

RESOLUTION NO. 095-2016

Date adopted: 6-13-2016

Effective date: 6-18-2016

**A HOME RULE RESOLUTION PROVIDING FOR THE
ADMINISTRATON OF CERTAIN NON-ELECTED DEPARTMENTS
AND PERSONNEL**

WHEREAS, pursuant to K.S.A. 19-101, the Kansas State Legislature authorized the Board of County Commissioners of Sedgwick County to govern itself pursuant to county home rule powers;

WHEREAS, the administration and organization of certain non-elected Sedgwick County personnel are proper subject of such local legislation;

WHEREAS, the efficiency and general welfare of County government will be enhanced by providing for the organization and personnel administration of non-elected divisions, departments, offices and personnel;

WHEREAS, the Board of County Commissioners, by adoption of Sedgwick County Resolution No. 90-2000 and Sedgwick County Code Section 2-91, previously provided for the administration and organization of certain non-elected County divisions, departments, offices and personnel; and

WHEREAS, the Board of County Commissioners now wishes to revise the administration and organization of certain non-elected County personnel.

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

SECTION 1. Section 2-91 of the Sedgwick County Code is amended to read as follows:

Sec. 2-91. Personnel organization; administration.

- (a) *Purpose.* The purpose of this home rule resolution is to designate the administrative authority and organization of the county's non-elected divisions, departments, offices and personnel and to delegate to the county manager certain authority related to personnel administration.
- (b) *Board Administration.* The personnel administration of the following departments and offices, and functions pertaining thereto, shall rest with the Board of County Commissioners ("Board"), and the Board hereby retains its authority to employ, evaluate, discipline and terminate the following:
 - (1) County manager;

- (2) County counselor;
- (3) County appraiser;
- (4) Board of county commission staff.

(c) *County Engineer.* The Board hereby retains its authority to appoint or terminate the County Engineer as provided in K.S.A. 68-501.

(d) *Manager Administration.* Except as provided in subsection (b), the personnel administration and organization of all county divisions, departments, and offices, and functions pertaining thereto, is hereby delegated to the County Manager ("Manager"). The Manager is vested with the authority to employ, evaluate, discipline and terminate all personnel, except as specifically described in subsections (b) and (c) above, subject only to the following standards:

- (1) Employment shall be based on merit only, and such personnel actions including hiring, evaluating, disciplining and terminating county employees shall be subject to the rules and regulations adopted by the Board in the Sedgwick County Personnel Policies and Procedures Manual.
- (2) The Board retains the authority to create, modify, or abolish employment functions or departments under the control of the Manager by the creation, modification or termination of functions, divisions, departments or offices through the county budget process.
- (3) The Manager's authority to employ or terminate employees is subject to provisions of state law or other agreements limiting said authority.

SECTION 2. Should any section, clause, or provision of this resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole or any part thereof other than the part so declared to be invalid.

SECTION 3. Sedgwick County Resolution 90-2000 and Sedgwick County Code Sec. 2-91 are hereby rescinded in their entirety and replaced by this resolution.

SECTION 4. Upon the adoption of this resolution, the Clerk of Sedgwick County shall publish this resolution once in the official county newspaper. This resolution shall take effect upon said publication.

Commissioners present and voting were:

DAVID M. UNRUH	<u>AYE</u>
TIM R. NORTON	<u>AYE</u>
KARL PETERJOHN	<u>AYE</u>
RICHARD RANZAU	<u>AYE</u>
JAMES M. HOWELL	<u>AYE</u>

Dated this 13th day of June, 2016.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

JAMES M. HOWELL, Chairman
Commissioner, Fifth District

RICHARD RANZAU, Chair Pro Tem
Commissioner, Fourth District

APPROVED AS TO FORM:

KAREN L. POWELL
Deputy County Counselor

DAVID M. UNRUH
Commissioner, First District

TIM R. NORTON
Commissioner, Second District

KARL PETERJOHN
Commissioner, Third District