

# BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

## MONDAY, AUGUST 3, 2009

8:10 a.m. – County Commission Meeting

-Convene

### CONSENT AGENDA

- (1)(a) Consider approval of Commission Orders;

### REGULAR AGENDA

- (2) Consider the approval of a resolution authorizing the continue imposition of a telephone user tax for the operation of an enhanced 911 emergency telephone service in Douglas County (Selma Southard)
- (3) Presentation by Judge Tacha regarding Freedoms Frontier National Heritage Area (Judge Tacha)-  
No Backup
- (4) Other Business
  - (a) Consider approval of Accounts Payable (if necessary)
  - (b) Appointments
  - (c) Miscellaneous
  - (d) Public Comment
- (5) Adjourn

## WEDNESDAY, AUGUST 5, 2009

6:35 p.m. – County Commission Meeting

-Convene

### CONSENT AGENDA

- (1)(a) Consider approval of Commission Orders;

### REGULAR AGENDA

- (2) Consider approval of Supplemental Agreement No. 1 with KDOT concerning the extension of E 1326 Road from Berg Acres area to Route 458, in conjunction with US-59 freeway construction project (Keith Browning)
- (3) Discussion of pedestrian issues in Eudora (John Drees, Eudora Pedestrian Safety Committee)
- (4) Consider approving revised **CPA-2004-02**, a Comprehensive Plan Amendment to Horizon 2020, Chapter 7: Industrial and Employment Related Land Use and consider adopting Joint City Ordinance No. 8402/County Resolution (PC Approved 8-0 on 4/22/09; CC Approved 2<sup>nd</sup> Reading 5-0 on 6/9/09) Amy Brown is the Planner. *Deferred from the 7/15/09 meeting.* (Amy Brown is the Planner)
- (5) Other Business
  - (a) Consider approval of Accounts Payable (if necessary)
  - (b) Appointments
  - (c) Miscellaneous
  - (d) Public Comment
- (6) Adjourn

**MONDAY, AUGUST 10, 2009**

- Consider adoption of Resolution relating to the issuance of bonds to finance improvements in Southeast Lawrence Sanitary Sewer Main Benefit Districts No. 1, No. 2, and No. 3 (Evan Ice)
- Lawrence Chamber Program of Work - 2<sup>nd</sup> Quarter Progress Report (Tom Kerns)
- Discussion of meeting schedule of County Commission (Craig Weinaug)

**WEDNESDAY, AUGUST 12, 2009**

**MONDAY, AUGUST 17, 2009 (Light Agenda)**

**WEDNESDAY, AUGUST 19, 2009**

- Public Hearing for 2010 Budget
- Consider approval of a Consent Decree for the Big Springs Quarry (Mary Miller)

**MONDAY, AUGUST 24, 2009**

**WEDNESDAY, AUGUST 26, 2009**

**MONDAY, AUGUST 31, 2009**

**WEDNESDAY, SEPTEMBER 2, 2009**

**MONDAY, SEPTEMBER 7, 2009**

- No Commission Meeting in Observation of Labor Day

**WEDNESDAY, SEPTEMBER 9, 2009**

**MONDAY, SEPTEMBER 14, 2009**

**WEDNESDAY, SEPTEMBER 16, 2009**

**MONDAY, SEPTEMBER 21, 2009 (Light Agenda)**

**WEDNESDAY, SEPTEMBER 23, 2009**

**MONDAY, SEPTEMBER 28, 2009**

**WEDNESDAY, SEPTEMBER 30, 2009**

**WEDNESDAY, NOVEMBER 4, 2009**

- Lone Star Weed Discussion

*Note: The Douglas County Commission meets regularly on Mondays at 8:10 A.M. and Wednesdays at 6:35 P.M. at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*

## RESOLUTION NO. 09-25

### A RESOLUTION AUTHORIZING THE CONTINUED IMPOSITION OF A TELEPHONE USER TAX FOR THE OPERATION OF AN ENHANCED 911 EMERGENCY TELEPHONE SERVICE IN DOUGLAS COUNTY

**WHEREAS**, the Board of County Commissioners recognizes the paramount importance of the safety and well-being of the citizens of Douglas County, Kansas; and

**WHEREAS**, the Board of County Commissioners recognizes that when the lives or property of its citizens are in imminent danger, timely and appropriate assistance must be rendered by the public safety agencies of Douglas County and the cities and townships within the County; and

**WHEREAS**, the Board of County Commissioners recognizes that such assistance is usually summoned by telephone and that avoidable delays in reaching appropriate emergency aid can jeopardize life and property; and

**WHEREAS**, K.S.A. 12-5302, as amended, provides that "a governing body may provide for the operation of an emergency telephone service and may pay for it by imposing an emergency telephone tax for such service in those portions of the governing body's jurisdiction for which emergency telephone service has been contracted;" and

**WHEREAS**, Douglas County has contracted with Southwestern Bell Telephone and others for the provision of enhanced 911 telephone service within Douglas County; and

**WHEREAS**, the Emergency Communications Center has been developed to support the emergency communication plan for the Douglas County Sheriff's Department, the Kansas University Police Department, the Douglas County Department of Medical Services and Emergency Management, and the Lawrence Police and Fire Departments; and

**WHEREAS**, such plan includes the continued improvement of enhanced 911 emergency telephone services throughout Douglas County; and

**WHEREAS**, all the residents of Douglas County would derive significant benefit from the continuation of the user tax provided for in K.S.A. 12-5302, as amended.

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

*Section 1. Emergency Telephone Tax Authorized.* (a) An Emergency Telephone Tax, in an amount not to exceed seventy-five cents (\$0.75) per month per exchange access line or its equivalent in those portions of Douglas County for which emergency telephone service has been contracted, may be imposed by the Board of County Commissioners of Douglas County, Kansas pursuant to K.S.A. 12-5301 through 12-5304, as amended, by the Kansas legislature.

(b) Unless a petition is filed as provided in Section 2, such tax shall take effect and be in force on January 1, 2008, and shall be levied at the rate of seventy-five cents (\$0.75) per month per exchange access line or its equivalent until December 31, 2008. On or before September 1, 2008, the Board of County Commissioners shall establish a tax rate, not to exceed the amount

authorized herein, to fund emergency telephone service for the residents of Douglas County in the succeeding calendar years.

*Section 2. Protest Procedures.* Within 60 days of the publication of this resolution there may be filed with the County Election Officer a petition signed by not less than 5% of the registered voters of Douglas County, Kansas requesting that the question of the installation and operation of emergency telephone service and imposition of tax therefore be submitted to the qualified voters of Douglas County. Upon determination of the sufficiency of such petition and certification thereof by the County Election Officer, the proposition shall be submitted to the qualified electors of the County at the next primary or general election following by not less than 60 days the certification of such petition. If a majority of the votes cast at such an election are for the installation and operation of emergency telephone service and imposition of the tax therefore, or if no protest is filed within the time herein prescribed, the Board of County Commissioners of Douglas County may provide for the installation and operation of said service and impose such tax. Such tax shall be imposed for no longer than 3 years after which the Board of County Commissioners may continue to renew such tax imposition for no longer than 3 years at a time, subject to such protest petition requirements as are provided by law.

*Section 3. Effective Date.* This resolution shall take effect and be in force from and after its adoption and publication once in the official County newspaper.

**ADOPTED** this 3<sup>rd</sup> day of August, 2009.

**BOARD OF COUNTY COMMISSIONERS OF  
DOUGLAS COUNTY, KANSAS**

\_\_\_\_\_  
Nancy Thellman, Chairman

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Jim Flory, Member

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Mike Gaughan, Member

ATTEST:

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County Clerk