

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

### **REGULAR MEETING**

**January 5, 2005**

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, January 5<sup>th</sup>, 2005 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem David M. Unruh; Commissioner Tim R. Norton; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Annette Graham, Director, Department on Aging; Mr. Mark Masterson, Director, Department of Corrections; Mr. Randy Duncan, Director, Emergency Management; Mr. John Schlegel, Director Metropolitan Area Planning Department; Ms. Irene Hart, Director, Division of Community Development; Mr. Chris Chronis, Chief Financial Officer; Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation; Ms. Aiko Allen, Director, Health Promotion and Disease Prevention; Ms Marilyn Cook, Director, COMCARE; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Bethany Carpenetti, Deputy County Clerk.

### **GUESTS**

Mr. Harvey Sorenson, Co-Chairman, Visioneering Wichita

### **INVOCATION**

Moment of silence was observed.

### **FLAG SALUTE**

### **ROLL CALL**

The Clerk reported, after calling roll, that Commissioner McGinn was absent.

**CONSIDERATION OF MINUTES:** Regular Meeting, December 8, 2004, all Commissioners were present.  
Regular Meeting December 15, 2004, all Commissioners were present.

**Chairman Winters** said, "Commissioners you've had an opportunity to review the minutes, what's the will of the board?"

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**MOTION**

Commissioner Sciortino moved to approve the minutes of Regular Meetings of December 8 and December 15<sup>th</sup>.

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Absent
Commissioner Sciortino	Aye
Chairman Winters	Aye

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

**DONATION**

**DIVISION OF HUMAN SERVICES – DEPARTMENT OF CORRECTIONS**

**A. DONATION BY HITE, FANNING AND HONEYMAN OF VARIOUS GAMES AND SPORTS EQUIPMENT, VALUED AT \$300, TO BE USED AT THE JUDGE RIDDEL BOYS RANCH FOR RECREATONAL ACTIVITIES.**

**Mr. Mark Masterson**, Director Department of Corrections, greeted the Commissioners and said, "As you know, the Boys Ranch is a residential program located at Lake Afton where staff works with youth who've broken the law and been placed outside their home to make changes. This morning I'm here to ask you to recognize and accept the generous donation of recreational supplies and sports equipment by the law firm of Hite, Fanning and Honeyman. Their donation will help enrich the recreational programming for the youth at the ranch. We appreciate their help very much. I'd be happy to answer any questions."

**Chairman Winters** said, "All right, thank you Mark. Commissioners, questions or comments? What's the will of the board?"

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**MOTION**

Commissioner Norton moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Absent
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Commissioner Sciortino** said, “Mr. Chairman, if I could just ask Mark a question before...”

**Chairman Winters** said, “Sure go ahead.”

**Commissioner Sciortino** said, “Mark, I assume all of us, but I know I do, I’ll get a call from a constituent, ‘Hey, I’d like to do something, is there anything I can contribute?’ or something. Maybe you could make us some kind of a little wish list at the Boys Ranch and if somebody calls I can say ‘Well, I know the Boys Ranch is looking for X or Y or Z’ or something like that.”

**Mr. Masterson** said, “We’ll sure do that.”

**Commissioner Sciortino** said, “Okay.”

**Mr. Masterson** said, “Thank you very much.”

**Chairman Winters** said, “Thank you. Next item.”

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**AWARDS**

**B. PRESENTATION OF INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS AWARDS.**

**Chairman Winters** said, "I believe we're going to change that, at same time slot, but instead of an award, Randy's going to give us an update."

**Mr. Buchanan** said, "Mr. Chairman, to clean this up a bit if you don't mind we're going to delay this item officially, but we're going to take the time for Randy Duncan and David Spears to talk about what's occurred over the past 24 hours or so."

**Chairman Winters** said, "Okay."

**Commissioner Sciortino** said, "So should we take action to defer this item? Is that the way we should do it?"

**Chairman Winters** said, "Let's have a motion to defer this award."

**MOTION**

Commissioner Norton moved to defer Item B indefinitely.

Commissioner Sciortino seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Absent
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, "Randy, we will at this time receive an update from you on the current weather conditions."

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**Mr. Randall Duncan**, Director, Emergency Management, greeted the Commissioners and said, "I have the privilege to serve you as your Emergency Management Director even when the weather is as bad, as it has been over the last 12 hours. So, we're very happy to be here and thankfully, despite the fact that we do have some difficult situations overall, we seem to be kind of hanging in there. I thought I would tell you a little bit about the various types of services that you've made it possible to be provided through Sedgwick County.

One of the first things that we think of anytime that we have inclement weather or situations like this is the emergency services and I think you will find it interesting to note in the 12 hours from noon yesterday until midnight last night 9-1-1 received 4,807 calls. Basically, that translates into 12 days worth of normal business in a 12 hour time period, so there was an extreme amount of calls coming into this center. As a matter of fact, one of the communication officers personally answered 561 9-1-1 phone calls during her 12-hour shift. In that time period, from noon to midnight, those are staggering large numbers.

Of course, when we think of public safety, not only of law enforcement but fire, the law enforcement folks, Wichita Police Department in particular worked over 1,300 9-1-1 calls within the City. The Sheriff's office worked almost 500 calls in the County and then the other communities within Sedgwick County. That translates into a lot of calls compressed into a short time. The fire departments worked 1,715 calls, which translates into about five days of regular service in a 12-hour time period. At midnight last night, when things finally began to calm down in terms of the 9-1-1 calls, the fire department was stacked about 114 calls deep waiting for service.

And as you can imagine, most of them were tree limbs down, electrical lines down, things of that nature so it's been a really a major impact within our area from that weather. And speaking of which, we've been in contact with the folks at Westar, as of 6:36 this morning they tell us there are approximately 51,100 customers within Sedgwick County that are without power. That includes residences and places of business. You may have seen another number in some media reports. One of the numbers I've commonly seen is 80,000. That number reflects the total number of customers without power through Westar's entire territory, which services up through Douglas County where Lawrence is located and up in Leavenworth and so forth.

Out of that 80,000, 51,100 roughly are actually physically located in Sedgwick County. Westar

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has also called for mutual aid from other power companies. Right now, they have power companies responding in from Oklahoma, Missouri, Texas, Kentucky, and I believe West Virginia to assist them with the restoration of power. While that 51,100 is a very large number, the one good thing about it is, it's down from the previous report which was over 55,000. So it looks like they're beginning to make some incremental dents, in terms of the restoration of power, and we anticipate as daylight continues and they get a chance to get in there and work during daylight, that number's going to take a big drop. We don't know exactly how long it's going to take to get everybody back on, but I'd safely say the estimates I've heard from the Westar folks are maybe as long as four days. We naturally hope we could do it quicker than that, but we think it's going to be four days for sure.

One of the other things that has come up and is of interest in this situation, many of you will recall in 1999 with the tornado, we got federal assistance for the impact based on the damage that it caused in our jurisdiction and the name of that program's called Public Assistance. There are some dollar triggers that we have to meet in order to qualify for that and just to refresh your memory we have to be able to demonstrate \$1.14 damage to public property per capita at the State of Kansas population level and \$2.84 per capita at the County level, which basically means we've got to come up with 2.48 million dollars in public damage and right now it looks like we probably won't make that number and one of the reasons that we won't make that number is, with Westar being a privately owned utility, the damage to it will not count toward that and the damage that occurs to privately owned homes won't count toward that figure either, so at this point in time we do not believe we're going to qualify for a Presidential.

One of the other issues that we've worked, we had a couple of interesting things pop up. We had a rest home with 56 residents on the Hillside Street that ended up without power so we worked with our counterparts in Topeka and our National Guard folks at the Air National Guard Wing out at McConnell and they were able to provide some special generators to make sure that our frail elderly residents in that area were able to maintain a safe temperature inside their facility. I think those are some of the major points. But one of the other things we always like to do, in a situation like this, is put in a couple of safety reminders because we know, despite the fact if you're first option is you don't have to be out, you really shouldn't, but for those folks who do have to be out and about, we always like to remind them a couple of things about driving in these kinds of conditions. It's icy, slow down, take extra time, be cautious, make sure you've got some emergency supplies with you in your vehicle.

A great thing to carry with you is a blanket or some extra clothes, some bottled water, some nutrition bars in case you get stuck somewhere, and many of us have cell phones, so those are

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also a good thing to carry with us to holler for assistance in case something comes up. But the main thing is slow down and be really, really careful, because your out there in those inclement conditions, it's easy to have an accident or go off the road, and we'd just as soon not tie our public safety folks up in responding to those issues unless we really, really have to. I'd be happy to answer any additional questions you might have about the report at this point in time."

**Chairman Winters** said, "All right Randy, there is a couple of questions. I would begin by, has anybody put together, or any kind of educational information or information we need to be distributing to part of these 51,000 folks without power and exactly what they should expect and how they should conduct themselves in their homes over the next two, three, four days, low temperature tonight three or four, high tomorrow 19. What should people do?"

**Mr. Duncan** said, "Basically, this is an opportunity where you can utilize your disaster supplies kit at home. One of the things that frequently happens in these circumstances is if you don't have power at home, many people will choose to go to a local hotel or other facility or they'll choose to go visit friends or family that have power on. If none of those options are available to you, there is a shelter open within the City of Wichita at Grace Presbyterian Church that put up, I think, about 40 people overnight there and that shelter facility is available as well. However, folks should also call the 1-800 number in the phone book to let Westar know that they are without power, to make sure that they're on the list and they need to be sure not to stay in the home, if it's going to get so cold it's going to present a safety hazard."

**Chairman Winters** said, "Well, I just think that we need to be distributing some information to the media about if there is anything a person can do regarding their plumbing, and water, and washing machines and all of that kind of thing. That kind of information I think needs to be disseminated."

**Mr. Duncan** said, "We'll work very closely with your Communications staff and make sure we get information available to the public. I think that's a great service we can do."

**Chairman Winters** said, "Commissioner Sciortino has a question."

**Commissioner Sciortino** said, "Thank you. Before I ask my question, one thing that just came to mind if people are without power, temperatures are going to get real cold inside the house."

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It's a good idea to keep one of the tap waters, just doesn't have to be much of a trickle, but just enough to keep the water through the lines because they could freeze up and really be a mess.

Question I had, about 9:30 last night I had a constituent call me, lives down the street from me on the other side of the street and that whole neighborhood was without power, and he was an elderly gentleman needing an nebulizer, or needing electricity and for some reason he hadn't been one of those red flag things on Westar, so they weren't rushing him out a generator. Where else can he go to get some help because he's got a problem? He had a couple bottles of oxygen. I offered to go some place and get him some more oxygen, but I didn't know where to go or what department to refer him to in that area."

**Mr. Duncan** said, "Yeah, I think the primary thing is what you mentioned. He should make sure he's registered for that priority issue with Westar, but even as a backup to that, that might be one of those things where he might want to consider if he's able to move his equipment, to maybe go to a friend or relative's house that has electricity, where he can utilize his equipment there. It's always good to have more than one backup plan."

**Commissioner Sciortino** said, "So right now there isn't, there's no use to call 9-1-1 or to call the fire department. We don't have a whole storage of spare generators laying around."

**Mr. Duncan** said, "No sir. We have a limited number and they were engaged very early in the process. One of our support missions yesterday was we provided emergency generators at three Sedgwick County Fire District number One stations to keep those stations operational."

**Commissioner Sciortino** said, "I offered to have him come over to my house, and he didn't want to do that cause he cat's or something, he's an older fellow but I was concerned."

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

**Commissioner Norton** said, "Well, one thing we need to make sure of is people remember that if they know that they've got frail or elderly people in their neighborhood, stop by, knock on the

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door. We know that really cold temperatures and really hot temperatures really put frail and elderly at risk and they're pretty hardy, they're ones to stay in the they're homes and they don't want to give it up and have to leave, for cold or hot either one. And sometimes just a knock on the door to be sure that they've got water, they're not trying to burn something in the house to keep warm, all those kinds things are important. So, being good neighbors, you can't rely on 9-1-1 to solve everything. Just being good neighbors, if you know somebody's frail or elderly in your neighborhood it works, too."

**Mr. Duncan** said, "I think that's an excellent suggestion, Commissioner."

**Chairman Winters** said, "All right, thank you."

**Mr. Duncan** said, "And unless there are any additional questions, one other thing I'd like to bring up is the fact that not only do we think about public safety issues when we get involved in inclement weather, we also think about our transportation system and the folks who are responsible for helping us with that, which is our Public Works folks."

**Chairman Winters** said, "Right. I was just about to ask David Spears if he had comments about Public Works."

**Mr. David Spears**, Director, Public Works, greeted the Commissioners and said, "As usual in these situations were out 24 hours a day. We have 60 people that we divide up into two 12-hour shifts. So 30 people each 12 hour shift about 600 miles of road to look at. In this particular case, this storm our biggest problem are tree limbs, and you know we have people that are just spending their entire time and crews in each of the areas that we have in each of the five areas to just go out and push the tree limbs off the road into the ditch, we can't put them into our trucks now because our sand spreaders are in the back of the trucks of course you know, we have 18 trucks and so we will come back later and pick up the limbs. But I would advise people, the citizens, the drivers to especially don't get out at night because if the winds come up there's going to be more limbs coming down and you can come up on a tree limb real quick and it can do some pretty good damage to you, so I would really advise not to get out at night. I guess that's about all I had to say, we do use a salt/sand calcium chloride so this works down to at least 10 degrees temperature, their passable, so it's really not as much the ice and snow, although that was bad, but it's more the limbs that are the biggest problem right now."

**Chairman Winters** said, "Okay thank you very much. Randy, thank you."

**Mr. Duncan** said, "Commissioners, thank you very much."

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**Chairman Winters** said, “Madam clerk, would you call item C.”

### **PRESENTATION**

#### **C. PRESENTATION OF VISIONEERING WICHITA STRATEGIC PLAN; AND REQUEST FOR SEDGWICK COUNTY TO BECOME A “VISION PARTNER.”**

**Mr. Harvey Sorenson**, Co-Chairman, Visioneering Wichita, greeted the Commissioners and said, “Since the last time I was here to report on our Visioneering Wichita project we have completed the report. There were a series of public meetings to present the report. We’ve made over 200 presentations to community groups to get input on the report and to make the report available. The final report was adopted by the steering committee in December and I believe the report has been made available to all of you. I have additional copies if anyone would like to have them, so I’m not going to spend the time on the report this morning, that we have in the past. I want to talk to you about the next phase, which is the vision partners and the implementation.

In order for our project to be successful, we need to have community-wide acceptance and community wide participation. This is not a project that I or a small committee or even you can impose upon our community. It requires community acceptance and community action and broad-based community action and so we are seeking vision partners: groups, churches, businesses, clubs, social organizations, government bodies who will become vision partners, who will adopt our strategies and our plan and will then seek to implement those portions of the strategies that relate directly to their mission.

There are, obviously as a government agency, you have significant responsibility in areas of economic development and other quality of life. There are many strategies in this plan that I think would be suitable for the county to adopt, as you review this and consider it. We hope to have over 100 vision partners by June, that’s our goal. I’m pleased to tell you that Wichita Promise Youth Council was our very first vision partner in adopting the plan. We are seeing great success. I think an example of the success we have is the Central Plains Agency on Aging, which happens to be going through a strategic planning process right now and is using our vision strategies as part of their strategic planning, which is exactly what we had hoped to accomplish. So I’m here today to ask you to become a vision partner and to join the rest of the citizens of south central Kansas in achieving our vision.”

**Chairman Winters** said, “All right, thank you Harvey. Mr. Manager, we have had some

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discussion and as Harvey mentioned and Central Plains Area on Aging, which is actually a part of Sedgwick County's Department on Aging. We thought about this in relationship to different departments. So Mr. Manager, would you make some comments about what you've put in place so far."

**Mr. Buchanan** said, "Well, there's two things I'd like to comment about Mr. Chairman. First of all, it was requested yesterday, what does it mean to be a vision partner and out of the visioning documents there's six or seven bullet points that indicate the visioning partner would form strategic alliances where appropriate strategies to develop action steps to accomplish the strategy and meet benchmarks with realistic deadlines, provide resources to implement the action steps, generate progress reports include affiliation with Visioning Wichita in printing advertising and review, revised and refocus action steps when progress reports are negative.

Those are easily accomplished in this partnership. I have asked a number of people on the staff to comb the visioning document and to see what areas that we are already doing and what areas that we might want to engage in that would help implement these processes. The Commission and people who review these documents understand that there are several points in the visioning process that we are engaged in or have started previously.

The Health Assembly was a year before visioning was a gleam in anybody's eye. We were talking about that. We also were heavily involved in technical education, which is a key component, so there's lots of areas that we are already working on but I thought it would be appropriate for us to, as an organization, to look at that document, make sure we have an organized thoughtful approach to help implement it and then bring that report back to you at the end of...that report will be to me by mid January, bring that to you at the end of January and say 'Here's where we're headed and here's what I think needs to be done'."

**Chairman Winters** said, "So, one course of action would be for the Commissioners today, to agree to be visioning partners and then you'll drill down into the organization and figure out exactly what departments and they can sign on as visioning partners in their own group."

**Mr. Buchanan** said, "Exactly."

**Chairman Winters** said, "Okay. Commissioner Norton."

**Commissioner Norton** said, "Well just some comments, I'd like to say I think we were

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visioning partners when visioning wasn't fashionable if you look, and Bill touched on a couple of them, but number one issue was job creation and you know we've been one of the drivers of the GWEDC. We just got a new incentive policy come before us. Workforce development has been on our plate for two years, so visioning is nothing new to us. The second issue, education was big on visioning. We took tech ed by the horns and have moved forward on that and are making some great strides in that venue and then the third was quality. Number one issue was health of our community and we had the Assembly with the Health Department well over a year ago and have had some great learning and understanding and will implement a lot of that before we even have to talk about strategies for visioning.

One of the issues that came up was the revitalization of downtown, and we took the bull by the horns on the downtown arena and then our own department of Aging has already stepped up. So if you looked at visioning, we were way ahead of the curve and I'm real proud of that for the county and I'm going to vote, obviously, to continue that kind of support of our community and the kinds of ideas that came out of visioning. But I think the good news is we were there before we had to go through the process and this just kind of finalized it but we were already on some of the major issues and I'm pretty proud of that, Mr. Chair."

**Chairman Winters** said, "Thank you. Commissioner Sciortino."

**Commissioner Sciortino** said, "Let's see, Commissioner Norton, I remember something called 20/20 a Clear Vision of the Future. I don't know who came up with that, but I think his initials were Tim Norton. I'm glad you're doing what you're doing, Bill, because my only concern about saying 'Yes, we'll be a visioning partner', that sends out maybe a mixed signal to the community, yes the county's going to open up it's coffers, so every element of this vision go to the county. They're a partner. That's a euphemism for 'They'll give us money' and I think it's very important so that the public doesn't get...they get a clear vision of what the manager's going to outline, the areas that we feel we can take responsibility for and would be trying to implement that to completion and I think it's really important that the public not get misled that the word partner isn't just a big umbrella. We're going to define exactly the areas that we feel we can succeed in accomplishing that part of the entire visioning plan and I think it's great that you're doing that, Bill. Thank you."

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

**Commissioner Unruh** said, "Thank you, Mr. Chairman. I just want to make a couple of comments. One, that I would second the comments made by Commissioner Norton and by the

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Manager, that Sedgwick County government has been actively involved in a lot of these areas as just part of what we do. And I'm proud of our division leaders and how they lead us in the effort to provide these types of services for a better community and provide the services that our citizens need and what makes for a higher quality of life.

But I also think that as the Chairman said, 'drilling down into the organization' is appropriate and a good thing to do so that we have a grass roots buy in, by the employees of Sedgwick County so that they can take advantage of being involved in this community effort at a variety of different levels and just get a personal buy-in. I'm very supportive of it.

Last thing that I want to comment on is, I just want to congratulate Mr. Sorenson and the work that he's done in his visioning process. I don't know when you have time to bill out any hours for your law firm. I mean, you've been awful busy doing this, but we appreciate your effort you're a great community citizen. And I think that the success so far of this is due to good leadership and Henry Lukes, an outstanding professional, and I know Susie Alstrand's done tremendous amount of work, but we just appreciate your leadership and Chairman Winters and Mayor Mayans were co-chairs and appreciate their leadership. It's not something that's got done by one person or just one person's dream, everybody's already got a huge buy-in to this process and I think it's because we care about our community about our area, about our City and we want it to be better. We like what we've got but it can be better, so this is a way to make that happen."

**Chairman Winters** said, "All right, thank you Commissioner. Well, I'm . . . and Mr. Manager maybe you can help me here, I'm prepared to make a motion or have a motion that the Board of County Commissioners become visioning partners, but I don't want it to stop there. I want somehow to have this report, as you mentioned, and Sedgwick County's Department of Aging needs to become a visioning partner and other groups within the organization that feel like they can take on that mantel themselves. Now, I don't know if that's really the correct procedure or whether we should just say 'Well, the Board of County Commissioners are visioning partners and that's that'."

**Mr. Buchanan** said, "Our plan would be hopefully that you would be, Board of County Commissioners, would become visioning partners today. It's absolutely inappropriate for any agency or department to assume that they can become a visioning partner without coming through my office and having your blessing."

**Chairman Winters** said, "Right. But we wanted to encourage them to do that, we don't want just department heads to think 'Well, Sedgwick County's a visioning partner so that's all we

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need to think about’.”

**Mr. Buchanan** said, “We will be attuned to that thought.”

**Chairman Winters** said, “Commissioner Sciortino.”

**Commissioner Sciortino** said, “I just want to make sure that I’m clear on this. The request is that Sedgwick County be a partner, not necessarily the Sedgwick County Board of County Commissioners.”

**Chairman Winters** said, “Well, that’s why I was distinguishing the two. I was distinguishing us as visioning partners but maybe it needs to be just Sedgwick County becomes a visioning partner.”

**Commissioner Sciortino** said, “See, I think Sedgwick County becomes one, and then Bill working with the Department heads will itemize or clarify what that means, by what Departments are taking on what responsibilities.”

**Chairman Winters** said, “And I maybe just making too much of something, but I was excited to hear the Department of Aging wanted to use this in their strategic planning.”

**Commissioner Sciortino** said, “That’s part of Sedgwick County.”

**Chairman Winters** said, “Well, I want them to feel like their visioning partners and so I just want to convey that.”

### MOTION

Commissioner Sciortino moved to receive and file the report and that Sedgwick County becomes a visioning partner

Commissioner Norton seconded the motion.

**Chairman Winters** said, “Harvey, I think you can tell by that discussion that we plan to get this organization involved.”

**Mr. Sorenson** said, “Thank you.”

**Commissioner Sciortino** said, “We haven’t voted yet, you might want to wait for the vote.”

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**Chairman Winters** said, “Could fail, Harvey. All right, Madam Clerk...”

**Commissioner Sciortino** said, “You could take bets though if you want.”

**Chairman Winters** said, “Is there any other discussion? Seeing none, Madam Clerk, call the vote.

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Absent
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “Thank you, Harvey. Madam Clerk, call the next item.”

**Commissioner McGinn joined meeting 9:43 am**

**PLANNING DEPARTMENT**

**D. PLANNING DEPARTMENT.**

- 1. CASE NUMBER ZON2000-00023 – EXTENSION OF TIME TO COMPLETE PLATTING REQUIREMENT FOR A ZONE CHANGE FROM “RR” RURAL RESIDENTIAL TO “LP” LIMITED INDUSTRIAL, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 29<sup>TH</sup> STREET NORTH AND GREENWICH. DISTRICT #1.**

**Chairman Winters** said, “Madam Clerk, before you proceed, at this point would you mark the Minutes that Commissioner McGinn has joined the meeting. Thank you.”

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “This first item is simply a request by the owner of this property to extend the platting requirement that you placed on the original rezoning of this property back in

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the year 2000. At that time, you rezoned it from RR, Rural Residential, to LI, Limited Industrial. It's a 160-acre parcel, located in the northeast quadrant of the K-96/ Greenwich interchange.

The applicant, because of the downturn in the economy after 2000, has not had much activity on the property and they did not move forward with platting. However, there is activity on this site at this point, but they do need the platting extension and we're recommending that you extend it to February 9<sup>th</sup>, 2006."

**Chairman Winters** said, "All right, thank you John, and it's not an unusual procedure to request these platting extensions.

**Mr. Schlegel** said, "Not at all."

**Chairman Winters** said, "All right. Commissioner Unruh, this is in your district, you have a comment or ready to make a motion?"

**Commissioner Unruh** said, "Well, I haven't received any negative comments about this."

**MOTION**

Commissioner Unruh moved to approve a one-year extension of time to complete platting.

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

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

**POWERPOINT PRESENTATION**

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- 2. CASE NUMBER VAC2004-00022 – REQUEST TO VACATE A PORTION OF A PLATTED TEMPORARY DRAINAGE EASEMENT, GENERALLY LOCATED SOUTHWEST OF THE 151<sup>ST</sup> STREET WEST AND CENTRAL AVENUE INTERSECTION, MORE SPECIFICALLY LOCATED SOUTHEAST OF THE SHADE STREET AND REECE ROAD INTERSECTION. DISTRICT #3 (WITHIN THE THREE-MILE SUBDIVISION JURISDICTION OF THE CITY OF WICHITA).**

**Mr. Schlegel** said, “In this particular case, the applicant is requesting that this 35-foot wide drainage easement be vacated. It has been reviewed by the County Public Works Department and your County Engineer considers the vacation is necessary because the applicant is proposing to replace this particular easement with another drainage scheme for this subdivision and they have already accepted a replacement easement.

There are no water or sewer lines currently in this platted temporary drainage easement. This was originally part of a bundled subdivision and so the applicant in this case does not need this easement and has come up with an alternative drainage scheme. The MAPC has voted unanimously to approve this request and no one was there to speak in opposition and as I’ve already mentioned, it’s been reviewed by county Public Works and approved by them. Wichita City Council considered this same vacation request yesterday and approved it.”

**Chairman Winters** said, “All right, thank you John. This is in my district and I’ve not heard any public comment and Public Works has looked at this and has no objections.”

**MOTION**

Chairman Winters moved to follow the recommendations of the Metropolitan Area planning commission and the Wichita City Council and approve the vacation order; and authorize the necessary signatures.

Commissioner Unruh seconded the motion.

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

**VOTE**

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Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “Next item.”

- 3. CASE NUMBER VAC2004-00060 – REQUEST TO VACATE PLATTED SETBACKS, UTILITY EASEMENT AND STREET RIGHT-OF-WAY, GENERALLY LOCATED NORTH OF 13<sup>TH</sup> STREET NORTH, APPROXIMATELY ¼ MILE EAST OF 143<sup>RD</sup> STREET EAST, ON FREEDOM ROAD COURT. DISTRICT #1 (WITHIN THE THREE-MILE SUBDIVISION JURISDICTION OF THE CITY OF WICHITA).**

**POWERPOINT PRESENTATION**

**Mr. Schlegel** said, “In this case, the applicant is requesting that they be allowed to vacate a portion of several easements and right-of-ways. There’s a platted 20-foot utility easement involved, a platted 30-foot setback and a 75-foot radius for the cul-de-sac in this particular subdivision.

They do own all seven lots that are involved in this vacation request on Freedom Road Court and they are proposing the vacations in order to allow more room on each of the lots for construction of single family homes. So, what they’re asking is for this combination of vacation requests so that it winds up looking like this and does meet the standards of the subdivision code for this particular zoning district. The MAPC voted unanimously to approve the vacation request, there was no opposition to the vacation. This item was heard by the Wichita City Council at their December 21<sup>st</sup> meeting and they have already approved this combined request.”

**Chairman Winters** said, “All right, thank you John. Commissioner Unruh, I believe this is in your district.”

**Commissioner Unruh** said, “This is in my district and had conversation with the developers in this area who are eager for this approval and this change to be made. It had some complication

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of procedures and we're finally getting to a point where we can make a decision now and basically we're just changing the radius of that cul-de-sac from 75 foot to 50 foot and then taking five foot of the original easement, gives 30 feet more for the developer to build a home on. It's appropriate and I think logical, I think the right thing to do, since they changed the street to a curb and gutter type street, so everybody's in agreement, no objections."

**Chairman Winters** said, "Any other discussion, I see none."

**MOTION**

Commissioner Unruh moved to follow the recommendations of the MAPC and the Wichita City Council and approve the vacation order; and authorize the necessary signatures

Commissioner Sciortino seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, "Thank you very much, John. Commissioners, before we proceed on with the new business or at the beginning of new business, we received a letter last week from the City of Wichita regarding Industrial Revenue Bonds, Genesis. We did not receive the letter in time to have it on our printed agenda, but we need to take it as an off agenda item."

**MOTION**

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Chairman Winters moved to take an off agenda item.

Commissioner Sciortino seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**OFF AGENDA ITEM**

**PRESENTATION REGARDING PROPOSED ISSUANCE OF TAXABLE INDUSTRIAL REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$11,850,00 (GENESIS HEALTH CLUBS PROJECT).**

**Mr. Buchanan** said, “This off agenda item is a request from the City of Wichita to approve an 11.8 million dollar Industrial Revenue Bond for Genesis. We received a call mid-morning on Thursday, I received a call, mid-morning on Thursday about this issue and called my friend Greg Farris, who represents Genesis, to see what he knew and provide information. And I want to thank Greg for all the information he did provide. He and I had an opportunity to meet and an opportunity to try to educate me about this process, late on Thursday. So, thank you Greg.

State law requires, once we receive that notice, that at your regular meeting, at your next regular meeting, you need to address this issue or ignore it, if you ignored it that would be sign that you approved it. That’s what the State law says. If you we’re going to deal with this issue, then you’d have to do it at the next regular meeting, which is today. That gave us three business days, but if you include Thursday and didn’t receive the information until late in the afternoon, that gave us two business days to review the information and try to do what you demand of us and give you information so that you can make an informed decision.

We provided the information that was given to us in a packet that looks like this to you: letters from the City, resolutions from the City, the letter from Genesis to the City Council on July 12<sup>th</sup>, an analysis by WSU on July 2<sup>nd</sup> regarding a cost/ benefit analysis and a letter on December 30<sup>th</sup>, that

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day, indicating that they would annex this property. That information was reviewed, including a Powerpoint presentation that Genesis had given us.

What we hoped to do was to receive a third-party, independent review of the information that clients give us. Not that they're slanted, but they certainly have a case to make and they make it, and what we hope to do as State law requires for Industrial Revenue Bonds is to get, to receive, a cost benefit analysis. That law's been in place, I think, since '95. This formula has been in place since '98. The information that we received is fundamentally flawed and for two reasons. I'm going to recommend to you that you deny this request.

The first is, information we received was fundamentally flawed. The cost benefit/ ratio was based 100% on 100% this study. What's going to happen is going to be a 50% tax abatement. That alone probably isn't a fatal flaw. The cost/ benefit ratio study did not include the Maize school district, which 66% of the taxes that will be abated will come from Maize school district. The cost/ benefit study included said that the county would receive sales taxes. They included 100% of the sales tax, Sedgwick County, that overstated what we received and understated what other municipalities in the County received. You know that we only receive about 30%, 33% of the sales tax collected in the County. And the fourth one was that it assumes all jobs created add value. That basic assumption in this study is flawed and you know that and that's why we're having a new formula used.

These kinds of businesses, the revenue does not come from citizens using more of their disposable income, but often from citizens who make choices about the disposable income. For instance, for me to join Genesis, I may choose not to buy a couple of CDs a week, a month, not to go to McDonald's, not to do some other things, go to the movies and use that income to pay.

This study doesn't take those kinds of business transactions into account and for those four flaws and there's more, for those four flaws, combined make a fail, makes the information that we have to make our decision fatally flawed. The second reason that I'm recommending you deny this, it fundamentally doesn't fit basic criteria, which I've been using to make recommendations to you for almost 14 years, and that recommendation on economic development doesn't have to do with losing taxes, because we often lose taxes to gain the value and property or gain jobs. What it has to do with is dollars coming into the community and exports leaving, goods or services leaving, goods. Airplanes, we understand that, services, sometimes it's accounting services.

For instance, a recent one we did was for accounting services for franchises around the world come to Wichita to get their formulas and get their accounting done by a company here. That adds value. That creates wealth in the community. Therefore Mr. Chairman, I recommend that you authorize

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the county managers to notify the appropriate parties denying the request of approval of the issuance of \$11,800,000 IRBs for Genesis. Be happy to answer any questions.”

**Chairman Winters** said, “All right, thank you very much. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Well, I think it would be good to state this publicly. We talked about it yesterday in the staff meeting, but in your recommendations are not based on this new policy that we’re going to be looking at after this issue. It’s based on a history of how we’ve adopted these policies in the past, approved these items in the past, and on what you’ve stated. I think it’s important that people understand we’re not looking at the new policy and using those guidelines even before we adopt it to come up with your recommendation. Is that correct?”

**Mr. Buchanan** said, “That’s absolutely correct.”

**Commissioner Sciortino** said, “Okay. I just think it’s good to say that one more time.”

**Chairman Winters** said, “All right. Before we have any other Commission comment, I would like to say regarding public comment, I know there are probably some here who would like to address the commission. I don’t think we’re going to take public comment on this. This state statute that we’re working under, the City sent this notice over to us on, does not require or call for public comment, and on the short notice on this we really would have had a difficult time in putting out an official public notice to give everyone who would want to possibly speak on this an opportunity to do that.

So we have been provided information by the County staff and we have been provided a packet of information from Mr. Farris and his organization and from Genesis and I’m confident we probably all looked at that and reviewed that information in our review of this agenda item for today. So we’re not going to take any public comment. But it’s my understanding that there needs to be another public meeting for the City of Wichita, so also again if somebody wants to make public comment they should have that opportunity again. Commissioners, is there any other discussion from you before we consider taking staff recommendation or is there comments to be made? Are we prepared to make a motion? Commissioner Norton.”

**Commissioner Norton** said, “Well, just a couple. First of all, as we talk about incentive policies and everything and we’re getting ready to talk on the next item about our incentive policy, we’ve been working on this for 18 months. I mean, this is not something that we’re all of a sudden we

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start to see some storms brewing out there with, like Genesis, and we need to do something real quick. More than 18 months ago we challenged Irene Hart and our manager to look at our incentive policy and start working on that and we've had some real tough discussions about are these tax abatement clause back provisions and how we worry with that.

You know, in today's society we do want our community to be economically healthy and to help businesses strive and create jobs. But on the other hand, we also have citizenry that want us to use the public dollar to the best use. And that is not always in the public's mind, helping businesses with their money and so there's a real balancing act that we have to do.

For me there's been a conundrum, because most of what I've known about this until the last minute I've seen in the media. I mean, I've read it on the front page of the paper or I've seen a one-minute blip on television and I don't know that I've had the best information in that little bit of time where I've tried to analyze this.

We've been a pretty prudent body to make sure that we understand the issue, the ramifications and read variously about issues, as we get good information and try to come up with the best conclusion. This is one of those issues that's going to have huge ramifications not just for this one, but for everything that comes past it, even with our new policy and I for one don't want to rush to any kind of judgment on this and make that kind of decision that might effect the next five years of economic development on this one single case that we kind of become encumbered with, not even at the 11<sup>th</sup> hour.

I think it's past the 11<sup>th</sup> hour. So I have to tell you, the last thing for me is, as I talk around to my constituents on the south side, I have virtually had not one say. Go ahead and vote for this, they understand economic development, they understand some IRBs, they understand what we're trying to do to create jobs and economic development. But I have gotten very little positive feedback about this particular issue, so I think we can go ahead and move forward on it, but I do want to get those comments on record."

**Chairman Winters** said, "All right, well thank you for starting that discussion. I'm much like you, been really not able to get a grasp on this issue, but one of the things, this is a good company. Genesis is a great corporate citizen and they are represented by good people, trying to do good work. So I think that's one of the things that has gotten me a little bit confused.

Except I just come back to staff's reminding us what the principle issue is for us in economic development again is not whether we're loosing the tax base or not, because we think there's gain at that what we do, but coming back to just that fundamental basic of bringing dollars in from outside the community and sending goods and services out and I know there is a part of tourism that is a

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factor in the business that they do, but I'm just not sure that that outweighs, for me, the basic concept that we've been working under for a long time. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Well, I would echo much of the comment that's already been made. However, as a person who comes from a small business background, I'm always inclined to want to do whatever I can to be supportive of small business. And as a homegrown individual, I'm always wanting to do what I can to be supportive of home grown companies and home grown entrepreneurial efforts. I think this also, as you mentioned Mr. Chairman, is an organization and a family of individuals that has brought great benefit to our community and I want to be supportive of them. However, I would also agree that it's difficult to make this particular request fit our definition of what economic development is and it is difficult to stretch this request to fit under the definition of Industrial Revenue Bonds and so I am not going to be able to be supportive of it as much as I want to be supportive of small business and home grown businesses in our community."

**Chairman Winters** said, "Okay, very good. Commissioner Sciortino."

**Commissioner Sciortino** said, "Well, I'm in big trouble. I'm starting to negotiate with Brandon Steven for a new Subaru, I have a feeling he's going to be a tough negotiator after this vote. Well, I echo what everybody says. I'm not going to vote for this, but it certainly isn't a vote against the Steven family or their business. The reason that my vote is going to be 'no' is that Manager has stated that for the last 14 years we've had sort of a policy, unwritten, many of which I believe are going to be adopted here shortly, but of how we treat a request for IRBs. And our tax abatements and while technically you could separate the two. You don't have to give tax abatements with IRBs. Usually, a company would come to us and say, 'Hey, what will you offer us and that's when the tax abatement question comes into it'. My reason is that after Bill's presentation, is that if we were to approve it we would actually be setting a precedent and doing something that we haven't done for the last 14 years. And I think the public appreciates the consistency of our actions on occasion here on the bench, so that's the reason I'm going to go against it. Brandon, if you're listening I still want to negotiate for that Subaru."

**Chairman Winters** said, "Is that it?"

**Commissioner Sciortino** said, "Yeah, that's it except for I'm nervous."

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

**Commissioner Norton** said, "Well, certainly I have the greatest respect for the Steven family, but for me this is about the process and we've gone at least two days sitting in our office and I haven't

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heard anything from the City of Wichita. Not a phone call to say, you know, would you take a look at this. It's come before you, we're sorry that it...I mean maybe they've dealt with, but as an elected official, I don't know that I have to be contacted personally, but we've tried to build those kind of relationships and if this is important maybe we should have heard a little more about it other than a white paper from staff that I tried to read real quick so that I could update myself.

I think this is one of those issues, defining moment, that sets some principles in place for how elected officials deal with economic development and tax incentives and the public money and I think it's been dealt with in a relatively charlatan manner, whether we just kind of hold the county's going to look into it, they're going to vote on it, it's a pretty big issue, I mean it's going to define some of the principles and values we have as economic development attachments in this County and I refuse to be pushed into that kind of decision at the last minute so."

**Chairman Winters** said, "Commissioner McGinn."

**Commissioner McGinn** said, "Well, I'm not going to reiterate everything that you all said. I'll keep my comments brief. I too just want to echo that I think the Steven family has really brought a great industry into our community, especially when we continue to look at the health in our society, having fitness centers available and at different levels so that people can choose where they exercise and try to improve their health I think is a tremendous attribute and asset to our community.

But also in looking at as a County, past businesses that we have done, these types of things, I look at the cost/ benefit ratio, I look at the affects that it has on some other taxing districts and look at adding that if jobs created add value and the wealth of the community, it just doesn't seem to be consistent with past situations that we've had before us and we've passed. But again, I wish the Steven family well and I'm sure they will be very successful in our community and I do agree that they add value to our community."

**Chairman Winters** said, "All right, thank you. Commissioners are there other comments?"

### **MOTION**

Commissioner Unruh moved to deny the City of Wichita request for approval of a letter of intent for Genesis IRB and authorize the County Manager to notify the City of Wichita of this action.

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Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

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

**NEW BUSINESS**

**E. RESOLUTION ADOPTING A POLICY FOR SEDGWICK COUNTY ECONOMIC DEVELOPMENT INCENTIVES.**

**POWERPOINT PRESENTATION**

**Ms. Irene Hart**, Director, Division of Community Development, greeted the Commissioners and said, "The title of the presentation may catch your eye right to begin with: The City of Wichita/Sedgwick County Economic Development Incentive Policy. For years Sedgwick County and the City of Wichita have had separate incentive policies, they didn't mesh very well, particularly when we tried to work with a particular business. We'd have policies in some areas that the City wouldn't have a policy and the folks previously at the Chamber and GWEDC had difficulties. They'll talk to a company and they'll say what will the City do, what will the County do, and we'd do two different things and we'd talk about it and it'd be complicated and lengthy.

We continually tried to update our own policies, as did the City of Wichita, so sometimes they meshed, sometimes they conflicted with each other. When GWEDC entered the scene early last year, and tried to use our policies to talk to businesses, they said, 'This is crazy, we've got to do something different' and we worked together. We've been working since late spring and I know Commissioner Norton and Chairman Winters were part of the preliminarily group that came together and gave staff direction. Staff from the City, the County and the GWEDC to work

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together and come up with a joint economic development incentive policy.

So, we did that and we worked through the summer and worked very hard because it's a complicated situation. The Greater Wichita Economic Development Collation steering committee approved and recommended the policy early in the fall. The City of Wichita adopted it in November of last year. We would have had it on the agenda sooner, but December was a pretty busy month, so we got it on as soon as we could in January. So, that's what brings us today to this joint economic development policy. I'd also like to mention that Patrick French from the GWEDC staff is here. Patrick was also engaged in working on this and can answer probably some of the technical questions regarding some of the analysis if you have any of those questions.

The incentives that we're talking about, this would be the first time that we've put all the incentives into one policy. We've had separate Industrial Revenue Bond policies. We've had separate economic development tax exemption policies. Those are approved by the constitution of the State of Kansas. There are certain circumstances where sales tax exemptions are an incentive. There's property tax exemptions. There maybe infrastructure improvements. Most frequently, what you see us bring to you are forgivable loans.

The purpose of having these incentives is having, well, it 's obvious, but I'll state it anyway, we need to broaden and diversify the tax base and sometimes we need to provide an incentive to a company to either locate here or grow here so that we can expand our tax base. We want to create new job opportunities. We want to promote economic growth. We need to remain competitive with other communities: Tulsa, Kansas City, Topeka. And we need to devise a policy that compliments state or other incentives, so all this becomes a complicated situation.

But I would remind you of the gentleman from Honeywell's comments a couple of weeks ago at the Commission meeting. His corporate officers in New Jersey told him that this was the most organized . . . one of the most organized economic development responses that they had run into anywhere. So, even though we're still improving, we're already better than what many other communities are.

And what I'm proposing to do is just walk you through the policy, not show it to you, but hit the highlights as we go through it. In the past we've done financial analysis after the deal was done.

We've done cost benefit analysis after the deal was done, because there needs to be state approval. They need to have a cost benefit analysis. We've used a model that was developed in 1995, last updated in 1997 or 1998 and it totally obsolete. What the new policy says that we will have two new kinds of analysis done, they will be done by the Center for Economic Development and Business Research at Wichita State. There'll be an economic impact analysis

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and we've all agreed to purchase an analysis called IMPLAN and the Center for Economic Development will develop a return on investment analysis.

Both of those will be done and in place by July 1<sup>st</sup> of this year. We will use those analysis to determine the level of incentive that we can offer to a company. So rather than doing it after the fact, to fill in the blank as a check-off box, these will become intricate parts of the planning process, as we develop an incentive proposal.

So, who is eligible for these incentives that I mentioned earlier, what kinds of businesses? Well, once we put all those incentives together in one policy, the eligibility kind of becomes a little more fundable. Some of these are in state law, in state statute. Others are by local policy. There are about ten different types of businesses and I'd like to kind of walk you through those.

The first one of course is manufacturing. That's been the bread and butter of this community for a long time. What NACIS codes is the North American Industrial Classification System, better known as NAICS. It replaces on that you may be more familiar with which is called SIC codes, those were Standard Industrial Classification, but it's a way of listing all the different kinds of businesses and assigning them numbers. So, if we can compare one number 328 business to another 328 business in that category, we can see what their average salaries are, we can understand what were their markets are so there's a lot of information available in the NACIS codes. So, in order for a manufacturing business to be considered eligible for an incentive they need to meet the manufacturing codes that are outlined in NACIS.

On the service sector, what we've said is that the majority of the revenue must be derived from transactions originating outside the State of Kansas. So, as the Manager mentioned earlier you can have an accounting firm that provides service to companies here in the State, that just kind of moves money around within the state, but another company like franchise services that provides services all over the world and the money comes into Kansas, comes into our area from outside the world, they would qualify as a service sector business.

Research and development, that's statutory and we've defined it as scientific, medical, food product or industrial that would be, bio-med, that could be value added food processing, the more typical industrial types of research and development that we're familiar with. Warehousing and distribution, it says that the majority of the goods stored, that are stored or shipped here must be destined for end-users outside the Wichita MSA. Recently we had a major national retailer, Target, we were in competition with the City of Topeka for the Target distribution center. They would have qualified under this category because the majority of the goods would be shipped outside the Wichita MSA.

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You've recently approved a Beautyfirst incentive. The majority of their goods, although they do have a couple of retail outlets here, the majority of their business is done outside the State of Kansas. Corporate headquarters, now we've defined corporate headquarters in that they may include back office which could be like franchise services, the accounting for franchisees or customer service activities, but do not include outbound call centers. The majority of the revenues derived from these transactions must originate from outside the Wichita MSA. Another one that's statutory is transportation, freight or passenger, the majority of the revenue must be derived from interstate commerce or travel, so a taxi service would not qualify but an international trucking or shipping firm would qualify. Medical services have been defined, as facilities attracting at least 30% of the patients from outside the Wichita MSA, so again we're looking at regional facilities, not those providing local services.

Now, the next three are those that are in the City of Wichita, policy that they traditionally had. But when we merged and gone to a uniform policy, we've included these in our County policy also, so we do have the opportunity to use these should the situation arise. Commercial redevelopment includes rejuvenation of officially designated urban redevelopment areas.

So, you could take advantage of this one if you designated an urban redevelopment area outside the City of Wichita. Tourism, attractions and events with at least 30% of the attendees from outside the Wichita MSA and affordable housing, the City policy has said that the incentives may include tax-exempt Industrial Revenue Bonds and sales tax exemptions but not property tax abatement.

In addition to those types of businesses, their average wages need to be at least comparable to other businesses within the community and they have to have their property tax current and paid. Not every deal that we see, not every business that we see fits neatly into some of those categories and with those specific requirements, there are some additional factors that you all could use to consider an incentive proposal based on for example the size of the project, the number of jobs created if there was a proposal to create 500 jobs at minimum wage.

Well, they may not fit the regular categories but that's 500 jobs that we wouldn't have otherwise. Perhaps it's a retention program. A company like Honeywell was here a couple weeks ago. They were at very real risk of moving outside the community so by helping them stay here, we kept jobs here. We can, in the future hopefully, grow jobs but they did not fit neatly into some of those other categories that I'll show you later on.

And economic diversification, perhaps there's a widget manufacturer that has all kinds of supporting industries and subcontractors and it makes good sense to diversify into widgets because if we get the prime manufacturer here, we can also get subcontractors and others, so

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there's a wide variety of factors that may come into play and with this policy there specified and you have the latitude to evaluate those.

Compliance with the policy, now you have seen written agreements for forgivable loans, you will now see written agreements when we do Industrial Revenue Bonds, economic development tax exemptions and any of the other incentives within those written agreements. If they say they're going to make so much capital investment, we've got to specify in that written agreement. If they say they're going to add so many jobs at an average salary or wage of such and such, it's in that written agreement.

It also says that they need to follow rules and regulations and any other requirements that we have. They need to agree for us to audit, in case we have questions and there is what's called a clause back. That means if you don't meet these requirements, we will be able to go in and get our money back again. Those are all, and we will have routine annual monitoring. All of those are in the written agreements that we've used for the forgivable loans. You'll now see the written agreements accompanying Industrial Revenue Bonds and other incentive packages.

What's new for Sedgwick County, and I'm just going to hold this up because I didn't make a slide because it would not . . . you wouldn't be able to see it very well, but what is new for us is the use of a matrix and this is the matrix. It's been used by the City of Wichita and been used successfully, and we feel that it's a good thing to adopt. It gives a variable abatement. This is the incentive regarding property tax abatement. It would allow a variable abatement, as opposed to just granting a 100% abatement or some other number just based on our recommendation.

Use of the matrix also allows small businesses to take advantage of these kinds of property tax abatements and rather than going through the matrix and showing you that in detail, we've prepared three different scenarios that would kind of give you an indication of how the matrix could be used and what the results would be. Scenario number one, lets say we have a metal fabrication company that is expanding, plans 25 new jobs at \$16 per hour with \$250,000 capital investment, so the first test is are they eligible. Well, under the NACIS code, they're a manufacturer so they're eligible. Their average wage, \$16. There it gets complicated, due to the aircraft industries pushing the wages up. Sometimes we need to have a factor in there to compensate for that to see if other manufacturers are paying quality wages. The second test is their average wage of \$16 is comparable with their industry so, on the matrix, the 25 new jobs

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which give them an exemption percentage of 45%, their capital investment of \$250,000 would give them an additional 5% exemption. So you add those two together, the abatement for the job creation, the abatement for the capital investment and we would bring to you a recommendation to abate 50% of their property taxes.

Now scenario number two, we have the same metal fabrication company with 25 new jobs, but they're paying twice the average, they're paying twice the average salary at \$32 per hour, the capital investment is the same \$250,000. So again, they meet the eligibility as a manufacturer but their average wage is 200% of the average wage for that category in the MSA. So again, they get 45% for creation of new jobs. They get 5% for the \$250,000 capital investment, and they didn't change the slide, the 200% would be, you'd multiply the 45% by 200% so you'd have a job creation credit of 90% because the salaries are so much higher. We'd reward that company for paying those salaries, we'd check them on compliance but they get a better tax deduction because they are paying higher salaries and wages. So it would be a 90 percent credit for job creation, 5% for capital investments, so the recommendation we would bring to you would be a 95% tax abatement.

The third scenario, would be a major aircraft manufacturer for example. They don't propose any new jobs, but they have invested \$40,000,000 in this community so 'yes', they meet the eligibility as a manufacturer. They meet the requirements for an average wage, but they're not creating any jobs, but the matrix allows them at \$40,000,000 investment. It gives them 100% property tax exemption.

My talking got me ahead of my notes. Also in the policy is a location premium that is applicable only within the City of Wichita. The City of Wichita has designated certain areas within their jurisdiction that they want to promote location of manufacturing and they want to promote economic development in those areas. There would be a premium. They've identified a premium that they would add to that incentive for a business locating in those areas. The policy also provides an opportunity for you all to include service fees. If a business locates in the fire district and taxes are completely abated, it would give them an opportunity to pay their fair share of fire district services and it also gives us an opportunity for them to pay school district taxes on a given situation.

And the policy also has several appendices which are not included mainly, because some of them

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aren't written yet, but they include things like some standard agreements, application processes, how you go about sending your application for tax abatement to the Board of Tax Appeals in Topeka. So, it's some other implantation, technical kinds of things. I'd be happy to answer any questions you might have. Patrick French is here again to answer any technical questions you might have on the analysis or any other questions."

**Chairman Winters** said, "All right, thank you. We have a couple questions. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Irene, I think it's great over all and when I was listening to Mr. Buchanan's presentation on the item before this, I see a lot of the things that we've been doing for the last four years have been incorporated now into this guideline but there is one that I think the public might be interested in and I would too. If a company has a capital investment, I think you showed about \$400,000, but didn't have any new jobs, they would qualify for 100% tax abatement. Is that what you had said?"

**Ms. Hart** said, "That number was in thousands so it would be \$40,000,000."

**Commissioner Sciortino** said, "Okay, so if a company invested \$40,000,000 they would get 100%, no new jobs, maybe the argument is they invest \$40,000,000 in robotics and they let go of 100 people or 200 people because of the upgrading of equipment. Why is that a benefit to the community, where we might actually wind up having less jobs and we're giving away the tax abatement. What was the reasoning behind that?"

**Ms. Hart** said, "There is an advantage to investing \$40,000,000 into a facility or a plant or equipment. It keeps the company competitive, it keeps the company here. It's never pleasant when they wind up downsizing because they become more efficient. Usually, the jobs that are left are higher paying jobs, it's a trade off."

**Commissioner Sciortino** said, "So I mean if we're looking at these are going to be our major, aircraft, etcetera and the argument is if they don't invest in upgrading their equipment which may be robotics or whatever. They're going to probably close the doors and 8,000 jobs would be walking out."

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

**Commissioner Sciortino** said, "Okay, I just thought that was important."

**Chairman Winters** said, "And, I think just to ducktail in there for a minute. I mean, as the group worked on this, it was recognized a number like \$40,000,000 is a significant number. I

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mean, people are doing real business if they're making a \$40,000,000 investment."

**Commissioner Sciortino** said, "They're going to stay here for a while."

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

**Commissioner Norton** said, "You didn't discuss how long tax exemptions last, how long. That's not a forever kind of thing. What kind of increments are those granted in?"

**Ms. Hart** said, "On the tax exemptions, the property tax exemptions, it's a five plus five. We would grant it for five years and review it and then, if everything was still working right, grant for another five years, personal property's only a five year total."

**Commissioner Norton** said, "Sales tax exemption, is that described in the policy at all?"

**Ms. Hart** said, "There's a state law about that ties those to Industrial Revenue Bonds and the sales tax related to the construction of the facility funded by Industrial Revenue Bonds so it's a one time exemption as they construct whatever facility..."

**Commissioner Norton** said, "Just on the materials and everything used in the building of the facility or whatever."

**Ms. Hart** said, "Yes, under Industrial Revenue Bonds."

**Commissioner Norton** said, "Okay. We considered declining percentages, where it's staggered. You know the first two years you get 100% abatement, then it goes to 80, 60, 40, 20 and then sunsets at some point instead of being 100% the whole time."

**Ms. Hart** said, "Not yet, maybe in a couple of years, when we test this out and see how it works. There's always the, if they don't meet their requirements, what they've agreed to contractually, you may take the option to reduce it over time as it is anyway. That's included in there now, but at this point we've not had a declining, we're not proposing a declining method."

**Commissioner Norton** said, "I just see a declining or increasing either way could be good. A declining really kind of says we're going to sunset it or the first year, if you create jobs you get 20%. If you ramp up and continue to do what you say your going to do, you end up with 100% on the back side as you prove yourself, just some thoughts. You didn't talk about forgivable loans that I caught, talk about forgivable loans and what that process will look like."

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**Ms. Hart** said, “The forgivable loan process will be a lot the way it is now. What we’ll do is to take some of that model, the written agreement, the clause back all that we’ll take that model and apply it to Industrial Revenue Bonds, economic development tax exemptions and some of the other incentives.”

**Commissioner Norton** said, “Okay.”

**Ms. Hart** said, “But the eligibility, we’re still talking about the same eligibility factors.”

**Commissioner Norton** said, “I’ve heard the complaint that, when we’re talking about large, when we’re talking about just capital investment, no job creation. I’ve heard the complaint that they’re building new infrastructure but it may be a net sum gain, because they take old infrastructure, old equipment and move it out of this area into other factories, other places so that we end up with the new stuff which is good. But net, net there’s no more facility here or equipment than there was when we started. Does the auditing procedure really go after making sure that there is that much new capital investment and building and equipment added to the base or how does that work?”

**Ms. Hart** said, “Most of that is done through the Appraiser’s Office and they, as you know, they track it very carefully. The economic development staff audits would be more in the area of personnel and job creation, but the Appraiser’s Office, as you know, tracks that very closely. Residual of a lot of that equipment, it depreciates out over five to seven years so there’s not much real value left in many of that, many of those pieces.”

**Commissioner Norton** said, “For me it’s about trying to explain to a constituent a \$40 million IRB and what that looks like and why it is important and you know you start getting into that conversation and debate. Well, it’s a net sum gain. There’s really no job creation and the old equipment’s being shipped out of here and I want to be sure I understand that and that there’s a good auditing procedure, mechanism that takes care of that. That’s all I had, Mr. Chair.”

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

**Commissioner Unruh** said, “Thank you. I’m just happy that we’re establishing a policy that is coordinated with the City and that has some rationale behind it, so that as we go forward we’re not always in conflict or we’re trying to work one system against the other one that we’re

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working together. You indicated that in the new policy we're going to do the financial analysis before and you'd indicated maybe now we're doing is just a check off item afterwards. That is a major improvement, if I understood what you said."

**Ms. Hart** said, "Yes sir. The model that was developed in the early '90's for use statewide was developed by the Kansas League of Municipalities and then updated later on in the '90's. It was only a manufacturing model. It was not designed for services. It was designed to give us a cost/benefit ratio. Give us a number and that number had to be greater than one, so that when the application went to the Board of Tax Appeals in Topeka they could say 'Okay, it's greater than one so therefore it qualifies'. So, it was really kind of a way to get at a number, but it's not appropriate in the new economy, as we move to more service sector development and away from manufacturing. The IMPLAN model that we talked about earlier is good for both kinds of businesses and is updated on a regular basis and we're almost at the limit of my knowledge on the details about that."

**Commissioner Unruh** said, "Well, that's good. I appreciate your comment, but this policy that we're considering here is just that. It is a policy. I mean, it doesn't put us in a position of having to contract with someone just because we have this written down on paper and somebody comes to us. They say, 'Well, I fit this square and this square therefore you are compelled or obligated to give me certain tax breaks'. Is that correct? I mean, we still have to make a judgment."

**Ms. Hart** said, "Yes sir. What this policy does is help economic development staff work with the business and say 'This is what we think', according to their policy this is what it looks like. An incentive might be, but it still needs to be approved by the elected bodies."

**Commissioner Unruh** said, "Well, I can't imagine really just thinking here of a time when we wouldn't approve something if it fits all the criteria, but just want to state the fact that no matter what the formula is, it still has to be approved by a Board and authorities. That's all I had."

**Chairman Winters** said, "All right, thank you. Commissioner Sciortino."

**Commissioner Sciortino** said, "Real quickly, just to follow up on that, Commissioner Unruh's statement, this becomes a guideline for us. We, as Commissioners, are not doing away with any of our authority. We could decide that, on this particular item, we want to do a staggered or it only qualifies for 50 but we want to give them 100. We'd have to justify it but it's a guideline. Just one other quick question. Has the City approved this yet?"

**Ms. Hart** said, "Yes sir, in November."

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**Commissioner Sciortino** said, “Okay. Thank you.”

**Chairman Winters** said, “All right, Commissioners are there any other questions? Irene, I think you did an excellent job of explaining it.”

**MOTION**

Commissioner Norton moved to adopt the resolution.

Commissioner Sciortino seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “I want to acknowledge Harvey Sorenson, a Board member on the Greater Wichita Economic Development Collation, Harvey thanks for being here and Patrick French, staff at the Greater Wichita Economic Development Collation, Patrick we thank you for being here. Next item.”

**F. RESOLUTION AUTHORIZING EXECUTION OF A LOAN AGREEMENT WITH STATE OF KANSAS TO FINANCE \$3,658,884 THROUGH THE KANSAS TRANSPORTATION REVOLVING FUND, TO BE USED FOR COUNTY ROAD AND BRIDGE PROJECTS.**

**Mr. Chris Chronis**, Chief Financial Officer, Division of Finance, greeted the Commissioners and said, “Back in May of last year, you authorized staff to apply to KDOT for funding through a new revolving loan pool that they had established to assist local governments in financing road improvements. The applications that we submitted were for four projects that previously had been authorized by you to be funded with debt proceeds, bond proceeds. Those four projects are

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Savannah at Castle Rock and Deer Lake Estates, two special assessment projects and then two projects from the County's adopted CIP, the Central Avenue widening on the east side of town and 167<sup>th</sup> street bridge on the west side.

All of those projects together total \$3,658,884. We evaluated the terms of the loans that are available through KDOT in comparison to traditional bond issues and we determined this approach. We can save the county something on the order of \$125,000. That comes about from two sources, first the interest rate that is set on the KDOT loans is slightly lower than the market rate that we would obtain on a traditional bond sale and secondly because the loan pool has been set up intentionally to be a very easy way for local governments to obtain financing. We don't incur the issuance cost that we normally would incur, with a traditional bond issue for bond counsel and rating agency reviews and financial advisor fees and so forth. And so all things considered, we think this is a good deal for the County and we're recommending that you approve the resolution that will authorize the execution of the loan document.

The interest rate on these transactions is set every Monday based on an index, based on a formula, and the rate that will apply to our loan that was set two days ago will be 3.61 percent. In addition to that, we will pay a one-quarter of one percent administrative fee, for a combined rate a total rate of 3.86% and that's over the 20 year life of this loan.

The resolution obligates you to repay the loan with, if necessary, an unlimited levy of property taxes. In other words, this constitutes a general obligation of Sedgwick County. In addition to that, the resolution establishes the dedicated source of funding that is the funding that we intend to use to repay the debt, which is the County's debt service funds, the local option sales tax and the special assessments that have already been levied against properties benefiting from those two special assessment projects.

The debt that we are incurring with this loan does not apply to the County's statutory debt ceiling and that's by virtue of State law, which provides an exclusion for this form of debt. It will, however, apply against the more restrictive ceiling that you have established in the County's debt policy and this loan is well within . . . puts us well within the limits of debt that you've established in that policy. If there are no questions, I would recommend your approval of the resolution as it's been presented to you."

**Chairman Winters** said, "All right, thank you Chris. And again, the number which you believe we will save, as compared to doing this with traditional debt financing."

**Mr. Chronis** said, "Approximately \$125,000."

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**Chairman Winters** said, “Okay. Commissioners, you’ve heard that report, what’s the will of the Board?”

**MOTION**

Commissioner Sciortino moved to adopt the resolution.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “Thank you, Chris. Next item.”

**G. AGREEMENTS (6) FOR FUNDING OF SERVICES FOR COMMUNITY PROGRAM AGENCIES.**

- 1. SEDGWICK COUNTY FAIR ASSOCIATION**
- 2. THE KANSAS AFRICAN AMERICAN MUSEUM, INC.**
- 3. WICHITA-SEDGWICK COUNTY HISTORICAL MUSEUM**
- 4. KANSAS JUNIOR LIVESTOCK SHOW, INC.**
- 5. THE ARTS COUNCIL**
- 6. DERBY RECREATION COMMISSION**

**Mr. Ron Holt**, Director, Division of Culture, Entertainment and Recreation, greeted the Commissioners and said, “You have before you six agreement. These agreements outline the

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legal relationships between the County and each of these six community program agencies, this is the method by which the County provides funding to these agencies which has already been approved in the adopted 2005 budget. County has funded each of these agencies for several years now. We continue to actively participate and take a look at the assets or them as assets to this community and the contribution they make to the quality of life in Wichita, Sedgwick County. The agencies involved are the Sedgwick County Fair Association, the Kansas African American Museum, Wichita/ Sedgwick County Historical Museum, Kansas Junior Livestock Association, The Arts Council and Derby Recreation Commission. We would recommend that you approve the agreements and authorize the Chairman to sign.”

**Chairman Winters** said, “Commissioners, are there any questions of Ron about any of these agreements? If not, what’s the will of the Board?”

**MOTION**

Commissioner McGinn moved to approve the agreements and authorize the Chairman to sign

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “Thank you, Ron. Next item.”

**DIO – HEALTH DEPARTMENT**

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**H. AGREEMENT WITH WICHITA STATE UNIVERSITY TO PROVIDE STUDENTS CLINICAL TRAINING.**

**Mr. Aiko Allen**, Director, Health Promotion and Disease Prevention, greeted the Commissioners and said, "I'm here to present an agreement with the Wichita State University College of Public Health Professions to allow placement of graduate level, masters in public health students for their practicum at the Sedgwick County Health Department. The Sedgwick County Health Department's ability to provide quality health services will be enhanced by the contributions by these students during their training period. Additionally, there is a tremendous shortage of public health professionals at the national level and we will be able to create a pool of potential future employees with additional direct public health experience. We recommend that we're able to authorize and approve signature of the Chairman. Are there any questions?"

**Chairman Winters** said, "Commissioners, questions or comments? If not, what's the will of the board?"

**MOTION**

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

Commissioner McGinn seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, "Thank you very much. Next item."

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

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

**Ms. Marilyn Cook**, Director, COMCARE, greeted the Commissioners and said, “This is a renewal of an agreement with Sumner Community Mental Health Center in Wellington to provide after-hours crisis services for them. We’ve had this contract in place for about five years. It involves answering a direct line that comes to our crisis center and being available for walk-in appointments if that’s appropriate. You get about 30 to 40 calls a month. We recommend that you approve the agreement.”

**Chairman Winters** said, “Commissioners, questions, comments? We’ve been doing this for several years.”

**Ms. Cook** said, “Five years.”

**Commissioner Sciortino** said, “Marilyn also I noticed that it also provides \$1.00 a minute for any face to face. Is that something that we’ve also done over the years and you’re comfortable that’s enough to reimburse us for our costs.”

**Ms. Cook** said, “The \$1.00 a minute is for phone contact and in person contact. They pay a monthly phone charge and then \$1.00 a minute for any intervention, whether it’s on phone. Yes, we have.”

**Commissioner Sciortino** said, “No, I just wanted to make sure that you’re comfortable that \$1.00 minute face to face, if that person’s actually speaking to a counselor, that’s adequate in your opinion.”

**Ms. Cook** said, “Yes.”

**Commissioner Sciortino** said, “That’s all I have.”

**Chairman Winters** said, “All right, any other questions? What’s the will of the Board?”

**MOTION**

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

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Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Absent
Commissioner Sciortino	Aye
Chairman Winters	Aye

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

**2. LETTER OF AGREEMENT WITH CENPATICO BEHAVIORAL HEALTH, LLC FOR COMCARE TO PROVIDE MENTAL HEALTH SERVICES FOR YOUTH WITH HEALTHWAVE 21 INSURANCE.**

**Ms. Cook**, "The agreement you have before you is a three-month transitional agreement with Cenpatico. Cenpatico is a managed care behavioral organization that recently won the award from the State for the behavioral health, Healthwave business. Under this agreement, COMCARE will continue to be a provider of Healthwave services, but on a fee for service basis rather than on a capitated arrangement that we had in the past for this business. And since this was such a last-minute decision on the part of the state, Cenpatico didn't have time to meet with all the providers throughout the State. So, another contract will be developed in the three-month interim. It's a three-month agreement and we will agree on rates at that point as well. We are recommending that you approve this agreement."

**Chairman Winters** said, "All right. Are there questions of Marilyn? Seeing none, what's the will of the Board?"

**MOTION**

Commissioner Sciortino moved to approve the letter of agreement and authorize the Chairman to sign.

Commissioner Unruh seconded the motion.

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

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**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “Thank you, Marilyn. Next item.”

**J. DIVISION OF HUMAN SERVICES – DEPARTMENT ON AGING.**

**1. CONTRACTS (10) TO PROVIDE AGING MILL LEVY FUNDING FOR SERVICES TO PERSONS WITH PHYSICAL DISABILITIES.**

- **CEREBRAL PALSY RESEARCH FOUNDATION OF KANSAS, INC. – EMPLOYMENT SERVICES PROGRAM**
- **CEREBRAL PALSY RESEARCH FOUNDATION OF KANSAS, INC. – PERSONAL EMERGENCY EQUIPMENT PROGRAM**
- **CEREBRAL PALSY RESEARCH FOUNDATION OF KANSAS, INC. – THERAPY PROGRAM**
- **INDEPENDENT LIVING RESOURCE CENTER, INC. – FLEX AND HOME MODIFICATIONS PROGRAM**
- **INDEPENDENT LIVING RESOURCE CENTER, INC. – DISABILITIES INFORMATION AND REFERRAL SERVICES PROGRAM**
- **SENIOR SERVICES, INC. – NUTRITION PROGRAM**
- **RAINBOWS UNITED, INC. – VISION SERVICES PROGRAM**
- **CATHOLIC CHARITIES, INC. – ADULT DAY SERVICES PROGRAM**
- **CATHOLIC CHARITIES, INC. – FOSTER GRANDPARENT SERVICES PROGRAM**
- **ASSOCIATION FOR RETARDED CITIZENS – EPILEPSY EDUCATION PROGRAM**

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, “Today I bring to you ten provider agreements to promote accessibility, education, job training, work and health and safety in order for persons with physical disabilities to remain independent

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and in their homes and self sufficient. These programs are funded through the mill levy program and these have already been approved through the 2005 budget process. These are the contracts or the agreements with these providers.

These services are available to citizens in our community of all ages, not just the elderly, but anybody with physical disabilities. These agreements are with Cerebral Palsy Research Foundation, CPRF for personal emergency equipment, CPRF for therapy, flex and home modifications through the Independent Living Resource Center, nutrition through the Senior Services, Inc. of Wichita, Vision through Rainbows United, Adult Day Care through Catholic Charities, Catholic Charities Foster Grandparent program and the ARC of Sedgwick County for their Epilepsy Education program. We would ask that you approve the 10 agreements and authorize the Chair to sign.”

**Chairman Winters** said, “Commissioners you have questions of Annette about any of these contracts? If not, what’s the will of the Board?”

**MOTION**

Commissioner Unruh moved to approve the contracts and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “Next item.”

**2. CONTRACTS (6) TO PROVIDE FY 2005 AGING MILL LEVY FUNDING FOR THE TRANSPORTATION BROKERAGE PROGRAM.**

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- **AMERICAN CAB, INC.**
- **ABC TAXI CAB COMPANY, INC.**
- **CEREBRAL PALSY RESEARCH FOUNDATION OF KANSAS, INC.**
- **THUNDER ENTERPRISES, INC.**
- **WISDOM TRAVELS**
- **FIRST CLASS TRANSPORTATION, INC.**

**Mr. Graham**, said, “Once again, I am bringing to you six agreements, this time for transportation providers through our Sedgwick County Transportation Brokerage. We have agreements with a variety of providers in our community to provide services for individuals that are elderly and individuals with disabilities. This service is arranged through a coordinating call center and we provide these services through these vendors. Last year, we served over 2,000 individuals in our community for transportation. Vendors are reimbursed at a rate of \$12 per ride for service in the city and from \$13 to \$45 to outside communities, based on the distance that we have calculated. These are funded through mill levy for the physical disabilities and the aging mill levy program. We would request that you approve these six agreements and authorize the Chair to sign.”

**MOTION**

Commissioner Unruh moved to approve the contracts and authorize the Chairman to sign.

Commissioner Sciortino seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “Next item.”

**3. CONTRACTS (39) TO PROVIDE FY 2005 AGING MILL LEVY FUNDING.**

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- **CITY OF BENTLEY – X.Y.Z. CLUB**
- **CITY OF BEL AIRE – BEL AIRE SENIOR CENTER**
- **CITY OF CHENEY – CHENEY SENIOR CLUB**
- **CITY OF CLEARWATER – CLEARWATER SENIOR CLUB**
- **AMERICAN RED CROSS GOOD NEIGHBOR NUTRITION PROGRAM – COLVIN/PLAINVIEW AREA SENIOR CENTER**
- **CITY OF COLWICH – COLWICH SENIOR CLUB**
- **CITY OF DERBY – DERBY MULTI-PURPOSE SENIOR CENTER**
- **GATEWAY OF GARDEN PLAIN FOUNDATION – GARDEN PLAIN SENIOR CLUB**
- **CITY OF MAIZE – MAIZE SENIOR CLUB**
- **MOUNT HOPE COMMUNITY DEVELOPMENT, INC. – MOUNT HOPE SENIOR CENTER**
- **CITY OF MULVANE – MULVANE SENIOR CENTER**
- **LA FAMILIA SENIOR COMMUNITY CENTER, INC. – LA FAMILIA MULTI-PURPOSE SENIOR CENTER**
- **OAKLAWN IMPROVEMENT DISTRICT – OAKLAWN/SUNVIEW AREA SENIOR CENTER**
- **CITY OF SEDGWICK – SEDGWICK SENIOR CLUB**
- **SENIOR SERVICES, INC. – DOWNTOWN MULTI-PURPOSE SENIOR CENTER**
- **SENIOR SERVICES, INC. – LINWOOD MULTI-PURPOSE SENIOR CENTER**
- **SENIOR SERVICES, INC. – NORTHEAST MULTI-PURPOSE SENIOR CENTER**
  
- **SENIOR SERVICES, INC. – ORCHARD PARK MULTI-PURPOSE SENIOR CENTER**
- **CITY OF VALLEY CENTER – VALLEY CENTER SENIOR CENTER**
- **ALZHEIMER’S ASSOCIATION OF THE GREAT PLAINS – ADULT CARE CONNECTION**
- **AMERICAN RED CROSS MIDWAY-KANSAS CHAPTER – SENIOR MEDICAL TRANSPORTATION PROGRAM**
- **CATHOLIC CHARITIES, INC. – ADULT DAY SERVICES PROGRAM**
- **CATHOLIC CHARITIES, INC. – FOSTER GRANDPARENT PROGRAM**

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- **COMMUNITY SERVICE COORDINATION CONTRACTS**
  - ◆ **JODY LUJAN**
  - ◆ **MAE FIELDS**
- **E.C. TYREE HEALTH CLINIC – HEALTH EVALUATION AND EDUCATION PROGRAM**
- **ENVISION – SENIOR OUTREACH AND SERVICES**
- **GOOD GRIEF OF KANSAS, INC. – WIDOWED PERSONS SERVICE**
- **GUADALUPE CLINIC – HEALTH SCREENING AND PRESCRIPTION VOUCHER PROGRAM**
- **KANSAS LEGAL SERVICES, INC. – PROTECTIVE LEGAL SERVICES FOR THE ELDERLY**
- **KANSAS LEGAL SERVICES, INC. – PUBLIC BENEFITS OUTREACH**
- **MEDICAL SERVICE BUREAU – PLUS MEDICAL SERVICES FOR SENIORS**
- **THE RIVERSIDE FOUNDATION – SENIOR COMPANION PROGRAM**
- **SENIOR SERVICES, INC. OF WICHITA – MEALS ON WHEELS**
- **SENIOR SERVICES, INC. OF WICHITA – NEIGHBORHOOD CONNECTIONS**
- **SENIOR SERVICES, INC. – ROVING PANTRY**
- **SENIOR SERVICES, INC. OF WICHITA – SENIOR EMPLOYMENT PROGRAM**
- **UNITED METHODIST URBAN MINISTRY – COMMODITY SUPPLEMENTAL FOOD DELIVERY PROGRAM**
- **WICHITA INDOCHINESE CENTER – ASIAN OUTREACH**

**Ms. Graham** said, “This agenda item brings to you 39 mill levy contract agreements with a variety of service providers that are providing services to seniors in our community. This covers a wide range of services from senior clubs, senior centers to meal providers to in-home service providers, so these are for the 2005 mill levy. The budget has been recommended and approved in the process and our advisory council did work with staff to come up with these recommendations by looking at outcomes and past performance of providers. So the 39 providers are listed here in front of you and it covers a variety of services for a total budget of \$1,600,505. Be happy to answer any questions and request you authorize the Chair to sign.”

**Chairman Winters** said, “We’ve got a question this time. Commissioner Norton.”

**Commissioner Norton** said, “I don’t see the Haysville Senior Center in this list of contracts, did they not get it in on time or...”

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**Ms. Graham** said, "They did not get it in on time. We will be bringing a few more to you."

**Commissioner Norton** said, "Okay, it's not an all inclusive list."

**Ms. Graham** said, "No, it is not."

**Commissioner Norton** said, "Okay."

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

**Commissioner Sciortino** said, "Yes, thank you, Mr. Chairman. Annette, on the Guadalupe Clinic health screening vouchers, the vouchers, could they go toward like prescriptions filling, and that kind of thing? Is that what those vouchers are for?"

**Ms. Graham** said, "Yes, I'm pretty sure that's what that is for."

**Commissioner Sciortino** said, "Okay, used to volunteer as a translator there and I just think they're doing some great work. Okay, thanks."

**Chairman Winters** said, "All right, are there other questions of Annette? If not what's the will of the Board?"

**MOTION**

Commissioner Sciortino moved to approve the contracts and authorize the Chairman to sign.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

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

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' SPECIAL MEETING OF DECEMBER 30, 2004.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the 30<sup>th</sup> resulted in three items for consideration today.

**1) DIGITAL MULTIFUNCTION PRINTING DEVICES – CLERK'S OFFICE  
FUNDING: LAND TECH FUND**

First item is digital multifunction printing devices for the County Clerk's office. Recommendation is to accept the low bid, meeting specifications, from RK Black including five-year cost per copy charges for total expenditure of \$25,662.

**2) CORNER TOWER RE-ROOF WORK – FACILITY PROJECT SERVICES  
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Second item, corner tower re-roof work for the Historic Courthouse for Facility Project Services. Recommend the low bid from Buckley Roofing for \$221,713.

**3) COMPREHENSIVE MEDICAL SERVICES FOR ADULT DETENTION FACILITY – SHERIFF'S OFFICE  
FUNDING: SHERIFF'S OFFICE**

And the third item comprehensive medical services for the Adult Detention Facility for the Sheriff's office. The recommendation is to accept the low proposal from ConMed, Inc. and execute a contract for an estimated annual cost of \$3,316,148.

I'd be happy to answer any questions and I recommend that you approve these items."

**Chairman Winters** said, "All right, thank you very much, Iris. Commissioners, we all received a letter yesterday from Preferred Medical Associates asking us to postpone the decision on this agreement that we're about to have on our bid board. I shared that and I think the Manager also

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received a copy of that letter in response. He visited with Chris Chronis, who was actively involved in negotiating this. Commissioners, have not been involved in the negotiation of this. It was handled by the Sheriff's staff and Chris Chronis staff, but I would like to share with you and I do have a great deal of sensitivity about this Preferred Medical Associates, is a respectable, reliable business in our community and really are good folks.

But I was contemplating this decision to postpone back on November 23<sup>rd</sup> of 2004. A couple of months ago, Chris Chronis received a letter from their regional director Doug Kauffman, and in that letter he states, 'While we appreciate the opportunity to be involved in the bid for health services for 2005, there are several reasons why we will not be submitting a request for proposal'. They go on to say 'Preferred Medical Associates believes there are too many financial risks associated with the current RFP'. They go on in paragraph four to say 'if for some reason the County does not receive an acceptable proposal, Preferred Medical Associates is willing to provide medical services based on the existing contract.'

Now, what we have here is someone who has responded to the request for proposal and I would like for Sheriff Hinshaw or Sheriff Steed to just speak to ConMed. Investigation, I believe, has been done and this contract is going to be a significant reduction and I would like just a little comment on this company, ConMed, and do you believe that your investigation they're going to be able to do the deal?"

**Major Hinshaw** said, "We believe so. When we went through the RFP proposal, we received several vendors that were interested in bidding this and we narrowed that down through the process to approximately three, selecting ConMed as our first choice. Since this was a change in the way we have done business over the past decade or so, we wanted to make sure we were doing the right decision so my self and Captain Kurtz traveled to the Maryland area, where they have specialized in providing medical services to County jails for approximately 20 years.

We visited with four different detention facilities, county jails, many of them set up the same way we are, a full service sheriff's office that also runs the jail. Talked to their detention staff, and all we found was things to reinforce our confidence in this company. The four jails that we talked to all had nothing but praise for them. Two of them were in the process of wanting on their own to revise the contract to provide an even greater scope of services by ConMed.

We also had an opportunity to talk to their health care administrators that actually do work for

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ConMed in the facilities. They were not expecting our trip there. We sort of kept it a surprise for everyone except the four counties involved. Talking to those health care administrators, a couple of our concerns were alleviated in regards to ConMed. One them coming to Kansas since it's approximately 1,500 miles away and then number two, the largest single facility that they have dealt with in the past has an average daily population of approximately 500 inmates.

As you're very much aware, the Sedgwick County Jail average daily population is quite a bit more than that. We also have those concerns addressed and alleviated to our satisfaction. While they don't have a jail our size, the way it's set up in Maryland. Geographically, they handle over 3,000 jail inmates of their medical needs on a regular basis, so they're used to those numbers. As far as being 1,500 miles away, one of the things that came out indirectly from talking to both detention staff and ConMed personnel was that those ConMed health care administrators have the freedom of action and have been empowered to do the hiring and the discipline and to take those actions without having to check with someone back at corporate headquarters every time they need to make a decision. So yes, we are very confident in their ability to deliver a high level of services at a very, very good price."

**Chairman Winters** said, "All right. So Major Hinshaw, you know of no reason why we should postpone this decision today?"

**Major Hinshaw** said, "No sir, I do not."

**Chairman Winters** said, "And you have full confidence, the Sheriff's department has full confidence in ConMed."

**Major Hinshaw** said, "Yes, sir."

**Chairman Winters** said, "All right. Mr. Manager, do you know of any reason why we should postpone this decision today?"

**Mr. Buchanan** said, "No, sir."

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

**Commissioner Norton** said, "I talked briefly with the Chairman on this. Certainly, the provider we had was a local vendor which we always try to attach to. We've had a pretty long-time relationship with them, but they really declined. In that letter, it's pretty succinct that they declined to put in an RFP. As I understand we had some visitations with them prior to the RFP at resigning the contract with some new items in it that we included in the RFP and they really

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weren't too willing to renegotiate the contract on the front either. So, if you look at both of those, that we have the ability to want to change a contract and to add new disciplines or new protocols or new outcomes at anytime and we were willing to negotiate that with the person that we had a long-term relationship with. They declined to do that or file an RFP. I think, in lieu of the savings that we're getting, even though it's a company from outside our local area, it is very prudent that we probably not postpone this and we move ahead. I'll be very supportive of moving ahead today."

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

**Commissioner Unruh** said, "Thank you. Major Hinshaw, one question in the request for deferral, the writer that said that 'I think the County is deficient of needed information'. Do you feel like we're lacking in information in order to make this decision, that there's something we haven't explored?"

**Major Hinshaw** said, "Not to my knowledge. We had a good statistical base to determine how much money we've spent in the past. As Commissioner Norton indicated, we initially went and tried to come up with a contractual arrangement with the current vendor based on national standards and what we have seen across the county for detention health care and as the Chairman indicated PMA had valid business reasons not to want to pursue it, but yes I believe we have all the information we need to allow you to make an informed judgment."

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

**Chairman Winters** said, "All right is there anybody here today who wanted to address the Commission on this item? Is there anybody here who wanted to address the Commission? All right, seeing no one in the audience, who wanted to speak on this, Commissioners what's your will concerning the Board of Bids and Contracts'?"

### **MOTION**

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

Commissioner Sciortino seconded the motion.

**Chairman Winters** said, "That includes all three items?"

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**Commissioner Unruh** said, “That does, sir.”

**Chairman Winters** said, “We have a motion and a second. Is there any other discussion? Seeing none, call the vote.”

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “Thank you, Iris. Thank you, Major Hinshaw, and I know several in your department worked very hard on this contract and I think we’re going to see a significant savings and we appreciate all the hard work that you’ve done on this, as well as Sheriff Steed, as well as Iris Baker who did a lot of work and Chris Chronis. We appreciate all the work that you all did on this project. I know it was difficult at times, but I think we made a good decision, so thank you all very much. Madam Clerk, call the next item.”

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

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

- a. Temporary Construction Easement on the Sedgwick County Cowskin Creek Project. District #2.
- b. Temporary Construction Easement for Sedgwick County Project 634-E1/2 30, 31; 63<sup>rd</sup> Street South from Buckner to Rock Road. CIP# R-237. District #5.
- c. Five Temporary Construction Easements, one Right-of-Way Easement and

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one Drainage Easement for Sedgwick County Project 616-3 through 36; widening of 13<sup>th</sup> Street North between K-96 and 159<sup>th</sup> Street East. CIP# R-253. District #1.

2. **Agreement with Farha Carpet & Building Supply, Inc. to purchase Lot 19, Minneapolis Avenue, Kaufman's Subdivision.**
3. **Reallocation of Paralegal, B219, to Administrative Officer, B321, County Counselor's Office.**
4. **Orders dated December 22 and December 29, 2004 to correct tax roll for change of assessment.**

5. **The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V04007	\$197.00	\$145.00
V03003	\$600.00	\$571.00
V03002	\$126.00	\$128.00
V020010	\$280.00	\$267.00

6. **Section 8 Housing Assistance Payment Contracts.**

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<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V04091	\$183.00	2	Ronald Evans
V04095	\$230.00	5	Oakview at the Park
V04097	\$555.00	5	Springcreek Apartments

- 7. **Payroll Check Register of December 30, 2004.**
- 8. **General Bills Check Register(s) for the week of December 22 –28, 2004.**

**Chairman Winters** said, “Commissioners, you have the consent agenda.”

**Mr. Buchanan**, said, “There needs to be one correction Mr. Chairman. On item eight, it says the general bill register for the weeks of December 22<sup>nd</sup> and January 4<sup>th</sup>.”

**Chairman Winters** said, “All right, make that addition. Commissioners what’s the will of the Board, considering the consent agenda?”

**MOTION**

Commissioner Norton moved to approve the consent agenda with the additions from the County Manager’s recommendations.

Commissioner McGinn seconded the motion.

**Chairman Winters** said, “All right, we have a motion and a second. Commissioner McGinn’s last second.”

**Commissioner Sciortino** said, “We hope.”

**Chairman Winters** said, “Commissioners, is there other questions or comments?”

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### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

### **M. OTHER**

**Chairman Winters** said, “Commissioners, before we move further, at this point I do want to recognize City Councilman Bob Martz has entered the room. I would most suspect that he plans on attending a reception that we plan on having for Commissioner McGinn. As this is Commissioner Carolyn McGinn’s last meeting as Sedgwick County Commissioner, we would like to make a couple of remarks. We would like to present you with a clock, which as I usually say to all of the folks that receive this clock is it’s on behalf of the citizens of Sedgwick County presented by the Board of County Commissioners, but for the citizens and for the work that you’ve done for the citizens of Sedgwick County. We also have somebody unwrap this other thing.”

**Commissioner Sciortino** said, “Why don’t we let her unwrap it. It’d be a surprise.”

**Chairman Winters** said, “We also have a photograph of a major project that you were involved in and we have it engraved ‘Carolyn McGinn, fourth district, 1999 – 2004’ and this is a picture of the Ark Valley Lodge.”

**Commissioner McGinn** said, “That’s just wonderful.”

**Chairman Winters** said, “And this is certainly a project, if not having the continued driving force of Commissioner Carolyn McGinn, I’m not sure how long we would have worked on this, because we’d been working on it for a long time, but just didn’t seem to get it headed in the right direction. So Carolyn, on behalf of the Board of County Commissioners, we hope that you’ll hang this and remember the work that you’ve done. So, lets just sit back down, because I think several of us will probably have a comment or two.

I would just like to say from my viewpoint here and having worked with a lot of county commissioners, several, over the last 12 years, all of them worked very hard for their constituents. There wasn’t anybody who, of us, the group of us who doesn’t work hard, but I can attest that Carolyn McGinn has worked as hard for the constituents in her district as any Commissioner that I’ve been associated with and I think the constituents and residents in District 4 of the County Commission have been very fortunate to have a hardworking, dedicated commissioner for these

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past six years.

It really is a case of we congratulate you heartily on becoming a State Senator, representing northern Sedgwick and Harvey county, but we are going to miss you and the work that you've done through the years here at Sedgwick County. So again, congratulations on your new task. Don't forget us back here at home because we are going to probably be keeping in contact with you. The acquaintance is not going to go away. So Commissioners, if there are any other comments, we are going to have a reception, we've got a couple lights, Commissioner Norton."

**Commissioner Norton** said, "Well I just want to congratulate Carolyn on her years here but her new life in Topeka. I think it's going to be exciting. We look forward to that. And for me it's a good news/ bad news thing. The bad news is that I'm losing my cigar smoking buddy."

**Commissioner McGinn** said, "Thanks, Tim."

**Commissioner Norton** said, "As we travel around, probably not everybody knows that, but the good news is that I've gained some real flexibility in my left arm from her pushing it up behind my back and doing a little arm-twisting so it's been a good news/ bad news thing. Congratulations. We're going to miss you."

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

**Commissioner Unruh** said, "Thank you. Carolyn, congratulations to you on a successful career as a County Commissioner and good luck to you on your new endeavor. I've really enjoyed working with you the last two years, since I've been on the bench and getting to know you. I appreciate your tenacity when you're working for something you're especially interested in, you don't give up and we usually do. It's a fact of life, I guess. I appreciate what the Chairman mentioned, that your ability to work with, represent and communicate with your constituency, which is, as you have mentioned, a very diverse constituency and yet you have done a good job of representing all those different people groups and that takes quite a skill and you're to be commended for that. And I guess I'd say I just appreciate the fact that I can call you my friend after this length of time and let you know that whenever you come back to visit our offices, I'll still have a plate of chocolate candy on my desk, so help yourself."

**Chairman Winters** said, "All right, thank you Commissioner. Commissioner Sciortino."

**Commissioner Sciortino** said, "Well, you know everybody knows me and everybody knows what

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my initials are, so I won't go into that, except to say that Carolyn and I came on this bench together back in 1999, I guess, is when we got sworn in and then started getting swore at. I have found overall her to be very, I don't know, true to her convictions, if she really believes something she usually doesn't run out and take a poll to see if that's the politically correct thing to do. She just usually goes ahead with it, as evidenced by the fact that she's come out publicly in support of the arena. Many in her district voted against it, but she really believes it. I'm going to miss her, but I don't think we're going to stop our relationship, because there's going to be a lot of things that we'll be coming now lobbying her as strongly as she lobbied us to get something for the betterment of Sedgwick County. One thing, I think there's going to be a lot of things up in Topeka that will be different and maybe a little shocking her. One thing that she was visiting with me on, I hope it's okay to share this, we have our offices back here and not to say that state senator's offices are not more austere, but square footage-wise, you could put five Senators in the office that we have. Not saying that our office is big, but their offices are very small. In fact, your office now is a modified lounge, I think, that they had up there."

**Commissioner McGinn** said, "About as wide as I am tall."

**Commissioner Sciortino** said, "I'm not going to go there. At any rate, we're going to miss you and I'm sure we're looking forward to still keeping a relationship with you, but now on a little different plain."

**Chairman Winters** said, "Thank you very much, Commissioner. Commissioner, a comment or two?"

**Commissioner McGinn** said, "I guess so. Well, first thank you very much and I did want to check to see if you set the time 10 minutes fast. I'll remember to do that though."

**Commissioner Sciortino** said, "If you mean by coming in late, we're going to leave early."

**Commissioner McGinn** said, "But anyway, I would like to make a few comments and first off thank you very much for the clock. I know it's something people value very much when they have an opportunity to receive that and the Ark Valley Lodge picture is just wonderful and I will hang that proudly for display for others to see some of the things that we do back here in our community in the Sedgwick County area. You know, I set down last night, by candlelight of course and I was trying to figure out what to say about all of you and I couldn't think of anything but..."

**Commissioner Sciortino** said, "Okay, lets get the cake then."

**Commissioner McGinn** said, "No, actually I have some thoughts and I do want to share them all

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with you all personally later, but I do want to share to everyone that I have had the opportunity to serve with some wonderful people: Commissioner Hancock and Commissioner Gwin and they are not here now but served our community very well and had the pleasure to get to know the current Commissioners and you have been wonderful, great to work with and you all have unique and different personalities and I think that is certainly a benefit to our County because when all those personalities and backgrounds come together, I think that there's a great deal of knowledge to help us move forward in a positive direction here at the County. Secondly, and first I want to thank you all for all you've done to help me to get my job done and give me insightful thoughts in coming to some decisions that aren't always easy here at the bench.

Secondly, I want to thank our Sedgwick County staff, remarkable, excellent, the best I've ever seen.

When I look around the state and around the country and things I hear, it just seems like when we look at programs that other people are doing we're way ahead of the game and I have to commend our County Manager for that leadership, that leadership that he gives to our staff and encourages them to grow and always be better. I can't read my notes here I made, but the other individuals that I'd like to thank have to do with basically our right arm and that's our secretaries Carol and Lisa and prior to Carol coming here it was Jama Carolton and a lot happens in the offices back here and we have two secretaries to handle five personalities and it's not an easy task, but they get the job done and they do it with the best professionalism I've ever seen.

And also I'd like to thank the citizens of the fourth district and Sedgwick County having the opportunity to serve the fourth district is like no other. I know you all love your districts but the fourth district is very diverse and coming from a rural area, small town and then a rural area in coming to the core of the city and serving a diverse area of: the historic midtown area, Riverside, the northeast part of Wichita, the African American community, Hispanic community, the Asian community, small towns, rural it has you going in different directions but I tell you what your life is enriched because you understand a little bit better the shoes other people wear and the things that they go through and it gives you a little more insight when you're trying to make decisions.

Just a few things, Bob Martz is here and I want to thank him. He kind of came along a little after the time Sciortino and I took our seats and I think the relationship between the City of Wichita and the County has greatly improved. I mean it's just incredible. I think everyone of us has friendships across the street and it doesn't just end there. It ends with our other 19 communities and the relationships we have with those officials in working together. It's just when people say why don't you get along, I'm just like I don't get it, we do. I think we make great strides. We have different directions and sometimes need to go. We have a great deal of respect for each other and I think we

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get a lot accomplished here in our community because of those good relationships.

The Ark Valley Lodge, I won't even go into that story, but you know that's something I'm always going to drive by and had I stayed, my next move was to see if we could move our offices over there, because it's such a nice facility. The Phyllis Lee project was another project that I enjoyed doing, because it was in the inner city in an area where they had no place to go for any kind of community contact for seniors and youth.

Another area that I have enjoyed and had an opportunity to make some changes and has a little bit why I'm going to Topeka is go get a little more involved in and that has to do with water quality issues. We have a water quality specialist now and when the TMDL requirements came out we didn't have anybody to check our lakes and try to change best management practices around Lake Afton and Sedgwick County Park and now we're seeing that and we're very engaged and very involved.

And then currently I'm working on the task force for the sand pits and trying to see if we can't change some things there and do some best management practices and understand how we should develop in the future in that area because we are unique. And then the next is now were finally merging into the watershed approach to planning and just all these things coming together, I think, are what the people have said they'd like us to do. Let's make sure we develop in a responsible way that continues to keep our environment as pure as possible.

Roads and bridges, the help of David Spears, thank you very much. I became the bridge commissioner because bridges last around 50 to 60 years and I think they were all due to fall apart when I took office and so we have some very nice bridges now in our district. And the file and the highlight probably to is an area that nobody likes to talk about except me and that's sewers. We've improved our sewer systems in the unincorporated area and that's just a big step in trying to improve and making sure that we have clean ground water and that type of thing and I'm glad to see that that's finally come to some closure and I know that we continue. . . you will continue to work on that.

And finally, just as an individual who lives in Sedgwick County, my great appreciation for those who work at Sedgwick County government, Emergency Services, those are the kinds of things we take for granted until we need them and they're there and they work hard to make sure they do their job correctly. Human Services, that's an area that we may come in and out of in our lives, whether we have somebody who has aging challenges, mental health challenges or physical disabilities challenges. We don't always think about those until we're affected and I think we have some of the best individuals and best trained people in that area as well and all those in the other departments, safety and Gary Steed and staff support and then administration, thank you all very much because

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all that you have done is help me to get my job done in an effective way and I never could have done it without you.

And finally I just want to say I don't know where my career will go, I'm looking forward to being a state senator. I like the 31<sup>st</sup> district very well, the diversity there again is a little bit different but it's an area that I'm very familiar with and some of the issues I'm concerned about are a concern of the 31<sup>st</sup> district, but I really do believe that someday I'll look back and realize that the most rewarding time of my life was in the area of local government, because local government is the individuals who touch the people and the grassroots area and understanding of what's going on and have a feel for it and getting the job done. Thank you very much."

**Chairman Winters** said, "Commissioners, we're going to proceed directly to the Manager's Board Room for a reception for Commissioner McGinn. Before we do that though, we do need to have a brief Executive Session for matters of personnel evaluation of a routine nature for a position that reports to the Board of County Commissioners. So if it's acceptable with you, I'd like to recess this meeting until 12:00 and call us back here at 12:00. It's a bad weather day outside, so if something changes our minds within the next 30 minutes, we'll make that decision at 12:00. Is that acceptable?"

**Commissioner Sciortino** said, "So we're going to recess this meeting, have the reception, come back and then go into Executive Session."

**Chairman Winters** said, "Right, so at this time were going to recess the regular meeting of January 5<sup>th</sup> until 12:00, noon."

**The Board of County Commissioners recessed at 11:32 am and returned at 12:10 pm.**

**Chairman Winters** said, "Were calling back to order the regular meeting of January 5<sup>th</sup>, we've been on a recess for a reception for Commissioner McGinn. Is there other business to come before this meeting?"

### **EXECUTIVE SESSION**

#### **MOTION**

Commissioner Unruh moved to recess into executive session for 30 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal advise, personnel matters of non-elected personnel and that the Board of County Commissioners return to this room from executive session no sooner than 12:42

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p.m.

Commissioner Sciortino seconded the motion.

There was no discussion, the vote was called.

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

**Chairman Winters** said, “We’re recessed into Executive Session.”

**The Board of Sedgwick County Commissioners recessed into executive session at 12:12 pm and returned at 1:37**

**Chairman**

**Winters** said, “All right, I’ll call back to order the meeting of Board of County Commissioners regular meeting January 5<sup>th</sup>. Madam Clerk, please let the record show that there was no binding action taken in Executive Session. Is there any other business to come before this meeting, Mr. Euson?”

**Mr. Euson** said, “No sir.”

**Chairman Winters** said, “This meeting’s adjourned. Thank you.”

**N. ADJOURNMENT**

**Regular Meeting, January 5, 2005**

There being no other business to come before the Board, the Meeting was adjourned at 1:38 p.m.

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

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

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**BEN SCIORTINO**, Chair Pro Tem  
First District

---

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

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

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**LUCY BURTNETT**, Commissioner  
Fifth District

ATTEST:

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**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2005