

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

### **REGULAR MEETING**

**July 18 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, July 18, 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; Mr. Robert W. Parnacott, Assistant County Counselor; Mr. Chris Chronis, Chief Financial Officer; Ms. Annette Graham, Director, Department On Aging; Ms. Claudia Blackburn, Director, Health Department; Ms. Iris Baker, Director, Purchasing Department; Mr. John Nath, Coliseum Director; Mr. Joe Brunk, Director, Noxious Weeds; Mr. Bob Lamkey, Director, Public Safety; Ms. Amanda Matthews, Communications; and, Ms. Evelyn Good, Deputy County Clerk.

#### **GUESTS**

Mr. Kevin Myles, Appointee

Ms. Cathy Sexton, City Manager, City of Derby

Mr. Jack Pulley, Chair, City of Derby Planning Commission

Mr. Dolan Pelly, City of Derby Planning Commission

Mr. Charlie Brown, Director, Community Development, City of Derby

#### **INVOCATION**

The Invocation was led by Dr. Michael Gardner, First United Methodist Church, Wichita.

#### **FLAG SALUTE**

#### **ROLL CALL**

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

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

Regular Meeting, June 20, 2007

The Clerk reported that Commissioner Norton was absent.

**Chairman Unruh** said, "Commissioners, you've had the opportunity to review the minutes of the June 20<sup>th</sup> meeting, are there any additions or corrections?"

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**MOTION**

Commissioner Welshimer moved to approve the minutes of the Regular Meeting of June 20, 2007.

Commissioner Parks seconded the motion.

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

**VOTE**

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

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

**APPOINTMENTS**

**A. APPOINTMENTS.**

**1. RESOLUTIONS APPOINTING MEMBERS (AT LARGE APPOINTMENTS) TO THE SEDGWICK COUNTY SANITARY CODE ADVISORY BOARD/ "ONSITE WASTEWATER SYSTEM INTALLERS AND SEWAGE HAULERS ADVISORY BOARD."**

- **Chris Bohm**
- **Vern Lippoldt**
- **John Ferguson**
- **Lyle Lashbrook**

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "We have prepared Resolutions appointing these, actually reappointing these four individuals to this Board. Chris Bohm is the Engineer's representative, Vern Lippoldt and Lyle Lashbrook are Installer representatives and John Ferguson is the Hauler representative on this Board. I recommend that you adopt these Resolutions".

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**MOTION**

Commissioner Parks moved to adopt the Resolutions

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

**Chairman Unruh** said, “Are any of these gentlemen here to be sworn in or receive Oath? I don’t see any, so we’ll accomplish that at another time. Next item please”.

**2. RESOLUTIONS NOMINATING MEMBERS TO THE WICHITA AIRPORT ADVISORY BOARD.**

- **Dwight Greenlee (Commissioner Winters’ nomination)**
- **Ron Estes (Commissioner Unruh’s nomination)**

**Mr. Euson** said, “You each have a nomination to the Wichita Airport Advisory Board, and these Resolutions that we have prepared would nominate Dwight Greenlee as Commissioner Winters’ nomination and Ron Estes as Commissioner Unruh’s nomination. The nominations go over to the Wichita City Council to be approved by them. I would recommend that you adopt these Resolutions”.

**Chairman Unruh** said, “Thank you. Commissioners, are there any questions or what’s the will of the Board”?

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**MOTION**

Commissioner Winters 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 neither of these individuals are here at this time, either, so we would....”

**Commissioner Winters** said, “I would make a comment if I could.”

**Chairman Unruh** said, “Sure.”

**Commissioner Winters** said, “Mr. Chairman, Dwight Greenlee is my appointment, and this is a reappointment and I certainly appreciate the work Dwight does on the Airport Advisory Board and he indicated that he could not be here today, so I certainly appreciate his continued work with that Board”.

**Chairman Unruh** said, “Well, thank you for the comment and likewise, my appointment, Ron Estes, is a reappointment, and he’s the Sedgwick County Treasurer and has served on this Board and gone through this process of developing that new terminal. So, I think his experience will prove valuable as they go forward in that development. So I appreciate his service also. Madam Clerk, call the next item”.

**3. RESOLUTION APPOINTING KEVIN MYLES (AT LARGE APPOINTMENT)  
TO THE SEDGWICK COUNTY COMMUNITY CORRECTIONS ADISORY  
BOARD.**

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**Mr. Euson** said, "Commissioners, this appointment is for a one-year term to fill a vacancy created by the death of the late Bill Fox, and I would recommend that you would adopt this Resolution."

**MOTION**

Commissioner Norton moved to adopt the Resolution.

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

**Chairman Unruh** said, "And Kevin Myles is here, so County Clerk, Don Brace, will administer the Oath of this Office".

**Mr. Brace** said, "Good morning, how are you? Please raise your right hand."

*"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Sedgwick County Community Corrections Advisory Board, so help me God."*

**Mr. Myles** said, "I do".

**Mr. Brace** said, "Congratulations Kevin."

**Mr. Kevin Myles**, Appointee, said "I don't have much to say. I just wanted to thank you guys for this opportunity and will do a good job."

**Chairman Unruh** said, "All right, thank you Kevin. We appreciate your willingness to serve. Commissioners, at this time I'd like to take an 'Off Agenda Item' to talk about the incident up in Valley Center. So if we could have a motion to that affect."

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**MOTION**

Commissioner Norton moved to take an Off Agenda Item.

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

**POWERPOINT PRESENTATION**

**Mr. Bob Lamkey**, Director, Public Safety, greeted the Commissioners and said, “I thought I would take this opportunity to kind of update you on what is going on up there and, certainly, Commissioner Parks was up there a good part of yesterday, could add to this process.

What I would like to start with is, kind of give you a perspective of what the area looked like before the fire. This is the industrial complex here, these tanks here, these 36 tanks, are the ones that were involved in the fire.

The first photo is kind of a distant photo, taken aerial, so you can see how they are engulfed in this process. And these were taken mid-day, yesterday.

The last photo is a closer up photo. You can see how these basically are encumbered here. You can see that this here, in particular, has lost its top. Some folks saw things kind of exploding and thought they might be automobiles, but in some cases they were the tops of these tanks as the vapors allowed the tanks to explode. And these ones were engulfed, and at this particular time were extinguished in this process. I’ll kind of leave this photo as I talk about it.

Shortly after 9/11, the dispatch centers received what was the start of a ‘call storm’ as they call it,

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that there had been an explosion in Valley Center at the Barton-Solvent Industrial Complex there. The plant has a capacity of about 650,000 gallons of solvents, thinners, de-greasers, those are the kinds of products that they carry. We heard from the plant that they were probably about half full in that process.

The community mutual aid and response in Valley Center was almost instantaneous. At 9:13, the first HAZMAT units, from both the City of Wichita and Sedgwick County, were alerted and on their way. And eventually, we had about 150 responders there at a peak time, there were over 80 folks from law enforcement from Valley Center, the Sheriff's Office, the Wichita Police Department, the Kansas Highway Patrol, the FBI, Park City, Haysville, Maize, Colwich, Kechi, Bel Aire, the ATF and a little bit later, Newton.

There were in excess of 50 folks from the fire departments. Valley Center, of course, was the initial lead. Sedgwick County Fire Department had about 20 folks there, which is about half the working force that was there at the time. Wichita Fire Department had a dozen. Later we had reserves that supported the evening operations and our Emergency Services Unit provided lighting.

Sedgwick County EMS had about 13 folks on site, and, as you saw, during the evolution, the process, Chief Mark Hephner, from Valley Center, led law enforcement contingent and managed that process. They established a unified command in accordance with NIMS principles. Chief Rick Brazill assumed command of the scene as Incident Commander on site and he remained there, from shortly after the event, after they organized the process, until he passed command about 11:00 last night, when the fire was out and things were stabilized.

We had folks from both our Health Department and Environmental Health from the City of Wichita doing monitoring out in that area. We activated the EOC initially at a level 1, and then it became clear that additional resources were going to be required and we went to a level 2 and we had all of our partners in there, the Red Cross, Salvation Army, Sheriff's Office, GIS, folks from both Fire Departments, EMS, Finance were there, Purchasing folks were there, so we activated to a level 2 and we stayed that way until about 11:00 last night. We're now, again, at a level 1, and we've got emergency managers there ready to respond to the support.

I visited with the Chairman, the events occurred during the course of the day where it looked like, okay, we've got an opportunity to contain it, we're at level 1. The initial attempts contained the fire, but did not extinguish the fire. So we contained it to the tanks, and particularly the surrounding property. We had, we requested some specialized foam. We have foam in this community, but because of the chemicals involved, it required a specialized foam, so we requested support from the El Dorado refinery so they shipped that foam over.

At about 2:26, it looked like, after that initial attempt that we might be in a multi-day operation that

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the strategy, if we were unable to extinguish it, would be to essentially let the combustibles burn themselves out and contain the area. So at that time, we asked the Chairman for a 'Declaration of Local Emergency' because we believed that we were going to need some State assets, particularly security assets, because it was becoming clear, as we evacuated the community and we looked at the smoke, that the community was going to have to, or looked like it might need to, be secure for an extended period of time. And so we received that at 2:26.

Simultaneously, with all of this, when the evacuation direction came from the Valley Center Leadership Team, the Coliseum was selected as an evacuation site. John Nath and his folks did a fine job of opening their doors, working with the American Red Cross and setting up the shelter. We had folks, Dr. Kristin Skaer, who's on the State Animal Disaster Management Team worked with the Valley Center Animal Control folks. So we were taking care of animals and people. At capacity we had about 135 people at the Coliseum, about 24 folks chose to spend the night with us. So other folks found other arrangements in that process.

As the day progressed, at about 6:00, or actually at about 4:30, I got a call from Chief Brazill and the EOC said that we have developed a strategy that we want to employ, that we are hopeful that it can help us extinguish the process. They were starting that process, they were in a conference call and then we had one, they were doing a very good job, one of the tanks failed at that particular point, because of the vapors, and that may have even helped us a little bit in terms extinguishing some of the fire in terms of the process. But that tank then became very problematic and so after about 6:00 most of the fire was extinguished, we were focusing on this one tank in the interior of the tank farm that was very, very difficult to get to and so they wanted to be very, very safe in that process.

So again, they stepped back and revisited the strategy. Ultimately, they got some of the specialized foam and aerial platforms, they did some research to make sure that the containment around the tanks was going to be secure, they didn't want to put folks in danger in this process. And just after 9:00-9:20 or so, the fire was extinguished. From that point on they were monitoring the tanks in the air, because in some places they had 10-12 inches of product on the floor that they covered with foam to reduce the vapor trail in this process. But they were also monitoring the tank temperatures, because there is always the opportunity for the fire to emerge.

Just before 10:00, the Valley Center Leadership met and they determined that they would secure the town for the evening and look at an opportunity to open up part of the town this morning. And so we assisted with the help of both City and County Public Works at delivering barricades and the town was secured at that point.

Once the fire was out, we withdrew our request for additional security help from the National Guard. They were poised at McConnell, ready to come, but at that particular time the fire was out

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and we knew that the securities circumstances would be able to be sustained within the resources in the larger community in this process.

We contracted, as I said, about 11:00 to a monitoring operation. Valley Center and Sedgwick County had fire units on scene through the night, monitoring the temperatures, keeping track of what was going on. We had folks in our Emergency Operation Center there to support them. This morning the team met and, looking at the circumstances, basically are going to reopen a substantial portion of Valley Center at 9:00 today.

But there is one-square mile in the area in the southwest corner, bounded by 77<sup>th</sup>, or I think that is Ford Street, on the south, Meridian on the east, West Street on the west and 5<sup>th</sup> Street, which is 85<sup>th</sup> Street on the north. That is an area in which they are calling an exclusion zone. To some degree, Main Street, which kind of bi-sects that area south, about half, there won't be anybody going in that area, there may be some opportunities for folks a little bit later to get into that northern half mile.

The concern today is about the vapors that are there. Barton Chemicals has a team in place that are, basically, cleaning up the site and there is some concern about the vapors and causing inflammation, irritation of folks. What we know is that 12 people reported to local area hospitals for treatment from the on current of the event through this morning and they are not involved in the event but suffered respiratory distress subsequent to the event. There is likely to be other folks who haven't found the course to go to the doctors, who have sore throats and those kinds of things in the community.

So they are being very, very cautious about letting folks back in an area that will cause them some harm. Again, the leadership team of Valley Center, the Mayor, the Manager in concert, with both their Chief of Police and other responders, are looking at this very carefully and they are going to be very cautious. They clearly recognize the balance between letting people get back to their lives as normal as they can and protecting them, and they are doing the best job they can in maintaining that balance.

That's, I think that's what I have to say. And Commissioner Parks, clearly, you were out there for some extent of period of time. You live out there and...."

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

**Commissioner Parks** said, "Yes, I'd like to thank all of the support that all the agencies brought in. There were probably 20 agencies there at various times when I was there. I started going to the Public Safety Building to see what assistance or what I could do in any of my capacity. Actually,

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was side tracked a little bit, helped some people get out of Sunflower Gardens on the way up there. That is an elderly facility and I saw some people there loading into a bus and apparently needed help, so I stopped and helped them.

I do want to say that Barton Solvents is a first-class industry. They have a first-class clean-up team. They have dikes that are designed to protect those tanks. I will tell you that, from my experience from a former job, I know that the design of those tanks is what kept that from being a much greater catastrophe than what it was. The vents worked, the things worked on those tanks and it could have been much worse had they not been of a good design and that is a tribute to Barton Solvents, for having that kind of safety equipment on there.

You know, at times, elected officials can have differences on various issues, but I'm telling you, looking at that from the outside in this time, the groundwork was done by the workers and it was well coordinated. They got the job done, and still getting the job done.

One of the things that was apparent was training and the, I thanked Commissioner Norton when I came in this morning for some of his training, I can see some of that at work and some of the things that we have done over the years there. Anytime you have a disaster, you always learn from it. Hopefully our staff and other people can help train in other areas now for this to make this a better situation.

At the height of what I saw at the Kansas Coliseum, after evacuating some of the Senior Centers and things, we had about 250 there, at height, and that was, we were ready for more people to be in our facility out there, however, a lot of it was coordination and the Red Cross and a couple of the City Council Members from Valley Center, in fact, were taking the information in and logging the peoples names. Somebody would come through the door then and they could certainly find out if their parent or uncle or relation was there. And that was another function for that, not only for the over night stay, if they needed it, but for a coordination of people. And all those people were picked up and taken into private homes. And that says something for our community too, that a lot of the people were taken into private homes.

About 2:00 yesterday, the word came down through the Red Cross that there weren't any hotel rooms left in Wichita. So, the facility being there was great. Now, about 5:45 last night, I and several other City Council Members and what not were meeting there at the command post when that second blast went down. And I'll tell you that a couple of them, their voices sounded like mine

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this morning, so I don't know whether it's because we were talking too much or whether it was something that we couldn't see.

I want to caution people now, that it's the things that you can't see that can really hurt you. And if that had any affect of blowing out the fire, or whatever, at 5:45, who knows, but the fumes are greater now, there are monitors up there and that's the reason that they expanded this area to the north. Some people don't understand that. But it's like painting a room when you're in an enclosed room. That's what a lot of Barton Solvents does, is paint. And it would be like going into a small room and painting your room and staying in there with no ventilation, right on the can it says, have adequate ventilation.

As you get out in the areas outside the zone, the parts per million are less and is safe, so that's why we wanted to do, we wanted to get this stuff cleaned up. Unfortunately, a lot of the State resources are around Coffeyville. The same type of equipment that they use to suck up that petroleum product is down around Coffeyville now. This may take a little longer time. Until a monitor says it safe, don't go into those areas, I 'm just telling people that. Hopefully, you go on Commissioner Norton's program or something, we can talk a little bit about shelter in place; there was some confusion yesterday. If you don't have a roll of duct tape and a bunch of plastic, you're probably not going to shelter in place. It's, there's a difference between an act and an action on that. And it takes quite a bit of action to shelter in place, turning off air-conditioners, and yesterday, that really wasn't an option for a lot of people."

**Mr. Lamkey** said, "If I may interrupt, if they do want to know how then they can go to the Sedgwick County website and we've got the instructions on the website."

**Commissioner Parks** said, "That's great and I think that we need to extenuate that and get that out to the media and to the people that don't have a website either, the elderly that may not have that, get that on some local channels on TV.

But other than that, if it can go well, it did, there was no fatalities and we thank God for that. I will just leave it at that and Bob thank you for your coordination effort."

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

**Chairman Unruh** said, "Okay, thank you Bob. It seems apparent that the immediate response from our Emergency Responders from Sedgwick County and Wichita and Valley Center was critical in this particular incident and it was appropriately managed and was able to manage this incident to where it didn't become any more disastrous than it was. Be sure to pass along our congratulations to that leadership for a great job. We do have another comment from

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Commissioner Norton.”

**Commissioner Norton** said, “Well, as I’ve gone around the state over the last several years, my message has always been, particularly to elected officials, if you think it’s not going to happen to you, rethink it and make sure you understand your culpabilities and your responsibilities during catastrophes and disasters and emergencies. And you know, this last year, just in Kansas alone, we’ve had ice storms, we’ve had floods, we’ve had tornados of mammoth proportions, we’ve had fires, at a plant like we’ve had today.

Elected officials need to understand what their responsibilities are and I continue to preach that wherever I go when people ask. It’s just not as simple as, I don’t think it will happen on the two years I’m on the Council or the Commission or the Elected Board. Things do happen and citizenry look to elected officials and emergency management officials, and first responders to help them get through that process. It is very important, and I know that Commissioner Parks and I talked about it earlier, that we all have a responsibility to preach that and make sure that our colleagues understand how important that is to their community, to the State in general, to get through these kinds of events. That is all I have.”

**Chairman Unruh** said, “Bob, thank you for that report. Appreciate it.”

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

**Chairman Unruh** said, “Madam Clerk, please call the next item”.

### **PRESENTATION**

#### **B. PRESENTATION OF THE COUNTY MANAGER’S 2008 RECOMMENDED BUDGET.**

#### **POWERPOINT PRESENTATION**

**Mr. William P. Buchanan**, greeted the Commissioners and said, “It is my pleasure to present to you this morning the 2008 recommended budget. These were delivered to you and this document lays out the plan for next year, 2008. After this presentation, the document really becomes yours and you get to adjust and change it and make any kind of necessary changes that you think are important for this community.

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An effort like this, and I've said this a lot of times, really is an effort of lots of people. First and foremost David Miller and his staff, Bernadette Frances, Chris Duncan, Tonya Cole, Peter Giroux, Jill Tinsley are the ones who did the heavy lifting in this process, they're the ones who put the words together and put the numbers and make sure this all makes sense and has worked with department heads, elected officials, appointed folks, to make that happen.

The budget team that met with me on a routine and regular basis consisted of Ron Holt and Charlene Stevens, Joe Templin, Kristi Zukovich, of course Chris Chronis and David Miller and Troy Groom. Those were the fun meetings where we worked diligently to try to make sure that we understand your wishes and try to hold true to what our mission and goals have been.

In Sedgwick County, we've had these missions and we need to revisit them from time to time. But clearly, it was quality public service that provides for present and future well being of citizens, is what we are all about. We try to have partners to deliver that service, we know that we can't do it alone, so we develop partnerships and we've had a number of successful partnerships, mostly with non-profit, non-government agencies, non-profits who deliver lots of our social service systems.

We try to recognize employees who provide quality public service. We try to reward innovation and hard work and we do that through a pay-for-performance program. We'd hopefully build trust with you and citizens and each other, so that you can make informed decisions. And finally we try to provide essential services that meet citizen's changing needs. The services that we provide today are not the ones that we did a decade ago, or a decade and a half, they are different. And this government has chosen to be flexible in delivering those services to meet the changing needs of citizens.

I just want to remind us, for a moment, we've had a sluggish, where we've been, we've gone through difficulties, this is 2001 after 911. We had sluggish economy. We know what happened in this community, 15,000 workers in the aircraft industry were unemployed.

We, the State, in solving their problems, used us as a way to solve it and they eliminated the State Demand Transfers Grants to local governments, we happened to be one of them, one of the other local governments that lost a significant amount of revenue. Exemption of commercial machinery and equipment, personal property tax was eliminated or an exemption was given for commercial machinery and equipment. We responded by reducing operating costs, reprioritized the budget reductions, eliminated or froze positions and through that all, we maintained high credit ratings.

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This chart shows us about where we've been over the past five-years. The blue lines are the legal funds and the red, whatever that color is, is the non-tax supported funds, mostly grants. And since 2002-2007, all those funds grew; the combination of those grew, about 6.4%. The tax funds, the large blue lines, over those five years, grew 2.3%, over a five-year period. And the non-tax funds, the grants funds usually, grew 16.9%. The large growth in County, the six and a half, almost 6.4% growth in County budget, is driven by those grant funds over the last four years.

We understand about the challenge of producing a budget, a plan, you know, a budget is simply a plan of how we are going to deliver services to citizens. And it's about; first of all, it is about competing values. You understand those competing values in a democratic setting, we try to be as efficient as possible, but when we have representative government, when we involve the public in decision making processes, when we are open and transparent, that's often times not very efficient. It takes a lot of time, it takes a lot of words and it takes a lot of dialogue.

We reach out to the public to understand what it is their thinking and try to understand what it is they need and want, we do that through various public meetings. We also make sure that citizens are represented on our Boards and Agencies, who may not look like us, who certainly come from different backgrounds than we do.

Our decisions, your decisions are based on principals of social equity. We reach real hard to make sure the physically and mentally and economically disadvantaged are considered in the decision making process. We deliver services based on principals of, that we are going to do it equitably for all citizens. And certainly we have this principal of individual and property rights that we often times have to protect whether we like that or not. But that's our job.

We certainly have different priorities. We have people who think that public safety is important, others who think that jobs and growth are more important or we need more recreational activities. Often times, those conflicting priorities are in conflict. And as Chris Chronis is one to say, the issues not about money, about it's competing priorities and what does the Board want us to do.

And clearly, we have underlying responsibilities. There is a covenant between citizens when the siren goes, where the police officer or the fire truck or the EMS, and that covenant is, someone is in trouble and we're going to get out of the way. There is another covenant that is, I think, going on, when people have an emergency, when they dial the number, they expect someone to answer, when they dial 911, they expect, not only the phone to be answered, but EMS to respond, or the Fire Department, or the Sheriff's Office.

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We also have an expectation that senior citizens will have help to stay in their home, if possible; that they have opportunities to be full members of the community, as people with disabilities might.

And we have an underlying responsibility to keep this community, not only safe, but a good place to play and raise children and live a full life.

You see that we are in the center of the circle today. We have been, we've done the long-term financial planning, we'll be back to you to talk about that, we've based budget targets, we delivered the Commission budget discussions, you've had several, lots of hours about budget discussions, and you will continue to have those between now and August 15. This is the process where we're in the center of the target and we'll continue to have those discussions until August 15.

Where we're going with this budget in the 2008, we'll continue to deliver this quality public service, we'll continue to practice sound financial management and maintain high credit ratings. This is important, and I don't think we say this often enough, that the independent private sector-money market folks, who judge worthiness of organizations, whether you should invest in those organizations or not, are done by three rating agencies, Fitch Rating, Standard and Poor's, and Moody's. Fitch gives us the highest rating possible, Standard and Poor's and Moody's give us the second highest possible rating. That's very impressive and there is very few governments in Kansas and very few local governments in this Country that can say that.

We hope to adequately compensate employees. We have pay-for-performance. Again, in 2008, all divisions, except for three, all departments except for three will be instituting pay-for-performance in 2008, and so we've come a long way over the last several years to make sure that that is in place.

We are proposing a 4% salary adjustment pool from the 2007 target.

We've got increased contractures and commodities by 1/2 % and we're going to try to meet the community's needs with, continue with the public safety, alternative programs, Center for Aviation Training and the Downtown Arena.

Quality, Phase II of the Adult Detention Facility is in the budget. It is for a partial of bonded indebtedness of about \$2.4 million. The construction of two Posts, one near St. Francis Hospital and the around 21<sup>st</sup> and Woodlawn, is in for \$1.6 million.

I'm recommending we have, and you saw the numbers as I did and was compelled by the fact of the increased numbers of calls for EMS is at such a rate that I think we need crews, additional crews for the cost of about \$714 thousand for Maize and Valley Center. If you remember those charts, the days when we are not doing, the times of days and the days of the week, continue with increase that we're making calls in less than 8-minutes, or less than 9-minutes, are a continued increase and we need to stop that trend. I also recommended additional call takers, equivalent of 5 full-time positions for Emergency Communications, and you've seen those numbers, also, taxing our people in those facilities. So keeping people safe certainly is an important part of this recommended

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budget.

Along with that, we're recommending the Clifton Channel Drainage Improvements of \$1.5 million, Channel realignment at 55<sup>th</sup> and Oliver and because of the new rules that FEMA has promulgated, I put in the budget a half million dollars for levee certification for this year and probably for 2009. We all agreed that number is as good a guess that we can get at this point and we think we are going to be required to have a levee certified on the Big Ditch.

Quality Health Services, we are continuing to fund \$12,500 for the overflow shelter, which is important to this work, we'll continue to work on the Homeless Task Force, continue and we're requesting \$100,00 for the Ad Hoc Task Force of the CDDO to deal with those issues of people who has behavior issues, that are put in settings that are just not healthy for them or for those who are surrounded by them.

The total budget this year, for 2008, is \$386 million. You can see by the chart, where we are spending, where the revenue comes from, 7% comes from cash and reserves; 33% from Ad Valorem Tax; 7% sales tax; 5% motor vehicle; other taxes; intergovernmental, these are either Contracts or Grants; charges for services, mostly EMS and Medicaid, Medicare for Health Department and others; 3% for uses of money and property; reimbursements and other.

We're spending it in this fashion, Public Safety gets 34%; General Government 33%, general government includes bond indebtedness and health insurance for employees; Health and Welfare, COMCARE, Health Department, those agencies at 19 cents; Public Works, 8; Culture and Recreation, 3; and 3 for Community development. So the 2008 recommendation is \$386,459,272 and there is no proposed mill levy increase.

Turning now to the Fire District #1. Fire District #1 budget, no change in mill levy; the ISO rating change resulted in savings to tax payers and I would remind you that the good effort by the Fire Department and they worked real hard at this, and saved tax payers, a yearly savings of about \$2.5 million, so not all tax payers were affected, but those tax payers that were in areas that their ISO, their Insurance Service Organization, ratings. This is that rating that determines how much insurance you will pay on your property and it's based on fire fighters, water use, equipment, those things that you would think are involved in fire prevention and fire fighting. Because of the good work of our Fire Department, that savings occurred. We are going to relocate the Relocation

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Station #37, remodel station #34 and we have under construction a Water Tender Facilities in Andale and Furley.

In summary, for all budgets, the budget summary for public hearing dates, next week, July 25<sup>th</sup> is a public hearing and we expect some public to be here. On August 15<sup>th</sup>, is the last public hearing and it is also the date that we adopt the budget. Budget adoption is August 15<sup>th</sup>.

I would also remind you, and for you to remind your constituents, that they can view the recommended budget online, they can get it at the library, come here and look at it. You can participate on online public forum at [www.sedgickcounty.org](http://www.sedgickcounty.org), which will take comments and questions about the budget in that fashion.

Commissioners, it is my pleasure to present you the recommended budget and I will answer any questions that you may have.”

**Chairman Unruh** said, “All right, thank you. We do have a question. Commissioner Welshimer?”

**Commissioner Welshimer** said, “Well this is interesting, the percentages for various uses of revenue. Public Safety, 34 cents, General Government, 33, that’s about even. And then Health and Welfare, 19. I would have expected 33 to be for Health and Welfare and General Government to be the 19. Are we in line on that? How do we rate with communities in that?”

**Mr. Buchanan** said, “I don’t know how we rate, we’ll find out. I do know that under General Government, we have the item that drives that number is our bond indebtedness. Now, we could take the bond indebtedness and spread that out to each of the departments, which would change the numbers, but we think this is the way that we account for it and that is the reason that number is so high.”

**Commissioner Welshimer** said, “So, would that spread that out among Health and Welfare, Public Works and Public Safety?”

**Mr. Buchanan** said, “Yes, we could.”

**Commissioner Welshimer** said, “Okay. General Government would be....Administration, Appraisal, Register of Deeds, Clerk...”

**Mr. Buchanan** said, “Fleet Management, Technology, Facilities, Treasurer, Appraiser, Wichita State University, Contingency, Bond and Interest, Human Resources-which is helping Life Insurance, Finance, Enterprise Resource, Planning Election Commissioner, Register of Deeds,

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County Clerk, County Counselor, County Manager, County Commissioners.”

**Commissioner Welshimer** said, “Well it costs a lot to provide, what we’re supposed to be doing in the County, I would assume, is to provide Public Works, Health and Welfare, and Public Safety. And it takes a lot to that, doesn’t it?”

**Mr. Buchanan** said, “Yes, it does.”

**Commissioner Welshimer** said, “Okay, thank you.”

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

**Commissioner Parks** said, “Comparing these over the past few years or the past five years, there are some changes, I believe, and correct me if I am wrong, the DA’s Office is now in Public Safety, is that correct?”

**Mr. Buchanan** said, “I believe that’s right.”

**Commissioner Parks** said, “And the indigent funds and interpreters for the court system, that’s in Public Works?”

**Mr. Buchanan** said, “Say that again?”

**Commissioner Parks** said, “The interpreters and indigent funds for defending people and also the County Court? Is that in Public Safety also? No, is that under something else?”

**Mr. Buchanan** said, “I think County Court is in the County Counselor’s budget, which is...”

**Commissioner Parks** said, “Okay. And that shows over in Administration then?”

**Mr. Buchanan** said, “Yes.”

**Commissioner Parks** said, “Those other items there, that have been added to that, I think, might askew that a little bit and in terms of what it has been over the past few years, a little more break down, I think would be fair to Public Safety, to show that. I know it is part of the system, but also the court system and the indigent funds and the more people taxing that are certainly driving that cost up and I think that people need to know that that is just not Police, Fire and EMS. That’s just what I wanted to say on that.”

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**Chairman Unruh** said, "All right, thank you. Commissioner Welshimer?"

**Commissioner Welshimer** said, "Well, just one more thing. I do appreciate the way you laid this out, it sorts it out to where it gives us something to focus on and you've done it very well in this presentation. Thank you."

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

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

**Commissioner Norton** said, "Well, what I think might be interesting is, we move into the public hearings and really dig down; General Government, when people think that's the Administration. I mean, if you think of non-profits, if you think of businesses, you say, what is the Administration that you have? Well, General Government is not all the Administration. If you pull out almost \$7 million that we give to WSU, if you pull out almost \$20 million that are insurance benefits, if you pull out all the bonded indebtedness, if you start taking those things that we've lumped into General Government out, what we think of as the Administration of the organization really goes down awfully fast.

So maybe as we have those discussions, Bill, you might want to break those out a little more finite so that we're not saying, 'well we got a whack at General Government', because we need to take each one of those pieces and look at them individually because they are not just Administrative people sitting around in offices. I mean debt load is really right, it is spread out, and it doesn't make sense to try to figure out where we spread that out and everything, we put that in one barrel. So, as we had that discussion, it's not as simple as saying 'that's all Administration, we need to take, you know we need to slash the Administration', because it's not all that, it's all those other things that get lumped in and called General Government.

Just a suggestion as we go into the, really into the deep detail."

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

**Commissioner Parks** said, "I just wanted to review this real quick. I have this 507-page document a couple of days ago, so I haven't dissected the whole thing. The jail expansion and the Jabara projects are both in this budget?"

**Mr. Buchanan** said, "Yes sir."

**Commissioner Parks** said, "To their entirety?"

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**Mr. Buchanan** said, “ The expansion of the Adult Detention Facility is for half a year of bonded indebtedness, about \$2.2 million. And for Jabara, is the same, is about half a year of bonded indebtedness. And I don’t have that number in my hand. Around \$1.5 to \$1.8 million.”

**Commissioner Parks** said, “If something changed to either one of those that, in fact, that budget could be lower then?”

**Mr. Buchanan** said, “Yes.”

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

**Commissioner Norton** said, “I think it is important as we start our discussions, that the public knows, and we talk about, we’ve spent probably four months now looking at budgets and going into our financial condition, which we think is very imperative, because ’08 stands alone, but it also has implications for ’09, ’10, ’11, ’12, as we move some of these big projects along. And that is why we’ve talked a lot about the financial condition and what implications are going to happen in the out years.

Some of the things that we will be doing this year, even though we are saying the mill levy is not going up, have implications for other years and we are going to have to have, kind of a dual discussion this year of authorizing this budget, but continuing to talk about our financial shape of the County for the next few years and some of those things revolve around Public Safety, Adult Detention, some of it revolves around Tech education and the Jabara Center. I mean, all of those things link together and we’re not only going to be making decisions for the County budget this year, but we may have to make some tough decisions that really talk about the out years all at the same time.

That’s not a discussion for today, but it certainly sets the stage for a broader based discussion and not just laser focused on the 507 pages here, but what that does for several years in the future because we have that responsibility to plan how it all links together and how bonded indebtedness affects us.

One of the things that we have to deal with, that has been maddening, I think, for the Commission, is that when you talk about \$8-\$10 million of revenue sharing that has gone away from the State and when you talk about equipment and property that they’ve changed at the State level, is not going to have much impact this year, but explodes to \$12 million in the out years of lost revenue

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from the State, that becomes very pertinent to our discussions because that money could be used for all the bonded indebtedness for what we want to do on major facilities that we really need. It's going to be a tough discussion and I think the public needs to know that we are wrestling with the \$10 million or \$8-\$10 million loss of demand transfers and the loss of revenue from the property tax exemptions that were granted at the State level for equipment and machinery.

I am sure that there are those that advocate for that, and that is okay, but it does have an implication to local governments as revenue sources that we've always used and dealt with and had in our tool box, go away. I just wanted to be sure we framed that for the next level of discussions we have."

**Chairman Unruh** said, "All right, thank you Commissioner. Commissioner Welshimer?"

**Commissioner Welshimer** said, "Well, in addition to the 500 and some pages, you gave us a supplemental request summary, recommended. I'm trying to add these up and I'm having a problem. What is the total supplement recommended? In other words, increased funds needed over and above last years budget, wasn't what that would amount to?"

**Mr. Buchanan** said, "That's not quite accurate. These are, the supplementals are requests by division directors, elected officials, department heads for additional funds for, to either continue delivering service or delivery service in a different way, fashion. And on the second page, you'll see that the supplement total..."

**Commissioner Welshimer** said, "On this sheet? There is a total of \$6,244,349. When I go through and add up the totals, they are much more than that."

**Mr. Buchanan** said, "The supplemental total is \$3.5 million and the CIP cash funded total is \$6.4 and we have included, both the supplemental and the CIP total. We traditionally spend several million dollars on CIP. Last year we didn't spend very much at all, this year, because of some of those CIP issues, RUES and other things, we were playing catch up."

**Commissioner Welshimer** said, "So the two totals here needed to be added together, \$3,501,000 and \$6,498,000? Okay, thank you."

**Chairman Unruh** said, "All right, Commissioners, any other questions for the Manager at this time? I don't see any, Bill, so I think we will try to digest this and ...we do have a comment. Commissioner Norton?"

**Commissioner Norton** said, "It's just really a question. Do we plan to do our financial live again, at some point, Bill? We've done that twice and that's really an online version where we can move

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the numbers around and see what affects our decisions are going to have on out years. Troy Bruin and David Miller have kind of put that together for us and we are doing that again, is that correct?"

**Mr. Buchanan** said, "The plan was to do that next Tuesday and, so we will have an opportunity to do that before the public hearing and then we'll have opportunities, if we need, to do it some more, either at staff meetings here or at a special workshop. So, yes, we are prepared to do that."

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

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

**Commissioner Parks** said, "What variables can we expect in this, in that we don't have the numbers for now. Do we have the numbers on the employee's insurance, the amount of raise that is going up and is that a firm commitment there? Is there anything else that might be a 'gotcha' later on, is what I'm trying to think?"

**Mr. Buchanan** said, "As we develop in the budget live, we can have any variables that you want to plug in. As we develop this budget, we have pinned down as much information as, I think, we can gather. I think we know what the health insurance is going to be and we were surprised, pleasantly surprised that it stayed pretty much flat, no increase. We were also surprised that the KPERS, our payment for our employees for retirement, has increased, and that happened over the last month and a half. We will have some final figures in the last couple of weeks about, one more look at the assess value; we'll have one more look at bond and interest accounts. But, by now, we are pretty comfortable, but there's not too many "I gotchas", knock on wood."

**Commissioner Parks** said, "Well, I just wanted to make sure that the employee doesn't suffer at the last week of the budget hearing or something if we have to pass costs around."

**Mr. Buchanan** said, "I think we are prepared to have that discussion as soon as you want to have it."

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

**Chairman Unruh** said, "Okay. I don't see any other requests to speak. Thank you for that presentation and we will begin to digest this material."

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

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

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**MOTION**

Commissioner Winters moved to receive and file.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

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

**NEW BUSINESS**

- C. RESOLUTION PURSUANT TO K.S.A. 12-520c TO FIND AND DETERMINE THAT THE PROPOSED ANNEXATION BY THE CITY OF DERBY WILL NOT HINDER OR PREVENT THE PROPER GROWTH AND DEVELOPMENT OF THE AREA OR THAT OF ANY OTHER INCORPORATED CITY LOCATED IN SEDGWICK COUNTY.**

**POWERPOINT PRESENTATION**

**Mr. Robert W. Parnacott**, Assistant County Counselor, greeted the Commissioners and said, "This is what we refer to as an island annexation, which is one of the types of annexation involved when a city has been approached by a land owner who has requested or consented to the annexation and the city would like to provide services by the property is not adjacent to the city limits.

Here's the map, and as you can see by that red shaded area, it's a little bit south and east of the current city limits of the City of Derby, located roughly southeast of the intersection at 79<sup>th</sup> Street South and Webb Road. It's a 153 acres, the test or the issue that is before you is whether or not this proposed annexation will hinder or prevent the proper growth and development of the area or of any

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other city in the County.

As you can see farther down south of the area, Mulvane is down there, but we don't see this as really approaching Mulvane's area of interest. We did send them notice and did not receive any comment from them, so we don't believe this presents any issues for another city. So the real question in front of you today is whether or this proposed annexation would hinder or prevent the proper growth and development of the area.

Thanks to John Schlegel and Dave Barber over in MAPD, we have a report in the record for you in your backup; that they reviewed the proposed annexation; they've made a recommendation that based on the comprehensive plan, which both the Derby comprehensive plan and the Sedgwick County comprehensive plan, shows this to be within the Derby growth area and they have made a recommendation that you do find that this doesn't hinder or prevent the proper growth of development in the area, which will allow Derby to annex it. I would note that the MAPD report does raise an issue about Webb Road that we can talk about in a second, possibly.

But, as I've said, we've provided notice to Mulvane, we're not required to provide notice to anybody else, no land owners need to be notified, it is a consensual type of annexation. We have representatives of the city here to answer any questions. We have representatives of staff and the landowner, I believe. So, at this point, although it's not a public hearing, I think you can certainly either request comment or start asking questions if you have particular issues.

Before we do that though, I would, let me bring up one other kind of picture to show you. This is Google-Earth, and as you can tell, we're looking at, let me move my curser over there, there is 79<sup>th</sup> Street and this is Webb Road here, that is that little jog. As you can see, right now it is a heavily treed area and the right-of-way is a very narrow, unimproved right-of-way on Webb Road. 79<sup>th</sup> Street is a two-laned, County maintained improved road, in pretty good shape and Jim can talk more about that. Jim Weber, if you have any questions of him.

Currently Webb Road is a Township road, narrow, unimproved. We drove it the other day, it's pretty wash-boardy, and the trees are pretty close to the side of the road. The development, to go back to the original map, is probably going to proceed from a north to south, in order that the water and sewer improvements will come in from the north and so the developer anticipates this, it's a fairly large development, maybe 380 lots over 153 acres, and so the development will occur to the north first and will be accessing, most of the access issues will be on 79<sup>th</sup> Street and our understanding at this point is that 79<sup>th</sup> Street is in sufficient shape and capacity to handle the traffic. You will only be farther down the road; pardon the pun, that Webb Road will start getting some traffic.

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Having said all that, I will answer any questions and we can let the discussion start.”

**Chairman Unruh** said, “All right, thank you, Bob, we do have a couple of questions, so we’ll ask questions of you and perhaps Mr. Schlegel and then we can ask for a comment from the Applicant or the City of Derby. First of all, Commissioner Welshimer?”

**Commissioner Welshimer** said, “Well, this is in my district. I think the only concern I have is, 79<sup>th</sup> and Madison, that’s the same road?”

**Mr. Parnacott** said, “Yes.”

**Commissioner Welshimer** said, “Being under City maintenance for the area just north of the northern bank of the subdivision, and that is just sort of a hole in the County’s maintenance County roads. And, I think it would be a little confusing to tax payers and residents out there, to know just who is responsible for what. Because that seems to be one of the biggest problems we have when we get calls, particularly to weather and roads out and culverts and so on. Is it the Township, is it the County, is it the City? I’d like to see what our Derby people have to say about that. They can offer us some kind of solution. Thank you.”

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

**Commissioner Parks** said, “It’s a couple of the items I expressed to staff earlier. The drainage, in this area, I do see by the Google-Earth map that there is quite a stream or some kind of a creek or drainage running through that area, or very near that area.”

**Mr. Parnacott** said, “Yes, right through, I think it’s right through, right in here. Right on the edge...”

**Mr. Parks** said, “I did leave rather abruptly yesterday and I didn’t get a chance to get back with anybody on that. The second item I did have was with the roads, I know one city sometimes, and maybe the City of Derby will address that, annex near those, I think they should take the roadway when they do that. I traveled on one of those roads this morning, and the city did not annex it. It’s not fair to the Township to take the tax money from one or both sides of the road and then not be able to take the road. That’s my stand on that. I will take Commissioner Welshimer’s recommendation or anything she has to say about that, because this is in her district. I’ll let that weigh heavily.”

**Chairman Unruh** said, “All right, thank you. I don’t see any other question directly for you Bob,

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so, perhaps at this time, as it has been stated, it is not a public hearing, but perhaps the City of Derby would want to make a statement concerning this.”

**Cathy Sexton**, City Manager, Derby, greeted the Commissioners and said, “We have brought with us this morning our Chair of our Planning Commission, Mr. Jack Pulley, as well as Dolan Pelly, back there in the back, who is also on the Planning Commission. It is fair to say our Planning Commission of nine volunteers from the Derby area have spent a lot of time on this project, and I don’t know, probably more than the developer would have liked. But we do feel like it is a good project, a good project for the City of Derby now and we are excited about it and appreciate your support.

To address your questions, I am going to ask one of our city engineers, Charlie Brown, he’s on staff with the City and he has spent a lot of time on this project, to address the issues; and the map you have up is from our comprehensive plan. So Charlie is going to show you, specifically, some of the road and drainage issues that you have requested.”

**Mr. Charlie Brown**, Director, Community Development, City of Derby, greeted the Commissioners and said, “I was formally the City Engineer and I have worked with Dave Spears on many projects jointly.

To address, number one, the 79<sup>th</sup> Street concern, I know the new State law is that when a city annexes a piece of land, that the County road next to it is to go with that land. We have worked with Mr. Spears in the past on several similar projects. In our opinion, at this point and time, we would recommend that we not annex this small portion of 79<sup>th</sup> Street simply because the majority of the road in that location is the County’s. It would be confusing, as you have eluded to, that would have County maintenance and then City maintenance and then County maintenance again.

This very small frontage on 79<sup>th</sup> ultimately will be in the City of Derby, we know that, but at this point, we would like to grow to it and annex the entire 79<sup>th</sup> Street at a future date.

The drainage issue, during the planning process through our Planning Commission, our requirements in Derby is similar to the County, is as that we have a drainage plan prepared by the engineer for that developer, the drainage calculations prove that the run-off from this development, the run-off rate, is at or below the existing rate. And so we have belief that the drainage plan, as prepared, meets our regulations and would meet the regulations of the County if this were a County plat.

Webb Road is a, as you mentioned, is a Township road. It’s in pretty bad shape. It’s rough to

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drive on. We understand, also, that will ultimately be in the City. At this point, again, we are recommending, or asking, requesting that this be delayed until a future date and provide us a chance to work with the County and the Township on future maintenance.

We do have one access point from this plat to Webb Road. As Mr. Parnacott indicated, the development will start at the north end and work its way south because of access to roadway sewer and water. It's a 389-lot plat. The developer thinks that it's an 8-10 year build out and that last phase is the one that will hook into Webb Road.

So we're looking at a connection, many years in the future. Certainly at that point, Derby, as we're growing fairly rapidly, will, I'm sure, have some responsibility to maintain that entire length of Webb Road, perhaps in 8-10 years. So, again, we're looking for annexation, but without the road rights-of-way. If you have any questions, I'll be glad to answer those."

**Chairman Unruh** said, "We do have a couple of questions. Commissioner Welshimer?"

**Commissioner Welshimer** said, "I was thinking about doing this the other way around. You're going to have a lot more traffic on this road. How many homes are in that Quail Run?"

**Mr. Brown** said, "Three hundred and eighty nine lots. And again, the development will start at the north end so access, all the traffic from that development, in the early phases, probably to the point where it is  $\frac{3}{4}$  built, will access to Madison or 79<sup>th</sup> Street, which is a paved road. In the very later phases, which are closer to Webb Road at that point, then some connection to Webb Road would be in order."

**Commissioner Welshimer** said, "So you have almost four hundred houses, four hundred cars, plus, probably, six hundred cars, a day, back and forth, and you want the County to maintain the road from the city limits over to the annexation?"

**Mr. Brown** said, "That's our request at this point. Ultimately, again, we know that we are going to grow beyond Webb Road, on to Greenwich, but yes the request is that we..."

**Commissioner Welshimer** said, "Okay, I guess my question is then, why do you not want to make that a road a City, just a continuation of Madison? Is there a reason?"

**Mr. Brown** said, "Well, I think as development, more Derby development, gets to that point, then yes. If you look at the map and the way that Derby is laid out right now, this is really the next logical development on Madison. And it appears that we're skipping some properties, doing some leap-frogging. But really, those are five and ten acre tracks. Our City Council has not opted, in the

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past, to be aggressive on annexation and annex those properties into the city, so it appears that it is a leap-frogging type thing.

Again, we had worked with Mr. Spears. Our plan is to annex part of Madison this year, probably to High Park, if you are familiar with High Park in Derby. And again, rather than having City maintenance and then County maintenance and then a small piece of City maintenance, back to County maintenance, it is confusing. And again, we are requesting that we work with the County Engineer's Office to develop a logical plan force for sequencing the annexation of that right-of-way."

**Commissioner Welshimer** said, "I would like to ask a question of David Spears."

**Chairman Unruh** said, "Certainly, go ahead."

**Commissioner Welshimer** said, "What does this do to the County, money wise, obligation wise, to take on that much more traffic on a County road?"

**Mr. David Spears**, Director, Public Works, greeted the Commissioners and said, "I really, I don't have, I know that Jim has been in some meetings that I haven't been in, but I really don't have a problem with Derby's request. I'm looking at the traffic count here on the 79<sup>th</sup> and it is about 2,439 right there to the west of Greenwich and 2,381 from Webb Road on over to the west. So the average traffic count on a County Road, on our paved ones, is about 2,500 cars, so even adding these, this traffic from this development will not hurt us that bad.

Now what Mr. Brown was talking about, what is more of a problem, and not in this case, it's not a problem, but we have some cases with Wichita where they have a piece and then we have a piece and then they have a piece and then we have a piece. That is what is bad, and then we have to meet with them to decide, okay, on snow removal, we're not going to just go through and raise our blade up and then go and put our blade down and go, you know, we decide who's going to take care of what. And it does get confusing, so, I really don't have a problem with this, the way Derby is wanting to do it. Because it doesn't really, in the scope of things, add that much traffic and it's not going to hurt us that much.

That is a really good road, it is one of the first roads we did in your district and it can handle the extra traffic with no problem. And with our preventive maintenance, it shouldn't be a problem and with what Mr. Brown says, as they get developed on out that way, then they will take those roads

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over. I really don't have a problem with the request."

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

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

**Commissioner Parks** said, "Well, I understand the confusion and the efficiency from both sides of government there. Snow removal is an excellent example of that. I would think that the City of Derby would welcome getting an opportunity to annex ½ mile east and ¾ mile south of 79<sup>th</sup> and Webb Road. We also don't have a Township representative here that I've heard from yet and I don't know if they are out there anywhere. This not only concerns our County road but a Township road also. And if there is anybody that is here in opposition to this, I would like to hear that also."

**Chairman Unruh** said, "We'll ask for that."

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

**Chairman Unruh** said, "Any other questions for Mr. Brown?"

**Commissioner Parks** said, "Does it have drainage?"

**Chairman Unruh** said, "Do you want to speak to the drainage?"

**Mr. Brown** said, "I can answer that, yes. You mentioned that your concern about drainage, the property does sit east of the wooded area, which is next to Spring Creek. Spring Creek is a fairly large, has a fairly large drainage basin, 30-40 square miles. It drains from around Harry and Webb and Greenwich area all the way down through Derby.

The subject property is east of that creek. Very little, just one small portion of the plat is in that flood plain. So, the engineers during the platting process have addressed run-off calculations and have assured us that the run-off from this subdivision is at or below the run-off from that property today, that is our criteria. And that drainage report is available if you would like to look at it.

The developers also, prepared a 4-corner lot-grading plan that is used by the builders to assure the proper drainage within the subdivision. Derby does not require that, but the developer, in this case, does. And so that is available to the builders as they build out there."

**Commissioner Parks** said, "In fact, I did ask that 4-corner question at one of my staff meetings. Also, the 4-corners of the plat itself, those top O numbers, you can tell me that those top O elevation

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numbers are lower than anything that is inside the development?”

**Mr. Brown** said, “I don’t understand your question sir, I’m sorry.”

**Commissioner Parks** said, “On your top O map, on your development itself, those numbers are lower, at the 4-corners of the development itself, not just individual lots on the...”

**Mr. Brown** said, “Yes, I think the 4-corner plan does include all of the (inaudible) ...”

**Commissioner Parks** said, “...Development. And there is nothing on the inside of that, it’s a lower number on that?”

**Mr. Brown** said, “Yes.”

**Commissioner Parks** said, “Okay, thank you.”

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

**Commissioner Winters** said, “Thank you. This is a pretty simple question; I think Mr. Brown can answer it, just from the City’s perspective. As I look through the back up, it talks about the City Council and the City of Derby, but this also went through the Derby Planning Commission, is that correct? And the Derby Planning Commission dealt with this issue also?”

**Mr. Brown** said, “That is correct. We’ve actually been working with this developer, on this property for about three or four years. Trying to get a combination of plan that is acceptable to him and the right timing for the City to get the infrastructure to that property. And so, Planning Commission has seen several versions of this plat. We have seen a zoning case and the City Council has seen the zoning. The Planning Commission and Council are quite familiar with this project.”

**Commissioner Winters** said, “So this is arriving, here to us, with the support of the Derby Planning Commission and it’s members and the City Council and it’s members?”

**Mr. Brown** said, “The City Council has not seen the plat yet, but they have seen the zoning within that plat and they have supported that, yes.”

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**Commissioner Winters** said, "Thank you very much."

**Chairman Unruh** said, "All right, thank you. I don't see other questions at this time, Mr. Brown, so thank you."

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

**Chairman Unruh** said, "Is there anyone here who wants to speak in opposition to this island annexation? I don't see anyone moving to the podium, so..."

### MOTION

Commissioner Welshimer moved to make the required statutory findings; adopt the Resolution.

**Chairman Unruh** said, "All right. Do we have to be anymore specific than that, Mr. Euson?"

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

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

Commissioner Norton seconded the motion.

**Chairman Unruh** said, "Thank you, we do have some discussion now, from Commissioner Norton."

**Commissioner Norton** said, "Well, the one thing, I'm totally in favor of this, I think it's a logical movement for the City of Derby. I agree, that it's not really leap-frogging, it's just the next logical step. You've got some large lots in there that will eventually, probably have to be in the City Limits.

The two things that always concern me, and I think we need to talk about it now, is Webb Road, because it's a Township and there's no ingress/egress into this property off there that is going into this subdivision. But somewhere in a language, I would like to, as soon as that entryway on Webb Road hits, then the Township and the County should not have any more jurisdiction over that. That should become Derby's job. Because that is really going to make a tough time for that Township to have to deal with that road, if all of a sudden you're almost built out to 380 homes and that traffic travels Webb Road. Because that is a terrible road and a Township shouldn't be burdened with that

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as soon as that entrance opens.

And I don't believe, in my mind, that they are going to build a last house and then open that ingress and egress. I'm sure about half way through the building out of the 380 homes, they'll want to open up that second entryway. In fact, for fire protection, I think you have to have a second entryway, do you not? For access?"

**Mr. Parnacott** said, "That's generally recommended at a certain point."

**Commissioner Norton** said, "At a certain point, I mean, you don't want to have one way for a fire truck to get in, you want multiple, just for public safety and everything. So, I think there needs to be some kind of mechanism described that says, that when it gets so far built out, or they ingress and egress is put in, then that becomes Derby's, you know, road to maintain at that point.

I also feel the same way about 79<sup>th</sup>. If we're at about 2,400 cars now, once there, and I don't know what that trigger mechanism is, maybe it is 5,000 cars, doubling, but at that point, it is beyond the County's responsibility to take on that many more. It really becomes Derby's and I don't know what that trigger mechanism is, but what that sets in place is a different City Council and a different thought process that Derby comes back and goes 'hey, the County's taking care of it, I don't care what the past Planning Commission said, we don't want to take it, we'll just let them keep doing it'. And I think there needs to be some agreement of this Commission and this Council to say, at 5,000 or 6,000 or whatever it is, cars running through there, that they will be able to take it over. Because they've created that additional traffic, that entity has. That is just a thought, as we move forward."

**Mr. Parnacott** said, "If I could make one comment. The only kind of wrinkle in that is that, under the law, the City is only in a position to either voluntarily annex, or upon the County Commission's direction, annex those portions of the roadway that they are adjacent to. And then, certainly, we would have the power, at any point that a City is adjacent to a roadway, to tell them to take the roadway.

The last comment that I would make is, unfortunately, we have a narrow charge here, which is to make a finding whether or not it will hinder or prevent the proper growth and development of the area. And that really doesn't lend itself very well to attaching conditions. This isn't like a zoning case, that we can attach a protective overlay or conditional use where we can attach conditions. I certainly understand what your concern is, and that certainly is something that can be better handled through a platting process, which is solely in Derby's jurisdiction. But it just seems like it would be a little more difficult to do it in this setting."

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**Commissioner Norton** said, "Okay. I'm still going to be supportive and Derby's heard what my thoughts are. So, you know, I trust that they will be good partners and understand that I really believe that there is a point and time where they need to come back to us and say 'We need to take over the road, it shouldn't be the County's responsibility. We've created the traffic, and the traffic on Webb, that's increased by, you know, 50-fold, is our dilemma now, not the Township'. We've had the conversation, it's on the record, so I am good with that."

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

**Commissioner Winters** said, "Well, I think, with Commissioner Norton's last comments, I probably don't even need to restate this, but, Bob, what I heard you say is that under current State Statute, now that they are touching those roads, at a time in the future, (inaudible) can direct Derby to annex those roads, under current State Statutes."

**Mr. Parnacott** said, "Any part of the road that is adjacent to them, we can make them take the entire roadway, not just half the roadway. As long there is no other city on the other side. We can do that."

**Commissioner Winters** said, "Thank you very much."

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

**Commissioner Parks** said, "I would just like to see a review, if the Manager could put that on the calendar in about 18-months, for us to review that, that would be something I would like to see. Thank you."

**Chairman Unruh** said, "All right. Thank you. Okay, well, I would just say that, in general, I am not supportive of island annexations, but this looks perfectly logical and it will hinder or prevent development of the area and it seems like that is the question that we have to deal with on this particular issue. So I am going to be supportive of the motion. Is there any other questions or comments?"

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

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

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

**D. TRANSPORTATION SERVICES AGREEMENT BETWEEN THE CITY OF WICHITA TO PROVIDE JOINT FUNDING OF JET SERVICES.**

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, "As you're well aware, for the past several years, Sedgwick County and the City of Wichita have partnered to provide financial incentives to AirTran to provide low fair service from Wichita to destinations east of here. And for the past year, the State has entered into that partnership with us as well.

What is before you today is the continuation agreement with the City of Wichita. Sedgwick County now is the contracting partner with AirTran and, as you know, in the next several weeks we are, expect to be bringing you a second revenue guarantee Agreement with Frontier Airline for destinations to the west. And the City of Wichita, through this Agreement, will share in the funding burden of those revenue guarantees, to the tune of \$1,000,000.

The Agreement that is before you is virtually identical to the Agreement that has existed for the past year, in which Wichita gave money to Sedgwick County for this purpose. The REAP organization has just, within the past week, formally notified us that they have awarded us State funds for the next fiscal year.

Last year, last week at your meeting, you approved the new revenue guarantee Agreement with AirTran and so Sedgwick County, now, is financially obligated to provide those revenue guarantees starting, as of, last July 1<sup>st</sup> and continuing through next June 30<sup>th</sup>. And so this Agreement that is before you today provides the portion of the funding that we will use to pay that obligation. If you have any questions, I will be happy to answer them, if not, I would recommend your approval of the Agreement."

**Chairman Unruh** said, "All right, thank you Chris. Commissioners, are there any comment or question? Seeing none, what is the will of the Board?"

**MOTION**

Commissioner Winters moved to approve the Agreement and authorize the Chairman to

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sign.

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, "Next item please."

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

**E. DEPARTMENT ON AGING.**

**1. CENTRAL PLAINS AREA AGENCY ON AGING FISCAL YEAR (FY) 2008 AREA PLAN.**

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, "Today I bring before you the fiscal year 2008 Area Plan. Every year the Kansas Department on Aging requires us to set out a plan of how we are going to spend the Federal Funds. And that is what I bring to you today.

That is a total of \$1.74 million, under the Federal programs, that is to be spent in Butler, Harvey and Sedgwick Counties. There is a required match on this. One mistake on your note, it said under Financial Considerations that all Federal programs must be matched, that is all Federal programs except the Title 3E, National Family Care Giver program, which do not require the 8.5% match.

Our total costs for Sedgwick County is \$73,596 for match dollars. We also pull down match from Butler and Harvey County to match the program dollars spent in their counties and also some of the vendors that we contract with and some of the partners, also, provide some of that match money.

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So these are dollars that are spent for in-home services, community based programs, the nutrition programs, which are site based and home delivered programs and the caregiver programs. So this has been taken in front of the Central Plains Advisory Council and it was (inaudible) approved there. Butler and Harvey County Commissioners both saw this last week and approved that and authorized Sedgwick County as the Governing Board to sign this. I would be happy to answer any questions.”

**Chairman Unruh** said, “Thank you Annette. There, our matching grant is based on our population, is that how that is pro-rated?”

**Ms. Graham** said, “It is based on the amount of dollars that are spent in our County. Yes.”

**Chairman Unruh** said, “I see. Thank you. Commissioners, any other questions or comment?”

**MOTION**

Commissioner Parks moved to approve the FY 2008 Area Plan; authorize the Chairman to sign the Application and other related documents necessary to complete the grant process, including the notification of grant awards.

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, “Next item.”

**2. AGREEMENT WITH THE CITY OF WICHITA HOUSING AUTHORITY TO ADMINISTER THE RESIDENT OPPORTUNITY AND SELF-SUFFICIENCY PROGRAM.**

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**Ms. Graham** said, “The City of Wichita Housing Authority received a \$240,000 grant from the U.S. Department of Housing and Urban Development for the provision of services through their coordination services and transportation program.

This program will provide services, including house keeping assistance with benefits, coordination of services, transportation and educational programs to 226 older and disabled adults living in these facilities; Greenway Manor, McLean Manor, Rosa Gragg Apartments, Bernice Hutcherson Apartments. And this is funded under the City of Wichita Housing Authority, Ross Grant Program and this is for a three-year time period.

Now, we have had a program, pretty much similar to this, for the last six years, so this was, we had to reapply for this every three years. The City of Wichita is the one authorized to submit a Grant, but we help write the Grant and we were one of only 13 programs, nationwide, that was successful in receiving this. So they have cut down the number of programs they fund over the years, so we were really quite honored and thrilled to be able to receive the funding again.

The program did change some. However, we will continue as a Sedgwick County Department on Aging to administer and manage the program and it is for a part-time contracted Program Coordinator in addition to these services. So I would be happy to answer any questions. It is, does require 25% match, that is met through in-kind and contributions so there is no financial match to it and we would be administering that \$240,000 program.”

**Chairman Unruh** said, “Okay, Commissioners any comment or questions for Annette on this Agenda item?”

**MOTION**

Commissioner Norton moved to approve the Agreement and authorize the Chairman to sign the Agreement and other documents necessary to complete this process.

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, "Next item please."

**3. AGREEMENT WITH THE CITY OF WICHITA, KANSAS TO PROVIDE SPECIALIZED TRANSPORTATION SERVICES TO THE GENERAL PUBLIC RESIDING IN HAYSVILLE, MULVANE, DERBY, BEL AIRE, PARK CITY, KECHI, MAIZE AND VALLEY CENTER.**

**Ms. Graham** said, "We have been providing transportation services to these communities since 1995, which is just prior to the brokerage starting in 1998. With the 2000 census, these cities were redesignated and became newly urbanized areas. When that happened, that general rule of transportation, that used to be funded directly to us through the Federal Transportation Association, now comes funded through the City of Wichita. Once they became required to provide that service, they were not going to expand their services delivery so they began contracting with us in 2005.

This is a contract for the current fiscal year, which ends December 31<sup>st</sup>, to provide these rides in these communities. We do this through both general services that we provide and through contracting with other vendors that we work with in our community.

In 2006, we provided approximately 3,000 rides with this program, which is about 10% of the total rides that we provide in our community. This is a renewable Agreement and this is for this year, it is for a \$150,000 total, and it does require a match of \$30,000, which has already been approved by you in the Regular Sedgwick County Budget Process. I would be happy to answer any questions."

**Chairman Unruh** said, "All right. We do have a question from Commissioner Parks."

**Commissioner Parks** said, "The transportation that's given, is there some of these that are actually taxi-cabs that go out to these smaller towns?"

**Ms. Graham** said, "Yes, that is one of our vendors, is that we work with taxi-cabs."

**Commissioner Parks** said, "And that, give me an example of what that might be, the taxi-cab, who they might pick up, not in a particular place, but just in general."

**Ms. Graham** said, "This program is general population, however, we tend to provide most of these services to older and disabled adults."

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**Commissioner Parks** said, “And some of those are an every day occurrence then, that the cab would pick up somebody at 8:00 and take them back at 5:00?”

**Ms. Graham** said, “Not typically. Usually this is for medical appointments or going out to buy their groceries, going into social service appointments.”

**Commissioner Parks** said, “Okay, I just had a question from a constituent on that. Thank you.”

**Chairman Unruh** said, “All right, thank you. Any other question or comment?”

**MOTION**

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

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Unruh** said, “Thank you Annette. Madam Clerk, next item.”

**HEALTH DEPARTMENT**

**F. HEALTH DEPARTMENT.**

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- 1. GRANT APPLICATION TO NATIONAL FATHERHOOD INITIATIVE FOR 250 DADDY PACKS (FATHERHOOD EDUCATION MATERIALS) FOR THE HEALTHY BABIES PROGRAM.**
- 2. GRANT APPLICATION TO NATIONAL FATHERHOOD INITIATIVE FOR FATHERHOOD RESOURCE CENTER DISTRIBUTION GRANT (FATHERHOOD EDUCATION MATERIALS) FOR THE HEALTHY BABIES PROGRAM.**

**Ms. Claudia Blackburn**, Director, Health Department, greeted the Commissioners and said, "There are actually two proposals in front of you and I would request your permission to consider them together. They are very straightforward and they are for materials."

One Grant is for a Fatherhood Resource Suite from the National Fatherhood Initiative. They both are from the National Fatherhood Initiative. And the Fatherhood Resource Suite is curriculum for facilitating changes, small groups for dads and brochures. And this material is valued at \$3,000. And we would just be getting the material if the Grant is approved.

The other Grant is for 250 Daddy Packs, which contains skill building brochures and an interactive CD for fathers, expectant fathers, excuse me. And all of this material will compliment our Healthy Babies Program and help to bring the fathers more into the picture. This is, we're trying to involve fathers that maybe aren't currently involved and to educate fathers that are interested in being involved about how to be a good dad, how to take care of their child. This material will help us and request that you approve the applications and allow us to submit them and I'm happy to answer any questions."

**Chairman Unruh** said, "Thank you Claudia. We do have a comment from Commissioner Winters."

**Commissioner Winters** said, "Thank you, Claudia, we certainly know about our Healthy Babies Program and I certainly am extremely supportive of that. You or someone on your staff has reviewed this material that we are requesting through this Grant and believe that it is appropriate and worthwhile and something of a special benefit?"

**Ms. Blackburn** said, "Yes. We currently give, sort of like the equivalent to mommy packs to the expectant mothers, but we really don't have great material for the fathers, so this would be a really nice addition."

**Commissioner Winters** said, "All right, thank you very much."

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**Chairman Unruh** said, “All right, thank you Commissioner. Is there any other comment? What’s the will of the Board?”

**MOTION**

Commissioner Winters moved to approve the electronic submissions of the Grant Application and authorize the Chairman to sign all necessary documents, including Grant Award Agreements containing substantially the same terms and conditions as the Applications.

Commissioner Norton seconded the motion.

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

**VOTE**

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

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

**G. KANSAS COLISEUM MONTLY REPORT FOR JUNE 2007.**

**POWERPOINT PRESENTATION**

**Mr. Buchanan** said, “I think we are going to defer that item. I suggest we move on.”

**Chairman Unruh** said, “All right, Commissioners, there is a request for a 5-minute break. So we will do that and we will back after a 5-minute recess.”

**COMMISSION RECESSED AT 10:45 A.M. AND RETURNED AT 10:50 A.M.**

**Chairman Unruh** said, “We are back from recess so we will call the meeting back to order and continue with our Agenda. Madam Clerk, we are ready to call Item G, or have you already called Item G?”

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**Ms. Evelyn Good**, Clerk said, "Yes I have."

**Chairman Unruh** said, "Well, Mr. Nath is here and ready to go."

**Mr. John W. Nath**, Coliseum Director, greeted the Commissioners and said, "I apologize for the delay. My report today is on the activities that were at our facility during the month of June. We had over 16,500 people at the events; eight events, 12 individual performances; net revenues were in excess of \$92,000.

I want to start off with the Hayes Company. They brought their sale over to our facility this year because they have a new inventory system and it really didn't give them the room to let the people come in and shop for the items they had available. So they set up the arena floor, as you can see we had the lines, everybody entered in through the south end of the building, and they had an excess of almost 10,000 people through the doors in three days. And it worked out very well for them. It was a fun event to work.

Then we went with the Wild. We had five indoor games with the Wichita Wild, over 6,400 people in attendance over those five games. I have a meeting next week with Mike McCoy and we're going to talk about next year again.

This is just some of the kids that came to the game this past Saturday. Real Wichita Wild fans, they had a great time.

Commissioners, as you know, as Ron, Ron Holt, reported to you last week, the Pavilions are under construction and I gave you a little bit of an update last month on some of the progress that we've done. We'll take a look on June 13, when I gave you the report, in May, I should say, or in June, that just about substantially the roof of Pavilion I was almost finished. But on July 14 is when I took these pictures and you can see that it's almost 100% finished.

The connecting tunnel between Pavilion I and the Arena Building that is to the left of this picture was framed out back in June, and you see that it is almost substantially completed at this point in this month. So they have made a lot of progress. This is the view from that tunnel from the south looking north, from the yard that goes between the Pavilion I and the Arena Building, and it got, pretty much everything shaped in there.

This is what the new Practice Arena started out to look like between Pavilion II, which is on the right of this picture and the Arena Building, which is on the left as you view it, and you can, they got pretty much all of the structure up there now. Hopefully next month we can see how that is

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going to be closed in. But they are making good progress and just to give you an idea of how things are coming along. We're still on track to host our first event, which would be the Kansas Junior Livestock Show in September.

Coming up, we have a concert with Hinder, Buck Cherry, Papa Roach, next Thursday. We have Latin Grammy Award winning superstar and Spanish music; Pepe Aguilar will be here August 11<sup>th</sup>. Machinist Union will hold a meeting at our place on the 18<sup>th</sup>. Park City State BBQ Championship down in the park the 14<sup>th</sup> and 15<sup>th</sup>. And the machinists are coming back and holding another meeting on September 15<sup>th</sup>. The Junior Livestock Show, 19<sup>th</sup> through the 24<sup>th</sup>. The Pavilions will be ready and they look really sweet inside.

One of the things, and I could not get a picture because the lights were off when I took them this past Saturday, and they didn't turn out to well. Gary Allen and Cross Canadian Ragweed come in on September 30<sup>th</sup> for a Country music concert. And if there are any questions, I would be happy to answer them at this time."

**Chairman Unruh** said, "Okay, thank you John. The construction project will be over then, in another eight weeks or so?"

**Mr. Nath** said, "I, yes. Moving right along."

**Chairman Unruh** said, "And not having any problems?"

**Mr. Nath** said, "Nothing that you wouldn't expect on a project like this, from what I hear."

**Chairman Unruh** said, "Okay. Second question is, what is Hinder, Buck Cherry and Papa Roach? Is that a kid's thing or what is that?"

**Mr. Nath** said, "Well, the demographics are a little bit younger than me, so yes, it is a kids thing, definitely."

**Chairman Unruh** said, "I mean they play music or something?"

**Mr. Nath** said, "I think we'll be looking at an audience of 18 to 28. They're going to be in that range. It's rock-n-roll."

**Chairman Unruh** said, "Do we provide earplugs for those acts?"

**Mr. Nath** said, "Yes, we do."

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

**Commissioner Parks** said, "Thank you, John. And I would like to thank you for your work yesterday and I am sure that will be in your next month's report."

**Mr. Nath** said, "I did take some pictures of the guests we had overnight last night, and how we set everything up. And I would include that next month."

**Commissioner Parks** said, "Your staff was very pleasant and I appreciate all the help you did. At one point, I think, when I was out there, one of the many times that I was back and forth, I saw about 250 people, and as I reported earlier, it was more of a gathering for, not so much the overnight people, but a gathering for people to be able to communicate with the Red Cross and their families and have a point of safety where they could go and be picked up or moved to another location."

**Mr. Nath** said, "We're just happy to be able to help. The Red Cross did the lion's share of the work, they did, even though, they have had a tough year this year with Greensburg and some of the, down there in Coffeyville, I mean their stuff is really scattered and they did a great job. Those folks, they really come out and got after it."

**Commissioner Parks** said, "I think they may have picked up a few recruits from yesterday too. Some retired fire fighters and City Council members from Valley Center and things."

**Mr. Nath** said, "That's possible."

**Chairman Unruh** said, "All right, good. Thank you. Any other comment? What's the will of the Board?"

### **MOTION**

Commissioner Winters moved to receive and file.

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, "Thank you John. Next item please."

**H. AGREEMENT WITH THE KANSAS DEPARTMENT OF TRANSPORTATION BUREAU OF CONSTRUCTION AND MAINTENANCE TO TREAT NOXIOUS WEEDS.**

**Mr. Joe Brunk**, Director, Noxious Weeds, greeted the Commissioners and said, "This is our annual agreement with the Kansas Department of Transportation that allows us to spot treat the noxious weeds that are growing on their right-of-way areas here in Sedgwick County. We have a good working relationship with KDOT and would ask that you would approve the Agreement and authorize the Chairman to sign."

**MOTION**

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

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, "Joe, thank you very much. That was easy. Madam Clerk, next item please."

**I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' SPECIAL MEETING ON JULY 13, 2007.**

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**Ms. Iris Baker, Director**, Purchasing Department, greeted the Commissioners and said, “The meeting of July 13<sup>th</sup> results in two items for consideration today.”

- 1) **PROPERTY DEMOLITION GROUP TWO AT 600, 622 E WATERMAN, 310 (AND ADJACENT NORTH STORAGE YARD, 320,326, 330 S. COMMERCE-FACILITIES DEPARTMENT FUNDING – FACILITIES DEPARTMENT.**

**Ms. Baker** said, “Recommendation is to accept the low bid from Bradburn Wrecking Co, Inc. in the amount \$46,742.33 and to establish unit pricing.”

- 2) **SOFTWARE UPGRADE – SHERIFF’S OFFICE FUNDING – SHERIFF EQUIPMENT RESERVE.**

**Ms. Baker** said, “The recommendation is to accept the quote of from Intergraph in the amount of \$76,000. Would be happy to answer any questions and I would recommend approval of these two items.”

**Chairman Unruh** said, “Thank you Iris. We do have a question from Commissioner Norton.”

**Commissioner Norton** said, “On both of them actually. On number two, one bid, but that’s a sole source, we’ve dealt with them before and they’re the preferred vendor for that particular item, is that correct?”

**Ms. Baker** said, “Correct. It’s their system.”

**Commissioner Norton** said, “Okay. On item number one, a large disparity between the high bid of \$137,000 and the low bid of \$46,000. Seven bidders, which is good. Same question as I had last time. What’s the mix of local companies that are bidding for that and companies outside of our area?”

**Ms. Baker** said, “In this mix, of the seven, two are outside the area and the balance are in the area. Bradburn is a local vendor. Very experienced.”

**Commissioner Norton** said, “Okay. As opposed to the last time, which was outside the area, this time it is a local vendor?”

**Ms. Baker** said, “Correct.”

**Commissioner Norton** said, “Okay. Large disparities, any thoughts on that, Iris?”

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**Ms. Baker** said, “We did talk to Bradburn, we talked to them both about their methodology. Of the demolition, they have no plans or very limited plans to salvage. Mostly they’re going to knock down and haul off. That could affect the cost a little bit. And we talked to them a little bit about the time, and they are firm on their time. They are a very experienced company in this area. They had attended the Pre-Bid meetings. They very much understand the project and he sticks by his bid. His contention is the other’s was just too high.”

**Commissioner Norton** said, “And that’s okay with me. I just wanted to be sure...”

**Ms. Baker** said, “And we are okay with that.”

**Commissioner Norton** said, “It has to do with the Arena and I think people are scrutinizing what we are doing there and that’s, we have got plenty of bids, plenty of local companies, it was a local company that got awarded the bid and they were pretty darn low. Pretty good process there. That’s all, I just wanted to be sure that it was on the record, thanks.”

**Chairman Unruh** said, “All right, thank you Commissioner. I see no other comments, so what’s the will of the Board?”

**MOTION**

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

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

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

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**CONSENT AGENDA**

**J. CONSENT AGENDA.**

**Mr. Buchanan** said, "Commissioners, you have the Consent Agenda before you and I recommend you approve it and remind us all that in 166 days, the sales tax for the Arena will off the books."

**Chairman Unruh** said, "Okay, thank you Bill."

**MOTION**

Commissioner Norton moved to approve the Consent Agenda as presented.

Commissioner Welshimer seconded the motion.

**Chairman Unruh** said, "We have a comment or question from Commissioner Parks."

**Commissioner Parks** said, "I intended to get together with you, yesterday, Mr. Manager, on this, on this Ridge Road, could you just give me an over site of what is going on there? Is that going to be a four-lane from K-96 up to 53<sup>rd</sup> on Ridge or should I direct this to Mr. Spears? And was there any opposition to this from land owners there?"

**Mr. Spears** said, "This is a project that has been in the CIP for years. It's going to receive 80% State funding. We're going through all of the proper procedures to acquire the right-of-way. There are several tracks of right-of-way to obtain and that is the phase that we are in right now. And no, we haven't run into any situations of condemnation, yet, I don't want to say there might not be, but at this point, it seems to be going pretty well."

**Commissioner Parks** said, "Has the City of Wichita annexed any of this area since this project started?"

**Mr. Spears** said, "No, they, I see, they're not up in our project area at this point, no."

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

**Chairman Unruh** said, "Any other questions, Commissioners? We have a motion in front of us, so Madam Clerk, call the vote."

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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, “Commissioners, we’ve come to the end of our Regular Agenda, so at this point, I will recess the Regular Meeting of the Board of County Commissioners and call to order the Meeting of the Board of County Commissioners setting as a governing body at Fire District #1 and it’s Regular Meeting, July 18<sup>th</sup>, 2007.

**The Commission recessed into Fire District #1 Regular Meeting at 11:04 a.m. and returned at 11:06 a.m.**

**Chairman Unruh** said, “I call back to order the Regular Meeting of the Board of County Commissioners, July 18<sup>th</sup> and we are ready, before, I think, we take a motion to go into Executive Session, we are ready for ‘Other’.”

**K. OTHER**

**Commissioner Parks** said, “I just wanted to go on record, I know that we have quite a few of the discussions in staff meetings about plateauing of some of the upper management jobs and the raises and what not. I just wanted to go on record that we had discussed that extensively in staff meetings.

Also, some time in the future, I would like to see something addressing the County Commissioners salaries. I think they are above the \$46,000 average salary in Sedgwick County and I think that we’ve come to a consensus in our staff meetings that maybe we can tie that to, if there is a mill levy increase, then the Commissioners don’t get a raise that year. That’s something that’s been on my plate and I just wanted to get it on official record. Thank you.”

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

**Commissioner Welshimer** said, “Well I don’t have any motions to suggest today, but I have a

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couple of clarifications leftover from yesterday.

We adopt, appointed a task force. And I believe that is Commissioner Norton and Commissioner Winters? I'm not sure what the task force would do in this case and so I guess I'm asking, is that a hands on, Commissioners going down, studying the parking, coming back, giving us a review of what they think should be done? Or, is that to serve as an umbrella over the staff's efforts to analyze the parking study?"

**Chairman Unruh** said, "Well, I think can have a discussion on that. Commissioner Winters?"

**Commissioner Winters** said, "I'm not sure that we've determined that yet. I know that I was the one that suggested that a couple of Commissioners kind of dig into this issue and the reason that I suggested that is at last week's County Commission Meeting, we spent about an hour talking about the Arena. Two weeks before that, we spent almost two hours talking about the Arena. And to me, we just were each kind of reiterating our positions and concerns about parking and at the end of both of those discussions we didn't really come with any kind of plan except to, perhaps talk some more about it and suggested that maybe we talk today about it.

My thought was that we have a couple of Commissioners begin discussion with our staff and form a internal group, and probably in visiting with some of the media folks yesterday, task force is a stronger term or not very descriptive term. But I'm thinking about an internal group of staff that as staff continues to look at this parking issue that a couple of Commissioners be involved with them in that process.

Where that leads, I think we'll just have to see. But the entire intent would be then, for those Commissioners, myself and Commissioner Norton, if we can come to some logical understanding, would come back to this Commission and, the Board of County Commissioners, and relay what's transpiring on the parking issue.

Again, I think task force is too strong a term, but I think an internal group with a couple of Commissioners dealing with directly with staff was my intention."

**Commissioner Welshimer** said, "Okay. Well that answers that question. Then I have a question for County Manager. The consultant report on parking, did that go out on a RFP?"

**Mr. Buchanan** said, "Yes."

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**Commissioner Welshimer** said, “Could I have a copy of the requirements?”

**Mr. Buchanan** said, “Sure.”

**Commissioner Welshimer** said, “Thank you.”

**Chairman Unruh** said, “Is that all for right now?”

**Commissioner Welshimer** said, “Yes.”

**Chairman Unruh** said, “All right. Commissioner Norton?”

**Commissioner Norton** said, “Well, as we talked about that yesterday in staff meeting, I am very open to what the Commission wants Commissioner Winters and I to look at, whatever that is. If you want us to analyze the Walker report at a very, very deeper level, than maybe each of us individually could. I am good for that. If you want us to go out and walk the Arena’s area, and be sure that we understand kind of the lay of the land and where the parking is and everything, I am willing to do that. If we need to dig deep into some other data and give that some kind of report back to the Commissioner, I am willing to do that.

I think this leads us to where, we talked about, about three weeks ago, at least for you Commissioner Welshimer, because I think you wanted to dig deeper into it, and I think that gets pretty fragmented when all five of us are trying to do it, so maybe two of us getting really involved in it will do that. And I don’t know that it has to be myself, I think Commissioner Winters was pretty open with that. I’ve asked a lot of questions about parking and I’m willing to be that person to continue to ask.

I’d advocate for us moving faster than slower and maybe this is a way to get that started. For us to dig in and start noodling around in the data and start applying that to the look of what the Arena site looks like. Because I think you have to put the physical with the data to be sure that you’re understanding what the end product is going to look like.

I would like to hear some dialogue of what this Commission is going to task us to do with that, so that we understand; that we don’t come back and report something that you didn’t want to know.”

**Chairman Unruh** said, “Do you want to respond to that? Commissioner Parks is on the wait here.”

**Commissioner Welshimer** said, “I think all of the above of what you are talking about would be

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helpful. I just want to see us take the responsibility for this, it's a \$200 million investment. And it's on our shoulders. I think we have to do everything we can to make sure that we've carried out the public trust in this and that we also advise them on what they can expect as far as their access to this facility. Yes, I would say that an in-depths look into this situation by a couple of County Commissioners on the task force would make me most happy. Thank you."

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

**Commissioner Parks** said, "I don't recall the last RFP being, going out like that in the parking study. I thought that was an extension of the first one that may have been on an RFP before."

**Chairman Unruh** said, "Mr. Manager?"

**Mr. Buchanan** said, "Commissioner Parks is absolutely right. When I said there was not a response to our RFP, I was, I misspoke, I was wrong, after checking the facts with Ron Holt, you are correct. It was an extension of another Contract through the architectural consortium. But we have that correspondence and the requirements and we'll get that to you."

**Commissioner Welshimer** said, "But there was no selection done on who did the parking study?"

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

**Commissioner Welshimer** said, "I thought we had to put everything out for an RFP?"

**Mr. Buchanan** said, "It was an extension of an already existing Contract."

**Commissioner Welshimer** said, "So they did the previous one?"

**Mr. Buchanan** said, "The Contract, previously, was through the architectural consortium that hired Walker and we, our contract extension was without architectures."

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

**Chairman Unruh** said, "Okay, I guess my comment about this issue, I think I'm staying pretty consistent in that, I would like for us to have some definitions of what we are talking about as we address this issue. I know that Commissioner Welshimer is, this is really an issue for her, and for some of us, me in particular, it's less of an issue, but we to define what is the problem.

We say that we have a problem; I'd like for somebody to define for me what is that problem. Is the

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problem meaning we want X number of parking spaces within X distance from the Coliseum? Once you define that then we know what we are trying to understand. But if you just say we have a parking problem, you know, I don't know what the parking problem is. If we say, well, we need to have 5,000 public parking places within 4 to 5 blocks of the Coliseum, that's our goal, well then, I'm fairly well convinced, by the information we've seen, that we don't have a problem. We've got all of those spaces.

I just need to have those definitions so that I can say 'well, what is the problem, what's the goal and where we are going'. If we're saying we want curbside-door side parking for 10,000 cars, you know, within a block, well that's a problem. But if we say we need 5,000 public spaces and a couple thousand private spaces within 4 or 5 blocks, then we don't have a problem.

I need those definitions and what our goal is would be helpful to me. And I suppose that Commissioner Winters and Commissioner Norton, that will be part of their conversation as they sit down and talk about it. Commissioner Norton?"

**Commissioner Norton** said, "Well, I wrote down four things that I think should come out of this, that I thought about a lot. One of them is how does parking fit in revitalization of Downtown? And I think we need to take that report and the data and apply it to how it fits into the bigger picture and report that back. Because I think the public wants to know and certainly I want to know that. What is the end result going to be and as of we've revitalized the Downtown, that affects parking. And as we put in parking, that may affect revitalization. So I think we may need to work on that.

The second one is parking and how we communicate, not only what we're doing to the public, but how we communicate the end product that is going to be used by the public later. So I think parking and communication of what it's going to look like is going to be very important.

And then parking and infrastructure, and when I say infrastructure, that's sidewalks and green space and walking areas and lighting, because all of that, people say well parking, I don't want to walk four blocks at night. Well you might want to walk four blocks at night if you know that you are going down a green space, very well lit with street musicians playing and that it's a really pleasant experience. So that whole infrastructure of how we move the people back and forth from the parking to the new Arena, I think is important.

And finally, parking and community thought process change. We're moving to a Downtown urban kind of center. And in most urban areas, you do a little walking. And truthfully, I don't know that it's bad that we promote walking in our community. The side of me that advocates for the Health Department and Wellness, I'm walking up the stairs everyday and trying not to take the elevator because that's good for me. Well, walking two blocks or three blocks from you car at an event is

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good for you. So maybe we've got to promote, and I don't know how you push that change in our community, but the community needs to know that walking is not bad, the parking will be defined, but how do we communicate that change and how do we get people to advocate for it and feel good about and know that, where you've had surface parking, 5,000 spaces over a long time, may be different.

I don't know if all those things are going to happen, but that's four of the things that have to do with parking that I'm going to be looking at really closely. Some of them may happen at a large level, some of them may be very miniscule, but I think those are four parts of the questions that I hear people asking that are going to be important to this whole conversation, and that I will continue to look into."

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

**Commissioner Parks** said, "Along that line, you know we have an aging community, the baby boomers are coming on and what not. There are some people that have bone-on-bone knee problems and cardiac problems and pulmonary problems out there also. And I would like this Committee to look at, very much, the handicapped and disabled parking and accessibility there. That's just something that I would add to your list. And I would imagine that I will have a few more things to add to your list. When I have time, I will be down there in that area, kind of walking around myself."

**Chairman Unruh** said, "Okay, very good. Commissioner Welshimer?"

**Commissioner Welshimer** said, "Well, I want just one thing to add to the list too and that is, when you're counting parking spaces be sure that there is no car in that parking space because parking is pretty well taken up in Old Town. It's difficult to park, for instance, if you're going to go to the Larkspur or any of the activities in the evenings or the weekends. It's full. So, that has to play a part."

**Chairman Unruh** said, "Okay, very good. Commissioner Norton?"

**Commissioner Norton** said, "Well, and certainly the other thing that we need to talk about, and this was brought to mind yesterday, is that we're building the facility for today, for the population today, but we're building it for the population 20-years from now. You know, what is that population going to look like? Well, it's not going to be the baby boomers, it's going to be the

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Gen-X'ers and the Gen-Y's and the millennials that will be growing in their careers, raising their families, wanting entertainment value and going to this facility.

While we want to think about folks that have knee problems and are aged, we also have to understand that we also want to build this Arena that will serve our community for 30-40-50 years from now. And that's a totally different generation. It has different thoughts about exercise and walking and urban spaces and entertainment and this kind of values. We have to be a little visionary with this too and not be too much about today but a lot about tomorrow. And that is going to be hard because it is hard to decide what tomorrow is really going to look like. Just another thought."

**Chairman Unruh** said, "All right. Well we have quite a bit of information already at our fingertips and we are already going through that, so we analyze some of those distances and some of those numbers and I'm sure that we're going to come out with a satisfactory parking plan for Sedgwick County Arena and Downtown Wichita. And we'll wait to hear how you two report back to us."

**Commissioner Welshimer** said, "And when is that going to be, by the way?"

**Chairman Unruh** said, "Well, that's a good question. I don't know that we've put a time, due date on it. But Commissioner Norton might tell us."

**Commissioner Norton** said, "I expect to report back every week with what I've learned."

**Commissioner Welshimer** said, "And (inaudible)?"

**Commissioner Norton** said, "Some weeks may be very little, some may be a whole lot. But what I wrote down, I'm going to be sure that I understood, I put down parking space-the real availability. Is that what you...?"

**Commissioner Welshimer** said, "Yes."

**Commissioner Norton** said, "...was asking me about? Okay and Commissioner Parks? Parking accessibility to folks with difficulties. Is that what I heard?"

**Commissioner Parks** said, "Yes."

**Commissioner Norton** said, "I will take those six things that I've described and report on those every week and sometimes it may be a lot and it may be a little. Hopefully, Commissioner Winters that sounded okay to you?"

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**Commissioner Winters** said, “Sure. Yep. I have no problem with that.”

**Commissioner Norton** said, “Okay.”

**Chairman Unruh** said, “Okay, very good. Anything else under ‘Other’? I see, I don’t see anything, so at this time I think we are ready hear a motion to go into Executive Session.”

**MOTION**

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 20 minutes, to consider consultation with Legal Council on matters privileged in the attorney-client relationship relating to legal advice. And that the Board of County Commissioners return to this room from Executive Session no sooner 11:40 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
Commissioner Welshimer	Aye
Chairman Unruh	Aye

**The Board of Sedgwick County Commissioners recessed into Executive Session at 11:20 a.m. and returned at 12:00 p.m.**

**L. ADJOURNMENT**

**Chairman Unruh** said “We are back from Executive Session so I will call to order the Board of County Commissioners again and say that while we were in Executive Session, we took no binding action and ask if, Commissioners do you have anything else to bring before us at this time? Mr. Manager, Mr. Euson? All right, we are adjourned.”

There being no other business to come before the Board, the Meeting was adjourned at 12:00

**Regular Meeting, July 18, 2007**

p.m.

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

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

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

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

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**KELLY PARKS**, Commissioner  
Fourth District

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**GWEN WELSHIMER**, Commissioner,  
Fifth District

ATTEST:

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

APPROVED:

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