

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 15, 2009

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, July 15, 2009, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Kelly Parks, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Karl Peterjohn; Mr. William P. Buchanan, County Manager; Mr. Ron Holt, Assistant County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Amanda Matthews, Communications Coordinator; Mr. Robert Hinshaw, Sheriff; Mr. Pete Giroux, Principal Analyst, Budget; Mr. Chris Chronis, CFO; Ms. Annette Graham, Director, Central Plains Area Agency on Aging; Mr. Steve Claassen, Facilities Director; Ms. Claudia Blackburn, Director, Health Department; Ms. Irene Hart, Director, Division of Community Development; Mr. Larry Ternes, Youth Services Administrator, Corrections; Ms. Iris Baker, Director, Purchasing; and, Ms. Angela Lovelace, Deputy County Clerk.

GUESTS

Mr. Greg Lippincott, Heritage Development Group Incorporated
Mr. Greg Ferris, Ferris Consulting
Mr. Douglas Ulbrich, Trustee Appointee, Park Township
Mr. James Fleetwood, Chief Judge, 18th Judicial District Court

INVOCATION

Led by Dr. Cathy Northrup, First Presbyterian Church, Wichita, Kansas

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES

Regular Meeting of June 17, 2009

Chairman Parks said, "You have had a chance to review the minutes of the meeting of June 17th. What's the will of the Board?"

MOTION

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Commissioner Peterjohn moved to approve the minutes.

Chairman Parks seconded the motion.

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

VOTE

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

Chairman Parks said, “At this time I’m going to make a couple of motions to amend the agenda. The first one is to move Item D. Due to a family illness, I would like to move that up, in fact, immediately for the appointment of Doug Ulbrich on the Park Township, and I would make that motion.”

MOTION

Chairman Parks moved to amend the agenda.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “And also, another motion I would like to make to amend the agenda, to place, right after the appointment to Park Township, place the discussion for Heritage Development

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Group concerning the Britt Brown Arena, second item. I will make that motion.”

MOTION

Chairman Parks moved to amend the agenda.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

D. RESOLUTION APPOINTING DOUGLAS ULBRICH (COMMISSIONER PARKS’ APPOINTMENT) TO THE PARK TOWNSHIP AS TRUSTEE.

Chairman Parks said, “Thank you for those amendments, and we will get on with the appointment of Doug Ulbrich to the Park Township Board. He is here today, and if we can have him go to the podium and have Mr. Arnold swear him in.”

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “I have prepared a Resolution for his appointment. It would be appropriate for you to go ahead and approve that.”

MOTION

Commissioner moved to adopt the Resolution.

Commissioner seconded the motion.

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

VOTE

Commissioner Unruh	Aye
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Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Mr. Kelly Arnold, County Clerk, said, "Raise your right hand."

"I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Park Township Trustee, so help me God."

Mr. Ulbrich said, "I do."

Mr. Arnold said, "Congratulations."

Chairman Parks said, "Thank you. Doug, if you want to say a few words, you may, but if you want to keep them short we certainly understand that you have more pressing things going on."

Mr. Douglas Ulbrich, Park Township Trustee Appointee, greeted the Commissioners and said, "Yes. The other guys on there asked me if I would do this. I said yeah. I don't know, seem to have a hard time finding people to serve sometimes, I didn't mind doing it, but my mother is extremely ill, so we're going to go back there."

Chairman Parks said, "I do appreciate that, and I know that you will do a good job. Common sense enters into a lot of decisions we make here, and I've known you long enough to know that you do have a lot of that. So thank you."

PROCLAMATION

A. PROCLAMATION DECLARING JULY 20 – 24, 2009 AS LAW CAMP DAYS.

WHEREAS; approximately 150 youth between the ages of 11 and 15 will attend the 14th Annual Sedgwick County L.A.W. Camp July 20 – 24, 2009, at Lake Afton Park; and

WHEREAS; the mission of the L.A.W. Camp is to create a partnership between law enforcement and youth by providing a positive experience using law enforcement and guard personnel as role models by building self-esteem, confidence and trust; and

WHEREAS; L.A.W. Camp is a partnership involving more than 25 public and private sector organizations; and

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WHEREAS; a squad of 10 youth will be assigned to mentors who will keep track of the activity schedule. The mentors will operate in teams of two, consisting of one deputy and one soldier from the Kansas Army National Guard.

NOW, THEREFORE, BE IT RESOLVED, that I, Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim July 20 – 24, 2009, as

‘Sedgwick County LAW Camp Days’

In recognition of this effort to involve our youth in alternatives to crime and violence.

Chairman Parks said, “Sheriff Hinshaw has an update and report on this.”

Mr. Robert Hinshaw, Sedgwick County Sheriff, greeted the Commissioners and said, “I’m here to accept the Proclamation. What it doesn’t say in there, however, is this does mark the 14th year of this partnership between the Sheriff’s Office, The Kansas Army National Guard and the other organizations that you name. It’s been highly successful. The youth that are selected, many come from Big Brothers and Big Sisters, some are nominated from Boys and Girls Club, as well as the various school systems throughout Sedgwick County. This is at no cost to the youth, and we believe it has been highly successful.

“We know many of the youth that have gone through this program have gone on to careers in public service with us, I believe, with the Wichita Police Department, the Kansas Army National Guard, and in fact a couple years ago, one of these kids actually graduated from the Air Force Academy in Colorado, so we think it actually does make an impact. We appreciate the support. You may not have had a chance to check your e-mail this morning, but our camp director, Lieutenant Jones, has sent an invitation to all of you. Thursday night there is usually a cookout, you are all invited to come out there anytime during the week, but on Thursday, see the activities, see the impact for yourselves and stick around for the cookout. I used to say that it was Colonel Brewer from the National Guard that has done this every year for the past 14 years, but now I need to refer to him as the Honorable Mayor of the City of Wichita. He will be providing the food Thursday night. Thank you very much.”

Chairman Parks said, “Thank you.”

MOTION

Commissioner Unruh moved to adopt the Proclamation.

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Chairman Parks seconded the motion.

Chairman Parks said, “Commissioner Welshimer.”

Commissioner Welshimer said, “I want to say I think this is something these kids will remember their entire lives. I just can’t think of anything better to do. It is admirable that you all are doing this. I appreciate it very much.”

Sheriff Hinshaw said, “Thank you.”

Chairman Parks said, “And having some personal knowledge of this, and in fact sending a few kids through it from the north end of the County, it has made a difference in many lives. So thank you for continuing this program and we hope we’ll have at least another 14 years.”

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

OFF AGENDA ITEM

Chairman Parks said, “We’re going to have Eagle Township the Heritage Development next. Please step to the podium, say your name and address.”

Mr. Greg Lippincott, Heritage Development Group Incorporated, greeted the Commissioners and said, "My name is Greg Lippincott on behalf of Heritage Development Group, I live at 6057 North Sullivan in Wichita. Our office is in Wellington, Kansas. I just want to thank each of you on the Commission for all the time that you have given us lately on showing you our plan on future development of the Coliseum and retainage of that particular building and the whole aspect and the whole group of buildings that’s connected with it. Heritage Development is a western events and facility company. We study different activities that are nationwide, locally, on the state level, and also in the region we’re presently in, and we see some great possibilities with the Britt Brown

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Arena and the expo buildings that are all connected up there once that facility is vacated, and we just want to thank you all.

“We have a large event that we would like to participate in, in about a week and a half. It has quite a draw of people, mostly throughout the nation that brings in that outside dollar into this general community, so we just thank you for all that, and we hope that we have a long-lasting, working relationship.”

Chairman Parks said, “Can you kind of get into why we accelerated this on the schedule today and had to do this? We are vying for a national event, if you will kind of expand on that.”

Mr. Lippincott said, “Yes. This national event has a site selection for their event, for their rodeo, every two years, and this year is the first year of those two years, and so therefore we are under a time restraint because they do their site selection on July 26th in Farmington, New Mexico, and if we miss that date in on getting our bid in for the location then we are out another two years until the next site selection committee convenes in Denver.”

Chairman Parks said, “Some of the items that you have discussed with us, all the way from bringing money into the community from a \$.5 million to \$2.1 million, if I remember those figures correctly, what Heritage Development would be looking at, what are you asking for, a seven month contract to procure these events?”

Mr. Lippincott said, “Yes, the seven month contract would be to go out and acquisition the different contracts that we see that could be brought here in that facility, and different ones have different time restraints, and so, through the course of seven months, we would try, with due diligence, to acquisition as many of those events as we possibly could, even to the extent of putting them under contract.”

Chairman Parks said, “And the annual could evolve into as much as \$50,000,000 a year?”

Mr. Lippincott said, “That is correct.”

Chairman Parks said, “The annual revenues to the community?”

Mr. Lippincott said, “The two large events that we would be soliciting for has a draw of roughly 100,000 kids, parents, siblings, relatives, through a one-month period, and that’s where the economic impact lies, through hotels, dining. These people, they come to town, they do it as a family, they set this time apart throughout the year, turn it into their vacation so the kids can get to the rodeos, and that’s where their family time is.”

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Chairman Parks said, "Okay. I am going to go ahead and make a statement at this point and make a motion. I would ask you to stay around, and ask staff to be ready to answer any questions, but I'm going to be making this motion, then we can have discussion on it."

MOTION

Chairman Parks moved that the County agree to permit Heritage Development Group (HDG) Incorporated to promote the Kansas Coliseum for livestock, rodeo, and/or equine events for a term of seven months. During such term HDG may represent the Kansas Coliseum but not bind the County in any way. HDG will report monthly on the progress of the study and finalize a report within ten working days of the completion of the seven month period.

Commissioner Welshimer seconded the motion.

Chairman Parks said, "We have a motion and a second, now we can have some discussion. One of the discussion items that came up yesterday late, and Mr. Manager excuse me for asking about this after the fact, the flea markets, gun shows, auto shows, and other things out there, this would not impact. The way I made the motion, it would be for equine events and the other things contracted would not interfere with this?"

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "That is correct."

Chairman Parks said, "Okay. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you for clarifying that, because that was one of the questions I had. I was interested, sir, have you discussed this at all, the County has had a relationship and has an agreement with SMG concerning the Downtown Arena, but they have been operating, as I understand it, out at the Kansas Coliseum, too. Have you discussed that with them? And I've got some additional questions after that one."

Mr. Lippincott said, "We had a preliminary discussion with them when we first came up with this idea, but we haven't had any conversations since then."

Chairman Parks said, "If I can elaborate, I believe staff has. Mr. Buchanan, you want to report on that?"

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Mr. Buchanan said, "We have had conversations with SMG all along about the operations of the Kansas Coliseum, Britt Brown Arena, and the Pavilions, and they will, when we ask them to, relinquish any management rights that they have at the facility; all we have to do is ask."

Commissioner Peterjohn said, "Okay. Would this, your motion Mr. Chairman, include not only Britt Brown but the Pavilions? We're talking about the entire Kansas Coliseum Complex, correct?"

Chairman Parks said, "The entire Kansas Coliseum Complex."

Commissioner Peterjohn said, "Okay. Next question I would like to throw out. You mentioned bidding for a couple of events. Can you state what those events are?"

Mr. Lippincott said, "Yes."

Commissioner Peterjohn said, "Please do so for the record."

Mr. Lippincott said, "In July, later on this month, it would be for the Wrangler Junior High Rodeo Association, and then after that in October there's also a bid process to bring the National Team Roping Championship which is now staged in Oklahoma City, and Guthrie, Oklahoma, and with these facilities up here we believe we can do a good bid process and bring it. It entails about 18,000 ropers through a ten-day process, so that would be the second one. And then, in 2012, the High School Rodeo Association, and they take care of both associations with Junior Wranglers and High School, and then theirs comes up for bid in another year and a half, and we're going to bid for that, too."

Commissioner Peterjohn said, "So you are having preliminary discussions that extend well beyond seven months?"

Mr. Lippincott said, "Oh, yes."

Commissioner Peterjohn said, "Let me make sure I understand, and especially since this is kind of coming up, to get the information out to the public. These types of events are not normally ones that generate large crowds, per se, but they are relatively smaller crowds, but they have a larger number of participants, is that a fair statement?"

Mr. Lippincott said, "Correct. These are all participant driven events. Yes, there will be some spectators and ticket sales, but not on any large proportion."

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Commissioner Peterjohn said, "You wouldn't anticipate selling out Britt Brown for those events, would you?"

Mr. Lippincott said, "No."

Commissioner Peterjohn said, "Mr. Chairman, at this point those are the only questions I have, but I would like to be able to, with further discussion, generate some more. I would like to be able to jump back in a little later, too."

Chairman Parks said, "Mr. Manager, when SMG leaves the area, then this group promoting this would need the keys to the building, or something like that. I'm saying, are we going to be able to supply somebody for them to, per se, do the logistics of opening the building?"

Mr. Buchanan said, "If and when SMG relinquishes the operation for the Kansas Coliseum we would either provide County staff do that, or hire someone else to run, or contract with someone to run the facility, if that was your question. If the question is will they have access to our facility as they are trying to promote events, the answer is yes."

Chairman Parks said, "So we do still have County employees there that are not employed with SMG at the facility, and those employees would continue to remain there or be distributed throughout the County where needed in other labor positions?"

Mr. Buchanan said, "Yes."

Chairman Parks said, "Thank you. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. The proposal, the Chairman discussed that with me yesterday afternoon, and so I am going to try to work my way through a few questions that have come up, because I haven't had a lot of time to digest all this. I would say that I believe it was your son who came up and had a discussion with us previously about the potential for some of the activity. My first question, in the arrangement that is contemplated in the motion, the way it is stated, HDG would not have the ability to bind the County in any way?"

Mr. Lippincott said, "That's correct."

Commissioner Unruh said, "Is that right, Mr. Euson?"

Mr. Euson said, "Yes, sir, that's what the motion stated."

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Commissioner Unruh said, "Because the motion, I guess, it talks about a contract between HDG and the County for seven months, is that right?"

Chairman Parks said, "That's correct. I did put in there it does not bind the County in any way."

Commissioner Unruh said, "Okay. So what this does, it just means that Mr. Lippincott and his group would go out and try to secure events, but all that would be at the proposal level, they would all have to come back to us. You can't say the County is going to do anything?"

Mr. Lippincott said, "That's correct."

Commissioner Unruh said, "It is an unusual sort of arrangement to have a representative of the County, because in a sense he will be representing the County, is that right? Somebody explain that. Are you our representative or HDG's representative?"

Chairman Parks said, "I looked at it as a community representative, and a promoter for the Coliseum. So I guess in essence, from legal terms, I don't know if that's certainly not written contractual, but certainly Mr. Euson could answer that in terms of legalistics, but I just think that the promotion of this facility for seven months would give us an eye, or some kind of a notion to what we could use it for, the best utilization of product."

Commissioner Unruh said, "Okay. Well, I guess what I'm trying to get straightened out here in my own mind is that HDG stands to have a proprietary interest in what's going to happen, is that correct?"

Chairman Parks said, "Mr. Ferris, would you like to speak?"

Mr. Greg Ferris, Ferris Consulting, greeted the Commissioners and said, "Mr. Unruh, if I could maybe answer that for you. My name is Greg Ferris, and I don't represent Greg, we're just old friends and I told him I would come down and help him wade through some of this. Imagine, if you would, when the City went after the Bowlers' Congress, they sent a delegation to the Bowlers' Congress, they put together a package of proposals that the Bowlers' Congress assumed was on behalf of the community and the City. There was a process where they explained that to them, but nothing in that proposal was binding because the Bowlers' Congress and the City of Wichita then had to negotiate a contract that then was binding on the City.

"Imagine then, if you will, that Mr. Lippincott would do virtually the same thing, where he would have the ability to say the County is very interested in having this event in our community. So interested, in fact, that they are sending us here to make a proposal to you to be at the Kansas

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Coliseum, and the Kansas Coliseum, if all the terms of the contract can be worked out, will be available to you for that event, so Mr. Lippincott would do that over and over again with different groups, representing that the County has an interest, the County has sent him forward to find out if that interest exists, to find out the level of degree of that interest, and in fact to solicit a bid from that interest, to bring that back to you, and then allow your staff and the County Commissioners then to negotiate the final terms of a contract, that then would be binding on the County. Does that help a little bit?"

Commissioner Unruh said, "Well, I think that is helpful, and describing that. Does that imply that he will be working with the Visitor and Convention Bureau, the City of Wichita, because that's their job, that's their profession to do it?"

Mr. Ferris said, "I would assume they would meet with the Convention and Visitors Bureau, but not necessarily City of Wichita. City of Wichita really wouldn't have anything to do with this. This is strictly a Convention and Visitors type activity. They have already met numerous times with the Convention and Visitors Bureau in figuring out how some of this logistics and those things work, and the Convention and Visitors Bureau is very much in support of them doing these types of activities, but they wouldn't have anything to do with the City because it doesn't have anything to do with them, it has to do with you and not the City."

Commissioner Unruh said, "Okay, but at least one person on the potential user of the Coliseum would be HDG? I mean, they would be not only promoting it to others, they would be saying we have a use for it, and we want to use it, is that correct?"

Mr. Ferris said, "No, they do not use this at all. That's not what they do. Correct me if I am wrong. They are going to be a group that is kind of the intermediary, at least at this point. In the future they would like to be the group that would handle things at the Kansas Coliseum for you, where you might pay them a fee then, like you do SMG, to manage all these events as they are coming. That would be in the future at such time that you evaluate it and said, you know, we've got \$2,000,000 or \$3,000,000 a year worth of events coming; local, state, regional, and national events, so it makes sense for us to have somebody there that understands that industry."

"You know, SMG is great in the event industry. What Mr. Lippincott does is, frankly, is in livestock, equine, rodeo type events, which is what you are talking about here. So their ability, then, would be, you would obviously do an RFP (Request for Proposal) at that process to find somebody, and you would obviously want to find somebody who knows how to manage equine, livestock, and rodeo type events. They would then like to be your manager/operator of those events at the Coliseum. At no time are they looking to actually do events for themselves at that facility."

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Commissioner Unruh said, "Thank you. That's helpful. I was concerned that we were sending the fox out to guard the chicken house, you know, if he was working both sides of this."

Mr. Ferris said, "Not at all. I think as a public official, that's prudent to evaluate and look at. What they are really trying to do, they are Sedgwick County folks, we've got a great facility up there, they believe, for these types of events. They have contacts throughout this industry and they think they can market their community to those events and eventually they would like to turn this into a business where they operate the Coliseum. I am not going to say these guys aren't looking sometime to be able to make some money doing this, but that is only after they have proved to you there are enough events to be at the Coliseum to make it worthwhile. "

Commissioner Unruh said, "Well, thank you. That's helpful. I guess, Mr. Chairman, I don't want to keep asking questions. The only other concern, or something I would like to have some comment on, is that in speaking a month or so ago with Mr. Lippincott, Jr., talking about a significant remodel to the Britt Brown Arena, one that would take multiple millions of dollars to accomplish, turning it into two Arenas, indoor, air conditioned, one of the reasons that we have not, that the Downtown Arena was initiated is because that building, we know, needs significant major repairs, and I guess what I am saying is that I don't want to have anybody make representations about our willingness to go ahead with that until we have more details than I see right now."

Mr. Ferris said, "I think that's prudent on your behalf and I don't believe that Mr. Lippincott's group has any intention of binding you, as they are not allowed to, to do any of those improvements. What their goal is, is to bring you those type of events that are available, show you that those events are willing to come, and the revenue streams that those will generate. Your job then, staff and the Commission's job, will be to evaluate what level of improvements, because anybody who tells you that you are not going to do anything, they are lying to you, you know that you are going to do something. I sat on that committee that evaluated it. We know there are things that have to be done no matter what you do, unless you just lock it up, mothball it, and get rid of it. So if you don't do that, there will be something. But you will have the decision on whether any of that is done at the time that you evaluate the contracts, and whatever level is needed, you will have that, all of that information before you, it will be money, it will be time, it will be the costs of the renovations to do that. All of those things will be before you, and at that time you'll be able to make an informed, solid decision."

Commissioner Unruh said, "That's all I have."

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Chairman Parks said, "I've looked at this as a study, and have been studying it for over a month. I would like to know, just want to make sure that since we didn't have the interactive communication on this through our members, is there anybody that didn't get an appointment with HDG to sit down and discuss a business plan, and discuss the preliminaries on this, of the Commissioners? I think we all have been able to sit down and talk with them. In fact they provided us with quite a large book of their business plan.

"I've done some investigation on their background, on their group; their financial status, the individuals, so I feel very comfortable with them on that. This was all done before July 1st that we did this, so this has been an ongoing process. This is just not something that is a whim that came up today, but we had to get it on the Agenda because there's some timelines for some of these national events coming up, and I don't want to have another Bowling Congress deal come down like we had before. Even though that was somewhat different, I don't want to miss an opportunity to use a building that we have available and bring a lot of dollars into this community. Commissioner Welshimer."

Commissioner Welshimer said, "Well, I don't want to get the cart before the horse, either, but my understanding is that we have just, is it this Saturday that a decision is being made on one of the national competitions?"

Mr. Lippincott said, "It will be a week from this coming Sunday."

Commissioner Welshimer said, "A week from Sunday, and so we are sort of caught with a situation where we are one of two sites that are considered desirable for the event?"

Mr. Lippincott said, "Yes. Back in January when we went to Denver to bid the National High School Finals, they usually award the site for both the National High School kids and also the Junior Wranglers, they knew our interest in wanting to host them, and so they made a point to stay their site selection in January to this July. I won't say just for our purposes, but so they could entertain another possible site over and above the ones they already presently are looking at."

Commissioner Welshimer said, "So that leaves us not much time to try to access that opportunity, and I think, you know, if we have no binding situation between us, then after that we can set up a series of procedures that we need to carry out to satisfy the way we're supposed to operate in this, and hopefully we'll be able to do this, because it sounds like something that is very lucrative for the community and I appreciate your making this..."

Mr. Lippincott said, "Just to give you a couple ideas, that organization, they have a criteria book on things, for a better word, that's a wish list, and a couple of their wishes is that there is over a

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thousand hotel rooms available in a ten mile radius, so that gives you an idea of what kind of crowd this thing draws in, and there again, it is all participant driven. So they show up with their big trucks and big trailers, and they have to buy food, they have to get fuel, they have to do all those things, and its over a ten-day period, so they are not just here for three or four days, as some rodeos are, they're here for a while, and to be honest with you they like spending money, they're there to do that because that's the way they have a good time."

Commissioner Welshimer said, "Okay, thank you."

Chairman Parks said, "And you have talked to the Department of Commerce and they would be looking forward to participating in some ..."

Mr. Lippincott said, "Yes, we've been in contact with those in Topeka, and they have told us that they would issue \$150,000, if you want to call it a signing bonus, per se, they would award \$50,000 each year for the next three years to that Rodeo Association for an educational fund, so that's part of their participation. That's just for right now."

Chairman Parks said, "Commissioner Unruh."

Commissioner Unruh said, "Just one more question, Mr. Chairman, and maybe a Manager could help me answer this, and that is, our current operator at the Coliseum who is charged with keeping the Coliseum busy and attracting events, is this just something where they don't pursue these sort of events, or they don't think they pay? Or why is our current operator not tuned in or pursuing this? I mean, or is that a question we can answer?"

Chairman Parks said, "Mr. Holt, if you want to go to the podium. I think it is important to ask and have questions answered, so don't be afraid on the Commission to ask these questions. These are important questions."

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "That's correct, Commissioner, the SMG's focus is on concerts, sports, some dirt shows, but very few during the year. This would not be in competition with what SMG. What we've been talking about here, would not be in competition with what SMG will be doing at the new Arena. This focus is rodeo, equine, livestock, dirt show, flat show events, and that's not SMG's first and primary expertise. They do some of that, but it's not their primary focus."

Commissioner Unruh said, "Thank you."

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Chairman Parks said, "If you can imagine 300 to 500 one-ton pickups with trailers and longnecks and all this down in the downtown area, I don't think that that's going to be any kind of a competition with them at all."

Mr. Lippincott said, "One of the other criteria, along with the hotel rooms, they ask for 1200 RV (Recreational Vehicle) stalls. Those stalls are 55 feet long, 25 feet wide, with complete hookups for it, so that's the kind of size of the rigs that they bring into these activities."

Chairman Parks said, "And within ten miles we have quite a few of those. I don't know if the dimensions would fit, but there are quite a few of those facilities around and it seems like these economic days are not as full as they once were. I do know on the north end and Newton, and of course we have the Weidemann Park also that could be utilized. Commissioner Norton."

Commissioner Norton said, "Well, first of all I have to state I am a little disappointed because I found out about this five minutes before I got here today. I did have the meeting some time ago with Gabriel, got the packet, have read it over, and I know this has moved along in conversation, but I'm little disappointed its come up today and I wasn't briefed more extensively on where this is going and what we need to do, and I do have some thoughts and some feelings."

Commissioner Norton continued, "First of all, I'll say, that five years ago, I advocated as we started this process to look at the Britt Brown Arena as an equestrian center, and I came to that conclusion after seeing an equestrian center in Jacksonville, Florida, which does some pretty amazing things, because we are in the center of the country. So don't think that I am anti-equine/equestrian kind of events, because I thought about that whole thing years ago."

"I'm concerned that I didn't get any backup other than that one package. Usually when we get presented things we have some backup we can read even at the bench, much more than something this simple, so I am a little concerned we're making pretty big decisions for a community facility that could set in motion a lot of unintended consequences. We usually do things with a lot of advanced planning; I mean years of thought process and ideas, and we have not done that particularly on this. I am concerned we don't have a pro forma as to whether this will sustain itself over many years. When you say we bid it every two years that would indicate that we may upgrade and do things we need to do to Britt Brown, and then we don't get the contract for several years in a row. They have the potential for not housing that here but for the length of the one contract and then we're scrambling to find things to go in the event center, so I am a little concerned there."

"I am a little concerned also that there may not be any other event developer groups that might be national, and might be recognized, and that we might go out and look for, as opposed to just taking someone that approached us. Now that doesn't say, Greg, that your company isn't wonderful and

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you can pull all this off, but we generally look around and see the scope of what can be offered by a lot of different groups instead of just picking somebody that comes to us.

“I’m also concerned, as was Commissioner Unruh, in talks about investment in the Britt Brown Arena, remodeling issues that we have, ADA (American’s with Disabilities Act), I can’t believe that we would commit, or even start that process of offering it up to something this large, knowing that it can’t be used without some kind of limitations based on lawsuits we’ve had in the past, directions that we know, that we’ve made agreements once we open the Arena, that we’ll do something else that makes that functional, and I think that could be pretty expensive, and I don’t know that I want to enter into that on a short-term basis. I know there’s a chance to get a pretty significant event in our community. I think that’s wonderful, but it seems like that maybe we’re putting ourselves in peril of a lot of unintended consequences that just don’t make sense at this time in the history of what we’re trying to do at Sedgwick County. So I have some grave feelings about this, a little consternation, because I like to be a little more succinct on looking at the unintended consequences, the future, what’s going to happen, how much money is going to have to be spent to pull this off, and whether this is really the direction we want to go with all of that facility. So, as much as I would like to support an equine/equestrian thought process for that facility, this is a knee-jerk reaction, I think, to a proposal, and I have a little trepidation.”

Mr. Ferris said, “Mr. Chairman, could I answer a couple things...”

Chairman Parks said, “Thank you for throwing a little cold water on the thing here today. I did try to get a hold of you yesterday, by the way. You were in a meeting that I was in a meeting at. I had some backup for you, I did contact you this morning as soon as you got in at five minutes until 9:00, and at 9:00 last night, I got out of another meeting and didn’t know what time your bed-time was so I didn’t call you then, so I guess I should have called you at 9:00 last night and tried to explain those some of those things to you. This is not a knee-jerk; you had an opportunity to go over their book, their business plan, a month ago. Mr. Ferris.”

Mr. Ferris said, “Well, I think Mr. Norton did raise a few points that were important, and the conversation today is centered on this national event because the reason that the time crunch was here was because the national event. But, what Mr. Lippincott’s group wants to do is not just go after national events that come for two years, and do those contracts three, four, five years out.

“What their group wants to do over the next seven months, is to bring to you not these national events and these big national contracts, but in September and October, all of the state and regional events, that there are thousands of those in the area that are available, they want to go, and instead of doing the traditional feasibility study where you hire a consultant that goes out, and they look, they go, well gosh, there is a thousand events, and Wichita’s in the middle, and Sedgwick County’s in the middle of the country, and therefore we might anticipate we would have this number of

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events, and then you have to make a decision based on some consultant's opinion of what might happen.

“What Mr. Lippincott is proposing, is over the next seven months he would literally go into the buildings of these groups and meet at their process and say, you know, the County wants you to be in the Kansas Coliseum, and therefore I am here, and here's what we will do, and to bring that back to you so that during the next seven months you will have an opportunity not to look at one, or two, or three national events, while those are wonderful, and they do millions of dollars of economic impact, the real nuts and bolts of an arena or convention center or of an equine center, are those events that happen every two or three weeks in your facility.

“You can't build an arena for a concert that happens once or twice a year. You have to build an arena, and you all know that because you've been through that, for all the events something that happens over the course of the year. And what he's talking about is going out and finding out all those events that are available, not just talking pie in the sky, but bringing you and saying here's what is available to you, if you decide you want to do these contracts, they have already said they want to come to Sedgwick County. It is a feasibility study in terms, but the feasibility is a really a reality study. This is a reality study on what can happen at the Kansas Coliseum.”

Mr. Ferris continued, “So during the next period of seven months, and you've made very little commitment of funds, you have made only a commitment in allowing them to use your name representing the Kansas Coliseum, and in return for that they are going to bring you the opportunity to evaluate in detail how much money can transpire on an annual basis over the life of this project. So I think it is a little different than the original discussion, because we centered on that because that's the time frame.

“We are kind of in a hurry because of that one major event that will bring \$50,000,000 a year in economic impact to the community for a two-year period, but that's not what they want to do with the Kansas Coliseum. What they want to do with the Kansas Coliseum, bring 20, 30, 40 events a year to the Kansas Coliseum, that make sense from a state and regional level, so that's the difference in that.

“I just want to make sure you understood, that we are not asking you to look at something that may be for a two-year period. They're asking you to look at something over a seven-month period where you can then say 'yeah.' There are not a lot of groups that do what they do, number one, and number two, you have to have the contacts in the rodeo, the roping, equine event, you have to have those contacts, and they have already demonstrated that fact just because the door is even open for them for the top two events in the country, that have already allowed them even in the door. So they've already demonstrated that they have that ability.

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“So certainly Mr. Norton, I understand nobody likes to make decisions on short notice. Certainly I understand that you want to have all the information you possibly can. I had hoped that what you had had up to this point was enough because you are not being asked now today to commit large amounts of money. You are only asked to commit to allow them to try to bring you large amounts of money.”

Commissioner Norton said, “And Greg, I understand that. The reason we’re rushing today, though, is because of one large event. I don’t know that I have a problem with looking over a seven-month period of what’s available to help us decide what we are going to do with the Britt Brown Arena, but the truth is the reason we’re rushing today is one event, and I contend that maybe we go out and that one event comes to fruition for two years, and then we can’t find anything else, and we’re going to be faced with that decision of do we do anything with the Britt Brown Arena for a two-year event, and that’s the only signature event we have for it. I just think we need to think through that.”

Mr. Ferris said, “And I think, Mr. Norton, if that was the case, and depending on the amount of money that they were going to pay in participation events, depending on the money you evaluate it was going to cost to bring that here, you would make that decision as you are negotiating the contract. That’s what you would be doing. Even if you get the bid, you still have to negotiate a contract. So while they want to know that this is available, just like the bowlers were coming to Wichita, and we were sure they were coming, the City was unable to close the contract. This would be an opportunity for you, and you would have good reason if during the next three, four months they couldn’t show you, because that’s how long it would take to negotiate the contract.

“That’s half the term of their contract. So if during that, and if I have understood the motion correctly they need to report to you on a monthly basis, so you would be seeing over a three or four-month period while you’re negotiating the actual terms of the agreement with this event whether or not there was enough other events to make it worth your while, and that’s why we thought that during this time it would be prudent for them to go secure this bid, bring it back to you, and while your staff is negotiating the final terms of that, they would also be out there telling you whether or not they had other events that would make it worthwhile, because one event may or may not, you would have to decide that, and you’d have that opportunity.”

Chairman Parks said, “Key in this motion that I made was promote. Key is seven months. We are not asking the taxpayers for \$205,000,000 in sales tax. We are not asking for a five-year contract, or a long-term contract, or a bunch of money, it is a seven-month time period. I think a lot of things can happen in seven months that are positive, and a lot of things that can happen that will be able to

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tell us whether the option of bulldozing the Britt Brown Arena is out there or not, and I can tell you the people in my district want to search every option to not bulldoze the Britt Brown Arena.”

Mr. Lippincott said, “If I might comment on your concern about this only happening for two years and then negating it, and I know it is just through conversation with those organizations, but we’ve had extensive language with them and what they are implying to us, without obligating completely because they go through a Board, is this first rodeo would be in 2012 and 2013, that would be the two years the Junior Wranglers would be here. In 2012 we go and try to obtain the high school rodeo for another two years because they are already obligated to another site, and so what would happen, and this is what we’ve been told, is that the high school kids would come for their two-year rodeo in 2014 and 2015, the juniors would be there, because many of these families have kids that are in both rodeos.”

Mr. Lippincott continued, “They have an age span of being in both the juniors and in the seniors, and their concern is going from one part of the country to another part of the country, hauling out four horses, and being on the road for three or four days getting from one spot to another, and so they like the general locale, plus, a big advantage is the climate controlledness that we can offer them, because these things are held in July, and in New Mexico it’s hotter than blue blazes. In Springfield, Illinois, it’s so humid you can’t hardly breathe, and they like the central location, and also with the climate controlledness. It doesn’t have to be as cold as to hang beef in there, but if you go from 105 outside to an 80 degree building it feels pretty comfortable.

“And so, then again, the high school would also come the next six years, the fifth and sixth year by themselves, at least for right now. So we would have six years of having eight rodeos, two for juniors, two for junior/seniors and two for seniors in a six-year period. And like I say, that’s been is going to in conversation, you know, nothing is in concrete or anything like that.”

Chairman Parks said, “Commissioner Welshimer.”

Commissioner Welshimer said, “Well, I can understand what the concerns that Commissioner Norton has. I think just my own observation, over the years that we have been planning the opening of the Arena, and no plans, really, for what is going to happen to the Coliseum, I think the Arena downtown is going to open in another six months. I think if we put off making any decision for the Britt Brown Arena, and wait until the Arena opens downtown, I think Britt Brown is going to eat our lunch, and the taxpayers’ lunch, and I think we are running out of time to come up with some decisions of what we’re going to do for that entire site. So, we’re not bound in any way on this plan that we’re talking about today, and once we get past this point, then we can put a lot of thinking and

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working and deciding what to do, and making plans, possibly put out an RFP for a developer to work with us on this, and move along, but it puts us at the starting gate, and I think it is a pretty good idea.”

Chairman Parks said, “Commissioner Peterjohn.”

Commissioner Peterjohn said, “I’ve got a number of points, and I’m delighted to hear another Commissioner use the phrase unintended consequences, because that’s been something that I’ve been looking at, and this goes back to 2004 when I had a concern at the time we had the vote on the sales tax that led to the Downtown Arena, and what was going to be the future here.”

“The motion today specifically says seven months, and so I appreciate the comments that there are events out there that are a ways out in the future, but if there’s a major event that we can attract within the next seven months that will not fit into any other facility in our community, and can bring in the dollars and support, I don’t have a problem with seven-month commitment, and I think the idea that we can convince people that Britt Brown Arena had been bad-mouthed so often and so many different ways after the 2004 vote, I was surprised, frankly, that the building didn’t collapse the day after the election from some of the comments that had been said about it, and it has served quite well in the almost five years since that time.

“I regretted very much that the Bowling Association Congress event did not come to Wichita. I think it would have been a tremendous asset. If we can land events that can bring that type of money into our community, I think that is a real positive. We do not have the commitment here to commit to spending and remodeling Britt Brown, however, I would be delinquent if I did not hasten to add that we’ve already, as part of the Arena vote, we put \$6,000,000 into the Pavillions at the Kansas Coliseum, and the Pavilions provide an excellent asset for dirt-type events that can’t fit into the Arena downtown because of the points that Commissioner Parks made concerning parking and space. So my focus on the 280 acres the County ends up there, looking at it long term, is that I want to see the assessed value grow in our community.

“I met recently with the Appraiser and the numbers are not looking good. We don’t have the growth we’ve had in the past, and anything we can do to increase value and the potential for value I think is a positive. I like the idea of having a group out there that is marketing unique events that could bring significant money into our community that would go a ways towards attracting and bringing dollars here. I want to make sure that there is complete agreement that the information I presented is indeed accurate, and we won’t be doing anything that causes problems with SMG, but we do have

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the responsibility for the Britt Brown Arena until, I believe, they are scheduling events or have events scheduled and the authority to do so out until the first quarter of 2010.

“So I think things that we can do that shows that this may have more value than is out there, I continue to work that I want more flexibility in terms of eliminating some of the challenges we have with Weidemann Park in terms of the use on it, but if we fill it up with people who are bringing motor homes or campers there, so they are bringing events for equestrian, I think that that’s a positive, because I think there is real value out there. I would like to see it eventually get back on the tax rolls.”

Commissioner Peterjohn continued, “That’s the focus I have in terms of the concerns that I’m looking at with this issue. I agree with some of the other comments that have been expressed here in terms of having more information, but frankly, I don’t want the Kansas Coliseum Complex particularly, in general, and the Britt Brown Arena in particular, to kind of lie fallow between now and next February, and if there is an opportunity to bring a major league event to this community, that has a dollar figure that’s similar to the Bowling Congress, our responsibility is to do the due diligence, and try and do what’s best for the community, and I would like to bring the world to Wichita.”

Chairman Parks “Thank you. I would like to ask, I don’t see Bob Hansen in the crowd, but if he were here I’d like him to come to the podium. We did meet with him last week also, and he’s excited about this also. He chimed in on it from the Sports Commission, and I don’t like speaking for somebody else, but I did want to bring that up that he was excited about these events also. Seeing no further discussion, let’s call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “Thank you for your votes.”

Mr. Lippincott said, “Thank you so much.”

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Chairman Parks said, "Commissioner Norton, just one item before we recess a little bit."

Commissioner Norton said, "Well, I just wanted to be sure, I voted for it, I think we can move forward. I got to say what I thought about this issue, and I had some consternation about it, and some of it was about the pro forma, some of it was about the acknowledgment that I didn't know a lot about it before I came here today, and I wanted to be sure that I got to say that. So I've always been looking at it as an equestrian center. I will continue to support that, and, as Commissioner Peterjohn, I am hopeful we find something for the Britt Brown Arena so it can continue to serve this community. I just don't like doing things on very short notice without a lot of information, without trying to think of what can happen if we take unprudent (sic) action."

Chairman Parks said, "That is why we crafted the motion with Legal yesterday, and with staff, to make sure that all those things were in there that wouldn't bind us in any way, and put us in a bind in the future, but the timing is such that we needed to move on this, and we are going to take about a ten minute recess and come back."

The Board of Sedgwick County Commissioners recessed at 10:08 am and returned at 10:18 am.

Chairman Parks said, "We are back to order. Next item please."

PRESENTATION

B. PRESENTATION OF THE COUNTY MANAGER'S 2010 RECOMMENDED BUDGET.

POWER POINT PRESENTATION

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "Thank you for this opportunity once again to present the financial plan, a budget for you for 2010. This couldn't have happened without the good work of the folks in budget department led by David Neller and Pete Giroux, Chris Duncan, Jo Tinsley, Anthony Swartzendruber, and Nikki Hunnington, who did all of the heavy lifting. Others who helped, of course, are our interns, who do a lot of the work, Angee Fanning, Nathan Law and Phil Laney. People in Communications and Print Shop produced those books.

"The budget team really is comprised of senior managers in this organization; Charlene Stevens and Ron Holt, Jo Templin, Kristi Zukovich, Chris Chronis, David Miller, and Troy Bruun assist me in the production of this recommendation. You know what our mission is, and you know what one of

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our goals is. The mission is continue to provide quality public services, provide for the present and future well being of citizens of Sedgwick County , and one of our goals is to try to allocate and use our resources for basic and essential services. I am sure we will be talking over the next several weeks what the definition of essential is, and you get to decide what essential services are that are responsive to the needs of this community.”

Mr. Buchanan continued, “So that’s the framework in which we try to do this. You understand that we use this target as illustration of where we are in the process. We’ve talked about the long-term financial plan several times, beginning back in February. Base budgets have been delivered, and department heads, elected officials, and others have worked hard at trying to meet those targets. The Commission Budget discussions, where we are, that we will continue. In conversation with Chairman Parks we’ve concluded also that the next several Tuesdays, at our staff meeting, we will devote certainly a large portion of those Tuesdays for budget discussions, so that we can go through this process. Our intent is to continue to have the public hearing next week, and then August 5th when we adopt the budget.

“The budget is a plan. It is a plan to deliver services, and we hope those services are quality public services. We have six major areas within the budget book that discusses those public services and how we deliver them. But I want to talk a little bit now about the two major effects that have occurred, that have happened, that will have a significant outcome of how we go about our deliberations.

“The first is State funding reductions. Here’s a list of all those items, \$4,000,000, the equivalent of one mill reduction from the State. The State reduced the rural transportation rides. These are rides provided for people, senior citizens in a certain income limit, to go to the doctor, to go to dialysis, to go to the hospital to get physical therapy; rides that are essential for their maintaining in their homes; the State cut that.

“Aging services, in-home services, these are services that are provided, again, for seniors intended to keep them out of nursing homes, such things as bathing, a couple times a week, attendant care, home meal preparation, some shopping for groceries, those kinds of things that you and I are accustomed to, but for a senior is really important for them to stay in the home. They have the State cut those funds.

“We have a group of citizens in this community that are developmentally disabled. That’s the CDDO or the Community Developmentally Disabled Organization that deals with those. Those are

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adults and children of all ages and conditions. We have a plan that provides for people, for a kind of a day program. We have a residential program, and we have services to families. Last year we served 220 families, we had 123 people reporting for, in our day programs. The State reduced that by \$1,400,000.”

“COMCARE addresses issues in this community for people with, for mentally ill. We’re seeing a significant shift by the State, the uninsured are a big portion of our customers. The people that have insurance often times use other agencies. We’ve benefited because some of the insured have used us, and we have been able to collect those revenues, but the State cut that by \$1,000,000, and we will provide services to the mentally ill, ask the County to cover those.

“Code enforcement, this is a small grant. This is for those people who are trying to build homes outside the city limits, corporate limits in the rural areas. This is inspection of water wells and septic systems so that they can get a building permit and close on a mortgage. They’ve cut that program.

“The Community Corrections, JJA (Juvenile Justice Authority) reduction was, we provide funds for folks in our community for keeping people, kids, especially kids, JJA as the juvenile justice authority, we try to keep children out of the system. We have programs to do that. We identify the risks of those children who are at risk and we have very successful programs. The State didn’t decide to fund that. And then, we had an agreement with the legislature some time ago that they reduced the machine and equipment tax and, as a phase-out so that local governments wouldn’t be hit all at once, they were going to phase that out, and so for 2010, it was, this year was \$1,000,000, and we didn’t receive that, and again, that’s the equivalent of about one mill.

“I’ll talk later about the programs we restored. But quickly, we have restored the Aging Rural Transportation Program; we think that is important. We think those programs to get senior citizens into doctors, and into dialysis, and try to keep them in their home is important. The same with in-home services. There’s a way, that we think is critical, that seniors have that attendant care, that any time you can keep a senior in their home in the community is always better than putting in the nursing home.

“Aging for Meals on Wheels, I skipped over that. We did not fund that program. We’re told that that can be handled some other way, but the County can’t do that. The developmentally disabled, out of that \$1,000,000, we have, Chad has redesigned the way he’s delivered those services. We’re going to put in about \$627,000 to maintain, try to maintain services at a level that’s sufficient to deal with the hardest of the issues, COMCARE and reducing the SRS (Social and Rehabilitative

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Services) funding. We are going to renegotiate contracts with our service delivery folks to make up some of those dollars, and we are going to put in about \$.5 million of COMCARE's fund balance."

Mr. Buchanan continued, "We won't be using general fund, but we'll be using some of their rainy day funds for exactly this purpose. We've included a fee increase for in the budget process for the grant proposal. So that we can serve people who want to build homes outside the corporate limits of cities in rural Sedgwick County. Community Corrections has does not have a plan to refund the JJA reductions and we're going to have to deal with that. The other issue that affects this year's decision making process, we've talked about the State and the other is the economy. These are changing, challenging times for our community.

"We have key revenue indicators and I've just used some of them, but you can see that real estate taxes are down 6.1%; the use tax is down 4.9%; mortgage registration fees, people buying houses, are down 8%; investment income is 56% because of interest rate; a special City/County highway fund is 19%. That totals about \$6.6 million, the equivalent of about 1 ½ mills. With the State challenging community economic downturn of 1.5 mills and the reduction in the State is 1mill, that's about a 2.5 mill revenue reduction for Sedgwick County. The good news is that we have, we are in a strong financial situation. We have saved and we have managed for a rainy day, for rainy day reserves. So we have an ability to deal with these issues in ways that are very helpful had we not done that.

"We also know that for 2010, there's been a desire of Commissioners to reduce the mill levy for property tax relief, and I want to discuss those that mill levy with you and put it in context, and then give you several scenarios. The recent budget history; in 2006 we increased, the 2.5 million increase for jail expansion, for inmate population reduction programs and National Center for Aviation Training. In 2009 we went back and reduced the levy 1mill because there was no jail expansion. We've decided to postpone, or delay, or not do that jail expansion and so have the 1 mill reduction. In the meantime, we still continue with the National Center for Aviation Training and the inmate population programs move forward. We added those services that cost more than the 1.5 mills, so that kind of puts that in context.

"What I want to do now is kind of give you some scenarios and I want to give you these scenarios about what may or may not occur in your decision making process. The first scenario is that no budget reduction and no mill levy reduction using our financial plan, and I think we need to say, and we need to all agree that everyone hates operating deficits, it's just not a good thing. However,

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in an economic downturn, a deficit over several years may not be bad at all, and as a matter of fact may be a wise financial policy to proceed.”

“Under this scenario we would have no budget reduction and no mill levy reduction, and you can see we’d run deficits in 2010 to 2014, although 2014 is almost negligible, but the more important number is the available fund balance. You see there that we have available fund balances for all the five-year projections, and that we have those fund balances for the unexpected, for the emergencies, for rainy days, and that’s pretty sound fiscal management.

“Now I want to show you a second scenario, and this is second to the ½ mill reduction with no budget reductions. Again, just a ½ mill reduction with no expenditures, and I’ll get to the point of why we need to cut them if we are going to lower the mill levy. Again you see deficits; all through the operating income we see deficits. Some of them are clearly larger than the previous one, but more importantly, under available fund balance, you see that in years 13 and 14, if we do not reduce expenditures, we then don’t have available fund balance, we do not have a rainy day fund, we do not have funds for emergencies.

“Under scenario three, it’s a 1 ½ mill reduction and you can see the numbers continue to grow and you can see that the available fund balance, we run out in 2012, which was going to require significant, significant reductions.

“And finally, I want to give you the last scenario, and this I’m proposing and recommending in the budget for 2010, is a 1/2 mill reduction with a corresponding reduction in expenditures, and I think it’s important that we have a corresponding reduction in expenses because of what this illustrates. You see that we run deficits, operating deficits, for the 2010 or 2014. Again, 2014 is negligible, but more importantly, there remains a solid available fund balance for emergencies, or rainy days, or the unexpected, and I think to do so, to combine a mill levy reduction with an expenditure reduction is good fiscal management.

“Just as an illustrative point, you can see the three scenarios plus the recommended, and I want to point out that under the ½ mill reduction, and the corresponding expenditure reduction, maintains our fiscal integrity. The deficit is about the same. The deficits are about the same as the economic downturn is mandating. So in the Manager’s recommendation, in my recommendation there is a ½ mill decrease, \$2.1 million; there’s a corresponding reduction in expenditures of \$2.4 million. We use reserves for the short term solution, and for a short term problem.”

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Mr. Buchanan continued, “Now, I want to talk about the reductions. The reductions in the budget, we are matching the City contract for MAPD (Metropolitan Area Planning Department) and Flood Control. You know that in both those areas we share expenses with the City for Metropolitan Area Planning Department and for Flood Control, and because of because of the City of Wichita reductions, our reductions for those two programs would be \$127,000.

“I’m recommending that we eliminate the temporary summer mowers, and that’s about \$78,000. We have extended vacancy positions, about 14 ½ that we have examined. These vacancies have occurred over a long period of time, nine or ten months, maybe clear up to a year. These vacancies, these positions are not filled. They have been vacant for various reasons but not because we couldn’t fill them, not because we couldn’t find qualified people, so that’s not driving the issue. I think we can successfully eliminate those 14 ½ positions and save about \$590,000 dollars.

“We’re going to eliminate the ERP (Enterprise Resource Planning) Cashiering System, although that’s important, it is in another program, in the new tax system, so we don’t have to keep paying for that, and that’s a good savings.

“I am recommending that we close the Pavilions to eliminate the subsidy. The subsidy is about \$584,000. Now, you’ve just heard a presentation about how we might want to use those facilities in the future, and I don’t think these two conversations are incongruent. I think, as a matter of fact, that it makes sense. If we can find a user, if we can find uses for the Pavilions that eliminates the deficit, if in the next six or seven months Heritage can do that for us, then that would be an appropriate way to continue using that facility. But, in these economic times, with these kinds of cuts to services, the \$584,000 subsidy, I’m recommending we close this facility in February.

“Reduce the annual contract to the Zoo and Exploration Place, each \$100,000, and Extension Council by a \$100,000. Extension Council is important in this community, and it receives more tax money than any other Extension Council in the State, and after this reduction that will still be true.

“Reduce the physical disability program by \$150,000. These are programs that we, some of our agencies, we fund. This is a program that the State has given us the money to do. They think it is their program; we think the State should administer it. We think these programs can be reduced and not diminish services terribly to those people receiving the services from those agencies.”

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“I’m recommending that we suspend the performance based salary pool and provide a 2% general pay adjustment for all employees, that saves about \$2.2 million. We have spent the last five or six years developing a Pay for Performance system that is unique to local governments. It is unique to local governments around the country because Sedgwick County’s system has provided an absolute Pay for Performance. People don’t get automatic step increases, people don’t get automatic quotas, people do not get automatic raises. The raises people receive are based on the merit, the quality of the work, and fulfilling their goals for the year. It saddens me to have to suspend the salary pool. We’re still going to require department heads and division directors to do rigorous employee assessments, rigorous employee evaluations, but we don’t have sufficient funds to continue with a pool of money to award the best performers.”

“We have adjusted the health benefit plan to reduce increase from 13.5% to 8%; that saves about \$1,000,000. What we are intending to do is several things. One is that we are increasing the cost up to \$100 for co-pay for emergency room visits. We intend to change the prescription drug plan. The generic plan, at \$10 each, will remain the same. Those paying \$20 for formulary drugs will now pay \$35 or \$30, and those for non-formulary drugs that are paying \$35 will pay \$50.

“Under our health plan we have a provision to provide for eye-glass examinations. We can save some money by eliminating that program. We have discovered that less than 1% of our employees were using that provision. Whether they knew about it or not, or whether they just chose not to, we don’t know, but that usage rate we weren’t getting any value for those dollars. And we’ve have changed how we administer the program to save a significant amount of money in doing things more efficiently and more effectively. We can receive \$1,000,000 of savings there.

“We talked about the restoration of the State funding in this budget, and there, the Aging programs, Aging In-Home Services, CDDO (Community Developmental Disability Organization), and Code Enforcement.

“Now I’d like to talk, because there’s been lots of discussion about a mill and 1/2 and we’ve talked about what the 1½ mill might do if we don’t, if we do not provide cost reductions. So I’m going to talk a little bit about some examples of what we might have, to get to a 1½ mill if that’s the Commission’s desire, these are examples of what we might do. I’m not recommending these, and therefore I’m just pointing some of these out.”

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Mr. Buchanan continued, “We would want to think about deleting the cold mix program; we would eliminate the funds to the Culture and Recreation allotments; Historical Museum, Kansas African American Museum, Junior Livestock, the County Fair. We would reduce allocation to WATC (Wichita Area Technical College), the Community Development programs, Community Housing Services, Oaklawn bus service, we do a study on K-96 and K-24 about how we go about economic development and we would stop doing that, stop the mediation center, close the Bait Shop, close the store at Lake Afton, 0% percent adjustment for employees, or greater cost shift to employees.

“Now, I have intentionally left off any reduction in programs that would mean reduction in number of County employees, and I have done so purposefully because I didn’t want to create unnecessary angst with our employees. You are going to hate some of those ideas that I just put up, but I want to caution us, if the Commission does want an example of some programs and some other examples of reduction we’re prepared to produce those at your request. So the Manager’s recommendation is the 1½ mill decrease, corresponding reduction in expenditures, use the reserves for the short term problem.

“Now, in the budget we also have Capital Improvement expenditures. It’s a \$31,000,000 for 2010 Capital expenditure between grants, bond issues, and cash. We invest in remodeling and repairs of our facilities. At the top of the list, of course, is the levy repairs for FEMA (Federal Emergency Management Agency) and FEMA accreditation; we need to continue that program. The Detention Facility entrance needs to be made more secure, and we need to have increased visitation on the second floor of the facility, and that is part of the Capital Improvement Program. In 1993 we built a temporary squad room that is still in existence and our intent would be to replace that. Our roof, HVAC (Heating, Ventilating, and Air-Conditioning), and ADA improvements are in the budget and we need to continue with this methodical way of replacing air conditioning and roofs for our County facilities, and various roads and bridge projects throughout the County. So the recommended budget for Sedgwick County is \$381,508,078 with a ½ mill decrease to 29.877 mills for 2010.

“Fire District budget is the \$15,000,000. It maintains the 18.5 mills; it continues the programs we have had in the past and continues with the building of those fire stations. The 2010 resources, this includes all the Fire District; cash reserves you can see the blue, it’s 7%, ad valorem tax on the right is 34%, sales tax is 6%, motor vehicle tax, and you can read all those revenue sources. Expenditure dollar chart, again, Public Safety is our biggest, General Government 27%, Health and Welfare, Public Works and you can read how we expend our funds. Again, in summary, the 2010 recommended budget is for a total of, with the Fire District, \$397,000,000 with ½ mill decrease and a corresponding decrease in expenditures.”

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“Next steps, because, as I talk about the economy in the budget message, I stress again how concerned I am with the 2011 budget. I think what we know about the local economy is that we lag the national economy by 12 to 18 months. We know that the State is in not good fiscal shape, and probably next year is going to be worse fiscal shape, and it’s election year for State Legislators and that’s a year that they are not particularly helpful to local governments, and so I’m not expecting much assistance from the State.

“So this week, and the beginning of next week, we’re going to look at two things that are important to begin thinking about the 2011 budget. That’s going to be, I don’t want to say hiring freeze, but I’m going to suggest that positions become vacant, and people who are going to want to fill them are going to have to justify those in ways they haven’t in the past; they have to be priority positions. Of course, we are going to look at Public Safety positions; Fire, Sheriff, Detention, EMS (Emergency Management Systems) a little more favorably than we will some other positions, but we are going to look at those with a tighter control.

“Secondly, we are going to look at travel for training and try to determine what are absolute priority travel events that are required for licensure, or required for some sort of professional development that’s critical to our needs, and so we’ll be looking at those and begin that process. You can see the next steps; the budget information is available online, it will be. The public hearings are next week and August 5th. August 5th, it is our hope to adopt the budget that day. The online comments could be made at www.sedgwickcounty.org. Again the adoption date is August 5th.

“Mr. Chairman and Commissioners, if there are any questions, I’ll be happy to answer them.”

Chairman Parks said, “So if we do have some alternative cuts in there, specifically on the 1.5 mill reduction that you had put up there...”

Mr. Buchanan said, “Yes, sir. “

Chairman Parks said, “If we do have some of those, we will be able to certainly give those to you on Tuesday of next week or before...”

Mr. Buchanan said, “Yes, sir.”

Chairman Parks said, “...and attack those. I appreciate all the information that was there for a reduction showing no increases, and I think that has come from us, and a lot of those ideas have

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been displayed on your program, however, there might be some other alternative things that may be out there that we could discuss as a group before we totally eliminate the idea of 1.5 mill reduction. Commissioner Welshimer.”

Commissioner Welshimer said, “Well this is certainly a different picture from what we had when we started out with our budget talks back in, was it April, we had our retreat? At that meeting we had a \$60,000,000 ending balance and since then we have been able to allocate \$5,000,000 to Cessna, and that wasn’t a problem; building a \$1,000,000 ditch down in the south part of the County. Bel Aire was something we could do, and that was \$14,000,000. We had a rosy picture until we’re talking about a 1 ½ mill rollback. Suddenly it’s doom and gloom; we can’t do all of this.

“We have been working for a year and a half trying to implement procedures that will reduce the jail population, among other things. With the potential of enough savings that would actually pay for this mill and a half rollback, and it just seems that all the way along with that effort we’ve had sand in the gears, and I’m disappointed that we haven’t accomplished that so that we would have that reduction in costs and expenses on the budget today.

“I think another thing we’ve done, over the years that I’ve been on this Board, is give away our tax base or TIF (Tax Increment Financing) financing. That didn’t seem to be a problem. You know, I’m just very disappointed in the overtone of the presentation, and I want to talk about it some more, and I’m not going to give up on the 1½ mill rollback.”

Mr. Buchanan said, “If the Commission wants do that, we can get you there. There are, the prudent thing to do would be to reduce expenditures along with the reduction in tax.”

Commissioner Welshimer said, “Agreed. Depends on what they are.”

Chairman Parks said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. Mr. Manager, just a clarification, it seemed like on a couple of slides you had a recommended budget of \$381,000,000. I mean, did I misread that like on slide 20 or somewhere in there?”

Mr. Buchanan said, “Amanda, are you running [the Presentation]?”

Commissioner Unruh said, “I mean, basically I just want to know if I got my numbers right.”

Mr. Buchanan said, “Yes.”

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Commissioner Unruh said, "Then it says \$397,000,000."

Mr. Buchanan said, "It's \$381,000,000 and then you add the Fire District, is \$397,000,000."

Commissioner Unruh said, "Thank you. I know better than that. I appreciate the explanation. Not paying attention, I guess."

Mr. Buchanan said, "Very insightful."

Commissioner Unruh said, "The second question I had was, is there an impact that you can show on the Cessna refund? I mean, I suppose that's coming yet."

Mr. Buchanan said, "We have read in the paper that that refund is coming. We don't have the check, we have not heard from Textron, we have not heard from Cessna, we have not heard from the City. I can assume it's coming, and again, that would it could go back into the fund balance and we would recommend you use it for one time expenditures, things that we need rather than ongoing operating costs."

Commissioner Unruh said, "Okay. I appreciate that. I guess we will wait and see when we get it. I would want to make a, somewhat of a response to Commissioner Welshimer, in light of the 1 ½ mill reduction that she is desirous of, in 2006, when the Commission approved that 2 ½ mill increase, it was contemplating an expansion of the jail and increase in alternatives to incarceration, and the National Center for Aviation Training. Since that 2 ½ mill levy was initiated as an addition to our mill levy, we rolled it back one mill last year, but those costs that have occurred directly related to those programs since that mill levy reduction are greater, in fact, than the mill and ½ increase."

"We have included a SCOAP (Sedgwick County Offender Assessment Program) program, which in the 2010 budget is \$1.25 million. Day Reporting is \$1.5 million, the Drug Court is almost \$1 million, the Mental Health Court is over a quarter of a million dollars. The Sheriff's request for supplemental funding for out of County, which is a larger population since that was done, is \$1.6 million, and our debt service on the National Center for Aviation Training is \$3.5 million."

Commissioner Unruh continued, "All of those are new expenses planned for and contemplated in that mill levy increase that rolling it back is going to directly affect other portions of the budget, because if you add those up, that's over 2 mills. So a lot of conversation about that mill levy increase and what it was intended to be used for. Those uses are now upon us in a greater magnitude than we anticipated and so I think we have to really be careful about considering the mill and ½

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levy rollback when these are new expenses that we did not have at that time. So, just an editorial comment in response to Commissioner Welshimer. That's all I have presently."

Chairman Parks said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Bill, I've got a request. One of the slides you brought up, and I'm not sure, I didn't catch the number on it, I think it might have been about seventh or eighth in on your presentation, you had a list of all the..."

Mr. Buchanan said, "The State reductions?"

Commissioner Peterjohn said, "Yeah, right there. I'm sorry. You're moving a little too fast for me there, a little further down. You were looking at all the various potential options. There, hold it there please. I would like to request that you get for the Commissioners, and for anyone else who is interested, add a fifth scenario, so that you've got the scenario with the ½ mill and a \$2.4 million budget reduction. I'd like to see that projected out with the 1 ½ mill and a \$1.4 million budget reduction, and see what we look at included in that for the future, because, for this Commissioner, as a first time going through, I think the things that, looking at this budget, and I did look at the budget last year at a couple different points, both before and after I became a County Commissioner, the big differences that are out there is County government is deeply tied to what goes on with, not only what goes on in Washington, but also at the State level, and the State level fiscally is, if you think of Sedgwick County as a vehicle, the word from Topeka has been, 'Jump on the brake, jump on the brake. We're not going to be providing you with the funds,' and I appreciate the fact that we've outlined where that State funding impacts, and those reductions are hitting, and it's good to get an understanding of what that overall impact is for us in looking at this budget, and what part has been 'we've tried to respond,' and I think it's incumbent upon all County employees, particularly those in the management and the elected side of the equation, that we're going to have to try to continue to work smarter because I think things are going to be much tougher next year than they are this year."

"Compounding this problem is the fact that we do not have the assessed valuation, we do not have the economic growth, we do not have the new property coming on the tax rolls and the increased valuation that we have enjoyed in the past and that's going to make things much more difficult going into the future. As a new Commissioner I really want to get this information out to the public, so that the people paying the bill, the people who are receiving County services, can provide feedback to the County Commission, including the newest County Commissioner, on what is and isn't important, because Sedgwick County will be imposing a fiscal burden on everyone who lives

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in Sedgwick County, and that burden is going to be a, hopefully, I'd like to see it reduced a little bit, but there are other governmental bodies that will be imposing their burdens and what we do here may be offset in part, or perhaps entirely, by actions of other levels of government that we have no control over.

“So when people take a look at their tax bills at the end of this year, in terms of the mill levy, what we do here in the next couple of weeks may be completely offset by what other levels of government are doing and I want to clearly state that on the record because we live in challenging times. I hope things turn around. I would like to hope for the best, but, as the old boy scout in me is ‘be prepared’ and be prepared for the worst is a good reason.

“Having looked at this, I am going to have many questions for staff from the Manager on down, and so for County folks who are involved in this process, be prepared. Thank you.”

Chairman Parks said, “Commissioner Welshimer.”

Commissioner Welshimer said, “Well, I just want to respond to Commissioner Unruh, and repeat myself in saying that in asking for this rollback I had no intention of asking for a rollback from the very beginning without finding a way to pay for it, without reducing services, and we have been working for a year and a half on making changes to our Corrections system. That has a potential of almost \$10,000,000 in reductions without reducing services, and that is much more than a mill and a half rollback. There has been, it just seems to me, nothing but sand in the gears all the way along with that, and I think we're just beginning to come out of that situation and implement some of these things now, but my disappointment is that there was all of this sluggish going along with that, that didn't allow it to mature at this time, and that's why I'm disappointed and not happy with the situation. Thank you.”

Chairman Parks said, “I had some, maybe, direction and questions that I would like to put my input in on. The Aging and the CDDO, is there a mechanism out there for volunteer groups, whether it be church, or faith based organizations, nonprofit organizations, service organizations, to be able to coordinate some of these rides for these people?”

Mr. Buchanan said, “There is a network of providers, on a volunteer basis, who take care of their, oftentimes, their own people in their own congregation. My church provides rides for people in the neighborhood and people in the congregation. I am not aware of a program for rural Sedgwick County to do that. I'm sure that one could exist, but we don't, we have not had the resources to go develop that.”

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Chairman Parks said, "Maybe the resource could come from within some of those churches, faith based, whether it be Rotary Clubs, Lions Clubs, whatever they need to pick up with. If they need a project this may be the calling to say come out if you're out there."

Mr. Buchanan said, "Sure."

Chairman Parks said, "The second thing I had, the temporary mowers for \$78,000 that you had recommended, I think that it could be a compounded problem with flood and drainage in that, in my area, I know, that in the rural areas where there are County roads, where there are ditches that aren't mowed then that becomes a drainage and flooding problem. The taller weeds and trees, small trees grow up and it catches debris, and then that is an integral part of the flooding and drainage program, and if Director Spears has anything to say about that, or wants to agree or disagree with me on that, please do so at this time."

Mr. David Spears, Director of Public Works, greeted the Commissioners and said, "No, I don't disagree with what you say. Ditches can become clogged up with the debris and weeds and tall grass. It happens."

Chairman Parks said, "And we're looking at the Flood Committee coming back and asking us for a lot of money on that, so that \$78,000 might be well spent for, not only aesthetics, but for actual drainage. It may be that a one-pass, and maybe some compromise on that for a number of mowers or something, that down in the bottom of the ditch one pass would be able to fix that. On closing of the Pavilions, the voters, when they voted for the Downtown Arena, said they wanted to spend up to \$13,000,000 on the renovation of the Pavilions. I think we are down to \$7,000,000 now. We have renovated the Pavilions to \$7,000,000, is that correct?"

Mr. Buchanan said, "It is close. I don't have exact number, but close."

Chairman Parks said, "Do you think that would be a waste of that sales tax money if we closed those Pavilions at this point?"

Mr. Buchanan said, "We have had use of the new upgraded Pavilions for a couple of years. It's a matter of are we willing to subsidize the Pavilions at \$.5 million a year to keep them open when other services are being cut? It's priorities and you, unfortunately, get to make those choices."

Chairman Parks said, "And to help me make that choice I would like to see a line item of that half a million dollars. If we can sit down and get a little bit, whether that be on a Tuesday..."

Mr. Buchanan said, "Sure."

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Chairman Parks said, "I wouldn't expect you to have that today, but on a Tuesday meeting, just see where that \$.5 million is going and what we are doing out there, since we spent \$7,000,000 to renovate it, there shouldn't be a whole lot of capital outlay for upkeep unless we have had storms or something like that."

Mr. Buchanan said, "No."

Chairman Parks said, "If that could be on a to-do list for you. Contracts that we've had with other organizations that are out there, that are non-taxing districts for certain things that we have been bound by in the past, and this may be more of a legal question than a managerial question, are there ways to go back and redo those and refine those contracts, i.e. Visioneering, W.S.U., some of the contracts that we have out there with them that we have said we're going to give you X amount of dollars for five years? Is there some kind of, I hope we had a caveat in there, just as Cessna did, by the way, for dire economic conditions, and being able to push some of that back or renegotiate that?"

Mr. Euson said, "Commissioner, all of those contracts should have a clause in them relating to the cash basis and budget loss, and so we would have to look at them individually, obviously, to give you specific advice about them, but in general, all of those contracts should have the clauses in them, and if you're making budget reductions, you can effect those contracts through those clauses."

Chairman Parks said, "Thank you. I think I would like to look at those also."

Mr. Buchanan said, "For a matter of clarity, Mr. Chairman, we do not have a contract for 1 ½ mill with W.S.U. That was voted in some time ago and there is no contract. Now, there is some restrictions about, there are some legal entanglements, because of bond issues funded through that mill levy that reduce some of your options."

Chairman Parks said, "Well, I certainly don't want to ruin good relationships with W.S.U., but in terms of actually going out there and taxation, I want to make sure that we are looking in the right places, the right line items, and that was just one of the many that I have rolling around and thoughts about that may not have been a good example, but if there are others out there that we are spending hundreds of thousands of dollars on a year that are recurring costs, if it's pushed down from the State to us, we might want to look at pushing something onto those groups or facilitators of that money. I've had another one, but I'll relinquish to Commissioner Unruh."

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Commissioner Unruh said, “Thank you Mr. Chairman. Mr. Manager, this proposed budget, how does it impact the development of a development ready industrial site?”

Mr. Buchanan said, “I have not included any expenditure for that for 2010 in this budget, so there is no money budgeted for that. If the Commission chooses to proceed with that industrial park some of those funds could come out of the fund balance that we referred to.”

Commissioner Unruh said, “Okay, thank you.”

Mr. Buchanan said, “It would change the look of this chart.”

Commissioner Unruh said, “Okay. Thank you.”

Chairman Parks said, “Any other questions of the Manager? Seeing none, do we want to receive and file this?”

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

APPOINTMENTS

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C. EAGLE TOWNSHIP.

1. RESIGNATION OF CHRIS FREEMAN’S FROM THE EAGLE TOWNSHIP AS TRUSTEE.

Mr. Euson said, “Commissioners, Mr. Freeman has submitted his written resignation and at this time it would be appropriate to accept it.”

MOTION

Commissioner Peterjohn moved to accept the resignation.

Chairman Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

2. RESOLUTION APPOINTING RANDALL WELLS (COMMISSIONER PETERJOHN’S APPOINTMENT) TO THE EAGLE TOWNSHIP AS TRUSTEE.

Mr. Euson said, “Commissioners, this will fill the vacancy just created, and this runs to a term ending in January of 2013, and I recommend you adopt the Resolution.”

Chairman Parks said, “Although we didn’t get word that Mr. Wells was going to be here, I will ask just in case he is. Not seeing him, he can be sworn at another time.”

MOTION

Commissioner Peterjohn moved to adopt the Resolution.

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Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

DEFERRED ITEMS

E. DIVISION OF FINANCE.

1. AMEND THE 2009 CAPITAL IMPROVEMENT PROGRAM TO INCREASE THE SCOPE OF THE ADDITIONAL COURTROOM AND CHAMBERS PROJECT IN THE MAIN COURTHOUSE.

Mr. Pete Giroux, Principal Budget Analyst, Finance Department, greeted the Commissioners and said, "Last week I presented a CIP amendment request from the District Court to expand the scope of an approved 2009 CIP project that would add a courtroom, meeting rooms and chambers to this facility. As the project got into design, the District Court determined that rather than just constructing one courtroom and the chambers in meeting rooms, and leaving the remainder of the floor an open finished area, they would be better served if we could add a second courtroom within the funding for this CIP amendment. The end result would be a total of four Family Law courtrooms on the fourth floor of this building, and those courtrooms would be well utilized in their estimation."

Mr. Giroux continued, "There were questions about the estimate process and the cost per square foot. Assistant County Manager Charlene Stevens and Steve Claassen are here to address those at this point."

Ms. Charlene Stevens, Assistant County Manager, greeted the Commissioners and said, "Just to kind of review the estimate in front of you, how that came about. I think, with some of the questions from the last week, the estimate we have on the construction cost for the construction alone is \$1.1 million. That works out to \$205 per square foot. There are additional costs that we consider owner's

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cost, and the owner's costs include things like the architectural and engineers, the plan review, contingency, furniture, cabling equipment, signage, cabling the data closets, and then, on this site, some asbestos removal, and that totals approximately \$345,000.

"And then also in this project, because this project does involve the relocation of the Register of Deeds from the fourth floor to the second, that relocation cost is also built into this estimate, and that number is about \$75,000, so that's how we got to that. But most importantly, the estimate that we have on the construction cost, that is an opinion of probable cost that was developed by our on-call architects Wilson, Darnell, & Mann, and so that is really the best estimate we have at this time on the cost of the courtroom, and if there are further questions, I would be happy to answer those, as would Steve Claassen, Director of Facilities."

Chairman Parks said, "On the asbestos removal, you said that's \$300,000 by itself?"

Ms. Stevens said, "No, no, no, that's actually only probably about \$1,000 in there."

Chairman Parks said, "Okay."

Ms. Stevens said, "The total of that \$300,000 includes everything from engineering and architectural fees to plan review, printing, furniture, cables and equipment, signage for the floor, cabling the data closet, and then asbestos removal which is actually a very small part of that."

Chairman Parks said, "And it's my understanding that they're putting some kind of flooring in that will take cables underneath instead of having them on top of the carpet for technology."

Ms. Stevens said, "Yes."

Chairman Parks said, "So they can have..."

Ms. Stevens said, "Yeah, we are trying to kind of modernize the way the Court, right now I think if you've been up to some of the courtrooms, they have various cords and things run across the floor, taped down and such, and would like to be able to do those under the floor and pull them, and, again, like everything else, technology has changed the way the Courts do business as well, and individuals come in with Power Points and other kind of technological displays and such, so they need that capability."

Chairman Parks said, "I know you said this is for Family Law, but there's nothing that would preclude this from being used for video arraignments or anything else then?"

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Ms. Stevens said, "I really can't answer that question. That's more of a Courts question, and maybe Judge Fleetwood would like to answer that."

Chairman Parks said, "That would be great."

Mr. James Fleetwood, Chief Judge, 18th Judicial District Court, greeted the Commissioners and said, "The courtrooms, as you recall, the original idea was to build these as jury courtrooms, however, we are now constructing them as more simplified hearing rooms, and yes, it could be used for any kind of court proceeding that did not involve a jury under the present plan. Video arraignments, things like that could be carried out there, yes."

Chairman Parks said, "At \$205 a square foot I wanted make sure the technology was there to have multi-uses in the future so this could be a 20 year project, so we wouldn't have to come back in 20 years..."

Judge Fleetwood said, "Exactly. Yes."

Chairman Parks said, "Thank you. Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes, because that got to the question I had raised last week in terms of a cost, but I wanted to make sure I understood your figures Charlene. You used a figure of a little over \$1.5 million, and I thought the figure we were talking about last week was, for the construction for the courtroom, the cost totals were in the neighborhood of \$1.7 million."

Ms. Stevens said, "That's the original estimate, yes. That is the original estimate is \$1.7 [million], I think our most current estimate is a little closer to \$1.5-\$1.6 million."

Commissioner Peterjohn said, "Okay."

Ms. Stevens said, "But again, it is an estimate. We would bid this project out, even though you approve and authorize 1.7, we certainly don't go up to that if that's not what the bid comes in at."

Commissioner Peterjohn said, "Let me ask you, in terms of, this would not include any of the remodeling of the public areas on the 4th floor or the restroom?"

Ms. Stevens said, "No. It does not."

Commissioner Peterjohn said, "And the cost per square foot again is?"

Ms. Stevens said, "\$205 per square foot."

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Commissioner Peterjohn said, "Thank you very much."

Chairman Parks said, "This would not impact the 2010 budget in any fashion, would it?"

Ms. Stevens said, "This is a 2009 project, it's included in the 2009 CIP."

Chairman Parks said, "Just wanted that for the record. Thank you. Any other discussion? Seeing none, what's the will of the Board? Do I hear a motion?"

Commissioner Unruh said, "As soon as I get to my suggested motion, I'll make one."

MOTION

Commissioner Unruh moved to approve the amendment to the CIP.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

2. A RESOLUTION AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS TO THE SEDGWICK COUNTY COURTHOUSE COMPLEX; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "This item that is before you now was deferred from last week. It is a Resolution that declares your intent to undertake the financing for a variety of projects which are listed on the front page of the agenda summary. All of these projects are in the current year's or prior year's CIP, and all were in that CIP with the identified funding source of bond proceeds. The action that you're taking today, in essence, declares your intent to undertake that financing, and authorize the staff and the bond counsel to begin to take the actions necessary to actually issue the bonds. Before we get to that point of

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actually issuing the bonds, we will be back before you on at least two occasions for additional authorizations that you have to make before we can finally sell the bonds. The schedule, at this point, calls for at that sale to occur probably in early to mid October, and it will happen at the same time as the bonds that you authorized last week to finance road and bridge projects.

“This Resolution authorizes a total of \$5,821,000 and change of financing for stated projects in the main courthouse, the historic courthouse and the Kansas African American Museum, all of which are considered under the County’s Charter Resolution to be the Courthouse Complex. The total amount of bonds that you would be authorizing here would be an amount not exceeding \$5,910,000. Those bonds would require, in current market conditions, those bonds would require annual debt service over a twenty-year term of approximately \$450,000. That amount has been contemplated in the recommended budget that the Manager just presented to you and it has been included in the financial plans that we have been providing to you over the past several months for future years’ spending plans.”

“The amount of debt that these bonds would require is included in the County’s self imposed debt ceiling, and as you know, we measure that debt ceiling in a variety of ways. Those are listed in your agenda summary, and these bonds, as well as the road bonds that you authorized last week and the KDOT (Kansas Department of Transportation) loan that is the subject of your next agenda item, all are included in our calculation of those, of our debt limits against those maximum thresholds and we are within our limits if you allow these bonds to be issued. If you have any questions I’ll be happy to try to answer them.”

“The Resolution, as I said last week, the Resolution was drafted by the County’s bond counsel, Joe Norton of the firm Gilmore and Bell. Joe is in the room here, and I’m sure would be happy to answer any technical questions that you have about the Resolution as well. If you have no questions then I recommend you approve the Resolution that’s before you.”

Chairman Parks said, “I do have a question. The \$30,000 was in the Capital Outlay for the African American Museum was not cash for that? In past budgets we’ve had a stained glass item in the Capital Improvement Project for, was that a cumulative \$30,000 or \$33,000 for three years?”

Mr. Chronis said, “I’m sorry \$33,000 dollars is where? I’m not seeing that number.”

Chairman Parks said, “What was in like the 2007 budget or the 2008 budget.”

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Mr. Chronis said, "We have had a number of improvements, capital improvements to the Kansas African American Museum over the past several years. Some of those were funded with a prior bond issue. The stained glass window renovation is in the current CIP, and is to be funded with the proceeds of these bonds. That project is estimated to be just under \$100,000 in cost."

Chairman Parks said, "So none of that was any kind of cash carryover then?"

Mr. Chronis said, "No."

Chairman Parks said, "Okay. What's the mill levy equivalent for this? Just figuring this real quick."

Mr. Chronis said, "This would amount to approximately 11/100 of a mill. I see on the agenda summary is it stays 11/1000. There's an extra zero in there, or a decimal in the wrong place. I apologize for that, but it would be the equivalent of approximately 11/100 of a mill."

Chairman Parks said, "Thank you. Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes, let me ask you Chris, the previous item, we had a revised estimate on the courthouse, for the courtroom portion was about \$1.5 million. How does that fit into the equations here at all since one of the items is listed as the older and \$200,000 higher figure?"

Mr. Chronis said, "What you are seeing in this authorization is the budgeted amounts for each of these projects. As we get closer to the actual date of bond issuance we will resize the bond issue based on our best cost estimates at that time. The authorization that you're giving us today provides the maximum authority that we will have to proceed with a bond issue, and so we want to make that the budgeted amount, because we haven't yet received bids on that courthouse improvement or perhaps some of these other projects. Once the bids come in, or if they haven't come in, once we get closer to the issuance date, we will reassess and re-estimate costs and resize the bond issue to what are our then-current estimate of actual costs is."

Commissioner Peterjohn said, "Let me follow up then with, can you go into any detail in terms of when it says upgrade audio visual for \$885,000, exactly what we'll benefit from with that expenditure?"

Mr. Chronis said, "I believe Charlene alluded to that in her discussion of the 4th floor new courtrooms. In the existing courtrooms, we are dealing with pretty antiquated systems; wiring on

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top of the carpet, in some cases inability to use current technology for the presentation of cases, and so the request that we have received from the court system, and that we've evaluated and feel to be worthwhile is to, in essence, retrofit all of the existing courtrooms in order to enable the use of current technologies in the presentation of cases. So that will include, in some cases, the addition of visual aids, technology, in some cases it will include the upgrade of audio systems that are currently in the courtrooms. It will vary from courtroom to courtroom, depending on when that courtroom last received enhancements."

Commissioner Peterjohn said, "Thank you. There's an item of \$927,000 for the upgrading elevators. That includes a lot more than upgrading elevators, it's my understanding, including restrooms and public areas. Do we have any way of kind of breaking that out because that is a very large expenditure at this point in time as part of this package, and I don't know if Steve can help you out with that or not."

Mr. Chronis said, "I'm hoping he can, because I'm kind of at a loss. It is for, as you note though, it is for the elevator lobbies, and the restrooms adjacent to the lobbies in order to bring them up to ADA standards."

Mr. Claassen said, "That's correct. It does include both the renovation of the lobbies on six floors of this building, as well as the ADA compliance in the other 20 of the bathrooms in this building, and this goes back to our discussion, I don't know how many weeks ago, when this came before you as a request for authorizing the architectural services for this, and at that time you took the action to request that we separate those two components of this project out so that we can evaluate them separately when the time comes. So this project does include both pieces, but you will have the opportunity to decide which of those two pieces, or both, that you choose to follow up with."

Commissioner Peterjohn said, "Because Steve, I would like to get an idea, in terms of on this one line item, what sort of cost per square foot we're looking at for taking that on and obviously, the elevators are a special case, so I don't want to include those costs, but in terms of the public areas and the restrooms, what sort of price tag are we going to have to come up with the money for?"

Mr. Claassen said, "It's very difficult to establish what the number of square feet you're going to use for that. I can tell you that I did a takeoff on this, but it's subjective as to where you define the limits of the project to start and stop. In my assessment of it, pretty conservatively, defining how

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many square feet are involved, there's about \$65 a square foot, is what the cost of those improvements would be."

Commissioner Peterjohn said, "That's a lot less than the figure I expected you to give me when I asked this question."

Mr. Claassen said, "Well, and actually that's a pretty conservative assessment of what the square feet involved is."

Commissioner Peterjohn said, "Thank you."

Chairman Parks said, "I just had a comment about the video, and I thank Steve for taking me around and showing me some of these things, and giving me an update on those. I did do a little homework on this, and the reason was I hesitant to vote before, but I'm going to be supportive of this now, simply because I think it may be, in the future, save some money through video arraignments and other things that can be held here, and maybe we can reduce some of those 77 day holds in the jail down to ten days if we have more video arraignments or something like that so scheduling is imperative on that, and that's why I did ask, in the other comment of Judge Fleetwood if it could be used for other things, so the technology is really what I'm looking at here that's going to be improved in these, and I am going to be supportive of it."

MOTION

Commissioner Unruh moved to adopt the Resolution.

Chairman Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

NEW BUSINESS

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F. RESOLUTION AUTHORIZING THE EXECUTION OF FIVE LOAN AGREEMENTS FOR THE PURPOSE OF OBTAINING LOANS FROM THE KANSAS TRANSPORTATION REVOLVING FUND IN THE AMOUNT OF \$4,394,497 TO FINANCE COUNTY ROAD AND BRIDGE PROJECTS.

Mr. Chronis said, “Commissioners, in the 2008 CIP, this is last year’s business, we had a variety of projects in the road and bridge program that, as we do every year, were intended to be funded with debt. Because last year those were the only projects that for which we could sell general obligation bonds, we looked at an alternative funding source, that being a revolving loan fund that is offered to local governments in Kansas by the Kansas Department of Transportation, and we did that because that funding source is cheaper financing for us, and it’s easier financing to obtain. That is, there are fewer administrative hurdles to jump through, or jump across in order to obtain the funding.

“The downside of that funding source is that, as has happened in this instance, there are occasionally very long time lags from the time application is made for the funding and approval of that funding is received. In November of last year the Commission authorized us to apply for the funding that is before you today for a variety of road and bridge projects; specifically, bridges on 61st Street North and on Ridge Road, a road project on 109th Street West, and two special assessment projects, one at Eberly Farms Office Park and one at Hedge Creek Estates.”

“All of the projects, again, were completed in 2008, and late in 2008 the Commission authorized the application for funding from the KDOT revolving loan program. We have just now, within the past several weeks, received notice from the revolving loan program that we are approved for funding, and so the action that is before you is the authorization for staff and the Chairman to execute the five individual loan agreements that will fund those projects that I mentioned. The total amount of funding that we will obtain is \$4,394,497. The repayment of the loans for the road and bridge projects, that is the County projects, will occur on over a 20 year period. The repayment for the two special assessment projects will occur over a 15 year period.

“All of those projects have been incorporated into the debt service budget that the Manager has included in the recommended budget that he just presented to you, and that the debt for all of these projects has been included in our measurement of the County’s debt against our capacity limits from our debt policy. And so if you have any questions, I’ll be happy to try to answer them. If you don’t have any questions, I would recommend that you approve the Resolution authorizing the execution of those five loan agreements.”

Chairman Parks said, “What’s the will of the Board?”

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MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

The Board of Sedgwick County Commissioners was recessed at 11:33 a.m. and returned at 11:38 a.m

G. FY 2010 AREA PLAN.

Ms. Annette Graham, Area Agency on Aging, greeted the Commissioners and said, "Annually, each Area Agency on Aging in Kansas is required to submit an Area Plan to the Kansas Department on Aging which details how the Area Agency on Aging plans to spend federal dollars in the fiscal year. The fiscal year begins October 1st, 2009, through September 30, 2010. The plan must be submitted to the Kansas Department on Aging by August 3, 2009. This area plan was approved and reviewed by the Central Plains Advisory Council on Aging at the June 24th meeting. The Area Plan has also been reviewed and approved by the Butler County Board of County Commissioners and the Harvey County Board of County Commissioners.

“Under the Area Plan we receive federal dollars to spend and you provide services in the three County area; Butler, Harvey and Sedgwick County. The funds are split up into different categories. Under the first one, we have [Title] III-B, which is in-home and community based services and so these funds are dedicated to those kinds of services, and under those they do require certain kinds of services that must be provided, information and assistance, legal services, and some type of newsletter or information going out to older adults age 55 and older.

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“Then we have Title III-C(1) which is a congregate meals program, serving meals to individuals who can get out into the community and receive these services, and get the meals in congregate meal sites such as Senior Services and congregate housing facilities. These are available individuals 60 and over.

“And then we have [Title] III-C(2), which is home delivered meals to those individuals who have been determined eligible and are homebound so that they can receive meals in their homes, typically delivered by volunteers.

“And then we have [Title] III-D, which is disease prevention, health promotion. We have medication management also under that program.

“We have [Title] III-E which is the family caregiver program providing services to individuals age 60 and over, caregivers of those individuals, and caregivers that are 60 and over for other family members. So each one of these programs are, there’s a set amount of funding that’s provided by the federal government and predetermined for each category. This year’s plan we also have included, for the first time, and probably only time, the American Recovery and Reinvestment Act funding for fiscal year 2010, and this was funding that specifically targeted to congregate and in-home providers, and that was a total of \$162,567.”

“So in this Area Plan it establishes and points out how much funding for each provider, and in each program under those. Under this we do use mill levy match to match the State and federal dollars. It is a required match of 8.5% on the majority of programs. Under III-D for the first time this year we did not have to provide a match funding for those funds, and under III-E the State provides that match statewide with their Senior Care Act Program dollars that they use.

“So the cost center, 34001-205, does provide the Sedgwick County portion of the match, and then Butler County and Harvey County use their mill levies to also match. There is other match money from each provider, so providers of services, the congregate and in-home delivered meals also provide matched funding that’s not shown on this.

“So this is the outline of those plans, and how that money is established to be spent. This is based on 2009 actual funding amounts. We do not have the actual numbers for 2010 yet. That will probably come in about three or four months. It’s usually a ways into the year before we get that amount, but it’s expected we’ll get this similar amount, that’s usually how that goes. So I would be happy to answer any questions, and would request that you approve the fiscal year 2010 Area Plan and authorize the Chairman to sign.”

Chairman Parks said, “What’s the will of the Board?”

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MOTION

Commissioner Welshimer moved to approve the FY 2010 Area Plan; authorize the Chairman to sign the application and other related documents necessary to complete the grant process, including the notification of grant awards.

Chairman Parks seconded the motion.

Chairman Parks said, “Did have a little bit of discussion. Did want to know, since Butler and Harvey counties are involved in this, does Sedgwick County incur any expenses beyond what they contribute, those other counties contribute?”

Ms. Graham said, “No. They do provide the match money for the direct services, and then the providers that are providing services in those areas pay the additional match.”

Chairman Parks said, “Thank you. Seeing no further discussion, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

H. HEALTH DEPARTMENT.

1. AMENDMENT TO THE AGREEMENT BETWEEN THE STATE OF KANSAS HEALTH POLICY AUTHORITY (KHPA) TO EXTEND THE HEALTHY FAMILY KANSAS PROGRAM.

Ms. Claudia Blackburn, Health Department Director, greeted the Commissioners and said, "Before you is an extension of an agreement with the Kansas Health Policy Authority in Sedgwick County for one year, from July 1st, 2009 through June 30th, 2010. Funding is for the Healthy Families Kansas program and it's used to fund a portion of our Healthy Babies program. Healthy Babies, as you know, is a prenatal and postpartum home visitation and group education program targeting new moms, first time moms, teenagers, moms with high risk medical and social

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conditions, and the purpose is to reduce low birth weight and infant mortality.”

“The contract is for \$700,000, and a \$700,000 dollar match is required. The match comes from eight different sources, and no additional local dollars are needed to meet the match requirement. This funding supports 14 existing positions, and it includes 100% of 12 of those positions. I recommend that you authorize the Chair to approve this agreement and I would be happy to answer any questions.”

Chairman Parks said, “What’s the will of the Board?”

MOTION

Commissioner Welshimer moved to approve the amendment and authorize the Chair to sign.

Commissioner Unruh seconded the motion.

Chairman Parks said, “Have a motion and second. I do have a little bit of discussion. I’m going to ask the same question I did last week. This is for all citizens or residents of Sedgwick County?”

Ms. Blackburn said, “Yes. Particularly pregnant women.”

Chairman Parks said, “And there’s no restrictions on illegal immigrants on that?”

Ms. Blackburn said, “No. There are no restrictions.”

Chairman Parks said, “Thank you. Seeing no further discussion, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

2. ADDENDUM TO THE AGREEMENT WITH THE OFFICE FOR HOMELAND SECURITY – KANSAS HIGHWAY PATROL FOR FEDERAL

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ALLOCATIONS TO SUPPORT THE SOUTH CENTRAL KANSAS METROPOLITAN MEDICAL RESPONSE SYSTEM (SCKMMRS).

Ms. Blackburn said, “Commissioners, the addendum extends the original contract for \$232,330 dollars for the MMRS (Metropolitan Medical Response System) grant through September 30th. It’s a four month extension of an existing contract. The MMRS program has been administered by Sedgwick County since 2000. It is used to enhance the medical response for a mass casualty event. It is now, in the last couple of years, it’s been expanded to a 19 county area, including Sedgwick County. There is about \$140,000 left in the contract, and we intend to use it to purchase a multipurpose tent that can be used as a mobile hospital with up to 16 rooms. It can also be used as a first aid station, a cooling station, so it will have many different possibilities for use.”

Ms. Blackburn continued, “We will also be purchasing a POD (Portable On Demand), it’s a metal box that will be used to store the tent. In addition to that, we’re going to be purchasing a portable emergency advisory radio station that can be used to, you tune into a specific station to get messages about what you need to do during an emergency. I recommend that you approve this extension, so that the remaining funds can be expended, and I would be happy to answer any questions. I recommend that you authorize the Chair to sign.”

Chairman Parks said, “The mobile POD storage on this, will that, that’s not going to affect the heat, yesterday it would have been 150 degrees in one of those things, and I just wondered if that would affect the tent capability of this?”

Ms. Blackburn said, “I’ve got Seth Konkell who’s the Program Manager here, and he may have the answer to that question. I would imagine that it is an effective storage container, but yes.”

Chairman Parks said, “Thank you. Commissioner Welshimer.”

Commissioner Welshimer said, “Just curious, do we not have this equipment, this type of tent and so forth in another department?”

Ms. Blackburn said, “I don’t believe so, we do not.”

Commissioner Welshimer said, “Throughout our emergency management or anything like that?”

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Ms. Blackburn said, “No, but we would certainly be sharing this with other departments. I mean, it would be used by whatever department in Sedgwick County needs it”

Commissioner Welshimer said, “Okay.”

Chairman Parks said, “To kind of answer that, I do have personal knowledge that the Fire Department has a tent, but it’s more of a decontamination tent, and being around MMRS and seeing it, I guess, from the inception, I will make the motion that we enter into this agreement and allow myself to contract any related document.”

MOTION

Chairman Parks moved to approve addendum to extend the grant deadline to September 30, 2009 and authorize the Chair to sign the contract and any related documents.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

3. AGREEMENT WITH THE UNIVERSITY OF KANSAS SCHOOL OF MEDICINE – WICHITA (UKSM-W) MEDICAL PRACTICE ASSOCIATION FOR PHYSICIAN SERVICES OF HEALTH OFFICER AND INFECTIOUS DISEASE CONTROL INCLUDING TUBERCULOSIS.

Ms. Blackburn said, “With this contract we’re combining two previous contracts that we had with the KU School of Medicine. One for Health Office, that was \$50,000 a year, and another for a TB

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(Tuberculosis) Infectious Disease physician, that was \$50,000 a year, that contract included \$10,000 for chest x-rays. In the past, we had two different physicians involved; one for each contract.”

“Last August we suddenly lost our Health Officer, Dr. Doren Frederickson, untimely death, and Dr. Gerald Mins, who was our TB and Infectious Disease physician stepped in and assumed the role of Health Officer, so now we just have one physician providing all of the services, and we were able to negotiate just one contract with KU at a reduction of \$10,000 a year, because of the overlapping on call time. We are very satisfied with Dr. Mins as Health Officer, and so for this contract period, the total cost will not exceed \$91,661 dollars, we’re paying two months at the old rate because we didn’t finalize the negotiation until the end of February, and then going forward it will be at the new rate. So I recommend that you approve this contract and authorize the chair to sign, and I’d be happy to answer any questions.”

Chairman Parks said, “So this goes through December 31st of 2010? That’s what the backup said in there.”

Ms. Blackburn said, “Yes.”

Chairman Parks said, “Thank you. What’s the will of the Board?”

MOTION

Commissioner Welshimer moved to approve the agreement and authorize the Chairman to sign.

Chairman Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

I. DIVISION OF COMMUNITY DEVELOPMENT.

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1. REQUEST APPROVAL OF AFFILIATION AGREEMENTS WITH COMMUNITY HOUSING SERVICES AND MENNONITE HOUSING REHABILITATION SERVICES; TO PERFORM ELIGIBLE ACTIVITIES RELATED TO THE NEIGHBORHOOD STABILIZATION PROGRAM. ELIGIBLE NSP ACTIVITIES INCLUDE ESTABLISHING FINANCING MECHANISMS, PURCHASING AND REHABILITATING FORECLOSED UPON HOMES, PURCHASING HOMES AND/OR VACANT PROPERTIES IN ORDER TO REDEVELOP SUCH PROPERTIES FOR SALE TO FINANCIALLY QUALIFIED INDIVIDUALS OR FAMILIES, AND DEMOLISHING BLIGHTED STRUCTURES.

Ms. Irene Hart, Community Development Director, greeted the Commissioners and said, "We have two items on your agenda related to the neighborhood stabilization program. With your permission, I would like to do one presentation that explains both of the agenda items."

Chairman Parks said, "I don't see any objections to doing that."

Ms. Hart said, "Okay. I think I'm covering up my controls here. The Neighborhood Stabilization program is not a part of the stimulus, the federal stimulus program, it was passed just before that, the stimulus package, and was passed December of 2008. It's under the, I get myself all confused here; there are so many acronyms in the housing programs. It's funded under the Housing and Economic Recovery Act of 2008 and administered on a federal level by Housing and Urban Development or HUD. It was developed in response to the situation of vacant foreclosed houses negatively impacting on a neighborhood. With a vacant foreclosed house, it's not marketed well, it's not monitored well, it may sit there and deteriorate and ruin a neighborhood. So the purpose of the program is to stabilize neighborhoods and stem the decline in value of it and of neighboring homes.

"Now, you all approved an agreement in April of this last year that Sedgwick County would be responsible for administering this \$4.6 million program in Sedgwick County. We are one of 21 counties in the State of Kansas that, according to a state plan approved by HUD, were one of 21 participating counties. Now, we talked about the purpose of the program is to acquire vacant foreclosed homes and these are primarily mortgage foreclosures, not tax foreclosures. The homes need to be vacant, they need to be purchased, they need to be acquired, rehabbed and then sold to a qualified home buyer. It's not a foreclosure prevention program. It is indeed a neighborhood stabilization program affecting the physical properties of the neighborhood with any homes into the hands of homeowners.

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“How does the program work? Well, we have four people in our Housing Department and they work 110% of the time. The program has a very short life span. So we needed to gear up and figure how to run a \$4.6 million program with people that don’t necessarily have additional time to be doing that kind of program. So rather than hiring additional staff, we elected to use existing community resources and partner with existing agencies in the community that have experience and expertise in housing acquisition, rehab, and sale to qualified home buyers.

“On the agenda today you have affiliation agreements with two of those existing community agencies. Right now we are working with four of them. You will see another one on the agenda next week. The two agencies we’re dealing with now are Mennonite Housing Rehabilitation Services and Community Housing Services. Those are the two affiliation agreements which are your first agenda items.”

Ms. Hart continued, “What these partners will do, will actually go out, work with lenders, whoever owns those vacant, foreclosed homes, figure out a way to acquire the homes, identify what the necessary rehabilitation, or renovation, or demolishing needs are, get the property turned around and get it ready to put on the market. It will then be sold to a qualified home buyer, and I will tell you more about what makes a qualified home buyer in just a minute.

“So they will put together they will package an individual house plan. That proposal, that whole project proposal, will then go to the program administrator to be reviewed to make sure it meets all the federal rules and regulations that are involved in this program. So these affiliate agencies are actually the operators, and they’ll be out there beating the bushes, getting the properties, getting them rehabbed, and getting them back into the hands of qualified home buyers.

“The program itself has four different components. The first one is a financing mechanism. It’s kind of cash assistance to assist a qualified home buyer into actually getting into the house. A second one has to do with the acquisition and reallocation of the house. Third is redevelopment of property if the property needs to be demolished and a new structure built on it. There are funds in this \$4.6 million to accomplish all those activities.

“When the program was designed at the federal level, they used the existing CDBG, Community Development Block Grant federal program, as kind of a model for the rules and regulations that they were going to impose on this program. So they gave us a real short lived program, and they didn’t relieve any of the federal rules and regulations that go along with that.

“Let me give you an example of one of the major ones, and why we’ve made some program recommendations that you’ll be seeing. One of the regulations requires two different environmental evaluations. One is of the program itself, and the second one is the individual structure, the

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individual house and its site, and the house itself. At the program level, even though they told us it was a countywide program, they said, well, you've got to do a program, that's too big an area do a program review on. What we had to do was send letters to 19 different federal agencies to find out whether this program would negatively impact or provide any environmental concerns."

"Rather than doing all that, what we did was to use the environmental reviews that have already been conducted by the City of Wichita for their local investment areas. So our first target areas are the local investment areas within the City of Wichita. This is not a very detailed map, but if anyone is interested in those local investment areas, they are available on the City website. In addition, we did conduct an environmental review of the Oaklawn Improvement District, and the reason we selected the Oaklawn Improvement District is that it's a high density population in the unincorporated participate of Sedgwick County. If they were a city, they would be larger than half the communities in Sedgwick County, so it made sense, given the homes in that community, to go ahead and do that 60 day review and get that one eligible.

"If one of the nonprofits, one of the affiliate agencies, brings us a package that includes a home located in one of these areas that have already had a program assessment done on it, we can move forward quickly on it. For the rest of the County, for example, I know we have had contact regarding a home in Clearwater that's not in one of these areas. It can still go into the program, it will just take a little bit longer because we'll have to send out 19 letters to all those federal agencies and get it approved before we can go ahead and do it, but we'll include that in the program. So it is a countywide program. Some parts of the County will be able to process it a little faster, but we do want applications countywide.

"Now, secondly, what a qualified home buyer is. They have some pretty specific rules and regulations on what a qualified home buyer is. First of all, a qualified home buyer has to go through an eight hour home buyer education course. Both of the agencies that you're approving today offer such a home buyer education program. When the home is sold, it must be sold to someone whose income is less than 120% of the area median income. Area median income is about \$42,000 dollars, so 120% is about \$50,000 or so. So that's the cap on the income. Of that, of the 25% of the program funds must be used to assist home buyers who are less than 50% percent of the area median income, which is about \$25,000.

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“So you can see this becomes a more complicated program to administer all the time, and that’s one reason we like to work with our partners who are already working with people and these income qualifications. I mentioned that the program is a short lived one. We need to have that \$4.6 million obligated by the first of December. The organizations have another nine months to go ahead and get the work done, and that will close out the program toward the end of next year. The way it operates, we will not take any applications from individuals. Any application must go through one of the affiliate agencies, or from our program administrator which I will tell you about in a minute, which is South Central Kansas Economic Development District or SCKEDD.”

Ms. Hart continued, “The second item that you have to consider is a program administration agreement with the SCKEDD organization. The State is requiring a certified CDBG program administrator and SCKEDD is the major one in this community. Let me get back to where we were. The State requires that certified CDBG administrator; SCKEDD is a certified CDBG administrator. Seven percent of the \$4.6 million is allowed for administration. I thought I could tell you some of the things that they will be doing, but this, I thought, was the best example I could give you. Here are the rules and regulations for the program for the NSP (Neighborhood Stabilization Program). With our four staff and good solid support from County staff, it still is easier to pay SCKEDD to make sure that each one of these houses meets these regulations. So that’s the end of my presentation.

“Oh, I have one more item. If people are interested, if lenders are interested, they need to contact the SCKEDD organization, and we also will have a fact sheet on the Sedgwick County website following your approval of the program to give additional information for anyone who is interested. We will have another affiliation agreement on next week’s agenda and we continue to work on the fourth one. I have every confidence in these four organizations that will be able to make a successful program out of this endeavor. Now I’ll try to answer any questions you might have.”

Chairman Parks said, “What’s the will of the Board?”

MOTION

Commissioner Welshimer moved to approve the affiliation agreements and authorize the Chairman to sign the agreements.

Chairman Parks seconded the motion.

Chairman Parks said, “Any discussion?”

Commissioner Welshimer said, “I just want to say to Irene, that’s probably the most complicated

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presentation that we've had in a long time. Big ball of red tape. Thank you."

Chairman Parks said, "I was going to mention she has a green three ring binder, but no red tape on it.

Commissioner Welshimer said, "Oh, well it needs a big band of red tape on it."

Chairman Parks said, "Yes. I just wanted to reaffirm, and I've asked this of Irene in staff meetings, there's not going to be anybody kicked out of their houses, or kicked to the curb in this program?"

Ms. Hart said, "No, sir, these need to be vacant, mortgage foreclosed homes that are in the hands of a lender, and there's no one living in the property."

Chairman Parks said, "And you did say something earlier in the conversation, primarily bank, no tax foreclosures?"

Ms. Hart said, "I think tax foreclosures could be eligible, but they're so complicated that I think the intent of the program was to work on mortgage foreclosures."

Chairman Parks said, "And I would hope that that would be the direction this would take. Seeing no further discussion on this, call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

- 2. REQUEST APPROVAL OF AGREEMENT WITH SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DISTRICT (SCKEDD) TO ADMINISTER THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP). SCKEDD IS A CERTIFIED ADMINISTRATOR. SEDGWICK COUNTY RECEIVED A GRANT FOR THIS PROGRAM FROM THE KANSAS DEPARTMENT OF COMMERCE (KDOC). AS PART OF THE**

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AGREEMENT, KDOC HAS REQUIRED THAT SEDGWICK COUNTY CONTRACT WITH A CERTIFIED ADMINISTRATOR TO MONITOR COMPLIANCE WITH NSP GUIDELINES.

MOTION

Commissioner moved to approve the administrative services agreement and authorize the Chairman to sign the agreement.

Commissioner seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Ms. Hart said, "Sir, I neglected to introduce three people who are here in the audience; Dorsha Kirksey who is our Housing Director, who has first line responsibility for this program, Daniel Krook is from SCKEDD, and Tim Hagan is from Community Housing Services. So if you had any complicated questions, I brought the experts."

J. AGREEMENT WITH THE UNIVERSITY OF KANSAS SCHOOL OF MEDICINE – WICHITA MEDICAL PRACTICE ASSOCIATION FOR MEDICAL SERVICES PROVIDED TO JUVENILES IN DEPARTMENT OF CORRECTIONS RESIDENTIAL FACILITIES.

Mr. Larry Ternes, Youth Services Administrator, Department of Corrections, greeted the Commissioners and said, "University of Kansas School of Medicine Wichita Medical Practice Association has been providing medical services to juvenile offenders residing in the residential facilities of the Department of Corrections since 1988."

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“This morning we are requesting your approval of a new professional services agreement that covers the two year period from July 1st of 2009 through June 30th of 2011. The maximum amount payable during the first year of the contract is \$215,373 with a 2% allowable increase in the second year to a maximum of \$219,680. I request that you approve this agreement and authorize the Chair to sign. I’m here to answer any questions that you may have.”

Chairman Parks said, “Do I see any questions? What’s the will of Board?”

MOTION

Commissioner Peterjohn moved to approve the agreement and authorize the Chair to sign.

Chairman Parks seconded the motion.

Chairman Parks said, “We have a motion and a second, on this it does go for, it says not to exceed June 30th of 2011, so it does get a little bit into the 2011 budget, and I assume that is for the State fiscal year?”

Mr. Ternes said, “That is correct, sir.”

Chairman Parks said, “Okay, you clarified that a little bit. Seeing no further discussion, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

K. APPROVAL OF AN AGREEMENT BETWEEN THE KANSAS AND OKLAHOMA RAILROAD COMPANY, SEDGWICK COUNTY AND THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS REGARDING THE MAINTENANCE OF ADVANCE SIGNS AND PAVEMENT MARKINGS AT 21ST STREET NORTH AND THE K&O TRACKS. DISTRICT 3.

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Mr. Spears said, “Item K is a three party agreement between the Kansas and Oklahoma Railroad, Sedgwick County, and the Secretary of Transportation for the State of Kansas regarding the construction and maintenance of the highway crossing signals at the intersection of the railroad tracks and 21st Street North, which is approximately 500 feet west of the intersection of Hoover and 21st Street. The crossing signals will consist of flashing lights, straight type post and gates. Sedgwick County will be responsible for the continued maintenance of the advanced warning signs and pavement markings, and the railroad crossings in the state are prioritized by KDOT and selected accordingly. The total cost is \$195,164.67 to be paid 100% by federal funds. I recommend that you approve the agreement and authorize the Chairman to sign.”

Chairman Parks said, “Was this part of the corridor study?”

Mr. Spears said, “No. There was no corridor study there that I know of. These are simply prioritized by the State of Kansas; all of them in the state are prioritized.”

Chairman Parks said, “Thank you.”

MOTION

Commissioner Peterjohn moved to approve the agreement and authorize the Chair to sign.

Chairman Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

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L. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON JULY 9, 2009.

Ms. Iris Baker, Purchasing Director, greeted the Commissioners and said, "The meeting of July 9th results in six items for consideration today. First item,

**FEE APPRAISERS for the NEIGHBORHOOD STABILIZATION PROGRAM – HOUSING
FUNDING – HOUSING**

"The recommendation is to accept the proposal from The Appraisal Company and establish contract pricing for two years with two one year options to renew. Item 2,

**VIA CHRISTI – WEST CAMPUS ADDITION – PUBLIC WORKS
FUNDING – VIA CHRISTI WEST PH 2 – ST. TERESA STREET, VIA CHRISTI W
TURN LANE ON 21ST (SA), ST. TERESA BRIDGE – VIA CHRISTI W (SA)**

"The recommendation is to accept the low bid from Lafarge North America Incorporated in the amount of \$1,683,691.80. Item 3,

**MICROPRISMATIC LENS RETROREFLECTIVE SIGN SHEETING – PUBLIC WORKS
FUNDING – TRAFFIC OPERATION & MAINTENANCE**

"Recommendation is to accept the low bid from Vulcan Signs for an initial purchase of \$8,000.50, and establish contract pricing for one year with two one-year options to renew. Item 4,

**DIGITAL BOOK SCANNING EQUIPMENT – REGISTER OF DEEDS
FUNDING – TECHNOLOGY ENHANCEMENT**

"Recommendation is to accept the proposal from Crowley Micrographics in the amount of \$25,900. Item 5,

CISCO LICENSES AND MAINTENANCE – ALL COUNTY DEPARTMENTS

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**FUNDING – COMCARE INFORMATION TECHNOLOGY GRANT/FIRE
DISTRICT ADMINISTRATION**

“Recommendation is to accept the bid from Alexander Open Systems in the amount of \$64,231.72, and item 6,

**FINANCIAL ADVISORY SERVICES – DIVISION OF FINANCE
FUNDING – DIVISION OF FINANCE**

“Recommendation is to accept the overall low proposal from Springstead Incorporated and establish contract pricing through December 31st of 2009 with two one-year options to renew. I would be happy to answer any questions. I recommend approval of these items.”

Chairman Parks said, “What’s the will of the Board?”

MOTION

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

Commissioner Welshimer seconded the motion.

Chairman Parks said, “Have a motion and second. We do we have some discussion, Commissioner Peterjohn.”

Commissioner Peterjohn said, “Yes. I am glad the Register of Deeds is here, because I was interested in the scanning equipment. It looked like we had three bids and there appears to be a significant difference between the three bidders, and certainly in the price. I was interested in getting some information on that since Crowley Micrographics was not the low bidder among the, I guess there were six firms solicited and we got four bids responded to.”

Ms. Baker said, “Okay, and you want the answer from Mr. Meek?”

Commissioner Peterjohn said, “I’ll take the answer from whoever is the most appropriate person to provide it.”

Chairman Parks said, “I was going to ask if any department heads were here concerning that.”

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Ms. Baker said, "It was a request for proposal, and through the process part of the criteria was to demo the product being offered. By far, the evaluation committee, once they demo'd the product, the product that Crowley Micrographics offered had far superior scanning quality."

"That was the core decision to go with them. One of the other considerations was the type of the scanning equipment that was offered, and the efficiency in using the scanning equipment, old-fashioned scanners, some of your lower end scanners, you're lifting your cover to put your material on it and then closing it to be able to image, just like a copy machine. Two of the final products that they looked at actually had scanning capability that scans, that images, from the top down, so all they have to do is all they had to do is lay the books on the platform and it will scan from above. As a result of their demonstrations, Crowley's product offered the best quality for their image."

Commissioner Peterjohn said, "Iris, if I can ask you a question, because the lowest bid, obviously, you have mentioned the difference in the criteria. Was there a problem in terms of requesting? I mean that should have been part of the specification in terms of if there was a technology out there that would, obviously we want to not waste a lot of time and effort, that makes an image that's either inferior or runs the risk of damaging some rather old documents that we're working with or would be awkward to work with. It sounds to me from looking at this that one of the bids probably, you know, did we really have the criteria put together that we wanted to? Because it looks like that really probably wasn't going to meet the needs that the Register of Deeds Department was going to require."

Ms. Baker said, "Oftentimes when vendors are responding to documents, they either don't clearly and fully read that document, or they try to read between the lines, or regardless of what were asking for, they're going to provide what they feel will functionally meet the needs, so on occasion you will find somebody that is either very, very low, or extremely high, and you actually did see a variation here because the high, the most expensive response was considerably higher than anybody else. So in this particular project, you see the whole gamut of a variety of the product that's out there."

"So in terms of the requirements the requirements were clear, and in terms of what vendors offered for product that they thought would work is up to them."

Chairman Parks said, "Is that all the questions? Commissioner Unruh."

Commissioner Unruh said, "Thank you. Register of Deeds, Mr. Meek, you are happy with this?"

Mr. William Meek, Register of Deeds, greeted the Commissioners and said, "Yes, Commissioner. I think I am. I want to admit that Iris and her people worked extremely hard on getting this document."

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If we were just making copies of this, the flatbed scanner would not be a bad deal. But these are huge books, and so the way the specifications, the way they were written, they were written extremely adequate, they were well done and it's proof by the quality of image that we've got." **Commissioner Unruh** said, "Thank you. My thought is going to be that if you're going to be happy with this, I'm happy with it, so I'm ready to approve it."

Mr. Meek said, "Thank you."

Chairman Parks said, "We have a motion and second. Seeing no further discussion, call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

CONSENT AGENDA

M. CONSENT AGENDA.

- 1. VAC2008-00024 - Sedgwick County request to vacate portions of platted street right-of-ways, generally located northwest of the K-42 and 71st Street South intersection. District 3.**
- 2. General Bill Check Register for the week of July 1, 2009 – July 7, 2009.**

Mr. Buchanan said, "Commissioners, you have the Consent Agenda before you and I recommend you approve it."

MOTION

Commissioner Unruh moved to approve the Consent Agenda

Commissioner Peterjohn seconded the motion.

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

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VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

N. OTHER

Chairman Parks said, “Do we have any Commissioner comments? Commissioner Peterjohn.”

Commissioner Peterjohn said, “Just a quick comment that appreciate I all the participation and effort that went into the Sedgwick County Fair. I think it was a great event and anyone out there who missed it missed a hot time in the old town out there in Cheney. A good time was had by all.”

Chairman Parks said, “Just wanted to say that dialog and discussion is always good when it comes to budget time or any other issue, and I think that even though we may have differing views we work towards the common goal of getting things done for the taxpayer out there. Having said that, nothing else to come before the Commission, this meeting is adjourned.”

There being no other business to come before the Board, the Meeting was adjourned at 12:20 p.m.

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

KELLY PARKS, Chairman
Fourth District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KARL PETERJOHN, Commissioner
Third District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

August 12, 2009