

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

October 21, 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, October 21, 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. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Caroline Hosford, Chairperson, Waste Minimization Team; Mr. Kent Koehler, Senior Project Manager, Division of Information and Operations; Mr. Aaron Davis, Project Coordinator, Metropolitan Medical Response System, Health Department; Ms. Claudia Blackburn, Director, Health Department; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Scott Knebel, Principal Planner, Advanced Plans Division, Metropolitan Area Planning Department; Mr. Bill Meek, Register of Deeds; Mr. Chris Chronis, Chief Financial Officer; Mr. Pete Giroux, Principal Analyst, Budget; Mr. Steve Claassen, Facilities Director, DIO; Ms. Joni Wilson-Colby, Court Trustee; Mr. Ray Vail, Director, Finance and Support Services, Department on Aging; Mr. Tom Pletcher, Clinical Director, COMCARE; Mr. John F. Crosby, Deputy Director, Emergency Management; Col. Richard Powell, Chief Deputy, Sheriff's Office; Ms. Iris Baker, Director, Purchasing; Ms. Kristi Zukovich, Director, Communications; and Ms. Katie Asbury, Deputy County Clerk.

GUESTS

Ms. Theresa Gassett-Haynes, President, Association for Professionals in Infection Control and Epidemiology (APIC)

Ms. Veronica Triana, Disability Coordinator, Kansas Department of Commerce

Mr. Jason Verbeckmoes, Chairman, Red Ribbon State Planning Committee

Mr. Tom Hein, Public Affairs Manager, Wichita Metro/KDOT

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell

Mr. Gary O'Neal, 4967 N. Hillcrest, Bel Aire, Kansas

Mr. Ken Thornton, President, OEI Facilities, Inc.

Ms. Anita Roebuck, 1838 Litchfield, Wichita, Kansas

INVOCATION

Led by Pastor Ben Saucedo, Temple Baptist Church, Wichita

FLAG SALUTE

ROLL CALL

Regular Meeting, October 21, 2009

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

CONSIDERATION OF MINUTES

Regular Meeting September 23, 2009
All Commissioners were present

Chairman Parks said, “Commissioners, you’ve had a chance to review those minutes. What’s the will of the Board?”

MOTION

Commissioner Welshimer moved to accept the minutes as read for the regular meeting of September 23, 2009.

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

Chairman Parks said, “Next item.”

PROCLAMATION

- A. PROCLAMATION DECLARING OCTOBER 18 – 24, 2009 AS “INFECTION PREVENTION WEEK”.**

Ms. Kristi Zukovich, Director, Communications, greeted the Commissioners and said, “I’ll read this for the record:

PROCLAMATION

Regular Meeting, October 21, 2009

WHEREAS; protecting the health of Americans includes providing every citizen with access to safe and effective health care; and

WHEREAS; infection preventionists are devoted to patient and healthcare worker safety and are committed to reducing the risk and occurrence of healthcare-associated infections; and

WHEREAS; the prevention of healthcare-associated infections is instrumental in achieving this goal; and

WHEREAS; every year, more than 1 billion Americans visit their healthcare providers and over 33 million are admitted to hospitals, with many undergoing medical procedures that have a risk of infectious complications; and

WHEREAS; healthcare-associated infections increase morbidity and mortality and add a significant financial burden to the cost of healthcare; and

WHEREAS; the Association for Professionals in Infection Control and Epidemiology (APIC), representing more than 12,000 infection preventionists sponsors ‘International Infection Prevention Week’ with this year’s theme being ‘International Infection Prevention Week Is Everyone’s Business.’

NOW, THEREFORE, BE IT RESOLVED, that Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim October 18 – 24, 2009, as

‘International Infection Prevention Week’

“And it is dated October 21st, and it is signed by the Chairman, Kelly Parks.”

MOTION

Chairman Parks moved to adopt the Proclamation.

Commissioner Welshimer seconded the motion.

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

VOTE

Regular Meeting, October 21, 2009

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

Ms. Zukovich said, “Commissioners, we do have Theresa Gassett-Haynes who is here to accept the proclamation.”

Ms. Theresa Gassett-Haynes, President, Association for Professionals in Infection Control and Epidemiology, greeted the Commissioners and said, “Thank you. As she said, my name is Theresa Gassett-Haynes and I am the current president for the Association for Professionals in Infection Control (APIC) 2009, and I would like to thank the Board of Sedgwick County Commissioners (BOCC) for adopting this proclamation for ‘International Infection Prevention Week.’ This is an opportunity to spotlight our profession and to show all that infection preventionists do; educating healthcare workers, and healthcare administrators, and legislators and consumers on reducing the risk of infections. The Association for Professionals in Infection Control is an organization of over 12,000 members international. And we have annual meetings, we have conferences, we have a conference coming up tomorrow at the Wichita Hilton where we will display this proclamation on our display board along with a lot of information about H1N1, which is a hot topic right now. And all we are saying to the community right now is to be sure to wash your hands and cover your cough and stay home if you’re ill. This year’s theme is ‘Infection Prevention is Everyone’s Business,’ and we are just putting that word out and strongly encouraging everyone to do so, and again, I would just like to thank you for adopting the proclamation.”

Chairman Parks said, “Well, we would like to thank you for stepping up and asking us to do this. This gives us another venue for education to the public and another reminder during this especially stressful flu season coming up.”

Ms. Gassett-Haynes said, “Thank you.”

Chairman Parks said, “Thank you. Next item.”

B. PROCLAMATION DECLARING OCTOBER 21, 2009 AS DISABILITY MENTORING DAY.

Regular Meeting, October 21, 2009

Ms. Zukovich said, “Commissioners, I’ll read this for the record:

PROCLAMATION

WHEREAS; more than one million people with disabilities have entered the labor force since the passage of the Americans with Disabilities Act in 1990; and

WHEREAS; as taxpayers, consumers and workers, people with disabilities are contributing to our society and to their own fulfillment of the American dream; and

WHEREAS; new generations of young people with disabilities are growing up in Sedgwick County, graduating from high school, going to college and preparing to participate in the workplace; and

WHEREAS; job seekers with disabilities, regardless of age, are striving to attain economic independence through self-sufficiency and gainful employment; and

WHEREAS; Disability Mentoring Day provides an opportunity for students and job seekers with all types of disabilities to gain insight into career options by spending part of their day in the workplace ‘shadowing’ an employee as he or she goes through a normal day on the job; and

WHEREAS; employers from the private, government and non-profit sectors may benefit from mentoring people with disabilities as a way of learning about the experience of disability, developing lasting relationships with disability community leaders and recruiting new and emerging talent for meaningful internship and employment opportunities.

NOW, THEREFORE, BE IT RESOLVED, that Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim October 21, 2009, as

‘Disability Mentoring Day’

“And it’s dated October 21st, and it’s signed by our Chairman, Kelly Parks.”

MOTION

Chairman Parks moved to adopt the Proclamation.

Regular Meeting, October 21, 2009

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

Chairman Parks said, “And I do believe we have somebody here for this also.”

Ms. Zukovich said, “We do, Veronica Triana is here to accept and we do have a number of folks that are here from the committee as well.”

Chairman Parks said, “If you’d all like to step up towards the podium so we can recognize you.”

Ms. Veronica Triana, Disability Coordinator, Kansas Department of Commerce, greeted the Commissioners and said, “Thank you so much, Commissioner. I’ve been working with a great group of 14 committee members, community service providers, employers, and consumers that really wanted to make sure that this year we would provide our mentees with their true career match, and that has happened. We do have 30 high schools; a representative from USD (Unified School District) 259, from Derby School District will be here, we also have representatives from Wichita State [University] and also from our different consumer agencies, such as Independent Living Resource Center and COMCARE. So they are getting ready over across the street, Envision has been a great sponsor for us this year, they are providing the site, the luncheon, and providing us their printing press; banners, such as the one that’s here. As you can see, the theme for today is ‘Training Today for Tomorrow’s Workforce.’ You know, we are advocating to our persons with disabilities that they are able to go out, whether it is out of high school or still trying to reenter the workforce, they are able to do what they feel that their career match is. So we’re really proud of what we’ve done, and we hope to have a really good day today.”

Chairman Parks said, “I would like to thank you. Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chair. Well I just want to express my personal appreciation to all the service providers who have taken this on, not only as a mission, but ministry to individuals in our community who receive help and support that otherwise just simply wouldn’t

Regular Meeting, October 21, 2009

be there. And this is a good example of how the community stepped up to provide services to the consumers that government cannot, or is not, able to perform. So we really appreciate your important part of our community. And I can't go by without saying I have a special connection to Envision, who has been a good partner with you in this effort, and so I also want to thank them for their part in making this possible."

Ms. Triana said, "Definitely."

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

Ms. Triana said, "And I would like to say Sedgwick County and the city, we try to maintain most of the persons here in the downtown area so they have been also key players as well as Wichita State, so I want to thank them too."

Chairman Parks said, "Thank you for your service."

Ms. Triana said, "You're very welcome."

C. PROCLAMATION DECLARING OCTOBER 23 – 31, 2009 AS RED RIBBON WEEK.

Ms. Zukovich said, "Commissioners, I'll read this last proclamation for the record:

PROCLAMATION

WHEREAS; Sedgwick County Commissioners value the health and safety of all our citizens; and

WHEREAS; substance abuse is particularly damaging to one of our most valuable resources, our children, and a contributing factor in the three leading causes of death for teenagers – accidents, homicides and suicides; and

WHEREAS; it is the goal of the Kansas Red Ribbon Campaign and Sedgwick County to involve families, schools, businesses, churches, law enforcement agencies and service organizations in all aspects of this campaign and establish an atmosphere that supports awareness, education and on-going initiatives to prevent illegal drug use; and

Regular Meeting, October 21, 2009

WHEREAS; the Kansas Red Ribbon Campaign theme promotes family and individual responsibilities for living healthy, drug-free lifestyles, without illegal drugs or the illegal use of legal drugs; and

WHEREAS; there are drug and alcohol prevention activities planned during the Red Ribbon Week in Sedgwick County.

NOW, THEREFORE, BE IT RESOLVED, that Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim October 23 – 31, 2009, as

‘Red Ribbon Week’

and encourages citizens to wear and display red ribbons and make a visible statement that we are strongly committed to a drug-free community.

“And it is dated October 21st, and signed by our Chairman, Kelly Parks.”

MOTION

Chairman Parks moved to adopt the Proclamation.

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 we do have Jason, I believe, here to accept this.”

Ms. Zukovich said, “We do. Jason Verbeckmoes is here to accept the proclamation.”

Chairman Parks said, “If you will step to the podium, Jason.”

Regular Meeting, October 21, 2009

Mr. Jason Verbeckmoes, Chairman, Red Ribbon State Planning Committee, greeted the Commissioners and said, "I want to thank the Board of County Commissioners and Sedgwick County for adopting this proclamation. This has become a partnership between the Kansas [Army] National Guard, the Kansas Family Partnership, the regional prevention centers, Wichita's Promise [Youth Council], the Mayor's Youth Council and a whole host of other folks that have contributed to bring 'Red Ribbon Week' to the county. Again, thank you for the adoption of the proclamation and just wanted you to know that we've now distributed over 20,000 red ribbons for this event. It is growing every year, and so in remembrance of those that have lost their lives in the drug war, this is the basis of what we're doing with this proclamation, so again, thank you."

Chairman Parks said, "Jason, the group has come a long way. I can remember when I was on the police department about 20 years ago when we first started this, and we were asked to go out and purchase our own red ribbons to tie it on. So it has grown, and the awareness is out there, and anytime we can educate the public on these kinds of things, it is a good program. Thank you."

Mr. Verbeckmoes said, "The National Guard has really stepped up as the main contributor of purchasing the red ribbons for the State of Kansas. I think they've purchased over 200,000 red ribbons for this year for the whole state, so I would like to thank them."

Chairman Parks said, "It's a great program. Next item."

RETIREMENT

D. PRESENTATION OF RETIREMENT CLOCK TO KENNETH L. WOODARD, FISCAL SPECIALIST, APPRAISER'S OFFICE WILL RETIRE NOVEMBER 1, 2009 AFTER 20 YEARS OF SERVICE.

Chairman Parks said, "Due to some unforeseen circumstances beyond our control, we're going to have to delay that for about a week."

Commissioner Peterjohn said, "Do we need to take a vote or is that just a consensus item, Mr. Chairman?"

Chairman Parks said, "I think we can just, since it's no binding legal action, we will just delay that for a week."

Regular Meeting, October 21, 2009

CITIZEN INQUIRY

E. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING JAIL OVERCROWDING AND PREVIOUS EXPANSION PROPOSAL FROM 2003.

VISUAL PRESENTATION

Mr. Gary O’Neal, 4967 N. Hillcrest, Bel Aire, greeted the Commissioners and said, “I am here this morning to re-present a presentation on jail expansion and work release that was previously discussed on several occasions with some of the County Commissioners, the County Manager and the Sheriff in 2003. At the time of the original presentation, I was in my third term as mayor of the City of Bel Aire, I was Chairman of the Sedgwick County Association of Cities, and I was Chairman of the Chisholm Creek Utility Authority. Why am I bringing this presentation to the Commission this morning? Because nothing seems to have changed in the last six years regarding overcrowding of the county jail, except it’s gotten worse. We are still discussing the same issue six years later and it appears no action has been taken regarding the expansion of the jail. I’ve been sitting quietly by on the sidelines listening to the rhetoric and decided I could stay quiet no longer; I needed to bring to the current Commission and staff our proposal from 2003. As I understand it today, there are over 400 inmates housed outside the Sedgwick County Jail, and outside of Sedgwick County, and the Commission recently approved \$2 million more just to get us through the budget year. In brevity, I’m shortening down some of the presentation. This morning I no longer represent the Chisholm Creek Utility Authority, but I do represent stakeholders that this presentation today can still be done with stakeholders that I can bring together to do this. I’m going to skip through to the Chisholm Creek Utility part and I’ll go right to the Sedgwick County proposal for the detention facility.

“In 2003, we proposed a 648 bed detention facility, the location of the facility was going to be south of Highway 254 [K-254] off Webb Road, it’d be north of the Jabara Airport, and it would have provided quick and easy access for local attorneys to meet with clients rather than having to travel around the state, had good access from the highways, it also had an airport sitting just to the north of it. It’s also the same area that the county has shown interest in for an industrial park for the Greater Wichita Economic Development Coalition (GWEDC). I have a complete document that I will leave with the County Manager for staff at the end of this presentation that will go into all of the details, and with that I will go ahead and proceed with some of these slides very quickly because I know you have a very busy agenda today. We had designed a modular facility in 216 bed phases with a central administrative core.”

Regular Meeting, October 21, 2009

Mr. O'Neal continued, "First phase would be 216 beds, second phase 432, third phase up to 648, fourth phase up to 864, and then could be expanded up to 1,020 beds. Had an outdoor recreation area, and again, this central core area available. The floor plan on this is rather crowded on this, but gave the floor plan of the administrative area. The per diem rates, in 2003, we had calculated based on 648 beds, somewhere between \$40 and \$55 a bed, on the high side at the time, we put in \$55 a bed on a per diem basis. I'll skip through the projected schedule. Since we are no longer representing the Chisholm Creek Utility Authority, we'll skip through the inter-local government agreement, but the county could maintain oversight and control, it was cost effective on a low per diem basis. We could keep detainees in the county, the debt was not with the county, it was with the stakeholders who put together the facility. It was fast track, within two years or less we could have the facility built from the time that the agreement was made and be tailored to the county needs for detention and work release, and it would have corrected existing housing problems which we thought was more effective than locating downtown in the current location and building upward; we could build out where we had plenty of room. And it was also an opportunity with the county for excess revenue sharing if potential detainees were brought in from other authorities in the facility on a per diem basis, we could share the revenues with the county.

"I would like to read just three paragraphs off of page five of the proposal then I'll be answering any questions if there are any. I'll keep this very brief. Again, this was in 2003, at that time it was the Chisholm Creek Utility Authority, now it would be the stakeholders that we could bring together. We are pleased to present a proposal to the Sedgwick County Commission meant to meet the county's current and future detention bed shortages while saving valuable tax dollars. Just as the county currently contracts with neighboring counties to meet current bed shortfalls, the Commission would contract with the authority to provide the needed beds. As an added financial incentive to the county, the authority would take on all debt for project construction; the authority facility would be kept full of county adjudicated detainees so that space is made available in the county's downtown facility. The authority has created a modular design capable of expansion in increments of 216 beds for adjudicated nonviolent adult male detainees. The facility may be expanded up to a total of five modules totaling 1,020 beds. Located in the center of the modules is a central administrative facility. The module design creates the most economical solution for space far and into the future.

"The authority modular plan is significantly less expensive to construct per bed than the current plan for a downtown high-rise facility. The high-rise plan currently has a price, again this was in 2003, of over \$34 million for 396 beds, with a mixture of securities, including dormitory space for work release, however, this number of beds is likely to leave the county with a deficit in beds at the moment of its completion in 2005 and 2006 based upon historic increases in county detention bed requirements. Cost overruns are also likely with high-rise facilities, just as that which occurred with the last downtown expansion by the county."

"The authority recommends that a 648 minimum bed security, with three module satellite facility, be constructed away from the downtown area. The authority has access to a site that may be

Regular Meeting, October 21, 2009

appropriately zoned, has access to utilities and is conveniently located relative to the current county downtown facility. With this proposed facility, and the ability to conveniently expand through the addition of future modules, the county would avoid a deficit of detention beds. And that completes my presentation. I have with me, if there are any questions today, Mr. Ken Thornton, who is President of OEI [Facilities], Inc., who was involved in putting together the plans, the construction plans and also I have with me, Mr. Richard Gale, who at the time was the City Administrator for the City of Bel Aire and a board member of the Chisholm Creek Utility Authority. If there are any questions?”

Chairman Parks said, “Let’s go ahead and have a motion.”

MOTION

Chairman Parks moved to receive and file.

Commissioner Unruh seconded the motion.

Chairman Parks said, “Motion and a second, we do have some discussion. I do believe it does deserve a fresh look because we have three new, or different, Commissioners on the Board, and this may not be the particular venue to get into a lot of the details today, but maybe a workshop or other meetings with you and the utility at a later time to facilitate this fresh look at this project. I believe Commissioner Unruh is first.”

Commissioner Unruh said, “Thank you, Mr. Chair. Mr. O’Neal, do you have any estimate as to how close these per diem, per day, per cap costs are? I mean, they are projected in 2003, when you get to the 648 bed level, it is \$55, how does that relate to today’s costs?”

Mr. O’Neal said, “We believe those costs are not far off. We would like to bring the stakeholders together. Again, this is six years later. Some of the construction costs have not changed much. They have gone up, but they’ve come back down, and so time is of essence in any of these projects, especially when you are looking at construction related costs. But we feel these costs are not far off from where they were in 2003.”

Commissioner Unruh said, “Okay, thank you. That’s all I have, Mr. Chair.”

Chairman Parks said, “Commissioner Welshimer.”

Commissioner Welshimer said, “You’re proposing that we do this as building a new facility, the county would build a new facility?”

Regular Meeting, October 21, 2009

Mr. O'Neal said, "The authority would build the facility, there would be no debt to the county. There would be an agreement for the county to house on a per diem basis..."

Commissioner Welshimer said, "I see."

Mr. O'Neal said, "...inmates in the facility."

Commissioner Welshimer said, "I see, so you would have a private jail..."

Mr. O'Neal said, "Yes, ma'am."

Commissioner Welshimer said, "...system? Okay. Does the per day estimate that you have, does that include the medical?"

Mr. O'Neal said, "I don't believe that includes any of the...Ken? I understand you have a very busy agenda, I appreciate your questions very much, and again, we would be willing to meet with staff at any time in a workshop."

Commissioner Welshimer said, "That's just a big question. It's always a question that comes up anytime we talk about this."

Mr. Ken Thornton, President, OEI Facilities, Inc., greeted the Commissioners and said, "Well actually, it's a good question, and that was one of the things that we really had to concentrate on in 2003 and 2004 when we did the proposal. Because when you look at the county budget, you got to go through the whole thing, and you got to dig out every little piece that's associated with sending detainees out of the county to somewhere else, and it's not all in the same spot..."

Commissioner Welshimer said, "No."

Mr. Thornton said, "...so our numbers did in fact include a medical provision. It was a lot easier, though, because the facility was going to be in Sedgwick County, so you could choose the same folks that were providing medical services downtown to the satellite facility because it was all going to be run by the county."

Commissioner Welshimer said, "That would be the county medical, the jail medical?"

Mr. Thornton said, "Yes. Well, my discussions with, Sheriff Steed at that time, was that Sedgwick County wanted to run the new facility, regardless of who built it..."

Regular Meeting, October 21, 2009

Commissioner Welshimer said, "I see."

Mr. Thornton said, "...regardless of who owned it, somehow it would become under the operation of the county, and the county would manage it..."

Commissioner Welshimer said, "Okay."

Mr. Thornton said, "...and so those costs were all included in our per diem rates, back then, which was six years ago..."

Commissioner Welshimer said, "Okay."

Mr. Thornton said, "...so needless to say, everything needs to be updated."

Commissioner Welshimer said, "Yes, thank you."

Chairman Parks said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I appreciate you bringing this information and history back, especially for those of us who did not see your presentation and were not in elective office approximately, was it six years ago? Yes, six and a half years ago. But if we do get to a point, in terms of working on it, I would say, did you make any sort of a presentation to the CJCC (Criminal Justice Coordinating Council) that was established shortly thereafter? I realize it wasn't in place when you made this presentation, but I know when the county created that, subsequently, that's been kind of a focus, in terms of an internal working group here."

Mr. O'Neal said, "We would make a presentation, but we did not at the time."

Commissioner Peterjohn said, "I mean when...okay, thank you."

Mr. O'Neal said, "We can make a presentation. After meeting with the staff, we could put together numbers within 60 to 90 days to present back some firm numbers."

Commissioner Peterjohn said, "Well, I appreciate the effort to try and bring some of our costs per day down, and that's something I think there's pretty broad support for doing. I know this

Regular Meeting, October 21, 2009

Commissioner is certainly interested in trying to look at ways to do that, so I appreciate your presentation, and I would quibble with you a bit, in terms of we've made some progress, but the problem has grown, and I personally support expanding work release. I'm glad to see August 24th we expanded day reporting and those are both much lower costs than either \$55 a day, \$65 a day, or whatever the county is paying for out of county at this point, using those options with misdemeanants who have violated the law, but I don't believe are as serious that they warrant a major detention."

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

Commissioner Norton said, "Well I remember the proposal that many years ago, and I think we work pretty hard to try to understand, but at the end of the day, there were some philosophical differences. I don't think the Sheriff was totally in support. I don't know that we could get all the numbers to work exactly like we wanted to, and then I think there was some legal aspects of having an institution that we tried to run, but we didn't own, and at some point we just kind of languished in that and then it kind of went away and we set up the Criminal Justice Coordinating Council to try to deal with everything. But the truth is, and I think Gary is right, the issue is still before us, we're still working on overcrowding and where we go with that, so to reconsider the proposal, to try to understand maybe how it fits in with the new Sheriff and a new understanding is probably very, very appropriate right now. I'm glad you came back forward with the proposal so we can open it back up, see if it has validity in today's environment, let staff open it up and try to run the numbers, let the Sheriff become involved, and obviously the judges and judicial system, too, and see if it has appropriateness in today's environment. So I'm glad you came forward and I'm ready to at least take another look at it to see if it fits in anywhere with what we're doing. That's all I have, Mr. Chair."

Chairman Parks said, "Thank you. Thank you, Gary. Thank you..."

Mr. O'Neal said, "Thank you, Commissioners and staff, and again, our only purpose here today, was this is an option for you to look at. We previously presented it, we just wanted to put that option back on the table. Thank you very much."

Chairman Parks said, "And we'll be looking forward to staff contacts. Next item."

Ms. Katie Asbury, Deputy County Clerk, greeted the Commissioners and said, "Mr. Chairman, we need to have a vote."

VOTE

Regular Meeting, October 21, 2009

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

F. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING COMCARE.

Ms. Anita Roebuck, 1838 Litchfield, Wichita, greeted the Commissioners and said, "I have an adult child who is mentally ill."

Chairman Parks said, "Could you state your address also, please."

Ms. Roebuck said, "Oh I'm sorry, it's 1838 Litchfield. My son has been in COMCARE since he's five, six years old. We have tried to get help. He has had several case managers; I'm going to bring up the time when he turned 18, because we put in a recommendation for MR/DD (mental retardation/developmental disabilities), he is borderline retarded. I got turned down, because the doctor put immature instead of developmentally delayed, even though I had the doggone tape saying he is developmentally delayed, he is Asperger's, but I wanted to teach him a lesson. I was lucky enough after a year, after my mother-in-law passed on, that COMCARE let me pay to get another evaluation. It came out bad, too. He's just immature, he has brain damage caused by trauma, and he has over a hundred different mental diagnoses. My son is a good looking boy, he looks normal; you cannot tell he's disabled by looking at him. If you ask him something he knows, he knows it all, but if you go down in depth with him, you will find out he is not there, he doesn't understand a whole lot of the consequences.

"I took him to the crisis center one day because the crisis center helps people in crisis, he was very angry with me. They separated us. COMCARE asked me to go ahead and go out the back door and go home and they would take care of my son. I said, 'How is he going to get home?' They assured me that they would get him home. Next thing I know, he is really upset with me because he had to walk home. Now, the security guard took him halfway because he was getting off work and headed that way. In the meantime, the crisis center called me and said, 'Lock your doors. If you see him, call the police, because he could be a danger to you.' I don't understand if he could be a danger to me and they were that worried about it, why didn't they put him in the hospital and get him some help? Yes, he has refused help. Here lately, though, he has been trying to work with COMCARE."

Regular Meeting, October 21, 2009

Ms. Roebuck continued, “I will be honest, the last two times I’ve been in COMCARE, I have cussed, yelled, and screamed because I have been working with this child since he’s been five. Before he turned 18, I understood he was my responsibility. I worked all the time and I ran all night with this child. When he turned 18, COMCARE gave me all kinds of promises, there’s all kinds of things they can get for him. He had a chance for low-income housing. I went to the first meeting, because he had paraphernalia and a joint, they said he couldn’t qualify. However, the paraphernalia was not his. He wanted to prove to his friend that he was a good friend, so he took part of the blame. On one part of the paraphernalia it was a toilet paper roll, it was a girl’s, but he took part of the blame so he could prove he was a good friend, because he wanted to keep a friend. The second one was he had a joint. It was in his girlfriend’s car. He was clean at the time, he was not smoking, but the cops told him, ‘Hey, if you don’t take the blame for this joint, we’re going to arrest your girlfriend and SRS (Social and Rehabilitation Services) will get your baby. When I talked to him in person, he says, ‘Mom,’ he says, ‘If I was a little kid and somebody was going to take me away, I’d be scared, because I don’t want to lose my mom.’ Okay.”

“When I’ve had COMCARE go to the courts, they walked up with him, but unfortunately they did not tell the judge about the diagnosis, so I said, ‘Excuse me, can I speak?’ And I went up there and I told the judge. You know, the judge let us know that somebody should have told him about the diagnosis. They need to let the courts know when they are mentally ill because there’s too many mentally ill people in jail. My son is pretty easy to work with. With me, he’s hard; he’ll throw things, he’ll cuss at me. He has a bad temper, it looks like, but if you watch him long enough, it’s not so much a temper, it’s frustration. Okay, if he does not qualify for the MRDD, okay, fine. I feel like mentally ill, COMCARE ought to take and work with him. They’re willing to make phone calls for him, they weren’t willing to go to low-income housing with me. I asked, because COMCARE is his payee and I want it to stay that way, but I asked for COMCARE to get me a letter, the case manager supervisor to get me a letter stating his income, so I could take it to low-income housing. After three weeks, he still didn’t do it. The last time I blew up, his supervisor called me in. I told her, I says, ‘When he talked to me, he told me straight out that he didn’t think my son deserved low-income housing.’ During the meeting he said, ‘No I didn’t do that. That’s unethical.’ I said, ‘Then why didn’t you get me the paperwork?’ And he told his supervisor, he says, ‘I tried to talk to the payee and I couldn’t get it.’ Well, the meeting went on between us, and at the end, he said, ‘Mom told me he couldn’t live by himself, so I didn’t see the need in even, or I didn’t want to waste the time, everybody’s time, in deciding.’”

Chairman Parks said, “Can you wrap this up in about a minute?”

Ms. Roebuck said, “Okay, I’m sorry. I would like to have somebody meet with me and COMCARE and discuss the other facts because I have a whole lot of questions. I asked for a

Regular Meeting, October 21, 2009

meeting with the doctor and everybody, I asked for it five months ago, and finally they decided, they told me it's going to be in a couple weeks. We'll see. But I do appreciate your time, and I know I probably didn't explain things right, but when I called the Commissioner, they took my name off, had Dennis take my name off the consent form. They called the County Commissioner back and said the problem was taken care of. The problem was taken care of because they had a mother who really cares taken off the consent form and they didn't have to give no answers. But thank you for your time and I hope we can come up with a program that fits the needs that's a little worse of mentally ill and not quite enough of developmentally delayed. Thank you."

Chairman Parks said, "Ms. Roebuck, there are a variety of agencies you mentioned here today, and some are under our control and some are not, and we will continue to work with our staff to get some resolutions to some of these items."

Ms. Roebuck said, "Well, I had a resource book that had all kinds of groups and everybody I called said you had to go through COMCARE. And everybody I called when I said I couldn't get the help, it didn't surprise them, but they won't go against COMCARE because they are scared of them. I think it's time that changes."

Chairman Parks said, "We will make sure that we have an overview outside of COMCARE look at this."

Ms. Roebuck said, "Okay, thank you."

Chairman Parks said, "Commissioner Welshimer."

Commissioner Welshimer said, "Anita, I appreciate your courage and your determination to, as a mother, to come down here and to relay this story, which I must say, you did a very good job at that..."

Ms. Roebuck said, "Thank you."

Commissioner Welshimer said, "...and I realize sometimes that we have, sometimes we've got fragmented services, one not exactly working together with another one, and we need to work on that, and I think you pointed out to us, sometimes we can't see what's actually going on with the public and it helps to hear these things."

Ms. Roebuck said, "I appreciate that and I just hope I didn't waste my time..."

Commissioner Welshimer said, "No, you didn't."

Regular Meeting, October 21, 2009

Ms. Roebuck said, "...because I've been told by COMCARE, we're going to do it, and we can't get nowhere. I'm tired. I need help."

Commissioner Welshimer said, "Yes."

Ms. Roebuck said, "Thank you."

MOTION

Chairman Parks moved to receive and file.

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

NEW BUSINESS

G. PERFORMANCE MEASURES – WASTE MINIMIZATION TEAM – 10 YEARS.

VISUAL PRESENTATION

Ms. Caroline Hosford, Chairperson, Waste Minimization Team, greeted the Commissioners and said, "I'm here today to present the Waste Minimization Team performance measures, but not just for this past year, but what has occurred in the ten years since the Waste Minimization Team has been in existence. When the Waste Minimization Team began in 1999, we started by keeping track of two different items at that time. Those two items were office paper, and you can see here, that in that first year, we collected just over 82,000 pounds of office paper. And we also kept track of the amount of motor oil that Fleet Management recycled, and that was just under 4,400 gallons. We added some items a bit later."

"In the year 2000, we added newspaper and cardboard, we started collecting these from county offices. And then we also added magazines and catalogs in 2002. In this graph, you can see what

Regular Meeting, October 21, 2009

has happened as our paper collection program became more mature. Last year, in 2008, we collected right at 336,000 pounds of paper for recycling, and since our program began in 1999, ten years ago, we've collected and recycled over 2.2 million pounds of paper for recycling. Now, on to aluminum, we started tracking the collection of aluminum cans for recycling in 2000, just a year after our program began. And you can see on this chart, it had an upward motion all but one year, not exactly sure what happened right there when it decreased, but for the most part, the collection has increased every year.

“In 2002, we began collecting plastic beverage bottles, and we could actually combine them with the aluminum cans to track them, because when they got to the material recovery facility they would separate them at that point, so you can see here what happened from 2000 to 2008. You can see that there's been a fairly steep climb since about 2005. So the total paper, aluminum and plastic, since we began in 1999, has continued to increase and last year, in 2008, we had collected just under 350,000 pounds, so about 170 tons just in that one year. Fleet Management is a big recycler of things that they have in their operation: oil, batteries, tires, scrap metal. And this is kind of an interesting chart, the motor oil, it sort of looks like it was all over the place, but in reality it really had more to do with when the collection tanks were full rather than that we actually weren't recycling. So you can see that, for instance, in 2006, it looked like it was down, but then in 2007, it was up a lot, so it had more to do with the timing of the collection. But the average is about 4,600 gallons each year. Vehicle batteries has the same kind of up and down movement, but we average about 184 vehicle batteries annually that are recycled from Fleet Management, and tires, about 730 tires annually. Unfortunately, they have a lot of scrap metal, too, at Fleet Management, and they have been recycling an average of just under 36,000 pounds a year, about 18 tons every year.

“Now another change that has occurred since Waste Minimization Team has been in existence has been our phone books. We used to have a lot of phone books around here. When we began in 1999, our records show that about 1,400 phone books were delivered to county offices; practically everyone had their own personal phone book. But technology has had a lot to do with the fact that now we can just look up telephone numbers right on our computer, it's pretty fast, it's pretty easy. And so last year, only 200 phone books were delivered to county offices. And we think that's a good thing. We don't have so much waste, and it's actually faster for our customers. At the suggestion of the Waste Minimization Team, standards for recycled content of all paper that's purchased by Sedgwick County were revised, and now all office papers have recycled content, so that has been a change over these past years. And with the encouragement of the Waste Minimization Team, Sedgwick County has gone out for bid for a vendor to provide remanufactured printer cartridges at a much reduced rate to Sedgwick County, and that has been a program that's been very successful here.”

Ms. Hosford continued, “So I guess I would like to leave with a couple of comments. That it is not just the numbers that have changed, they have changed, but it's not just the numbers that have changed, it is the culture that has changed. People in Sedgwick County, the workers, they expect

Regular Meeting, October 21, 2009

that we're going to recycle; they expect that we're going to pay attention to waste now. It is not just, though, about minimizing waste, that's what the Waste Minimization Team was formed for, is to try to look at how much waste we had and to try to do something about it. But now, it's about sustainability, and a new Sustainability Task Force has been formed. And I would like to just say what sustainability is for Sedgwick County employees. We have a definition here that says that sustainability is meeting the needs of the present without compromising the ability of future generations to meet their needs. So we're not trying to use up all the resources, we're trying to save enough for the next generation. So today, the Waste Minimization Team is proud to merge into the Sustainability Task Force. It's been my pleasure to work with lots and lots of very dedicated employees on the Waste Minimization Team, and I want to thank the present and current and past members of that team. They've contributed lots and lots of good ideas and have helped, I think, to make this transition into this Sustainability Task Force an easy one. So if there are any questions, I will be glad to address them."

Chairman Parks said, "I would like to thank you for your work on this. I think it is important to be a leader in the community and the business community, also, for us to try to minimize the amount of items that go into our landfills. So I would like to thank you for your work on this."

MOTION

Chairman Parks moved to receive and file.

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

H. DIVISION OF INFORMATION AND OPERATIONS.

1. SUPPLEMENTAL AGREEMENT WITH KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) AND THE CITY OF WICHITA FOR

Regular Meeting, October 21, 2009

CONSTRUCTION OF ADVANCED TRANSPORTATION MANAGEMENT SYSTEM.

VISUAL PRESENTATION

Mr. Kent Koehler, Senior Project Manager, Division of Information and Operations, greeted the Commissioners and said, “Before you today is a supplemental agreement between the City of Wichita, Sedgwick County and the Kansas Department of Transportation (KDOT) for construction of an advanced transportation management system. What I would like to do is give you a little bit of the background information about how we got to where we are today, and then explain a little bit more about this project. In 1998, a deployment study for an intelligent transportation system was completed. Sedgwick County, Wichita and all the cities in the county were involved in this. Also involved was the [Wichita] Metropolitan Area Planning [Organization], also known as WAMPO, the state Department of Transportation and the Federal Highway Administration. At that point, they were to put together plans and ideas on how we could integrate intelligent transportation system into this county, into our region. At that point it wasn’t specific what the projects would be, however, lists were created and priorities were made. As we moved on a little farther, in 2002, it became clear there were some funds available through the federal government and through the state Department of Transportation, enough that a memorandum of understanding (MOU), or an agreement, was signed between the City of Wichita, Sedgwick County and KDOT. Sedgwick County agreed to commit \$1.25 million to this, the city agreed and KDOT furnished an additional 60 percent, or \$3.75 million. As we moved along, we did have some projects come up. Once the MOU was signed, we started moving forward. I would like to go over a few of those.

“The first one we did was the Public Safety Automatic Vehicle Location (AVL) project; that was one where the county was the lead. Sedgwick County provided \$500,000 toward this project in 911 fees; this was out of a total project cost of about \$2.2 million. And some of you may recall, with that project we put communications equipment in vehicles; police, law enforcement, fire, EMS (Emergency Medical Services), built infrastructure so we could track vehicles using GPS (global positioning system) and make better recommendations on who to send where. The next project that was done, Sedgwick County didn’t provide much funding, but it was to update 200 traffic signals and put new controllers in them, primarily in the City of Wichita, we had already done our controllers in the county. But this will allow the controllers to be updated and to be programmed to make it easier for people to move and coordinate traffic signals.”

Mr. Koehler continued, “The next big one we did, and this was a previous agreement also, we created a pilot project and designed the Advanced Traffic Management System (ATMS). Again, our share of that was about \$100,000. We put up six cameras; they were put up temporarily on wooden poles, there’s some variable message signs out and installed Traffic Operation Center software. That is currently in place, these cameras are being monitored in the 911 center now from 6:00 a.m.

Regular Meeting, October 21, 2009

To 7:00 p.m., Monday through Friday, through an agreement where Sedgwick County has our employees watching it, with KDOT providing funds for two FTEs (full-time equivalents). A couple examples of when this has worked. On August 31, there was a single vehicle accident just west of the downtown area on Kellogg. The dispatchers received numerous calls, some saying it was at Seneca, some said it was at Sycamore, some people said it was the Central Business District. The camera operator was able to see where traffic was dodging around the car and verify where this happened and get the resources there as most efficiently possible.

“On September 8, a Wichita fire vehicle was driving on [Interstate] 235 between Kellogg and Central. The vehicle slowed down for something in the roadway, something was slick on the highway, the fire truck slid into the median, nearly rolling over, because it was so muddy. What they were able to do was put messages up on the signs and tell people: there is a traffic issue up ahead, give motorists the opportunity to choose another route. Even yesterday afternoon there was an event on 235 on the southwest part of the city where concrete got dumped on 235. Fortunately, it happened to be near one of the temporary signs they have up and they were able to put up a message to tell folks: you need to change over to the left lane; the right lane is blocked until we get the debris removed. So this system is currently being used today.

“Where we are today is what the current project, this is really the last big chunk of this \$1.25 million that we had allocated back in 2002. You are going to see a lot of changes out as you’re driving, but this project will put out new message signs that will be up above, you’ll see as you’re driving, as maybe you’ve seen if you drive in Kansas City or some other cities, there will be signs up, up above, cameras, vehicle detectors, building the communications between the signs, the cameras, and the Traffic Operations Center which is housed in the Public Safety facility. Again, more of the infrastructure, but also then public website so people can go online and look and see what’s happening before they leave, or kind of see what we’re seeing, what the camera operators are seeing, because the goal of this is to make sure that traffic moves as smoothly as possible and put this information out there. What I would like to do next, I have a slide that will show you where these are planned to go, and as you can see, most of these are all on the interstate or Kellogg. But you can see the cameras are the red diamonds and the DMS, or dynamic message signs, are the green items. If you’ll notice, the signs are put out farther away from the city, that’s because you want to be able to give people an option to move, to take a different route, whether it’s take 235, or if they have to get off onto surface streets.”

“With this agreement, is to ask for you to agree to move forward with this project, and again, this is the final project of this \$1.25 million that was previously agreed. If you do have any questions, either for myself, or I do have Tom Hein, the Public Affairs Director with Wichita Metro Region for Kansas Department of Transportation available here also to answer any questions you might have.”

Regular Meeting, October 21, 2009

Chairman Parks said, "I am going to be supportive of this, not so much for the cameras and other things for just watching traffic, but just for traffic congestion and the hazardous avoidance. The other items that sometimes arise when you talk about cameras is the Big Brother's watching theory, but I know that that's not the intent and not the goal of this and you might just say something about that."

Mr. Koehler said, "That is correct. There are procedures in place with the Emergency Communication staff that are operating these, these are not recorded and they are meant to be used for the traffic use only."

Chairman Parks said, "Very well."

Mr. Koehler said, "It's truly not meant to be a Big Brother, they're not watching red lights or anything like that."

Chairman Parks said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes, I've got several questions. Since we've gone through a number of appropriations, a number of phases on this, it still looks like, by my math anyways, we've got \$25,000 that's unallocated, would you be coming back seeking that \$25,000, or is this the final bite out of the apple?"

Mr. Koehler said, "This should be the final bite, that \$25,000, and that could be that there may be an invoice outstanding from one of the others that would do that."

Commissioner Peterjohn said, "Let me ask this, do you have any information, once we put this system in place, any idea, in terms of the impact it would have on reducing congestion or reducing traffic fatalities? Do we have any evidence, in terms of what we have already allocated and spent, in terms of improved performance?"

Mr. Koehler said, "I believe on the pilot project, and Tom may be able to better address what we found looking, using traffic sensors on a limited basis, to have data to base if we are improving, and the goal of this is indeed to help keep traffic to keep moving and to reduce the need to hopefully build, increase highways."

Commissioner Peterjohn said, "In terms of existing signs and any notification, I frankly have listened to local news media that has been a more reliable source for me, if there's traffic congestion, I hear, 'Try to avoid 'fill in the blank' street,' and of course, depending upon if we have a weather situation, sometimes there's no really good alternative option. So I'm thinking of winter driving weather, sometimes if it occurs at the right time and the wrong type of weather conditions,

Regular Meeting, October 21, 2009

we can have a community-wide challenge getting home and moving around, but I'm trying to understand what additional value we're going to get, in terms of fulfilling this commitment by an earlier County Commission?"

Mr. Koehler said, "And I think Tom may have a little more information about that, about some of the values they're seeing elsewhere."

Mr. Tom Hein, Public Affairs Manager, Wichita Metro/KDOT, greeted the Commissioners and said, "We think that the ITS (Intelligent Transportation Systems) system, we've seen it in Kansas City, we've seen it work, we've seen in other large cities. It helps with congestion, it helps with emergency management responses and it gives some of the decision making process to drivers, through the website or through other methods of getting the communications out there, as well as those that are out on the road. We think it allows drivers to make better travel decisions to either avoid congestion, or an incident area, or choose to stay in that lane. It's a matter of putting the power to the people and giving them the decision making process."

Commissioner Peterjohn said, "Well I could certainly agree with you, in terms of getting more information out for drivers and particularly if there's some extraordinary challenge out there. Of course, at the moment, the biggest challenge I see is the perpetual battle we have with roadwork and road reconstruction and..."

Mr. Hein said, "And that would be part of the notification system."

Commissioner Peterjohn said, "...and I was curious, in terms of how this might differ from the existing notifications you have in front of construction ahead type of temporary signage?"

Mr. Hein said, "I think it would be an addition to that. These are strategically placed, in this phase, this is phase one for us, on the high traffic areas, which would be: Kellogg from about Tyler out to Woodlawn, and then I-135 from Harry up to 61st Street North, and then also the junction at 235 and K-96 in the northwest part. We do look at phase two and phase three to add more cameras, more sensors and more dynamic message signs in the future. We think it's just a system of not growing the system; the capacity of our roads can be increased through this system by not adding lanes or more interstate, but by allowing people to make better decisions on the congestion or incident management situations."

Commissioner Peterjohn said, "Well then let me ask you, because the map that's up here shows if you were coming in from the east part of the county, and I'll grant you that's not my district, but looking at it from a community-wide concern, you don't have a dynamic message sign until you get..."

Regular Meeting, October 21, 2009

Mr. Hein said, "To about Hillside."

Commissioner Peterjohn said, "...to it looks like about possibly Oliver or Edgemoor?"

Mr. Hein said, "Hillside or Oliver, yes..."

Commissioner Peterjohn said, "Oliver?"

Mr. Hein said, "...that's true."

Commissioner Peterjohn said, "And I was curious, in terms of the placement, because I would think you would probably want something along those lines further east like you do up on K-96 east of I-135 or..."

Mr. Hein said, "Right."

Commissioner Peterjohn said, "...you certainly got one well out west, looks out by Iowa Road, I believe?"

Mr. Hein said, "Correct. Well, part of that is the process of building the freeways out east. And we are installing the infrastructure to bring phase two to that area of the county in a much faster fashion than bringing phase one in, so we are incorporating that into the designs right now at Rock Road, and beyond that at Webb and all the way to county line. We should be in a better situation as far as that infrastructure in place to slide this right in. But that is part of phase two, as well as K-96 east of [Interstate] 135 down to Kellogg, that's part of phase two, so strategically we went with the highest traffic areas for phase one and we just keep building from there."

Commissioner Peterjohn said, "Okay. I appreciate it. Let me ask, because in terms of the substitution, I'm going to ask Mr. Spears a question. How many miles of cold mix road can we build with \$620,000? Or also, original figure we talked about here of \$1,250,000?"

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "Your question, Commissioner Peterjohn, is how many miles of cold mix road can we build with \$620,000?"

Commissioner Peterjohn said, "Yes."

Mr. Spears said, "Hang on."

Regular Meeting, October 21, 2009

Commissioner Peterjohn said, "And also roughly double that amount if you took the entire, because we've got to talk tradeoffs here, in terms of what's the best way to proceed on this allocation and expenditure, and I really want this put into the public record."

Mr. Spears said, "I'd say we could build about eight miles of cold mix road."

Commissioner Peterjohn said, "At \$620,000?"

Mr. Spears said, "Two lane, two lane."

Commissioner Peterjohn said, "Okay, and roughly double that with \$1.25 million? Okay. Thank you very much, Mr. Chairman."

Chairman Parks said, "To clarify this, the majority of this money is pass-through money from the state and federal, is that correct?"

Mr. Hein said, "Yes."

Mr. Koehler said, "The largest portion of this was indeed the pass-through money. The money that Sedgwick County allocated, \$500,000 of that was from 911 fees, that was our share for the AVL project. The remaining \$750,000 were funds that were allocated working with Mr. Spears and Public Works back, I believe, 2005, 2006 and 2007 and that were set aside in their CIP (Capital Improvement Program) program for this project."

Chairman Parks said, "If there's any question about need, Commissioner Peterjohn, on the area that you see where there are five cameras at the K-96, 135 area up north there, the mass of red dots you see there, I would certainly invite you to come out and visit with me about between 5:00 and 5:30 any weekday and we could certainly see the need for having some study, traffic control, whatever there, because that's been a boondoggle for several decades, so just wanted to throw that in. Commissioner Norton."

Commissioner Norton said, "When we embarked on this several years ago, it was multi-phased. It's not anything that you're going to get done overnight, particularly as we grow the interstate system; Kellogg spreads from east to west. How many more phases does it look like we're going to have, Tom? I know this is really just the first toe in the water part of the whole project."

Mr. Hein said, "Right. This is phase one, then we have two and three, all depending of course on funding. If the agreement is signed soon, we can let the project next month, get a signed contract in December and start work probably in January. And because we have done the test project with the

Regular Meeting, October 21, 2009

Traffic Management Center in place at the 911 center, we think each piece that comes out can be installed out on the roadway in the next year and come online right away.”

Commissioner Norton said, “Most major metropolitan areas that start to have bigger interstate systems in the interior of their community have gone to ITS systems, have they not?”

Mr. Hein said, “Absolutely. You can only increase so much capacity at a time. The expense is enormous. This is an opportunity to actually increase efficiency and the ability to move traffic.”

Commissioner Norton said, “Particularly like Kellogg, the chances of us taking that to now ten lanes is probably never going to happen. We’re about where we’re going to be on Kellogg for many, many years, so the more efficient use of that thoroughfare is going to be very important.”

Mr. Hein said, “Absolutely. And we think by bringing that decision making process to the drivers, it will help them make better travel decisions and move traffic much cleaner.”

Commissioner Norton said, “The other part of it, with GPS and all we’ve done with our Emergency Management system, you almost have to have these working in orchestration to make all of the system work right, would that be correct, Kent?”

Mr. Koehler said, “I would agree with that. Each one is a nice piece by itself, but as we add the additional pieces and make the puzzle more complete, we get a bigger bang for some of that, for those bucks that were spent.”

Commissioner Norton said, “And certainly over the long haul, building more EMS stations to get the drive time down, you can eliminate a lot of those problems with GPS, expanded use of that system, for not only road blockages but knowing where your units are as far as dispatch, would that be correct?”

Mr. Koehler said, “Absolutely. A few weeks ago, I believe, you approved a project for EMS to take full advantage of that. It will determine drive time and give us very good information about the typical speed of a road on any given time of day and that project is also moving forward. But yes, that’s a good use of technology and hopefully we can prevent building or reduce the amount of infrastructure we have to put in.”

Commissioner Norton said, “Well, and drive time is not just calculated by miles and speed, it’s also by hazards, traffic congestion, other things that may hamper that drive time, is that correct?”

Regular Meeting, October 21, 2009

Mr. Koehler said, “Absolutely. For example, we have in the current CAD (Computer Aided Dispatch) system, if we find there’s a road closed, even if it’s temporary, they can put that into the system so it will route around. It may appear the unit from station A is closer, when in reality, the units from station B, or farther away, can get there more quickly. So it’s tying this all together and that’s why it’s very unique that we are going to have traffic operators in the very same room as 911 dispatchers and call takers. That’s very unique. It allows us to share the information so we make better use of this as a big picture.”

Commissioner Norton said, “Well, as we become more dense and more congested in the inner city, I think citizens will like to know that we’ll have a better operating system to get emergency services to them.”

Mr. Koehler said, “Absolutely.”

Commissioner Norton said, “Tom, I have a question. It appears that at least two places I see on the map that would need some of the cameras and expansion is 21st Street on 235, Central Avenue which has reader signs but doesn’t have any cameras, and then around the kind of the south ‘mix masters,’ I call it, which is 235, 135, 47th Street, we’ve got a readerboard there, but there’s not much camera activity. Is that going to be in another phase?”

Mr. Hein said, “Correct. Those are all phase two. Right?”

Commissioner Norton said, “Okay.”

Mr. Hein said, “We could only bite off so much at the first phase and went for the higher traffic areas...”

Commissioner Norton said, “Absolutely.”

Mr. Hein said, “...but by putting those cameras out in those higher traffic areas, we can extend the knowledge out by putting those signs out farther. You see one at the very south end is actually on the Kansas Turnpike Authority property, so another cooperative agreement with them. We have them on 235 and that’s the one we used last night at 4:00 for a concrete spill. There was no camera in the area, but we had confirmation from a KDOT supervisor and he asked us to put the message up, so we did. But yes, 235, east K-96 down to Kellogg, from 135, the south end of 135 down to 47th and more of Kellogg on the east; those would be phase two.”

Commissioner Norton said, “Well, I’m going to be supportive of this today and will be supportive to move forward on phase two and three as they come before us because I think, as we grow to be a bigger metropolitan area, these kinds of systems are the future of communicating to our population,

Regular Meeting, October 21, 2009

particularly during drive times, how to best move around our city. So I appreciate the update and the facts. Thanks.”

Chairman Parks said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chair. Gentlemen, I don’t really have a question. I appreciate the questions and responses that you have given to this point. I just want to express my position that I’m going to be supportive of this item. It seems though it’s just a completion of a memorandum of understanding that started some time ago, we made steady progress on it, but the plan itself is capacity enhancement that I think is important for us. It provides for traffic safety in our community and it provides for better response for emergency vehicles. It just makes our community a better, safer place to live and move around. We plan for this expense, it’s set aside in our Capital Improvement Plan and so I think that there’s no reason that I should not be supportive and I’ll look forward to the plan for the next phase. If it’s well planned and we’re able, then we’ll go forward with that also. That’s all I had Mr. Chair.”

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

Commissioner Peterjohn said, “I wanted to follow-up because I have been at that intersection, Mr. Chairman, that you described and it can be a challenge getting through at that time. But I must add that I have heard that the proposal for the next highway plan, the only local project was the intersection at 235 and Kellogg, in terms of the high priority, I don’t know if 135 and 235 intersection was a lower priority mixed in with it. But my question, for either of you two gentlemen, if this first phase is \$8 million in federal, state, city and county tax funds, how much is phase two and phase three, and are they dependent upon passage of the next highway program at the state level in Topeka?”

Mr. Koehler said, “You have an answer for that?”

Mr. Hein said, “I think it does require some state commitment, and a new program, but there are a lot of federal dollars out there as well. There is a lot of support within KDOT and within USDOT (United States Department of Transportation) for ITS systems, so I think the funding will continue. What level, I don’t know. We have put \$8 million towards phase two, as well, in our planning paperwork for WAMPO.”

Commissioner Peterjohn said, “And phase three?”

Mr. Hein said, “Same. I mean, at this point it’s all speculation as far as what those costs would be and it would be a smaller expansion in phase three because we would be able to do so much in

Regular Meeting, October 21, 2009

phase one and two. It would really be those outlying areas; K-15, K-42 and some of the smaller highways.”

Commissioner Peterjohn said, “Well I appreciate it. And I’m asking a lot of questions because as the newest Commissioner up here, I certainly wasn’t around when this memorandum of understanding was approved. Obviously, one Commission can’t tie the hands of the next in the future and I want to completely understand all the aspects of what we have in here and get on the record for the public’s benefit too. Because when we’ve got four different levels of government interacting on this program, and what we are talking about here is basically the completion of phase one with more coming at us down the line...”

Mr. Hein said, “True.”

Commissioner Peterjohn said, “...I very much remember the children’s story of stone soup and trying to understand exactly what sort of financial commitments we are not only approving today but implicitly what we are committing to tomorrow, and obviously having traffic moving around the community is important and preventing tie-ups, but like most things in life, you get into a discussion about at what price. I think it’s important to try and get that type of information available to the public.”

Chairman Parks said, “And I think you had a valid point there and I’m just saying that I have encountered that intersection, in fact just in the last couple of days a couple times. It has forced me to reassess my areas of travel when I do hit that area about that time. I’d like to thank you; I’d like to also take this opportunity to thank the State of Kansas in working with us, I know I have had several items with Tom Hein and Benny and some people over at the KDOT and they are most helpful. Had a situation with an individual here a while back with some right-of-way problems. It was taken care of with courtesy and dispatch, and I just wanted to make sure that I had that on the record that I appreciate our local KDOT people.”

Mr. Hein said, “Thank you.”

Chairman Parks said, “Thank you.”

MOTION

Regular Meeting, October 21, 2009

Commissioner Welshimer 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

2. TRANSFER OF PROPERTY AGREEMENT: ACCEPTANCE OF HOMELAND SECURITY GRANT EQUIPMENT – PERSONNEL ACCOUNTABILITY SYSTEM.

Mr. Aaron Davis, Project Coordinator, Metropolitan Medical Response System (MRSS), Health Department, greeted the Commissioners and said, “The project that we’re talking about today is one that the South Central [Region] Homeland Security Council for the region identified as important right after the Greensburg tornado in that identification of staff common throughout the region was in need, accessibility in and out of a disaster scene, and that also included qualifications, pretty much knowing who was at the scene and where they were. So out of that issue spurred this project that the Homeland Security Council has pushed forward. Pretty much it’s an accountability system, computer software, a card printer. Right now, it’s currently implemented in the northeast regions of the Homeland Security Council, and the southeast regions, and the south central region is adding on to that, so what they’re offering to us is all that equipment so that we can join on to that system. Currently, it is functional; it is in place in those other regions, it seems to be working well. We do have a few badges in the county with a couple of staff that are part of the regional IMT, or Incident Management Team. One of the benefits of this coming to Sedgwick County, is we actually already have a previous version of this system that was implemented three to four years ago and a joint venture between Sedgwick County Fire Department and Wichita Fire Department, our office helped implement that system, get everything up and running, so really this is just an upgrade to the current system that we already have.”

Mr. Davis continued, “We are also going to be looking to expand this, not immediately, but we are going to want to include all potential first responders, or emergency responders I should say, to any local or regional disaster. That includes the EMS, fire, public health, hospitals. We also plan to include some of the volunteer organizations; American Red Cross, et cetera. With that, I will go

Regular Meeting, October 21, 2009

ahead and open myself up for questions that you might have, wanting to push forward the recommendation that we would like the county to accept this property from the council.”

MOTION

Chairman Parks moved to accept the property and authorize the Chair of the BoCC to sign the transfer of property agreement.

Commissioner Peterjohn seconded the motion.

Chairman Parks said, “And I say that in that I was a former student of Mr. Davis and I appreciated his work in this line. Seeing no further discussion, call the vote.”

VOTE

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

Mr. Davis said, “Thank you.”

Chairman Parks said, “Thank you.”

- 3. LEASE AGREEMENT WITH CO-CO PROPERTIES, LLC, FOR TEMPORARY USE OF 7211 SQ FT OF OFFICE SPACE TO BE USED BY THE HEALTH DEPARTMENT AT 4095 E. HARRY FOR MASS VACCINATION SITE TO PREVENT/CONTROL THE NOVEL H1N1 FLU.**

Regular Meeting, October 21, 2009

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, “Before you is a lease agreement for 7,211 square feet at the Harry Street Mall to provide H1N1 vaccination to priority groups and eventually the general public. We do not currently have adequate space at our West Central Clinic or any of the other sites that we have or that the county has. We were looking for some space that we could get into quickly that had adequate parking and this space definitely meets the need. We have signed an agreement pending your approval for four months, and then month-to-month after that. The cost is \$8.59 per square foot. I recommend that you approve this agreement and I would be happy to answer any questions.”

MOTION

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

Chairman Parks seconded the motion.

Chairman Parks said, “For discussion, Commissioner Peterjohn.”

Commissioner Peterjohn said, “I really appreciate having this item on the Agenda, not because of the lease agreement, which I’m going to be supportive of, but to give you an opportunity to give us a quick update, in terms of where we are because I have heard a number of reports of we’ve got a significant percentage, of particularly schoolchildren, who are being impacted with H1N1 and also kind of an update, and I know it’s changing rapidly because the federal government’s timetable seems to have been delayed, in terms of where we are, in terms of having a vaccine available for a large chunk of our community.”

Ms. Blackburn said, “We are seeing a high rate of absenteeism in the schools. We have, last week, 73 schools that reported and probably 50 percent or more had absences of over 10 percent. Of course, we don’t know what the baseline is, but it seems that it’s more than normal. We know that the hospital emergency room, at least at Wesley, has seen an increase number of clients with influenza like illness. We know it’s out there, we know there are a lot of people getting sick. We are ready to have a vaccine in the community and get people vaccinated. So far, when the next order

Regular Meeting, October 21, 2009

comes in that we just placed, we will have about 18,000 doses in the community. Most of that has gone to hospitals and healthcare workers and then we will start on other priority groups. We will be ready to open the clinic next week and we will get information out to the public as to who we want to see in the clinic because until we have a generous vaccine supply, we are going to have to prioritize.”

Commissioner Peterjohn said, “Have we completed inoculations, have we received some vaccine for H1N1 already?”

Ms. Blackburn said, “There has been a vaccine that has been shipped directly to hospitals and then the second shipment arrived, I believe yesterday, and that is going also to hospitals and healthcare workers, and we’ll have some to distribute to healthcare workers who aren’t getting it directly.”

Commissioner Peterjohn said, “Do we have any expected time when we’ll have all the healthcare workers covered at least?”

Ms. Blackburn said, “Well, we’re hoping that we will have achieved at least 80 percent coverage generally, it’s hard to count exactly, by the end of this week.”

Commissioner Peterjohn said, “And at this point, none of the other relatively high priority groups have gotten any inoculations, to the best of your knowledge, here in the county?”

Ms. Blackburn said, “Not yet. We are going to begin working on that with this next allotment of vaccine. It actually may be not the end of this week, but the end of next week, that we have made a real good pass at getting healthcare workers. But we’ll continue to see healthcare workers come in and get vaccinated throughout this process, I’m sure.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman.”

Chairman Parks said, “Certainly wouldn’t be anything in this motion that would prohibit us from using other areas if we needed to also, i.e. the Britt Brown Arena, if we had to have a special day set up for that, or some kind of an overflow, provided we had personnel to do that?”

Ms. Blackburn said, “No, there’s nothing prohibiting that, and the funding for this will come from the Public Health Emergency Response grant that is specifically for H1N1 vaccination.”

Chairman Parks said, “Thank you for that information.”

Ms. Blackburn said, “You’re welcome.”

Regular Meeting, October 21, 2009

Chairman Parks said, "Seeing no further discussion, call the vote."

VOTE

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

Ms. Blackburn said, "Thank you."

Chairman Parks said, "Thank you."

I. REQUEST TO KANSAS ASSOCIATION OF COUNTIES TO SUPPORT AMENDMENTS TO H.B. 2169.

VISUAL PRESENTATION

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "This is an issue that came up in a staff meeting about a week ago and it was asked that this be placed on the Commission Agenda, so the issue before you is essentially an issue involving local control of land use planning and zoning. It involves a bill that is presently in the legislature called House Bill (HB) 2169. HB 2169 imposes restrictions and prohibitions on local zoning authorities and Registers of Deeds. It impacts counties and areas of the state that have military installations, and so that includes counties that have them, or counties that are adjacent to them, and it's essentially Clay, Geary, Leavenworth, Sedgwick, Saline, Shawnee..."

Commissioner Norton said, "Riley."

Commissioner Welshimer said, "Right."

Mr. Euson said, "...for our purposes, of course, that would include McConnell Air Force Base, and before you on the overhead is a map that shows the area that would be included in the bill, and that area is the Joint Land Use Study area that is outlined in brown, or reddish brown, on the map, and so the requirements and the prohibitions in the bill pertain to that particular area. This bill was introduced in 2009; it is now in the House Committee on Veterans, Military and Homeland Security. It is expected to be worked in the 2010 legislature. Riley County has proposed an amended version and their amended version has been subject to discussion, several of us went to

Regular Meeting, October 21, 2009

discuss that with Riley County. They have asked the Kansas Association of Counties (KAC) to include this in their legislative package, and so really the question before you is would you support asking the Kansas Association of Counties to include this in that package. The amended version essentially makes permissive everything that the current house bill makes either mandatory, or actually that just makes that mandatory, so for instance, there's a 60 day notice required for zone change cases for text amendments and for comprehensive use plans. The Riley County amendment would allow that 60 day notice to be given for text amendments and comprehensive use changes but not for individual zoning cases.

“There are certain uses that are prohibited by the current House Bill 2169, the Riley County amendment would not prohibit those uses, but would allow you to consider those as part of your golden factors along with all of the other things that you consider in an individual zoning case. And then, House Bill 2169 says that you cannot prohibit certain zoning uses in this area, that's shown in brown, if they are tagged by the Register of Deeds, and so there's a requirement that the Register of Deeds put a notation on certain conveyances that are within that area and the Register of Deeds has indicated to me that, and the Riley County amendment would not require any tagging, but it would say that some notation of the zoning restrictions, some notation of this area, would be put on construction permits and not as a requirement in deeds. So there's no prohibition for the county to allow those certain uses that are otherwise prohibited by 2169. The Register of Deeds indicates that it's really impossible for him to make notations on individual deeds, and I believe if I understand him correctly, the Register of Deeds Association is going to oppose House Bill 2169 because of that impossibility. So I think it's probably pretty fair to say that the Register of Deeds would support the Riley County amendments. So in general, these amendments really encourage rather than require cooperation between governments and their military installations. Metropolitan Area Planning Department (MAPD) asked McConnell Air Force Base if they would support this, they said they would. And so the action before you is to approve a letter to the Kansas Association of Counties stating that you would support the Riley County amendments. John Schlegel and Scott Knebel are here from Metropolitan Area Planning Department, if you have any questions of them. Bill Meek, Register of Deeds, is here if you have any questions for him. I'll certainly try to answer any questions and recommend that you take the recommended action.”

MOTION

Chairman Parks moved to request that the Kansas Association of Counties include the amendments in its 2010 legislative policy statement and authorize the Chairman to sign the letter of request.

Commissioner Unruh seconded the motion.

Regular Meeting, October 21, 2009

Chairman Parks said, "I have a motion and second, I'm sure we're going to have some discussion. I did want to say, in making my motion, I do believe in individual property rights and I don't like to see a government come in and dictate what we can and can't do, however, within this legislation, there's such things as smoke, dust and electromagnetic interference that it addresses and we certainly don't want to compromise our nation's military in some of those factors when we are talking about McConnell Air Force Base. Commissioner Peterjohn."

Commissioner Peterjohn said, "Mr. Chairman, I share with you, in terms of not wanting to compromise the operations out at McConnell Air Force Base, I think it is important to our nation's security and obviously they play an important role here in our community. But Rich, I think for clarification purposes, when you say outlined in brown, I mean from looking at this map, if I was viewing this at home, the brown area basically looks a lot smaller than I think the area it actually covers. It looks like the outlines are Kellogg on the north, and it looks like 55th Street on the south, and Greenwich Road on the east and I'm a little shaky, is that Oliver on the west, as far west as it extends, in terms of that brown outline, as opposed to kind of the brown blob in the center?"

Chairman Parks said, "You mean Oliver on the east?"

Mr. Euson said, "I apologize, Commissioner, my eyes don't allow to me to read that..."

Commissioner Peterjohn said, "I think it's Oliver on the west."

Mr. Euson said, "...what's on the screen. I see Clifton on the far west, then extending to Oliver, then going over to Edgemoor. On the north I see Kellogg, on the south I see 71st, and on the east I see Greenwich."

Commissioner Peterjohn said, "Okay, 71st on the south. I appreciate the clarification and the correction because if people are viewing this at home, this is a lot larger area than when you referred initially to the brown area. The thing that jumped out at me was just kind of that brown area in the center, which is a lot smaller than the area that you described. The question I would like to throw out, maybe this might be more for Mr. Schlegel, it looks like the green area actually extends north into the City of Eastborough on the very northwest tip. And I was curious why we have this area included and then have a portion of that outside, but conversely we've got, it looks like about approximately 18 square miles that are basically either east or west of the primary runway and take-off zones, or landing zones, for the airport that would be included in this area and I want to

Regular Meeting, October 21, 2009

understand why certain parts are included and certain parts are excluded? And any clarification would be appreciated.”

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “You’re talking about at the north end, the green area that’s labeled APZ-II-N extends a little bit beyond the northern boundary which was set at Kellogg into the borough of Eastborough, is that correct?”

Commissioner Peterjohn said, “Yes.”

Mr. Schlegel said, “You were wondering why that little corner was taken off? Well, we were just trying to, in formulating a boundary, have a boundary which is easily identifiable. We’re only losing that small corner that extends north of Kellogg. The regulations in the zoning code that apply to APZ-II-N would still apply in that area, it’s just that the provisions of this proposed bill would not be applicable beyond that northern boundary. I don’t think there’s much loss by not including that in the boundary. I mean, if it matters a lot, we can change that, but I don’t think we’ve lost much.”

Commissioner Peterjohn said, “I was trying to understand, because if we take the recommended action and go along with the Kansas Association of Counties, in terms of the modification, I wanted to understand all the implications and if we need to have another bite at the apple, so to speak, if we don’t cover those at this point, and I realize this is just a recommendation, but it could have longer consequences. Because I share Commissioner Parks’ concern, in terms of impacting property rights, especially since some of the areas aren’t part of the normal approaches to the McConnell Air Force Base.”

Mr. Schlegel, “I guess the simple answer to your question is, we were just looking for a real easy-to-identify boundary for the study area and that’s why we picked Kellogg.”

Commissioner Peterjohn said, “Okay. Conversely, instead of why Greenwich was picked instead of, say Webb Road or either Rock Road, with an adjustment for the area that isn’t brown on the map?”

Mr. Schlegel said, “Why Greenwich instead of Webb Road?”

Commissioner Peterjohn said, “Yeah.”

Mr. Schlegel said, “Only that we anticipated that there might be some possible impacts that would extend out past Webb Road, that’s primarily low density residential and agricultural area, so we felt

Regular Meeting, October 21, 2009

that any of the study recommendations would have relatively low impacts on that area. Again, I don't know if that's a matter of some concern, that boundary can be moved. What you're asking me to explain is why we picked those study boundaries many years ago, and it's been a while since we did this study, and that's the best explanation that I can think of at the moment."

Commissioner Peterjohn said, "Well, I appreciate it. I don't mean to put you on the spot because I assume that this was a map that had been drawn more recently than a number of years ago, in terms of fitting in, in that regard."

Mr. Schlegel said, "No. This was not drawn up in conjunction with this bill. This was drawn up in conjunction with a Joint Land Use Study that was done for McConnell back in 2005."

Commissioner Peterjohn said, "Oh, really?"

Mr. Schlegel said, "Yes."

Commissioner Peterjohn said, "Okay."

Mr. Schlegel said, "And it's referenced in the bill, I think the bill was simply looking for a handy, already defined area to which the provisions of the bill would apply. So since this was already established in this study, I think that's why that reference was made."

Commissioner Peterjohn said, "Had that been part of McConnell's request at that time, do you know?"

Mr. Schlegel said, "The study boundaries were established through a joint collaborative effort amongst the three local jurisdictions; City of Wichita, City of Derby and Sedgwick County, and the base at that time. It's been a while and I'm sorry I don't have better answers for you, but it's just been a while since we did that study and I don't recall all the specifics of why we drew a boundary where we drew it."

Chairman Parks said, "Mr. Knebel, would you like to step to the podium?"

Mr. Schlegel said, "We'll let Scott answer."

Regular Meeting, October 21, 2009

Mr. Scott Knebel, Principal Planner, Advanced Plans Division, Metropolitan Area Planning Department, greeted the Commissioners and said, “The reason that the boundary is larger east of the base than it is west of the base deals with the tactical missions and training that they do. If you’re familiar with their operations, they do a lot of circling around the base and do a lot of touch and go operations as part of their training. That area east of the air base is most impacted by low-flying aircraft. That’s why that boundary is further east than it is to the west.”

Commissioner Peterjohn said, “I very much appreciate that explanation. That adds some clarity. I would also like to ask the Register of Deeds if he had any comments concerning this proposal directly?”

Mr. Bill Meek, Register of Deeds, greeted the Commissioners and said, “No, what I had conveyed to Mr. Euson is correct. The Register of Deeds would oppose that provision where the Register of Deeds would review the deeds and then mark them accordingly. It’s just not possible for us to do that, so what Rich had said earlier, I agree with it. The Association of Registers of Deeds will oppose any legislation that causes us to change or alter those documents by adding that information on there.”

Chairman Parks said, “As we all know, the laws are changed numerous times before the final draft is sent to the Governor, if it gets that far.”

Commissioner Peterjohn said, “Well, I wanted to understand exactly how much heartburn this may cause for another elected official here at the county level. That’s all the questions I have at this time, Mr. Chairman.”

Chairman Parks said, “And I certainly was going to call on him later. Commissioner Welshimer.”

Commissioner Welshimer said, “Well, if we accept this in its current form, it’s an amendment to the House Bill 2169, is that correct?”

Mr. Euson said, “Commissioner, all you are doing is asking the Kansas Association of Counties to include this in their legislative packet. You are not, well I...”

Commissioner Welshimer said, “Okay.”

Mr. Euson said, “...suppose by implication, you’re endorsing the Riley County amendment.”

Commissioner Welshimer said, “Okay. So are we endorsing something that the Register of Deeds can’t carry out?”

Regular Meeting, October 21, 2009

Mr. Euson said, “I think we’re essentially in agreement with the Register of Deeds because the Riley County amendment does not have the requirement that requires the Register of Deeds to put notations on titles.”

Commissioner Welshimer said, “Okay. This is complicated, to say the least. Well, this is in my district and I realize the importance of complying with the needs of McConnell, so I’ll be in support of the motion, to accept it, participate.”

Chairman Parks said, “Commissioner Norton.”

Commissioner Norton said, “Realistically, the house bill that we’re proposing to amend through the Kansas Association of Counties and Riley County or all of the military jurisdictions is a very restrictive land use bill that comes out of Washington that somehow got proposed by somebody in the State of Kansas. And as we looked at it, the military bases, certainly we don’t want to put them in peril for any BRAC (Base Realignment and Closure) closings or whatever, but we’d already done the really hard work in Sedgwick County, and I believe even Riley County had done a lot of work with the base up there many years before, so that imposing these major restrictions, which took all the local jurisdictions’ ability to control what happens around the base, not to say that we wouldn’t listen to McConnell, engage them, understand their mission, but it was very, very restrictive and this takes it really from a mandatory ‘thou shall’ to a more ‘you may do these things in coordination with your base.’ And I think that’s very prudent for the locals to work with the federal bases to be sure that they get what they need in a community, but that it doesn’t totally restrict what the local jurisdictions can do with land use. And that’s all really this bill does is soften up the language a little bit so that there is some local control but we still will have to work with our federal bases. Would that be a good explanation, Rich?”

Mr. Euson said, “Yes, sir. I believe it is.”

Commissioner Norton said, “Okay.”

Chairman Parks said, “And I appreciate your expanding upon that explanation and your service with the KAC and the legislative governing body. Seeing no further action, let’s call the vote.”

VOTE

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

Regular Meeting, October 21, 2009

J. AMEND RESOLUTION 75-2009 TO PROVIDE FOR APPOINTMENTS OF COUNTY COMMISSIONERS TO CRIMINAL JUSTICE COORDINATING COUNCIL.

Mr. Euson said, “Commissioners, the Criminal Justice Coordinating Council was created in 2004 by resolution, of course, and at that time you had 13 positions, including one position that includes two County Commissioners. Then that was amended in 2008 to add a 14th position, which is a representative of Sedgwick County Association of Cities. Also, at that time, you added four ex-officio members and those were representatives of the Sedgwick County Association of Police Chiefs, representative of the 18th Judicial District Court Services, representative of City of Wichita Municipal Court Probation and a representative of the Kansas State Parole Board. In earlier this year, you added a 15th position to add the Criminal Presiding Judge. This is a further proposed amendment which would deal with the two County Commissioners that have always been on this board and it would deal with how to appoint them and their terms. And essentially, it would allow the Chairman of the Board of County Commissioners to make those appointments, with the consent of the Board of County Commissioners, and then those members would serve at the pleasure of the Chair. That’s the only change that’s being made and I will be glad to answer any questions you might have.”

MOTION

Chairman Parks moved to adopt the Resolution.

Commissioner Welshimer seconded the motion.

Chairman Parks said, “Motion and a second, seeing no further discussion, oh, we do have some further discussion. Commissioner Norton.”

Commissioner Norton said, “Well I probably will not support the resolution. Really, the conversation we’ve had has been limited about it. I don’t know that I like the process that we have gone through and I really was more in favor of, instead of just giving that to the Chair, to put it on a rotating basis somehow, to figure out how we have a different forum, so I will not be supportive of this today.”

Chairman Parks said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. I will not support it either. And I appreciate Commissioner Norton’s comment, one of my comments in discussion of this was to pick

Regular Meeting, October 21, 2009

up on that suggestion that I think Commissioner Norton suggested in our staff discussion the other day. I believe that, well first of all, I guess I would say that the change of the resolution to begin with is something I don't think I want to be supportive of, but I think that suggestion is a better alternative; that we put this process in the resolution where it's rotated on a two-year rotating basis, with the consensus of the BOCC. I think that just to have a process established by resolution, rather than have a process where it's vested in one member of the Commission, doesn't seem to me to be the best way to do our government. So, I could be supportive of that alternative change in the resolution. I don't know that there, Mr. Euson, maybe I can ask you, are there other committees or councils that appointees serve at the pleasure of the Chairman or Chairperson?"

Mr. Euson said, "There are about 40 county boards, roughly. Of the boards created by the Board of County Commissioners, I don't believe there are any where the Chair makes the appointments, but there are some not created by the county where the Chair is an automatic appointee, those would be such as REAP, Regional Economic Area Partnership, they have their own organization and I think they require that the Chairman, or the Chairman's designee, to be a member representing Sedgwick County. Exploration Place is a separate organization, they require that the Chairman, or Chairman's designee, be appointed as a Sedgwick County representative, and the same thing for the Zoo, I believe. But I don't believe there's any Sedgwick County created boards that have this."

Commissioner Unruh said, "Okay. Well thank you. I guess the point I was driving towards is that I just think it sets a bad precedent to initiate a program where different Commissioners serve at the pleasure of the Chair. I think it's a bad policy to do that, to vest those powers in the Chair, whomever it is. I'm not speaking necessarily about our current Chair; I'm just talking about it in principle. It makes the Chairmanship somewhat of a...it politicizes the Chair position more than we have ever experienced. Our county government has always worked on where the Chairmanship is a first among equals; the Chair's vote doesn't count any more than anybody else's vote, and I think that that's a good, balanced way to manage county government. But to make a Chairman have special powers where he can do things according to his pleasure, as the resolution's written, I think it just establishes the wrong policy."

Commissioner Unruh continued, "So if we were to have this come before us, because I had sensed the Board wants to support this change, where we had a resolution that called for two members on the Criminal Justice Coordinating Council serving in staggered two-year terms, starting at whatever date we chose, I would go ahead and be supportive of that. But the way the resolution is written, I don't think that I can be supportive of it. Some comments have been made that, well, we need to have everybody have the same information and those sort of things, but as Commissioners know, no one is denied the ability to sit in on the Criminal Justice Coordinating Council. Anybody can come anytime they want to, so if someone wants information, they can sit in on that meeting. It is a public meeting. Commissioners who are interested can come anytime they want to come. And I would also say that as far as being able to discuss and ask questions relative to initiatives from the Criminal Justice Coordinating Council, they are thoroughly discussed and vetted, either in a workshop

Regular Meeting, October 21, 2009

setting, and/or a staff setting, and/or our Commission meetings. I guess just a response to the fact that there's some information not available, or not forthcoming, that's my responsive to that. So I could support a mechanism to change by resolution if it had a process to me that seemed consistent with current powers of Commissioners. Mr. Chair, that's all I have at this time."

Chairman Parks said, "Okay. In terms of Sedgwick County boards, we do have the WAMPO and other boards that are appointed by the Chairman and I don't think that that, as long as we keep the consent of the BOCC in the loop of this, and have that checks and balances, I don't think that there's any eminent power with the Chairperson. I will say I'm not going to seek a Chairmanship next year. The Chair can change, or change the people out on this Commission, and I don't have any problem with that. I would like to say that at a recent meeting of the CJCC, there was a Commissioner that was asked not to attend, in fact, when you said that others couldn't do that, because there would be three Commissioners and then that would violate the [Kansas] Open Meetings Act. I think it's time for a change on this board. I'm taking myself off of it. I think, as Commissioner Unruh has alluded to, that we've both attributed valuable things to that board, but I think it's time for others to be on the board to see from the inside out what's going on with this particular committee. Commissioner Peterjohn."

Commissioner Peterjohn said, "Well thank you, Mr. Chairman. I appreciate all the comments that I've heard so far this morning, and I agree with Rich's comments that we've got approximately 40 boards that receive appointments from this County Commission, and some of them established by the County Commission and some of them are not, and there's what struck me as the wide variety. I mean, we've got one board where there's one County Commissioner appointee, one City Council appointee and everyone else is appointed by the County Manager. If you look at all the boards, there's a tremendous range of how they're structured, so I think we are in a position to do that."

"I obviously would like to see if there was anyway, and if either Commissioner Norton or Commissioner Unruh had a recommendation or amendment that they'd be comfortable in offering, in terms of if we could reach a consensus or not, I'm certainly amenable to trying to improve the system, but I certainly feel like if the Chairman makes an appointment subject to the approval of the majority of the Commission, we are well within the boundaries of where we're currently operating with approximately 40 commissions and boards that we make appointments to right now. So I would throw it out, and then they don't have to answer, but I was just curious if they had anything specific in mind that they'd recommend as an amendment or we'll just go ahead and have the discussion and work on what's brought before us at this time."

Chairman Parks said, "Commissioner Welshimer."

Regular Meeting, October 21, 2009

Commissioner Welshimer said, “Well I think we’re at a critical point in trying to reorganize that jail population. That’s been one of the things that I have been working on very hard. And we all need to understand the function of the CJCC and the needs of its members. I am not exactly sure of all that. I want to become acquainted with that before any decisions are made up the road for a new work release facility, or our computer system changes, record keeping changes, and it seems to me that every step we take in this process, it doesn’t seem to come back to the Commissioners. It has to go through the CJCC, so I need to be acquainted with that and I think all of us should have thorough knowledge of what’s going on with our corrections and jail system because we’re the only ones who pay for it. The people who serve are critical members of the system, who serve on the CJCC, but they do not pay for it, so I think it’s important that the entire Commission understands just what’s happening there. And so I’m going to support the motion as it is.”

Chairman Parks said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chair. I want to respond to Commissioner Peterjohn. I didn’t offer a substitute motion because this comes to us in the form of a resolution, and I don’t know quite how to accomplish that and I think a different resolution that provided a procedure whereby we could rotate these would be appropriate and I would support it, but I’d need the County Counselor’s office to make another resolution. My position would be that we defeat this and then have him come back with another resolution next week where we, and I’m sure that he can create that, where it says that the Commissioners serve on a staggered two-year basis. My objection is, and we end up in the same place, but my objection is that we pass a resolution that says that a Commissioner serves at the pleasure of the Chair, whomever the Chair is, and I don’t think that’s good government. I think we can establish a process that we all agree on and not end up with a situation where the position of the Chair can be politicized, or is open to politicizing, where if the Chairman decides, or Chairperson, or Chairlady, or however you say it in the future, the resolution says this person serves at my pleasure.”

Commissioner Unruh continued, “And it’s not my pleasure, I mean, this doesn’t make sense to me to establish by resolution, a policy that allows for that. And I’ll shut up, I think I’ve said it now about three different ways, but I would prefer we defeat this and bring the other resolution forward next time which I can support and we can then make those changes and rotate them. I guess that’s the end of my speech. Thank you, Mr. Chair.”

Chairman Parks said, “I don’t know where you’re coming from on the politicizing of it. I do think that this is a time sensitive issue, in that we’re having an important meeting on the 22nd of October, and I urge you all to support me on this for at least the three months that we have, or so, remaining in my Chairmanship. Commissioner Norton.”

Regular Meeting, October 21, 2009

Commissioner Norton said, “Well, one of the concerns I had, and I think I expressed it last week, was that you lose some of the organizational and intellectual capital of somebody that may have been on there for a while that understands the issues at a deep level and now you’re putting two new people on. Now, granted, Commissioner Welshimer has worked real hard on the jail situation and understands a lot of it, but now you’re taking, and under the pleasure of the Chairman, you could end up in a year putting two people that were very green to the issue on there, and yes, they need to ramp up, but you also need that organization and intellectual historical knowledge to move us forward on this and that relationship with judges, DA (District Attorney), Sheriff that has built up through the trust of the CJCC. You know, I often say that relationships are very, very important. I used to tell my people at Target, spend 90 percent of your time on building relationships, getting to know people, understanding where they’re coming from, and a little less time on tasks, because if you ruin the relationships, the tasks don’t get done. And I think it’s important to continue, though, in some manner, continue that one person that has some historical knowledge, can be the mentor for the younger person on the board appointment and then rotate off in some point in time, two years, whatever that may be. That’s just a philosophy I have. I think it’s different than just taking two people off and putting two new people on. I don’t like that kind of philosophy and I would rather have somebody that stays on, moves through the system and then gets off and put a new person on. It’s just a difference in philosophy, I guess.”

Chairman Parks said, “And I guess that we do have a difference in philosophy. I do think that Commissioner Peterjohn and Commissioner Welshimer are intellectual. I think that they have studied the problems of the past year or so that we’ve been dealing with, some of the issues, not only the jail, but some of the other issues and some of the other, Community Corrections and things, to the point to where they can serve on this committee. And when you get into relationships, and I want to be careful how I say this, I do have a different definition of relationship, I guess, in that sometimes those relationships can be harmful to the general public in that we get in a rut. And I think this moves us out that of rut and the possibility of getting into some fraternalism. Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chair. I said I wasn’t going to say anymore, but if we would do this by resolution the way I prefer, and that doesn’t mean that we can’t appoint two new members immediately, or on whatever date the Commission chooses, whether it’s the end of the year, or the first of the year, or the first of October. But you know my personal bias anyway, but on this particular issue we’re talking about, I just think we need to have a resolution. If we’re going to pass a resolution, it ought to be one that emphasizes the process, staggered two-year terms, with the consent of the Commissioners, rather than language that says at the pleasure of the Chair. So that’s my objection.”

Chairman Parks said, “Commissioner Peterjohn.”

Regular Meeting, October 21, 2009

Commissioner Peterjohn said, “Thank you, Mr. Chairman. I wanted to jump in, because of a couple of comments. Shortly after becoming a Commissioner, one of the first things that I did after assuming this office was going on a road trip. And I joined with Commissioner Welshimer, Sheriff Hinshaw, County Manager and other folks on county staff and we went down to the boot camp at Labette County to take a look at it and evaluate it. I think, in terms of the exposure that we have coming into it, I think any of the Commissioners who are here today could serve on this committee and I think represent this Commission well. I wanted to also point out that, the comment was made that the Chairman was the first among equals out here, but when it comes to voting, my experience has been to notice that he’s actually the last among equals when it comes down to the voting side. I’m going to be supportive of this resolution, but also open to the idea that if there’s a way, I’d rather see if we can operate, and have a consensus on this, in terms of appointments going forward, so if there’s a substitute that we can look at down the line, I mean, we’ve talked about this, this resolution didn’t just pop up this morning. So I think it’s important that we can continue to have dialogue regardless of how this vote turns out. I wanted to make my position clear in the record based on how I will vote in just a minute or so.”

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

Ms. Asbury said, “Commissioner Unruh.”

Commissioner Unruh said, “Aye. I mean, I beg your pardon. Excuse me, Madame Clerk.”

Commissioner Welshimer said, “No, no you can’t change your vote.”

Commissioner Unruh said, “That was, I don’t know what...”

Chairman Parks said, “That was not the Chairman that said that.”

Commissioner Unruh said, “Alright, Madame Clerk, I’m saying, ‘No.’”

VOTE

Commissioner Unruh	No
Commissioner Norton	No
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Regular Meeting, October 21, 2009

- K. CRIMINAL JUSTICE COORDINATING COUNCIL (CJCC) – APPOINTMENT OF COUNTY COMMISSIONER DUE TO AMENDING RESOLUTION NO. 10-2004 TO PROVIDE THAT THE TWO COUNTY COMMISSIONERS SHALL NOW BE APPOINTED BY THE CHAIR OF THE BOCC WITH THE CONSENT OF THE MAJORITY OF THE BOCC MEMBERSHIP, AND SHALL SERVE AT THE PLEASURE OF THE SAID CHAIR.**
- 1. RESOLUTION APPOINTING KARL PETERJOHN (CHAIRMAN KELLY PARKS APPOINTMENT) TO THE CRIMINAL JUSTICE COORDINATING COUNCIL (CJCC).**
 - 2. RESOLUTION APPOINTING GWEN WELSHIMER (CHAIRMAN KELLY PARKS APPOINTMENT) TO THE CRIMINAL JUSTICE COORDINATING COUNCIL (CJCC).**

Mr. Euson said, “Commissioners, Items K-1 and K-2 you could take together if you wish. Item K-1 is a resolution that appoints Karl Peterjohn to the Criminal Justice Coordinating Council and Item K-2 is a resolution that appoints Commissioner Gwen Welshimer to that board. These appointments are in accordance with the resolution that you just passed. Be glad to answer any questions.”

Chairman Parks said, “I would so move that we take the recommended action of adopting the resolution.”

Commissioner Welshimer said, “Second. Items [K]-1 and 2?”

Chairman Parks said, “One and two, the recommended action from the Legal that we combine those two items.”

MOTION

Chairman Parks moved to adopt the Resolutions for Items K-1 and K-2.

Commissioner Welshimer seconded the motion.

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

VOTE

Regular Meeting, October 21, 2009

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

Mr. Euson said, "Thank you, Commissioners."

Chairman Parks said, "Thank you. Next item."

Commissioner Welshimer said, "Thanks for your vote."

L. DIVISION OF FINANCE.

- 1. RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES A, 2009; TAXABLE GENERAL OBLIGATION BONDS (BUILD AMERICA BONDS – DIRECT PAYMENT TO ISSUER), SERIES B, 2009; AND GENERAL OBLIGATION REFUNDING BONDS, SERIES C, 2009, OF SEDGWICK COUNTY, KANSAS.**

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "The action that's before you provides authorization to proceed with the sale of bonds that finance projects that have been approved in the county's Capital Improvement Program, but this bond issue is a little bit unusual and so it's going to take me a little bit more time than normal to explain what we are proposing to do here. There are, in this proposed bond issue, three different series of bonds. The first two series total approximately \$10 million."

Mr. Chronis continued, "And they provide new financing to pay for projects that are in the county's CIP, specifically approximately \$6 million of that new money pays for improvements to the courthouse complex; this building, the Historic Courthouse and the Munger Building, and approximately \$4 million of the new money pays for two road projects that are in the CIP. That \$10 million is being split into two separate bond issues in order for us to take advantage of an opportunity that has been provided to us by the federal government under the Stimulus Act that was approved back in February.

"That act authorizes governments to issue taxable bonds and have the federal government provide a subsidy to the issuing government equal to 35 percent of the taxable interest that is paid on those bonds. The theory is that the historic spread between tax exempt interest and taxable interest is approximately 35 percent. And so, by doing this, the federal government believes that it can induce

Regular Meeting, October 21, 2009

local governments to sell bonds as taxable bonds, and over time, perhaps save some money for the federal government. That spread, that historic spread, is a function of market conditions and the market has been fluctuating over time. Right now, it looks to us as if relatively short-term maturities, that is the first ten years of this proposed 20 year bond issue, have a larger spread between tax exempt and taxable rates than the 35 percent that we would receive from the federal government as a reimbursement of the taxable interest. And so we are proposing, in what is termed Series A of these bonds, and Series A is \$6,285,000, we are proposing to sell that series as traditional tax exempt General Obligation Bonds of Sedgwick County backed by the full faith and credit of the county.”

“The remainder of the new money issue, which is \$3,735,000, are the longer maturities in this 20 year total term. That is the maturities that would be paid out between 2020 and 2029 are proposed to be issued as Series B. And in Series B, we will ask bidders to give us a bid either on a tax exempt rate, or a taxable rate, or, if they wish, to give us bids on both of those rates, on both of those types of issues. Once we have received all of those bids in, we will do an evaluation to determine whether selling tax exempt, or taxable, for that \$3.735 million makes the most financial sense to the county and that’s the one that we will come back and ask you to award. Again, the sum of those two new money issues is approximately \$10 million and it pays for projects that are in the county’s CIP. That new money issue, Series A and Series B, will cause the county to pay debt service in the first ten years, we estimate, at \$850,000 per year, and in the second ten years, at approximately \$680,000 per year. The mill levy equivalent of the tax rate that is necessary to repay these bonds, if we are to rely solely on taxes, is approximately 21/100 of a mill. And all of that, again, has been programmed in the county’s Capital Improvement Program, and in the county’s financial plan, and in the budget for 2010.”

“The third series of bonds in this issue is a refunding bond that we propose to sell in order to refund bonds that were originally issued by the county in 1998 to pay for the last expansion of the Adult Detention Facility and some special assessment projects, and in 1999, again, pay for some special assessment projects. The total size of the refunding bonds that we propose to sell is \$18,805,000. Those refunding bonds will be repaid over the same term as the original bonds that we are refunding. That is, we are not extending the term. But what we will be able to do, because of market conditions, is achieve a much lower interest rate on the refunding bonds than we are paying on the original issue bonds. In fact, our financial advisor has estimated that our net present value savings on the refunding bonds will be approximately nine percent of the original issue interest, a net present value savings over the remaining life of those bonds of approximately \$1.7 million. And that is an opportunity that we just don’t think that we can afford to pass up.

“So what is before you is a resolution to authorize us to sell a total of a little over \$28 million, about \$10 million of that is traditional general obligation debt of the county for projects that are approved

Regular Meeting, October 21, 2009

in the Capital Improvement Program, and of that, about \$3.7 million is proposed to be offered under what is termed the 'Build America Bonds,' this taxable opportunity that the federal government has given us. The remainder of the \$28 million of total issue is the refunding bonds that we are proposing to sell. If you approve the resolution that's before you, we will take bids on November the 4th, which is a Wednesday, and we will come back to you during your meeting on that day, with the results of those bids and ask you to award this sale to one or more low bidders, each series will be a separate bid and so it's conceivable that we will have three different purchasers for the three series or we may have one bidder that gives us the best rate on all three series. But in any event, that will happen on November the 4th.

"All of these bonds are being done in conformance with the county's debt policy. As you know, the county's debt policy establishes a series of measures that we use to identify the county debt issuance capacity. Those measures are very conservative, that is they are low by national standards, and selling these bonds will keep the county within the thresholds that are permitted by the county's debt policy, as we are proposing to amend that policy on a subsequent item on this Agenda. I think that is about everything that I need to tell you as the initial presentation. I will be happy to answer questions that you might have about this issue. The resolution that is before you was drafted by the county's bond counsel, Joe Norton of Gilmore & Bell, and he is in the room, and is available to answer any technical questions that you might have. We have also given you a copy of the preliminary offering statement for this bond issue, the required disclosure statement, and I trust that you have read all 180 pages of it, or whatever it was, and you have lots of questions for me. But in any event, the resolution authorizes us to release that document to prospective investors and to the credit rating agencies as well. So with that, I would recommend that you approve the resolution if you have no questions and if you do have questions, now is the time to ask them."

MOTION

Commissioner Welshimer moved to adopt the Resolution.

Chairman Parks seconded the motion.

Chairman Parks said, "Commissioner Peterjohn, I'd ask that you keep your questions to 38 minutes or less, as we're going to have to break for a noon break there."

Commissioner Peterjohn said, "I understand. I do have a number of questions. I am very supportive of the refinancing portion of this package, but in your presentation, you mentioned the Munger Building, and in looking in the backup paperwork, it talks about the old Historic Courthouse, but the initial presentation showed the Historic Courthouse but not the Munger Building and included the Kansas African American Museum?"

Regular Meeting, October 21, 2009

Mr. Chronis said, "I'm sorry. I apologize. Yes."

Commissioner Peterjohn said, "And I would appreciate a clarification on that point because we're about \$100,000 for the African American Museum and how that fits in, Chris?"

Mr. Chronis said, "Under state law, you have the authority to issue General Obligation Bonds on your own initiative for improvements to the courthouse. The Commission has adopted a charter resolution that defines the courthouse as the county-owned buildings within a three block radius of this site, so that takes in the Munger Building, the Historic Courthouse, the African American Museum, the Ark Valley Lodge, the COMCARE building and the new Public Safety building. All of those are considered for purposes of the state law, the county courthouse and we could issue General Obligation Bonds for those. And I apologize; the specific projects that this bond issue is financing are for this building, the Historic Courthouse and improvements to the Kansas African American Museum that are all in the Capital Improvement Program, the Munger Building improvements are not a part of this issue."

Commissioner Peterjohn said, "Okay. Well I pretty much appreciate that clarification, in terms of bonding, this is one of these issues that I was surprised when I came to Kansas and discovered that only school districts seemed to issue bonds where the voters actually have a say, but a bond in my view is nothing more than like taking out a mortgage on your property, and it's something you're going to eventually have to pay back one way or another. And in doing some research on bonding, I have noticed that the Kansas Constitution, as a provision, specifically Article 11, Section 7, requiring voter approval for this, and I assume the county's had some sort of a provision like this. I was curious, if this is not a question for you, Mr. Chronis, as much as maybe perhaps for Mr. Norton or one of the folks in this room with a law degree, as to when that changed, and how and inform this Commissioner how we got into the current system that we operate under?"

Mr. Joe Norton, Bond Counsel, Gilmore & Bell, greeted the Commissioners and said, "I'd be happy to try to address that. The provision in the Kansas Constitution that you're talking about, it limits the state's issuance of General Obligations Bonds, those requiring a referendum or in the case of insurrections and moors, there's some exceptions there up to a million dollars though. The legislature has adopted various statutes dealing with local units of government, to give them power

Regular Meeting, October 21, 2009

to do borrowings. And what Chris references earlier was a state statute, as modified by your charter resolution, dealing with improvements to the courthouse. So, the constitutional provision deals with the state...”

Commissioner Peterjohn said, “Okay.”

Mr. Norton said, “...not the subdivisions, the state.”

Commissioner Peterjohn said, “Well I was curious, I assumed the state probably had a similar limitation on counties and wanted to know if that was something that we had opted out by a charter resolution or if the state had specifically passed a statute giving the counties that authority at some point, I was curious when that point might have been?”

Mr. Norton said, “I can’t tell you off the top of my head when that particular statute was adopted, but since the statutes have been compiled, there has always been provisions for cities and counties to issue debt under certain provisions referenced here.”

Commissioner Peterjohn said, “Thank you.”

Mr. Norton said, “One other thing I might mention, too, that we’re taking advantage of here hopefully in the Stimulus Act, is for the first time in many years, the county may have the opportunity to sell these bonds, what we call bank-qualified status. The typical rules for banks is that you can’t use borrowed money and deduct the interest you pay on the borrowed money to buy tax exempt obligations, it’s called double-dipping and the statutes federally prohibit that. There’s always been an exception since 1986 for certain small issuers of debt, \$10 million and under, that are allowed to have local banks avoid that exception, so they can buy bonds of local institutions in this under \$10 million range at more favorable rates than would be in a national market. Part of the stimulus package was raising that \$10 million to \$30 million, and so one of the things that you’ll note, that when we looked at evaluating what bonds to refund and structuring, this issue falls slightly below the \$30 million. As a result of that, we’re hopeful anyway, and based on the financial advisor’s recommendation, this structuring would save, and the new provisions would save, the county some money in interest rate as well.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman.”

Regular Meeting, October 21, 2009

Chairman Parks said, “Thank you. Are there any other questions from any of the other Commissioners? Seeing none, call the vote.”

VOTE

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

2. SUPERLATIVE CONTRACT AMENDMENT #4.

Mr. Chronis said, “Commissioners, the Superlative Group is a firm based in Cleveland, Ohio that the county hired in 2006 to do a feasibility analysis for the county, first on the value of various rights that we might sell in conjunction with the new arena downtown. And once that analysis was conducted, then they were further authorized under the contract to proceed with the negotiation and sale of naming rights for the building, and pieces of the building, and for the sale of premium seating within the building, and for the sale of sponsorships within the building. Superlative’s contract has been amended several times since it was originally adopted in 2006. But at the time it was originally adopted, you may recall that the building was still in the design phase and we didn’t know at that point what the construction schedule was going to be.”

“Their original contract was for a period of time that ran through when we thought, at that point, the building would be opened. Subsequently, we’ve learned that the building was not going to be open then, and so we did an amendment at one point to extend their contract to allow them to continue doing their business up until the opening of the building. We also decided, at a point in time, that it was prudent for them to open a sales office in which they could have demos of the premium seating that they would be selling to customers, primarily to businesses in town, because in this community, we’ve never had executive suites, or loge boxes, or club seats in any venue available to the community, and so we all agreed that it was a good idea to have prototypes available for people to see so that they’d know what they were being asked to purchase. That sales office amendment was provided up to July 31st of this year. That is, that amendment committed the county to reimbursing Superlative for their expenses in opening and operating that sales office through July 31st of this year. At the time we did that, that was the date at which we expected Superlative’s term would end and the building would be open, again, this is back when the building was still in a design phase. Now we know that the building is likely to be opened in early January of this year and Superlative’s amended contract, their extended contract, expired at the end of September, on October the 1st. And so, effectively, they were required to operate the sales office for a couple of months that weren’t subject to that contract amendment that we had done with them several years ago.

Regular Meeting, October 21, 2009

“The action that’s before you now is simply to amend the Superlative contract to reimburse them for the \$26,775 that they spent to keep the sales office open from the period of July 31st through September 30th, and then to demolish that sales office at the end of that term, as they were required to do under the lease. Superlative has completed their work with the county. They have departed now, their contract is over, and so this amendment, after the fact, again, reimburses them for expenses that they incurred at the county’s request to keep the sales office open a couple of months longer than had originally been contemplated. If you have any questions, I’ll be happy to answer them. If not, I would recommend that you approve the contract amendment that’s before you.”

MOTION

Commissioner Unruh moved to approve the Contract amendment.

Commissioner Norton seconded the motion.

Chairman Parks said, “We have a motion and second. I do have a couple questions. Has the [Arena Sales] Tax Oversight Committee taken a look at this?”

Mr. Chronis said, “No. The Tax Oversight Committee looks at expenditures after those expenditures have occurred, so they have reviewed our expenses paid to Superlative as those expenses have been incurred, but this is an expense that Superlative has incurred but the county has not. And so there’s nothing for the Tax Oversight Committee to look at.”

Chairman Parks said, “Okay. Have all those boxes been sold?”

Mr. Chronis said, “No. Superlative was successful in selling 13 of the luxury suites, there are 20 available; 36 of the loge boxes, there are 40 available and 100 of the club seats, there are 190 available.”

Chairman Parks said, “We didn’t have any kind of performance clause in their contract? That they had to meet a certain threshold of sales on these?”

Mr. Chronis said, “No. Their contract provided them a monthly payment to cover their expenses and salaries, and then paid them a commission on the sales that they actually incurred, so their incentive was to sell as much as possible because they get paid for every additional sale.”

Chairman Parks said, “Okay. Commissioner Peterjohn.”

Regular Meeting, October 21, 2009

Commissioner Peterjohn said, "Yes, the \$26,755 that you're recommending that we pay would come out of the operations and reserve fund, is that correct, Chris?"

Mr. Chronis said, "Well it would come out of the arena budget, yes."

Commissioner Peterjohn said, "Out of the arena budget, but specifically within the arena budget, the operations and reserve fund, correct?"

Mr. Chronis said, "It will have that effect, yes."

Commissioner Peterjohn said, "It would have that effect."

Mr. Chronis said, "Yeah."

Commissioner Peterjohn said, "Can you give me an idea of how big an impact that will have on what we expect the operations and reserve budget to look like when the arena opens?"

Mr. Chronis said, "We have projected that, again, for people who might be watching and unfamiliar with the terminology, the Operation and Maintenance reserve for the arena is intended to be whatever Arena Sales Tax remains in our accounts on the day we open the doors of the building. We have projected that that amount of money would be between \$10 and \$11 million, and so that is what we have identified as the O&M reserve, the Operation and Maintenance reserve. And the intent is that that O&M reserve, after the building is opened, will be used to pay for major maintenance obligations that the county might have at the facility and to cover any operating deficits that might be incurred at the facility. The Commission has elected to use the O&M reserve to pay for the anticipated deficit at the pavilions at the Kansas Coliseum in 2010. Our contract with SMG, the operator that we've hired for the arena, places the full financial risk on SMG; the county will not have exposure for operating losses during the term of the SMG contract. Once that contract is over, if there are operating losses being incurred and if we aren't able to negotiate a similar contract with a successor, then the county will have to be subsidizing that operation and the O&M reserve is what we would use for that subsidy."

Commissioner Peterjohn said, "Well, I appreciate that information because I think we're very fortunate in this extent, if my memory is correct, the original proposal for the downtown arena had about a \$184.5 million price tag and we actually took in, in terms of revenue, somewhere around \$206 million dollars, so I was frankly hoping that the Operations and Maintenance reserve funding might end up being a little bit on the larger side because if the original projections had held true and

Regular Meeting, October 21, 2009

we had only taken in about \$185 million, we would be about \$10 million underwater by my back of envelope rough calculations.”

Mr. Chronis said, “If nothing had changed from the actions that we took, that’s correct. But I would remind you, and in fact, you weren’t on the Commission at the time, but in fact, the operating budget for the project, the capital budget for the project, has been adjusted over time, specifically as we have received additional revenues from the sales tax over and above what we had originally projected. Had we not received that additional revenue, the arena budget would not have been changed. So I suspect that we still would be within budget, but we would not have as nice a building for the citizens as we are going to have.”

Commissioner Peterjohn said, “Well, it’s one of the interesting points of how we’ve gotten to where we are with this issue so I appreciate the additional background information. I think our Oversight Committee, I’d be very much interested in their insights that they might be able to share since they’ve had the opportunity to look under this more, but that’s all the comments I have now, Mr. Chairman.”

Mr. Chronis said, “The Oversight Committee is scheduled to meet next, next Tuesday, and so we’ll be sure and ask them for their views on this contract amendment if that’s your wish.”

Chairman Parks said, “If, let’s say, that they had that differing view than what we’ve had on this, then what would our next course of action be?”

Mr. Chronis said, “Well the Oversight Commission is an advisory body, and their mission is to determine that the Arena Sales Tax that was approved by the voters is used solely for the purposes that the voters approved the tax for. If they determine that this is an inappropriate expenditure, an inappropriate use of the Arena Sales Tax, then they would come back to you with a recommendation that the county provide, or find another, funding source and not use the arena tax to pay that bill.”

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	No
Commissioner Welshimer	Aye
Chairman Parks	Aye

Regular Meeting, October 21, 2009

3. ADOPT REVISED DEBT POLICY.

Mr. Chronis said, “Commissioners, the county adopted a debt policy, originally in 1991, and we substantially revised that policy in 2003. At that time, among the fairly extensive revisions were the establishment of a series of measures that serve to identify the county’s self-imposed debt capacity. Since this policy was adopted in 1993, the county has been upgraded to an AAA rating by one of the three rating agencies that oversee our debt and that analyze our debt. We already had achieved an AAA rating from a second one and we currently have a rating of AA1, which is one notch below AAA, from the third agency. The action that’s before you today makes one very simple change in the debt policy as it exists right now, and that is to change one sentence by adding three words to it. And that sentence, as amended, will be: the county will not engage in debt financing unless the proposed obligation, when combined with all existing debts, will result in debt ratios throughout the life of the proposed obligation that are less than at least three of the following benchmarks; those five measures that I identified. What we have discovered is that the five benchmarks, and I should say what they are, those five benchmarks are all measures that are used by the credit analysts at the rating agencies to evaluate municipal debt, and so we’ve incorporated them in our policy. They are per capita direct debt, that is debt issued directly by Sedgwick County, for any purpose, on a per capita basis and that, under our policy, cannot be more than \$500.”

“Then, per capita direct, overlapping and underlying debt, that is all municipal debt issued in Sedgwick County that is backed by Sedgwick County taxpayers, regardless of which government issues the debt. That total amount of debt outstanding cannot, under our current policy, be more than \$3,000 per capita. Direct debt, again, county issued debt, as a percentage of estimated full market value in the community, cannot exceed one and a half percent. Total debt, total municipal debt, the direct overlapping and underlying debt, can’t be more than six percent of estimated market value. And finally, the county’s annual debt service obligation, its principal and interest payments on issued debt, can’t be more than 20 percent of the general fund and debt service fund budgets.

“What we have found is that in the past year or so, the school districts in Sedgwick County and the City of Wichita have issued an unusual amount of debt, and as a result, the measure that looks at total municipal debt in the county on a per capita basis exceeds the \$3,000 threshold that is in our policy. In fact, with the debt that you have just authorized us to sell, it will be \$3,669. For the county to exceed that single measure, to have that ratio, \$3669 is not perceived as a problem in the investment business. The credit analysts will not see that as a problem because, nationally, that’s a low number. Our problem is that it exceeds what we have in our policy. And so we have talked with our financial advisor, Springstead and Company, he in turn has talked with some of the credit analysts at the rating agencies to get a sense of how they will view a county change to this policy in the manner that we’re proposing. The response has been that that won’t be considered a problem at all because, to begin with, our policy is ultra-conservative. That is, it is much more restrictive than

Regular Meeting, October 21, 2009

most debt policies of most issuers are, and our thresholds are much lower than the norms, the averages, on a nationwide basis. So for that reason, we are recommending that you adopt the revised debt policy that's before you. I'll be happy to answer any questions if you have them. If not, then I would recommend that you adopt the resolution amending the policy."

Chairman Parks said, "What's the will of the Board?"

MOTION

Commissioner Welshimer moved to adopt the Resolution amending the policy and procedure for debt financing.

Commissioner Unruh seconded the motion.

Chairman Parks said, "Have a motion and a second. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. Chris, I appreciate your comments, but to make this understandable for the citizens out there who may be watching it, I kind of view this as, if we've got a kind of community can of Coke, or Pepsi, and we've got a number of straws, and each of these local units, whether it's the county, school district or cities here in Sedgwick County, each have a hold of the straw, and when it comes to debt rating, in effect you're telling us that Sedgwick County's debt rating under our current policy is being knocked down because other governmental bodies have issued, I think you used the term an unusual amount of debt recently, is that a fair characterization of kind of the situation we're in?"

Mr. Chronis said, "It's not clear that our credit rating would be downgraded because we've exceeded that threshold. As I say, on a national basis, and that's what the rating agencies are looking at, the current number, even though it's higher than our self-imposed threshold, is low. The issue is that the policy explicitly says that we can't issue debt if we have exceeded any one of those five measures, and right now, we are exceeding one of those five measures. And so, if we are to follow our own policy, the bonds that you just authorized us to sell, we would not be able to sell on the debt policy."

Commissioner Peterjohn said, "So I understand it, so in effect, other local units have put us in a position where we'll be violating our own policy if we don't take the action today and change the policy?"

Regular Meeting, October 21, 2009

Mr. Chronis said, "That's fair."

Commissioner Peterjohn said, "Thank you very much, Mr. Chairman."

Chairman Parks said, "Seeing no other 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, "And at this time, I was going to wait until about 10 minutes until 12:00, do you think the next item will take over five minutes?"

Mr. Chronis said, "It won't on my part."

Chairman Parks said, "Okay. Let's go ahead and call the next item then."

4. RESOLUTION REVISING INVESTMENT POLICY.

Mr. Chronis said, "The county first adopted an investment policy in 1999, and it has been revised at least a couple of times, most recently in 2007. The investment policy establishes the county's goals, procedures and requirements that are imposed on us in Finance, by you on the governing body, regarding the management of the county's idle cash. The state amended the state law governing public investments last session in a way that places our current policy in nonconformance with that law. As a result, the state would not approve our policy in its current form. And if they revoked the current approval that they have given our policy, it means that under state law, there are fewer alternatives, fewer investment options available to us, which means that we have a less diversified, lower yielding portfolio. The action that's before you makes a series of mostly technical adjustments to the investment policy to place us in strict conformance with that amended state law.

"There are three changes that I want to bring to your attention because they might be considered something other than technical. The first two expand the permitted sources of collateral that banks and financial institutions can pledge against county deposits and county cash-based investments. One of those is a letter of credit issued by the Federal Home Loan Bank. The second is a new device that exists in the financial marketplace that has the acronym CDARS, which stands for Certificate of Deposit Account Registry Services. In effect, that is a method by which a bank can

Regular Meeting, October 21, 2009

spread money that has been invested with it among lots of other banks in small accounts, each of which is insured by the federal government. That is a cheaper form of safety for those banks than investing their money in securities and pledging those securities to us. And so we looked at it and we think that it's perfectly safe for the county and so we are proposing to include it in our policy.

“The third substantive change in our policy eliminates an existing provision that limits the amount of our portfolio, the percentage of our portfolio, that can be invested in certificates of deposits. Under this new amendment to the state law, we can no longer say in our policy that only a certain percentage, anything less than a hundred percent, of our portfolio can be in certificates of deposit. We don't think that any of these changes are going to have a practical effect on the performance of our investments, nor will they have very much effect on the way we manage those investments, but nevertheless, it is a necessary change if we want to continue to have the expanded investment authority that we currently have. So I would recommend that you adopt the resolution that's before you which approves the policy, and if you have any questions I'll be happy to answer them.”

MOTION

Commissioner Unruh moved to adopt the Resolution and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

Chairman Parks said, “Motion and a second on that. You don't think there's going to be any problem with the state Pooled Money Investment Board on this?”

Mr. Chronis said, “No. We have run this proposed policy by those people and they have said that this would be acceptable.”

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

VOTE

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

Regular Meeting, October 21, 2009

Mr. Chronis said, "Thank you."

Chairman Parks said, "Due to the length of the meeting and the hour, if there's no objections to a recess until 1:00 p.m., we'll be in recess until one o'clock today in this room."

The Board of County Commissioners recessed for lunch at 11:48 a.m. and returned at 1:03 p.m.

Chairman Parks said, "We are back to order of the meeting of October 21, 2009, we'll take up the Agenda where we left off, if the Clerk will read the next one."

- 5. AMEND THE 2009 CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCLUDE A ROOF AND PARKING LOT ASSESSMENT FOR COUNTY-OWNED FACILITIES.**

VISUAL PRESENTATION

Mr. Pete Giroux, Principal Analyst, Budget, greeted the Commissioners and said, "I have a total of five CIP amendments for you this afternoon. The first one is a request from Facilities for a roof and parking lot assessment. This amendment will build on the original roof and parking lot plan that was approved by your predecessors in late 2002. Facilities believes that that plan provided the information that helped them, not only to accomplish timely repairs when appropriate, but also the most economical replacement when that was necessary. The proposal would continue to provide for objective evaluation of roofs using lab analysis, and it will address those roofs and parking lots that have changed condition, as well as expand the assessment from 83 to 200 to include a lot of the smaller roofs and parking lots that will expand this to about 200 roofs and parking lots. So they'll have a good, current working resource to guide their actions. The cost of this is estimated at \$54,000 and we'd propose, most appropriately, to fund it from savings in the 2006 Roof Replacement Program. The CIP Committee recommends approval. Do you have any questions?"

Chairman Parks said, "Okay. Go ahead, Commissioner Welshimer."

Commissioner Welshimer said, "The \$54,000, that's to repair roofs or do the study..."

Regular Meeting, October 21, 2009

Mr. Giroux said, “This will...”

Commissioner Welshimer said, “...to find out if they need repair?”

Mr. Giroux said, “No, this will provide for continued assessment of roofs. We’re going to expand the number of roofs that are evaluated, as well as parking lots...”

Commissioner Welshimer said, “We’re contracting this out?”

Mr. Giroux said, “We’re going to contract this out to a team, an architect engineer and their aligned experienced roofing team, and that’s proved very successful. And they’ll come back with a work product that assesses each of these individual roofs, provides pictures, sketches, lab analysis and provides, also, current estimates that Facilities can use to program our repairs and replacements as appropriate.”

Commissioner Welshimer said, “So it’s necessary for us to have an outside professional make the decisions as to whether or not we need to repair our roofs?”

Mr. Giroux said, “I can probably turn that...it’s proven its value since the end of 2002, but I could also let Steve Claassen speak to that. I think we’ve saved quite a bit of money by being able to defer certain projects.”

Commissioner Welshimer said, “Okay.”

Mr. Steve Claassen, Facilities Director, DIO, greeted the Commissioners and said, “Within our department, we do have the resources and capacity to review these roofs, however, what we don’t have is we don’t have the capacity to take core samples of these products. We want to extend the use of these roofs as long as we possibly can. A roof might have a 25 year expected life, but if we can analyze that in a more thorough way, we might get an extra 10 years or so off of it. So therein lies the benefit of outsourcing something like this. Plus, we also don’t have any capacity really to do accurate estimates of what the costs of these will be. We had done a roof replacement of the main courthouse five years ago; we are going to project that that may need to be replaced 20 years from now. We’d like to get in our plan what that cost will be, so that future CIP estimates can be prepared and included in the CIP in appropriate ways.”

Commissioner Welshimer said, “Okay. Well that would be a little difficult to budget for it because prices go up...”

Mr. Claassen said, “Absolutely and...”

Regular Meeting, October 21, 2009

Commissioner Welshimer said, "...and all of that. So all of our roof repair is outsourced?"

Mr. Claassen said, "Not all. We do emergency repairs ourselves, but anything of substance, if we have a damaging roof, a leak that has damaged something, we have an on-call contractor that provides that service for us; the repair of a more major problem."

Commissioner Welshimer said, "Okay. Thank you."

Chairman Parks said, "Any other comments? What's the will of the Board?"

MOTION

Commissioner Unruh moved to approve the amendment to the CIP.

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

Mr. Giroux said, "Thank you."

- 6. AMEND THE 2009 CAPITAL IMPROVEMENT PROGRAM (CIP) TO DELETE D14, ADD D23, AND INCREASE D11, PHASE 1 AND D20.**

VISUAL PRESENTATION

Mr. Giroux said, "Public Works has requested a total of four amendments to the CIP drainage

Regular Meeting, October 21, 2009

program, they're outlined on the slide. The first is the deletion of D14, which was designed to address drainage problems, generally, south of 55th on Oliver. The project was designed in 2002, during or subsequent to the period that the project was being designed, there was a separate effort by both KDOT, Riverside Township and citizens to remove obstructions and improve drainage, and that's proved very successful. It's survived several very wet years and Public Works is now recommending that the project be cancelled. By doing so, that would free up the following project funding for a total of \$390,000. Public Works proposes to retain these funds within the drainage program. Their first proposal is to contract with an engineering firm to assist in updating our Stormwater Management Plan and maintaining our stormwater permit. And then Public Works proposed to split the remainder of those proceeds from D14 between two existing drainage projects that are currently in progress. The first of these is D11, Phase 1, and that runs along 103rd Street South from Hillside, east to the Arkansas River."

Mr. Giroux continued, "And the second is D20, and D20 has been sort of a long story, but this is the Clifton Channel Interceptor and it's designed to take care of a substantial amount of stormwater run-off from both the Boeing and Spirit complexes. After the initial project design was substantially complete, the McConnell Air Force Base Joint Land Use Study impacted areas surrounding McConnell, and in this case, it affected a development that was planned in this area and caused a developer to shift the project to the west and reduce the scope of the project. Now a part of that impacted area has been donated as a park and the design needs revision to take advantage of a new pond that will be available for stormwater conveyance and retention. By making use of that pond for stormwater retention, we think there will be a reduction in the cost of the overall project. So here's the financial considerations and how we would propose to retain those funds within the drainage program. CIP Committee did review this in detail, and both staff and the CIP Committee recommend approval."

Chairman Parks said, "What's the will of the Board?"

MOTION

Commissioner Norton moved to approve the amendments to the CIP.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh

Aye

Regular Meeting, October 21, 2009

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

Mr. Giroux said, "Thank you."

M. REALLOCATION OF ONE FULL TIME POSITION IN THE COURT TRUSTEE STAFFING TABLE TO TWO PART TIME POSITIONS IN THE COURT TRUSTEE STAFFING TABLE.

Ms. Joni Wilson-Colby, Court Trustee, greeted the Commissioners and said, "I'm asking that you approve the recommended reallocation and additions to the Court Trustee's staffing table from one full-time position to two part-time positions."

Chairman Parks said, "You've all had a chance to look at the backup, what's the will of the Board?"

MOTION

Commissioner Welshimer moved to approve the recommended reallocation and additions to the Court Trustee Staffing Table.

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

Regular Meeting, October 21, 2009

Ms. Wilson-Colby said, “Thank you.”

Chairman Parks said, “Thank you very much.”

N. DIVISION OF HUMAN SERVICES.

1. APPROVAL OF 1 (ONE) FY 2009 TARGETED CASE MANAGEMENT CONTRACT.

Mr. Ray Vail, Director, Finance and Support Services, Department on Aging, greeted the Commissioners and said, “I’m here today to ask for your approval of one Targeted Case Management contract. The Targeted Case Managers provide coordination of services for clients under the Medicaid program. This contract’s identical to the ones you approved on September 23rd. I ask that you approve the contract and authorize the Chair to sign. I’ll be glad to answer any questions.”

Chairman Parks said, “I think this is pretty self-explanatory, also, with the Medicare situation. What’s the will of the Board?”

MOTION

Commissioner Welshimer moved to approve the 2009 contract for targeted case management 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

Regular Meeting, October 21, 2009

Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Mr. Vail said, "Thank you."

2. GRANT APPLICATION TO UNITED METHODIST HEALTH MINISTRY FUND FOR PROUD OF ME PROGRAM.

Mr. Tom Pletcher, Clinical Director, COMCARE, greeted the Commissioners and said, "The United Methodist Health Ministry Fund is accepting grant applications for projects that focus on healthcare and other children's health issues. COMCARE has been invited to submit a proposal to the fund for consideration and support of our Proud of Me program. Proud of Me teaches young children, ages roughly two-and-a-half to five, self control, conflict resolution, problem solving and basic social interaction skills. These are children who have demonstrated challenging behaviors in the home, in preschool settings at school and in the community, sometimes to the point of being expelled from some of these kinds of services. We currently have two Proud of Me programs, and this grant, if awarded, would allow us to initiate a third program. As an example, we received referral here this last year regarding a child who had been expelled from kindergarten because his behavior was so disruptive and aggressive that he just wasn't able to be successful in the classroom. We worked with that child over the course of the year, helping the child to learn more appropriate interaction skills, to the point that then the following year, he was able to go back to kindergarten and was described by the school, truly as a different person, and at that particular point, successfully transitioned then into the normal school programs with some supports.

"If approved, this grant would fund a full-time Early Childhood Clinician, for a period of about six months, while the program is being established. This person would coordinate and lead the program there on-site, and in coordination with some of our other programs. The grant would also provide funding for the clinician to attend a five-day intensive training in conscious discipline, which is an evidence-based model that we use in teaching the children appropriate behavior. Other start-up costs, such as furniture, would be covered by the grant as well. Costs for salary and benefits and program expenses, after the initial six month period, would be covered by the fees for services that are charged within the program. We currently, as I said, have two programs in operation and we have seen that they are self-sufficient, in terms of the financial costs after that start-up period. We would recommend that you approve the grant application and authorize the Chair to sign all

Regular Meeting, October 21, 2009

necessary documents, including the grant award agreement, containing substantially the same terms and conditions as this application, and approve establishment of budget authority at the time of the grant award documents are executed. I'd be happy to answer any questions you might have."

Chairman Parks said, "Certainly, I have heard of this program but I didn't really know what it was until a little bit more explanation, and I thank you for that."

MOTION

Chairman Parks moved to approve the Grant Application and authorize the Chair to sign all necessary documents, including the grant award agreement containing substantially the same terms and conditions as this application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Welshimer seconded the motion.

Chairman Parks said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes, Tom, can you tell me, since this would be the third program, how many children are being served by the existing two programs?"

Mr. Pletcher said, "Sure. At any given time, we serve about 10 children to maintain an appropriate staff to student ratio. We've had one program that's been in effect for now about 18 months, and in the last year, they served 12 children, at about 10 at a time. We started the second program just this summer, based off of the existing waiting list and referrals. That currently has about four or five people, but other children are now starting to be referred as school starts kicking off. This is probably the time when we get our largest number of referrals, where children are starting out with school, or in daycare, and the behavior problems are starting to be recognized. We're confident that between referrals, and we've pulled kids from the waiting list, but referrals particularly where we locate this program, we won't have any trouble in filling that."

Commissioner Peterjohn said, "Okay. Let me ask you, did the United Methodist Health Ministry Fund also fund the first two?"

Mr. Pletcher said, "No, they did not."

Regular Meeting, October 21, 2009

Commissioner Peterjohn said, "They did not. Do you know where the funding came from on those? I'm just kind of curious, I expected you to tell me that they were."

Mr. Pletcher said, "No, I don't believe that they did, and this is a program that our Director of Children Services was well familiar with and we launched that, essentially, as a program expense and were able to get it up and running fairly quickly to minimize the start-up cost with that."

Commissioner Peterjohn said, "Okay. Thank you very much."

Mr. Pletcher said, "Sure."

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

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

Mr. Pletcher said, "Thank you."

Chairman Parks said, "Thank you, Tom."

O. APPROVAL OF THE KANSAS EMERGENCY MANAGEMENT 2010 EMERGENCY MANAGEMENT PERFORMANCE GRANT NOTICE OF INTENT.

Mr. John F. Crosby, Deputy Director, Emergency Management, greeted the Commissioners and said, "Sedgwick County Emergency Management received notification from the Kansas Division of Emergency Management of the availability of the annual Emergency Management Performance Grant program providing funds to local emergency management agencies. The funding period starts on federal fiscal year October 1, 2009, and runs through November 30, 2010. It's anticipated that Sedgwick County can receive \$93,653 as a part of this package, which is basically the same amount that was awarded last year. Approximately \$60,000 of the award pays for the Emergency Management Planner in our office; the other \$33,000 would be to reimburse the general fund costs associated with the operations of the Emergency Management Department. We ask that you approve the submission of the FY 2010 Emergency Management Performance Grant Notice of

Regular Meeting, October 21, 2009

Intent with the Kansas Emergency Management and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this submission. And I'll be ready to answer any questions if I can.”

MOTION

Commissioner Welshimer moved to approve the submission of FY 2010 Emergency Management Performance Grant Notice of Intent with the Kansas Emergency Management and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this submission.

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

Mr. Crosby said, “Thank you, Commissioners.”

Chairman Parks said, “Thank you.”

P. CONSIDERATION OF AN INTERLOCAL AGREEMENT BETWEEN SEDGWICK COUNTY AND THE CITY OF WICHITA FOR THE TRANSFER OF DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS GRANT FUNDING IN THE AMOUNT OF \$121,760.00.

Regular Meeting, October 21, 2009

Col. Richard Powell, Chief Deputy, Sheriff's Office, greeted the Commissioners and said, "You have before you today an Agenda item request pertaining to early in September, an award of a grant that we had received in the form of the cooperative agreement between the Department of Justice (DOJ), which was a continuation grant of the Internet Crimes Against Children (ICAC) Task Force. This is an annual grant that typically does renew on an annual basis, and it allows us to fund that operation, which is a mix of law enforcement personnel from both the City of Wichita and the Sedgwick County Sheriff's Office. As a part of this grant, once the money has officially changed hands and the appropriate accounts were reinstated, or set up, we need to have the authority to reimburse the City of Wichita for their expenses incurred during the operation of this Internet Crimes Against Children Task Force."

"Before you, you have for your consideration the inter-local agreement that's been prepared between us here at Sedgwick County and the City of Wichita for transfer of DOJ funds to reimburse the city for their estimated budgetary costs. The costs are estimated to be \$121,760 and those costs are included within the budget money that was allocated to us by the Department of Justice. I would stand for any questions that you might have. If not, we would respectfully request that you approve and authorize this."

MOTION

Commissioner Peterjohn moved to approve the Inter-local Agreement and authorize the Chairman to sign.

Chairman Parks seconded the motion.

Chairman Parks said, "And discussion, Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes, I was interested, this almost \$122,000, is this for personnel or does it include other costs, or is it the city can spend it on however they see fit within the general grant area?"

Col. Powell said, "Actually, I just happen to have a breakdown of some of those expenditures, sir. It includes, primarily most of the expenditures are for personnel salaries and benefits, there are some other limited expenditures in there. Personnel and benefits total roughly \$100,000. We have another \$21,000 which goes for smaller benefits; workman's comp. [compensation], unemployment, things like that, that's strictly for the personnel. Materials, supplies, office equipment, et cetera; those would be covered under other budgetary items that are within the larger primary budget. This is strictly for the personnel aspect of it."

Commissioner Peterjohn said, "Okay. So when you say it's primarily personnel and the other side

Regular Meeting, October 21, 2009

that would not be part of this agreement, would that be coming out of the Sheriff's budget or some other source?"

Col. Powell said, "It actually comes out of the balance of the rest of the larger grant. This is just a small portion of that grant that we have to reimburse the city back for their actual personnel cost. As a portion of the entire grant, or the much larger picture, the balance left in that entire grant allows those funds to pay again for not only our salaries for the Sheriff's Office personnel, but any associated day-to-day operating costs that we might incur for office supplies, materials, vehicle expenditures, things like that."

Commissioner Peterjohn said, "Do you, off the top of your head, know what that total amount is?"

Col. Powell said, "Let's see. All I have right here, well let's see, it may be, and I have Marty Hughes with me here from the Budget Office. Marty, is it \$267,889? Is that correct? \$267,889."

Commissioner Peterjohn said, "Thank you very much."

Col. Powell said, "Yes, sir."

Chairman Parks said, "I have a two-part question..."

Col. Powell said, "Yes, sir."

Chairman Parks said, "...if you can bear with me until I've said both of them, so it may be able to be answered in one fall swoop."

Col. Powell said, "Yes, sir."

Chairman Parks said, "Did the other cities in the county have an opportunity to adjoin with this grant or did they have an opportunity, the second question, to strike out on their own and apply for this?"

Col. Powell said, "To my knowledge, because of the level of expertise and the fact that being the two larger law enforcement agencies, we're the primary players within this operation. Of course, part of the makeup of this organization is we supply auxiliary support to any outlying agencies that do request our services, so even if they don't directly support, we still make our services, personnel, and materials and subject matter experts available to them at any time."

Regular Meeting, October 21, 2009

Chairman Parks said, "That's what I wanted to hear."

Col. Powell said, "Yes, sir."

Chairman Parks said, "Thank you. 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

Col. Powell said, "Thank you."

Chairman Parks said, "Thank you."

Q. APPROVAL OF THE FORCE ACCOUNT CONSTRUCTION ENGINEERING INSPECTION SERVICES AGREEMENT FOR SEDGWICK COUNTY PROJECT 831-S, T, U, V, ½ W; ROCK ROAD FROM OAK KNOLL TO ½ MILE NORTH OF 63RD STREET SOUTH. CIP# R-322. DISTRICT 5.

Mr. Spears said, "Item Q is a force account agreement with the Kansas Department of Transportation to reimburse Sedgwick County for engineering inspection services performed during construction of the road project on Rock Road between Oak Knoll to a half mile north of 63rd Street South. This project is designated as R-322 in the Capital Improvement Program, and since this is an ARRA (American Recovery and Reinvestment Act) project, we will receive 100 percent reimbursement. The maximum amount of federal funds the county can receive is \$36,959.50. I recommend that you approve the agreement and authorize the Chairman to sign."

Chairman Parks said, "Do I hear a motion?"

MOTION

Regular Meeting, October 21, 2009

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

Mr. Spears said, “Thank you.”

R. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON OCTOBER 15, 2009.

Ms. Iris Baker, Director, Purchasing, greeted the Commissioners and said, “The results of the meeting of October 15 results in eight items for consideration. First item;

**1. STEEL PILINGS AND ‘H’ BEAMS – PUBLIC WORKS
FUNDING – R264 IMPROVE DRAINAGE RIGHT-OF-WAY 2009**

“Recommendation is to accept the low responsive bid from Hall Steel & Fabrication, Inc. in the amount of \$28,576.08. Item 2;

**2. INFLUENZA VACCINE – HEALTH DEPARTMENT
FUNDING SOURCE – HEALTH SCREENINGS**

“Recommendation is to acknowledge the expenditure from Novartis, Inc. for a cost of \$62,930. Item 3;

Regular Meeting, October 21, 2009

**3. XIOTECH EQUIPMENT AND SUPPORT – DIVISION OF INFORMATION & OPERATIONS
FUNDING – SYSTEMS AND SECURITY/NETWORKING & TELECOM**

“Recommendation is to accept the quote from Xiotech in the amount of \$167,763. Item 4;

**4. SIGNAGE for the NATIONAL CENTER FOR AVIATION TRAINING – FACILITIES DEPARTMENT
FUNDING – NCAT CONSTRUCTION**

“Recommendation is to accept the proposal from TriMark Signworks for a not to exceed cost of \$160,000 and establish contract pricing. Item 5;

**5. DESKTOP COMPUTERS for INTRUST BANK ARENA TICKETING – FACILITIES DEPARTMENT
FUNDING – ARENA SALES TAX**

“Recommendation is to accept the low quote from Dell in the amount of \$35,753.04. Item 6;

**6. ¾ TON 4X4 PICKUP for INTRUST BANK ARENA – FACILITIES DEPARTMENT
FUNDING – ARENA SALES TAX**

“Recommendation is to accept the low bid from Shawnee Mission Ford in the amount of \$25,153. Item 7;

**7. POLYETHYLENE TILT TRUCKS for INTRUST BANK ARENA – FACILITIES DEPARTMENT
FUNDING – ARENA SALES TAX**

“That recommendation is to accept the low bid meeting specifications from Massco, Inc. in the amount of \$13,032. And Item 8;

**8. STORAGE RACKS AND CABINETS for INTRUST BANK ARENA – FACILITIES DEPARTMENT
FUNDING – ARENA SALES TAX**

“And that recommendation is to accept the low bid from Grainger for Items 1-4, 7-9, 11 and 12 in the amount of \$8,075 and accept the low bid from Siggins Company for Items 5 and 6 in the amount

Regular Meeting, October 21, 2009

of \$4,737.10 and the low responsible bid for Item 10 in the amount of \$1,433.38. I'd be happy to answer any questions and recommend approval of these items."

Chairman Parks said, "Before we get to this, I'm planning on asking for four and six to be withdrawn, do any of the other Commissioners have any other ones that I could include in that motion before we get started on this?"

MOTION

Chairman Parks moved to approve the recommendations of the Board of Bids and Contracts with the exception of Items 4 and 6.

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, "I had some comments on number four, the signage for the NCAT (National Center for Aviation Training), is this something that's, I assume that it was part of the overall bid and design, I just didn't realize it was quite that much. Are we looking at these things in the terms of necessity during these times of having to amend certain things in the budget and do certain things with what we have for the remaining part of the year, and I guess this would be, ask of the Manager other than, do you see any problem with this being an essential item, or how essential of an item is this?"

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "It was part of the design of the building and it was part of the bond issue when we sold the bonds. If we were to not buy this sign, since we borrowed the money already, it would not affect our bond payments. We

Regular Meeting, October 21, 2009

could have several of thousands of dollars to pay in advance of the bond issue, but it wouldn't make any difference in the interest and principal that we owe."

Chairman Parks said, "Okay."

MOTION

Chairman Parks moved to approve the recommendations of the Board of Bids and Contracts for Item 4.

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, "On number six, on the specifications, did we build that specification to a particular brand on that?"

Ms. Baker said, "The specification primarily fit a Ford or a Chevy product."

Chairman Parks said, "I noticed the Chevrolet, the only one that we got was out of Ohio, on the bid on that, and that's why I asked if there was certain specifications that we asked that made that so much higher on that particular one."

Ms. Baker said, "The specs were written to accommodate a lot purchase, which is an immediate purchase as opposed to a fleet. And occasionally we will run into vendors that don't want to mess with bidding one vehicle..."

Chairman Parks said, "Okay."

Ms. Baker said, "...and that's often the case in the smaller volumes when we don't see a large turnout in responses."

Regular Meeting, October 21, 2009

Chairman Parks said, "Is Shawnee Mission Ford going to deliver that vehicle with zero miles then?"

Ms. Baker said, "Yes, it will..."

Chairman Parks said, "Okay."

Ms. Baker said, "...be delivered here. That's included in the cost."

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

Commissioner Peterjohn said, "Yes, I had a question on, I noticed that two of the bids provided were for 2009 vehicles as opposed to 2010, how does that work within the specification and how far back can they go? I'm assuming that we're talking about a vehicle, even if it's not the current year, it's one, as the Chairman said, has zero mileage."

Ms. Baker said, "Correct. We ask for new and we said we'd consider a '09 or a '10. This time of year, '09s are still available on lots and the '10 models have already started coming out, so we would take whatever anyone had available, as long as it met specifications and low responsible bidder."

Commissioner Peterjohn said, "Thank you."

Chairman Parks said, "Okay. Seeing no further discussion on that, what's the will of the Board?"

MOTION

Commissioner Unruh moved to approve the recommendations of the Board of Bids and Contracts for Item 6.

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

Regular Meeting, October 21, 2009

Commissioner Welshimer	Aye
Chairman Parks	No

Ms. Baker said, "Thank you."

CONSENT AGENDA

S. CONSENT AGENDA

- 1. Waiver of policy to hire a Facilities Manager at \$60,500.00.**
- 2. Sale of influenza vaccine to Wichita Clinic.**
- 3. Resolution stating findings made by the BoCC at the post-annexation hearing held on October 7, 2009.**
- 4. General Bill Check Register of September 30, 2009 – October 6, 2009.**
- 5. General Bill Check Register of October 7, 2009 – October 13, 2009.**
- 6. Payroll Check Register for the week of September 26, 2009.**
- 7. Order to correct tax roll for change of assessment on September 23, 2009.**
- 8. Order to correct tax roll for change of assessment on September 30, 2009.**
- 9. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes in 2008 and all prior years have been paid for the following plat:

Beyrle Addition

Regular Meeting, October 21, 2009

Mr. Buchanan said, “Commissioners, you have the Consent Agenda before you and I would recommend that you approve it.”

MOTION

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Unruh seconded the motion.

Chairman Parks said, “Have a motion and a second. Any discussion, anything we want to have any further explanation on? I think we’ve all been briefed on this Consent Agenda, so call the vote.”

VOTE

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

T. OTHER

Chairman Parks said, “Well, as we know, TSO is coming to the Britt Brown Arena and want to make sure that you get, Trans-Siberian Orchestra for those of you that don’t know the initials TSO, but if you haven’t seen their program with their pyrotechnics and all their circumstance that goes along with their fine music, it is a sight to behold, so just wanted to bring that up again. Commissioner Welshimer.”

Commissioner Welshimer said, “Reading The Eagle, there was an Opinion Line caller that said that he/she thought we should make sure that the big shots at City Hall and the county have to park and walk to the arena just like everyone else, and won’t have special stalls right by the building. We’re not going to have any special stalls, are we?”

Mr. Buchanan said, “I’ve already picked out my stall, and it’s on the east side of Washington.”

Commissioner Welshimer said, “Okay.”

Mr. Buchanan said, “No. We do not have, the parking around the arena is for the premium seat holders...”

Regular Meeting, October 21, 2009

Commissioner Welshimer said, “Yes.”

Mr. Buchanan said, “...or the handicap. The Board of County Commissioners and City Council people do not have special stalls.”

Commissioner Welshimer said, “And we didn’t get any premium seats out of the deal?”

Mr. Buchanan said, “And you need to do that...”

Commissioner Welshimer said, “On our own.”

Mr. Buchanan said, “We specifically decided some time ago, that we would not have any special privileges.”

Commissioner Welshimer said, “Okay. Thank you.”

Chairman Parks said, “To kind of follow up on that, I do know that that was a discussion about three years ago, and that one of the candidates said that they would give up their special parking privileges to somebody that was less fortunate, so I do know that that was in the discussion, so that’s probably where that came from and that’s probably old information. Commissioner Peterjohn.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. I was going to mention, and with this smaller audience, they’re having a festival down in Clearwater this weekend. I hope the weather’s going to be as accommodating as it has on some past weekends and I expect a good time will be had by all, but mention it as an opportunity for what’s going on in Sedgwick County, in one part of Sedgwick County this weekend. Also wanted to make a comment concerning what was in the paper this morning. I was surprised that our discussion yesterday concerning the fireworks, after Chief Millspaugh’s presentation, treated comments that I believe Commissioner Unruh initially said, that he’d thrown them out as facetious, concerning whether we go to a voter referendum of some sort, whether it’s binding or unbinding immediately, and that was not my intent. And I didn’t think I said it that way, but if I by chance misspoke, I wanted to clarify for the fact that I think we’re in a position where we do need to have some public hearing, let the public get involved, hear from the public. Am I saying that there’s no way that we should have the public participation? No, I’m not at this point, but I think that’s a good ways off, and we need to have a discussion that will allow the public to participate, especially in something where we’ve got so many people who participate in fireworks around the county. And I do hope to get a good opportunity to hear from, not only my constituents, but the constituents from the other Commissioners as we look at the various options

Regular Meeting, October 21, 2009

out there and try and figure out which way we go forward. So I wanted to really kind of clear the air on that point.”

Chairman Parks said, “And I’m sure there will be other avenues to discuss that and we have instructed staff, in fact, to be looking for a possibility of an evening meeting at maybe some venue like our Zoo that wouldn’t cost us anything to rent, and we are working towards a resolution of that problem. And seeing nothing else to come before the County Commission...”

Mr. Euson said, “Mr. Chairman, I had made a request for Executive Session, which I would like to put off until next week if possible so it would be appropriate to adjourn this meeting and move to the Fire District. Thank you.”

Chairman Parks said, “Thank you. The Board of County Commissioners meeting is adjourned and we’re opening up the Fire District meeting. We don’t have a Fire District meeting. Well we’re going to close the Fire District meeting. That was the fastest Fire District meeting in history, wasn’t it?”

Commissioner Peterjohn said, “No minutes to approve or anything? Okay.”

Commissioner Welshimer said, “I guess not.”

Chairman Parks said, “Okay. We’re adjourned.”

U. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 1:41 p.m.

Regular Meeting, October 21, 2009

**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

Regular Meeting, October 21, 2009

APPROVED:

November 18, 2009