

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**February 7, 2007**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, February 7, 2007 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Thomas G. Winters; Commissioner Tim R. Norton; Commissioner Kelly Parks; Commissioner Gwen Welshimer; Mr. Ron Holt, Assistant County Manager; Mr. Rich Euson, County Counselor; Mr. Brent Shelton, Chief Deputy County Clerk; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Chris Chronis, CFO, Division of Finance; Mr. Michael D. Pepoon, Assistant County Counselor; Ms. Claudia Blackburn, Director, Health Department; Mr. Ray Vail, Finance Manager, Department on Aging; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Ms. Jeannette Livingston, Contract Administrator, COMCARE; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Angela Kato, Girl Scouts of the Golden Plains Council.  
Mr. Dave Fulton, Member, Sedgwick County Mental Health Advisory Board.  
Ms. Jeanine Brizendine R. Ph., Wichita, Ks.  
Mr. John Andrade, Wichita, Ks.  
Mr. Ron Hartman, P.A., Agent for applicant, PEC.  
Lieutenant Colonel Mark McLean, Director of Staff, McConnell Air Force Base.  
Mr. Greg Sevier, Chairman, Arena Sales Tax Oversight Committee.

### **INVOCATION**

The Invocation was led by Pastor Dan Boyd of Cowboy Church of Benton.

### **FLAG SALUTE**

### **ROLL CALL**

The Clerk reported, after calling roll, that all Commissioners were present.

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**Chairman Unruh** said, "Before we call the next item, I just want to recognize the presence of a former county commissioner in the boardroom today, former commissioner Lucy Burtnett is here. Welcome. Appreciate your attention to county business. Thanks for being here. Madam Clerk, call the next item."

**PROCLAMATION**

**A. PROCLAMATION DECLARING FEBRUARY 2007 AS "GIRL SCOUT COOKIE MONTH."**

**Chairman Unruh** said, "Commissioners, I have a proclamation to read for your consideration.

**PROCLAMATION**

**WHEREAS**, the Girl Scouts of the Golden Plains Council serves more than 7,500 girls in Butler, Cowley, Harvey, Sedgwick and Sumner counties, who through the Girl Scout Cookie program, learn about business, goal-setting, the value of teamwork and money management; and

**WHEREAS**, by participating in Girl Scout programs, girls become leaders who are confident in themselves and their abilities and who use their knowledge to effect change in their lives and in the lives of those around them; and

**WHEREAS**, through support of generous donors and annual product sale activities, such as the Girl Scout Cookie Sale, Girl Scouts is able to offer quality programs on a year-round basis to girls in all racial, cultural, religious and socio-economic groups; and

**WHEREAS**, Sedgwick County appreciates the opportunities and programs provided by the Girl Scouts of the Golden Plains Council and encourages our communities to support Girl Scouting and its annual money-earning activity- the annual Girl Scout Cookie Sale.

**NOW THEREFOR BE IT RESOLVED**, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim February 2007 as

**'Girl Scout Cookie Month'**

in Sedgwick County and encourage all citizens to support the Annual Girl Scout Cookie Sale,

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making an investment in the lives of girls and continuing to uphold the enterprising spirit of Girl Scouts.

Commissioners, you've heard the proclamation. What's the will of the Board?"

**MOTION**

Commissioner Norton moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "And we have someone to receive the proclamation."

**Ms. Angela Kato**, Community Relations Director, Girl Scouts of the Golden Plains, greeted the Commissioners and said, "I want to thank you again for taking time out to recognize our cookie sale. Behind me are two very excited Girl Scouts, Kelsey Postin and Amber Anderson, who would love to give each of you a box of cookies as their thanks for helping us and continuing to let the public know about what we're doing. So if it's okay with you, if I can send them forward."

**Chairman Unruh** said, "We would be very pleased to receive a box of Girl Scout cookies and we will try to eat them at some sort of an even pace."

**Ms. Kato** said, "And if you don't get your favorite flavor, you can share amongst yourselves."

**Chairman Unruh** said, "All right. Well, we sure appreciate the gift and we're also happy to have the opportunity to help emphasize this program and we recognize the tremendous benefit that Girl Scouts gives to our community in general and to individual girls in particular."

**Ms. Kato** said, "And we would also like to thank everyone who has opened their doors and their

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hearts so far to all our girls as they've gone around neighborhoods in helping them to reach their goals. It's a wonderful thing. Thank you."

**Chairman Unruh** said, "Well we have some more comments. Commissioner Winters."

**Commissioner Winters** said, "Well I just wondered exactly when does the sale start? I mean, can we expect Girl Scouts any time, or is it . . .?"

**Ms. Kato** said, "Through February 25<sup>th</sup> girls will be going door to door and deliveries do start, initial deliveries start this weekend, so if you placed an order, you will soon be able to munch on your cookies. And towards the end of the month, the last week of the sale, we'll be outside select retail locations, where you can get them on the spot."

**Commissioner Winters** said, "Okay. That's the only thing I had. Just wanted to know where to go to get them."

**Chairman Unruh** said, "Commissioner Welshimer."

**Commissioner Welshimer** said, "Well, I'm very proud of what you do, having been a Girl Scout myself and I can say that, that I'm the only one on this board who can say that."

**Ms. Kato** said, "Well we appreciate it and it's the work of the people who have been our alumni that help us get the word out about the value of this program because it's not about just selling cookies. It's them learning a little bit about business and setting their goals and feeling the joy in their hearts when they reach their goals."

**Commissioner Norton** said, "Well, I'll have to disagree with Commissioner Welshimer. I've been a Girl Scout too. I went to Camp Weidemann three years with my oldest daughter and was a camp counselor, in fact was the only male there when a tornado hit and had to clean the spiders out of the shelters and get all the girls into the shelters, so I am a Girl Scout myself. I may be only honorary, but I got in touch with my feminine side for several years and now I have three granddaughters that are . . . one Daisy and two Girl . . . Brownies, I guess. And we've bought our share of cookies already this year, so thanks for coming by. I'm very supportive of the Girl Scouts and the Boy Scouts too. They do such wonderful work with our youth, getting them prepared to be good citizens and good people in the United States. I appreciate what you do Angela. Thanks. And welcome girls."

**Ms. Kato** said, "Well, thank you very much."

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**Chairman Unruh** said, “Okay, I’m trying to think of something to say about him being a Girl Scout and I can’t think of anything, so Commissioner Parks.”

**Commissioner Parks** said, “I was not a Girl Scout. Let’s have that on the record. Anyway, the Girl Scouts have been a long-serving organization for the United States, and I’d just like to echo all the other comments and go out there and there may be even some opportunities to sell to some people in the room today, even before you leave. And it’s good to see the girls come out and see a little bit of the civics of how the Commission meeting works. That is part of that, and may be a merit badge in there for them. Thank you.”

**Chairman Unruh** said, “Well, thank you very much for being here, Angela. We appreciate your effort and leadership in this whole thing. Madam Clerk, call the next item please.”

**APPOINTMENT**

**B. RESOLUTION APPOINTING DAVE FULTON (COMMISSIONER WINTERS’ APPOINTMENT) TO THE SEDGWICK COUNTY MENTAL HEALTH ADVISORY BOARD.**

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “Commissioners, we’ve prepared this resolution of appointment. This is for a four-year term and I recommend you adopt the resolution.”

**Chairman Unruh** said, “Thank you. Commissioners, you have . . .”

**MOTION**

Commissioner Winters moved to adopt the Resolution.

Commissioner Norton seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “And Mr. Fulton is here and if you’d want to step up to the podium, from the Clerk’s Office Brent Shelton is here and he will administer the oath.”

**Mr. Brent Shelton**, Chief Deputy County Clerk, said, “Please raise your right hand.

*I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Mental Health Advisory Board, so help me God.”*

**Mr. Dave Fulton**, Member, Sedgwick County Mental Health Advisory Board, greeted the Commissioners and said, “I do.”

**Mr. Shelton** said, “Congratulations.”

**Chairman Unruh** said, “And Mr. Fulton, if you’d want to stay here, we have some comments. Commissioner Winters.”

**Commissioner Winters** said, “Well, I just certainly on behalf of the board want to thank you for your willingness to serve. I believe that the Board of County Commissioners has a long history of utilizing advisory boards and taking their words and comments very seriously. It is often, when we get in discussions among ourselves or on budget issues one of the first things we think about or as we visit with staff is what did the advisory board say about this situation. So again, thank you very much for your willingness to serve and please know that you are part of an important organization and play an important role. Some folks think that advisory boards are not all that important, but I think in local government they’re extremely important, so thank you very much for your willingness.”

**Mr. Fulton** said, “Thank you for your appointment.”

**Commissioner Winters** said, “Thank you.”

**Chairman Unruh** said, “Thank you, Mr. Fulton. Madam Clerk, call the next item please.”

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**CITIZEN INQUIRIES**

**C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING PLANS FOR A POTENTIAL WICHITA CAMPUS OF THE UNIVERSITY OF KANSAS SCHOOL OF PHARMACY.**

**Ms. Jeanine Brizendine** R.Ph., Wichita, greeted the Commissioners and said, "I do have handouts that go with my talk. I didn't know whether you had received copies of them at all."

**Chairman Unruh** said, "If you have handouts, why don't you pass them to us. And would you please state your name for the record please."

**Ms. Brizendine** said, "You bet, my name is Jeanine Brizendine and I'm going to try to keep it to five minutes, bear with me, I'll try not to speak too fast and get everything in that I want to say but I'll kind to hurry, but get all the main points in. I am a pharmacist here in Wichita. I've been practicing here for 22 years. I'm also involved with the Wichita Academy of Pharmacists. I've been involved with the Kansas Pharmacists' Association. I do sit on the Sedgwick County Health Care Round Table and I give you those items just to let you know that I'm not only a practicing pharmacist, but I'm also very much involved with promoting the profession of pharmacy in Kansas.

My main purpose today is to just give you some updated information about the potential campus of the University of Kansas School of Pharmacy. I hope to show you why this concept is such a great idea, and if it happens, it will be of great benefit not only to the City of Wichita, but to healthcare in Kansas as well. I'm here today representing the pharmacists in Kansas, and most importantly, the Wichita Academy of Pharmacists, of which I've been a board member for the last six years and a past president and had belonged to that organization my entire career as well.

And now you all have a handout, there's some references as to where that information came from. I'll just hit the highlights and add a few comments as I go. First of all, no doubt that the volume of prescriptions that are being filled is definitely on the rise. In 2006, they thought that there would be 4,000,000,000 prescriptions filled and that's only going to increase. A lot of that is because of the aging population, the person over the age of 60 uses at least three times as many prescription medications as a person under the age of 60, so as you population continues to age, we will see a higher number of prescriptions being filled and of course we need pharmacists to fill those prescriptions.

The second point I want to make is that Kansas is one of nine states that has a very high degree of difficulty in hiring and keeping pharmacists and the data you have there is from September to

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November. It lets up just a little bit, but still there's over 40 states in the nation that struggle to hire and retain pharmacists. So there's definitely a pharmacist shortage. There's a local shortage. I can tell you, when I graduated in 1985, they said there was a shortage then, had four jobs to choose from then and there was a shortage but now it's even more prominent and a couple of different reasons. Here locally in town, you can see it. There's a Walgreen, a Walmart, the Dillons, anyone else who seems to come in, they want to have a pharmacy in their store and you need to have a pharmacist to run that.

On another level though, in clinical pharmacy area, in the hospitals across the nation and here too, I work at Via Christi Saint Francis right now and we're currently recruiting for five clinical pharmacist staff. The reason that is is because pharmacists are coming out of school more highly educated. They participate more in the care upstairs on the floors. They round with physicians. They help really mould the patient's care and so we decrease the length of stay, decrease cost of stay, decrease cost of healthcare to our city, state, nation. So the need for pharmacists is . . . not only do our pharmacists get to retire, just like everyone else, so that's a natural process, but also we have those other two forces going on right now that drive up that need for pharmacists as well, and that's only going to increase also.

But as I put on my handout there, there's no shortage of people that want to go to pharmacy school. Data from K.U. shows that there were 500 applicants for 120 spots last year and that's changed a lot too. That's gone that way over time. I know when I applied in 1982, I filled out my little paperwork, I had pretty good grades, didn't have to take an entrance exam, they call it a P-Cat now, and I got in. Now you have a 3.6 GPA, you have to have a pretty decent score on your P-Cat and that gets you to the interview. The interview process is very arduous, very competitive, so there are a lot of folks that want to go to pharmacy school, so there is definitely not a shortage of folks that want to go.

I want to bring up one important point, that they have data at the School of Pharmacy that shows that 10 to 15% of this year's class have actually come to Lawrence from Wichita, so I bring that back up in just a second. The University of Kansas School of Pharmacy hopes to duplicate the successes of the University of Kansas School of Medicine. On the back page of your handout, there's a map that is red and white and what it indicates is where the graduates from the University of Kansas School of Medicine-Wichita have ended up in the state. Medical students who have gone to school and graduated here in Wichita have spread out all over the state.

But as shown by the little black doctor's bags in the little counties, many of them have established their practices in western, southwestern and southeastern Kansas. Many have gone into underserved counties. The K.U. Pharmacy School hopes to accomplish the same thing by



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establishing a Wichita campus, educating pharmacists in Wichita and watching them go to practice in the underserved parts of the state.

Now let me take a minute to update you on the current plan as I know it. Their plan is to place 20 students per class, and there will be a total of 80 students, once the school is fully up and running. It's a four-year program, so there will be 80 students in the class. They plan to begin with five faculty and two staff which will hopefully be recruited locally and classes will be taught from Lawrence and from Wichita, via teleconference, Internet video conference, so hopefully some of us in Wichita will not only maybe have part-time appointments, but be able to help teach from here to Lawrence as well.

Additionally, it's upon the school to duplicate the program in its entirety, so the classes just won't be beaming through the air back and forth. We'll have the social activities, the extracurricular activities, the student support activities that are also provided on the Lawrence campus as well.

A couple of real brief comments to try to finish up, I want to point out how important this program could be to Wichita. Not only does it help manage the local pharmacist shortage, which you can ask any Walgreen pharmacist, there's definitely a shortage, but it will help meet some of the several goals of Visioneering Wichita and I'll give a couple of quick examples. One of the goals is retaining young people in the city to help minimize financial and brain drain. Remember, I mentioned the 10 to 15 % of students that leave Wichita to go to Lawrence, we could keep them here. They could do their under-grad or their pre-pharmacy at W.S.U., Friends, Newman, and then transfer right into the pharmacy school here in Wichita, so we can allow them to have the education here. We could have a better chance of keeping them here in our city, once they're finished with their education.

And also from the healthcare arm of Visioneering. A specific goal is to insure availability and adequate supply of healthcare professionals, that's one of their primary goals and this would definitely help with that. And additionally, the support for this project would mirror the type of commitment to education and training for higher paying jobs that has already shown by the county's support of the new technical training center on the Jabara Campus.

One final quick point is we have the teaching structure already in place. A lot of us, as pharmacists, already take PharmD candidate students here in Wichita. In fact, they can relocate for their final year, the entire final year of their program here already, because we already have a lot of capability to provide them a place to do their rotations that they do for the last year of their classes, so we

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already have the teaching infrastructure in place for part of this program.

So in conclusion, I hope I've shown you the higher number of prescriptions that are filled, the aging population, growing demand for pharmacists, that establishing a Wichita campus of the University of Kansas School of Pharmacy is a great idea. If it happens, providing opportunity to educate and graduate pharmacists here in Wichita would not only be a boost for the economy but it makes sense for healthcare in Kansas. I again am here on behalf of the Wichita Academy of Pharmacists and we wholeheartedly support this, as do the pharmacists of Kansas and we hope that in the months and years to come you will support this as well. Thanks for your time. I'd be glad to try to answer any questions."

**Chairman Unruh** said, "Okay, thank you for that presentation. It's obviously that you've done your research, you're passionate about this issue and a well presented argument in demonstrating the need and the value for Kansas to have this expanded pharmacy school, this new campus, so appreciate your comments. Commissioners, are there any questions? Well, we very much thank you for the presentation."

**Commissioner Winters** said, "I guess I have one quick question. If a person wanted follow up information, is there a contact number or is there someone that you've been working with, with Sedgwick County?"

**Ms. Brizendine** said, "Not yet, but I'd be glad to . . . it can certainly be me and I can pass those questions on to whomever would be able to help you."

**Commissioner Winters** said, "Okay. I think that's good then. Thank you very much."

**Chairman Unruh** said, "Well, is there a motion to receive and file this report?"

### **MOTION**

Commissioner Norton moved to receive and file.

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Commissioner Parks seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Thank you, Jeanine. Next item please.”

**D. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING AN ARENA PARKING STUDY.**

**Mr. John Andrade**, Wichita, greeted the Commissioners and said, “I would like to thank the Sedgwick County Commissioners, especially Commissioner Kelly Parks, for allowing me to speak today. And I come before you hoping that you, as commissioners, will let your citizens solve our own problems. Last year, there was story in the Wichita newspaper about its citizen’s negative feelings towards Wichita and its government and what can be done to turn things around. One of the biggest topics we hear our citizens talk about all the time is how unhappy they are with how our tax dollars are being spent.

We also see the negativity in letters we read in the opinion page. One big tax problem being talked about now is the taxes for the downtown arena. One huge point to creating more positive thinking and less negativity would be to start to tackle how our tax dollars are being spent when it comes to the high costs of spending for outside consultants. This in itself brings up the recent newspaper story about parking for downtown arena. It was said that \$107,500 are needed for an in depth parking study.

With that being said, I would greatly encourage all of our great county leaders to come out of their comfort zone and try something new. Why not use our most valuable resources that we already have, which is our valuable city and state citizens who already live here, our business leaders, our city, our county and our state government leaders and the traffic workers who already take care of traffic problems and parking problems, who are also already paid by the City of Wichita and the

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government. We can do this the very same way we did when we started the Visioneering Wichita meetings. We could have several meetings with a group of the very same people just stated, talk about ways to solve the parking problem for the arena. This could be the very thing that could help turn around the negative and start more positive things happening for Wichita.

By doing this, we wouldn't have to pay a dime for outside consultants because we would be solving our own problems and instilling great pride in everyone in Wichita and in Kansas. Plus we would be, at the same time, sending out a very strong message to the rest of the country telling everyone how great our Wichita and Kansas governments are because they involved their great and very smart city and state citizens, who all work together with their governments to solve a huge problem and save everyone \$107,500 in tax dollars. This money not having been spent, now could be spent on adding more parking because we still have it and didn't waste it. Then we could also use the same formula when other problems arise, and save everyone even more tax dollars, because we are not wasting our taxes by not using outside consultants."

**Chairman Unruh** said, "Okay, thank you Mr. Andrade for those comments, well done. Commissioners, are there any comments? Commissioner Welshimer."

**Commissioner Welshimer** said, "Well I just want to thank you for taking on responsibility and taking an interest in this and coming here and making this presentation. Your point is well taken. Thank you."

**Chairman Unruh** said, "And another comment from Commissioner Parks."

**Commissioner Parks** said, "Thank you for coming, John and taking the time out of your day to address us on this issues. I know it has been passed since you've talked with me on the phone is has been finalized, but hopefully in the future we can take some of your words of wisdom to heart. Thank you."

**Chairman Unruh** said, "Any other comments, commissioners? All right, is there a motion to receive and file?"

### **MOTION**

Commissioner Welshimer moved to receive and file.

Commissioner Parks seconded the motion.

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There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Next item please."

**PLANNING DEPARTMENT**

**E. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).**

- 1. CASE NUMBER ZON2006-00053 – ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "RR" RURAL RESIDENTIAL, GENERALLY LOCATED ON THE NORTH SIDE OF 45<sup>TH</sup> STREET NORTH AND EAST OF HILLSIDE AVENUE. DISTRICT #1.**

**POWERPOINT PRESENTATION**

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "In this particular zoning case, the applicant is requesting to have the property, which is outlined in the bold on the graphic in front of you now rezoned to 'RR', Rural Residential. It's an unplatted, just less than three acre parcel, located on the north side of East 45<sup>th</sup> Street North.

The site is currently zoned SF Single Family Residential and is a vacant field at this time. It abuts the applicant's 1.65 acre Limited Commercial zoned horse hospital, which fronts right along 45<sup>th</sup> Street. And the applicant is proposing, with this rezoning and an associated conditional use application, to expand his existing horse hospital onto this additional parcel.

The associated conditional use, you can see the case number on the graphic in front of you. That was applied for at the same time that this rezoning was applied for by the applicant. That has already been finalized by the planning commission. Conditional uses are final action by the Planning Commission, unless somebody protests or appeals that decision. So the question before you today is whether or not to rezone this property from SF-20 to Rural Residential.

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You can see the land uses on the aerial photo in front of you now. Immediately to the east of this site is a single-family residence and then there are also two single-family residences immediately to the west. The large paved area that you see over to the west of those two single-family homes is within the KDOT right-of-way of K-254. That's a service yard for KDOT and also the Kansas Highway Patrol.

At the Metropolitan Area Planning Commission meeting of December 21<sup>st</sup> the MAPC voted unanimously to recommend this requested rezoning. There was nobody there to protest the request and we have not received any correspondence or phone calls on this case.

And as I said before, the conditional use has already been approved by the Planning Commission, so the item before you today is the request to rezone and with that, I'll be glad to take any questions."

**Chairman Unruh** said, "All right, thank you John. We do have a question from Commissioner Parks."

**Commissioner Parks** said, "The plan for the animal hospital is to have just the use of that land for the horses and it's not anything for storage or long-term keeping of horses there? It's just for the patients, if you will, or the animals that are being . . .?"

**Mr. Schlegel** said, "That's my understanding, yes."

**Commissioner Parks** said, "Okay."

**Mr. Schlegel** said, "The applicant's agent is here though, if you want to get into more detail."

**Commissioner Parks** said, "I would just like to have that question answered, really."

**Mr. Rob Hartman**, Agent for Applicant, PEC, greeted the Commissioners and said, "To answer your question, this will be just for ambulatory purposes. This is for the hospital itself. There will not be any storage use or renting of space for animals to stay there on a long-term basis. It's just for recovery from any of the medical procedures that he does on-site."

**Commissioner Parks** said, "Well, one of the reasons I asked that question is, you know, with the run-off and everything and the number of omnipotent things that we're going to have to be looking at in the near future. The applicant just needs to be aware of all those rules and regulations about how many constant horses can be maintained on a certain piece of property next to a lake or next to a drainage facility."

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**Mr. Hartman** said, “Okay, yeah he’s been there . . . well, the existing hospital has been there for over 30 years, on the front portion of the property. He’s now going to expand his building and needs the additional zoning behind the existing building to increase the size of his animal hospital, but it’s strictly for horse . . . for a horse hospital and it’s not for, you know for animals to come and stay.”

**Commissioner Parks** said, “I’m pretty aware of the facility.”

**Mr. Hartman** said, “Okay. Any other questions?”

**Chairman Unruh** said, “Okay, any other questions of Mr. Hartman? Any other questions in general for Mr. Schlegel? This is not a public hearing, but we . . . it has been our custom to allow anyone to speak to a zone change issue. I have not had any contact personally. This is in district 1, but I haven’t had any contact for or against. It looks like a reasonable thing to me, but if there’s anyone that wants to speak. I don’t see anyone moving.”

**MOTION**

Chairman Unruh moved to approve the zone change to “RR,” subject to platting within one year; adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been approved; and authorize the Chairman to sign the resolution.

Commissioner Winters seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Next item please.”

**2. CASE NUMBER DR2005-21: PROPOSED AMENDMENTS TO THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE PERTAINING**

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**TO THE RECOMMENDATIONS FROM MCCONNELL AIR FORCE BASE  
JOINT LAND USE STUDY.**

**POWERPOINT PRESENTATION**

**Mr. Schlegel** said, “You may recall, back in November you, as a board, accepted the recommendations of the McConnell Air Force Base Joint Land Use Study Implementation Coordinating Committee and at that time you directed staff to begin the process of implementing the recommendations of that committee.

Those recommendations included several proposed amendments to the Wichita/ Sedgwick County unified zoning code. So in order to carry out your direction, we’ve come up with a four-step process for having those proposed amendments considered. And today we’re proposing that you take the first step in that process by adopting some text amendments that would create three new zoning districts in the unified zoning code.

Those three zoning districts are the Air Force Base zoning district, as you recall I hope, the base itself is currently zoned residential and we felt . . . and the implementation coordinating committee felt it was appropriate that we should have a zoning designation for the base that’s appropriate for that use. A second district would be an Anti-Terrorism Force Protection Overlay District. This is being done at the request of the base and it would be an overlay district surrounding the base, which would restrict the height of building that are built within approximately a half-mile of the base boundaries.

And then a third district would be the Industrial Park/ Airport Zoning District, which would rezone property south of the . . . which is currently Rural Residential, rezone it to industrial and commercial uses. So what we are putting before you today is simply the text amendments for adoption and we will begin a process of public review of those new districts. We are not proposing to rezone any property today, with the amendments that are before you.

In April, we would hope to come back to you with the . . . for adoption with the Air Force Base zoning district and the Anti-Terrorism Force Protection Overlay district. In June, we would hope to come back with some amendments that we’re proposing to the existing airport overlay districts that exist at the north and south ends of the McConnell runway. And then finally, by September, after we’ve had an opportunity to hold some public meetings with the property owners to the south of the base. We propose to come back to rezone property in that area to the Industrial Park zoning.



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When these amendments were heard by the Metropolitan Area Planning Commission, at its January 4<sup>th</sup> meeting, there were no citizens present to express any views on the proposed amendments. The MAPC voted unanimously to recommend adoption of these proposed amendments. And with that, I'll be glad to take any questions you might have."

**Chairman Unruh** said, "Commissioners, are there any questions of Mr. Schlegel? Commissioner Parks."

**Commissioner Parks** said, "I would just like to say that I've looked over this plan and think it's a good thing to do. McConnell Air Force Base is an important part of Sedgwick County's economy. Not only that, it's an important part of our defense infrastructure and I think that we need to swiftly do what we need to assure the Air Force Base that we're in support of them. Thank you."

**Chairman Unruh** said, "Commissioner Welshimer."

**Commissioner Welshimer** said, "Well, most of this plat here for these changes is in my district, and I think this has been a subject of conversation in many arenas for quite a long while, several years as a matter of fact and I think that it's been well organized and orchestrated and covered our bases with the people who are affected by it. And I think we've done a good job with it and I would expect that that would continue so that it's not a big shock to our community when it actually takes place, so I'm going to support the changes today. Thank you."

**Chairman Unruh** said, "Okay, any other questions. Well we have a representative here from McConnell Air Force Base. Do you want to add anything to this discussion sir?"

**Lieutenant Colonel Mark McLean**, Director of Staff, McConnell Air Force Base, greeted the Commissioners and said, "Thank you for the opportunity to be here. I didn't have a prepared statement. I was here to answer questions if you had any or if there was a particular sticking point. It was a great opportunity for us to be plugged in with your Metro Area Planning Commission and to provide you the information to hopefully make a good decision for both the base and our defense infrastructure and also for the community at large, both the city at large and the cities affected and the county. So it's been an honor and a privilege and I'm glad to see the movement going in the

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direction you're going and I think that will bode well for the military value of McConnell Air Force Base now and in the future. Thank you."

**Chairman Unruh** said, "Well, I know that I surprised you, but I just wanted to recognize that you were here and I know that you've been involved in joint land use study since the very beginning, so appreciate taking time to be here. But we do have a comment from Commissioner Winters."

**Commissioner Winters** said, "Thank you. Just very briefly, I wanted to echo I think on behalf of the commissioners, Commissioner Parks comments. We recognize the value of McConnell Air Force to the community and we recognize its value in the national defense of our country, so we appreciate everything you all are doing. Thank you."

**Chairman Unruh** said, "Well commissioners, are there other questions or comments? What's the will of the Board?"

**MOTION**

Commissioner Norton moved to adopt the proposed amendments to the Wichita-Sedgwick County Unified Zoning Code, approve the Resolution and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Next item please."

**NEW BUSINESS**

**F. AGREEMENT WITH KANSAS DEPARTMENT OF TRANSPORTATION AND CITY OF WICHITA, KANSAS REGARDING INTELLIGENT TRANSPORTATION SYSTEM-ADVANCED TRANSPORTATION MANAGEMENT SYSTEM.**

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**Mr. Schlegel** said, “Back in January of 2002, this board approved a memorandum of understanding with the City of Wichita and with the Kansas Department of Transportation for the county’s participation in what’s called Intelligent Transportation systems for the Wichita/ Sedgwick County area. And that participation was driven by some federal grants that we were able to secure. The agreement, at that time, identifies six and a quarter-million dollars to be the local participation, local and state participation in developing those Intelligent Transportation system projects, 3.75 million of that six and a quarter million will come from KDOT and Sedgwick County and the City of Wichita will each contribute one and a quarter million dollars over the life of this program.

The agreement that is before you today is a supplemental agreement to that MOU and will authorize the expenditure of funds for the design of what’s called an advanced transportation management system and these are the types of systems that you’ve probably seen in other metro areas. I know they have one in the Kansas City Metro area where you’ll see the signboards out over the highway that give a warning to motorists when there’s an accident or an incident on the highway ahead and gives them the opportunity then to chose alternative routes rather than being stuck on the highway.

It’s also a system that can be used to control traffic signals throughout the metro area to help with the movement and the efficient flow of traffic within . . . over our metropolitan transportation system.

This ATMS would be controlled out of the traffic operations center, which is already being developed in the 9-1-1 call center and would provide information to the traveling public to emergency personnel, first responders and to the media.

On this particular project, the design of the advanced transportation management system, KDOT will be the lead agency but they will be coordinating very closely with local entities. They expect it will take them about 18 months to complete the design and they expect that sometime in the next three years we’ll start seeing deployment of this advanced transportation management system.

The total cost for this design phase is \$800,000 and the county’s share of the cost is \$100,000, so by your action today in approving this supplemental agreement you would be authorizing the county to be participating in this study to that extent and with that, I’ll be glad to take any questions.”

**Chairman Unruh** said, “All right, thank you John. The action today though, the money that would be approved is part of the 1.25 million dollar share, or is this in addition to that?”

**Mr. Schlegel** said, “No, this is part of the 1.25 million that you committed to back in 2002.”

**Chairman Unruh** said, “Okay, thank you. Commissioner Parks.”

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**Commissioner Parks** said, "Does this system include cameras at any locations?"

**Mr. Schlegel** said, "Yes, part of the system would be a system of monitoring cameras that would feed back to the traffic operations center, would allow controllers there then to make decisions about what kind of messages to display on the message boards. Also would help them once the City of Wichita is able to get the traffic signal control system in place to make changes in traffic control to allow the diversion of traffic, let's say off of I-135 onto to local streets."

**Commissioner Parks** said, "And that data is recorded somewhere then? Is there a recording system to the camera program?"

**Mr. Schlegel** said, "I would imagine that there would be some recording. I don't know how long they would keep those video tapes."

**Commissioner Parks** said, "That was going to be my next question."

**Mr. Schlegel** said, "I don't know enough about the system to be able to answer that."

**Commissioner Parks** said, "Okay, thank you."

**Chairman Unruh** said, "Commissioner Welshimer."

**Commissioner Welshimer** said, "We're sharing this with the city. Is the biggest part of this going to take place within the metropolitan area, within the city limits lets say? And are we a 50/50 participant and do we have that much within the county itself or is more of it, you know, a great share of it in the city?"

**Mr. Schlegel** said, "Well, of the geographic area, the metropolitan area and the population, the bulk of the population would be in the city of Wichita, yes. And the bulk of the traffic congestion would be in the city of Wichita. Now the shares on this particular project, the design of this ATMS is \$100,000 from Sedgwick County, \$220,000 from the City of Wichita and the remainder would be provided by KDOT."

**Commissioner Welshimer** said, "Okay, thank you."

**Chairman Unruh** said, "Commissioner Norton."

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**Commissioner Norton** said, “John, how soon will some of this Advanced Transportation Management System be in place? I’m worried about the downtown area as related to the arena, because it seems to me that part of the ability to control traffic and move people out of there will be the ability to control signalization, change all of the lights going one way to green to get traffic moving for an extended period of time. Number one, do we have any of those capabilities now manually, and second, is that something that might coexist about the same time the arena opens, as part of the ingress and egress problems we know we’re going to have.”

**Mr. Schlegel** said, “Well KDOT is talking about deploying this within about a three-year time frame, so it would be in the year after the arena opens, we would start to see this system being put in place and utilized. And yeah, that’s would be I think a great use for the system would be to help with controlling and helping to expedite traffic leaving from an arena event.”

**Commissioner Norton** said, “Well I just know in a lot of metro areas have just that exact same thing when they have big events let out and all the lights are green going out of certain arterials and it stays that way, they don’t change. And I’ve often thought, during like River Festival, it would be such a comfort to people if Broadway every light took you out of town for 15 minutes and people knew that. That it would control the flow of traffic, but it doesn’t happen. You get caught up and stop and then trying to turn and everything else.”

**Mr. Schlegel** said, “We do not have the capability right now and that’s what this system is intended to do, is to give us that capability to do the type of things that you’re talking about.”

**Commissioner Norton** said, “Is there any way to push up that first phase and start working on that in the core downtown area?”

**Mr. Schlegel** said, “You’re asking me to push KDOT harder?”

**Commissioner Norton** said, “Stranger things have happened in this world. It just makes sense that if that could be simultaneous with the arena and work all of that out, I mean we’re talking about parking, but along with parking is how do you get those people out of parking areas and out of the downtown as quickly as possible. It seems like it all ties together to me somehow.”

**Mr. Schlegel** said, “We’ll pass that along to KDOT, let them know that we have a sense of urgency about getting the system up and running, and hopefully they can respond to that.”

**Commissioner Norton** said, “That’s all I have Mr. Chair.”

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**Chairman Unruh** said, “All right, thank you. Commissioners, any other questions? What’s the will of the board?”

**MOTION**

Commissioner Winters moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Thank you, John. Next item please.”

**G. DIVISION OF FINANCE.**

**1. PRESENTATION OF THE THIRD REPORT OF THE ARENA SALES TAX OVERSIGHT COMMITTEE.**

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, “As you know, in 2005 the commission created the Arena Sales Tax Oversight Committee for the purpose of reviewing the receipt of revenues and the use of those revenues for the downtown arena, to assure that we were accounting for the revenues accurately and that we were spending the money in a manner that was consistent with the project that the voters approved on the ballot in 2004.

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The committee is chaired by Greg Sevier and has previously delivered to you two reports. Today, you have received the third report in your agenda packet and Greg is standing right behind me and he is going to now formally present that report to you and he'll be happy to answer any questions that you have about the deliberations of the committee."

**Chairman Unruh** said, "All right, thank you. Welcome Greg."

**Mr. Greg Sevier**, Chairman, Arena Sales Tax Oversight Committee, greeted the Commissioners and said, "Good morning, commissioner. As Chris said, our committee was formed a couple of years ago to review the receipts from the State of Kansas, from sales tax collections, to insure that they were properly accounted for in the arena project fund and to review the expenditures to make sure that they are as authorized by the project.

You have our report, dated January 31<sup>st</sup>. I'd like to first bring to your attention that we have three members who have recently left our committee and just want to thank them for their valued service: George Arnold, Jose Guterrez and Richard Shodorf, certainly want to thank them for the term that they served. We have three new members: Bradley Hawthorne, Tad Mayhall and Max Weddle, which joined our committee at our most recent meeting.

As you're aware, the original revenue and expenditure projections have been revised from 180-plus million to 201 million dollars. On page two of the report, you'll see the breakdown of the original construction costs and the revised estimate of \$201, 000,000 as of December, 2006.

Sales tax collections, you have a detailed sheet that shows monthly collections compared to the original project and the revised projection. As you can see, we've collected about \$113,000,000 from the State of Kansas for the sale tax collections. That goes through January, 2007. That's 17 months out of the 30 month collection period. That is about \$2,000,000 above what was projected with the revised projections from January of '06.

The county has expended about eight and a half million dollars for arena expenditures and have committee a little over \$9,000,000 for the arena to this date. In our last meeting, we reviewed expenditures. We noted that there were expenditures of \$37,000 paid to a P & A Sports and Entertainment Consultant to assist the Coliseum staff in preparing their management proposal. It was our recommendation that that expenditure not be charged to the arena. We did not feel that that was an authorized expenditure of the arena and that amount will be removed from the arena expenditures. Other than those expenditures, there was support and we were in agreement that all the expenditures charged to the project to date have been proper. Be glad to answer any questions you have about our committee and/or our report."

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**Chairman Unruh** said, "All right, thank you. How frequently does your committee assemble itself?"

**Mr. Sevier** said, "We've been meeting about every three months, and as the project continues to progress, we anticipate it will be more frequent than that."

**Chairman Unruh** said, "Okay. Part of your calculations, they tell us how many days are left till the tax goes off?"

**Mr. Sevier** said, "Well, it goes off the end of this year, so how many days till Christmas is I guess where we're going to be."

**Chairman Unruh** said, "Does Mr. Holt know that?"

**Mr. Ron Holt**, Assistant County Manager, said, "Three hundred and twenty-seven days, Mr. Chairman."

**Chairman Unruh** said, "Thank you, Mr. Holt. We want to keep everybody aware of that. Well, this looks like a very thorough report in that it, from what I can read and know of it, it looks like you guys are right on top of your responsibilities, appreciate your effort. Commissioners, are there any other questions or comments for Greg?"

**MOTION**

Commissioner Winters moved to receive and file.

Chairman Unruh seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**



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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Abstain
Commissioner Welshimer	Abstain
Chairman Unruh	Aye

**Chairman Unruh** said, “Well, that motion found approval then and thank you for that and Greg, be sure to thank your committee for their work on this. We appreciate their continued oversight. I think it gives not only the commission but citizens a sense of security, knowing that an ad hoc group of citizens are at work and doing due diligence in tracking those revenues. Thank you very much. Madam Clerk, please call the next item.”

**2. PRESENTATION OF QUARTERLY FINANCIAL REPORT FOR THE PERIOD ENDING DECEMBER 31, 2006.**

**POWERPOINT PRESENTATION**

**Mr. Chronis** said, “You have previously received this report, the quarterly report that we deliver to you after the end of the fiscal year. This one happens to be after December 31<sup>st</sup> of 2006. This is not an audit. I want to make that clear from the get-go. You will see the results of the audit and potentially some changes, although we have no reason to think any of them will be material, to the numbers that I’m about to present today. You’ll see that audit around the first of April. It is being conducted as we speak. But we wanted to give you the preliminary results for the year as soon as possible and so we have delivered this quarterly report to you, as we do after each calendar quarter.

And today I’d like to spend a few minutes just talking about where the county stands. We are indeed in pretty good shape I think you will agree. As you know, from a presentation that you received yesterday, we receive something on the order of 90% of county revenue from something on the order of 10% of the revenue sources that are available to us. And what we are identifying on this chart are most of those key revenue sources. Ad valorem taxes, you can see, have grown fairly steadily over the past three years to a total of \$112,000,000 in 2006. Motor vehicle taxes are a much smaller source, but still are a significant revenue source to us, producing about \$16,000,000. The sales tax that you see here is the 1 cent local option county tax that is used for county operations and for road projects. It is not the arena tax, which we are keeping segregated so as not to skew these charts and lead to misleading conclusions. You do see the arena tax identified separately there and in 2006 we received a total of \$81,000,000 from the funding source added to just under \$25,000,000 that we had received the prior year. As you just heard from Greg Sevier,

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that tax will expire at the end of this calendar year. This year we will receive another 80 to \$85,000,000.

Inter-government revenues produced about \$47,000,000 and a very slight increase over the prior year. And finally, . . . I'm sorry, charges for services produced right at \$100,000,000. Charges for services are fees that are paid by consumers for good or services that they receive from Sedgwick County. And finally, investment revenues increased fairly significantly, although it's a relatively small funding source for the county, but it increased to nearly \$11,000,000 in 2006 and that was a function of rising interest rates, which I'll describe to you in just a few minutes and an increased investment portfolio that results from those arena tax revenues that we have collected.

There are a variety of ways that we can talk about county expenditures. This chart sorts county expenditures by category, which is one of those ways. Personnel services costs the county right at \$150,000,000 in 2006. Approximately 7% larger than the number the prior year. The reason for the increase is in part pay adjustments for county employees, but it also is in part related to the start-up of the juvenile detention facility expansion, for which we added staff, and a variety of grant-funded programs in the Human Service area, for which we also added staff.

We added a small amount of staff, I believe also, in the Sheriff's Office. Contractual services increased in 2006 to \$122,000,000. That's a nearly a 10% increase and that's a function of the implementation of several alternative jail programs, inmate reduction programs at the jail, such as the day reporting program that you are well aware of. It also is a function of the county's assumption of the contract with Airtran from the City of Wichita and our receipt of reviews from the state to pay for that contract. The transaction associated with that caused us to book higher than normal expenditures in 2006, because the way the system works, we have to pay the matching funds to REAP. That gets booked as an expenditure and then we receive those monies back subsequently in quarterly installments, and so we've made all the payments that we're required to make to REAP. We haven't received all the money back, because we work on a state fiscal year.

Commodities expenditures, it's often surprising to folks, don't really amount to much. We don't buy a lot of stuff in county government. Commodities totaled about \$13,000,000 for the entire government for the entire year, and you can see from this chart that that's roughly the same year to year. Capital expenditures, capital project expenditures increased fairly dramatically in 2006 to about \$45,000,000. It looked like a dramatic increase, but if you look back to 2004, the green bar on this chart, you'll see that in fact we have been running traditionally at about 40 to 45 million dollars a year in capital expenditures. 2005 actually was the anomaly because it was a year in which we spent a little bit less than we normally do on capital projects. And finally debt service payments have been relatively flat over the last several years. They stand at about \$20,000,000, just a little bit under \$20,000,000. But we do expect debt service expenditures are going to increase over the next several years, as we sell what for us is a relatively significant large amounts of debt

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for the jail expansion and for the Jabara Technical Training Complex.

Another way of categorizing expenditures is by function. The categorical expenditures, in essence, looks at what the county buys with its money. The functional examination looks at what the county does, what kind of services it delivers with its money. You can see that the largest single category, the largest single function of county government is public safety. This includes the Sheriff's Office, the Corrections Department, the Fire Department, EMS, the courts, the District Attorney all are included in Public Safety. And public safety expenditures . . . I've got to the right slide reference here, public safety expenditures totaled \$122,000,000 in 2006, up about 5% over the prior year. The second largest category of expenditures is general government, which is a catchall if you will of anything that isn't recorded in any of those other functions that you see there. It is the county commission, the finance department, the county's computer system, but it also is payments to W.S.U. for the county mill levy, it's payments for county debt service. All of those things are considered general governmental expenditures and those totaled \$91,000,000 in 2006, up about 6% over the prior year.

Health and welfare is the third largest category, at about \$67,000,000 and it was up only slightly over the prior year. Public Works actually had the largest growth in percentage terms, the 4<sup>th</sup> largest functional expenditure of the county, at about \$37,000,000. That includes the maintenance of roads and bridges and storm water systems and the solid waste program, but it also include capital projects related to roads and bridges and storm water facilities.

Culture and recreation increased significantly in 2006 also, to a total of \$18,000,000. That's a function of the county assuming responsibility for payments to Exploration Place and increased payments to Cowtown in 2006. And finally community development increased to about \$13,000,000 also in 2006 and that's a function of the assumption of the Airtran contract.

One of the things that I know you're interested in, in the quarterly report, is the identification of departments that we expect to exceed budget and what we are doing to prevent them from exceeding budget, or at year end, the departments that actually did exceed budget. This slide shows all of those departments. The result of combining expenditures and revenues is fund balance and this chart shows you, in the bars, the actual level of fund balance for each of the major fund groups in our financial system. The red dots identify the targeted, the minimum balance level that is established by county policy.

For the general fund, which has the largest fund balance, we ended the year with \$39,000,000. The policy that we have established which says that fund balance at the end of each calendar quarter should be equal or exceed 20% of budgeted expenditures, that target is approximately \$31,000,000. For special revenue funds, which as you know are funds that are used to account for revenue sources that can only be used for a particular purpose, such as EMS fees that can only be used to

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fund the ambulance service. Those special revenue funds had a fund balance of \$24,000,000 at year end, compared to a policy minimum and the policy here is for the target to be 5% of budgeted expenditures. The policy is about five and a half million dollars, so there's a significant amount of excess fund balance in the special revenue funds, but it is not discretionary to the county, because those fund by their nature can only be used for defined purposes.

Much of that excess fund balance, excess over our target, is attributable to grant funds, where we have a grant that we are receiving on a state fiscal year basis and we're accounting, at this point, for fund balance on a county fiscal year basis, so we are at the six month point in the state fiscal year and so we have received significant amount of grant revenue that we are expected to spend over the last half of the state fiscal year, and so you can always expect to see relatively large fund balances in the grant funds at year end.

Debt service has a fund balance of just a little bit over \$1,000,000, which is right on target. The Enterprise fund, which is the Coliseum, has a very small fund balance of about \$230,000, which again is right on target. Internal service funds are primarily the fleet management fund and the county's health fund, and they have a combined fund balance of \$12,000,000, compared to a target of \$2,000,000. Most of the excess, if you will, is attributable to the fleet management fund, which accumulates payments from the users of the fleet that are intended to establish a reserve for future replacement of those vehicles and so we maintain a relatively large and rolling balance in the fleet management fund that is used to pay for future replacement costs.

In 2006, our replacement costs were at a relatively low level, compared to prior years. It will be that reduction from the norm will be offset by increases over the norm in the next several years and so this fund balance we expect to be drawn down closer to the target level in future years.

And finally, capital project funds have a fund balance of about \$7,000,000 and there is no policy target for capital project funds, because they are typically funded with dedicated funding sources that are sized to the specific project, we sell bonds in the amount we need the bonds for a project, or we transfer funds from the general fund to the capital projects fund to pay for defined projects of particular amounts of money, so we don't expect to normally carry large fund balances in that fund. The amounts of fund balance that you see there are funding sources that have been made available for projects that are in process at yearend.

One of the things that we have spent a fair amount of time talking about over the past year or so is the county's debt level and the implications of plans for future debt or potential projects that might be financed with debt. The county has established a policy which sets the county's debt capacity, the county's debt limit using five different ratios, which are commonly identified by the rating agencies and the financial markets as indicators of an issuer's ability to incur and repay debt.

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The first of those ratios, ratio one on this chart, is the per capita direct debt. It is the debt that has been issued by Sedgwick County divided by the number of people in Sedgwick County. The ratio is for that debt to be no more than \$500 and you see on this chart that we are well under that limit. In fact, we are at about 65% of that policy limit.

The second ratio is again related to the county's debt, but it also takes into consideration the other public debt that has been issued in Sedgwick County and that is supported by Sedgwick County taxpayers. The idea is that Sedgwick County taxpayers have a limited ability to support public debt and that debt may be issued by Sedgwick County or it may be issued by another governmental entity. It's important that we be cognizant of the total debt burden that is borne by the taxpayers, as opposed to merely the debt burden that has been created by Sedgwick County.

Our policy sets that debt at \$3,000 per capita and you see here the brown bar at the top of the . . . the brown section at the top of the bar indicates that most of the debt that has been issued in Sedgwick County has been issued by somebody other than Sedgwick County. But even at that, we stand at less than 90% of the limit that is established by the ratio.

The third ratio relates the county's debt to the market value in Sedgwick County. It is that market value that provides the support, the backup if you will, for the debt that we've established and so it's important to us and it's important to the financial markets to know to what extent we're relying on the owners of property to support debt. The ratio says that direct debt issued by Sedgwick County should not be more than one and a half percent of the total market value in Sedgwick County. You see from the ratio three that we are at less than half of the debt capacity that we could issue, according to that threshold, so we have plenty of capacity looking at the measure.

The fourth ratio again looks at debt in relation to market value, but here again we're looking at all municipal debt issued in Sedgwick County, whether by Sedgwick County government or by some other governmental entity and again you can see from the brown segment on this bar that most of the debt has been issued by school districts or smaller cities, not by segment on this bar that most of the debt has been issued by school districts or smaller cities, not by Sedgwick County but the threshold here is that total public debt should not exceed 6% of market value in this community and we are at, right now at about 80% of the debt that we could issue and stay at the 6% threshold.

And finally, the fifth ratio looks at debt service, principle and interest payments that the county is obligated to make in relation to budgeted expenditures. The policy says that those expenditures should not exceed 20%, I believe it is, if I can find my reference here, yeah 20% of budgeted expenditures and we stand right now at slightly over half of the amount of debt service that we could bear under the policy and still be okay, according to the financial markets.

When you put all those together, what does it mean for us? Well, you see in the little chart off to

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the right what the county's debt capacity is, that is how much additional debt can the county issue and stay under each of these thresholds. At the end of 2006, the county had \$79,000,000 of excess, of un-issued debt capacity. That's on top of about \$155,000,000 of debt that we had outstanding at December 31<sup>st</sup>. We expect to issue bonds in 2007 for the Jabara Technical Training Complex and for the jail expansion and there are a couple of smaller projects that we expect to issue debt for as well.

At the end of 2007, we are anticipating that the debt capacity, that is the un-issued debt that the county has available within these limits, will be \$11,000,000. In 2008, our current plans call for us to issue additional bonds to pay for the jail expansion and I believe some bonds for drainage projects as well and if we do that in 2008, you see on this chart that at December 31<sup>st</sup> our debt capacity, our un-issued debt capability is at less than \$2,000,000. In other words, over the next couple of years, we're going to be bumping right up against our debt ceiling and that has been something that we have talked about for a couple of years now and it's something that we have planned for and it is not a problem for us. The problem for us comes to the extent that we exceed the ceiling. The ceilings have been established based on what the markets say a jurisdiction of Sedgwick County's size and wealth can support.

If we go higher than that, the markets start to look negatively at us. They start to think that we've overburdened our taxpayers, but if we stay within that level, we should be okay. After 2008, our plans call for and our projections show that our debt capacity will start to increase again and that's based on the current plans, because you know we're working on the capital improvement program right now, we've just started working on it and so it's possible that our current debt plans will change, based on projects that may have surfaced in the past year that we haven't yet considered, but at this point we think that we're in pretty good shape from a debt perspective for the next several years.

The county invests significant amounts of money and you know from the quarterly investment reports that we deliver to you that those amounts of money increase and decrease according to the tax collection cycle. At the end of 2006, the county had \$487,000,000 invested and you see on this chart what the makeup of those investments are. You have adopted an investment policy which sets standards and practices that are acceptable for us to follow in investing county cash. That policy is one of a handful of municipal debt policies that has been approved by the state, and under state law that means that Sedgwick County is able to invest in a broader array of securities than most local

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governments are. That serves our purposes well because it allows us to diversify our portfolio much broader, much more broadly than most local governments are able to and that provides security for our program.

You see here the composition of our investment portfolio. Most of our investments are in various securities issued by the federal government, but at yearend, we had a significant portion in the municipal investment pool, in short term investments and an even larger portion in re-purchase agreements, which are generally overnight investments that we make through our bank. The reason for a significant amount of short-term investments at December 31<sup>st</sup> is that we're sitting on, we're investing significant amounts of property taxes that have been paid by taxpayers to the Treasurer as of December the 20<sup>th</sup> and will be remitted to the various governments that levied those property taxes on January the 20<sup>th</sup> and in that intervening period the county is able to invest that money and use the interest income to defray our cost of the tax collection system. So we are sitting on a fairly healthy investment portfolio, but it's invested for a fairly short period of time because we expect to pay that money out to various local governments soon after the end of the year.

This chart illustrates perhaps more effectively the ups and downs of our portfolio through the year and what we're showing here is actually two years of data. At the end of each calendar quarter you can see what our portfolio was and you can see on the red line what our investment yield was. What the chart shows you is that in December and June, very predictably, our portfolio increases because we have just collected property taxes and those taxes haven't yet been distributed to the local governments that levied them. In the other quarters, our portfolio is much lower and essentially what we're investing in those quarters is the county's operating cash. The red line showing investment yield illustrates that we are still in a upturn of investment rates that has been continuing for several years now after investment rates bottomed out earlier in this decade, around 2001/ 2002. At the end of 2006, we earned about 5.01%, just over 5% on county investments.

Finally, I want to discuss with you a few items that are on the horizon that may have an impact on the county's financial condition in the coming months or years, and most of these we have talked about before and so I'm going to go over them very quickly, but for people who might be watching in who are less familiar with what the county is involved in I do want to make sure that these things are mentioned. First, we've talked about jail expansion. As you know, the county is involved right now in expanding the jail by 380 beds. That is a \$50,000,000 project that is expected to be

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completed in 2009. Once it is completed and the county will finance that expansion with the proceeds of a bond issue, so we will have 20 years of principle and interest payments to repay that debt, in 2009 when we open the facility the real cost hits us. It will cost us somewhere between seven and eight million dollars a year to operate that expanded jail, and so that certainly has an impact on the county's future budgets.

To address jail population problems, we also have initiated a series of programs that are intended to reduce the inmate population going into the jail. We've spent a fair amount of time talking with you about those programs also. Some have already been implemented and are reflected in the year-end financial results. Others are still to be implemented in the next year or two, and there is some discussion now as you know about the pace at which we implement some of those programs and we'll continue to have those discussions.

Work Force Development is a new initiative of Sedgwick County, over the past several years we have assumed responsibility for technical training in Sedgwick County. We are in the midst of developing the Jabara Technical Training Complex. That is a \$40,000,000 project. That's the estimate on the project costs now. That is to be financed principally with debt to be issued by Sedgwick County. The future operating costs of that facility are expected to be supported by the tenants in the building and by the students who are taking classes in the building, so we don't expect the future operations to have a significant impact on the county's budget or funding obligations.

GASB 45 is something that you have heard about I'm sure but we haven't spent a lot of time talking about. GASB is the entity that establishes accounting rules for the public sector. When you hear reference to GAP or to generally accepted accounting principles, those come from GASB, which is the Governmental Accounting Standards Board. In effect, they are the accounting gods and they have promulgated a rule which says that starting in 2000 . . . for fiscal years ending in 2006, which Sedgwick County is one of, we have to start fully accounting for the cost, the future cost of health benefits that we provide to people who have left Sedgwick County. The state law requires Sedgwick County to provide continuation of health benefits to retirees until they reach age 65. we provide that to them at their cost, that is they pay the full premium, but there is an imputed benefit to those people, because as people get older it's well understood that the cost of health services that they receive very often is higher than the cost of the premiums that they pay for those services. GASB 45 requires us to perform an actuarial study and start to book those costs that imputed cost that Sedgwick County is bearing on behalf of those retirees. We don't yet know what that cost is going to be. The actuarial study is in progress right now. We don't think that it's going to have a significant impact on county finances and most importantly, I want to let you know that it's not something that we have to fund. It will show up on our financial statements however as a new liability and a liability you haven't previously seen in the health fund and to the extent that we



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chose not to fund that liability and I certainly don't think I'm going to be recommending that we fund it, it will result in a negative fund balance in that fund and so that's something that we're going to be talking about more as we get that actuarial study back around the first of March and then as we discuss the audited financial results with you.

Storm water management, so of you I'm sure are familiar that there is a task force that was established by the Managers of Sedgwick County and the City of Wichita several years ago and the offshoots of that task force are continuing to work and have produced . . . or are in the process of producing a report which recommends that Sedgwick County assume the responsibility of providing guidance to the small cities and the special purpose drainage districts in Sedgwick County to address drainage problems that exist throughout the county. That recommendation, I'm expecting, will come to you later this year and in it's current form it suggests that Sedgwick County should assume a funding obligation that we don't currently assume. And so to the extent that you receive that report and you look favorably on those recommendations, there is likely to be a fiscal impact that will effect the county's financial condition.

The Homeless Task Force similarly is considering alternatives for addressing the homeless population in this community and they are producing a report, which is likely to have recommendations which in one way or another may recommend that the county assume burdens that we haven't previously assumed and those will have cost implications. And finally, the legislature is in session and we are fair game. They may take any action that will have a financial impact. Those impacts may be positive. For example, there's some discussion about the restoration of LAVTR, Local Ad Valorem Tax Reduction funding for local governments. Those actions may be negative, such as the abatement or exemption of taxes on business machinery and equipment that took place last year and that we estimate will cost Sedgwick County approximately \$11,000,000 when it is fully implemented in three or four years from now.

That concludes this quarterly report. We expect to do similar reports at the end of each calendar quarter going forward and as I said at the outset, we will be coming back to you around the first of April with the audited financial statements for 2006, which will reflect the information that I've just given you, as finally audited by Allen Gibbs and Houlik. If you have no questions, I would recommend that you receive and file this report and if you do have questions, I'll be happy to try and answer them."

**Chairman Unruh** said, "Thank you, Chris. A lot of information, very comprehensive, I appreciate the presentation, but we do have some questions. Commissioner Welshimer."

**Commissioner Welshimer** said, "Well, in this presentation, I don't see where we covered for instance where we finish with the money we've appropriated now for the jail. At some point in the future, we're not going to have that covered, either by debt, unless we borrow more. It seems to me

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that future jail expansion or prevention programs, if we've reached our debt limit, are going to have to come from property tax. It also seems to me that the arena, once that one cent sales tax is gone we're obviously going to have some expenses, probably will not operate at a profit, so if we've received our debt limit, then we'll have a property tax problem for the arena.

Also, I missed it if there's some appropriation for phase two at Jabara or is that going to be out of the debt limit and falling over on property tax?"

**Mr. Chronis** said, "The answer to each of those is that they are future issues that we will be addressing. They have not been factored into the financial reports that we've given you today. To the extent that we do any or all of them, they could have an impact on either the tax rate for the amount of debt that the county has outstanding. The jail expansion is fully funded within our current long-range financial plan. The next expansion, which I think you're referencing, is not something that we've attached any numbers to. We don't know when it will take place. We don't know how large it will be. We don't know how much it will cost, and so it is not in the plans and you're correct, to the extent that we finance that expanded or new jail with debt, it addresses our debt capacity. To the extent that we have to operate it, or to the extent that we chose to pay for it with cash, it affects the property tax.

The future operating costs of the arena we expect to be paid for with the revenues earned by the arena and with the proceeds of the arena sales tax that are set aside in the arena operating reserve, and as you know, that reserve currently stands at \$14,000,000. That's what we expect it to be when the project is complete. That \$14,000,000 may be drawn down to the extent that the county elects to construct parking facilities, to the extent that there is any sales tax left at the end of the project, those will go into that reserve and they'll be used to defray future operating deficits, should they occur at the arena. We also have the proceeds of naming rights for the arena and we're in the process right now of marketing those naming rights. That will produce a significant amount of future revenue for Sedgwick County and that future revenue also will be deposited into the operating reserve and used to offset future operating deficits, should they occur. The bottom line is that our current forecasts don't suggest that the arena is going to require any property tax support, at least for the foreseeable future.

The third project that you mentioned is the Jabara Technical Training Complex and you're correct, phase two of that project, which is the construction of additional facilities to serve the training needs of industries other than aviation, that element of the project has not been factored into our financial plans at this point, nor has the county commission taken any step to say definitively that there's going to be a phase two. At this point, phase two is something that has been discussed and it's certainly something that appears to be desirable to the community, but I think the expectation has been that we're going to complete phase one and make sure that it works as we expect it to work, that is it produces the success stories that we expect it to produce before we make a decision

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about proceeding with phase two.”

**Commissioner Welshimer** said, “Thank you.”

**Chairman Unruh** said, “Is that all, commissioner? Okay. Commissioner Parks.”

**Commissioner Parks** said, “Just to clarify a couple of things. A \$49,000,000 jail is now a \$50,000,000 jail, or is that just rounding something up or what?”

**Mr. Chronis** said, “The project cost estimate was, my recollection is slightly under \$48,000,000. The cost of financing, the issuance cost of the bonds had been estimated to be between one and two million dollars, and so for talking purposes, when we talk about debt, we’ve talked about \$50,000,000 in debt.”

**Commissioner Parks** said, “And is there anything in the next 20 years that is going off that would be significant that we need to know about? Any of the bonds that are expiring or anything that’s been refinanced or anything that would be a relief there to that bonded indebtedness, as I call it?”

**Mr. Chronis** said, “One of the features, one of the requirements of our debt policy is that we have a rapid debt repayment schedule. We are required to structure our debt so that 50%, 60% I’m sorry, is repaid within ten years, and so each year there is debt that is being repaid, that goes off of the rolls, and so each year our debt capacity increases by the amount of that debt that has been repaid. The reason, after 2008, the reason that we expect the debt ceiling to start to increase again is that each year we’re paying off some debt and we don’t have debt issuances plans in those years equal to the amount of debt that we’re paying off. There is not, to my knowledge, any single year in which there is a significant amount of debt that is repaid in that one year. It is fairly uniform across time.”

**Commissioner Parks** said, “So you don’t know of any multi-million dollar projects that are going to expire right off?”

**Mr. Chronis** said, “Typically, the county issues 20-year debt for county projects. We sold debt for Exploration Place in 1997. It will go off the books in 2017. We sold debt for the jail in 1998. It will go off the books in 2018. We sold debt for the first jail in I believe it was 1991, I’m not sure, is that right? And so it will go off the books in 2011. But in each instance we’re repaying a portion of the debt for those projects each year. We issue the debt so that it matures, a portion of it matures each year over that 20 year period. We don’t pay interest for 20 years and then, in the 20<sup>th</sup> year pay

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off all of the debt that we originally issued.”

**Commissioner Parks** said, “Where any of those, that first jail or second jail expansion, refinanced when the rates were favorable?”

**Mr. Chronis** said, “Yes. In 2003 we did the last refinancing that we’ve done and that refinanced all but one of the issues that had been done prior to that date.”

**Commissioner Parks** said, “But the years remained the same on that.”

**Mr. Chronis** said, “The term of the repayment remains the same, the required payments reduced.”

**Commissioner Parks** said, “Thank you.”

**Chairman Unruh** said, “Okay, Commissioner Winters.”

**Commissioner Winters** said, “Thank you. Chris, you made a comment. I think I understood, I’m not sure you said all of it though. When we were talking in response to Commissioner Welshimer’s question about the current jail expansion that we’re about to start on now is fully funded within our current long-range financial plan. But that current plan to finance that does call for a mill levy increase over the period of the time of that, is that correct?”

**Mr. Chronis** said, “Yes, that’s correct and I apologize for misleading you on that.”

**Commissioner Winters** said, “Right, because what this new jail expansion is is going to require between 2008 and 2012 \$93,000,000 of new spending to finance that project. I mean, it’s new money. That’s money we don’t have and so public safety and this jail expansion, in my mind, is going to be the thing that’s driving our financial long-range plan, and that’s the issue, that’s the subject I think we need to discuss and you know, previous commission, after listening to Sheriff Steed for probably a year and a half or so talking to us in a number of situations, including several workshops, decided that we were going to go ahead with that project. But again, in my understanding, that’s the issue that’s going to be driving us in the future. Nothing else. Thank you.”

**Chairman Unruh** said, “Thank you, Commissioner, appreciate you making that point. Anything else, commissioners? Chris, I just want to make the observation or have it restated, our debt limit policy, those ratios that you spent some time discussing earlier are self-imposed, in order that we can have the best rates on our bonds that are being sold?”

**Mr. Chronis** said, “That’s correct, that’s correct. The state imposes a debt ceiling on all county

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governments. That debt ceiling is 3% of assessed value in the community, but the state laws, the various state laws that have been adopted provide many, many exceptions, many, many exclusions from that measurement and so as a practical matter, it is irrelevant to the financial markets because there is so much debt that can be issued outside that statutory ceiling. And so to have limits that are more relevant to the financial markets, we have established in this policy the five ratios that I discussed, which are as I said, the ratios that are most commonly looked at by perspective investors and by credit rating agencies. We have set the targets, the thresholds in those policies at the levels that the market has told us it considers to be acceptable for a jurisdiction of our size and wealth. To the extent that we exceed those targets, as I indicated, the credit rating agencies and potential investors start to look more negatively at our bond issues, and they will require higher interest rates to justify what, in their minds, is a higher risk of our investments, of investing in our bonds.”

**Chairman Unruh** said, “Okay, thank you. Well, and two of those ratios are actually computations of debt that we don’t control.”

**Mr. Chronis** said, “That’s correct.”

**Chairman Unruh** said, “I mean, the other communities . . .”

**Mr. Chronis** said, “That’s correct, but that’s what they look at. They quite correctly understand that the people who are on the hook for Sedgwick County government’s debt are also on the hook for debt issued by lots of other governments and they only have so much funding that they can provide to support municipal debt, so either we get a piece of it or somebody else gets a piece of it, but in aggregate we can’t exceed that threshold.”

**Chairman Unruh** said, “All right, thank you. Well, if I were an investor, I would want to know that ratio, but as a . . . I mean, as a county commissioner, I hate having somebody else influence my planning but I guess that’s the reality of the situation. So commissioners are there other comments, questions? If not, is there a motion to receive and file Chris’ report?”

### **MOTION**

Commissioner Welshimer moved to receive and file.

Commissioner Winters seconded the motion.

**Chairman Unruh** said, “Any discussion on the motion?”

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**Commissioner Parks** said, “I see another workshop.”

**Chairman Unruh** said, “Well, we can schedule that if we need more discussion. Hearing no other discussion, Madam Clerk, would you call the vote please.”

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Mr. Chronis** said, “Thank you, Commissioners and before I leave, I should have noted earlier that the heavy lifting for preparing this report was done by Troy Bruun the Deputy CFO and by Chris Duncan in the Budget Office and by Ann Smarsh in the accounting department and by David Miller, the Budget Director and I certainly express my appreciation to them for making me look good once again.”

**Chairman Unruh** said, “Well, thank you and I noticed they’re present in the room to help you in case you got in trouble, so thank you all for your good work. Madam Clerk, please call the next item.”

**H. RESOLUTION AUTHORIZING APPOINTMENTS TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD.**

**Mr. Michael D. Pepoon**, Assistant County Counselor, greeted the Commissioners and said, “Pursuant to the requirements under the Americans with Disabilities Act, Sedgwick County like all units of local government are required to have their facilities and programs assessable to persons with disabilities. And being in compliance with the Americans with Disabilities Act is something that Sedgwick County takes very seriously and we are currently in the process of revising our self-evaluation and transition plan to make sure that our facilities and programs are in compliance.

During this process of reevaluating this, we are required by law to get input from the disability community when developing these plans and one way to do this is to create an access or a disability advisory board to seek input from the disability community. The City of Wichita has had such a board in place for a couple of years and the city manager has very graciously invited Sedgwick

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County to join their board, so we don't have to create our own board, and this resolution you have before you today would make this a joint board and allow Sedgwick County to have seven additional appointments to this board. Each county commissioner would have one appointment, the county manager has one appointment and our ADA coordinator Bob Bing is also in the back of the room, that would be the other county appointment to this board, so I would respectfully ask you to adopt this resolution, be happy to answer any questions you might have."

**Chairman Unruh** said, "Okay, thank you Mike. Commissioners are there any questions about the resolution? About the process? Well, I think it's evident that we need to participate in this to get our buildings up to speed and respond to the needs of those with disabilities, so I'm going to be supportive, but commissioners, could I have a motion?"

### **MOTION**

Commissioner Parks moved to adopt the Resolution, and direct the County Clerk to publish the Resolution once in the official County newspaper.

Commissioner Welshimer seconded the motion.

**Chairman Unruh** said, "Any discussion?"

**Commissioner Parks** said, "Now, is there presently a consultant on board for this, or has there been a consultant already paid for, that portion is done?"

**Chairman Unruh** said, "I think we have a staff person leading this, is that correct, Mike?"

**Mr. Pepoon** said, "Well, we do have . . . we have contracted with, or . . . I don't know, consult or contracted, we have contracted with Disability Management group that are in the process of currently reviewing all of our facilities and programs and will come back with a report that you'll be receiving in the next month or so and be advising us on further actions on this."

**Chairman Unruh** said, "All right, thank you. Does that answer the question, commissioner?"

**Commissioner Parks** said, "Yes."

**Chairman Unruh** said, "All right, thank you. Is there any other discussion on the motion? Hearing none, call the vote please."

### **VOTE**

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Thank you, Mike. Next item please.”

**HEALTH DEPARTMENT**

**I. AGREEMENT WITH UNIVERSITY OF KANSAS SCHOOL OF MEDICINE- WICHITA MEDICAL PRACTICE ASSOCIATION TO PROVIDE COLLABORATIVE SERVICES RELATED TO TUBERCULOSIS AND OTHER INFECTIOUS DISEASE CONTROL.**

**Ms. Claudia Blackburn**, Director, Health Department, greeted the Commissioners and said, “Before you is an agreement with the KU Medical School- Wichita Medical Practice Association, which is the contracting arm of KU for physicians and Sedgwick County for physician and x-ray services to support the tuberculosis program at the Health Department and also provide expert knowledge regarding other infectious disease issues that we may deal with. The proposed agreement provides an infectious disease doctor four hours a week to provide medical services to clients who have active tuberculosis or suspected tuberculosis or infection with TB but no active disease. He also assists with medication issues that patients experience while they’re on treatment. Dr. Means, the contract physician, is available to provide expertise and guidance on infectious disease issues that also arise for the Health Department, such as West Nile Virus, rabies cases or rabies exposure and other reportable communicable diseases.



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In addition to the physician services, this contract also provides \$10,000 for x-rays for our TB clients and we do hundreds of x-rays a year and the x-ray portion of this contract is funded through a grant. The physician portion, which is \$40,000 is funded through local dollars. Just to give you an idea of our tuberculosis problems here in Sedgwick County, we do have the most cases in the state. We had, in 2006, 25 cases out of 81 in the state and another 783 people that were infected with tuberculosis but they were not active cases, they weren't spreading the disease.

Now just yesterday, the Kansas Public Radio station was down at our place visiting with a patient, one of the nurses and Dr. Means, to do a story on tuberculosis and that will air in a couple of weeks on KMUW. And if I get more information about exactly when that will air, I'll let you know. But the patient, in the process, talked about how much better, it was a patient and his mother, talked about how much better they were feeling after they received treatment, because they were quite sick from active pulmonary tuberculosis, so it's an important program. We have a good relationship with Kansas . . . with University of Kansas School of Medicine and I recommend that you approve the agreement and authorize the Chair to sign."

**Chairman Unruh** said, "All right, thank you Claudia. Commissioners, are there any questions about this agreement?"

**MOTION**

Commissioner Winters moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Parks seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Claudia. Next item please."

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**DIVISION OF HUMAN SERVICES- DEPARTMENT ON AGING**

**J. AGREEMENTS (TWO) TO PROVIDE COMMUNITY SERVICE COORDINATION AND PUBLIC BENEFITS OUTREACH.**

- 1. EFRAIM LUJAN**
- 2. JODY LUJAN**

**Mr. Ray Vail**, Finance Director, Department on Aging, greeted the Commissioners and said, "I'm here today to present you two contracts. One contract for community service coordination and the other for public benefits outreach. The contract for community service coordination is a renewal of a service that the department currently provides to assist older adults with attaining services and the public benefits outreach contract would allow us to continue a service that the current contracted provider no longer wishes to do. I ask that you approve these contracts and authorize the chair to sign, and I'll answer any questions."

**Chairman Unruh** said, "All right, thank you Ray. These are service currently . . . that we're currently providing."

**Mr. Vail** said, "Yes, they are."

**Chairman Unruh** said, "And changing the vendors then, is that . . .?"

**Mr. Vail** said, "Yes, on the public benefits outreach, that provider no longer wishes to do that service."

**Chairman Unruh** said, "Okay. Commissioners, any questions? What's the will of the Board?"

**MOTION**

Commissioner Winters moved to approve the Agreements and authorize the Chairman to sign.

Commissioner Parks seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Ray. Next item please."

**K. DIVISION OF HUMAN SERVICES – COMCARE.**

**1. AGREEMENT WITH SUMNER MENTAL HEALTH CENTER FOR COMCARE TO PROVIDE AFTER HOURS MENTAL HEALTH EMERGENCY SERVICES.**

**Ms. Marilyn Cook**, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, "This is a renewal of an agreement with Sumner Mental Health Center in Wellington to provide after-hours crisis intervention services for Sumner County's Community Mental Health Center there.

We've been providing these after-hour services for this county for several years now and the arrangement has been mutually satisfying. Our crisis program staff took 946 calls for Sumner County in 2006, for an average of 77 calls a month. One such call occurred in late December, not even a month ago, when a woman called in who had overdosed after taking about 50 of her anti-anxiety meds, very serious situation. The clinician working that evening was able to engage the woman in a conversation while she signaled someone else in the crisis center to dial 9-1-1 and to trace the call.

The clinician found out that the woman was not calling from home and she related that information to the Sumner County dispatch folks. The caller started to get pretty sleepy by the end of this contact, but the clinician did keep her responsive and able to keep her alert until EMS arrived. So it's just an example of some of the situations we find ourselves in, in negotiating these services for other counties, but we have been able to do that successfully. We recommend that you approve the agreement and authorize the Chair to sign and I'll be happy to answer any questions you might have."

**MOTION**

Commissioner Norton moved to approve the Agreement and authorize the Chairman to sign.

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Commissioner Winters seconded the motion.

**Chairman Unruh** said, “Well, the example you gave is a clear example of how important this service is so I think we’ll be very supportive. Is there any other comment or question, commissioners? Call the vote please.”

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Next item.”

**2. LETTER OF AGREEMENT WITH SUNFLOWER FOUNDATION TO USE A \$10,000 GRANT FOR STRATEGIC PLANNING SERVICES FOR COMCARE.**

**Ms. Cook** said, “Commissioners, this is a \$10,000 grant for strategic planning that we receive from the Sunflower Foundation. The planning will be facilitated by staff from the Self-Help Network and the goal of the planning is to be able to define the strategic direction for COMCARE, with a focus on building our capacity and improving our efficiency in delivering mental health and substance abuse services.

We’re facing some pretty dramatic changes this year, with changes that are occurring with the implementation of the new Medicaid state plan and this planning will position COMCARE to thrive in that new Medicaid environment. The plan is grounded in a lot of stakeholder involvement and input and we’re anxious to be in the process. We recommend that you approve the agreement, and authorize the Chairman to sign it.”

**Chairman Unruh** said, “Thank you. Any questions? What’s the will of the board, commissioners? Commissioner Parks.”

**Commissioner Parks** said, “Just wanting to know a little bit about Sunflower Foundation. What’s the history on that?”

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**Ms. Cook** said, "It's a state organization that provides funding for a lot of activities. They have an announcement one time a year, where there is a call for RFPs to distribute money that they receive and it has funded, when we looked at the list of funded projects in the past, a lot of strategic funding was funded through this project. They fund sometimes one time projects for organizations, so we took a stab at it. This is the first one that we've received from them."

**Commissioner Parks** said, "So is it a 501 company instead of a government agency?"

**Ms. Cook** said, "I don't know that, sir."

**Commissioner Parks** said, "Okay, thank you."

**Chairman Unruh** said, "Commissioners, are there any other questions? What's the will of the board?"

**MOTION**

Commissioner Parks moved to approve the Letter of Agreement and authorize the Chairman to sign.

Chairman Unruh seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Next item."

- 3. ADDITION TO THE FLEET OF A 2007 CHEVROLET EXPRESS 3500 EXTENDED PASSENGER VAN, TO BE USED BY COMCARE FOR HOMELESS OUTREACH SERVICES.**

**Ms. Cook** said, "COMCARE's homeless program submitted a revised budget last fall to SRS for

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PATH grant funds and that stands for Projects for Assistance in Transition from Homelessness. We've been getting those funds for a long time. We've received approval of purchase of a van to be used by Center City Outreach case managers. And in addition to the outreach work that they would be utilizing the van for, the van will be used to transport active PATH grant or homeless clients to doctor appointments and therapy appointments. One of the conditions of this is that Center City staff will be required to maintain a log of all trips that they make using the van and to track their mileage. We are recommending that you approve the addition of the van to the county fleet."

**Chairman Unruh** said, "All right, Commissioner Parks."

**Commissioner Parks** said, "This is an additional van then?"

**Ms. Cook** said, "Yes, sir."

**Chairman Unruh** said, "It's not a replacement."

**Ms. Cook** said, "No, it's an additional one to be used for outreach."

**Commissioner Parks** said, "And no additional personnel needed to operate this."

**Ms. Cook** said, "No."

**Commissioner Parks** said, "Also, the bids will be going through fleet in a normal process in utilizing in-state and preferable in-county vendors."

**Ms. Cook** said, "Yes. We went through the fleet management program to process this."

**Commissioner Parks** said, "Thank you."

**Chairman Unruh** said, "Any other questions? What's the will of the board?"

**MOTION**

Commissioner Welshimer moved to approve the addition to the fleet.

Commissioner Parks seconded the motion.

There was no discussion on the motion, the vote was called.

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**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Marilyn. Next item please."

**4. PRESENTATION OF SEDGWICK COUNTY GRANT AWARD COMMITTEE RECOMMENDATIONS FOR COMMUNITY CRIME PREVENTION GRANTS.**

**POWERPOINT PRESENTATION**

**Ms. Jeannette Livingston**, Contract Administrator, Comprehensive Community Care, greeted the Commissioners and said, "I'm here to present the fiscal year '08 grant award recommendations for the Sedgwick County Community Crime Prevention program. The Sedgwick County Community Crime Prevention program began in 1998, as the county commission's commitment to target juvenile crime prevention and to improve outcomes for children and youth in Sedgwick County.

Coordinated with the crime prevention grants administered through the Department of Corrections, Sedgwick County has developed a comprehensive juvenile justice plan and we target grant dollars to identify community risk factors, making sure that grant dollars go to where the need is largest. Additionally, these grants give preference to evidence-based programming. That's programming that has a significant research basis that shows it has demonstrated positive outcomes for at-risk children and their families. Additionally, annually we have a professional evaluator that assesses these programs and provides reports to the commission.

Grants are rewarded through the county's request for proposal process. The competitive process that we do every three years, grants are awarded on a one-year basis, with two options to renew based on performance, so if they're not performing that grant wouldn't be renewed.

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This year we received 15 proposals from 13 different agencies and the Sedgwick County grant award committee has recommended 10 for funding. The Sedgwick grant award committee are the folks that review the proposals and they submit the recommendations to the county commission for the final approval. The committee includes representation from the District Attorney's Office, we have a juvenile court judge, as well as folks from Wichita school district. We also have someone from United Way and Juvenile Intake and Assessment Center.

The committee's recommendations were for ten different programs. Of these ten, seven are evidence-based or have evidence-based components. I'm going to go briefly through each one, highlight what the program is and the committee's recommendation for the grant.

Big Brothers/ Big Sisters was recommended for \$154,500 grant. It is a mentoring program, evidence-based mentoring program. It matches carefully screened adult volunteers with at-risk youth. The county grant particularly focuses the funds on youth with multiple risk factors. So any one risk may or may not put a kid at higher risk for future delinquency, whereas a multiple-risk kid has a much higher risk than a normal child continuing to go to juvenile delinquent behavior.

Boys and Girls Club, their Targeted Outreach Program was recommended for \$120,000 grant. This is a structured academic program, serving kids that have been suspended or expelled from school. Primarily, they serve the kids that have been expelled for the entire year, through the school district's no tolerance policy. Staff work with kids in the program. They provide the classes and those classes generally the kids get credit for those when they return to public school. The staff also provided two semester follow-ups. Some of the outcomes that this program expects are to of course return the kids to school. They expect to have improved attendance and behavior in school.

Catholic Charities, their Choose Respect program was recommended for a \$37,000 grant. This program would be new to the county prevention program. It's a collaborative program affiliated with the domestic violence sexual assault coalition here in Sedgwick County. It's a school-based campaign to raise the norms for expectation for respectful behavior, targeting basically teen dating violence as well as other respectful behaviors. The actual services provided through this grant would vary, depending on what the folks at that school feel the needs are, because it's a very peer-driven process. The grant will allow the program to serve two new schools, as well as incorporate two new faith communities into this coalition process.

One of the schools, I know I spoke with her the other day, will be West High and I don't think



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they've identified the middle school, but they are planning on doing an additional high school and one middle school.

Communities in Schools, this agency submitted two grants and both grants were recommended for funding. The \$164,600 funds current Communities in School sites at Cooper, Oaklawn and Jefferson Elementary Schools, as well as Derby 6<sup>th</sup> Grade Center. The new \$34,700 grant would fund a Communities in Schools site at the Derby High School. That will allow a continuum of care, so kids that may have started receiving services from Communities at Cooper would go on through Middle School and then even in high school be able to continue with Communities in Schools.

Communities in Schools services vary from school to school also. They depend basically what the needs of the school are, but generally they'll include something like mentoring and tutoring, counseling, connecting families to basic health needs and health insurance, that type of stuff. Some of the outcomes include the children served will be promoted to the next grade, improved attendance, improved school behavior.

Episcopal Social Services, their teen intervention program was recommended to received a \$50,000 grant. This program targets first-time juvenile offenders ages 10 to 17. It's part of the formal judicial diversion program. It includes a mentor component, as well as a restorative justice feature, where the child has to accept responsibly for their behavior and try to make amends. The grant will allow the program to extend from its traditional six-week program to an eight-week program. Some of the outcomes we expect from this program include reduction in truancy, improved behavior and better skills to avoid future delinquent behavior.

Higher Ground, their Learning the Ropes program was recommended for a \$91,500 grant. This is a substance abuse treatment and prevention program and it incorporates experiential implements, including a ropes challenge course and a sweat lodge. For the new grant though also includes evidence-based component, in the project towards no drug abuse. Higher Ground is one of the programs that is able to provide services in Spanish. Additionally, they also incorporate a parent training kind of support group feature, so they work not only with the kids, but also with the parents to improve family discipline and communication.

KANSEL, their education, training and placement program was recommended for an \$84,500 grant. This is a GED program serving kids that have dropped out of high school. Most of the kids that they serve are already participants in the juvenile justice system and many of them, in fact the majority of the kids that come to KANSEL have very low academic skills, so they may enter the program with 3<sup>rd</sup> grade reading or 3<sup>rd</sup> grade math skills, so KANSEL does provide extra remedial classes in order to get kids up to where they can even begin to start studying for their GED program. In addition, they include some employment and life skills training so the kids can get kind of a balanced education. Some of the outcomes we expect from this program include increased academic skills, as well as employment and earnings.

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The Mental Health Association PATHS for Kids is recommended to receive a \$54,300 grant. The PATHS for Kids is an evidence-based program that serves elementary school kids. It's a basic social, problem solving, social, emotional curriculum. They provide it currently in three Title I elementary schools, as well as some community locations, such as Boys and Girls Club.

It teaches basic self-control, emotional understanding and improves self-esteem for the kids. Starting this year, the PATHS for Kids program has also been working with parents and doing some parent events, trying to connect parents to the school, so they can feel like they can go and be involved in the school process for their kids. Outcomes for this program include improved behavior at school, greater emotional understanding and improved attendance.

The Wichita Family Services Institute On-Trac program was recommended for a \$58,900 grant. This program services youth already exhibiting problem behaviors and has incorporated the evidence-based life skills training program. In addition, the program has connected with another agency in the community and provides parent education to the parents of kids participating in the program. Outcomes for this program include improved attendance, improved behavior.

You have the list before you of the ten programs that were recommended by the Sedgwick County Grant Award Committee for funding. I'm available if you have any questions. The recommended action is to approve the recommended funding recommendation and to authorize the Chairman to sign the contracts."

**Chairman Unruh** said, "All right, thank you, Jeannette, good presentation. I have one question. Who comprises the committee?"

**Ms. Livingston** said, "We have representatives from the District Attorney's Office, Juvenile Court, Juvenile Intake and Assessment Center, Social Rehabilitation Services, United Way, Human Services, as well as some county folks like from Finance and from Legal and Purchasing that are also part of that, and those are basically the same group of folks that have done it since the initiation of the program. While it's not the same folks, each one of those agencies have had representation on that committee."

**Chairman Unruh** said, "Okay. But there are people who have a vested interest. They're actually involved in this, so they know how to make these valuations. All right, thank you. We have a question. Commissioner Norton."

**Commissioner Norton** said, "Jeannette, go over which of these are renewals and which of them are new again."

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**Ms. Livingston** said, "Okay. All of them are renewals except for Catholic Charities, which is a brand new program to the Crime Prevention Grant program. And the second Communities in Schools, the \$34,700, that would be a new Communities in Schools site, the one at Derby High School."

**Commissioner Norton** said, "Okay. Of the ones that have not been funded, but put in requests, which of those have we funded in the past and have now dropped? Any of them?"

**Ms. Livingston** said, "We had one current funder that was not recommended, one current grant recipient that was not recommended for funding for next year."

**Commissioner Norton** said, "And who was that?"

**Ms. Livingston** said, "That was Rainbows United. Certainly not an indictment of the services they provide. They do excellent services. It's just recognition of the limited dollars and trying to target the dollars to hit the most number of kids."

**Commissioner Norton** said, "Well, I've been an advocate that I believe that these aren't entitlements, that they don't just go on forever. We do rotate them around based on the need of the dollars that we have and that sometimes you have evidence based and sometimes you're developing evidence based but the needs really ebb and flow and in the past we've lost some folks that weren't recommended for funding and it gets to be an emotional issue, but the truth is we're trying to get the biggest bang for the bucks that we put in there, so the change does come and the money rotates based on the need. So that's all."

**Chairman Unruh** said, "Thank you. Commissioners, any other comment or questions for Jeannette? Commissioner Welshimer."

**Commissioner Welshimer** said, "Do most of these or let's say most of these provide mental health counseling for children at the schools?"

**Ms. Livingston** said, "None of them specifically provide mental health counseling. Communities in Schools might bring some counseling into the schools. The agency itself doesn't necessarily provide that service. The Mental Health Association, which you might think was mental health counseling, really is a problem solving curriculum and not necessarily mental health counseling, so they're not mental health agencies or grants for that purpose necessarily."

**Commissioner Welshimer** said, "Well does COMCARE itself then do that?"

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**Ms. Livingston** said, “No and these grants really aren’t a part of COMCARE. They’re a part of the Division of Human Services. It’s the Crime Prevention Grant fund, which is really not a part of COMCARE.”

**Commissioner Welshimer** said, “Okay, thank you.”

**Chairman Unruh** said, “Thank you. Commissioner Winters.”

**Commissioner Winters** said, “Well, the only thing I was going to add is though COMCARE does do an extensive program with the school district on mental health counseling, so I mean COMCARE is in the schools, working with school district employees on counseling on mental health issues, but that would be different than what this is involved in.”

**Ms. Livingston** said, “But we do . . . COMCARE does have school-based case managers in I think it’s 15 to 20 different local area schools, but that is different than these crime prevention grants.”

**Chairman Unruh** said, “Okay. Commissioner Norton.”

**Commissioner Norton** said, “It might be good, and I think Commissioner Winters would probably have the history of this, but to explain the history of the crime prevention monies, as opposed to the Juvenile Justice monies we get from the state. This is really a supplemental money and it’s really about prevention. It’s about keeping juveniles and kids out of the system so that they don’t end up being in our jail. And you know, any of these programs ebb and flow based on the problems of the community. I mean, you look at the Boys and Girls Club Targeted Outreach program. I’ve observed that through my rotary club and that takes kids that have been kicked out of school and keeps them in some kind of structured, school environment until they can get back into the high school after they’ve been kicked out and it’s a wonderful program. It keeps kids off the street and makes sure they get their education and they’re doing really good work and I would assume that if they start having problems at USD 259 or other schools and are kicked out, that is an indicator that they’re out on the streets, nothing to do and they could end up incarcerated. And they’ve had really good numbers of these kids not going into the system at any point. They are saving a lot of kids. There’s just one good example, but maybe Tom could talk a little bit about how we got to that, because there’s a history to this.”

**Chairman Unruh** said, “Thank you. Commissioner Winters.”

**Commissioner Winters** said, “All right, well I would make a few comments and I’ll try to make it brief, although you could talk a long time about this. When we first got involved was in the period of the late ‘90s, 1997-98 and the State of Kansas was going through the process of changing how

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they dealt with juvenile issues and at that time formed the Juvenile Justice Authority in Topeka as a cabinet level department, separating that out from SRS. And for the first time then the State Legislature dedicated funds for prevention and so there were funds that the Juvenile Justice Authority had to put into prevention projects.

At that same time, we were going through here the latest addition to the Adult Detention Facility and as we can feel how tensions are now starting to build about the massiveness of this project we're about to embark on, the commissioners felt the very same way and were having the very same difficulties in '88 and '89 [sic] and finally after a number of meetings and workshops, Bill Buchanan and some commissioners said 'we have got to follow the lead of the Juvenile Justice Authority and put some money in prevention'. There's got to be a time and a place where we can invest some money in the community to help work on the prevention side of juvenile justice. And so that's how this program started.

That's why we really worked closely with WSU to both coordinate and develop our Juvenile Justice state funds and as all of those funds come to us and then tried to couple our own prevention funds so that we were matching up to try to make an impact. You know, how good the impact has been, I'm not sure. I think it can only have been helpful to a number of young people in our community, but I feel those same feelings of distress as we move forward in building another addition to our adult detention facility. But this plan was . . . prevention funds was born right out of the frustration that we had with the last jail expansion.

But I'm going to continue to be very supportive, until a different agenda comes along that says we shouldn't be doing this. I think it's important work. I think even the people who have submitted a grant request and were not approved, I think they've probably got very good programs, but one of the things our commissioners has said over the years, we would rather try to make an impact with a few organizations, as trying to make ourselves a mile wide and an inch deep, with dozens of different organizations and not funding any of them with a significant amount of money. So . . . and I would share with our new commissioners too, in years past this has always sparked comment among the commissioners. Sometimes we've had some pretty lively discussions over the prevention funds and as you become more familiar, I'm sure we'll continue to have discussions about these prevention funds over the years."

**Chairman Unruh** said, "All right, thank you. Well, comment that supports what Commissioner Norton and you said. Recently I was making some remarks at the Wichita Metro Chamber Sunrise Scrambler and I was talking about our jail problem and the numbers that we had there and the costs of going forward, both in the cost of building an expanded detention facility, and the administrative costs as we go forward and a question from the audience came 'Well, what is the county commission doing to try to stop the crime?' to try to get control of it on the front side rather than just dealing with the results of it. And one answer to that question is that we're involved in crime prevention at the earliest levels, trying to make good citizens out of young people, where they're

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facing particular challenges. It takes intensive effort and it takes some money if we're going to have results and we can't wish it away. We've got to go to work on it and this is one way to do it. So I'm going to be very supportive. We do have more comments. Commissioner Norton."

**Commissioner Norton** said, "Well, I think the key is that over at least the years I've been involved, we've really scrutinized these funds, you know, and quarterly all of these groups are held accountable for their outcomes and at the end of the year we look at their outcomes. Jeannette has been good to give us real data on what they said they were going to do and what they didn't do. And over the course of a few years, at least I know I've advocated, if they don't meet their outcomes and if they continue to not do what we've asked them to do, the funding is going to go away. It's just not going to be an entitlement. It makes us feel good. We've got to keep pushing deep into these organizations to get results for our community.

I think we know the earlier we can get . . . I mean, the truth is a lot of these programs are talking about juveniles. We should be talking about three-year-old kids. I mean, the more data we get, the more we know we've got to get earlier in prevention, make sure there's good parenting skills, kids get their immunizations, they start school ready, all of those things and this is just a part of that continuum.

The good news is, I think we just haven't accepted it as something we do every year and rubber-stamp it. We've asked some pretty tough questions. Groups are going away. Groups are being added and the truth is, many of these I've gone into the bowels of those organizations, I've even sat on a couple of the boards and really understand what they're doing and we have to challenge them to do even more for our community."

**Chairman Unruh** said, "Very good. Commissioner Parks."

**Commissioner Parks** said, "I've been directly involved with two of these funding sources that we're doing here today and I would say that in that spirit of cooperation and the additional staff information that I've received from the staff that I would make a motion that we pass this and authorize the Chairman to sign the funding."

**Chairman Unruh** said, "Okay, then your motion is to take the recommended action?"

**Commissioner Parks** said, "Yes."

### MOTION

Commissioner Parks moved to approve the grant award recommendations and authorize the

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Chairman to sign contracts containing substantially the same terms and conditions as the proposals.

Commissioner Welshimer seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Thank you, Jeannette. Next item please.”

**L. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF FEBRUARY 1, 2007.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, “The meeting on February the 1<sup>st</sup> references five items to be considered for award today.

**1) WORKSITE WELLNESS PROGRAM EVALUATION SERVICES- HEALTH DEPARTMENT  
FUNDING: HEALTH DEPARTMENT**

First item is worksite wellness program evaluation services for the Health Department. Recommendation is to accept the proposal from the University of Kansas Medical Center Research Institute Incorporated for a negotiated cost of \$35,000.

**2) CAD SOFTWARE MAINTENANCE- EMERGENCY COMMUNICATIONS  
FUNDING: EMERGENCY COMMUNICATIONS EQUIPMENT**

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Item two, CAD software maintenance for Emergency Communications. The recommendation is to accept the quote from Northrup Grumman Information Technology for a not to exceed cost of \$69,297.60.

**3) CISCO EQUIPMENT FOR THE NEW 9-1-1 CENTER- DIVISION OF INFORMATION AND OPERATIONS  
FUNDING: CONSTRUCT 9-1-1 DISPATCH**

Item three, Cisco equipment for the new 9-1-1 center for the Division of Information and Operations. The recommendation is to accept the low bid meeting specifications from SKT in the amount of \$46,644.94.

**4) RECORD STORAGE LEASE- DISTRICT COURT  
FUNDING: COURT CLERKS**

Item four, is a record storage lease for the District Court. And the recommendation is to accept the quote from Underground Vaults and Storage for \$40,000.

**5) ERGONOMIC CHAIR STANDARDS- ALL DEPARTMENTS  
FUNDING: ALL DEPARTMENTS**

And item five, ergonomic chair standards for all county departments and the recommendation is to accept low bids meeting specifications from Commercial Concepts & Furniture for items 22, 24-29, 37-42, 51-56, 68, 75, 77-79, 83-87, 90-93, 95-97, 102, 104, 105, 107, 108 and 110-112; Encompas for items 35, 36, 81, 82 and 109; Integrated Facilities Group for items 43-45, and 106; Scott Rice for items 12-14, 16-18, 20, 21, 23, 30-34, 46-49, 69-74, 76, 88, 89, 94 and 98-101; John A. Marshall Company for items 1-11, 66 and 67; Krueger International for items 19 and 80; T.E. Berry and Associates for item 103; and Concept Seating, Inc. for item 113 and to execute contracts with each vendor for an initial two-year term, with two one-year options to renew.

And I'd be happy to answer any questions and would recommend approval of these items."

**Chairman Unruh** said, "Okay, thank you Iris. We do have a comment. Commissioner Norton."

**Commissioner Norton** said, "Iris, we're not actually buying the chairs right now, we're just entering into a contract on the best prices for each one of these, all this litany of chairs and items that we can buy, enter into the contract and then at such time as we need a chair some where, we go to that particular vendor, with a pre-bid price."



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**Ms. Baker** said, "Exactly. We're establishing contract pricing for a period of time."

**Commissioner Norton** said, "It just sounds like, if you go through that litany, that we're buying a lot of chairs all the sudden and we're not."

**Ms. Baker** said, "We're creating flexibility for departments to choose the appropriate chairs necessary for staff and for the public to meet ergonomic standards."

**Commissioner Norton** said, "At a preconceived price."

**Ms. Baker** said, "At a preconceived price."

**Commissioner Norton** said, "That's all I have."

**Chairman Unruh** said, "All right, Commissioner Winters."

**Commissioner Winters** said, "Well, this comment probably doesn't make much sense but I would . . . I mean there's a lot of work in this, evidently, looking at chairs so we certainly appreciate the work of the group that spent all the time to do this. I know that a number of times we buy office furniture off the state approved contract. This evidently was determined to be a better method than doing that?"

**Ms. Baker** said, "That state approved contract is workstation furniture, the modular cubicle furniture and we have found that we cannot beat the state's pricing. All other furniture, we generally can bid and beat any pricing they have. We do compare our bids to state pricing on like items that we bid though."

**Commissioner Winters** said, "Okay, very good. That's the only question I had."

**Chairman Unruh** said, "All right, thank you. Commissioners, any other questions? What's the will of the board?"

### **MOTION**

Commissioner Norton moved to approve the recommendations of the Board of Bids and Contracts.

Commissioner Winters seconded the motion.

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There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Iris. Next item please."

**CONSENT AGENDA**

**M. CONSENT AGENDA.**

**1. Right-of-Way Easements.**

- a. Two Easements for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project to construct a frontage road along US-54 between 119<sup>th</sup> Street West and 135<sup>th</sup> Street West and improve the intersection at US-54 and 135<sup>th</sup> Street West. CIP# R-314. District #3.
- b. Temporary Construction Easement for Sedgwick County Project 634-32, 33, 34, 35, 36, widening of 63<sup>rd</sup> Street South between Rock Road and the Butler County line. CIP# R-275. District #5.

**2. Lease Amendment #2 with Westlink Office Plaza for space used by the Appraiser's Office at 940 North Tyler Road.**

**3. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2006 and prior years have been paid for the following plat:

Evans 1<sup>st</sup> Addition

**4. Order dated January 31, 2007 to correct tax roll for change of assessment.**

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**5. General Bills Check Register(s) for the week of January 31 – February 6, 2007.**

**Mr. Ron Holt**, Assistant County Manager, greeted the Commissioners and said, “Just for the record, I’d like to state again 327 days until the arena sales tax ends. You have the consent agenda before you and would recommend you approve those items as presented.”

**MOTION**

Commissioner Norton moved to approve the consent agenda as presented.

Commissioner Winters seconded the motion.

There was no discussion on the motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “All right commissioners, we’re at the end of the agenda. Before we hear motions for Executive Session, now is the opportunity to bring up other issues and Commissioner Winters.”

**N. OTHER**

**Commissioner Winters** said, “Thank you, Mr. Chairman. Just one brief comment to those who may be listening on television today. This is February the 7<sup>th</sup>, 2007, and in this morning’s Wichita Eagle newspaper, above the fold and on the front page is a picture of the downtown arena. And folks this is not the downtown arena. This was option number three, which was the first option to be eliminated and so for all of those folks who are not enthusiastic about the arena, I’m sorry that

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you're getting more unenthusiastic about the wrong picture. So I would hope in the future that . . . You know, I'm not sure why the Eagle printed the wrong picture, whether it was an error on their part or they purposely have the wrong picture, but we certainly hope in the future that they'll print the right picture of the right arena. That's all I have."

**Chairman Unruh** said, "All right, thank you. Any other comment, commissioners. Commissioner Norton."

**Commissioner Norton** said, "Well I have several. Last week I was in Topeka working with the Kansas County Commissioners' Association in training 38 new county commissioners throughout the state and it was a time where we got to really visit with a lot of new county commissioners, bringing them into the fold and have them understand what, you know, county commissioners do around the state. The second thing is I'll be in Topeka tomorrow testifying at a hearing on LAVTR and for people that don't know, that's the revenue sharing for cities and counties. Over the course of the last six years, that's gone from full funding through the legislature and the impact on Sedgwick County is anywhere from seven to eight million dollars a year that we no longer get from the state. In fact, we've been getting revenue sharing since the 1930s in some form or another. It was codified in 1964 and it's been eliminated over the last few years. And we talk about taxes and tax structure and push on property taxes. I've kind of figured it up, with \$8,000,000 more from the state that should have come through revenue sharing, we would have not raised the mill levy to build the jail and do the projects we're doing, and truthfully that LAVTR is really Local Ad Valorem Tax Reduction is what it stood for and it was to offset property tax increases in the counties and not put the impetus on that but on sales tax at a state level, so I'm going to be going and testifying to a committee to urge them to restore that funding to the counties and cities, municipalities around the state.

The final thing I've got is a report on Exploration Place. Titanic has been there just about a month, 13,100 people have gone through to see Titanic, wonderful numbers and we've still got two more months to go, 330 people attended the dinner on the Titanic, which was a wonderful event where you could be in steerage class, second class, first class or even at the captain's table and it was a full house, sold out. In fact, they even added some extra chairs because people kept calling and it's been a wonderful exhibit. If you have not made it out there, I would urge you to stop by. Once again, I'll reiterate this is the artifact exhibit. This is not a prefab thing from the movie. This is the real deal with artifact that came right off the ocean floor from the Titanic, and if you haven't been there, it's a pretty poignant view of a piece of history of our United States, so stop by Exploration Place and enjoy Titanic. That's all I have."

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**Chairman Unruh** said, “All right, thank you. Commissioner Parks.”

**Commissioner Parks** said, “Well, the first day that I sat in this chair, I asked that we have a budget workshop, which we had yesterday in fact and if there’s anything that comes out of that that I want the other commissioners and the people to know that we did start early with the budget this time and the other theme to that would be that we need to stay with it and maybe even have another workshop and look at some of those things and keep on doing what we’re doing and try to not raise the taxes to the taxpayer. Thank you.”

**Chairman Unruh** said, “All right, thank you. Well the only thing I had to report is my absence last week. I was at the National Prayer Breakfast in Washington D.C. It was a very good time, a lot of folks from Kansas, had a lot of folks from around the world came together and it was a good time. Saw the President of the United States get up from this place at the breakfast table and serve coffee to people, which is kind of unusual, but an interesting antidote.

But anyway, then I’ve also heard the rumor that 327 days left, so we look forward to that. Well commissioners, that’s all I have. If there’s nothing else, we need a motion to go into Executive Session.”

**MOTION**

Commissioner Winters moved to recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation and legal advice and preliminary discussions relating to the acquisition of real property for public purposes and that the Board of County Commissioners return to this room from executive session no sooner than 11:48 a.m.

Commissioner Norton seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

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**Chairman Unruh** said, "We are in recessed to executive session."

**The Board of Sedgwick County Commissioners recessed into executive session at 11:38 a.m. and returned at 12:11 p.m.**

**Chairman Unruh** said, "I will call the meeting back to order from our recess for Executive Session and first of all state that while we were in Executive Session no binding action was taken and so we have nothing to report out of that. However, I would like to move that we take an Off Agenda item to discuss the commission's position of House Bill 2267."

**MOTION**

Chairman Unruh moved take up an off agenda item to consider the county commissioner's position on House Bill 2267.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Commissioners, the issue is that on tomorrow I'm scheduled to go to Topeka and speak to the committee, and I don't know which committee it is. It's being chaired by Burgess, but I'm going to speak in support of House Bill 2267, which is a bill that would clarify the language in that, in previous legislation and prevent cities from annexing county property. And I want to go up, I'm in favor of the position that I was going to take. I think cities should not be able to annex county property, but before I do that, I want to make sure that that is the will of this commission. And so I would welcome any discussion, and we can take a vote on whether or not that is a commission position. Commissioner Norton."

**Commissioner Norton** said, "I want to be sure that we're not being televised, but the record shows that when you talk county property, that's county-owned property, it's not property in the county."

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**Chairman Unruh** said, "Very good, I appreciate the clarification."

**Commissioner Norton** said, "Because it's not just general they just can't annex any county property. If it's owned by individuals and they want to be annexed or whatever it could be, this is county-owned property that we may have facilities on or whatever that may not make any sense for another jurisdiction to have any right to."

**Chairman Unruh** said, "Okay, thank you. That's good clarification and it is cities cannot own . . . cannot annex property owned by counties and presently we're in a situation where a city in Sedgwick County is trying to force annex some county owned property, so that's why we're particularly involved in this issue."

**Mr. Euson** said, "Mr. Chairman, just also to clarify, you're talking about unilateral annexation, where you don't have any choice in the matter is forced upon you, as opposed to a consent annexation."

**Chairman Unruh** said, "That is correct. I mean, . . . correct. Commissioner Winters."

**Commissioner Winters** said, "Well thank you. And I guess the reason that I have been supportive of this is there is state law now that talks about annexation and unilateral annexation of county owned property for recreational purposes and the Kansas Coliseum and the Greyhound Dog Track just seem to have fallen into some kind of a crack and I think this new legislation that's being proposed would clarify that situation and so that's one of the reasons that I believe at this time I'm supportive of us testifying in support of that legislation is just to really clarify what some existing statutes say."

**Chairman Unruh** said, "That is correct. Commissioners, the whole annexation process is under the rules of the state constitution and they have provided for, they make rules and those rules allow for cities to force annex or unilaterally annex some types of property but there are exemptions and exceptions. A city cannot force annex property owned or held in trust by another city and a city cannot force annex certain categories of property that is owned and operated by the county for entertainment, can't do it if it's a zoo. They can't force annex property that's set up as an improvement district if it was organized prior to 1987. They can't force annex property that's military, but the language of the current law talks about own and operate some of these facilities and so my position is is that the intent of the legislature, when they allowed for that was clear, but the language allows for some manipulations and I think we ought to clear it up. So that's the type

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of testimony that I'm going to give. Commissioner Welshimer."

**Commissioner Welshimer** said, "I'd like to ask counsel a question. Is this bill retroactive?"

**Mr. Euson** said, "Yes, the bill is retroactive."

**Commissioner Welshimer** said, "So we would solve our court case with this bill."

**Mr. Euson** said, "Yes, it would. If the bill were passed, it would really make the court proceeding moot, because it would invalidate the action that Park City took on November 28<sup>th</sup>, I think it was, 2006."

**Commissioner Welshimer** said, "And in so doing, we're also making this applicable to all cities and all counties in the State of Kansas, right?"

**Mr. Euson** said, "Yes, that's true."

**Commissioner Welshimer** said, "I just don't think it's a good move, and so I'm going to oppose the Motion."

**Chairman Unruh** said, "All right, thank you. Well commissioners, is there any other discussion on this before we call for a vote."

**Commissioner Winters** said, "I guess I have another comment I guess and again I'm not sure how valid this comment is Commissioner Welshimer I certainly respect your thoughts in disagreement. As you all know, I have not been one who has been a supporter or us moving forward with a vote on gaming, because I think it's something that needs to originate in Topeka and then come to counties to react to action that Topeka has taken. But as I look at this particular property, as I look at the legislature in the past, almost every time a piece of gambling legislation comes up, para-mutual dog tracks are somehow involved in that, and I think that if we sit by and allow a city to annex a para-mutual dog track that sits on county-owned property, I think they have cut themselves into a potentially into part of the gaming issue and they've cut all the other citizens in Sedgwick County out.

Because if something would proceed with gaming and it would proceed somehow involved in a para-mutual track and the track is in Sedgwick County, Sedgwick County would then, if there would someday become a revenue stream into this area, we would have the availability to make



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sure that all the citizens in the county, no matter where they lived, shared in a benefit, if there was to be a benefit.

If we allow this city to proceed on, then we're out of the picture in a certain degree and the other citizens are, but their citizens in their one locality become the winners. And if I know that you have been interested or some have been interested in thinking about this on almost a regional basis, and if we do something on a regional way, again if a para-mutual dog track, again if a para-mutual dog track becomes one of the critical components in a future gambling bill and I'm don't know that it will or it won't but we will have just eliminated part of how to make that talk about regionalism, because Park City will be sitting in the driver's seat, not Sedgwick County.

So that's why I think it's worthy for us to proceed on and again, those are looking at things that we don't know will happen, because I don't know that gaming will proceed in that fashion, but again I think we're going to look at if gaming should proceed, I think we need to look out for the residents of the entire county and if there is possibly a regional effect, I think this would benefit a regional effect. Thank you."

**Chairman Unruh** said, "Thank you. Commissioner Norton."

**Commissioner Norton** said, "Well, I come from the small city realm, municipalities, I've been a small city guy and advocated for a lot of their rights, but this may be one that I'm counter to and it's really based on what I've observed over the last five years as good prudence when it comes to annexation. There have been some instances, particularly on the north side, where there's boarder wars of fighting and annex grabs and some of the worst mixed up boundaries from several of those small entities up there and this is just another case of, you know as far as I'm concerned, that predatory annexation that they always say the City of Wichita does. I think it's all mixed up up there, so I think at some point you have to send a message that we're just not going to allow any kind of annexation you want. There needs to be some thought process and what is the true thought process for that. Well they say squaring up their boundaries. Well the boundaries in those areas will never be squared up, because they're way beyond that.

So, I think it is . . . I agree with Commissioner Winters, I think it's just a land grab and a potential idea that they're going to get a lot of revenue off of it and I think that's all the wrong reason why we would ever annex so I'm probably going to be supportive of us testifying on the legislation, even though generally I'm a small cities, municipal rights kind of person, I just think this doesn't fit with what I used to think was good annexation policies for small cities."

**Chairman Unruh** said, "Okay, well I was paying attention to you commissioner, I don't know whose light went on first. Commissioner Parks."

**Commissioner Parks** said, "Well, this isn't a unilateral deal. I do want to say that it's a donut hole.

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Park City surrounds this, for various reasons. However, even though they surround it, it's Valley Center school district, Valley Center telephone number, Valley Center post office, Valley Center water. You know, there's a lot of things that are going on out there that are different, the different towns want different things and it's no secret that Valley Center and Park City have fought. It's no secret that they've joined hands to join boundaries at a location to keep Wichita from jumping the boundary, so it's kind of a case by case basis. I thought it would be an expo facto issue, because the suit had already started. I didn't realize that there would be able to go back and affect the case that we're currently in, but in terms of land grabbing, I do think that a lot of the cities have been out to land grab and I just hope that I'll remember that in about four months. Okay, thanks."

**Chairman Unruh** said, "Thank you. Commissioner Welshimer."

**Commissioner Welshimer** said, "Well, I don't see that the county would not be in control if gaming did take place. I don't see that one small urban area would have everything to say where gaming revenues go. And there would have to be a vote, a countywide vote in the first place. And I think this whole decision is being made on a supposition, something that hasn't happen and may not happen and so I still don't want us . . ."

**Chairman Unruh** said, "Commissioner Parks."

**Commissioner Parks** said, "Please don't take this as an adversarial remark, but I just wondered if when the arena gets finish and the parameter around it, are we going to de-annex that from the City of Wichita?"

**Chairman Unruh** said, "Well, we don't have any plans to de-annex it, and I don't even know what the legal issues are relative to that, whether we even can. One of my motivations for being strongly in support of this is just simply the fact that it's not rational in my mind to co-equal levels of government to annex on another property when there's not a mutual consent. It just doesn't make sense that one should be able to do that. And so I think we need to, in my opinion, go forward and try to approve this legislation.

I see no more lights for comments, so commissioners . . ."

**Commissioner Winters** said, "What's the bill number?"

**Chairman Unruh** said, "HB 2267. Could I get a motion that my testimony and support of that is the will of this commission?"

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**MOTION**

Commissioner Winters moved that this commission support House Bill 2267 and that we support the Chairman testifying in Topeka to that effect.

Commissioner Norton seconded the Motion.

There was no discussion on the Motion, the vote was called.

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Nay
Commissioner Welshimer	Nay
Chairman Unruh	Aye

**Chairman Unruh** said, "On a three to two vote, the motion carries. Is that correct? Thank you. Well, I think it's been good conversation. We've clarified the position. It's a necessary activity I think. Appreciate Commissioner Welshimer for calling that to my attention. If there's nothing else commissioners, I'll declare the meeting adjourned."

**O. ADJOURNMENT**

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There being no other business to come before the Board, the Meeting was adjourned at 12:25 p.m.

**BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS**

\_\_\_\_\_  
**DAVID M. UNRUH**, Chairman  
First District

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**TIM R. NORTON**, Commissioner  
Second District

\_\_\_\_\_  
**THOMAS G. WINTERS**, Commissioner  
Third District

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**KELLY PARKS**, Commissioner  
Fourth District

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**GWEN WELSHIMER**, Commissioner,  
Fifth District

ATTEST:

\_\_\_\_\_  
**Don Brace**, County Clerk

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APPROVED:

\_\_\_\_\_, 2007