

## MEETING OF THE BOARD OF COUNTY COMMISSIONERS

### REGULAR MEETING

February 22, 2006

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, February 22, 2006 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Ben Sciortino, with the following present: Chair Pro Tem Lucy Burtnett; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Sherdeill Breathett, Economic Developer, Division of Community Development; Mr. Chris Chronis, Chief Financial Officer; Mr. Michael Borchard, County Appraiser; Mr. Marty Hughes, Revenue Manager, Division of Finance; Ms. Stephanie Knebel, Manager, Project Services; Mr. John Nath, Director, Kansas Coliseum; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### GUESTS

Ms. Pamela Williams, W.G. Williams Community Foundation, Inc.  
Mr. Greg Sevier, Chairman, Arena Sales Tax Oversight Committee.

### INVOCATION

The Invocation was led by Reverend Reuben Eckels of New Day Christian Church, Wichita.

### FLAG SALUTE

**Chairman Sciortino** said, "Reverend Eckels, thank you very much and whenever we have one of those other dinners again, I'll just pedal over."

**Reverend Eckels** said, "Actually, we have Soul Food Sunday this Sunday, so you're all invited to come out for soul food."

**Chairman Sciortino** said, "This Sunday?"

**Reverend Eckels** said, "This Sunday."

**Chairman Sciortino** said, "Okay, call Mary. I'm canceling my vacation. I'm going to be out of town, darn it. Save me some neck bones or something. Next item please, Madam Clerk."

**Regular Meeting, February 22, 2006**

**ROLL CALL**

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

**Chairman Sciortino** said, "Thank you. Next item."

**CONSIDERATION OF MINUTES:** Regular Meeting, February 1, 2006

The Clerk reported that all Commissioners were present at the Regular Meeting of February 1, 2006.

**Chairman Sciortino** said, "Commissioners, I believe you've had a chance to review the Minutes of the meeting of February 1<sup>st</sup>. What's your will?"

**MOTION**

Commissioner Burtnett moved to approve the Minutes of the Regular Meeting of February 1<sup>st</sup>, 2006.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, "Thank you. Commissioners, at this time I'd like to maybe take an off agenda item. I'd like to have a Motion to take an off agenda item for a proclamation."

**Regular Meeting, February 22, 2006**

**MOTION**

Commissioner Norton moved to consider an Off Agenda item.

Commissioner Winters seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, "Thank you. I'd like to read this proclamation into the record.

**PROCLAMATION**

**WHEREAS**, education institutions across the country are the backbone of our democracy, providing us with the tools needed to maintain our nation's most precious values that of freedom, civility and equality; and

**WHEREAS**, by equipping all Americans with both practical skills and broader intellectual abilities, our education institutions give each student hope for, and access to a productive future; and

**WHEREAS**, the W.G. Williams Community Foundation, Inc. is providing leadership in post secondary education, especially as it affects African American children and is hosting the 21<sup>st</sup> Annual Black College Expo in Wichita, February 25<sup>th</sup> at the Saint Mark United Methodist Church; and

**WHEREAS**, the goal of the foundation and the Black College Expo is to expose our community to all educational opportunities through trade schools, and post secondary institutions;

**Regular Meeting, February 22, 2006**

**NOW, THEREFORE BE IT RESOLVED**, that I, Ben Sciortino, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim February 25<sup>th</sup> as

**‘Black College Expo 2006 Day’**

in Sedgwick County in recognition of the Founding Board, the participating educational institutions and others who have and will work diligently to prepare our young people to take their place in society and in salute of the theme of the essay contest:

‘The Atmosphere of Expectancy Is The Breeding Ground of Miracles’.

That’s the proclamation and I’d like to take a . . . I think we have Ms. Williams is here to . . . Sherdeill is here. Okay fine, thank you.”

**MOTION**

Commissioner Winters moved to approve the Proclamation.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Thank you. Sherdeill, would you like to say a few words?”

**Mr. Sherdeill Breathett**, Pastor, St. Mark’s United Methodist Church, greeted the Commissioners and said, “Well, just to state again, from the standpoint of St. Mark’s United Methodist Church, as a representative for that organization, it’s doing an outstanding job. We’re always excited about trying to further education from the standpoint of our high school students that are going on to college to look for a job and be productive citizens and to hopefully keep that concentration of that workforce here in the Sedgwick County area. So again, we’re excited about, we appreciate this and thank you, I want to say thank you.”

## Regular Meeting, February 22, 2006

**Chairman Sciortino** said, "Thank you. We have a couple of comments. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chair. I just want to say I'm very supportive and appreciative of this effort to try to encourage our young folks to enter four-year school and proceed with their education and hopefully they will decide to stay in our community and help make us stronger. And I think it's interesting that I think today, Wichita State University will announce that they now have a 15.8% enrollment of minority students, which I think is outstanding and very progressive for Wichita State. But want to encourage you in this effort and thank you for being here and we're very pleased to make this resolution."

**Mr. Breathett** said, "Well, I'm glad that Pamela Williams is here as well, too. I'd like for her to come and to speak about it because I know that her and Garnia Hill, who is a business manager for St. Mark United Methodist Church, have worked very hard and diligent to bring this all to fruition, so Pamela please come forward."

**Ms. Pamela Williams**, Representative, W.G. Williams Community Foundation, Inc., greeted the Commissioners and said, "On behalf of the W.G. Williams family and the members of the Board of Directors for the W.G. Williams Community Foundation, I certainly want to thank you very much for this proclamation and thank you for your interest in the community and the things that we're trying to do, through the community and through our scholarship efforts. Thank you very much."

**Chairman Sciortino** said, "Just, I have a couple of comments, if there's no further one from the bench. As Sherdeill has said now, if some of these students elect to go out of state to one of the Black Universities, they have to sign a piece of paper that after they graduate, they're going to come back here and live. Is that right? Because we want them to come back home and go to work for us."

**Ms. Williams** said, "Yes, sir, we certainly do, my daughter inclusive."

**Chairman Sciortino** said, "And the other thing that was pointed out to me is that when these other . . . when these universities come in, they're not just open only to African Americans. It's to any high school student that might be interested in listening to what they have to say and what opportunities they may afford people. Isn't that correct?"

**Ms. Williams** said, "That's very correct. And surprising so, at historically Black college or university, Caucasians are considered a minority, so they also have scholarship dollars available for those minorities."

**Regular Meeting, February 22, 2006**

**Chairman Sciortino** said, “Oh, now that’s unique. Now if any young person is in the audience and would like to call and get a little bit more background information on it, do you have a number that they could . . .?”

**Ms. Williams** said, “Sure. My number is 943-8951 or my cell phone number is 519-3057.”

**Chairman Sciortino** said, “Great. Well, thank you very much and good luck.”

**Ms. Williams** said, “Thank you very much.”

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

**APPOINTMENT**

**A. RESOLUTION APPOINTING MEMBERS TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.**

<b>Joe Pajor</b>	<b>Dee Stuart</b>	<b>Randy Parker</b>
<b>Clement Dickerson</b>	<b>Dean Frankenbery</b>	<b>Judith Spor</b>
<b>Cliff Sones</b>	<b>Bridget Lemen</b>	<b>David Lies</b>
<b>Jo Sanders</b>	<b>Wes Galyon</b>	<b>Susan Saidian</b>
<b>David Buchholz</b>	<b>Nancy Larson</b>	<b>Marty Cornejo</b>
<b>Nicki Soice</b>		

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “The Solid Waste Committee, the county’s Solid Waste Committee consists of 16 members, including a non-voting chair and these members come from different categories and these are appointments and in some cases reappointments to serve terms expiring December 31 of 2007.

Among those appointments are: Joe Pajor, who would represent the first-class city, the City of

## **Regular Meeting, February 22, 2006**

Wichita who was nominated by the mayor; Dee Stuart, who was nominated by the mayors of the second-class cities; Randy Parker, who was nominated by the mayors of third-class cities; Clement Dickerson, who would represent the unincorporated area; Dean Frankenbery, representing the general public; Judith Spor, representing citizens' organizations; Cliff Sones, representing private industry; Bridget Lemen, representing private solid waste management industry operating in the county; David Lies, representing private recycling or scrap material processing industry operating here in the county; and Jo Sanders, who is an automatic appointment by virtue of her status as the county's recycling coordinator; Wes Galyon, representing the First District; Susan Saidian, representing the Second District; David Buchholz, representing the Third District; Nancy Larson, the Fourth District; Marty Cornejo, the Fifth District and Nicki Soice would serve as the non-voting Chair.

I received a note from Susan Erlenwein indicating that none of these members would be present this morning for swearing in and that they would be sworn in prior to the next Solid Waste Committee meeting, so I don't believe any of them are present."

**Chairman Sciortino** said, "Okay, so all we need to do is make a decision on this item. Okay. Commissioners, what's the will of the Board?"

### **MOTION**

Commissioner Unruh moved to adopt the Resolution.

**Commissioner Unruh** said, "But also would like to just go on the record that we sincerely appreciate the long-time service of these individual committee members. Many of them have been serving the Solid Waste Committee for quite some time and they have developed quite a body of knowledge and expertise through their years of service and we just want to definitely express our appreciation for their willingness to serve."

**Chairman Sciortino** said, "Thank you. I have a Motion. Is there a second?"

Commissioner Norton seconded the motion.

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

### **VOTE**

**Regular Meeting, February 22, 2006**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Chairman Sciortino	Aye

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

**PUBLIC HEARING**

**B. PUBLIC HEARING AND RESOLUTION PROVIDING TERMS AND CONDITIONS FOR AD VALOREM TAX EXEMPTION TO WEAVER MANUFACTURING, INC. PURSUANT TO ARTICLE 11, SECTION 13 OF THE KANSAS CONSTITUTION.**

**Mr. Breathett**, Economic Developer, Division of Community Development, greeted the Commissioners and said, "Weaver Manufacturing is a company that manufactures aircraft parts used for our local aircraft industry. In 2003, they merged with Gibbs Machine and expanding their operations. They are located in the county area. They are at 4621 [sic] South West Street. Now the company currently employs roughly 68 employees and the company anticipates creating 15 new jobs over the next four years, as a result of this expansion.

Weaver Manufacturing is represented this morning by Timothy Farrell, President, and Ed Dunn, the accountant for the organization and they're here to answer any questions that you might have. We'd like, at this time, give you that opportunity if you have any questions for them and if not, we ask that you would approve the resolution."

**Chairman Sciortino** said, "Okay. Did you have something that you would like to address us with or talk to us about on this?"

**Mr. Timothy Farrell**, President, Weaver Manufacturing, Inc., said, "No, just hope you approve this reward."

**Chairman Sciortino** said, "Well, we'll open up the public hearing maybe at this time, and if there's anyone in the audience that would like to speak for or against this item, now is your time to speak.

**Regular Meeting, February 22, 2006**

I see none, so I will close the public hearing and restrict the comments to the bench. Commissioners, is there anything that you all would like . . . I'm sorry, I should look at the lights and when it's on . . . Okay, sorry, Commissioner Winters."

**Commissioner Winters** said, "Thank you. Sherdeill, this is coming . . . wouldn't be here without your recommendation and your department's recommendation to move forward and the requirements that need to be met have been met and you're satisfied that this is a project we need to support?"

**Mr. Breathett** said, "That is correct."

**Commissioner Winters** said, "Thank you. And Rich, from your staff's investigation, we've met all the legal requirements here and there's no reason this should not move forward. Is that correct?"

**Mr. Euson** said, "That is correct, yes sir."

**Commissioner Winters** said, "Thank you. Those were the only two questions I have, Mr. Chairman."

**Chairman Sciortino** said, "All right, thank you. Any other comments? What's the will of the Board? I'm looking. I don't see any other lights."

**Commissioner Norton** said, "Don't we have to do a public hearing?"

**Chairman Sciortino** said, "I did. I already closed it."

**Commissioner Norton** said, "Oh, I didn't hear."

**Chairman Sciortino** said, "I'm pretty fast on a public hearing. Speak now or forever hold your peace."

**MOTION**

**Regular Meeting, February 22, 2006**

Chairman Sciortino moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, "Thank you very much."

**Commissioner Winters** said, "I do have one other comment, I guess."

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

**Commissioner Winters** said, "And again, I would just say that, you know, this is again another example that you don't have to be one of the industry giants to take advantage of some economic development incentives that are provided us through state law and that we support here locally. So this is certainly not one of the large, giant companies of our community here that's getting part of this, and so we congratulate you for putting your capital at risk to go out and try to make some money and we hope this is helpful."

**Chairman Sciortino** said, "Okay, thank you. Next item please, Madam Clerk."

**NEW BUSINESS**

## Regular Meeting, February 22, 2006

### C. ARENA SALES TAX OVERSIGHT COMMITTEE REPORT.

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, “Standing beside me is Greg Sevier, who is the chairperson of the Arena Sales Tax Oversight Committee. As you know, this is a committee that you created shortly after the referendum at which the voters approved the special purpose not to exceed 30-month sales tax for the purpose of building the arena. And the committee exists to look over our shoulders and make sure that we are receiving the money that we’re supposed to receive, that we’re accounting for it correctly and that we’re spending it in a manner that the voters approved. And to the extent that any of those things should prove not to be the case, it’s the job of the committee to report that to you and to the public.

In the charter that you adopted for the committee, you asked that they report to you at least every six months. Their first meeting was in July of last year and they are now issuing their first report to you. It’s contained in your agenda packet. The highlights of this report, and this is information through January the 27<sup>th</sup>, which was the Friday prior to the committee’s Tuesday meeting, as of that time, the committee reports that we have collected 31.5 million dollars of revenue to date. Those are collections from the cash registers for the period of July 1<sup>st</sup>, when the tax commenced, through the end of November and they were received from Sedgwick County from the state government in September through January and so there’s a two month lag from the time you paid sales tax at the register to the time we receive that tax revenue in the county’s bank account.

In addition, the committee is reporting that as of January the 27<sup>th</sup>, total spending of the arena project had been 2.273 million dollars, of which 1.5 million dollars was a reimbursement to the county for expenditures previously incurred in the design of the pavilion improvements at the Kansas Coliseum and those had been approved by the voters in the referendum and \$769,000 were for A & E services for the downtown arena.

Most importantly, at the very end of the report, the committee notes that it did not find any inappropriate expenditure of sales tax funds in the activities that had transpired to date. Attached to the report are a series of tables summarizing the budget and actual to-date expenditures and other commitments of the sales tax and also showing the receipts to date and the comparison of receipts to projected revenues. I would note that the budget that is shown in these reports is the one that existed at the end of January.

You’ll recall that I think it was maybe at last week’s meeting or perhaps the meeting before that, you took action to modify the arena budget. That is, you did some reallocation of budget within the 184 and a half million-dollar total. Those modifications, those reallocations are not reflected on this

### **Regular Meeting, February 22, 2006**

report, because this report was prepared before you took that action. With that, I will shut up and let you ask Mr. Sevier any questions that you care to ask of him.”

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

**Commissioner Winters** said, “Thank you very much. Greg, we certainly appreciate you and the other members serving on this board and since this is the first time that we’ve heard from you officially and formally and I’m not going to ask you any questions, except to just make sure that you and the other members know that if you need any additional information, it looks to me like Chris Chronis and his crew have developed a format that is going to allow you to follow these dollars, but if it’s not to your liking or if it’s not to the committee’s liking, that’s one of the reasons that we’ve asked you to be with this group is to share that with us at any time, and if ever there is a need or a want to talk about things with commissioners, please do not hesitate to give us a call and say we’re either not getting the information we need or we need it in a different format or whatever it is, because I’m confident that the commissioners and Mr. Chronis and his staff want to give you everything you need, so I hope things have gotten off to a good start and I hope this is the kind of information that you think is valuable to look at.”

**Mr. Greg Sevier**, Chairman, Arena Sales Tax Oversight Committee, greeted the Commissioners and said, “Thank you for those comments, but I do want to report that I can assure you Chris has been very accommodating and cooperating in getting us the information we requested, could ask for any more from him and his staff as to what he’s done to assist us with our task, so it’s been enjoyable. We appreciate the opportunity to be of service to the county. Our task is to report every six months, but I can tell you that if there’s any time that you wanted me to have a report more frequent to that, we’re certainly willing to do that.”

**Commissioner Winters** said, “Thank you. That’s all I have.”

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

**Commissioner Unruh** said, “Thank you, Mr. Chairman. Greg, I also want to express appreciation for your willingness to serve the county and serve the community and with your extra responsibilities not only being on the committee, but willing to serve as chair. And have full

## Regular Meeting, February 22, 2006

confidence in your ability to serve out in that position and your willingness to come back more frequently I think is . . . appreciate that also, because we're starting to get calls and e-mails of folks saying 'Well now, how much have we really collected and are we going to be able to have enough' and 'Have we already got it all' and all sorts of questions so we may want to ask you to come back more frequently and just reassure the community that there is a citizen group who are kind of, as Chris said, looking over our shoulder. But I don't really have a question, unless you want to comment on the rate of the revenues that we're receiving and how much of a huge problem that is."

**Mr. Sevier** said, "A huge problem? I think, you know, we've been on the committee, certainly comfortable that the revenues have come in over what the projected amounts were and we too, on the committee, have received numerous comments of have we collected enough yet? Is it over? You know, 'How long is it going to last?' kind of comments. But certainly it's better to come with a report that revenues exceeded projections, at this point, but as you all know, you know 30 months is a long time and projections can change, so it's a good starting point, but certainly too early to have any kind of long-term certainty as to where we'll be."

**Commissioner Unruh** said, "All right, thank you for that comment. That's all I have, Mr. Chair."

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

**Commissioner Norton** said, "Greg, give us a little idea of some of the challenges or questions that folks on your committee have asked. I know you're pretty early in the process, so far, but the public hadn't seen the report. We'd looked at it, but staff gives you a lot of information. Have there been challenges, questions, some things that have come up in your meetings that maybe the public needs to know that . . . what your thought process as you go through this."

**Mr. Sevier** said, "Well I'll just tell you what we've done in our couple of meetings is our first meeting or two was getting an orientation to the accounting process and reporting that is given to us and a knowledge of how that system works. We've then, since, get a report from the State Treasurer from their website and it showed the amount of sales tax that's distributed to the county. We then follow that into the county records to assure that all the sales tax revenues distributed by the state have been recorded in the arena project funds and we're to the penny on those numbers."

We have complete access to all the expenditure records and, in our meetings, we have requested to look at those expenditures and the supporting documentations, the requisitions, purchase orders and then vendor invoices and/ or contracts to support those expenditures. And so we've had complete

## Regular Meeting, February 22, 2006

cooperation from Chris and his staff and have found adequate documentation to support all the expenditures that have been charged to the arena project to this point.”

**Commissioner Norton** said, “Well I think it’s important to note that the dollar number is not a number that our staff just gives you to work with. You get that directly from the state, so you’ve got a pure starting point of what to start with, as opposed to commissioners or somebody in our staff giving you whatever we want to give you as a dollar amount to start. You’ve got a pretty pure figure on that.”

**Mr. Sevier** said, “Yes, I go directly to the state treasurer’s website and they have a monthly report that shows the distributions to all the taxing districts in the State of Kansas and we access the Sedgwick County distribution and then they have it segregated as to how much is the arena project revenues and then we trace those into the county’s reports.”

**Commissioner Norton** said, “I think it’s important to know, that the citizens know that this isn’t kind of a puppet organization that we stood up that really we just wanted to blush over what’s really happening but to really dig in and have pure figures to look at, not just what we want them to have access to. I think that’s very important.”

**Mr. Sevier** said, “I can assure you, our committee has been very serious and we’re taking the task very seriously and we’ve asked a lot of questions and, to this point, we’ve received good answers on everything and the staff has been very cooperative.”

**Commissioner Norton** said, “That’s wonderful, thanks. That’s all.”

**Chairman Sciortino** said, “Thank you. Commissioner Burtnett.”

**Commissioner Burtnett** said, “I actually do have some questions for Mr. Chronis. This projected budget is very easy to read and I’m wondering, is this available to the general public?”

**Mr. Chronis** said, “It can be. Which page are you looking at?”

**Commissioner Burtnett** said, “Page 30 in my backup, which just says ‘Sedgwick County Arena Project Budget, as of January 27, 2006’. It’s just a very simple form. It’s very easy to read.”

**Mr. Chronis** said, “That is a summary of the information, in the county’s financial system, that we prepare in Finance in a format that the committee had requested. It’s an internally generated report. We can put it on the website, if you’d like. If you think citizens would be interested in it.”

## Regular Meeting, February 22, 2006

**Commissioner Burnnett** said, "I think they might be, because like I say, this is very simple, easy to read and that way they can see where exactly the money is going."

**Mr. Chronis** said, "Okay. I would note though that it is a report that we prepare several days in advance of the committee meetings. It's not something that's routinely prepared."

**Commissioner Burnnett** said, "Right. And I don't think it has to be updated daily. I just think it would be good information for people to see."

**Chairman Sciortino** said, "Maybe it would be a good idea when we get our every six months report and they have an update, then that could maybe be put on, if that's something that you think . . . It's public record, so once we have it here . . ."

**Mr. Chronis** said, "And I believe this report from the committee already is on the website."

**Commissioner Burnnett** said, "Okay, great. Shows I should look at the website more often. That's all I had."

**Chairman Sciortino** said, "Okay. The only comments that I want to make is just to get back to the nucleus as to why we formed this committee. This is a citizen's sales tax oversight committee to assure the public that every dollar that we're supposed to have for this project is accounted for and perhaps, more importantly, every dollar that's expended is expended in accordance to what you all voted on. And we felt the credibility of your committee, Greg, where you're reporting directly to us. We're not having to rely solely on Chris Chronis and I like the analogy of looking over his shoulder, because it increases, I think, our credibility with the taxpayers who are building this building, that the dollars are coming in properly and that they're being taken out of the account in a proper manner and in the manner in which they voted for."

So, like Tom said, if for any reason that you don't feel that you're getting enough information or you need more, you call us directly and we'll see to it that you get it, because you are actually acting as a buffer for the sale tax payers that these monies are being expended properly. And I think this first report was tremendous. I agree with Commissioner Burnnett, it's one of the few times I see a financial report that I can 'Slot A, Tab B', I can make sense out of, so I like the format that you've adopted. So anyway, please keep up the good work and we do thank you and your committee very much for assisting us in the largest public works project we've ever undertaken."

**Mr. Sevier** said, "You're welcome."

**Chairman Sciortino** said, "Okay, thank you. All right, commissioners, have we voted on this item

**Regular Meeting, February 22, 2006**

yet? What's the will . . . do we have to take a Motion?"

**MOTION**

Commissioner Winters moved to receive and file.

Commissioner Burtnett seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, "Thank you again, very much. Thank you, Chris."

**Mr. Chronis** said, "Thank you, Commissioners. Before I leave, there have been several mentions made of the committee and its good work and I think we probably ought to mention who those committee members are. In addition to Greg Sevier, who has been elected by the committee as chair, we have John Clevenger."

**Chairman Sciortino** said, "And also, if you know it, you might say what his background is too, if you happen to have that."

**Mr. Chronis** said, "I don't have it here. I can speak from memory for most of these people. John Clevenger, who is the president I believe or CEO of Commerce Bank, Bruce Armstrong, who is a former mayor of Haysville and I believe is still on the city council of Haysville. Christina Ricky, who is a CPA here in town and who is the vice-chair of the committee; Frank DeSocio, who is a local business person; Tim Short, who runs a financial services consulting firm; Mark Dennett, who is a banker here in town; Jose Gutierrez, who also is a banker; Richard Schodorf, who is an attorney with the U.S. Attorney's Office; and George Arnold, who is a developer and I believe a former elected official of Derby and those make up the committee.

Mr. Sevier also mentioned the work of the staff of the Finance Division. I would like to point out that that staff, working on this project who have been doing such a good job are Troy Bruun, Ginger Radley and Misha Jacob and they all have done a great job for us and made me look good."

## Regular Meeting, February 22, 2006

**Chairman Sciortino** said, “Good, thank you. Well, I thought it was important to let people know that the people that we have on this committee are well qualified to be able to look and numbers and make sense out of numbers. They’re not just well-meaning laypeople that maybe don’t have the expertise to be able to digest these numbers that are in front of them but are ones that deal with numbers every day and can spot ‘Slot A doesn’t fit into Tab B’ immediate, so they’re very well qualified committee that we have. All right, thank you very much. Madam Clerk, would you call the next item please.”

### **D. PRESENTATION OF SEDGWICK COUNTY APPRAISER’S ANNUAL REPORT OF REAL PROPERTY VALUE TRENDS IN SEDGWICK COUNTY.**

#### **POWERPOINT PRESENTATION**

**Mr. Michael Borchard**, County Appraiser, greeted the Commissioners and said, “As we prepare to mail value notices to property owners of Sedgwick County, informing them of their 2006 appraised values, we wanted to report to you the results of our year of analysis of market trends and building permits.

There are three primary processes that the Appraiser’s Office Real Estate Operations Division is involved with throughout the year. One is that we revisit each property within Sedgwick County every six years. This is to ensure that the property characteristics data remains stable over time.

Second one is to discover, list and value all property that had significant changes. This would be, for example, properties that had building permits pulled and new construction. Then we update appraisals each year to assure that all properties are valued at fair market value. In order to do that, we review the recent sales that occurred over the year. We inspect those properties and compare them to the prior year’s appraised values.”

**Chairman Sciortino** said, “Mike, before you go forward, on that first item, I think it’s important for the public to know that every six years, a member from your department physically goes out and looks at the property. Isn’t that what you mean by revisit?”

**Mr. Borchard** said, “That’s correct.

This chart here shows the parcel growth in Sedgwick County from 2000 through 2006. Increases in parcel counts are typically a result of vacant and agricultural land that’s being subdivided and developed.

## **Regular Meeting, February 22, 2006**

As far as market activity, this chart shows the number of sales that occurred over the last several years. This is all classes of sales: residential, commercial, vacant and agricultural. 2005, there was 15,737, which was . . . exceeded last year's record high significantly. All these sales are screened to insure that they meet the qualifications for representing fair market value.

As far as classification goes, three of the primary classifications, the approached evaluation is market value and agricultural value, it is use value. The Appraiser's Office is responsible for assigning these different classifications and along with those classifications goes different assessment rates. You'll see, residential is at eleven and a half, commercial is at 25, vacant at 12 and agriculture at 30%.

Residential property in Sedgwick County makes up about 50% of the total assessed value. Market activity in residential classification has been at record levels. There's two primary reasons for that.

One is that there's a good supply of homes that are listed for sale on the market and two, even though interest rates have tripped up a little bit in 2005, from a historic perspective, they remain very low.

Residential building permit activity was very strong again in 2005. New home starts were at 2,216, up significantly from 2004. The median sale price of residential properties was 107,000 in 2005, up from 2004 about 6%.

Commercial, industrial property represents about 30% of the total assessed value in Sedgwick County. Commercial building activity was up in 2005. There has been significant new development in both the northeast and northwest areas of the City of Wichita.

In summary, in 2005, we added 275,000 square feet of retail space, about 400,000 square feet of office space, 625,000 square feet of warehouse and added 142 apartment units.

As far as commercial property transactions, they were up significantly in 2005 as well and as we compared our 2005 appraised values to those sale prices, they were typically in the range of 85 to 95% of our appraised value . . . or excuse me, our appraised value was between 85 and 95% of what the property sold for.

There's still about 70% of the land in Sedgwick County that is devoted to agricultural use. It's currently being absorbed at about 2,750 acres a year, or about four square miles. While the property valuation division estimates the value of ag land in Kansas, what they provide to us is a unit price for a particular use of ag land. Agricultural land values were mainly stable this year, with some

## Regular Meeting, February 22, 2006

modest increases.

So, in summary, with all the new market data, we updated the appraised values for the properties in Sedgwick County for 2006. As far as commercial properties, around 3,600, or 65% of those will see an increase in value. And agricultural parcels up 9,500 or 24%, will see an increase in value. Typical value changes for all these classes will range from 3 to 6%.

With that, we've updated a lot of values this year. We'll be mailing out 209,000 value notices next Wednesday. Property owners do have the opportunity to appeal those values. The instructions for appealing those are on the back of the value notice and we ask that those instructions be read carefully before they send them in. The informal hearings will begin on March 15<sup>th</sup> and the deadline to file those appeals will be April 1.

As far as our data and property characteristic information and values, it's all available to the public. The best place to research that is at our website at [www.sedgwickcounty.org](http://www.sedgwickcounty.org) and go to the appraisal division."

**Chairman Sciortino** said, "Now Mark, isn't there been a change of address on the Derby street . . . that still shows the Derby Tag Office. Hasn't that been changed?"

**Mr. Borchard** said, "We still have a couple of staff at the Derby Tag Office and that's where property owners can go for just general enquiry on values. We are going to have our hearings at a different location this year. That would be the Derby Tag Office. We also have a convenience center at 940 North Tyler and the second floor of the County Courthouse we have information available as well. So that concludes my report. If you have an questions, I'll be glad to answer them."

**Chairman Sciortino** said, "Thank you. Commissioners? Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chair. Mike, I didn't hear what you said that the average or typical valuation increase, did you set a percentage?"

**Mr. Borchard** said, "For residential property, the typical change is going to be 3%. Commercial, it's going to be more like 5%."

**Commissioner Unruh** said, "Okay. With all the activity that you measure out there, it seems like every statistic you gave us was an increase over the previous year. Most of them were pretty significant increases, so I suppose the conclusion from that is we shouldn't be surprised if our home value is up slightly, with all the activity that's out there."

## Regular Meeting, February 22, 2006

**Mr. Borchard** said, "Based on the last year's market data, which was significant, there was plenty of information to say that our appraisals had slipped lower than they were before."

**Commissioner Unruh** said, "Well, with over 15,000 sales that you had recorded last year, that's a pretty substantial sample, out of 209 parcels and we're falling within the state mandated range for accuracy there, on those? I mean, that allows us to test whether or not we're doing a good job and we're hitting market value."

**Mr. Borchard** said, "Right. We are meeting the standards for accuracy on our appraised values. We do track those, over time though, and we can actually watch the ratios slip off over the last year. So, in order for us to keep from going all the way to market, if we left values the same for a year and then we had, like a two-year adjustment, it would be a significantly more . . . higher impact on people's appraised values."

**Commissioner Unruh** said, "I see. Okay, just because each year we've been experiencing . . . I don't know if inflated is the right word, but an increased value, because the market has been so strong."

**Mr. Borchard** said, "It's been a stable appreciation."

**Commissioner Unruh** said, "Well, my main point I wanted to ask or make the point, that we're able to test our accuracy and we're doing a good job of hitting market value with our appraisals."

**Mr. Borchard** said, "Yes."

**Commissioner Unruh** said, "All right, thank you. That's all I had, Mr. Chairman."

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

**Commissioner Norton** said, "Mike, explain a little bit, because as I talk to the public, a lot of times they will say 'You raised my property tax values' and really the state controls that. There's a CAMA system that guides us. A lot of it is done through information that's loaded into the computer that talks about fair market values and statewide equity. Talk about that just a little bit,

## Regular Meeting, February 22, 2006

because I don't think all the public understands that the five county commissioners don't set property values. That the Appraiser's Office is part of the state, although we supply you location to function and we do supervise the day-in/ day-out operation, but as far as setting the property evaluations, that's handled through the state, through your office. So, kind of explain that a little bit."

**Mr. Borchard** said, "The legislation is what enacted the fair market value as the means for a fair and equal property tax system, so in order to arrive at market value, we have to have all the property characteristics of all the property in Sedgwick County and then we have to track the market, over time. So we use a computer-assisted mass-appraisal system that holds all that property characteristic data and we can incorporate the new year's worth of market sales into that system and based on our model calibrations, determine at what level our appraised values are for a year. So our responsibility is to keep values updated, so they don't get too far away from market value."

**Commissioner Norton** said, "That also keeps us equitable, as far as statewide, also isn't it, not just within Sedgwick County?"

**Mr. Borchard** said, "That's true. All 105 counties fall under the same guidelines, as far as market value."

**Commissioner Norton** said, "Okay. One of the things I heard you say was 30% of our valuation is commercial and as more and more commercial is updated, particularly with downtown redevelopment, that will take some of the pressure off of residential, if that really happens. Is that a fair statement?"

**Mr. Borchard** said, "It really depends on the growth, as compared to residential. You saw from the one slide that we were significantly up on residential permits as well. So I think they're increasing at about the same rate, so really they're going to probably . . . the affective tax rate is going to remain stable on both those classes of property."

**Commissioner Norton** said, "Do you happen to know what Johnson County, which is a high commercial, industrial area, does compared . . . We have I think a lot of agricultural property. I would think they have maybe a little of their revenue that comes out of their commercial evaluations. Do you have that number off the top of your head?"

**Mr. Borchard** said, "Well, I know we have similar parcel counts. Certainly, Sedgwick County is an older urban jurisdiction, and Johnson County is much newer and their property values are significantly higher than they are here."

## Regular Meeting, February 22, 2006

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

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

**Commissioner Winters** said, "Thank you. Well, I just wanted to make two quick comments and one is to remind people, once they get that evaluation notice, if they believe it is not correct, as Mike's indicated, there is a procedure to have your value re-looked-at and go through an informal and then a more formal process and then even to a state board of tax appeals, if that's the property owner's desire. But again, for anyone who wants to get in that system, the Appraiser's Office has developed a system to have that one-on-one personal contact by filling out that indication that you want to question the value on your property.

And again, you can get information about information you need and how you can go about that and what you need to be thinking about on the county's website, [sedgwickcounty.org](http://sedgwickcounty.org), so I encourage anyone to look at that, as they think about that appeal process. I think the second comment I was going to make was in regard to Mike Borchard and the work that he's doing. Mike has been county appraiser now just a little over a year. Is that right, Mike?"

**Mr. Borchard** said, "Yes."

**Commissioner Winters** said, "Just a little over a year. I think he continues to develop an excellent staff. He's got some of his staff in the meeting room this morning and we continue to be, I think, very encouraged by the work that Mike is doing for Sedgwick County citizens, as he represents the State of Kansas and property evaluations and as he represents the Board of County Commissioners.

And again, he has developed, along with his staff, a good informal hearing process that people can get in there and find out more details about their valuation, if they wish to do that. So Mike, I think this was an excellent report and of course one of the things that it was reporting is good news in Sedgwick County. I mean, good economic news. People are buying and selling properties, there's more properties for sale, there's more permits being issued, there's more business space available, more office space, more warehouse space and again, that is a scenario that drives market value, so excellent report this morning, Mike. Thank you."

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

**Commissioner Norton** said, "Two things maybe you could comment on. You're going through a process of updating the CAMA system and that's a harrowing process for your staff and everything, but you might want to talk about that a little bit, because that is what guides property values, that whole CAMA system. And then secondly, talk about the new technology that you've got that we'll

## Regular Meeting, February 22, 2006

be using to look at properties and be able to reevaluate what's happening to them. You might want to talk about those two things real quick like."

**Mr. Borchard** said, "As far as the new CAMA system, the State of Kansas provides us the same CAMA system for every county in the state. We are currently in the process of converting over to that new system and over the next two years we'll have converted our existing data into it and we'll be using it to develop our 2007 . . . excuse me, 2008 appraised values. The biggest difference is that we're moving off a mainframe system onto a server-based environment. It allows us a lot more flexibility, as far as access to the public and just more user friendly.

As far as our new technology is oblique images. In an earlier slide, you saw where the parcel counts continue to grow. In order for us to keep up with that growth, we're looking to new technology. One of the opportunities that the State of Kansas allowed for in our maintenance specifications was to use digital technology in place of actually having appraisers on the street, so we purchased some oblique images, which are aerial images of all the property in the county that are shot at a 40 degree angle. It comes with some very accurate measuring tools. It's going to allow us to speed up our reinspection process, where we can verify property data characteristics, immensely. So, we are looking forward to that technology and hopefully we'll put that in place mid or late-summer this year."

**Commissioner Norton** said, "What that really, with 209,000 parcels and trying to get back to those once every six years, this will enable you to do that without so much manpower, with tape measures, out in the field. Is that correct?"

**Mr. Borchard** said, "That's right."

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

**Chairman Sciortino** said, "All right, Commissioners, we haven't voted on this, so what's the will of the Board on this item?"

### MOTION

Commissioner Burtnett moved to receive and file.

**Regular Meeting, February 22, 2006**

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Thank you, Mike, good report.”

**Mr. Borchard** said, “I wanted to thank our staff too, who have worked especially hard the last couple of months to get these values out.”

**Chairman Sciortino** said, “All right, thank you staff. Next item please, Madam Clerk.”

**E. RESOLUTION APPROVING TWO SUB-GRANT AGREEMENTS AND A FUNDING AGREEMENT WITH DERBY RECREATION COMMISSION AND AUTHORIZING SEDGWICK COUNTY TO PROVIDE FINANCIAL ASSISTANCE FOR CONSTRUCTION OF THE OAKLAWN COMMUNITY RESOURCE CENTER.**

**Mr. Marty Hughes**, Revenue Manager, Division of Finance, greeted the Commissioners and said, “This morning we have for your consideration a resolution that will pass through a couple of grant . . . HUD grant funds that we received through to the Derby Recreation Commission. I’d like to read the resolution into the record at this time.

*WHEREAS, Sedgwick County, Kansas is a legal governmental entity as provided by the laws of the State of Kansas; and*

*WHEREAS, Sedgwick County has adopted the Oaklawn/ Sunview Neighborhood Revitalization Plan, which has as one of its goals to expand recreational programs and physical capabilities in the Oaklawn and Sunview Improvement Districts; and*

*WHEREAS, Sedgwick County has entered into two grant agreements with the*

**Regular Meeting, February 22, 2006**

*Department of Housing and Urban Development (HUD) pursuant to the authority of Public Law 108-7 (the FY 2003 Appropriations Act) and Public Law 108-447 (the FY 2005 Appropriations Act for HUD and other Agencies) and House Report 108-792, the Conference Report on the Appropriations Act; and*

**WHEREAS**, *pursuant to the terms of both of the above-described grant agreements, Sedgwick County has agreed to enter into a sub-grant agreement with each sub-grantee that will have responsibility for designated aspects of project performances as identified in Sedgwick County's grant applications and Article VIII(B) of each of the grant agreements; and*

**WHEREAS**, *the Derby Recreation Commission is designated in Article VIII(B) of each of the above-described grant agreements as the sole sub-grantee for the grants; and*

**WHEREAS**, *Sedgwick County and the DRC desire to enter into two sub-grant agreements pursuant to the authority of Public Law 108-7 (the FY 2003 Appropriations Act for HUD and other agencies) and House Report 108-10 (the conference report on the appropriations act) and Public Law 108-447 (the FY 2005 Appropriations Act for HUD and other agencies) and House Report 108-792 (the Conference Report on the Appropriations Act) for the purpose of providing HUD pass-through grant funds to the DRC to construct the Oaklawn Community Resource Center; and*

**WHEREAS**, *Sedgwick County desires to enter into an agreement with the DRC providing for additional financial assistance for the construction of said Oaklawn Community Resource Center in an amount not to exceed \$100,000 under certain terms and conditions.*

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

*The Chairman of the Board of County Commissioners of Sedgwick County, Kansas is hereby authorized to enter into and sign two sub-grant agreements with the Derby Recreation Commission for the purpose of providing HUD pass-through grant funds*

## Regular Meeting, February 22, 2006

*to the Derby Recreation Commission to construct the Oaklawn Community Resource Center; and*

*The Chairman of the Board of County Commissioners of Sedgwick County, Kansas is hereby authorized to enter into and sign a funding agreement with the Derby Recreation Commission providing for additional financial assistance for the construction of the Oaklawn Community Resource Center in an amount not to exceed \$100,000.*

And that's the resolution. This resolution provides an opportunity for the county to pass through two federal grants previously awarded to the county by the U.S. Department of Housing and Urban Development for the sole purpose of assisting the funding of the construction of the new Oaklawn Community Resource Center.

The two HUD Economic Development initiative special project grants consist of a 2003 grant from HUD in the amount of \$232,479 and a 2005 HUD grant in the amount of \$272,800. Additionally, the resolution identifies \$100,000 in county tax support to be provided to the project. Total funding from Sedgwick County to the Derby Recreation Commission toward the Oaklawn Community Resource Center, through these three sources, is \$605,279. And I'd recommend you approve the resolution and authorize the agreements that are a part of the resolution and I'd be glad to answer any questions you might have."

**Chairman Sciortino** said, "Commissioners, I don't know if you have any questions. Let me kind of boil down what was just presented to you in Kansas kitchen English. We've been working on this project now for about six years and we had allocated the \$100,000, we had allocated years ago to get this. Through the efforts of a lot of people, we've . . . Todd Tiahr was able to get us the one HUD grant and then Sam Brownback was able to get us the most recent HUD grant. And what this does is, there will be some delay in getting the actual funds from Washington into our bank account, but they've been already guaranteed they're coming and by this resolution, it will allow now the DRC to commence construction and draw down, as they present us with the bills for this amount, so they can get the project started and finally bring it to fruition. So, that's basically what all these legal documents are being presented to us today mean, in English that I can understand. So are there any comments? I'm sorry. Commissioner Unruh."

**Commissioner Unruh** said, "All right, thank you Mr. Chairman. The ongoing operating expenses that will be incurred by this facility then will be covered by . . .?"

**Mr. Hughes** said, "The Derby Recreation Commission."

**Chairman Sciortino** said, "Yeah, this is just for the construction. We have no responsibilities for the on-going operation of the facility, whatsoever, now or in the future. They understand that this is

**Regular Meeting, February 22, 2006**

our commitment and that's it. Don't come back to us for anything more."

**Commissioner Unruh** said, "Okay. And this total amount of \$605,000 completes the project?"

**Chairman Sciortino** said, "I believe so, yes."

**Mr. Hughes** said, "It's our commitment to the project."

**Chairman Sciortino** said, "It's our commitment to the project."

**Mr. Hughes** said, "Yeah, there's other funds involved."

**Chairman Sciortino** said, "There's other funds that they've already raised from other sources. They did something about that tax credit thing and they've raised other funds. I don't know what the total cost of the project is, but this is our total commitment to the fund."

**Commissioner Unruh** said, "Okay, very good, thank you. That answers my question, thank you."

**Mr. Hughes** said, "Thank you."

**Chairman Sciortino** said, "I don't see that there's any other questions or comments. So what's the will of the Board?"

**MOTION**

Commissioner Burtnett moved to adopt the Resolution and authorize the Chairman to sign related Agreements.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Regular Meeting, February 22, 2006**

**Chairman Sciortino** said, "Thank you very much, Marty. Next item please."

**F. DIVISION OF INFORMATION & OPERATIONS- PROJECT SERVICES**

**1. AMENDMENT TO LEASE AGREEMENT WITH BRUCE J. KOUBA AND EDWARD J. HUND FOR SPACE USED BY COMCARE AT 934 NORTH WATER.**

**Ms. Stephanie Knebel**, Manager, Facility Project Services, greeted the Commissioners and said, "This lease that's in front of you this morning requests your approval on a really simple lease amendment. The term of the existing lease has expired, effective as of December 31<sup>st</sup>. This lease amendment makes only a couple of minor changes on it. We extend the lease through December of 2010, another five years at this location. The monthly rent increases \$100 a month and then also, as a part of this, is a lump-sum payment to the owner for a contribution to a new rooftop HVAC unit. I request your approval on this amendment and I'm available for questions."

**Chairman Sciortino** said, "Thank you. Any questions, commissioners? Seeing none, what's the will of the Board?"

**MOTION**

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

Commissioner Burtnett seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

## Regular Meeting, February 22, 2006

**Chairman Sciortino** said, "Thank you. Next item please."

### 2. LEASE AGREEMENTS (TWO) AND WAIVER OF TERMINATION NOTICE WITH A. J. INVESTMENTS, LLC FOR SPACE USED BY COMCARE AT 1919 NORTH AMIDON.

**Ms. Knebel** said, "This particular lease amendment, there's three documents attached to it, all leading up with the same goal of the same space at 1919 North Amidon. Currently, the county leases space in two different locations. This is a two-story building. The purpose of all these documents is to acquire and use more space on the first floor, an expansion space, and then to get all of these lease agreements under one contract, rather than two separate ones.

We will continue to lease some space on the second floor, but again expand and consolidate space on the first floor. These three documents all tie into that transaction. We will increase the amount of space being used at this location by about 3,400 square feet, expansion room for COMCARE to spread out some folks. They're tight in there right now, as well as some expansion for some new programs that are coming down for approval later on.

There is an increase in the amount of money being paid, an increase due to utility costs as well as acquiring more space. Also involved in this is a lump sum payment of \$2,500 to help with some of the remodeling costs. I request your approval and am available for questions."

**Chairman Sciortino** said, "Thank you. Any questions or comments?"

**Commissioner Winters** said, "The only comment is, is that \$2,500 or \$25,000?"

**Ms. Knebel** said, "\$25,000. I just made a deal this morning. Thank you, commissioner."

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

**Commissioner Norton** said, "I guess this is more of a comment. As we go through our space planning for all facilities, how does this fit into that thought process, that we started that we're trying to pull some units of government together and do some re-looking at all our facilities. It seems like, in the one we just signed, it was five years. Do we have a way to get out of these agreements relatively easy if we make new determinations on facilities, based on this whole facility project that we're doing?"

**Regular Meeting, February 22, 2006**

**Ms. Knebel** said, “Yes, we do. In both of these agreements, we have an ability and capability of getting out of both of these agreements with a number of day’s notice. I believe these are 120 or 160 day notices to the owner that we would be leaving. And we’re trying to incorporate that in all of our lease agreements. The space planning is still some pretty big, broad pictures there and we’re very comfortable with the five-year, but also with the allowance of canceling out.”

**Commissioner Norton** said, “That’s all I’ve got. Thanks.”

**Chairman Sciortino** said, “Thank you. Any further comments, commissioners? Seeing none, what’s the will of the Board?”

**MOTION**

Commissioner Burtnett moved to approve the agreements and waiver of termination notice and authorize the Chairman to sign all necessary documents.

Commissioner Winters seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Thank you, very much. Next item please.”

**G. KANSAS COLISEUM MONTHLY REPORT.**

**POWERPOINT PRESENTATION**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, “My report today is on the start of 2006. For January, we had 65,000 people through the gates, through the doors, 13 events, 30 individual performances.

## **Regular Meeting, February 22, 2006**

Our net revenues for the month, now that's between the Coliseum's operations, the operations of Select-A-Seat, which you know is the regional ticket system, and our sponsorship program was over \$273,000.

Now highlights for the month was again the Annual RV Show, over 6,600 folks in attendance at that. The U.S. Hotrod Thunder Nationals, again an annual event, plays for three days, over 15,500 folks in attendance. The kids love watching the Monster Trucks, they absolutely do, they have more fun. Then you had the Wrangler Pro Rodeo. Incidentally, we had almost 14,000 in attendance at the rodeo. Very important, this is the most successful rodeo we've had since we started producing it in the house eight years ago. We had an increase in attendance and ticket sales by 25%. We cracked \$100,000 gross, with \$108,000 in ticket sales this year. We continually strive to improve the event and we've had these little baby steps the last three years, where we've had a two or three percent increase. This year we really kicked the doors in and did very, very well.

I'm very pleased with the way that turned out for us and of course we do things like the trading post. We bring in the mechanical bull for the little kids to try to ride on it. We do the cowboy dance Saturday night and all that really helps to make it an event and it worked out very well for us.

We also had the Mission of Mercy dental clinic and judging from the amount of folks that actually came out to the service, it certainly demonstrated a very, very important need in this community, for people to have their dental care and we had quite a few folks out there, had everything set up in Pavilion II for the different disciplines, I guess you could say, whether it's cleaning or extractions or just having some folks getting their teeth filled and it took a lot of effort, a lot of coordination. They did an absolutely fantastic job.

Then again, we had three hockey games, over 13,000 people in attendance over the three games. Thunder is doing great. They're up 30% this year. They're doing absolutely fabulous, very pleased.

Coming up, we have a full calendar. We have the Thunder plays Fort Worth tonight. We have the state high school wrestling tournament this weekend, the EquiFest starts this weekend. The Thunder is back in action on Sunday, playing Tulsa. Rascal Flatts, sold out concert March 2<sup>nd</sup>. As you remember, my end of year report last year, Rascal Flatts was the number two touring country group in the country last year.

Sesame Street returns March 3<sup>rd</sup> through 6<sup>th</sup> and we have the Park City and Wichita Wrestling

## Regular Meeting, February 22, 2006

Tournament in our Pavilion II March 4<sup>th</sup>, Chisholm Trail Gun Show the 4<sup>th</sup> and the 5<sup>th</sup>, Mid-Western Quarter Horse Show March 8<sup>th</sup> through 12<sup>th</sup>. That's one of the biggest horse shows we do during the year. Then we round out the next couple of weeks with the Thunder playing Amarillo on the 10<sup>th</sup> and they're here playing Austin on the 11<sup>th</sup>. Commissioners, that concludes my report. If there's any questions, I'd be happy to answer them at this time."

**Chairman Sciortino** said, "Yes, we do have some John. Commissioner Winters."

**Commissioner Winters** said, "Well, thank you very much. John, just taking a snapshot of what's in store for the next three weeks, I mean, I don't know how we can top that kind of events out there.

We've got some of everything and it's amazing to see the hockey team doing well. I know that sometimes we count tickets differently, but I mean, I'm reading in the media seven, eight thousand people at home at some of the hockey is . . ."

**Mr. Nath** said, "Well, we do have two different ways to measuring our success. The only way we can do it, as a facility, is actually counting the folks that are in attendance at the game. Now the Thunder does a different thing. It's the number of tickets sold, tickets out, but since we rely so much on our food and beverage sales, it has to be the folks that are actually in the seats, watching the game, so there's two way to really approach that."

**Commissioner Winters** said, "And so our food and beverage sales are . . .?"

**Mr. Nath** said, "They're \$140,000 ahead of where they were at this point last year, yes sir. They're doing very well. A part of that is because the Thunder moved their games up 30 minutes. Instead of 7:35 start, we at 7:05 start, so folks are coming out and having dinner, so it's really benefited everybody."

**Commissioner Winters** said, "Well that sounds like a great deal and we were out . . . Sedgwick County hosted our advisory groups out there on one of the nights of the rodeo and I . . . my wife and I were out there on a Saturday night, and I was impressed by the number of people in the stands for the rodeo."

**Mr. Nath** said, "That was our highest attended rodeo performance in eight years."

**Chairman Sciortino** said, "Because they knew Tom was going to be there."

**Commissioner Winters** said, "No, I'm saying anything, but it was a lot of people out there, enjoying the rodeo. I was surprised and pleased with that."

## **Regular Meeting, February 22, 2006**

And I don't mean to catch you off guard here, but as we talk about the pavilions and moving forward with the pavilion remodeling efforts, can you remind me, when are we going to shut those pavilions down and when are we going to start that remodeling process and have all of those plans been drawn and ready to go or where are we in that stage?"

**Mr. Nath** said, "The plans are finished. We know what our plan of action is going to be for the pavilions. The plan right now is to close them in May of 2007, reopening in September of 2007. Now as we look at our event calendar right now, most of our events happen in the wintertime. Summertime, between May and August, or early September, it's really a pretty slow time there so it's a good time to close down and to get things remodeled so it's going to work out okay."

**Commissioner Winters** said, "So the remodel will start in about a year from now and we'll be down over that summer."

**Mr. Nath** said, "Right. We'll be down about 90, maybe 120 days and then be back up."

**Commissioner Winters** said, "Okay, sounds perfect. Good report, John. Thank you."

**Chairman Sciortino** said, "John, on that issue, whenever you feel it's appropriate, I know the public is thirsting for pictures of the arena when it gets designed and part of this whole project was the remodeling of the pavilion. Sometime it might be interesting, if you could come to us and show us if there's going to be some changes to the façade or give us something that the public could look at as to what the new and improved pavilion will be, what capabilities it might have, just to start giving them an idea of how their tax dollars are going to be spent. I think the public might appreciate that."

**Mr. Nath** said, "Absolutely, commissioner. In fact, we're developing our new website right now. We were planning on putting some 'in progress' type pictures of the remodeling of the pavilions on the website, so folks could check and see what it looked like."

**Chairman Sciortino** said, "Well, whenever you think that's appropriate."

**Mr. Nath** said, "I'd be more than happy to do that, you bet."

**Chairman Sciortino** said, "All right. Commissioners, any other questions of John? What's the will of the Board on this item please?"

### **MOTION**

**Regular Meeting, February 22, 2006**

Commissioner Burtnett moved to receive and file.

Chairman Sciortino seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Thank you very much, John. See you next month. Next item please.”

**H. AMENDMENT TO THE 2006 CIP TO INCLUDE B407, BRIDGE REPLACEMENT ON 143<sup>RD</sup> STREET EAST BETWEEN 29<sup>TH</sup> AND 37<sup>TH</sup> STREET NORTH.**

**POWERPOINT PRESENTATION**

**Mr. Pete Giroux**, Senior Management Analyst, Budget Department, greeted the Commissioners and said, “Today we have a request from Public Works to add a bridge replacement project to the 2006 CIP. That bridge is located in northeast Sedgwick County, on 143<sup>rd</sup> Street, between 29<sup>th</sup> and 37<sup>th</sup>. It’s one of the remaining posted bridges that Public Works has targeted for replacement and in the last CIP approved in August, we had planned to replace this in 2008 but things change and Public Works received a report of possible damage to the bridge in November. When they sent their inspectors out, they determined that the bridge needed to be closed until it could be replaced.

Estimated cost to the replacement of the bridge is \$400,000. Fund source for it is from the unencumbered balance of the sales tax road and bridge fund. If you have any . . . Both the staff and the CIP Committee recommend approval. Do you have any questions?”

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

**Commissioner Unruh** said, “Thank you, Mr. Chair. I am very pleased that we’re going to move forward with this project. I’m very supportive of it. I’m thankful that, so far, the citizens that use that road have not been overly agitated or upset. Obviously, they want to get this thing completed, but been very understanding of the fact that the road . . . that the bridge is just not safe and finding other ways to get around that area. I am going to be very supportive.”

**Regular Meeting, February 22, 2006**

**MOTION**

Commissioner Unruh moved to approve the CIP Amendment.

Chairman Sciortino seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

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

**I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF FEBRUARY 16, 2006.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the 16<sup>th</sup> results in two items for consideration today.

**1) ROAD IMPROVEMENTS- PUBLIC WORKS  
FUNDING: SALES TAX**

The first item is road improvements for Public Works and the recommendation is to accept the low bid of LaFarge North America in the amount of \$2,061,720.18.

**2) INTERMEDIATE SEDANS- FLEET MANAGEMENT  
FUNDING: VEHICLE ACQUISITION**

And item two, intermediate sedans for Fleet Management and the recommendation is to accept the low bid from Shep Chevrolet in the amount of \$44,704.

Would be happy to answer any questions and I recommend approval of these items."

**Regular Meeting, February 22, 2006**

**Chairman Sciortino** said, “Thank you, Iris. I don’t see that there’s any questions or comments so I’ll ask the board what’s their will on this item?”

**MOTION**

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

Commissioner Winters seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Thank you very much, Iris. Next item please.”

**CONSENT AGENDA**

**J. CONSENT AGENDA.**

- 1. Temporary Construction Easement for Sedgwick County Project 821-AA, Cowskin Creek Drainage. District #2.**
- 2. Three Temporary Construction Easements for Sedgwick County Project 588-25, 26, recondition roadbed plus 6” bituminous surfacing and replace bridge 588-26-574 on 125<sup>th</sup> Street North between Meridian and Broadway. CIP# R-255. District #4.**
- 3. One Temporary Construction Easement and one Easement for ~~Right of~~ Way for Sedgwick County Project 628-22-140, bridge replacement on**

**Regular Meeting, February 22, 2006**

- MacArthur Road between Hoover and Ridge Road. CIP# B-426. District #2.**
- 4. Floodway Reserve Easement for Sedgwick County Project – Trinkle Addition Lot Split. District #2.**
  - 5. One Dedication of Abutter’s Access Rights, one Easement for Public Utilities and one Easement for Right-of-Way for Sedgwick County Project – Pony Acres Addition Lot Split. District #5.**
  - 6. One Temporary Construction Easement, one Easement for Road Intersection Site Distance and 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.**
  - 7. Agreement with Crestview Country Club for easements and damages on 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.**
  - 8. Schedule post annexation public hearing for April 19, 2006.**
  - 9. Resolution and Order stating the Board’s findings regarding the City of Valley Center’s request for a County-approved annexation.**
  - 10. Waiver of policy to hire a Physician Assistant at Step 5.**
  - 11. Agreement with Streamline Title providing on-line access to Sedgwick County’s electronic data.**
  - 12. Order dated February 14, 2006 to correct tax roll for change of assessment.**
  - 13. General Bills Check Register(s) for the week of February 15 -21, 2006.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, “Commissioners, you have the consent agenda before you and I would recommend you approve it.”

**Chairman Sciortino** said, “Thank you. Commissioners, what’s your will on this?”

**MOTION**

**Regular Meeting, February 22, 2006**

Commissioner Unruh moved to approve the consent agenda as presented.

Commissioner Winters seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, "Thank you very much. Commissioners, before we close the meeting, we'll have to also have a fire district meeting, but we're at the area now under 'Other' so if anyone has anything going on that they would like to discuss, now would be the time to do so. Commissioner Unruh."

**K. OTHER**

**Commissioner Unruh** said, "Well, Mr. Chairman, I just want to remind the concerned individuals that are near the K-254 corridor and for those communities along that corridor that you're having a meeting this evening to discuss the plans and get the final consultant's report and that meeting begins at 7:00 out at Bel Aire and so would encourage all those interested to attend. I think that this is a good project, necessary as we think about how development along K-254 corridor will develop between City of Wichita over to the City of El Dorado, so it's an important step in this process.

And then also would like to say that later on this evening, have the opportunity to represent you all at Info-NXX at their ribbon cutting ceremony and celebrate with them the opening of their building and employment of I think about 500 individuals from our area now and it's a positive thing, another good story for Sedgwick County. And that's all I have right now."

**Chairman Sciortino** said, "All right, thank you. Commissioners, any other comments? I'll just say for mine, this afternoon I'm going to take a little mini-vacation and I'll try to think of you when I'm in California in 80 degree weather and I'm going to bring some golf clubs along and might even play a round or two, so I'll try my best to think of you and if there's anything real controversial, please take care of it without me having to be present."

**Regular Meeting, February 22, 2006**

**Commissioner Unruh** said, "Give us a call, will you."

**Chairman Sciortino** said, "I'll try to do that. Maybe I send you a postcard. At this time I'll go ahead and close the regular meeting."

**L. ADJOURNMENT**

**Regular Meeting, February 22, 2006**

There being no other business to come before the Board, the Meeting was adjourned at 10:25 a.m.

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

\_\_\_\_\_  
**BEN SCIORTINO**, Chairman  
Fifth District

\_\_\_\_\_  
**LUCY BURTNETT**, Chair Pro Tem  
Fourth District

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

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

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

ATTEST:

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

APPROVED:

\_\_\_\_\_, 2006