

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

### **REGULAR MEETING**

**February 28, 2007**

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 28, 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. David Spears, Director, Bureau of Public Works; Ms. Jennifer Lee, President, Old Cowtown Museum Board of Directors; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Ms. Claudia Blackburn, Director, Health Department; Mr. Michael Borchard, CAE, Sedgwick County Appraiser; Ms. Marilyn Cook, Director; Ms. Iris Baker, Director, Purchasing Department; Mr. Kevin Miles, Director, Fleet Management; Ms. Kristi Zukovich, Director, Communications; and, Ms. Evelyn Good, Deputy County Clerk.

#### **GUESTS**

Mr. Linwood Sexton, Sedgwick County Physical and Developmental Disabilities Advisory Board Appointee.

Mr. Joe Pager, American Red Cross.

Mr. Robert Kaplan, agent for applicant, 420 N. Market, Wichita, Ks.

Mr. Bryce Winter, MKEC Engineering

Mr. Glen Thompson, Executive Director, Stand Up for Kansas.

#### **INVOCATION**

Was observed with a moment of silence.

#### **FLAG SALUTE**

#### **ROLL CALL**

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

#### **CONSIDERATION OF MINUTES:**

Regular Meeting, January 31, 2007

The Clerk reported that Chairman Unruh was absent at the Regular Meeting of January 31, 2007.

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**Chairman Unruh** said, “Commissioners, you’ve had an opportunity to review the minutes of the January 31<sup>st</sup> meeting, are there any additions or corrections? Hearing none, what’s the will of the board?”

**MOTION**

Commissioner Parks moved to approve the minutes of the Regular Meeting of January 31, 2007.

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         | Abstain |

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

**PROCLAMATION**

**A. PROCLAMATION DECLARING MARCH 2007 AS “AMERICAN RED CROSS MONTH.”**

**Chairman Unruh** said, “Commissioners, I have a Proclamation to read for your consideration.

**PROCLAMATION**

**WHEREAS,** For more than a century, the American Red Cross has been at the forefront of helping Americans prevent, prepare for and respond to large and small disasters; and

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**WHEREAS**, for more than 90 years, the Red Cross in Sedgwick County has relied on the everyday heroes who donate time, blood or money; heroes who help coordinate blood drives; heroes who drive elderly citizens to and from the doctor; heroes who rush to the scene of a fire to help families begin recovery; heroes who teach lifesaving CPR and first aid classes; heroes who keep military families connected; and

**WHEREAS**, the Midway-Kansas Chapter and Central Plains Blood Region have been the places where compassionate people freely give their time and talent to help prevent and ease human suffering among friends, neighbors and even strangers; and

**WHEREAS**, the Midway-Kansas Chapter and Central Plans Blood Regions and their nearly 3,000 volunteers and donors provide valuable tools and education to individuals, families, workplaces and schools, making us all stronger and more resilient.

**NOW, THEREFORE BE IT RESOLVED**, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim March 2007 as

**“American Red Cross Month”**

in Sedgwick County and encourage all citizens to continue to give your time, blood and money to make a difference in the humanitarian fabric of the community. We help each other when we help the Red Cross.

Commissioners, you’ve heard the Resolution, what’s the will of the Board?”

**MOTION**

Commissioner Norton moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Unruh** said, “And we do not have Andrea Angling here to accept the Resolution.

**Mr. Joe Pager**, American Red Cross, greeted the Commissioners and said, “It’s my pleasure this year to serve as the Chairman of the Board of Directors of the Midway-Kansas Chapter for the American Red Cross and on behalf of the Local Chapter and the Local Blood Services Boards, I wanted to thank you for the Proclamation.

As the Proclamation says, we support the community and all we need from the community is their time, talent, treasure and blood. Thank you very much.”

**Chairman Unruh** said, “Thank you Joe, we appreciate you being here and appreciate your service to the American Red Cross. Commissioners, next item Madam Clerk.”

**APPOINTMENT**

**B. RESOLUTION REAPPOINTING KURT WATSON (CHAIRMAN UNRUH’S APPOINTMENT) TO THE SEDGWICK COUNTY PUBLIC BUILDING COMMISSION.**

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “Commissioners, we’ve prepared this Resolution of reappointment for a term of four-years and I recommend that you adopt it.”

**MOTION**

Chairman Unruh moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Unruh** said, “Well Mr. Watson, I think, is not present this morning, he had intended to be, but he called and said that he could make it. But he has served well now for two terms and he’s in a valuable and important position, we appreciate his service and Mr. Clerk, I guess you will swear him in at a later time.

Okay, I think we need a motion for some more appointments here.”

**MOTION**

Commissioner Winters moved to take up an of agenda item considering some additional appointments.

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, “Mr. Euson?”

**Mr. Euson** said, “Commissioners, there is two categories of appointments and the first that I would ask you to act on involves three Resolutions of Appointment, these are Commissioner Welshimer’s appointments to the Developmental Disability Advisory Board and the Resolutions reappoint Linwood Sexton, they would appoint Geraldine Flaherty and reappoint Kenneth Dunlap, those are all four-year terms and I would recommend that you adopt all those Resolutions as the same time.”

**MOTION**

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Commissioner Welshimer moved to adopt the Resolutions.

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, “And Mr. Sexton is here to receive the Oath from County Clerk, Don Brace.”

**Mr. Don Brace**, County Clerk greeted the Commissioners and said, “Good morning Linwood, how are you today? Please raise your right hand.”

*I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Physical and Developmental Disability Advisory Board, so help me God.”*

**Mr. Linwood Sexton** said, “I do.”

**Mr. Brace** said, “Congratulations.”

**Mr. Sexton** said, “Commissioners, this is a great honor for me to be able to continue to serve on the Mental Retardation Board. And it is so great and I certainly appreciate Commissioner Welshimer reappointing me to this Board. It is a great service and probably one of your greatest assets of what the County supports, is taking care of the people that need the help. And you certainly do that and we thank you for that.”

**Chairman Unruh** said, “Thank you Linwood, we appreciate your service and I know that you have been active for some time and appreciate the time and energy and the passion that you give to this

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effort, and thank you. We do have another comment. Commissioner Welshimer?"

**Commissioner Welshimer** said, "Well, I just want to thank you for taking this reappointment, for having your heart in this job. You've done well and appreciate very much your continuance, thank you."

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

**Chairman Unruh** said, "Thank you Linwood. Mr. Euson?"

**Mr. Euson** said, "And then the other appointment is a Resolution which would reappoint Andy Bias to the Sedgwick County Advisory Council on Aging, that's Commissioner Parks' appointment. It is also for a four-year term. I recommend that you adopt the Resolution."

**MOTION**

Commissioner Parks moved to adopt the Resolution.

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, "And Mr. Bias is not here, so the Clerk will administer the Oath at a later date. All right, we will return now to the regular agenda and Madam Clerk would you please call the next item."

**PRESENTATION**

**C. GREETING FROM OLD COWTOWN MUSEUM BOARD OF DIRECTORS.**

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**Ms. Jennifer Lee**, President, Old Cowtown Museum Board of Directors greeted the Commissioners and said, "I was elected President to Old Cowtown Museum by the Board of Trustees in January and I wanted to take a couple of moments from your busy schedule just to thank you for the continuing support from the County Commission and the citizens of Sedgwick County.

You will have to forgive my nervousness, I think I probably would feel a little bit more comfortable if I was in an 1870's dress with a corset talking about the Marshall-Murdock house, but I'll try and get through this.

I wanted to let you know that while we are waiting for reports from structural engineers, we're not sitting idly. We're planning and working on being prepared to implement the reports and the recommendations of the reports as soon as possible. You might say we're really eager, we're chomping at the bit to do that. We'd like to get started.

We have had a historical architect out to the museum and he has not found any major concerns with any of the large capacity buildings so we do have some news there. We are really close to eliminating the 2006 deficit that we had and we're working very hard to get that taken care of.

Also, we have our strategic planning coming up, which we feel will give Old Cowtown Museum a chance to define ourselves and make Cowtown the premiere living history museum that the citizens of Sedgwick County expect and deserve. And we feel we have a lot more history to explore and to share.

And then lastly, I would like to thank you again and just say that we're looking forward to meeting and working with the County appointed representative from the Commission. I'm eager to find out whom that is and whom we get to work with. That is about it."

**Chairman Unruh** said, "Well thank you for being here and giving us this update and report. And every now and then we get bits and pieces from the media about what's going on out there, so we know that there has been activity, you have reconstituted your Board, and have formulated a way to keep yourself financially stable as you are going forward."

**Ms. Lee** said, "Yes, and like I said, we've got the reports that we're waiting on, we are getting those implemented and then also with the strategic planning, to be able to define ourselves for the next, at least five years and have a vision of what we need to do and what we need to work on."

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**Chairman Unruh** said, "Okay, the new Visitor Center that's out there, now that is proving to be a huge benefit and generates some cash...?"

**Ms. Lee** said, "Oh yes, the rental income, a lot of people want to get married and have receptions out at Cowtown, so it's proved to be a very viable rental facility. It's a beautiful area."

**Chairman Unruh** said, "Okay, very good. Well, we have some other comments, and Commissioner Parks, I believe, was first."

**Commissioner Parks** said, "I would like to thank Jennifer, I've known Jennifer for quite a while, she is a neighbor of mine, and worked with her on a project and she was very efficient at that and I'm sure she's already proven that she's very efficient at what she is doing at the Cowtown. She is a great leader and just want to thank her for her service."

I did want to ask you a question. Did you bring any membership forms today and if not, where can the people get the membership forms, is that on the internet?"

**Ms. Lee** said, "Oldcowtown.org. Is that correct Bob?"

**Commissioner Parks** said, "I think you can probably access that through the City or County website."

**Ms. Lee** said, "Yes, I apologize. Oldcowtown.org no hyphen, just Oldcowtown.org"

**Commissioner Parks** said, "And if you do get an annual membership, I would urge people to do that, that way you can get into a lot of events and don't have to worry about purchasing tickets and things."

**Ms. Lee** said, "Right. And we do have four special events that we are putting on this year, so you can come out to Cowtown when there's not a special event and see the facilities but then we do have the special events, it fully enhances the whole atmosphere of the museum and it offers different activities and different ways to enjoy the museum."

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

**Chairman Unruh** said, "All right. Commissioner Norton?"

**Commissioner Norton** said, "I want to recognize Bob Garrett for being here too, he's been very instrumental with the Board and as a volunteer at Cowtown for many years and been instrumental in

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the interim period, to try to make sure Cowtown had some continuity.

Jennifer, tell us just a little bit about, we're coming out of winter, now is the time that Cowtown re-opens and has a events and everything. Tell us when that is going to happen and what the hours are, give us a little information because during the winter, although you have some events around Christmas and everything, you really are pretty dormant and you're getting ready to open back up."

**Ms. Lee** said, "Right. We've been really focusing on, we are doing school tours, we are doing group tours as far as the bus tours that come in. So, even though the museum is officially closed, we do have activity going on. We are looking opening the weekend for Father's Day in June. We have an event before that that is a fundraiser for Kansas Health Association. And then we'll have three special events during the season (inaudible due to audio difficulties) and then we'll have the old fashioned Christmas (inaudible due to audio difficulties) So there is still a lot of activity going on right now."

**Commissioner Norton** said, "When do you start your, when do you reopen, your hours and everything? When is that officially going to happen?"

**Ms. Lee** said, "What we're doing is, we're looking at being open Friday through Monday, I know a lot of museums close on Monday so maybe that might give us a little bit of an edge. But we're also maybe looking at maybe expanding into evening hours on Friday and Saturday, that way during the heat of the summer people can come out (inaudible due to audio difficulties) hot. And be able to (inaudible due to audio difficulties)."

**Commissioner Norton** said, "Okay. Well, it sounds like you've adjusted a little bit your hours to kind of reconstitute the way you do business and I think that's exciting that you kind of rethought that you don't have to be open seven days to still serve the public and that you're going to try to maximize people and energies for the four days that your there and maybe have a better product than trying to stretch it out over seven days. That's pretty exciting that your thinking outside the box as apposed to just continuing to do whatever you've always done, that's pretty exciting. I think you did pretty good today, you got over the nervousness pretty quick."

**Ms. Lee** said, "I was going to say, thank you for saying that much better than I would. Thank you again."

**Chairman Unruh** said, "Thank you Jennifer. I don't see any more questions, thank you very much. Madam Clerk, next item please."

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**DEFERRED ITEM**

**D. MAPD CASE NUMBER 2006-00035 – CONDITIONAL USE FOR SAND EXTRACTION, GENERALLY LOCATED ON BOTH SIDES OF 61<sup>ST</sup> STREET NORTH BETWEEN TYLER ROAD AND MAIZE ROAD. DISTRICT #4.**

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department greeted the Commissioners and said, “You recall that your action on this action on this item at your February 14<sup>th</sup> meeting was to defer it for two weeks until today’s meeting. That was at the request of both the applicant and the neighbors that are expressing concerns about this particular application, and to enable them to work together on trying to resolve some of those concerns.

Bob Parnacott and I hosted a meeting after February 14<sup>th</sup> Commission meeting, at which we were able to work with both representatives of the applicant and the opponents. And since that time, the applicant, the neighbors, the City of Maize and your staff have been working on trying to address some of those concerns, however, apparently two weeks was not enough time. Both the applicant and the neighbors are asking that you, today, defer this action further for another two weeks until your March 14<sup>th</sup> meeting.”

**MOTION**

Commissioner Welshimer moved to defer this action for another two weeks.

Commissioner Norton seconded the motion.

**Chairman Unruh** said, “We do have some discussion, so Commissioner Parks?”

**Commissioner Parks** said, “Is this going to affect any of the permits or anything that had been let to the project contingent upon?”

**Mr. Schlegel** said, “No, and the applicant is part of the request for the two week deferral.”

**Commissioner Parks** said, “Okay, so none of the ground water management permits or anything are going to be in deferment on that or on any kind of timeline?”

**Mr. Schlegel** said, “Would you like the applicant to address that question?”

**Commissioner Parks** said, “Yes, if you would.”

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**Chairman Unruh** said, "Mr. Kaplan, maybe...?"

**Mr. Bob Kaplan**, 420 N. Market, Wichita, Ks., agent for applicant, greeted the Commissioners and said, "Commissioner Parks, would you restate your question please, sir?"

**Commissioner Parks** said, "At one point in the discussion of some of the discussion, there was a ground water use permit or something that was, there was some time line on that. I just wanted to make sure that March 14<sup>th</sup> was not going to pass that timeline and cause any problems with having to reissue one of those."

**Mr. Kaplan** said, "I'm not certain what your specific issue, Commissioner, is. We do have our water engineers here and perhaps Mr. Winter or Mr. Allison could better address that issue. They may understand the specifics better than I do, Bryce, if you wouldn't mind helping me out here a bit."

**Mr. Bryce Winter**, MKEC Engineering, greeted the Commissioners and said, "The two weeks should not affect the ground water applications, it will not affect the ground water applications. Those permits have been granted. There is a time frame in which the applicant has to start to use the water rights, but this two weeks is inconsequential for that."

**Commissioner Parks** said, "Okay, thank you."

**Chairman Unruh** said, "Commissioner Norton?"

**Commissioner Norton** said, "Well I'm going to be supportive of the deferral. I have to tell you, I still have questions on both ways on this. We met with staff yesterday, Commissioner Parks and I did, and we still have a laundry list of things that we narrowed down. Some of came out of discussions and we cleared it up, and some of it still, we have questions about. So it's very important, I think, that both groups get together and try to work this out. I find it consternation to have these really big issues like this and then we have to play the mediator, it's much nicer, the citizen's group and the applicant can get together and work out a lot of those details before we have to make any final decisions. I am going to be very supportive of another two weeks to try to be sure to, at least we narrow it down, the things that we are going to have to deal with, so we are not dealing with such a myriad of questionable activities. That's all I have."

**Chairman Unruh** said, "All right, thank you. Well it seems reasonable to me that if the applicant and those who are opposing this, both agree that they would like to have more time to talk about the

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issues, that's, and there is no time problem with it, it's time critical, I'm certainly going to be supportive and let the folks talk out their differences. So I will be supportive.

Is there any other discussion Commissioners? We have a motion before us to grant two week deferral on this application, so Madam Clerk, would you please call the vote?"

There was no further 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, and we will resume again in two weeks I guess. Madam Clerk, call the next item."

**NEW BUSINESS**

**HEALTH DEPARTMENT**

- E. DONATION BY HEALTH DEPARTMENT OF MEDICATIONS AND SUPPLIES, VALUED AT \$1,572.35, TO PROFESSIONAL PHARMACY, TO BE DISPENSED TO QUALIFIED UNINSURED CLIENTS REFERRED THROUGH MEDICAL SERVICES BUREAU.**

**Ms. Claudia Blackburn**, Director, Health Department, greeted the Commissioners and said, "In December of 2006, the Sedgwick County Health Department closed the Children's and Adolescence Primary Care Clinic. This decision was made after we did a community capacity assessment, visited with our Safety Net Clinics in the community, who are our partners. They expressed a desire to provide services to our clients and also demonstrated that they had the capacity to do so. That was a difficult decision, but we did make that decision.

Around the clinic was an operation; we were fortunate to get a grant from the Children's Miracle Network to purchase supplies and medications for our clients. When we knew that the clinic was

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going to close, we visited with them and they directed us to donate any unused supplies and medications to the Medical Services Bureau. And so that is what we are asking today, is that you approve a donation to the Medical Services Bureau, they will in turn place the supplies and medication with the Professional Pharmacy, and that pharmacy will make the supplies and medications available to clients referred to them under that are under the age of 21 from the Medical Services Bureau. The amount is \$1,572 and I'm going to ask if Dale Kingsley, the pharmacist from Professional Pharmacy is here? I don't see him here to make any comments, but we have appreciated the contribution from the Children's Miracle Network and we're glad that we're able to pass it on.

So at this time, I would ask for your approval of this donation."

**Chairman Unruh** said, "All right, thank you Claudia. These medications and supplies, I'm a little confused. Are they medications supplies that we possess, that we own?"

**Ms. Blackburn** said, "Yes."

**Chairman Unruh** said, "It's not a continuing string, this is just leftover?"

**Ms. Blackburn** said, "Right."

**Chairman Unruh** said, "So rather than letting them go to waste, we're going to put them to good use?"

**Ms. Blackburn** said, "Yes."

**Chairman Unruh** said, "Makes good sense to me. Commissioners are there other questions? What's the will of the Board?"

**MOTION**

Commissioner Norton moved to approve the donation.

Commissioner Parks seconded the motion.

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

**VOTE**

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

**F. PRESENTATION OF SEDGWICK COUNTY APPRAISER'S ANNUAL REPORT OF REAL PROPERTY VALUE TRENDS IN SEDGWICK COUNTY.**

**Mr. Michael Borchard**, CAE, Sedgwick County Appraiser, greeted the Commissioners and said, "Well, we finalized our 2007 appraised values and we're prepared to mail those, they are at the post office now and they are planned to be mailed tomorrow.

We wanted to report to you the results of our year-end analysis of market trends and new construction activity.

There are three primary processes that the Appraiser's Office, the Real Estate Operations is involved with throughout the year. One is to revisit each property within the County once every six years. This ensures that our property characteristics remain stable over time. To discover and list in value all property that had significant changes, we use the building permitting process to inspect that new construction and anything that may have caused the property's market value to change from year to year.

We are also responsible for updating appraisals each year to assure that all properties are valued at fair market value. With January 1 being the appraisal date, while staying on top of these processes is critical to a fair property tax system.

You'll see the parcel growth in Sedgwick County from 2003 through 2007 continues to increase. And in 2007 we were up to 212,800 parcels. Our increases in parcel counts is generally the result of vacant land and Ag land being subdivided and developed. There is a bit of a new trend going on to with condominium development where one building will be subdivided or split out into condominiums and that creates more parcels as well.

As far as sales activity, all classes of property, again, there was a record number of sales in 2006. They went through our verification and validation process, 15,767; they were all screened to ensure that they met the qualifications for representing fair market value.

The Appraiser's Office is also responsible for signing the classification, appropriate classification, to the properties and these classifications are based on the current use of the property.

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Residential classification is, the assessment rate is eleven and a half percent. Commercial and industrial is twenty-five percent. Vacant land is twelve percent and agricultural property is assessed as thirty percent of assessed value, in the property tax formulae is appraised value times the assessment rate times the mill levy.

We'll quickly review of three classifications of property, starting with residential. Residential property represents about fifty percent of the total assessed value in Sedgwick County. Market activity in residential classification has been at record levels. Two primary reasons, again there has been a good supply of homes listed for sale and even though interest rates are turning up slightly they remain very low from a historical perspective. You can see in 2007 they were still below seven percent.

The Appraiser's Office inspected and reviewed over 4,700 residential permits, 2,278 were new residences. That was up from last year. The median residential sale price has climbed again up to \$111,000, which is up about four percent from 2005. The difference between the year 2000 and 2006 is about thirty percent.

Commercial property represents about thirty percent of the total assessed value in the County. Again, it was a very active year. The number of commercial building permits were up fifteen percent this year. There's been significant new development in both northeast and northwest areas of the City of Wichita.

The summary of what the, what was added to the appraisal rolls is retail square footage came in just under 300,000 square feet added; office, there was about 484,000 square feet added, a lot of that was new medical office; warehouse, there was 722,000 square feet added and apartments about 358 units. Commercial property transactions were at the highest level since 2000 as well.

As we compare the 2006 sales prices to the 2006 appraised values, the ratios were generally less than ninety percent on those."

**Chairman Unruh** said, "Mark, would you repeat that last statement, the ratios were less than ninety percent?"

**Mr. Borchard** said, "Generally, we compared the sale prices to the appraised value, they were generally less, at or less than ninety percent. The median was right at ninety percent."

**Chairman Unruh** said, "And our compliance ratio is ninety?"

**Mr. Borchard** said, "We haven't received the final ratio study yet, we won't receive that until

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probably June, for 2006.”

**Chairman Unruh** said, “All right, well thank you. Excuse my interruption.”

**Mr. Borchard** said, “An agricultural property still represents about seventy percent of the land in Sedgwick County. The Ag land evaluation is generally done by the Department of Revenue, they work with the Kansas State University to survey property owners and determine what the appropriate values are. For the most part this year, we saw, it’s based on an eight-year moving average of the value of the property, and for the most part we saw some decreases, or mostly decreases in the Ag land values this year.

To end summery, 2007 valuations, there was about 101,800 residential parcels that saw an increase in value, which is about sixty-eight percent; 5,400 commercial properties, which is about sixty-nine percent; and about twelve percent of the agricultural properties increased in value.

Again, these notices will be mailed out tomorrow, March 1<sup>st</sup>. People do have the opportunity to appeal their new appraised values. The instructions for appealing those values are on the back of their notice and we would ask them, property owners, that they read those carefully and follow those instructions. We’re scheduled to begin informal hearings on March 20<sup>th</sup> and the deadline to file those appeals in April 1<sup>st</sup>.

We try to make as much information available to property owners as possible, our website is the best source of information. You can use the website, [www.sedgwickcounty.org](http://www.sedgwickcounty.org) and go to the Department’s Appraiser’s Office and read appeal process information, you can compare real property values and you can refer to the real property sales. You can walk in on the second floor of the Courthouse, we have a convenience center at 940 N. Tyler that people are welcome to use, and we have representatives at the Derby Tag Office at 206 W. Greenway in Derby.

So as you can see from this presentation, it was a very active year in real estate. Values continue to trend upward. We are very busy in our office inspecting building permits and verifying, validating sales. Need to commend the staff of the Appraiser’s Office who did a wonderful job, meeting the deadline again this year with the additional work that was required.

That’s all I have at this point, if you have any questions, I’d be glad to try to answer them for you.”

**Chairman Unruh** said, “Thank you Mike, for that report. Are the convenient centers, are they open same hours as the Courthouse?”

**Mr. Borchard** said, “Yes they are.”

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**Chairman Unruh** said, "Five days a week?"

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

**Chairman Unruh** said, "And another question that I had, that you had statistics that sixty-eight percent of residential properties had, will see an increase? And do you have an average or percentage increase or is that a meaningful number at all?"

**Mr. Borchard** said, "The typical increase is going to be around six percent. There was thirty percent of them or so that didn't change in value, but the ones that did increase, the typical increase was about six percent."

**Chairman Unruh** said, "Okay, thank you. All right, well I think that's all the questions I had. Commissioners, do you have anything else to ask Mike? Okay, is there a motion to receive and file this report?"

**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 Mike. Next item please."

**DIVISION OF HUMAN SERVICES- COMCARE**

**G. CONTRACT WITH WICHITA PSYCHIATRIC CONSULTANTS TO PROVIDE IN-PATIENT PSYCHIATRIC SERVICES TO COMCARE CLIENTS HOSPITALIZED AT VIA CHRISTI'S GOOD SHEPHERD CAMPUS.**

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**Ms. Marilyn Cook**, Director, greeted the Commissioners and said, “This is a renewal, an agreement that we have had for some time with Dr. Paul Murphy’s psychiatric group.

Through the agreement, Dr. Murphy’s group provides inpatient psychiatric services for open COMCARE clients, and this includes daily rounding, he and his group round daily on all patients that are hospitalized at Via Christi’s Good Shepherd Campus, seven days a week that goes on. And then they also do evaluations for us for our patients that are admitted to Wesley Medical Center with medical issues that may be a result of their psychiatric condition, such as an overdose.

We have had the contract for a number of years and we are very pleased with the work. Dr. Murphy meets with Dr. Lear and I on a regular basis to see how things are going.

We are going to recommend that you approve the contract and authorize the Chairman to sign.”

**MOTION**

Commissioner Norton moved to approve the Contract and authorize the Chairman to sign.

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 |

**Ms. Cook** said, “Thank you.”

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

**H. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF FEBRUARY 22, 2007.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, “The

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meeting of February 22<sup>nd</sup> results in four items for consideration today.

First item is a storage area network upgrade for the Division of Information and Operations. Recommendation is to accept the quote from XioTech in the amount of \$45,439.

Item two, software and implementation solution for Real and Personal Property taxation for the Treasurer's Office, the County Clerk, the Appraiser, the Register of Deeds and the Division of Information and Operations. Recommendation is to accept the proposal from Manatron and execute a contract for an initial cost of \$535,850, and estimated implementation cost of \$1,607,550 and establish seven-year maintenance cost of \$2,116,924 for a total seven-year cost of \$4,260,324.

Item three, automated indexing-document software for the Register of Deeds. Recommendation is to accept the quote from Computer Information Concepts for an initial purchase of \$100,000 including first-year maintenance cost and execute a contract for recurring annual maintenance cost of \$13,392.

And item four, two ton service truck for Fleet Management. Recommendation is to accept the bid from Steven Ford in the amount of \$57,413.

I would be happy to answer any questions, and I recommend approval of these items.”

**Chairman Unruh** said, “Okay, I don't see anything just yet, but Iris, I had a question. Who all is involved in the bidding process for this software implementation item that we have on here, it is a very large item, it is a two-year project, it looks like you had to go through a lot of work to arrive at a final recommendation? Can you tell me a little about how that process happened?”

**Ms. Baker** said, “This is the evaluation process?”

**Chairman Unruh** said, “Yes, who was on it and how we arrived at this recommendation.”

**Ms. Baker** said, “The committee consisted of folks from the Register of Deeds Office, Division of Information Operations, the Treasurer's Office, the County Clerk's Office, Finance and Purchasing and the proposals received were reviewed. Short list was created, site visits were done.

The initial approach was to negotiate with another vendor, a vendor called Tyler Technologies, and they happen to provide the CAMA System to the State of Kansas, that's the mass appraisal system. Through those negotiations it became very apparent, along with the site visits, that they kind of missed the target for what we were looking for. They have given us estimated costs, but when we started negotiating, they weren't willing to make any commitments or pen down any costs or any

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scope of work. From that point, we decided to go ahead and start negotiating with Manatron, and we already conducted site visits with that group.

We then found out that Wyandotte County, Unified Government of Wyandotte, was pretty much going through the same exercise we were through. They had contracted with Tyler and they were terminating their contract because they were having the same issue, getting to a final negotiated cost and scope of work.

So we contacted Unified Government of Wyandotte, they agreed to sit down with us and negotiate with Manatron. Manatron was accepting of that direction so we negotiated final scope of work for Phase 1, which is a gap analysis, to determine what requirements are going to be met and what is deficient before we get to an implementation process.

The negotiations went very, very well and Wyandotte has already moved forward with executing a contract and starting their work. One of the advantages we feel that will come out of this, by partnering with them, we're each going to separate contracts, we will have the same project manager, so Manatron has done state-wide work in other states across the country, so they will devote a lot of time and attention to understanding the laws of the State of Kansas and what's going to be required. And we think we're going to get a better product out of this.

As a result of this, it is my understanding, that other counties are also looking at the advantage of piggy-backing and taking this a little further to meet their needs as well. So that's kind of the process, in the short and sweet. It ended up taking about a year and a half to get to this point, so it's been going on for a long period of time."

**Chairman Unruh** said, "All right, thank you. Well, I had no doubt that you'd invested a lot of time and energy and had jumped through the hoops necessary to make sure that we got a good recommendation. It's a substantial amount of money, big commitment, so I appreciate the fact that it's been thoroughly analyzed and investigated. So, thank you. Commissioner Parks?"

**Commissioner Parks** said, "On the specks for the, that was one of my questions also by the way and it was answered, thank you, on the specks for number four was that, specifications, was that more a Ford truck in particular or...?"

**Ms. Baker** said, "I believe it was, I believe it was. And in notifying other vendors in terms of participation, the biggest response we got was that there wasn't going to be enough margin in it so they weren't going to invest any time. This is not a product that sits on a lot, it needs to be ordered. So, those were the results we got. This is, we feel, a good buy, so that's why we're making the recommendation as opposed to rejecting it or trying to bid again, go beyond this area."

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**Commissioner Parks** said, "I just want to make a general statement in that the lack of response concerns me if we are getting into a one-vendor type of thing and then they can preclude some of the competition that's out there."

**Ms. Baker** said, "The bigger the purchase, the more competition we do get. When we start getting into isolated ones and twos, that's becoming a bigger problem for us because there is not a lot of margin in these buys for these vendors. And if they feel that's the case, they have been very open with us when we go back and check. Anytime we get a single response, or we don't get any responses, we go back to the vendor list, we contact them to find out why they didn't bid, to help determine whether or not there is something wrong with the bid or the specs, whether it's timing, whether it's the position they're in to bid. So it's routine business for us."

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

**Chairman Unruh** said, "Kevin, did you want to...?"

**Mr. Kevin Miles**, Director of Fleet Management greeted the Commissioners and said, "One thing that I did want to mention is, we were also concerned when we saw that there was only one vendor. This is a conversation that I've had with Iris and Emily over in purchasing and what we did is, we went around and looked at all the other vendors who were selling this model truck, just to make sure that the price was competitive.

I actually surveyed about twenty different vendors, just to find out what was their estimated cost on a truck, specked out exactly the way we wanted it. And what we found was that the estimated cost for all of those twenty vendors was in the neighborhood of \$49-\$51 thousand, where as this one was coming in at about of \$47,000. So we were able to determine that it was competitive. That, coupled with the fact, that when we contacted this particular vendor, and some of the others who were sent bid packages, they indicated that the only reason why they didn't submit bids was the fact that it just wasn't enough of a margin. We were able to see that was pretty accurate."

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

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

**Chairman Unruh** said, "Well, I think Commissioners in several counties have commented to me that purchasing vehicles is difficult because the dealer doesn't make any money on it, he just makes money on the get-ready and so that's kind of like, they don't if we buy them anywhere, if they get their prep money, that's all they're making anyway. Have another question, Commissioner Norton?"

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**Commissioner Norton** said, “Actually, this is on item number two, and it’s really a statement. It is a lot of money if you look at the maintenance agreement and the actual contract with Manatron, it’s a huge amount of money, but if you look that it’s affecting the Treasurer’s Office, the County Clerk, the Appraiser’s, the Register of Deeds, Information Systems, probably this is an expenditure that will affect more public, that they will drift in and out of the Appraisal system, the Register of Deeds, County Clerk’s Office, Treasurer, almost everybody in the County will be touched by this and we want to make sure that this information system is the best that it can possibly be.

A lot of other information systems in other offices will affect only a small portion of the population. Almost everybody is going to be touched by this integration of product together with all these offices. So even though it looks like a large expenditure of money, it is probably the place where we are going to touch the most citizens over the course of the next couple of years.

And with a lot of the changes and the CAMA system and how we integrate our systems, I think this is going to be a critical part of serving the public. So even though, I would always ask questions of these really big items, this is one that is going to affect so many people in our community. We want to make sure we get this one right, because it is pretty holistic.”

**Ms. Baker** said, “Good points.”

**Chairman Unruh** said, “All right, thank you. Well, Commissioners, I don’t see any more requests to speak, what’s the will of the Board?”

**MOTION**

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

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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**Ms. Baker** said, "Thank you."

**Chairman Unruh** said, "Thank you Iris. Next item please."

**CONSENT AGENDA**

**I. CONSENT AGENDA.**

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

- a. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project 628-9-2930, bridge replacement on 39<sup>th</sup> Street South (MacArthur) between 263<sup>rd</sup> and 279<sup>th</sup> Streets West. CIP# B-395. District #3.
- b. Permanent Drainage Easement for Sedgwick County Project to construct a frontage road along US-54 between 119<sup>th</sup> Street West and 135<sup>th</sup> Street West and improve the intersection at US-54 and 135<sup>th</sup> Street West. CIP# R-314. District #3.
- c. Temporary Construction Easement for Sedgwick County Project 616-3 through 36; widening of 13<sup>th</sup> Street North between K-96 and 159<sup>th</sup> Street East. CIP# R-253. District #1.

**2. Resolutions (three) Authorizing Disposal by Destruction of Certain Noncurrent County Government Records.**

- a. County Treasurer Motor Vehicle Records 2003
- b. Timesheets 1991-2001
- c. Accounts Payable Records 2003

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- 3. Amendment to Agreement with M&I Marshall & Ilsley Bank providing on-line access to Sedgwick County's electronic data.**
- 4. Addendum 1 to Agreement with The Mental Health Consortium for Wide Area Network connection to tele-video bridge equipment.**
- 5. Amendment to the 2007 Capital Improvement Program to consolidate CIP# R-311, frontage road from 119<sup>th</sup> to 135<sup>th</sup> Streets West; and CIP# R-313, intersection improvements at US-54 and 135<sup>th</sup> Street West; into CIP# R-314.**
- 6. Order dated February 21, 2007 to correct tax roll for change of assessment.**
- 7. Payroll Check Register of February 23, 2007.**
- 8. General Bills Check Register(s) for the week of February 21 – 27, 2007.**

**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 and I remind you that there are only 306 days left for the sales tax, collection of sales tax."

**MOTION**

Commissioner Norton moved to approve the consent agenda as presented.

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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### J. OTHER

**Chairman Unruh** said, "Now we are ready for other. And the first other would be Commissioner Winters."

**Commissioner Winters** said, "Well, thank you, I just wanted to, again, mention to the Commissioners that Commissioner Norton and I are going to travel to Washington D.C. this weekend to the National Association of Counties, having their annual legislative conference and it is normally, and in the past, has been a very worthwhile conference and has a lot of opportunities for new information and has a lot of opportunities to network with other county folks from around the country and so I am looking forward to that trip, I'm sure that Commissioner Norton is. I think we've already got several plans of seminars and presentations that we're going to be involved in. So, just wanted again, let everyone know that was headed out of town this weekend."

**Chairman Unruh** said, "And the result of two Commissioners being gone next week, we will not be having a Board of County Commissioners meeting next Wednesday. Okay, Commissioner Norton?"

**Commissioner Norton** said, "Well, I am headed to NACO with Commissioner Winters. One of the things that drove me to head that way is they're having a health access discussion, I've been a part of that in two symposiums nationally for NACO, and we're continuing that. And it ties in well with what we are working on here locally, which is a project that I'm really kind of working on with staff. Claudia Blackburn, Chad VanAhnen, and Charlie Stevens are helping me put together work groups and focus groups on health access for our forty-two thousand underinsured and noninsured in the county.

This dialogue that we're going to have at NACO will bring together four or five, pretty good systems that have developed in other counties around the country for us to look at, to bring back to Sedgwick County to start really having the discussion about how do we get health access, good medical care and a medical home for the forty-two thousand uninsured in our communities. I'm really looking forward to that particular discussion at NACO, although there are several others that I will be attending. That is the one that most interests me and I believe will bring back the most learning's that will apply to our community.

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So, I did want to comment on that, because it did have to do with NACO and sometimes there is a jaded eye in the public when you travel to these kinds of things throughout the Nation and we try to be very prudent when we use our time, when we go outside of Sedgwick County to have learning's. I truthfully believe this is one of those discussions that hopefully I'll bring back some information that will really be powerful for our community that will fit in with the kind of project that we need to incubate here in our community.

The second thing I've got Mr. Chair, is the report I give every week and I'm excited to say, Exploration Place is continuing to do well. I've got the latest numbers. Last week, last year, 2,300 passed through the doors; last week, this year, 6,000 people. Revenue last year, \$9,000; this year, \$43,000. Store revenue, \$9,600 against \$3,500 last year. Café revenue, \$4,500 against \$1,700 last year. Pretty remarkable. Total revenue last week, \$57,000 against \$15,000 last year. And that's a two hundred and seventy-one percent increase at Exploration Place.

And then the numbers for the month, I'll just give you two, that's total gate attendance, \$28,971 against \$11,429 last year, pretty significant revenue. All sources, \$267,000 against \$69,000 last year. Almost a \$200,000 increase since January 13<sup>th</sup> at Exploration Place.

So, once again the good news, you know we talked about Cowtown today and they are trying to reinvent themselves and bring, pull themselves up by the bootstraps. Exploration Place, at least one more week is doing pretty good work and bringing a lot of people into our museums and that was our hope when we took some (inaudible) here a couple of years ago. That's all I have."

**Chairman Unruh** said, "Okay, well that is good news. Commissioner Parks?"

**Commissioner Parks** said, "Is this appropriate place to bring up the gaming and the other issues that we have with that?"

**Chairman Unruh** said, "You may do that at this time, if that's your desire."

**Commissioner Parks** said, "Well, in fulfilling a campaign promise to get the people to vote on gaming, we have been working diligently with other areas of Southeast, or South-central Kansas, excuse me, to try to come up with some kind of group that would oppose the way the House Bill 2055 was written. And what that does, that affectively eliminates casinos for a moratorium period of about five years in South-central Kansas, including Sedgwick County. And I just think that it would be prudent for us to oppose that legislation in some form, I don't know whether by Resolution or if it's the will of the Board to discuss that further. And actually, I believe Commissioner Welshimer has a Resolution that she has drafted along with the South-central Fair Play Coalition and I would defer to her at this time."

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**Chairman Unruh** said, "Commissioner Welshimer?"

**Commissioner Welshimer** said, "Thank you Mr. Chairman. We have been in touch with some of the other counties and we did have a meeting about a week ago. We came up with a name for the coalition, which is 'South-central Coalition for Fair Play' to work for the inclusion of South-central Kansas in any State legislation on expanding gaming and destination resort casinos. So in order to become, for each of the counties, there are five counties considering this Resolution this week, in order for us to form this Coalition, we need to adopt a Resolution. And it's not very long, would you like for me to read it?"

**Chairman Unruh** said, "Yes."

**Commissioner Welshimer** said, "Okay."

**RESOLUTION**

**WHEREAS**, The 2007 Session of the Kansas Legislature is considering a bill that would renew the Kansas Lottery; and

**WHEREAS**, The 2007 Session of the Kansas Legislature is considering a bill that would allow destination casinos in Southeast and Northeast Kansas counties that border Missouri and at the same time place a non-gaming moratorium on all other Kansas counties, including those in South-central Kansas; and

**WHEREAS**, Two Southcentral Kansas counties have had an advisory vote expressing their desire to locate a destination casino in their respective counties.

**NOW, THEREFORE BE IT RESOLVED**, The Sedgwick County Commission agrees to the formation of and participation in the Southcentral Coalition for Fair Play to work for the inclusion of Southcentral Kansas in any State legislation on expanded gaming and destination resort casinos. The Commission also urges Sedgwick County Legislators to recognize this Coalition as a strong voice for the inclusion of Southcentral Kansas counties in any legislation that offers the opportunity for expanded gaming in Kansas, subject to any one of the counties referendum.

**Chairman Unruh** said, "Okay, thanks for reading that Resolution. And I have a procedural question for Mr. Euson and that is, if we are going to talk about this, and if this is going to come up

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as a motion, do we to first go through the process of taking and Off Agenda Item to talk about this, or are we fine to go ahead and if someone wants to move this Resolution, we can just go ahead and do that?”

**Mr. Euson** said, “If you think it’s something you’re going to be voting on, and it sounds like it is, it’s been your practice to take it off as an Off Agenda Item.”

**Chairman Unruh** said, “Okay, we should probably have a motion to do that. And before we hear that motion, I’ll just say, so that the folks who are paying attention to our meeting here, for these types of items it is not standard practice of a Commission to have Off Agenda Items of this type, we do Off Agenda Items of a more Administrative issue, like we did earlier on the Appointments. But when we have something that comes up that has a certain time critical aspect to it and it needs to be discussed, well then we bring up Off Agenda Items.

I just wanted to assure everyone that we will continue to do things orderly and that we will give sufficient notice of Agenda Items so that we can have notice to citizens and the media that we’re going to talk about these things. I think this has a sense of urgency for it, then it is appropriate for us to bring it up Off Agenda. But we do need to receive that Motion and Commissioner Parks?”

**Commissioner Parks** said, “I just wanted to echo that in that I don’t like to do this, I like to have things on the Agenda that we are going to be voting on. But actually, the Kansas Legislature has kind of forced our hand in this and so we are reacting to something that they put in that would have impact on Sedgwick County. Thank you.”

**Chairman Unruh** said, “All right. If we’re going to continue the discussion, Commissioners, we need a motion for an Off Agenda Item.”

### **MOTION**

Commissioner Welshimer moved to consider an Off Agenda Item.

Commissioner Parks seconded the motion.

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

### **VOTE**

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

**Chairman Unruh** said, “Commissioner Winters?”

**Commissioner Winters** said, “Before Commissioner Welshimer makes her motion on this Resolution, I wanted to say just a couple things. We did have an opportunity to discuss this at our staff meeting yesterday and Commissioner Welshimer made several changes in the original Proclamation, I don’t know how significant they were, but there were several that I had a concern about. So I appreciate the work that she did and are trying to re-craft something that at least I could support.

But I would like to make just a couple of comments because I have some concerns about what the other counties in the Coalition, where they might be headed. Our current policy, that we’ve operated under now for two years, starts out and says ‘In the event the State approves expanded gambling.’ and then some words and says ‘...In the event the State approves expanded gambling, we believe the citizens in Southcentral Kansas and Sedgwick County should have the right to vote’.

So in supporting this Resolution that is exactly what I’m supporting and no more than that. And so I would like to perhaps have some more discussion this morning. And trying to think how to work that, I think I’d like to, I know there is a need for speed here because, of course this Kansas Legislature is in Session, so again, I am supporting this in the fact that it’s restating, but is already our policy.

But after working with the other Kansas, Southcentral Kansas Coalition counties, I would like for this to come back to us in two weeks for us to look at what’s been developed out of these other counties. Because the thoughts that I’ve seen coming from the other counties in the Coalition go much beyond this. They began to talk about all of the benefits of gaming, why we should support it, the economic impact, plus or minus. So I’m not sure that we are on the exact same page as the other counties in this Coalition, but I would assume that Commissioner Welshimer and Parks will be working with them as they develop their own Resolutions. And if their Resolutions look a lot like ours, I think I’m okay. If their Resolutions look a lot different than ours, I think I may have some problem.

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So, I guess I would just like for consideration that if we should move forward with this today that in two weeks we bring this back and see what the other counties are talking about. If they agree with this or do we need have another vote. Because I just want to be very clear that my vote is to say that in the event the Legislature does something with gaming, it should allow the folks in Southcentral Kansas to vote on that issue.

I am not in support of us taking any kind of action to convince the Legislature that the best thing for them to do is enact a gaming of legislation. So I know that's kind of confusing, but again I appreciate the re-crafting of this Resolution that's before us today."

**Chairman Unruh** said, "All right, thank you. You have me confused, Commissioner Winters. Which is not difficult to do, I understand that. But it seems like you would be favoring the Resolution but then you want us to reconsider the Resolution after we see how the other people resolve?"

**Commissioner Winters** said, "That's correct. I would like to know what these other counties are going to come up with. Because I think they are coming up with language that talks about the expressed desire to promote and support destination casinos in Southcentral Kansas. And I am not at that point. I am at the point, again, where I believe it's the issue for the State Legislature to determine and they should be the ones that make the decision about gaming in the State of Kansas.

My position is, I'm not clear about what's going to come out of this Coalition. So I want to know what Sedgwick County is going to be supporting after the other counties have crafted their Resolutions and that's what has me concerned."

**Chairman Unruh** said, "Okay, we have others who want to speak here and this is going to be kind of a free-flowing discussion for a few minutes. I would just want to say that I am really quite satisfied with our position that we have passed for our at, by Resolution, October of 05' and has been part of our legislative platform in 05' or in 06' and now in 07'. I think that says what I want to say and you have reference that, should the Legislature act, we get a chance to vote.

I am concerned on several fronts about this. One, the Regional Economic Partnership, which represents Southcentral Kansas, is a recognized and respected coalition of governments, cities and counties in Southcentral Kansas, has not acted on this issue and had ample opportunity. So I'm, that sends a warning signal to me, our Central Plains Quad County Planning Forum is not quite as organized in organization but has not talked about this. I'm just concerned a little bit about

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establishing a coalition of counties that are bits and pieces of other organizations to try advance this proposal.

I'm concerned about that we are, the Resolution, as you read it Commissioner Welshimer, says 'In support of the formation of Southcentral Kansas Coalition' but in the text of the Resolution, it says 'Agree to the formation and participation in the Southcentral Kansas Coalition', and I am not so sure exactly what that 'participation in' means. I am concerned, and I've said this among our different groups and to different groups, should this happen down here, how it rolls out is critically important to the budget, I think, of Sedgwick County. I mean, how the revenues are going to be shared, who is going to be responsible for the potential social costs, I think or something, that we have to consider and understand.

For example, if, by the formulation of this Coalition, we are given implied support to a destination casino in Winfield, Kansas, does that mean the revenue share, as I understand is currently proposed is like one and a half percent to the City and then one and a half percent to the County, I still believe that Sedgwick County Government will be playing a big part in supplying services to those folks who have problems or other social issues that occur. I don't know how we play in the revenue share, I know that's specific in here, but I don't what's implied by this Resolution.

Playing as a county, in say a one and a half percent share as proposed right now, is not a very big share. I mean we get half a pigeon; it's not a very big bird. It just seems like we're going to be providing a lot of the services, we are kind of the economic engine for this area and I don't know what we're agreeing to.

The original Resolution, and I was not here yesterday, but it used language that was for the initial purpose of informing the Kansas Legislature, that Southcentral Kansas do not want to be excluded. And it seems like that's quite a bit different from the Resolutions that you are going to propose.

So those are some of my questions and I'm just uneasy about taking this next step. Now having said that, I think the next light that was on is Commissioner Parks."

**Commissioner Parks** said, "In speaking to the Coalition, and we haven't been appointed to anything, so it will be Commissioner Welshimer and I, if two Commissioners want to go and not make a quorum at a meeting or anything, or even we want to have a special meeting and have a quorum and do all the proper notifications to the people and the press on that, I think that would be good.

But I don't have any intention of having binding promises and no implied support for anything. This Commission, in its entirety needs to make those decisions, and certainly I was somewhat reserved at Wellington and my comments because it is going to take the entire Commission to make

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those promises, not just two people from the Commission. Any of those decisions are definitely up to the entire Board.”

**Chairman Unruh** said, “What, I don’t know if I am following correct protocol, who all is involved in this Coalition?”

**Commissioner Parks** said “Sumner, Sedgwick, Harvey, Kingman and Cowley Counties.”

**Chairman Unruh** said, “Okay. Cities, so far there’s not city representation?”

**Commissioner Parks** said, “We had a city representative from the City of Wellington at our meeting and they indicated that they would be something also.”

**Chairman Unruh** said, “Is, I’ll ask Commissioner Welshimer, are the people who are involved in these discussions, are they all County Commissioners?”

**Commissioner Welshimer** said, “There were, there was one County Administrator, an Economic Development Director and the rest were Commissioners.”

**Chairman Unruh** said, “Okay, so not every county had an Elective there or did every county have...?”

**Commissioner Welshimer** said, “Not every county had an Elective there.”

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

**Commissioner Welshimer** said, “This Resolution is nothing more than a Declaration that we want to join with these other four counties in telling the Legislature not to leave us out if they do pass legislation. In other words, that five-year moratorium would prevent us from having a referendum vote here. None of us want to be left out. Of course there was conversation as what we could do as a group of counties, that we could not do singularly. And so there was some value put on the fact if we came together as a group of counties, for Southcentral Kansas, and if the Legislature did pass the bill then we could do something.

But the problem here is that this is nothing more than a Coalition. And it is not a rule-making body. So, there is, once this Coalition is put together and we agree to do that, then we would have to agree to create more of a rule-making body where we could make other decisions. And so there could be no decisions made on revenue sharing or anything unless we have a rule-making body that

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we have approved and agreed to be a part of.

So all they're agreeing to do here is to join these other four counties and say to the Legislature, 'Don't leave us out'. One thing we may do as a Coalition is have a meeting with the Legislators."

**Chairman Unruh** said, "Okay, thank you, that's helpful. Commissioner Winters?"

**Commissioner Winters** said, "I guess this is in the form of a question to either, whoever wants to answer it. Would it be acceptable then to have a motion today or rather a Resolution if need, but a motion, to agree to join with these other counties in this Coalition and participate as long as there is no action taken that is in opposition to our already stated policy?"

**Commissioner Welshimer** said, "We would have no authority to, the Coalition would have no authority to take action outside of what we've agreed to do here."

**Commissioner Winters** said, "Well that would give me some comfort level if we could craft that in some way because then the Coalition would be, again, taking, or any kind of position of Sedgwick County would be no more inclusive than what is already our current policy."

**Commissioner Welshimer** said, "That's pretty much it. This Resolution only commits us to being part of a Coalition that, where you can invite the Legislators and say, 'Look, we've all joined together, we're a Coalition, we don't want you to leave us out. Don't put a moratorium on us. Anything you pass, you've got to leave it open to us so that we can have a vote of the people if we so decide to'."

**Chairman Unruh** said, "Okay. Commissioner Parks?"

**Commissioner Parks** said, "I just kind of have a housekeeping question for our County Counselor. If we pass this Resolution, should the one in 05' be rescinded then?"

**Mr. Euson**, said, "Well, that's a good question, of course that's your legislative package that you approved and then approved again last fall. This would have, no I don't think you need to. This would have the affect of modifying, I don't think you need to but it might be difficult to explain that to the Legislature."

**Commissioner Parks** said, "Although there were two of us that didn't, weren't in that process also?"

**Mr. Euson** said, "I understand. It might be helpful if you amended that at the same time so that

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there isn't any, so that nobody is confused about what direction the Commission is going in. They don't, they need, you need to be going in the same direction with both statements."

**Commissioner Welshimer** said, "Is there a conflict though? I don't see any conflict."

**Chairman Unruh** said, "Well I think that's kind of a general opinion that there's not a conflict so it should be easy just to say that this is an add on or a modification to or consist with in the language. We have a request from Mr. Winters to speak. And before we hear a motion for this Resolution, I know you've read, but you haven't moved that yet, we interrupted you, I want to allow Mr. Glen Thompson to speak, he's requested to speak. Mr. Winters, I'll let you..., well then Mr. Thompson, would you like to, can you say what you have to say in three minutes? Okay. And we are allowing this citizen comment in light of the fact that this was an off agenda item of high importance to our community."

**Mr. Glen Thompson**, Executive Director, Stand Up For Kansas, greeted the Commissioners and said, "Just several comments on this. First of all, in our opinion, the Resolution that was adopted back in 2005, I thought was very clear, very reasonable and the Legislatures understand that. I work very closely with the Legislature on this gambling issue. I've done this for about fifteen years, so I think they understand that very clearly.

However, the approach that was used by some of the surrounding counties of having a non-binding vote, is fraught with a lot of problems. And the potential problem comes right out of this Bill, 2055. 2055 provides that, and now I will just quote this, 'The Lottery Commission may waive the requirement that an election be held pursuant to this section if the Lottery Commission determines that after December 31, 2004, a county has held an election of qualified voters pursuant to the counties home rule authority'. What that means is that you're non-binding referendum, if we should ever have one, prior to the Legislature taking action, can become binding, no matter what is in the Bill.

So if we would have already had a non-binding referendum and it would have passed, this Bill could become Law and a casino could be put in Sedgwick County out at the track, even without a separate referendum, in our opinion, simply because of this statement.

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Secondly, I think the point that was made is about the revenue sharing is extremely important. The social costs for a casino, and there is numerous studies that shows this, are approximately fifty percent of the revenue. So if the casino would have, say 200 million dollars revenue for example, the social costs would be 80 to 100 million dollars. All you have to do is go to the Wichita Downtown Development Study and look at the data that's right in there. That's total costs, that's not costs of local governments. About half of that would be incurred by friends, relatives, but about half of that would be incurred by the local governments, not just the home county, but the surrounding counties.

So that means that the social costs should be in any Bill to cover that, if the county and the surrounding counties want to be covered, should be about twenty-five percent of the revenue. This Bill includes three percent. So, I encourage you, at least in you efforts with the Legislature, is to encourage them to increase the amount that goes to the home county and the surrounding counties, who cover and put in a reasonable amount for the social costs.

Finally, the third point, which I think you are aware of but, because casinos we're talking about will be state owned and operated casinos. There's only two ways you can legalize casinos in Kansas under the Constitution. One is Indian casino, one is a state owned and operated. So the state would be going into the casino business. There is no other state that is in the casino business. Some states have slot machines, they do lottery terminals as part of the Lottery, but they do not have regional type casinos like we're talking about here.

So as you consider entering into this Resolution, some of these other counties, I would just caution you that the approach that some of these counties have taken, I think is fraught with potential problems. And the Resolution should not be binding on Sedgwick County to go down that same path."

**Chairman Unruh** said, "Thank you Mr. Thompson. Commissioner Parks?"

**Commissioner Parks** said, "Two things that I wanted to address that Mr. Thompson just brought up here also."

**Commissioner Norton** said, "Before we go on, I think it would be appropriate if we ask if anybody else would like to speak from our audience or Commissioner Parks. We've opened it up; I think we need to ask if anybody else would like to speak to this issue in our audience. I doubt that there is, but as least I don't see a lot of folks in line. I think that's always been our protocol."

**Chairman Unruh** said, "Thank you Commissioner Norton. And I recognize most of those folks. Now, Commissioner Parks."

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**Commissioner Parks** said, “Well on one of the first issues that Mr. Thompson brought up, and thank you Glen, for coming up and giving your opinion on this. We do have an opinion, by a former Attorney General, and we requested another one from the new Attorney General on this non-binding referendum and we haven’t heard back from them, and I’ll defer any other legal to that to Counselor Euson, if he wants to speak on that or you don’t, that’s fine too, on the opinion if a non-binding referendum is actually binding.

And also, the, one of the counties is not looking at a state owned casino, in fact they were talking, and of course I did not comment to that, nor would I at a meeting of a privately owned casino. I do know that one of the other counties in the Coalition is looking at a privately owned casino. Thank you.”

**Chairman Unruh** said, “All right, thank you. Commissioner Winters?”

**Commissioner Winters** said, “Well, two quick comments, and one is I believe that for all the reasons that Mr. Thompson mentioned and others, that is the reason that this needs to be a debate that’s held at the State Legislature in Topeka and they are the ones that need to wrestle with that and make those decisions.

The second issue is, Commissioner Parks talked about rescinding our current Resolution, and I’ll oppose to and vote against, I may be in the minority, but I’ll vote against changing the language in our current Resolution. And that’s why I think this Resolution that is been shown to us at this point, is not in conflict with our current Resolution. But any attempt, or any motion to change our current Resolution, I’ll be opposed to. Thank you.”

**Chairman Unruh** said, “Thank you Mr. Winters. I guess I would make one more comment, but I anticipate a motion being made.

Before that happens, I, in reading the language of the revised draft motion that came out of yesterday’s meeting at which I was not present, I think I would prefer the original draft of a Resolution because it uses language that our participation would be for initial purpose of informing Kansas Legislature that Southcentral Kansas does not, Kansas counties do not want to be excluded from these opportunities. To me that’s much more restricting language and all it just says is we want to tell them we don’t want to be excluded. I’m a little weak on this one too because I believe our original Resolution from 2005 clearly states that. I guess now that I am speaking I might as well go ahead and declare that should the motion be made and get a second, I will probably be, I will be voting no I think.

But I don’t see any other requests to speak so now would be an appropriate time to make that

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motion. Whoop, here we go, Commissioner Norton.”

**Commissioner Norton** said, “Well, this is certainly a maddening issue. We’ve been talking about it for several years as a Commission. I think it boils down to personal preference, I don’t think it has anything to do with do we understand what the people want. I mean, I hear from both sides in my district.

You know, if I had to weigh it out on a straw pole, I think there is probably more people saying at least let me vote on it and send a message to my Legislators on how I feel about it. But that’s not the way we did it last year. There was no stomach for a vote, truthfully.

I have to tell you, the Resolution that we are talking about that we passed last year, I voted against because I don’t think it sent a strong enough statement to the Legislature that, and truthfully, I don’t think it did because it’s been on our platform for two years and the Bill that came out leave Sedgwick County out. What we said in our Resolution probably didn’t mean anything to somebody because we’re not included in the Legislature; in fact, there is a moratorium that leaves us out.

But that doesn’t have anything to do with how I feel personally about gaming one way or another. That has to do with understanding the will of the people to move this issue forward in our community and in the state. I don’t think we have a good feeling for what that means.

Two counties, one on the north of us and one on the south of us, both passed, whether it’s called a non-binding Resolution or not, they passed the issue that said they’re okay with moving forward on at least being included in the conversation. I don’t know that we’ve done anything but continue to rely on anecdotal information to try to solve this issue. It’s not that we’ve got anything substantial to guide us other than maybe a little bit of a gut feeling and our own personal preference.

The questions for the Legislators is do they really want to understand the will of the people in Sedgwick County Kansas for gaming. I haven’t seen any indication that they really want to understand. They really guided us to say they don’t want us to have a vote for it. They’ve thumbed their nose at the Resolution that we’ve sent them. To me, it has come down to what is your personal preference and if you’re in an elected position and you have a personal preference, you can pretty well guide the discussion, leaving out what the will of the people may be.

I think we would’ve maybe solved all of this discussion if we had gone ahead and had some kind of a vote last year to understand this. Now we’re at the last minute trying to form a Coalition that will

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send some kind of a message because there's no time to have any kind of a vote that would be substantial before maybe the Gaming Legislation will go through. And then, as it stands right now, what we resolved to say that we should be part of this and be able to at least put it up to a vote wouldn't matter under current Legislation.

And I believe that's where Commissioner Welshimer and Commissioner Parks probably have a little heartburn because the perfect storm is happening where it's not going to matter. And I think they're trying to move forward something that says give people a really substantial chance to have a vote, not just a little bit of talk that placates everybody.

The end of the day, the thing that guides all of this is the legislation that is getting ready to at least be debated. Now whether it'll be passed or not is another question because there hadn't been much will at the State level to pass any kind of gaming Legislation. At least what's being debated right now will leave out Southcentral Kansas and I don't believe that is what anecdotally I hear from constituents in Sedgwick County. And I hear a lot of people talking about it.

I think I am going to be okay with some kind of Coalition. I don't think that all the details have been worked out, I'm concerned about the revenue sharing, but I think that will all be worked out as the meetings go along and we try to figure out this issue and we see what the Legislation is going to be and if we don't have something going on, we're obviously going to be left out. And I understand being left out, as far as a personal preference for many people is okay. I understand. Being left out, however it gets done, is a win for a certain population because they don't believe in any kind of gaming and for other population that would a downer. That's all I have."

**Chairman Unruh** said, "Okay. Any other comments or...?" Commissioner Welshimer?"

**Commissioner Welshimer** said, "I think the main thing is that we keep our solution options open. And we need a solution to the fact that we have so many obligations. They're going to fall over on the property tax because we have nowhere else to go. Property tax is the only source of revenue we have if we have more expenses on the arena once the sales tax ends. My understanding is the only place we have to go is property tax. We have to build more in jails, borrow more money, become more indebted, pay more interest on loans, increase in costs of operations, any further expense on the training center. That all falls over on the property tax as best as I can see. So, you know, what are we going to do? Double, triple property taxes in the next decade? I would hope not.

But to close the door on one solution that might come to or aid, I think is something we don't want to do and all this Resolution is doing is keeping that door open in the best way we have to address it. It certainly doesn't bring a casino to Sedgwick County. And it may not impress the Legislature, although I think it would be a much louder voice than all of us going there one at a time.

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And as far the social costs are concerned, if it did go that far? Of course the social costs must be addressed but you also have to weigh those against the cost that we are now experiencing in economic losses with more than a hundred gaming establishments in Oklahoma and eleven or twelve in Missouri. This is also a social cost.

So no one is making any decisions here other than the fact we want to keep our options open and so do four other counties that want to join with us to say keep our options open, don't close the doors. So upon that, may I make my motion Mr. Chairman?"

**Chairman Unruh** said, "Commission Norton?"

**Commissioner Norton** said, "I've done some reading and studying lately and it's interesting that we talk about the cost of doing business and the tax structure as far as business in Kansas. And we're rated ahead of Nebraska, but behind Missouri and Oklahoma. And it's interesting to me that they can hold down the costs of doing business through tax structure in those two states. And both of them have pretty significant gaming. Now I don't know how you link those two together, but it is a source of revenue for those two states and they both are ranked higher, as contiguous states to Kansas, in the tax structure to do business.

Just an anecdotal bit of information but it talks to exactly what Commissioner Welshimer's talking about is that is a source of revenue and it off sets some taxes, if that's what we want to do for individuals and for business. Just a comment."

**Chairman Unruh** said, "Okay. You know, Commissioner Norton, I don't want to be prolonging or get off on a tangent, but I just came from a conference that brought up the irony of the two states that have the worst record in the business rating, for doing business there, is like, and I don't want to get this wrong, let me check my notes, it was like Connecticut and Massachusetts were the two states that were worst to do business in. They are also the two states that have the most number of gazelle companies. Which are companies that are measured by doubling, or at twenty percent growth in sales for five years in a row. And these are the companies that just explode and bring great economic benefit.

And I'm not arguing with you, it's funny that the two worst states listed are also the two best states for gazelle companies. So it's just interesting, if you understood what I was trying to say."

**Commissioner Norton** said, "I do, and the debate goes on."

**Chairman Unruh** said, "Well, Commissioner Welshimer, I think if you're willing to make a motion, we're ready for that."

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### MOTION

Commissioner Welshimer moved to adopt the Resolution.

Commissioner Parks seconded the motion.

**Chairman Unruh** said, “Thank you. And now Commissioners we have a motion and a second before us to adopt the Resolution that you read without modification and this is the one that was redrafted from yesterday. Before we call the vote, Commissioner Winters.”

**Commissioner Winters** said, “Thank you, I’m going to support this Resolution. And I believe that there is nothing in this Resolution that is in conflict or opposition to our current Resolution and Legislative policy on gaming. I don’t need to have this as part of the motion, but I would like to revisit this issue and would like future updates on what the Coalition is doing.”

**Chairman Unruh** said, “Thank you. Well before we call the vote, I would just want to make a comment that I will be voting no on the motion. I think that our current legislative position is sufficient, I’m not sure that this does anything more for us. I believe that our Governmental Affairs representative has clearly communicated this to our delegation. And I’m convinced that our delegation gets it. I think they understand what we want. Now that’s not to say they favor what we want, but I think they understand what we want. And I’m afraid of the nonspecific of this how nonbinding it is and so forth, it might imply to take us somewhere where we’re in agreement with something we may not be in agreement with. So that’s my reasoning. Commissioner Winters?”

**Commissioner Winters** said, “I believe Manager Buchanan had a comment, question.”

**Mr. Buchanan** said, “Commissioners, if it would please, Irene Hart has been assisting Commissioner Welshimer with parts of this issue and we could put an agenda item for her to report on the status of the Coalition at the next meeting. Would that be appropriate? Just make it a regular agenda item?”

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**Chairman Unruh** said, "I think that would satisfy Commissioner Winters? As long as they have updated information?"

**Commissioner Winters** said, "I'm just looking more for updated information, I don't know that I need to have it as an agenda item unless there is an issue or a problem."

**Mr. Buchanan** said, "We can talk about it at the staff meeting then?"

**Commissioner Winters** said, "Yes, that would be appropriate."

**Chairman Unruh** said, "Is there any more comment on the motion that is before us? Hearing none, Madam Clerk, call the vote please."

**VOTE**

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

**Chairman Unruh** said, "Okay Commissioners, we are getting close to being done with 'Other'. Is there anybody else who wants to say...? I just would want to announce that I was out of town the last few days to the National Association of Workforce Boards in Washington DC. It was a vision for a New Economy Workforce Leadership Matters, was the theme of the seminars and it focused on workforce boards working in cooperation and partnership with economic development agencies and with governmental agencies and to expand to a regional basis. So we do the best job we can in providing workforce solutions to our industries. And I guess there was a question whether a ready workforce leads economic development or whether economic development leads the workforce. Anyway, it was very worthwhile and is because of my participation in that conference that I won't be attending the NACO conference with Commissioner Winters and Commissioner Norton, but we will have great representation, so appreciate you all's commitment to be there."

And with that, we are going to have an Executive Session I believe. But we have a comment first from Commissioner Norton."

**Commissioner Norton** said, "Before you get off the leadership, workforce leadership information,

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we had a brief moment just to discuss in my office before we started the meeting today, and I wanted you talk a little bit about some of your learning's because what you described to me was that, I said what did you learn and you said well I learned that we're really ahead of the curve here in Sedgwick County compared to a lot in the nation. So I thought you should comment on that, sometimes we worry about some of this workforce stuff we are doing but if you spread it out across the nation with other people that are experts, we're doing pretty good with some of that."

**Chairman Unruh** said, "Well we are, on the economic development side, the Greater Wichita Economic Development Coalition, has put together partnerships of both community organizations, independent businesses and elected officials from government to work for economic development from that aspect of it. From the workforce side of it, our one-stop center that we have some of our employees stationed over there, officed over there, the Chamber of Commerce has individuals officed over there to help solve these workforce solutions, not only from individuals coming in and saying we need a job, but also from our business partners in the community being able to come to that one-stop center and say we need so many individuals, we need a certain workforce solution. So we've got, I believe, covered not only on the demand side from business but from the need side from individuals. And we are also working closely in partnership with the Kansas Institute of Technical Excellence, which is a consortium of local technical education trainers.

So we are doing this not only in a widespread collaboration , but also in a regional basis, and I really believe that our leadership should have been leading some of these seminars. Not that what was told to us was bad, but it's just that I think that we're a good example of how to go ahead successfully. So it was affirming, I think is the word, in that sense. "

**Commissioner Norton** said, "Thanks."

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

**Commissioner Parks** said, "Well since we won't be having a meeting next week, I wanted to bring up an item that is going to be happening on the 17<sup>th</sup> in the Delano District. There will be a parade, and with my cultural background, I am excited about having the return of the St. Patrick's Day Parade. Also, due to the vote canvassing, I won't be in my Valley Center as long this Friday. I'll just be there from 9:00-9:30. My 7:30-8:30 breakfast at Leeker's in Park City, I will still be at that location. But I did want to tell the people that I will have very limited time at the Valley Center office because I have to be back down here for the vote canvass."

**Chairman Unruh** said, "Okay, very good. Seeing that no other request to speak, we need a motion, oh, Commissioner Welshimer."

**Commissioner Welshimer** said, "Did we miss a couple of appointments?"

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**Chairman Unruh** said, "I thought we took them all."

**Commissioner Welshimer** said, "Flaherty and Dunlap?"

**Commissioner Norton** said, "That was all put together, I think."

**Commissioner Welshimer** said, "It was altogether? Okay, and they are appointed?"

**Chairman Unruh** said, "They are appointed, they will have to come in and be sworn in by the County Clerk at their convenience."

**Commissioner Welshimer** said, "Okay, thank you."

**MOTION**

Commissioner Norton moved to recess into Executive Session for 10 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 11:00 a.m..

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 |

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|                        |     |
|------------------------|-----|
| Commissioner Welshimer | Aye |
| Chairman Unruh         | Aye |

**Chairman Unruh** said, "We are recessed."

**The Board of Sedgwick County Commissioners recessed into Executive Session at 10:50 a.m. and returned at 11:15 a.m.**

**Chairman Unruh** said, "We have returned from Executive Session and we do have some business to take care of. And County Counselor, Richard Euson, can you give us a report here?"

**Mr. Euson** said, "Yes, thank you Mr. Chairman. While in Executive Session, we discussed a couple of cases that are pending. One of them is an automobile accident involving a county employee and we are in litigation with the Plaintiff by the name of Kimberly Graves against the County, due to that accident. We, our investigation indicates that there, it's a situation where we probably should settle this case due to our analysis of the liability, it was a head-on collision. And in that case we're recommending the total settlement of \$275,000 and we will get a release for any further claims on that.

The second case we discussed is a case involving Carla Krouger who is a former employee. And Ms. Krouger suffered a compensable injury while in the course of employment. And in that case she was involved in an automobile accident and we're recommending settlement in the total amount of \$50,000 in that case and that would close all issues regarding future medical payments or reviewing modification of the award. In regard to that case, involving, she was driving and performing her county duties and was struck by another car. We believe the other driver was negligent and we will pursue a claim, a supplication claim, against them for recovery of these amounts. And hope to recover them.

So those are the two cases and unless you have any questions, I would recommend that you approve both settlements."

**Chairman Unruh** said, "We can approve those under one motion?"

**Mr. Euson** said, "Yes, yes sir."

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**Chairman Unruh** said, "Commissioners, are there any questions or comments?"

**MOTION**

Commissioner Winters moved to approve the settlements as recommended by County Counselor, Rich Euson.

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 |

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

**Chairman Unruh** said, "Thank you, Mr. Euson. We are at the end of our meeting. Is there anything more to be said Commissioners? Mr. Manager? Mr. Euson? We are adjourned."

**K. ADJOURNMENT**

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There being no other business to come before the Board, the Meeting was adjourned at 11:21 a.m.

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

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

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**THOMAS G. WINTERS**, Chair Pro Tem  
Third District

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

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**KELLY PARKS**, Commissioner  
Fourth District

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**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

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**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2007