

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 17, 2007

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 10:00 A.M., on Wednesday, January 17, 2007 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Thomas G. Winters; Commissioner Tim R. Norton; Commissioner Kelly Parks; Commissioner Gwen Welshimer; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Don Brace, County Clerk; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Ms. Claudia Blackburn, Director, Health Department; Mr. Randy Duncan, Director, Emergency Management; Mr. John Nath, Director, Kansas Coliseum; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Mr. Ron Holt, Assistant County Manager; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Clyde Bevis, Member, Sheriff's Civil Service Board.

INVOCATION

The Invocation was led by Pastor Rusty Westerfield of Countryside Christian Church, Wichita.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, December 20, 2006

The Clerk reported that all Commissioners were present at the Regular Meeting of December 20, 2006.

Chairman Unruh said, "Commissioners, you've had the opportunity to review the Minutes of December 20th. Are there any additions or corrections? Seeing none, what's the will of the Board?"

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MOTION

Chairman Winters moved to approve the Minutes of the Regular Meeting of December 20, 2006.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you. Commissioners, we have an off agenda item that we need to take advantage of right now. Could I have a motion."

MOTION

Chairman Winters moved to consider an off agenda item.

Commissioner Norton seconded the motion.

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

VOTE

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

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OFF AGENDA ITEM

RESOLUTION REAPPOINTING CLYDE BEVIS (COMMISSIONER WELSHIMER'S REAPPOINTMENT) TO THE SHERIFF'S CIVIL SERVICE BOARD.

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "This morning we have an off agenda item relating to a resolution that would reappoint Clyde Bevis to the Sheriff's Civil Service Board. This is for a three-year term and I recommend you adopt the resolution."

Chairman Unruh said, "All right, thank you. Are there any questions, commissioners or can we have a motion to adopt this resolution?"

MOTION

Chairman Welshimer moved to consider an off agenda item.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Mr. Brace."

Mr. Don Brace, County Clerk, greeted the Commissioners and said, "Please raise your right hand.

I do solemnly swear to support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Sheriff's Civil Service Board so help me God."

Mr. Clyde Bevis, Member, Sheriff's Office Civil Service Board, said, "I do."

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Mr. Brace said, “Congratulations.”

Mr. Bevis said, “Thank you. Thank you very much for this honor, appreciate it.”

Chairman Unruh said, “All right, well thank you Mr. Bevis. We appreciate your willingness to serve and in our community we have a lot of important jobs and we just appreciate your willingness to assume this responsibility, and we wish you the best. Okay, we’ll return to our regular agenda now and Madam Clerk, call the next item.”

NEW BUSINESS

DIVISION OF HUMAN SERVICES- COMCARE

A. AMENDMENT TO GRANT AWARD WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES/ADDICTION AND PREVENTION SERVICES.

Ms. Marilyn Cook, Director, Comprehensive Community Care, greeted the Commissioners and said, “This is an amendment to our contract with SRS Addiction and Prevention Services to extend the current contract an additional nine months, through September of this year. This is needed because SRS is revising the Medicaid state plan and they are keeping all of the contracts current to be consistent until the end of the year, when the new plan can be implemented and some changes made. We are recommending that you approve the amendment.”

Chairman Unruh said, “All right, thank you Marilyn. Commissioners, are there any questions?”

MOTION

Commissioner Norton moved to Approve the Amendment to Grant Award and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

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

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VOTE

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

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

HEALTH DEPARTMENT

B. AMENDMENT TO CONTRACT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT PROVIDING SUPPLEMENTAL FUNDING OF \$12,364 FOR THE FAMILY PLANNING GRANT TO ENHANCE SERVICES AND OFFSET THE COST OF CONTRACEPTIVES.

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "You have before you an amendment to the family planning grant, which is part of our aid to local, sort of umbrella grant from the Kansas Department of Health and Environment and this amendment will increase our funding for family planning services by \$12,364.

The family planning program currently serves about 4,500 women a year and we provide family planning services, but in addition to that we're really the primary care provider for a lot of low-income women. An example of that is we had a 35-year-old woman who moved here from out of state a couple of weeks ago and she really didn't know where to go to get health care. She didn't have a job, but she knew that if she went to the health department, she could get the services she needed. She also knew that she had high blood pressure and she was out of medication, so she came to us, we did her checkup, but we also referred . . . we checked her blood pressure, it was high. We referred her for services for that. We also referred her to the Wichita Vo-Tec Center so she could get her certificate to be a home health aide, so we do more than just provide family planning services. We're really a link to the healthcare system for a lot of poor women.

This grant does require a 40% match. There will not be a need to increase the budget to meet that match. It will be met out of local dollars and I recommend that you approve this amendment and authorize the Chair to sign related documents."

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MOTION

Commissioner Norton moved to Approve the Amendment to Contract and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

Chairman Unruh said, "Is there any discussion? We have a couple of questions. And before I go to the other commissioners, I just wanted to ask the backup material indicates that there's some revenue generated from this program?"

Ms. Blackburn said, "A little bit of revenue is generated from the family planning program."

Chairman Unruh said, "And that's just fee for services on a sliding scale or something?"

Ms. Blackburn said, "Right."

Chairman Unruh said, "Okay, thank you. I don't know who was on first here."

Commissioner Winters said, "I think I was, but I'm not sure."

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

Commissioner Winters said, "Thank you. Claudia, this is a program that we currently do, I mean, it's an ongoing program, but we just have an opportunity here to receive some additional funding that's basically coming from the federal government. Is that correct?"

Ms. Blackburn said, "Correct, it's a pass-through the State Health Department, correct."

Commissioner Winters said, "But this is not a new, start-up program. We've been doing this for a number of years."

Ms. Blackburn said, "Many more years than I can count."

Commissioner Winters said, "Right, okay. Thank you. That's the only question I have."

Chairman Unruh said, "All right, thank you. Commissioner Parks."

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Commissioner Parks said, “On the contraceptives, does that go through your office or does that involved some other agencies within the county also?”

Ms. Blackburn said, “You mean in terms of purchasing the contraceptives or giving the contraceptives?”

Commissioner Parks said, “No, distributing them.”

Ms. Blackburn said, “It’s through the Health Department, through the clinic.”

Commissioner Parks said, “Okay, thank you.”

Chairman Unruh said, “All right. Are there any other questions, commissioners? We have a motion before us. Madam Clerk, call the vote please.”

VOTE

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

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

C. EMERGENCY MANAGEMENT.

- 1. GRANT APPLICATION TO KANSAS DIVISION OF EMERGENCY MANAGEMENT FOR FISCAL YEAR 2007 HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS LOCAL EMERGENCY PLANNING COMMITTEE PLANNING GRANT.**

Mr. Randy Duncan, Director, Emergency Management, greeted the Commissioners and said, “This morning I’d like to ask your consideration to allow us to make an application to get a grant to help us achieve some information that will be necessary to help us better serve the community in terms of providing emergency protection.

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What we're going to be doing with this grant is identifying certain segments of the population, special needs and elderly folks so that we can make sure we have an understanding of where they are in our community. To do this, we're going to be asking for your permission to apply for this grant. There is a small matching requirement of \$7,000 but it is a soft match, which we will be providing in services and time to meet the match requirement. I'd be happy to stand for any questions, should you have any at this time."

Chairman Unruh said, "All right, thank you Randy. Commissioners, are there any questions on this application? I mean, I think if we're just asking for support to do some good for the community, this will find easy approval, Randy."

Mr. Duncan said, "That's my hope, sir."

Chairman Unruh said, "What's the will of the board?"

MOTION

Commissioner Winters moved to Approve the Grant Application and authorize on-line submission, authorize the Chairman to sign a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Norton seconded the motion.

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

VOTE

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

Commissioner Winters said, "Mr. Chairman, before we move on, Kristi, there is serious feedback coming through these speakers above our heads. The Chairman can't hear it, but the rest of us can."

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Chairman Unruh said, “The Chairman has a hearing deficiency and when you hear me say huh, it’s an honest ‘huh’. All right, well commissioner I hope that gets corrected, so you’re not disturbed. The rest of us are concentrating. Madam Clerk, call the next item please.”

2. GRANT AWARD FROM KANSAS DIVISION OF EMERGENCY MANAGEMENT IN THE AMOUNT OF \$16,723.34 FOR THE FISCAL YEAR 2006 CITIZEN CORPS PROGRAM.

Mr. Duncan said, “And again, I’m here to ask to accept some funding. This particular funding is funneled through the Department of Homeland Security through the Kansas Division of Emergency Management to Sedgwick County to pay for Citizen Corps activities. One of the primary activities, in a matter of fact the primary activity we do with Citizen Corps funds is fund and provide training for the community emergency response team or the CERT team, which involves a number of folks throughout Sedgwick County. We’re training them in how to take care of themselves when an emergency situation happens and for those who do go through the official training and graduate, we also provide a small package of emergency equipment, which is basically what this grant funds. So I’d be happy to stand for questions, if you have any.”

Chairman Unruh said, “Randy, the backup material indicates that it has a period from August 10, ’06 to August 10, ’07 which means we’re looking at half-time right now.”

Mr. Duncan said, “Um-hum.”

Chairman Unruh said, “Okay.”

Mr. Duncan said, “Yes, sir. We understand that and your staff is working hard to make sure that we purchase all the equipment within the performance period of the grant, so we have it available when we actually use it, so we have taken that into consideration, I assure you.”

Chairman Unruh said, “Okay, commissioners are there any other questions or comments for Randy? What’s the will of the board?”

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MOTION

Commissioner Welshimer moved to Accept the grant award.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Mr. Duncan. Next item please."

D. KANSAS COLISEUM MONTHLY REPORT.

POWERPOINT PRESENTATION

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "My report for you today is on our activities in December of 2006. I'd also would like to do a very short snapshot of what happened during the whole year.

December we opened up with the Fenton Car Sale. This is the second year that the Fenton Motors have done that. They take a week, bring a lot of vehicles up to our Pavilion I. They send out mailings and do quite a very good business of selling their vehicles.

We also have the return of the Mid-American Flea Market. We do ten of these a year. Christmastime is usually very popular. We had over 2,300 people in attendance at that edition.

U.S. Weapons Gun Show, returning customer again, over 5,300 people, very good performance of the show. They were very happy with it this time. And then we had seven games of Thunder Hockey with over 25,000 people in attendance.

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Commissioners, in October we came up with a new initiative, looking to open up a new customer . . . as you say, source. We used some of the marketing airtime that was available to us through our relationship with Clear Channel Radio. And the idea was to drive some more business into our VIP room with holiday parties. And in December we actually had four parties and over 1,000 people. We ended up with eight parties total, some in October . . . excuse me, some in November, four in December and we actually had two in January this year but it worked out pretty good. We set up the VIP room, do a little holiday decorating, people were very happy with it. It seemed to work out very well for them this year.

But 2006 year in business, we had 123 events, 297 performances, because some of multiple day events and we had 541,949 folks through the doors, which is very close to what we did last year. Select-A-Seat, Select-A-Seat sold over 400,000 tickets for a face value of over six and a half million dollars. Now that's a big box office. As you can see by the way the pie chart is split up, half of the business is now walk-up and that used to be up in the 80% branch, but the Internet is growing as the phone shrank and the outlets are pretty well maintaining 25%, 26% of the business, but half of our tickets now are going through the convenient access of Select-A-Seat and people are buying in advance, which is something that we really like.

Coming up, we have the Wrangler Pro Rodeo this weekend. We have the 9th Annual Coors Pro Rodeo Dance Saturday night after. We brought Rick Trevino in as the performer this year, so we're looking for a very good turnout. The Cowboy Extravaganza of Ranch Rodeo goes on Saturday in the Arena Building at the same time. Racecar auction same weekend, they're in the Pavilion II and the flea market comes in Sunday, so we have to take the Coors Dance out and the flea market comes in. Wichita's Dog Club is doing agility trials next weekend, the 26th through the 28th and then the Thunder begins a string of home games with Colorado on the 27th, Memphis on the 28th and Rocky Mountain on the 2nd. Commissioners, if there's any questions I'd be happy to answer them at this time."

Chairman Unruh said, "Well John, I don't have a question. I have a comment that 123 events over the year, setting up and tearing down, getting ready, you must really like your job. It seems like a lot of work."

Mr. Nath said, "Well, it's the cleanup afterwards that's hard. Setting up is easy."

Chairman Unruh said, "Well, it's a great venue we have out there for a whole variety of entertainment and activities for our citizens through the pavilions and the Britt Brown Arena. But 123 events is a lot, a half million people a lot of people, so anyway, it looks like it's . . . you've been working hard, we appreciate it."

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Mr. Nath said, “Well, it’s not me, commissioners, it’s the crew out there, it’s the staff and we have a lot of very, very dedicated people that really do like their jobs and really enjoy it.”

Chairman Unruh said, “All right, good. Well, we have another comment, Commissioner Parks.”

Commissioner Parks said, “Yes, I have a comment. The Sheriff’s Department and your staff does a great job of getting the traffic in and out of there also. Just wanted to commend them on that. I happened to be out at the second Thunder Hockey game that was out this year and there was about 7,000 people in attendance at that and I left the game a little bit early and went out in the parking lot and kind of timed that and they got out of there in about 23 minutes at the 90% level. Mr. Spears will appreciate the 90% figure, but then at the 100% it was about 28 minutes, so it was very efficient getting in and out of there, so I’d like to thank you and your staff for that, thank you.”

Mr. Nath said, “Well, thank you.”

Chairman Unruh said, “All right, very good. Commissioners, any other comment? What’s the will of the board?”

MOTION

Commissioner Winters moved to receive and file.

Commissioner Welshimer seconded the motion.

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

VOTE

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

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

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E. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JANUARY 11, 2007.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of January 11th results in nine items for consideration today.

1) CHANGE ORDER- RELOCATION SERVICES FOR THE DOWNTOWN ARENA- FACILITIES DEPARTMENT
FUNDING: ARENA SALES TAX LAND ACQUISITION- SC ARENA

The first item is a change order for the relocation services for the downtown arena for Facilities Department. Recommendation is to accept the change order with Land Acquisitions for \$44,800.

2) CHANGE ORDER- ARCHITECTURAL & ENGINEERING SERVICES TO DESIGN AND CONSTRUCT THE DOWNTOWN ARENA- FACILITIES DEPARTMENT
FUNDING: ARENA SALES TAX SEDGWICK COUNTY ARENA A & E SERVICES

Item two is a change order to the architectural and engineering services to design and construct the downtown arena for Facilities Department. The recommendation is the change order with . . . is to accept the change order with Wilson, Darnell Mann for \$164,515, subject to verification from the Legal Department that the sales tax is an appropriate funding source for the services.

3) ARCHITECTURAL & ENGINEERING SERVICES TO EXPAND THE FORENSIC SCIENCE CENTER- FACILITIES DEPARTMENT
FUNDING: CONSTRUCTION REGIONAL FORENSIC SCIENCE CENTER ANNEX & CONTROL

Item three, architectural and engineering services to expand the Forensic Science Center for Facilities Department. The recommendation is to accept the low proposal from Wilson, Darnell, Mann for \$157,000.

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4) LICENSE & MAINTENANCE AGREEMENT- DIVISION OF INFORMATION & OPERATIONS
FUNDING: SYSTEMS & SECURITY

Item four, license and maintenance agreement for the Division of Information and Operations. Recommendation is to accept the quote from Computer Associates International for \$37,744 per year for a total three-year cost of \$113,232.

5) COMMVault SOFTWARE MAINTENANCE- DIVISION OF INFORMATION & OPERATIONS/ IT
FUNDING: NETWORKING & TELECOMMUNICATIONS

Item five, CommVault Software Maintenance for the Division of Information and Operations. Recommendation is to accept the quote from CommVault Systems Incorporated for \$41,532.

6) SAP LICENSE & MAINTENANCE RENEWAL- ENTERPRISE RESOURCE PLANNING
FUNDING: ENTERPRISE RESOURCE PLANNING

Item six, SAP license and maintenance renewal for Enterprise Resource Planning Department. Recommendation is to accept the quote from SAP America Incorporated and execute a three-year contract for an annual maintenance cost of \$245,948.66.

7) ONE TON, TWO-WHEEL DRIVE CHASSIS, DUMP TRUCK- FLEET MANAGEMENT
FUNDING: VEHICLE ACQUISITION

Item seven, a one-ton, two-wheel drive chassis dump bed truck for Fleet Management. The recommendation is to accept the low bid meeting specifications from Steven Ford in the amount of \$35,095.91.

8) FOUR-WHEEL DRIVE EXTENDED CAB TRUCK WITH SERVICE BODY- FLEET MANAGEMENT
FUNDING: VEHICLE ACQUISITION

Item eight, four-wheel drive extended cab truck with service body for Fleet Management. Recommendation is to accept the bid from Steven Ford in the amount of \$46,664.

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**9) FOOD SERVICES FOR SEDGWICK COUNTY SHERIFF'S OFFICE-
DEPARTMENT OF CORRECTIONS/ COMCARE**

And item nine, food services for Sedgwick County Sheriff's Office, Department of Corrections, COMCARE and the County Courthouse. And the recommendation is to accept the low proposal from AVL Management incorporated to establish contract pricing and execute a five-year contract at an estimated cost of \$9,915,987.

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

Chairman Unruh said, "Thank you, Iris. I anticipate some questions here. Will your voice hold out?"

Ms. Baker said, "Sure."

Chairman Unruh said, "Okay, good. Commissioner Parks."

Commissioner Parks said, "Item two, subsection two, to conduct a parking and mobility study, who is doing that once again?"

Ms. Baker said, "I'll let the assistant county manager, the project leader answer the questions related to the change order."

Commissioner Parks said, "Okay, thank you."

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "The change order for the parking study, we will be using Walker Parking Consultants, who is an original member of the Arena Design Consortium team and we've had a parking study that gave us some information. As you know, we've had a lot of discussion, a lot of citizen interest in having a comprehensive, integrated parking plan. What this study will do is to go . . . (*audio difficulties*) . . . the shuttle service that they count on, that they know is going to be there, that's going to be running often before and after the event, would citizens be willing to consider that. So in the sense that it will be looking at parking in this downtown area rather than to the arena, yes."

Commissioner Parks said, "And the design of the arena, you're confident that the buses will be able to access those areas and have those drop-offs then?"

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Mr. Holt said, “We’ve had that kind of discussion and anticipate this will give us a piece of about how many buses, where should they be, when should they be, at what locations and that sort of thing, but yes, drop-off cutouts in the curbs and so forth for drop off have been considered and as you know, the transit . . . Downtown Transit Center is right across the street from the arena site.”

Commissioner Parks said, “Thank you.”

Chairman Unruh said, “Okay. Ron, the scope of this work was not included in the first leg of the information we received from them? I think that you tried to differentiate that in your opening comment. Could you repeat that a little please?”

Mr. Holt said, “The scope of this work will go above and beyond what was done initially. We will be using and the price that we have here is based on being able to use data that came out of that first study, but it will go above and beyond that. It will be a more detailed analysis, not only about what parking possibilities might be, that’s what that first study told us, but how will we specifically design a parking strategy and plan for this arena. That’s what the outcome of this study will be. It may tell us more. If it does, we’ll use that data to develop this plan, but we’re focused on what is the parking strategy and plan, the specific parking strategy and plan for the downtown arena that of course you’ve been asking for and of course the citizens have been asking for in a more detailed fashion.”

Chairman Unruh said, “Okay, thank you. Commissioner Welshimer.”

Commissioner Welshimer said, “Ron, well the citizens are also a little frustrated with the consultant for everything we do. Isn’t there . . . don’t we have someone in-house or aren’t there some studies by the City of Wichita or any way that we can do this without consultant fee?”

Mr. Holt said, “Commissioners, we certainly understand that every time we think about using a consultant, we need to make sure there’s a value concept here and that’s what we’re looking at. We’re looking at trying to develop . . . or not trying, we will develop a very comprehensive, detailed parking plan and to do that we need to make sure we have good data. We need to make sure we have people who have the experience and expertise in doing these parking studies, who have done them in other communities, who understand traffic flow of this magnitude in downtown areas and that’s why we are extending the work of these folks who’ve been working for us to help us get that kind of information so that when we come back to you commissioners with a plan, that we can be confident and give you the confidence that it’s a plan that makes sense, that will work and that the public . . . that we can communicate to the public and have them understand and buy into as well.”

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Chairman Unruh said, "Okay. Commissioner Parks."

Commissioner Parks said, "I just had one more question. Is there a due date on this?"

Mr. Holt said, "We will go forward . . . if you approve this today, we will go forward in getting the work started in 14, 16 weeks so what is that, three months to do the study. Then we'll want to engage the public in the discussions before we finalize a parking plan and strategy so we're talking about coming back to you in the summer with a recommendation about a specific parking plan."

Commissioner Parks said, "Thank you."

Chairman Unruh said, "Commissioner Norton."

Commissioner Norton said, "I'm going to start out with item number nine. We've dealt with Canteen for quite a few years and now we're shifting gears to a new vendor. I don't know the name ABL at all. I'd like a little information if we're going to come up with a new contract, change from those we've known for a while and understand who the new vendor is."

Ms. Baker said, "ABL is a national firm, they have extensive experience in correction facilities and food preparation. They also have experience in serving the rest of the needs that are . . . that we have requested. We did do site visits to some of the Kansas facilities where ABL has contracted with and those results were very, very satisfactory. The company, even though it's a national company, they have a division that is allocated specifically to corrections type work. So the plan that they put in place, their methodology to perform the services, the committee felt were superior and they felt that they do a good job for us."

Canteen has provided these services for 20 years or so, for a very, very long time and we will be working with them, through a transition period, to make sure that there aren't any glitches, as we transition from the current vendor to the new vendor, but we feel very, very strongly that this vendor is capable and will do a good job for us.

They also offered us some additional ideas and enhancements to the Courthouse Café. They have a very, very strong recycling program that impressed the committee. They do have dieticians and programs for healthy food and lots of ideas to enhance what we currently have, so those were the key factors in selecting this firm for recommendation."

Commissioner Norton said, "Okay. Is Canteen a local company?"

Ms. Baker said, "Canteen is a local company."

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Commissioner Norton said, “Okay. Understanding that this company may be an expert at jail facilities and incarceration facilities, that doesn’t necessarily make them an expert in something like the Courthouse Café. I’m just wondering why we maybe didn’t break that . . . split that off and have something different there that might be, you know, someone else might be able to bid on locally. There are other caterers and other folks that might even enhance what we can deliver at the Courthouse Café. For some reason, somebody that delivers jail food which is Spartan and serves the masses and has to be done at the lowest cost possible doesn’t seem like maybe that’s the same person you want to be delivering a quality food to folks that visit here on their own free will and accord as jurors and as public. I just think maybe we should have split that out.”

Ms. Baker said, “The vendors do recognize our needs and the differences in the quality of food. Each and every one of these groups have different quality and nutritional requirements. That discussion has occurred in the past. It actually occurred during the last bid process as well. There is not, generally speaking, there’s not a lot of money made from the café, the Courthouse Café venue, so the correctional side of that business helps offset some of those costs associated with that café.”

Commissioner Norton said, “Well as an entrepreneur, I don’t know that that has to be that way. I mean, I think if you have a quality product and a captive audience, there’s probably a way to make our Courthouse Café step up to that next level and I don’t know anything about this group and whether they can do that or not. The other thing. . .”

Chairman Unruh said, “May I have a comment before you go to the next one? Was this bid on this particular service, the café and the corrections meals, it was a package? Or we looked at those on an individual basis?”

Ms. Baker said, “Yes, it was a package. They were evaluated separately, but it was a package.”

Chairman Unruh said, “But on a cost basis, this vendor that we’re considering now was competitive, price-wise.”

Ms. Baker said, “Yes, very much so.”

Chairman Unruh said, “Okay, and we did it on a package basis because of our facilities and just the logical considerations?”

Ms. Baker said, “Yes.”

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Chairman Unruh said, "Okay, thank you, just a second. Did you want to speak on this Commissioner Winters?"

Commissioner Winters said, "Yeah, but after he's finished."

Commissioner Norton said, "No, that's okay. I'd like to hear the dialogue. That's fine."

Commissioner Winters said, "Iris, two parts of my question I guess is one is the length of this contract, a five-year contract. Was the purpose of the length to try to obtain the best price, or what was the purpose of having this contract, which to me seems to be a little bit long?"

Ms. Baker said, "It's not out of the norm of some of the more comprehensive contracts that we do. The last one was a five-year contract as well. Part of the length, pricing always plays into it, because you've got the ability to lock up business, even though there's no guarantees, all of our contracts have termination tied to them. It's not just performance. There's other considerations for termination, but the work involved should transitions need to take place is very, very extensive and for the time commitment of staff and the commitment of vendors to get the resources in place to put together a thorough program takes time and those were part of the considerations for the five-year term."

Commissioner Winters said, "Okay and so then remind me, our last food service contract was a five-year contract?"

Ms. Baker said, "It was a five-year contract was well."

Commissioner Winters said, "So this is not an unusual length of time."

Ms. Baker said, "No."

Commissioner Winters said, "All right, then my second comment is in looking at the backup, it appears that this has really gone through a filter of at least 13 people that had a chance to comment on it. From our side, there was a committee that had seven people on it, senior purchasing agent, a project manager, director of facilities, a captain from the adult detention facility, COMCARE manager, Department of Corrections and yourself and I assume from what I understand, all of them were unanimous that this is the recommendation?"

Ms. Baker said, "Yes."

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Commissioner Winters said, “And then it proceeded on to the Bid Board, which is composed of I believe either five or six members that review these items before they get to the commission, a person from senior position in the Finance Department, a person from the District Court, County Clerk sits on that, Director of Public Works and Community Development and the vote at the Bid Board was unanimous that this was to be the recommendation?”

Ms. Baker said, “Yes.”

Commissioner Winters said, “All right, well I certainly agree that it’s never fun to change vendors from a long-term local contractor, but the price was certainly significant difference and here’s 13 independent folks have taken a look and are going to make this recommendation, so again I appreciate Commissioner Norton bringing up the dialogue, but this looks like this comes with a pretty strong recommendation. Thank you. That’s all I had.”

Chairman Unruh said, “Okay, well and I just before you go to your next item, Commissioner Norton, I had the same reservations about changing from a local vendor but in light of the fact that over the five year period we’re looking at \$600,000 difference in the bid price and it comes with good recommendations and we have termination capability, I think this is the wise thing to do. But anyway, that was my comment. Commissioner Norton.”

Commissioner Norton said, “Well, I think the final thing is that part of the last contract was some investment in our Courthouse Café by Canteen and I just want to make sure that they’ve met their commitment and whether they got their investment through the last contract I guess is nebulous now if we move forward, but I worry about that, that we’ve got a local company that’s losing a significant contract and have invested in our Courthouse Café physically to help it be remodeled and I want to be sure that we are really thinking this through and making sure that we’re making the right decision. Change is hard, and you’re right, we’ve dealt with Canteen for a lot of years, they are local and we’ve had a pretty good relationship with them and I want to be sure that we’re prudent with our action and don’t rush to judgment without some dialogue, when you make a tough, tough decision like that. So we can certainly move off of that issue, if nobody else has other thoughts or whatever.

I’d like to move to number one. Relocate an additional 14 legal entities. What are the 14 legal entities, where did they come from and why did we not know there was 14 more land acquisitions? I mean, we had experts come in and tell us what was in the arena site and now we’ve got 14 more that we need to deal with. That doesn’t make sense to me.”

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Mr. Holt said, “These are not land acquisitions. The company that works with us for relocations, their name is Land Acquisitions Inc. so this is with Land Acquisitions but these are for relocations of tenants, business owners, property owners within the arena site. When we identify the properties, we also made a conscientious and concerted effort to identify who all of the tenants were in each of the properties, but as you might suspect, there were relationships there that we had no way of knowing that in a building there were five or six or seven tenants, when as in our review we only found three or four.

But when you start getting in, working individually one-on-one, then you start finding out these contractual and lease and tenant relationships, and so we ended up with 14, however we’re only paying for an additional 12, because two of those tenants we dropped out with the Gore Oil. So what we contracted with Land Acquisitions for, because we knew we wouldn’t have exactly every tenant identified, as a \$3,200 cost per relocation and we had identified early on 50. In the course of business, we did identify 12 more relocations, and so what this change order is for is the \$3,200 per relocation for the additional 12 tenants.”

Commissioner Norton said, “Well, once again I just wish we had done a little more due diligence to make sure whoever combed those buildings for tenants and talked to owners and everything had found that out on the front end. I mean, I just hate change orders. I’d rather have it done on the front end and know what our costs are going to be imbedded in the project than to continue to have things layers on. I just think it sends a messages that maybe we didn’t do enough due diligence to find everything we needed to know about a project.”

Chairman Unruh said, “Commissioner, before we go, still on item one, if we can have the rest of the comment. My one question would be this is for relocation of those folks who are within the footprint proper, or is this also include some of the activity on Washington Street where we’re having to rework that street?”

Mr. Holt said, “These are for inside the footprint of the arena . . . I’m sorry, clarification, Stephanie tells me this is for both areas, which as you might recall we had seven properties over on Washington Street with some relocations. But there were some additional . . . some of these 12 are for people within the arena site, but yes there are . . . there’s four or five of these 12 would be in the Washington Street site.”

Chairman Unruh said, “Okay. Well I appreciate knowing that, so we don’t look at it again later. Commissioner Winters.”

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Commissioner Winters said, "Thank you. Ron, we're not legally obligated to participate in this portion of relocation, are we, or do we have some legal responsibilities here?"

Mr. Holt said, "We have a legal . . . we have a part of the condemnation process, if you will, we have a legal requirement to pay relocation costs. Now there's some ceilings on that, but what we're paying for here is the relocation firm who understands the law, who have worked with other tenants and business and property owners in other relocations, to work with them to understand their needs, to make sure you identify what is covered in relocations, what is covered by the law, what is legally required to do and so we are using this relocation firm to help us meet the requirements, the legal requirements relative to, if you will, the acceptance of these folks' property."

Commissioner Winters said, "All right, well thank you. Well I'm certainly going to be supportive of this because I know that as we talked about this in the beginning, we knew that there were going to be some contentious moments in any kind of property acquisition. And one of the charges of the land acquisition was to try to help property owners through this process and I think we could have taken a much stingier attitude and really maybe not spent quite as much money as we even have and let people fend for themselves so, again I hope that this process has been somewhat helpful, as we go about acquiring this property which is never pleasant, but hopefully this has somewhat a benefit to property owners, as they do relocate. Thank you, that's my only comment."

Chairman Unruh said, "Okay. Commissioner Welshimer, on item number one here?"

Commissioner Welshimer said, "Yes, Ron do we have more of this coming or is this the last of it or can we expect another item like this on the agenda?"

Mr. Holt said, "All of the contacts for relocations have been made, so we would not have any other funding for land acquisitions. Now we still have relocation fees to the tenants that are being relocated that we'll have to pay, but that's not an addition, it's a part of the overall project that's coming."

Commissioner Welshimer said, "So that won't be an extra agenda item. Okay, thank you."

Chairman Unruh said, "Commissioner Norton, did you have more?"

Commissioner Norton said, "I have more. Item two, tying to that, item one on there is design services for rework and additional services to complete design of the Washington and Waterman intersection. I think it's no mystery I've continued to have just a little heartburn that we got encumbered in fixing infrastructure in other parts of the city that have nothing to do with the arena site, which I consider Washington and Waterman should have been a project that the revitalization group should have taken on and the city should have encumbered themselves with. Now we're

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picking up four or five additional properties that we're worried with their relocation over there, that's outside of the arena site.

We're also going to be paying now for additional infrastructure and design work at the tune of \$57,000 over and above the arena site, which is what we committed to and I have a little problem with that that we keep putting money into an area that shouldn't be our jurisdiction anyway. That infrastructure, the revitalization, changing of streets from you know two-lanes to three-lanes with a turn lane and adding sidewalks and street reconstruction one-way, two-way should be City of Wichita, yet now we're encumbered with that and I consider that mission creep and I'm just really not too supportive of that as we move forward, because now we're also into land acquisition, looking at relocation over in that area, and that doesn't make sense to me. I don't think it's what we originally . . . I originally thought we were going to be encumbered in."

Mr. Holt said, "Understand the concern, commissioners, but I would remind you that when we selected . . . when we went through the site selection process you remember we had the west site, the center site and the east site in the downtown area and it was pointed out to us the selection of the center site or the east site would require, to make sure we had ingress and egress, the best ingress and egress we could have for the arena would require a turn lane on Washington Street and so that's when it became known that we would be doing the turn lane, as well as that became the time that we identified that there would be properties that we would have to do on the west side of Washington to make that happen.

The improvements that we're doing here is to do a turn lane on Washington Street and again it's being done only because an arena is going in that would have up to some events, 15,000 patrons coming in and out of downtown, three people to a car, five, six, seven thousand cars in and out of downtown and it really is tied to making sure that those cars can queue off of Kellogg and that we don't get traffic backed up on Kellogg and create hazards. But this was an issue that was identified when we went through the site selection and was part of the site selection decision."

Chairman Unruh said, "Other comment on item two? Commissioner Winters."

Commissioner Winters said, "Well the only thing is again, I just want to echo what Ron said. As I remember conversations in the beginning process, we clearly recognized we were going to have an effect on downtown and we were going to be responsible for the affects we caused. Even one of those was storm sewers and the drainage and we knew a new storm sewer was going to be required down Waterman Street to the river to provide drainage and then we were able to work a partnership with the city and they built an expanded project, but yet saved us considerable amount of money by joining up those two projects.

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They're going to be doing work on Waterman in this Waterman and Washington area. We're going to be doing work at that intersection. City is also going to be doing work immediately west of our project at the intersection, so again, not being argumentative at all, I think that is . . . Commissioner Norton continues to remind us of his angst about some of this. I think I certainly remember that these were commitments that we thought, at least I thought we had made. So I'm going to be also supportive of this work. Thank you."

Chairman Unruh said, "All right thank you. Any more comment on item two, commissioners?"

Commissioner Norton said, "I'm ready to move to item two too. My understanding all along is when we bid this out and we got the Consortium, they brought together the power of a lot of different consulting groups and one of them was a parking consultant and it was built into the deal, and now it's \$107,000 to tell us what parking is going to be and to me, I thought part of the deal was that there was a list of . . . you know, an engineer, a construction bidding expert, a parking expert and all those were built into the bid to tell us . . . to give us the best consulting that we possibly had, not that we were going to paying a lot of add-ons at a pretty extensive price. So once again, I have a little bit of an angst I guess is the word with \$107,000 on something I thought was going to be described to us and explained to us and part of the original process."

Mr. Holt said, "Commissioners, the deliverable out of the first round in this parking study was presented and it was that there's some 8,000 parking spots downtown within the three to five block area. There's adequate parking for the arena and that was the deliverable that we expected out of that. Now to develop a more comprehensive, integrated, specific parking plan for the arena is what we will be looking for this study to do. It's the next step. It's to answer that question about 'do we need a parking garage', if so, where should it be and then another important aspect to this, as we developed along . . . worked along the development of this project is how and can the transit system be used and what impact on parking can it have, so this will be a more concise product, deliverable, that will help us then develop the specific parking plan for the arena, to address questions citizens are having about where will I park, how will I know where to park, when to park and to make sure they understand 'will there be a cost?', if so, what can they expect parking costs to be downtown. All of that will be developed out of this plan, or out of this study."

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Commissioner Norton said, “Yeah, I guess what I saw out of that first consultant thing was just the survey of how many parking spaces there were. I don’t know if you . . . maybe we couldn’t have gotten a Boy Scout troop to go out and walk and count how many parking spaces there were. It was a survey. I didn’t get the sense that we got any consulting out of that at all. We got facts, we got information, we got how many parking spaces there were and where they were and whether they were public or private or business spaces, but I didn’t get the sense that there was . . . we were consulted and told what our options were and what the future could be and what it looks like in other major metropolitan areas, what other infrastructure we have that can be used. It seems like to me, that’s what consulting would have done, not just give us the number of parking spaces, which is I thought what we got, about all we got. I just have another viewpoint of looking at what we’ve received so far. That’s all I have, Mr. Chair.”

Chairman Unruh said, “Okay. Any more items on the Bid Board that you wanted to discuss?”

Commissioner Norton said, “Uh, no.”

Chairman Unruh said, “Okay. Commissioners, are there any other questions that you have on Bid Board items?”

Commissioner Parks said, “Are we going to vote en masse on this?”

Commissioner Winters said, “Well, that’s just what I was going to ask. Mr. Chairman, I’m prepared to make a motion that we support all of these, but if anybody wants to hold any of them out and vote on them individually, we can certainly do that.”

Commissioner Welshimer said, “I’d like to drive the question.”

Chairman Unruh said, “All right, I’m willing to hear a motion.”

Commissioner Winters said, “You want to take each one of them individually or are there some that we can all agree on?”

Commissioner Welshimer said, “I’d like to separate out items one and two.”

Chairman Unruh said, “Items one and two? Commissioners, are there any other items that you want to have separated out? Okay, we need a motion then.”

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MOTION

Commissioner Welshimer moved to approve the recommendations of the Board of Bids and Contracts except items one and two.

Commissioner Winters seconded the motion.

Chairman Unruh said, "Okay, we've been moved and seconded that we approve items three through nine, and Mr. Counselor Euson, is this appropriate what we're doing here?"

Mr. Euson said, "Yes, it is."

Chairman Unruh said, "Okay, thank you. Is there any discussion on that motion? Seeing none, Madam Clerk, call the vote."

VOTE

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

Chairman Unruh said, "Now commissioners, we need to have a motion to approve item one of the Bid Board agenda."

MOTION

Commissioner Winters moved to approve the recommendations of the Board of Bids and Contracts on item one.

Chairman Unruh seconded the motion.

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

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VOTE

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

MOTION

Commissioner Winters moved to approve the recommendations of the Board of Bids and Contracts on item two.

Chairman Unruh seconded the motion.

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

VOTE

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

Chairman Unruh said, "Item two then of the Bid Board recommendation does not pass, is that correct?"

Commissioner Norton said, "Now at this point I'd like to have some discussion of how we bring this back to us. I think we're going to have to move forward. Obviously, we have a little issue . . . three commissioners anyway that have a little bit of an issue with this. I don't want to hold up the progress we're making on the downtown arena. Obviously we're going to move forward, but I'd like to hear a little more dialogue about this and we could bring it back as soon as next week, as far as I'm concerned, but I'd like to hear a little more about exactly what we're into, particularly on the parking study."

Chairman Unruh said, "All right. Well Ron, you need to stand ready. We have more comment and questions. I don't know, Commissioner Winters, were you first? All right, Commissioner Winters."

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Commissioner Winters said, “Thank you. Well, one of the things that we didn’t visit about much is I think is this comprehensive plan that all of downtown Wichita is looking at, because it’s my understanding that the City of Wichita has also engaged Walker at some parts of their planning process. I’m not 100% sure that that’s going on at this particular time, but I know that the city is and has been involved in several parking issues around Century II and the new Water Walk and what all that’s going to mean, so perhaps one of the things we could look at is how this would fit in with what’s going on in a bigger part of downtown. Ron, do you have any comment about that or am I off base or do we need to explore something else?”

Mr. Holt said, “I know that the city has, because of the loss of parking due to Water Walk, the overflow parking that they’ve had for Century II, there’s been a lot of discussions about how they might use existing parking to reallocate relative to Century II. I don’t know that the city has a particular plan for how they’re going to address Century II later on. What this study would do would be to allow the arena to identify how we do our parking and if there’s other issues that need to be addressed by the city, then they would need to be addressed by the city. We would be identifying how we address parking issues related to the arena.

We will be using another piece of this study that we’ll be . . . that was done a couple of years ago, that Wichita Downtown Development Corporation, in concert with the city, did a parking study. We will be incorporating that study using parts and pieces of that study to help make decisions about what we’re doing here. But our concern and key is having a parking plan for the arena that yes, understands and identifies all of these other issues, but giving us solutions relative to the issues that we need to deal with relative to the downtown arena.”

Commissioner Winters said, “All right, well thank you. Well, that’s really all I had to say, except I’m going to be supportive of continuing to develop the strategy and a plan for parking. People are talking about it and I don’t believe that I have confidence that we’re going to find inexperienced people to help us develop a specific strategy so I’m going to continue to be supportive of trying to work on this long-term plan. Thank you, that’s all I have.”

Chairman Unruh said, “Thank you, commissioner. Ron, and Commissioner Parks I see your light, is there a time critical element about this design work on Washington Street? I mean, getting whatever more information commissioners want, have a little more discussion, if it comes back next week, is that still time enough?”

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Mr. Holt said, "That's still time enough. The Washington . . . we're moving along. Of course as you know the Waterman from the railroad tracks to the main is under . . . is in process right now. That includes our storm sewer, water storm sewer project. But yes, we can develop whatever additional information that you might need relative to that and not hold up the project with a week, two weeks delay."

Chairman Unruh said, "All right, well thank you. I was going to suggest that perhaps we could pull item 2-1 out and vote on it. I mean, this commission has already approve the concept, we've bought property along Washington Street and perhaps that's one that we could find approval for, but if a week of discussion doesn't hurt anything, well then let's wait for that. Commissioner Parks."

Commissioner Parks said, "Well that's what I was going to suggest, that I didn't have as much of a problem with 2-1 as I did 2-2 if you want to do that."

Chairman Unruh said, "Well, I'm open to a motion to proceed with item 2-1."

MOTION

Commissioner Winters moved to approve the recommendations of the Board of Bids and Contracts on item 2-1.

Commissioner Welshimer seconded the motion.

Chairman Unruh said, "Okay, we have a motion by Commissioner Winters to approve item 2-1, a second by Commissioner Welshimer. And we have discussion, Commissioner Norton."

Commissioner Norton said, "Well, once again, it's really a reiteration of I think that's still, I consider, a little mission creep that we're even engaged in all of that. I know we knew we were going to have to do some infrastructure, but that project has taken on almost a secondary life of its own on that side of the railroad tracks and I still have a little issue with . . . I will support it today, so that we can move forward and unify and get this out of the way. I still would like to hear a little more about item number two, just because, you know, I'm concerned. I want parking fixed, but I thought we had that embedded, you know, long ago and that the city was working on it and now it's worrisome to me that they're contracting with the same guys to do parking studies in the city, I mean, what is this one going to described differently than what the city is already thinking about and I think I need to know that before I'm comfortable with spending \$107,000 of the citizens' money, but I could go along with item number one and feel comfortable with the decision we're going to make today."

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

Commissioner Parks said, “I just feel like that we had made some commitments or the county commission had made some commitments before I came on this board and I realize the importance of ingress and egress and some of those things out there, so that’s why I would support this and that I certainly want to see a good flow of traffic and a park-and-ride or something that would be able to use those intersections.”

Chairman Unruh said, “Thank you. And Mr. Euson, this is appropriate that we pick this back up and vote again?”

Mr. Euson said, “Yes sir, you can.”

Chairman Unruh said, “Okay. Any other discussion then, commissioners? Seeing no discussion, Madam Clerk call the vote on item 2-2 of the Bid Board . . . I beg your pardon, 2-1. I’m sorry, 2-1.”

VOTE

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

Chairman Unruh said, “Okay. Anything else, commissioners, on Bid Board? Iris, thank you very much. Madam Clerk, we’re ready for the next item.”

CONSENT AGENDA

F. CONSENT AGENDA.

1. Right-of-Way Easements.

- a. Drainage Easement for Sedgwick County Project at 135th Street West and 21st Street North. District #3.
- b. Utility Easement for Sedgwick County Project – Hedgecreek Estates.

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2. Order formalizing findings made by the Board of County Commissioners, attaching territory to Rural Water District No. 1, Sedgwick County, Kansas.

3. Plat.

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

Windridge Estates 2nd Addition

4. Order dated January 10, 2007 to correct tax roll for change of assessment.

5. Payroll Check Register of January 12, 2007.

6. General Bills Check Register(s) for the week of January 10 – 16, 2007.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “Commissioners, I would remind you that thank goodness, there’s only 348 more days till the sales tax goes away. And you have the consent agenda before you and I would recommend you approve it.”

MOTION

Commissioner Norton moved to Approve the consent agenda as presented.

Commissioner Winters seconded the motion.

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

VOTE

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

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Chairman Unruh said, "Well commissioners, we've come to the end of this agenda. We do have an executive session that we need to recess to, but there's time for other comments, if any of you have anything that you'd like to say. Commissioner Norton."

G. OTHER

Commissioner Norton said, "Just a remind that Titanic is at EP and they had a great start, regardless of how bad the weather was. I guess, if you were in the North Atlantic on the night it sank, it's pretty close to the weather we're having here, you know, plenty of icebergs. But I would encourage people to stop by and enjoy the Titanic. It is the artifacts exhibit. It's going to be here through March and it's a wonderful opportunity for our community."

And then secondly I joined Commissioner Winters last night in Clearwater for their visioneering group, focused on the future. It's obviously not in my district, but my district pushes right up against a lot of constituents that live and do business and have kids in that school district, so I kind of was the secondary player, but I supported Commissioner Winters and Clearwater last night, as they did their visioneering as to what their preferred future is going to be. That's all I have."

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

Commissioner Winters said, "Well, thank you. Again, the reason we were late in starting our meeting is most all of us attended the Chamber of Commerce had a breakfast meeting with Governor Sebelius and she was running late and so thus we were late and some of us were not able to stay till the very end, but it was a very well attended event, and I thought the governor did an excellent job of laying out kind of some future priorities for the state and clearly acknowledged this region and part of the things that we're going through with the aviation industry, as well as technical education and training. She mentioned support of the Jabara Campus, specifically and by name, so she clearly recognizes that the Jabara Campus is an event that's being put together here. So we apologize for starting our meeting late this morning, but I think it was well worth our time to listen to the governor this morning. Thank you."

Chairman Unruh said, "Okay, thank you Commissioner Winters. I would just make a comment that we got some numbers back from the zoo. In the last year, Sedgwick County Zoo has been thriving and prosperous this last year, had nearly half a million visitors through the gates and the revenues exceeded budget and the expenses were less than what was budgeted, so congratulations to Mark Reed and zoo staff for a great job last year. And also want to, as Kristi did at the beginning, encourage everybody that for two bucks you can go out there in the wintertime and see how the animals act. So it would be cold, but it sure would be great fun. So commissioners, anything else?"

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MOTION

Commissioner Winters 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 pending claims and litigation and legal advice and that the Board of County Commissioners return to this room from executive session no sooner than 11:45 a.m.

Commissioner Parks seconded the Motion.

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

VOTE

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

Chairman Unruh said, "We are in recess."

The Board of Sedgwick County Commissioners recessed into executive session at 11:13 a.m. and returned at 12:15 p.m.

Chairman Unruh said, "Okay, all commissioners are present, we're back from our recess into Executive Session, so I will call the regular meeting of the Board of County Commissioners back to order and we'll say that while we were in Executive Session, no binding action was taken. But Mr. Euson, do you have something to present to us?"

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Mr. Euson said, “Yes Commissioners, while in Executive Session we discussed several cases and it’s our recommendation that you vote to settle some of those and I’m going to recommend that you do that in one motion. There were four cases and the first one involves Owen Grote and it involves an underinsured motorist’s claim and we recommend that you settle that in the amount of \$17,500. The next case involves a former employee, Mike Simmons. It’s a Worker’s Compensation Case. We are recommending that you settle that in the amount of \$28,070. The settlement would leave open future medical and review and modification of the Worker’s Compensation award. The third case is Mary Jane Whitehair. This is also a Worker’s Compensation case that we recommend you settle in the amount of \$50,000. This settlement would close all issues related to future review and modification and future medical. And the fourth case is involving an employee by the name of Amy Kirkendall and this is a Worker’s Compensation case that we recommend you settle in the amount of \$80,000 and this settlement would close all issues relating to future medical payments and review and modification and that’s my recommendation and I would ask that you approve it.”

Chairman Unruh said, “All right, thank you Rich and that would close issues on three of the four cases?”

Mr. Euson said, “Yes.”

Chairman Unruh said, “Okay. Commissioners, are there any questions or comments?”

MOTION

Commissioner Winters moved to take the recommendations of the county counselor regarding four Worker’s Compensation cases.

Commissioner Welshimer seconded the motion.

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

VOTE

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

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Chairman Unruh said, “Thank you, Rich. Is there anything else? Mr. Buchanan, anything else? We stand adjourned.”

H. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 12-18 p.m.

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

DAVID M. UNRUH, Chairman
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner,
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2007