSON COUNTIES
REGIONAL SOLID WASTE MANAGEMENT PLAN**

The Douglas/Jefferson Counties Regional Solid Waste Management Committee met on March 31, 2017 for the annual review of the SWM Plan as required by K.S.A. 65-3405(c). The meeting was held at the City of Lawrence's Solid Waste Annex North (SWAN) building. The following eight (8) members of the eleven-person committee attended the annual review:

Member Name	Agency/Entity Represented
Nancy Thellman	Douglas County BoCC
Jon Rossillon	KU Environment, Health and Safety Dept.
Kathy Richardson	Lawrence Public Works, Solid Waste Div.
Mary Beverly	Lawrence/Douglas County Health Dept.
Mary Jane Hoffer	Lecompton City Council
Bill Noll	Jefferson County Public Works
Charlie Sedlock	Hamm Landfill
Keith Browning	Douglas County Public Works

The main goal of the annual review is to identify any changes to the region's solid waste management system since the approval of most recent five-year update. The most recent five-year update was completed in 2015.

The committee identified the following changes to the region's SWM system or general SWM activities since last year's review:

1. City of Lawrence

City of Lawrence Solid Waste Division

The Solid Waste Division represents an enterprise fund, or utility, created for the purpose of managing solid waste for the City of Lawrence. Comprehensive solid waste services are provided for residential, commercial, and industrial customers. Services include collection, disposal, recycling, and technical assistance.

The Solid Waste Division services 31,078 residential accounts (includes both single-family and multi-family residences) and 2,025 commercial accounts.

Solid Waste Services for residential customers

- Solid Waste (trash) collection weekly
- Single-stream recycling collection every-other-week
- Yard waste collection weekly (March - December)
- Bulky item collection upon request
- Tire collection (5 per household per year)
- Household hazardous waste drop-off by appointment
- Sorted recycling drop-offs (glass, cardboard, etc.)
- Brush drop-off area (Saturdays, March - December)
- Compost and woodchips for sale (Saturdays, March - December)

Solid Waste Services for commercial / industrial / institutional customers

- Trash dumpster services (front or rear load)
- Roll-off services
- Qualified business hazardous waste drop-off by appointment
- Cardboard collection for recycling

Special events

- Earth Day Parade and Celebration in the park (April)
- Electronic Recycling Events (two per year)
- Holiday Toy Drive (employee-initiated)

The following chart provides a brief comparison for all services combined:

Tons collected	2014	2015	2016
Tons solid waste collected for disposal	61,556	64,096	66,500
Tons single-stream recycling	1,227	5,327	5,428
Tons (est.) collected for composting and recycling (curbside and drop-off)	14,187	21,381	21,989

*single-stream residential recycling began October 21, 2014

Residential Collection

The number of housing units grew slightly in 2016. Residential growth has a direct impact on our residential services. Thirteen crews pick up residential trash and six crews pick up residential recycling. The trash crews also pick up all rear-load commercial trash dumpsters along their residential routes. These same crews picked up yard waste on Mondays only, March through mid-December.

The chart below highlights some of the residential collection activity.

	2014	2015	2016
Bulk items collected	2,926	3,288	2,358
Tires collected	1,805	1,812	1,588

Notes on the services mentioned above: Bulky items, including refrigerators and air conditioners, are collected by appointment. The division is required by Federal law to recover Freon from refrigerators and air conditioners that are collected. Freon was recovered in-house by certified technicians from Maintenance Operations. Tires are collected by appointment at no cost to residents (limit of 5 tires per household per year). Whole tires are not permitted to be disposed in the landfill. The tires were picked up from the Solid Waste facility by private companies and then shredded and mono-filled or recycled.

Residential crews also performed alley litter collections on Fridays (or as needed) on a rotating basis among neighborhoods with alleys. Downtown alleys were patrolled for litter as well. Several neighborhood cleanups were performed at the request of and in coordination with neighborhood associations.

Waste reduction and recycling efforts: The chart below highlights some of the waste reduction and recycling programs of the Solid Waste Division.

	2014	2015	2016
Single-stream residential recycling	1,227	5,372	5,428
Grass, leaves, and brush collected	9,686	13,236	13,928
Avoided disposal costs in \$\$ (yard waste)	261,909	369,814	389,148
Christmas trees collected (tons)	11	13	15
Household hazardous waste participants served	2,873	3,188	3,747
Business hazardous waste participants served	103	108	104
Product reuse participants	597	618	557
Metal scrap & freon containing items (tons)	46	41	48.54
Old Corrugated Cardboard OCC (tons)	1,530	1,704	1,708
Average price per ton generated on OCC	91.79	71.59	82.08
Old Newspapers ONP (tons)	260	189	167
Mixed Paper MIX (tons)	371	340	190
Sorted Office Paper SOP (tons)	39	35	53
Glass (tons)	1,075	492	451

Yard waste collection and compost program: The community achieved a 99.9% compliance rate with preferred yard waste container set outs (cans, city trash/yard waste carts and compostable paper bags) in 2016. Community-wide collection of yard waste on a single day remains challenging for solid waste crews, but the high compliance with preferred container requirements makes the collection process safer and much more efficient, as well as improving the final quality of the compost. Compost and woodchip sale events continue to be very popular and a valuable way of returning this resource to the community. Compost and woodchip material was also made available for purchase on Saturdays (self-load) during public drop-off hours 10 a.m. to 4 p.m.

	2014	2015	2016
Preferred YW container compliance	99.90%	99.80%	99.90%
Vehicle visits during sale events	956	1,353	1,894
Tons of material distributed	671	2,083	7,414 *

*2016 includes distribution of unfinished compost to larger groups (not previously counted)

Household hazardous waste (HHW) and business hazardous waste (BHW) programs: The HHW and BHW programs are important components of solid waste services in reducing the potential toxicity of the materials taken to the landfill. The amount of hazardous waste dropped off at the HHW Facility increased by 5.1% compared to the prior year. The majority of the households participating were from Lawrence and 15.8% were Douglas County residents living outside the Lawrence city limits.

In 2016, the new Household Hazardous Waste Facility at 2201 Kresge Road opened to the public and collected 236,095 pounds of material in the first year.

Special events and public outreach / education: Public outreach and education remained a strong component of the Solid Waste Division activities.

- Electronic Recycling Events (spring / fall): The division hosted two events to collect electronic waste. Collected 53 tons of electronics from 1,384 participants in 2016.
- Compost and Woodchips Sale Events (spring / fall): There were two sale events for compost and woodchips in 2016 in which the division loaded trucks and trailers. The material was also available for sale every Saturday between March and mid-December (self-load only).
- Earth Day Celebration (April): Staff organized the annual Earth Day Celebration in the Park, in conjunction with a parade.
- America Recycles Day (November): America Recycles Day Event is another opportunity for educating the public and raising awareness for recycling. The event included a paper shred event (recycled 5.3 tons of paper) and a Recycle for Sight Collection drive at participating schools (collected 68 pairs of glasses).

Commercial Collection

In 2016, growth in the commercial sector continued. The Division reviews site plans for accessibility, location of refuse containers, and type of service required and makes comments to the Planning Department as necessary.

Maintenance Operations maintains existing containers, prepares new containers for service, and delivers containers to new locations. They also do routine maintenance on collection vehicle packer bodies and other equipment used within the Division.

Roll-off solid waste services are an important part of our commercial service delivery. The chart below highlights roll-off activity:

	2014	2015	2016
Roll-off service calls	6,399	7,652	8,438
Permanent accounts	64%	52%	49%
Revenue from roll-off service	975,352	1,279,058	1,415,490
Tons of solid waste from roll-offs	19,720	22,856	24,886
Compactor units in service	31	31	27

In addition to trash services, the Division provides corrugated cardboard and office paper collection for recycling for small to medium-sized businesses.

Planned changes for 2017:

- Redesign all collection routes splitting Lawrence into 5 sections for 5-day service split, Monday through Friday.
- Transition all materials (trash, recycling, and yard waste) to be collected on same day for each customer.
- Standardize collection start time to 6:00 a.m.
- Redefine permitted set-out containers for yard waste to compostable paper bags and City yard waste carts.
- Expand the yard waste collection service to year-round (as weather permits).
- Add fully automated fleet vehicles: one ASL truck and one front load truck with curotto can.
- Continue increasing automation of commercial trash service by swapping rear load to front load dumpsters.
- Update the residential holiday collection schedule to minimize customer service disruption (with exception of 3 holidays: Thanksgiving Day, Christmas Day, New Year's Day).
- Eliminate the incentive pay system; standard work week will include at least 8 hours per day, plus 30-minute lunch break.

2. Jefferson County

(a) Jefferson County continues HHW collections at approximately the same rate as recent years. HHW collection is available in Oskaloosa at the Auxiliary Services Building. Recycling collection dumpsters are available in each town in the county. There is no fee for HHW drop-offs (other than for televisions and computers). KDHE permit limits HHW facility to 2200 pounds. Phillips is Jefferson County's HHW contractor.

(b) Jefferson County received a KDHE grant for collection and disposal of aerosol cans.

(b) Jefferson County continues to allow e-waste drop-offs from 8:00-4:30 each workday. There is a fee for drop-off of televisions and computers. Electronic wastes are taken to Asset Life Cycle in Topeka.

(c) Waste tires are becoming a much larger problem. Jefferson County continues to take tires from the public. They check in citizens who drop off tires, charge them a disposal fee, and issue them a receipt. Fees charged to the public are unchanged, and are \$2.50/passenger car tire, \$5.00/truck or bus tire, and \$7.00/tractor tire. They are participating with KDHE on a program for orphan tires.

(d) Jefferson County Public Works purchased a large wood chipper that takes up to 18"-diameter logs. The new chipper allows them to clear more road rights-of-way. They offer free mulch to citizens.

3. University of Kansas – Environment, Health & Safety

- (a) Collected 38 tons of hazardous waste in 2015 in addition to non-hazardous wastes.
- (b) Single stream recycling is going well. KU Recycling has moved to single stream collections that are taken to the Hamm MRF. They estimate diverting 600 tons/year. They also have cardboard dumpsters that are managed separately. Information about KU Recycling can be found at <http://recycle.ku.edu/program-information>.
- (c) Fleet maintenance operations and the Motor Pool have been scaled back. They now do only minor maintenance, e.g. oil changes, with larger repair jobs being contracted out. KU contracts with Enterprise for vehicles.
- (d) KU's Central District development is ongoing. The project involves demolition of Burge Union and the married residential units. The development includes a new science building. The chemicals remaining in Malott Hall (current science building) will need to be processed.

4. Hamm Landfill

- (a) The landfill estimated lifespan is increasing slightly, and is currently estimated at 100 years. The landfill remains KDHE-compliant.
- (b) Hamm acquired RD Johnson Construction, which will increase Hamm's recycling of asphalt and concrete materials.
- (c) The Hamm Materials Recycling Facility (MRF) continues to operate at a high level. The MRF launched in 2014, and is located just east of the intersection of US-24/40 highway with K-32 highway. The MRF diverted approximately 10,000 tons of waste last year. The MRF continues to serve the same customer base with major customers including the City of Lawrence, City of Emporia, Chase County, University of Kansas, and Emporia State University. The MRF does a lot of business with Mexico and China, which may be affected by federal government legislation.
- (d) Hamm is continuing efforts towards collecting and processing landfill gas. They have installed approximately 90 wells with each well 60'-180' deep. The gas processing plant in the northwest portion of the landfill is approximately 95% complete. They are installing a 7 mile long distribution pipeline. The plant will produce enough gas to heat 6,000-8,000 homes. When the plant opens, Hamm will add another 4-6 high paying, technical jobs. The plant will increase the landfill's capacity approximately 12%-20% due to settlement.

(e) The trail system in Hamm's tree & savannah landfill cap system was certified by the Wildlife Habitat Council. Hamm received a KDHE permit in September 2011 for the cap system for the landfill. Hamm is continuing habitat development of savannah, native grasses and trees with wildlife corridors. As part of the cap system, the forestry plan extends approximately 60 years into the future. They envision long range recreation possibilities for the capped landfill areas.

5. City of Lecompton

- (a) Sean Ball still providing recycling bins for city residents. He does not accept cardboard, so residents take cardboard to Lawrence recycling locations. In addition, a lot of city residents haul all recycling to Lawrence.
- (b) The City still allows residents to put out up to four (4) waste tires for pick up. The city street superintendent picks up the waste tires and contracts for processing.
- (c) The City holds bulk trash pickup events each spring & fall.
- (d) City residents may haul yard waste to a burn site near the City's lagoons.

6. City of Eudora

The Eudora City Commission recently passed an ordinance establishing a curbside recycling program for city residents. Beginning in January 2018, city residents will pay an increased rate for solid waste that will include curbside recycling. Honey Creek Disposal has the contract for curbside recycling.

7. Douglas County

- (a) Douglas County received a KDHE Zika Mitigation Tire Disposal grant in 2017. The tire collection event was a combined effort of Douglas County Public Works, Zoning & Codes, Sustainability, and City of Lawrence Solid Waste Division. The Zoning & Codes Department contacted property owners with known illegal tire accumulations. These property owners could drop off their illegal tires at the Public Works facility at no cost to the owners. The collection event was held March 13-17, 2017, and 87 property owners took advantage of the opportunity. The 87 properties were geographically well distributed within Douglas County. A total of 6,125 tires were collected with tire

types collected as follows: 5,286 passenger tires, 333 truck tires, and 506 tractor tires. These tires totaled 114.45 tons. Douglas County contracted with Champlin Tire Recycling for tire pick up and processing. The total cost of the event was \$18,884.25, of which \$10,000 was funded by the KDHE grant.

- (b) Douglas County maintained four (4) recycling locations in the unincorporated areas of the county. These drop-off bins are for single stream recycling, and accept a variety of materials (glass, plastic, metals, etc.). The locations are the Prairie Moon Waldorf School in Grant Township, Stull United Methodist Church, the Vinland Fairgrounds, and Wakarusa Valley School. In 2017, additional recycling bins were added at the facilities to accommodate demand. Since January 2017, 238 tons of material have been recycled at these drop-off locations. Douglas County contracts with Honey Creek Disposal to provide and service the recycling containers.
- (c) Douglas County continues to study food waste composting options. In June 2017, the Douglas County Commission adopted the Douglas County Food System Plan, which includes policy recommendations to reduce food waste.
- (d) Plans have been developed and a construction contract let to relocate the entrance to the Hamm Landfill off of US-24/59 highway and improve the geometry of the landfill access road. Douglas County and Jefferson County are partnering on the project. The construction contract includes an add-alternate to construct an eastbound left turn lane on the highway to improve safety at the landfill entrance in addition to the westbound right turn lane. Construction will be completed in fall 2017. The project will be paid from fees paid by Hamm to a landfill road maintenance fund based on a per-ton fee for waste hauled to the landfill.
- (e) Douglas County is revising Chapter 10 of the County Code dealing with Solid Waste Management. The revisions are to make Chapter 10 consistent with current KDHE regulations and to remove outdated Douglas County regulations requiring Douglas County permits for waste hauling vehicles. The revised Chapter 10 also will require a Douglas County Zoning & Codes permit for Clean Rubble Landfills, although these landfills do not require a KDHE permit.

SWM Plan status

The committee found that the SWM Plan is still valid. No significant updates to the Plan are required at this time.

Douglas/Jefferson Counties Solid Waste Planning Region
Solid Waste Management Committee
Current Membership
March 30, 2017

1. Lynn Luck
P.O. Box 82
Oskaloosa, KS 66066

Telephone: 785-863-2637
Email: mlluck23@yahoo.com
Entity represented: Jefferson County Board of County Commissioners
2. Nancy Thellman
1547 N 2000 Rd
Lawrence, KS 66044

Telephone: 785-550-7754
Email: nthellman@douglas-county.com
Entity represented: Douglas County Board of County Commissioners
3. Jon Rossillon
KU-EHS Department
2330 Crowell Drive
Lawrence, KS 66047

Telephone: 785-864-2854
Email: jrossillon@ku.edu
Entity represented: KU Environment, Health & Safety
4. Kathy Richardson
P.O. Box 708
Lawrence, KS 66044

Telephone: 785-832-3032
Email: krichardson@lawrenceks.org
Entity represented: City of Lawrence Public Works, Solid Waste Division
5. ~~Rachel Myslivy-VACANT~~
~~16836 13th Street~~
~~Lawrence, KS 66044~~

Telephone: ~~785-764-2055~~
Email: ~~MysRachel@gmail.com~~
Entity represented: ~~unincorporated areas~~

DGCO/JFCO SWM Committee Members

6. Andrew Stull
Lawrence/Douglas County Health Dept.
200 Maine, Suite B
Lawrence, KS 66044

Telephone: 785-843-3060
Email: astull@ldchealth.org
Entity represented: Lawrence/Douglas County Health Dept.
7. Mary Jane Hoffer
Lecompton City Hall
333 Elmore
Lecompton, KS 66050

Telephone: 785-887-6395
Email: mjhoffer9@gmail.com
Entity represented: Lecompton City Council
8. Bill Noll
Jefferson County Road Department
P.O. Box 628
Oskaloosa, KS 66066

Telephone: (785) 863-2211
Email: bnoll@jfcountryks.com
Entity represented: Jefferson County Public Works
9. Dustin Parks
Jefferson County Planning & Zoning Department
P.O. Box 628
Oskaloosa, KS 66066

Telephone: 785-863-2241
Email: dparks@jfcountryks.onmicrosoft.com
Entity represented: Jefferson County Planning & Zoning
10. Charlie Sedlock
P.O. Box 17
Perry, KS 66073

Telephone: 785-597-5111
Email: csedlock@nrhamm.com
Entity represented: Hamm Landfill
11. Keith Browning
Douglas County Public Works
3755 E. 25th St.
Lawrence, KS 66046

Telephone: 785-832-5293
Email: kbrowning@douglascountyks.org
Entity represented: Douglas County Public Works



DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Division of Purchasing

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5286 Fax (785) 838-2480
www.douglas-county.com

TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Director
Division of Purchasing

SUBJECT: Consider Recommendation to Purchase Equipment for Public Works

DATE: November 22, 2017

Public Works has funds allocated in their Road and Bridge Equipment Reserve to purchase three tandem axle dump trucks. The three replacements would be sold in our online auction.

The dump trucks are used daily in the maintenance of county roads, and bridges, as well as, performing snow and ice control in winter months. Two of the new dump trucks will replace two 2009 models equipped with a dump bed, plow, spreader, and average 150,000 miles each. The two trucks will be equipped similarly but will include a mid-mount wing plow that will assist removing snow on widened paved shoulders. The third truck to be replaced is a 2006 model tandem truck with a flatbed and 64,000 miles. This replacement truck will be equipped with a dump bed and front plow, and staff plans to rebuild an existing spreader box to be outfitted for use on this truck..

The tandem axle Mack dump trucks are available on the MODOT (Missouri Department of Transportation) contract with Westfall O'Dell Truck Sales. Special equipment (dump bed, spreader and snow plow,) is available through a cooperative contract with the City of Kansas City, MO with American Equipment. The truck and equipment will all be purchased through Westfall with a pass through cost on the equipment. Westfall has offered an additional discount of \$1,250 per truck for ordering three trucks which is reflected in their cost below.

For many years the county had purchased International dump trucks until a few years ago when staff started experiencing problems with this model. At that time staff evaluated four models with contracts and found the Mack dump truck was significantly better than the other models. The recommendation for Mack preventative service (oil change, filters, etc.) is every 12,000 miles versus other models that are 3,000 miles. This equates to considerable cost savings over the life of the truck.

RECOMMENDATION: The Board of County Commissioners authorizes staff to access the MODOT and the City of Kansas City contracts with Westfall GMC for the following purchase of three dump trucks:

2019 Mack GU713 Truck	\$313,407.69
Mack Engine Protection Plan	\$ 12,900.00
Mack Exhaust Aftertreatment System	\$ 2,925.00
Special Equipment	\$246,559.00
Less Deduct	<u>\$ 3,750.00</u>
Total Cost	\$572,041.69



DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Division of Purchasing

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5286 Fax (785) 838-2480
www.douglascountyks.org

MEMO TO: The Board of County Commissioner
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Director
Division of Purchasing

SUBJECT: Consider Accessing State of Kansas Contract to Replace a Tractor for Public Works

DATE: November 20, 2017

Public Works has funds available in equipment reserve to replace an existing Kubota tractor with 2000 hours. This tractor is used to mow roadsides and county parks, and will be used to load sand/salt into plow trucks in the winter. The existing tractor has not been reliable and has required costly repairs, with current need of over \$4,500 in repairs.

After looking at other models, staff has determined that a John Deere 6145M equipped with a front loader would best meet their needs. The local John Deere dealership, Heritage Tractor, looked at the NJPA (-22%), the HGAC (-22.5%), and the State of Kansas (-24%) contracts, all which the county can access. As you can see, the State of Kansas contract provides the best discount and their cost is summarized below. Heritage included a trade-in allowance that typically we don't consider, but with all the maintenance issues staff believes the trade in value is more than we would receive from our auction.

John Deere Tractor (24 months/2,000 hours warranty P&L)	\$104,007.14
John Deere 640R Loader (1 yr. warranty P&L)	\$ 8,173.04
Total Equipment Cost	\$112,180.18
Less Trade-in Allowance	<u>\$ 22,299.00</u>
NET COST	\$ 89,881.18

RECOMMENDATION: The Board of County Commissioners authorizes staff to access the State of Kansas contract with Heritage Tractor Inc. for a tractor in the amount \$89,881.18, which includes the trade-in allowance.



DOUGLAS COUNTY ADMINISTRATOR

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5328 Fax (785) 832-5148
cweinaug@douglaskountyks.org

G. Craig Weinaug
County Administrator

MEMO TO: Board of County Commissioners

FROM: Robert Bieniecki, Criminal Justice Coordinator

SUBJECT: Administrative Structure of Douglas County Community Corrections

DATE: November 29th, 2017

Douglas County Community Corrections (DCCC) is an intensive supervision probation (ISP) program designed to develop community-based correctional sentencing options for adult offenders who would otherwise be incarcerated in local or state facilities. DCCC focuses on public safety, personal accountability and fiscal management.

On January 12th, 1987, Home Rule Resolution No. HR-87-1-1 established the Douglas County Department of Community Corrections within county government. The Commission later passed Home Rule Resolution No. HR 88-2-2 on February 29th, 1988 which consolidated the functions of the Community Service Work Program with Community Corrections.

On December 11th, 2000 the Commission passed Resolution 00-31 which changed the administrative structure of Community Corrections. The resolution directed that the supervision of Community Corrections employees be changed from County Government to the Chief Judge of the 7th Judicial District Court.

A couple years later, the Kansas Department of Corrections asked the Commission to amend the original resolution to add, "The County shall remain ultimately responsible for the administration of the Douglas County Community Corrections program" per the Kansas Community Corrections Act (K.S.A. 75-5290). To accommodate the request, the Commission passed Resolution 02-10 on April 10th, 2002.

Recently the Pretrial Release and Behavioral Health Court programs were moved from under the supervision of the Courts and are being supervised by the County. Both of these programs and the House Arrest program are now under the supervision of Director Pam Weigand. These changes created an infrastructure for adult programs and the opportunity to bring Community Corrections back under County Management.

Bringing Community Corrections back under County management would do the following:

1. Realign DGCO with K.S.A. 75-5291/Community Corrections Programs are the responsibility of County Government & K.A.R. K.A.R. 44-11-111
2. County Administration will have direct oversight of the program, personnel files and liability information
3. Transfer the DCCC staff to the County pay scale allowing for future pay increases and longevity benefits, \$6,000 initial budget impact
4. Allow for all KDOC grants for Community Corrections to be managed by one entity, Director Pam Weigand
5. Direct oversight of the Community Corrections supplemental budget

The Douglas County Community Corrections and Youth Services Advisory Board passed a unanimous vote on October 10th, 2017 to support bringing DCCC back under the County supervision. Resolution 02-10 states that either the Board of County Commissioners or the Chief Judge may terminate the delegation of duties by giving written notice. If this change is approved, there would need to be time for the administrative functions of the transition.

The following motion is recommended to approve this item:

***“Consider the County to reassume the supervision of the Douglas County Community Corrections program and revert back to the administrative structure of the provisions of HR 87-1-1 which established the Douglas County Department of Community Corrections & HR 88-2-2 which added the Douglas County Community Service Work Program as a responsibility of the DCCC staff effective January 1, 2018.*”**

HOME RULE RESOLUTION NO. HR-87-1-1

WHEREAS, in 1978 the Kansas Legislature enacted the Community Corrections Act to encourage the development of community services for nonviolent adult and juvenile offenders as an alternative to commitment to state correctional institutions;

WHEREAS, in 1985 the Douglas County Commission organized the Douglas County Community Corrections Advisory Board in accordance with the Community Corrections Act for the purpose of formulating a comprehensive plan for the development, implementation and operation of a community corrections program in Douglas County;

WHEREAS, in October, 1986 the Douglas County Community Corrections Advisory Board presented a Draft Community Corrections Plan for Douglas County to the County Commission and the Commission approved such plan on November 13, 1986;

WHEREAS, the Douglas County Community Corrections Plan was submitted to the Kansas Department of Corrections and approved by the Secretary of that department on December 17, 1986;

WHEREAS, the Community Corrections Program approved by the Secretary of the Kansas Department of Corrections is scheduled to begin in early 1987 with an approved entitlement for a twelve month period of \$292,590.00; and

WHEREAS, the County Commission deems it advisable to establish by resolution the organizational structure for the administration of the Douglas County Community Corrections Program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. Department Established. (a) In order to implement and administer the Douglas County Community Corrections Program as described in the Community Corrections Plan for Douglas County, Kansas, there is hereby established within County government a Department of Community Corrections. The Department shall be under the administrative supervision of a Director who shall be appointed by the County Commission upon the recommendation of the

County Administrator and the Douglas County Community Corrections Advisory Board. The Director shall be selected on the basis of education, administrative ability and experience with governmental corrections programs. The Director shall serve in the classified-exempt service under the Douglas County Personnel Policy.

(b) The Director shall be responsible for the administration and implementation of the Douglas County Community Corrections Program and for such other duties as shall be assigned by the County Administrator or County Commission. The Director shall be administratively responsible to the County Administrator who shall evaluate and recommend to the County Commission the compensation and, if necessary, discipline of the Director.

(c) In administering the Douglas County Community Corrections Program, the Director shall be responsible, in consultation with the Director of Personnel and Risk Management, for the recruitment of the staff of the Department of Community Corrections. Subject to the policies of the County Commission and with the approval of the County Administrator, the Director shall approve the appointment, compensation, discipline and change in status of all personnel in the Department of Community Corrections.

(d) In carrying out the duties of the office of Director of the Department of Community Corrections, the Director shall coordinate the activities of the Department with all offices of Douglas County and the State of Kansas. Specifically, the Director shall confer on a regular basis with the judges of the Douglas County District Court, the Court Services Department, the District Attorney and the law enforcement officers of Douglas County and cities therein. The Director shall meet with and consult regularly with the Douglas County Community Corrections Advisory Board. The Director shall provide the County Commission with quarterly reports concerning the implementation and status of the Community Corrections program.

Section 2. Effective Date. This is a Home Rule Resolution and it shall take effect and be in force upon its publication once in the official County newspaper.

ADOPTED this 12th day of January, 1987.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

David C. Hopper
David C. Hopper, Chairman

ATTEST:

Warren Rhodes
Warren Rhodes, Member

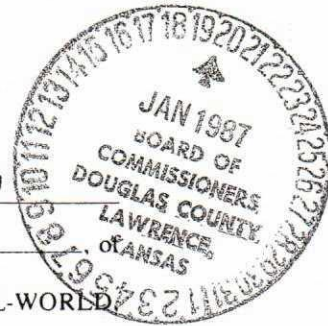
Patty Jaimes
Patty Jaimes, County Clerk

Nancy B. Hiebert
Nancy B. Hiebert, Member

Affidavit in Proof of Publication

STATE OF KANSAS }
DOUGLAS COUNTY } ss:

Carol L. Shipman
Office Manager



THE LAWRENCE DAILY JOURNAL-WORLD

being first duly sworn. Deposes and says:

That it is a daily newspaper printed in the State of Kansas, and published in and of general circulation in Douglas County, Kansas, with a general paid circulation on a daily basis in Douglas County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published daily at least 313 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Lawrence in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (week, days),

the first publication thereof being made as aforesaid on January 15, 1987 with subsequent publications being made on the following dates:

_____, 19_____, _____, 19_____
_____, 19_____, _____, 19_____
_____, 19_____, _____, 19_____

Subscribed and sworn to before me this _____, 19_____,

Mary Katherine Banta
Notary Public
July 16, 1990

My Appointment expires: _____
Publication Charges \$ 78.96
Notary and Affidavit Fee \$ _____
Additional Copies \$ _____
Total Due \$ 78.96

(First published in the Lawrence Daily Journal-World Jan. 15, 1987)

HOME RULE RESOLUTION NO. HR-87-1-1

WHEREAS, in 1978 the Kansas Legislature enacted the Community Corrections Act to encourage the development of community services for non-violent adult and juvenile offenders as an alternative to commitment to state correctional institutions;

WHEREAS, in 1985 the Douglas County Commission organized the Douglas County Community Corrections Advisory Board in accordance with the Community Corrections Act for the purpose of formulating a comprehensive plan for the development, implementation and operation of a community corrections program in Douglas County;

WHEREAS, in October, 1986 the Douglas County Community Corrections Advisory Board presented a Draft Community Corrections Plan for Douglas County to the County Commission and the Commission approved such plan on November 13, 1986;

WHEREAS, the Douglas County Community Corrections Plan was submitted to the Kansas Department of Corrections and approved by the Secretary of that department on December 17, 1986;

WHEREAS, the Community Corrections Program approved by the Secretary of the Kansas Department of Corrections is scheduled to begin in early 1987 with an approved entitlement for a twelve month period of \$292,590.00; and

WHEREAS, the County Commission deems it advisable to establish by resolution the organizational structure for the administration of the Douglas County Community Corrections Program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. Department Established. (a) In order to implement and administer the Douglas County Corrections Program as described in the Community Corrections Plan for Douglas County, Kansas, there is hereby established within County government a Department of Community Corrections. The Department shall be under the administrative supervision of a Director who shall be appointed by the County Commission upon the recommendation of the County Administrator and the Douglas County Community Corrections Advisory Board. The Director shall be selected on the basis of education, administrative ability and experience with governmental corrections programs. The Director shall serve in the classified-exempt service under the Douglas County Personnel Policy.

(b) The Director shall be responsible for the administration and implementation of the Douglas County Community Corrections Program and for such other duties as shall be assigned by the County Administrator or County Commission. The Director shall be administratively responsible to the County Administrator who shall evaluate and recommend to the County Commission the compensation and, if necessary, discipline of the Director.

(c) In administering the Douglas County Community Corrections Program, the Director shall be responsible, in consultation with the Director of Personnel and Risk Management, for the recruitment of the staff of the Department of Community Corrections. Subject to the policies of the County Commission and with the approval of the County Administrator, the Director shall approve the appointment, compensation, discipline and change in status of all personnel in the Department of Community Corrections.

(d) In carrying out the duties of the office of Director of the Department of Community Corrections, the Director shall coordinate the activities of the Department with all offices of Douglas County and the State of Kansas. Specifically, the Director shall confer on a regular basis with the judge of the Douglas County District Court, the Court Services Department, the District Attorney and the law enforcement officers of Douglas County and cities therein. The Director shall meet with and consult regularly with the Douglas County Community Corrections Advisory Board. The Director shall provide the County Commission with quarterly reports concerning the implementation and status of the Community Corrections program.

Section 2. Effective Date. This is a Home Rule Resolution and it shall take effect and be in force upon its publication once in the official County newspaper.

ADOPTED this 12th day of January, 1987.

Board of County Commissioners of Douglas County, Kansas
/s/ David C. Hopper, Chairman
/s/ Warren Rhodes
/s/ Warren Rhodes, Member
/s/ Nancy B. Hiebert
/s/ Nancy B. Hiebert, Member

Attest:
/s/ Patty Jaimes
Patty Jaimes, County Clerk

HOME RULE RESOLUTION NO. HR-88-2-2

WHEREAS, in January, 1987 the Douglas County Commission adopted Home Rule Resolution No. HR-87-1-1, establishing the Douglas County Department of Community Corrections;

WHEREAS, the Department of Community Corrections has operated efficiently and effectively since its establishment, and the Department recently expanded its staffing capabilities through the addition of a Community Correctional Services Officer who will perform community service work responsibilities on a part time basis;

WHEREAS, Douglas County has operated a Community Service Work program since at least 1982, providing valuable community service work opportunities for individuals sentenced for violations of certain state laws and City of Lawrence ordinances;

WHEREAS, the functions of the Department of Community Corrections and the Community Work Service program are complimentary in nature and such functions should be coordinated closely; and

WHEREAS, the Douglas County Commission deems it advisable to formally consolidate the functions of the Community Service Work program with the Department of Community Corrections in order to ensure close coordination of the community service work program efforts of Douglas County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. Section 1 of HR-87-1-1 is hereby amended to read as follows:

Section 1. Department Established. (a) In order to implement and administer the Douglas County Community Corrections Program as described in the Community Corrections Plan for Douglas County, Kansas, there is hereby established within County government a Department of Community Corrections. The Department shall be under the administrative supervision of a Director who shall be appointed by the County Commission upon the recommendation of the County Administrator and the Douglas County Community Corrections

See Resolution
Nos. 00-31 & 02-10

RESOLUTION NO. 00-31

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS TO DETERMINE AND ESTABLISH THE ADMINISTRATIVE STRUCTURE OF DOUGLAS COUNTY COMMUNITY CORRECTIONS DIRECTING THE SUPERVISION OF THE EMPLOYEES OF DOUGLAS COUNTY COMMUNITY CORRECTIONS TO THE CHIEF JUDGE OF THE 7TH JUDICIAL DISTRICT OF THE STATE OF KANSAS.

WHEREAS, K.S.A. 19-101 authorizes the Board of County Commissioners of each county to transact all county business and perform all powers of local legislation and administration it deems appropriate; and

WHEREAS, the Board of County Commissioners of Douglas County, Kansas (the "County") has previously enacted HR 88-2-2 relating to the establishment and organization of the Douglas County Community Corrections; and

WHEREAS, K.S.A. 75-5295 provides that in order to provide for correctional services, county commissioners have the authority to carry out several functions including but not limited to "to determine and establish the administrative structure best suited to the efficient administration and delivery of such correction services;" and

WHEREAS, the County has consulted with the Chief Judge for the 7th Judicial District to coordinate the services provided by the Douglas County Community Corrections with the services provided by the 7th Judicial District (the "District Court") Court Services, in order to provide an administrative structure best suited to the efficient administration and delivery of such correctional services; and

WHEREAS, coordination of the services provided by the District Court and Douglas County Community Services is the most effective use of the grant authorized by K.S.A. 75-52,103; and

WHEREAS, the grant monies provided under K.S.A. 75-52,103 will not be commingled with the District Court's funding; and

WHEREAS, the County has authority to enact such provisions pursuant to its general police powers to protect the general welfare, health, and safety of its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS THAT:

1. The supervision of Douglas County Community Corrections is hereby delegated to the District Court.
2. Community Corrections shall continue to be funded by the grant monies available under K.S.A. 75-52,103 and such other grant resources as are available. Community Corrections

shall expend the moneys received under the grant for correctional services as described in 75-5291 and in payment of the services of a Chief Executive Probation Officer and such additional community corrections officers as shall be deemed appropriate by the Chief Judge of the District Court in consultation with the County Administrator and the Community Corrections Advisory Board.

3. That no portion of the Community Corrections grant fund shall be used to replace available court services funds.

4. Effective immediately, the supervision of the Community Corrections personnel shall be transferred from the County to the District Court. Administrative Order 109, adopted by the Supreme Court of the State of Kansas relating to the Kansas court personnel system, will apply to the employees of Community Corrections. The application of the Kansas court personnel policy to Community Corrections personnel does not alter these employees status as "grant status" employees, who are employees-at-will.

5. The County, through the Chief Executive Probation Officer, shall submit a comprehensive plan to the Kansas Secretary of Corrections to determine minimum compliance with the standards adopted by the Secretary of Corrections consistent with K.S.A. 75-5296 and in the event the Secretary of Corrections determines that there are reasonable grounds to believe that the County is not in substantial compliance with the minimum operating standards adopted pursuant to K.S.A. 75-5296, the County shall in cooperation with the District Court take all reasonable measures to bring the plan into substantial compliance or make satisfactory progress towards compliance and take such other steps as are reasonably necessary to avoid the suspension of all or a portion of the grant.

6. The Chief Executive Probation Officer of the District Court shall be responsible for the administration and implementation of the Douglas County Community Corrections Program and for such other duties as shall be assigned by the District Court. The Chief Executive Probation Officer will be administratively responsible to the Chief Judge of the District Court.

7. The provisions of HR 88-2-2 that are inconsistent with this resolution are hereby repealed

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS ON December 11, 2000.

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS

By Tom Taul
Tom Taul, Chairman

By Charles Jones
Charles Jones, Member

By Dean Nieder
Dean Nieder, Member

ATTEST:

Patty Jaimes
Patty Jaimes, County Clerk

RESOLUTION NO. 02- 10

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS AMENDING THE ADMINISTRATIVE STRUCTURE OF DOUGLAS COUNTY COMMUNITY CORRECTIONS DIRECTING THE SUPERVISION OF THE EMPLOYEES OF DOUGLAS COUNTY COMMUNITY CORRECTIONS TO THE CHIEF JUDGE OF THE 7th JUDICIAL DISTRICT OF THE STATE OF KANSAS.

WHEREAS, K.S.A. 19-101 authorizes the Board of County Commissioners of each county to transact all county business and perform all powers of local legislation and administration it deems appropriate; and

WHEREAS, the Board of County Commissioners of Douglas County, Kansas (the "County") has previously enacted Resolution No. HR 88-2-2 relating to the establishment and organization of the Douglas County Community Corrections; and

WHEREAS, the County has previously enacted Resolution No. 00-31, amending the administrative structure of the Douglas County Community Corrections; and

WHEREAS, the Kansas Department of Corrections has asked the County, and the County has agreed, to amend Resolution No. 00-31 as set forth herein; and

WHEREAS, K.S.A. 75-5295 provides that, in order to provide for correctional services, county commissioners have the authority to carry out several functions including, but not limited to, "to determine and establish the administrative structure best suited to the efficient administration and delivery of such correction services;" and

WHEREAS, the County has consulted with the Chief Judge for the 7th Judicial District to coordinate the services provided by the Douglas County Community Corrections with the services provided by the 7th Judicial District (the "District Court") Court Services, in order to provide an administrative structure best suited to the efficient administration and delivery of such correctional services, and Resolution 00-31 represented a mutual agreement between the Board and the Chief Judge on said topic; and

WHEREAS, coordination of the services provided by the District Court and Douglas County Community Services is the most effective use of the grant authorized by K.S.A. 75-52,103; and

WHEREAS, the grant monies provided under K.S.A. 75-52,103 will not be commingled with the District Court's funding; and

WHEREAS, the County has authority to enact such provisions pursuant to its general police powers to protect the general welfare, health, and safety of its citizens.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Douglas County, Kansas that Resolution No. 00-31 is hereby amended and restated to read as follows:

1. The supervision of Douglas County Community Corrections is hereby delegated to the District Court. Notwithstanding said delegation, the County shall remain ultimately responsible for administration of the Douglas County Community Corrections program, as contemplated and required by the provisions of the Kansas Community Corrections Act, at K.S.A. 75-5290, *et seq.* Likewise, the County shall remain responsible for accounting for, and ensuring proper use of, all state community corrections grant funds, county match funds, offender reimbursements, and other funds set aside for the provision of community corrections services, as contemplated and required by the provisions of the aforesaid Community Corrections Act and applicable regulations of the Secretary of the Kansas Department of Corrections.

2. Community Corrections shall continue to be funded by the grant monies available under K.S.A. 75-52,103 and such other grant resources as are available. Community Corrections shall expend the monies received under the grant for correctional services as described in K.S.A. 75-5291 and in payment of the services of a Chief Executive Probation Officer and such additional community corrections officers as shall be deemed appropriate by the Chief Judge of the District Court in consultation with the County Administrator and the Community Corrections Advisory Board.

3. No portion of the Community Corrections grant fund shall be used to replace available court services funds. The compensation, including fringe benefits, of the Chief Executive Probation Officer shall be drawn from community corrections funds and court services funds in amounts directly proportionate to the amount of time that said Officer respectively devotes to administration of the two programs. Community Corrections grant funds shall be used to compensate the Chief Executive Probation Officer for that portion of his or her time devoted to performing duties and tasks that solely benefit community corrections operations and its target population.

4. Effective immediately, the supervision of the Community Corrections personnel shall be transferred from the County to the District Court. Administrative Order 109, adopted by the Supreme Court of the State of Kansas relating to the Kansas court personnel system, will apply to the employees of Community Corrections. The application of the Kansas court personnel policy to Community Corrections personnel does not alter the "grant status" of these employees, who are employees-at-will.

5. The County, through the Chief Executive Probation Officer, shall, on an annual basis, submit a comprehensive plan to the Kansas Secretary of Corrections to determine minimum compliance with the standards adopted by the Secretary of Corrections consistent with K.S.A. 75-5296, and, in the event the Secretary of Corrections determines that there are reasonable grounds to believe that the County is not in substantial compliance with the minimum operating standards adopted pursuant to K.S.A. 75-5296, the County shall, in cooperation with the District Court, take all reasonable measures to bring the plan into substantial compliance or make satisfactory progress towards compliance and take such other steps as are reasonably necessary to avoid the suspension of all or a portion of the grant.

6. The Chief Executive Probation Officer of the District Court shall be responsible for the administration and implementation of the Douglas County Community Corrections Program and for such other duties as shall be assigned by the District Court that are relevant to supervision of the target population of community corrections and agency operations. The Chief Executive Probation Officer will be administratively responsible to the Chief Judge of the District Court. Said Officer shall be appointed by the Chief Judge of the District Court, subject to approval by the Board of County Commissioners, and shall, in all other regards, be subject to the provisions of Kansas Supreme Court Administrative Order 109, as amended from time to time.

7. The provisions of Resolution No. HR 88-2-2 and Resolution No. 00-31 that are inconsistent with this Resolution are hereby repealed.

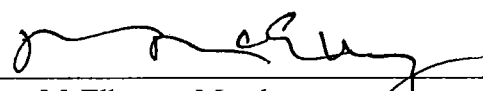
8. The Chief Judge may immediately terminate performance of the duties delegated herein by giving written notice to the Board of County Commissioners. The Board may likewise terminate its delegation of duties hereunder to the Chief Judge by giving written notice to the Chief Judge. In either event, administration of the Douglas County Community Corrections program shall immediately revert to, and be governed by, the provisions of Resolution No. HR 88-2-2 as enacted by the Board of County Commissioners in the form in existence immediately prior to the original enactment of the instant Resolution. The Board shall be responsible for ensuring that all property purchased with community corrections funds, from whatever source, is returned to the sole custody and possession of Douglas County Community Corrections, and shall likewise be responsible for accounting for all unexpended community corrections funds, from whatever source, and ensuring that said funds are transferred to the account of the Douglas County Community Corrections agency.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS ON April 10, 2002.

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS:



Bob Johnson, ~~Chairman~~ **MEMBER**



Jere McElhaney, ~~Member~~ **CHMIR**



Charles Jones, Member

ATTEST:



Patti Jaimes, County Clerk

Advisory Board. The Director shall be selected on the basis of education, administrative ability and experience with governmental corrections programs. The Director shall serve in the classified-exempt service under the Douglas County Personnel Policy.

(b) The Director shall be responsible for the administration and implementation of the Douglas County Community Corrections Program and for such other duties as shall be assigned by the County Administrator or County Commission. The Director shall be administratively responsible to the County Administrator who shall evaluate and recommend to the County Commission the compensation and, if necessary, discipline of the Director.

(c) In administering the Douglas County Community Corrections Program, the Director shall be responsible, in consultation with the Director of Personnel and Risk Management, for the recruitment of the staff of the Department of Community Corrections. Subject to the policies of the County Commission and with the approval of the County Administrator, the Director shall approve the appointment, compensation, discipline and change in status of all personnel in the Department of Community Corrections.

(d) In carrying out the duties of the office of Director of the Department of Community Corrections, the Director shall coordinate the activities of the Department with all offices of Douglas County and the State of Kansas. Specifically, the Director shall confer on a regular basis with the judges of the Douglas County District Court, the Court Services Department, the District Attorney and the law enforcement officers of Douglas County and cities therein. The Director shall meet with and consult regularly with the Douglas County Community Corrections Advisory Board. The Director shall provide the County Commission with quarterly reports concerning the implementation and status of the Community Corrections program.

(e) From and after February 29, 1988, the Douglas County Community Service Work Program shall be consolidated with and be a

programmatic responsibility of the Department of Community Corrections. All of the powers, duties, functions and budget authority of the existing Community Service Work Program are hereby transferred to and conferred upon the Department of Community Corrections. Such powers shall be exercised by the Community Service Work Coordinator, under the direction and supervision of the Director of the Department of Community Corrections.

Section 2. HR-87-1-1 and all other resolutions in conflict herewith are hereby rescinded.

Section 3. Effective Date. This is a Home Rule Resolution and it shall take effect and be in force upon its publication once in the official County newspaper.

ADOPTED this 29th day of February, 1988.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

David C. Hopper, Chairman

ATTEST:

Warren Rhodes
Warren Rhodes, Member

Patty James
Patty James, County Clerk

Nancy B. Hiebert
Nancy B. Hiebert, Member

Affidavit in Proof of Publication

STATE OF KANSAS }
DOUGLAS COUNTY } ss:
Jack Starkey
National Ad Mgr of

THE LAWRENCE DAILY JOURNAL-WORLD,
being first duly sworn. Deposes and says:

That it is a daily newspaper printed in the State of Kansas, and published in and of general circulation in Douglas County, Kansas, with a general paid circulation on a daily basis in Douglas County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published daily 365 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Lawrence in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 2 consecutive Weeks
(week, days)

the first publication thereof being made as aforesaid on March 4, 1988

with subsequent publications being made on the following dates:

March 11, 19 88 _____, 19 _____
_____, 19 _____, 19 _____
_____, 19 _____, 19 _____

Subscribed and sworn to before me this
MAR 6 1988, 19 _____

Mary Katherine Banta
Notary Public

My Appointment expires July 16 1990

Publication Charges \$ 191.72
Notary and Affidavit Fee \$ _____
Additional Copies \$ _____
Total Due \$ 191.72

(First published in the Lawrence Daily Journal-World Mar. 4, 1988)

HOME RULE RESOLUTION
NO. HR-88-2-2

WHEREAS, in January, 1987 the Douglas County Commission adopted Home Rule Resolution No. HR-87-1-1, establishing the Douglas County Department of Community Corrections;

WHEREAS, the Department of Community Corrections has operated efficiently and effectively since its establishment, and the Department recently expanded its staffing capabilities through the addition of a Community Correctional Services Officer who will perform community service work responsibilities on a part time basis;

WHEREAS, Douglas County has operated a Community Service Work program since at least 1982, providing valuable community service work opportunities for individuals sentenced for violations of certain state laws and City of Lawrence ordinances;

WHEREAS, the functions of the Department of Community Corrections and the Community Work Service program are complimentary in nature and such functions should be coordinated closely; and

WHEREAS, the Douglas County Commission deems it advisable to formally consolidate the functions of the Community Service Work program with the Department of Community Corrections in order to ensure close coordination of the community service work program efforts of Douglas County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. Section 1 of HR-87-1-1 is hereby amended to read as follows:

Section 1. Department Established. (a) In order to implement and administer the Douglas County Community Corrections Program as described in the Community Corrections Plan for Douglas County, Kansas, there is hereby established within County government a Department of Community Corrections. The Department shall be under the administrative supervision of a Director who shall be appointed by the County Commission upon the recommendation of the County Administrator and the Douglas County Community Corrections Advisory Board. The Director shall be selected on the basis of education, administrative ability and experience with governmental corrections programs. The Director shall serve in the classified-exempt service under the Douglas County Personnel Policy.

(b) The Director shall be responsible for the administration and implementation of the Douglas County Community Corrections Program and for such other duties as shall be assigned by the County Administrator or County Commission. The Director shall be administratively responsible to the County Administrator who shall evaluate and recommend to the County Commission the compensation and, if necessary, discipline of the Director.

(c) In administering the Douglas County Community Corrections Program, the Director shall be responsible, in consultation with the Director of Personnel and Risk Management, for the recruitment of the staff of the Department of Community Corrections. Subject to the policies of the County Commission and

with the approval of the County Administrator, the Director shall approve the appointment, compensation, discipline and change in status of all personnel in the Department of Community Corrections.

(d) In carrying out the duties of the office of Director of the Department of Community Corrections, the Director shall coordinate the activities of the Department with all offices of Douglas County and the State of Kansas. Specifically, the Director shall confer on a regular basis with the judges of the Douglas County District Court, the Court Services Department, the District Attorney and the law enforcement officers of Douglas County and cities therein. The Director shall meet with and consult regularly with the Douglas County Community Corrections Advisory Board. The Director shall provide the County Commission with quarterly reports concerning the implementation and status of the Community Corrections program.

(e) From and after February 29, 1988, the Douglas County Community Service Work Program shall be consolidated with and be a programmatic responsibility of the Department of Community Corrections. All of the powers, duties, functions and budget authority of the existing Community Service Work Program are hereby transferred to and conferred upon the Department of Community Corrections. Such powers shall be exercised by the Community Service Work Coordinator, under the direction and supervision of the Director of the Department of Community Corrections.

Section 2. HR-87-1-1 and all other resolutions in conflict herewith are hereby rescinded.

Section 3. Effective Date. This is a Home Rule Resolution and it shall take effect and be in force upon its publication once in the official County newspaper.

ADOPTED this 29th day of February, 1988.

Board of County Commissioners Of Douglas County, Kansas
David C. Hopper, Chairman
/s/ Warren Rhodes, Member
/s/ Nancy B. Hiebert, Member
Nancy B. Hiebert, Member

Attest:
/s/ Patty Jaimes
Patty Jaimes, County Clerk