

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 1, 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, August 1, 2007 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Thomas G. Winters; Commissioner Tim R. Norton; Commissioner Kelly Parks; Commissioner Gwen Welshimer; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Don Brace, County Clerk; Ms. Jo Templin, Director, Human Resources; Mr. Randy E. Downs, Lab Inspection Chief, Public Works; Mr. Ron Holt, Assistant County Manager; Mr. David R. Miller, Director, Budget Department; Mr. Chris Chronis, Chief Financial Officer; Ms. Irene Hart, Director, Community Development; Ms. Diane M. Gage, Director, Emergency Communications; Mr. Garry B. Tolle, Interim Director, EMS; Ms. Marilyn Cook, Director, Comprehensive Community Care; Ms. Claudia Blackburn, Director, Health Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Robert G. Boling, Member, Sedgwick County Electrical Examiners and Appeals.
Ms. Lorraine Martin, Bentley City Council Member.
Ms. Beverly Ann Phillips, Councilwoman, City of Bentley.
Ms. Shelley Armstrong, Wichita, Ks.
Mr. Charles Peaster, 9505 N. 135th St. W., Sedgwick, Ks.
Ms. Ginnie Cary, Vice President, Finance and Operations, Wichita Area Technical College.

INVOCATION

The Invocation was led by Pastor Michael O'Donnell of Grace Baptist Church, Wichita.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES: Regular Meeting, July 11, 2007

The Clerk reported that all commissioners were present at the regular meeting of July 11, 2007.

Chairman Unruh said, "Commissioners, you've had the opportunity to review the minutes of the July 11th meeting. Are there any additions or corrections?"

MOTION

Commissioner Welshimer moved to approve the Minutes of the regular meeting of July 11, 2007.

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item please."

APPOINTMENTS

A. APPOINTMENTS.

1. RESOLUTIONS REAPPOINTING MEMBERS (AT LARGE APPOINTMENTS) TO THE SEDGWICK COUNTY BOARD OF BUILDING EXAMINERS AND APPEALS.

- **RANDALL R. COONROD**
- **DAVID E. SPROUL**
- **CURT J. WARREN**
- **GREGORY F. WILHITE**

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Mr. Richard Euson, County Counselor, greeted the Commissioners and said, “Items A-1 through 4 together with the reappointments and appointment on the Fire District agenda are appointments to our trade boards and these items before you this morning are all reappointments. These members on these boards serve several different functions. They hear and decide appeals from the county’s building official. They decide suitability of alternate materials. In some cases they determine licensing requirements and then they make recommendations to you concerning the uniform code.

In Item A-1 we have prepared resolutions reappointing members to the Sedgwick County Board of Building Examiners and Appeals and I would recommend you adopt those resolutions.”

Chairman Unruh said, “All right, thank you. What’s the will of the board?”

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 I think none of these individuals are present now. All right, thank you. Then we’ll call the next item.”

2. RESOLUTIONS REAPPOINTING MEMBERS (AT LARGE APPOINTMENTS) TO THE SEDGWICK COUNTY ELECTRICAL EXAMINERS AND APPEALS BOARD.

- **ERNEST E. NELSON**
- **MONTE T. VINER**
- **ROBERT G. BOLING**

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Mr. Euson said, “These are resolutions reappointing members to the Sedgwick County Electrical Examiners and Appeals Board.”

Chairman Unruh said, “And commissioners, we need a motion to appoint these individuals.”

MOTION

Commissioner Norton moved to adopt the Resolutions.

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, “And we have at least one person here ready to take the oath.”

Mr. Don Brace, County Clerk, said, “Good morning Bob. You’re looking well, nice tie. 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 Electrical Examiners and Appeals Board, so help me God.”

Mr. Robert G. Boling, Member, Sedgwick County Electrical Examiners and Appeals Board, said, “I do.”

Mr. Brace said, “Congratulations.”

Chairman Unruh said, “Mr. Boling, we appreciate your service and we’d offer you this opportunity to say a few words if you’d like.”

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Mr. Boling said, “Well, I’ve been on this board for a number of years and my goal in life is try and make all the electrical systems safer than they have been in the past and I appreciate the appointment. Thank you.”

Chairman Unruh said, “Well thank you, we appreciate your willingness to serve and appreciate your goal to make us safe. Thank you. Next item.”

3. RESOLUTIONS REAPPOINTING MEMBERS (AT LARGE APPOINTMENTS) TO THE SEDGWICK COUNTY BOARD OF PLUMBING EXAMINERS AND APPEALS.

- **RODGER EATON**
- **RODNEY KETZNER**
- **KEITH BREWER**

Mr. Euson said, “The next item is resolutions reappointing members to the Board of Plumbing Examiners and Appeals and I would recommend you adopt these resolutions.”

MOTION

Commissioner Norton moved to adopt the Resolutions.

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Unruh said, “And I think none of these individuals are present, so we will move to the next item.”

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4. RESOLUTIONS REAPPOINTING MEMBERS (AT LARGE APPOINTMENTS) TO THE SEDGWICK COUNTY MECHANICAL EXAMINERS AND APPEALS BOARD.

- **RON LOVE**
- **GEORGE FAHNESTOCK**
- **DALE E. MALTBIE**

Mr. Euson said, “And then finally, Item A-4 is resolutions which would appoint, reappoint members to the Sedgwick County Mechanical Examiners and Appeals Board and I recommend you adopt them.”

MOTION

Commissioner Norton 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	No
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “And County Clerk Don Brace has indicated none of these individuals are present so we will have those oath of office at another time. So Madam Clerk, we’ll ask you to call the next item please.”

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RETIREMENT

B. PRESENTATION OF RETIREMENT CLOCK TO RANDY E. DOWNS.

Ms. Jo Templin, Director, Human Resources, greeted the Commissioners and said, "This item recognizes the long time and valued contributions of one of our public works employees. Randy E. Downs is the lab inspection chief at Public Works and he will retire September 1st after 33 years of service."

Chairman Unruh said, "Randy, lets step up here a little closer to make this presentation. We have for you a certificate that commemorates the retirement after 33 years. I don't know if you're going to be able to count off incidents in every year to us when we give you an opportunity to speak, but I'm sure you've got a lot to say if you'd like."

We want you to know that we really appreciate your service to Sedgwick County and your faithfulness to the citizens of our community. We also want you to have this watch, which commemorates your retirement. It's a watch . . . it's not a watch, it's a clock. It's way to heavy to wear on your wrist, but it's a nice piece and we want you to have this and so every time you check the time you'll think about the good experiences you had here. But we really appreciate your service and we'd like to offer you know this opportunity to say a few words."

Mr. Randy E. Downs, Lab Inspection Chief, Public Works, said, "I appreciate it. First thing my wife said was don't cry."

Commissioner Norton said, "You never listen to your wife anyway, do you?"

Mr. Downs said, "No I never do, I've learned after all these years. I would just like to say thank you David. You gave me some great opportunities and I really appreciate that. I would never have gotten these opportunities any other place in my life. I was 18 years old when I started working here and I'll be 52 years old tomorrow. And it's just . . . you know, I've had a wonderful experience. I've learned a lot and I want to say thank you David, very much. Thanks."

Commissioner Winters said, "Commissioners, we'll wait just a moment until the Chairman returns."

Chairman Unruh said, "Fifty-two years old, 18 and 33, he's still a young guy isn't he. Madam Clerk, would you please call the next item."

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CITIZEN INQUIRY

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE TEMPORARY FIRE STATION LOCATED NEAR THE TOWN OF BENTLEY.

Ms. Shelley Armstrong, Bentley, Ks., greeted the Commissioners and said, "I'm here today before you to express my gratitude to Sedgwick County and the Sedgwick County Fire Department for insuring that our community is safely covered by fire and Emergency Management while 151st Street bridge has been under construction.

With the closing of 151st Street, it has left the community of Bentley and surrounding townships quite fearful of any scenario that could possibly occur, had we not been protected by Sedgwick County. The realization that response time could have been upwards of 20 minutes or more became alarming. We feel very safe knowing that we have a station, though it is temporary, it is just a few short minutes away. After all, it is just seconds that count when a loved one is hurt or in desperate need of critical care, or even fire protection.

We have the utmost appreciation and respect for all of the support that the firefighters and first responders from the temporary station have been able to provide. It is however bittersweet though, knowing that our safety net will soon be gone when 151st Street bridge reopens, which brings me here today.

I plead with you today to please consider locating a permanent fire station closer to our community, north of the Arkansas River, so that our community and Greeley and Eagle Townships have a chance to receive the fire protection and medical first response that we as Sedgwick County taxpayers deserve.

With the new location of Station 33 in Maize, it is my fear that as the population in Maize continues to grow, so will the call volume, leaving our community more vulnerable. With recent events that have occurred in Valley Center, it is even more critical that there be appropriate fire and medical protection to all areas of the county. I ask the commission of Bentley and the surrounding township the same consideration that has been given to other small towns like Viola and Andale as before.

Please take into consideration the needs of our growing communities with you, as you prepare the budget for Sedgwick County. We taxpayers would like funds utilized in our area for a permanent fire station as well. My last request is for the commission chair. Mr. Unruh, would you please open the floor to other members of my community, so that they may have the opportunity to express their gratitude as well? Thank you."

Chairman Unruh said, "All right, thank you Shelley. Before we do anything, we have a couple of

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comments, first from Commissioner Parks.”

Commissioner Parks said, “Well I had a question. Do you have a volunteer fire department from the City of Bentley, is that correct?”

Ms. Armstrong said, “Yes, we do have one in place, from what I understand a lot of those folks do work during the day, so it leaves kind of a void in protection, so that’s why the interest is so strong.”

Commissioner Parks said, “Do you know if they have a contract with Eagle or Greeley Township, responding to those areas?”

Ms. Armstrong said, “I’m not aware, I’m sorry.”

Commissioner Parks said, “You know, we’re in the last up day today for our budget and I know that the fire department has worked diligently to establish those zones for the future planning of growth in those area and I think in maybe next budget session if we could have some of those figures a little earlier and maybe even get some of those figures about how many firemen are in Bentley during the day and things like that. Those would be critical for our staff to be able to look over and be able to adjust those. I thank you for coming in.”

Ms. Armstrong said, “Okay. Thank you.”

Chairman Unruh said, “All right, and we have another comment from Commissioner Winters.”

Commissioner Winters said, “Thank you. Shelley, again thank you for coming today. I appreciate your calling our attention to this. One of the things that we are in the middle of the process of doing a pretty major station relocation of Sedgwick County fire stations now in several parts of the county and that was a pretty big bite for us to chew off of and it’s going to take us some time to get that finalized. But I’d be glad, since the temporary station has been there, I’ve had several phone calls, several e-mails. I don’t think I’ve visited with you yet, but I have had correspondence with folks and I have visited with our fire chief and our director of public service about Bentley, so I don’t want you to think that we have wiped Bentley off of the earth after we close that temporary station, but again, things do take time.”

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I want you to know that we do appreciate your coming and talking to us about it, bringing it to our attention again and we will . . . I will continue to monitor what's happened and Commissioner Parks does ask a good question and I don't know the answer to that either, but I will try to find out and we want to try. And I know that our fire department and we've got several of our fire department guys in the meeting room this morning, want to try to help and enhance Bentley's volunteers to be as good as they can possibly be, because they certainly are the closest and so I'm sure that our guys will continue to try to work with those volunteers to make them as good as they can.

If when you leave, our commission office is right outside the door, would you just stop in there and leave your telephone number so then if I need to visit with you again, I would have that. Just Lisa or Carol will be in there and they could get your phone number."

Ms. Armstrong said, "Gladly."

Commissioner Winters said, "All right, thank you Shelley."

Chairman Unruh said, "And Shelley, you asked if others could make a comment. Isn't that what you just asked me in your remarks?"

Ms. Armstrong said, "Yes."

Chairman Unruh said, "Maybe we could just ask for them to introduce themselves. We understand your argument but I'd like to have their names in the record of those who are there with you, if we could just have their names."

Ms. Beverly Ann Phillips, Councilwoman, City of Bentley, said, "I'm here for my husband. Did you want a comment? They are in the process of maybe going to close down Ridge Road also, after they open 151st so we're still going to be halfway cut off from Valley Center."

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Chairman Unruh said, "Okay, and we are understanding some of those issues, but we thank you for your willingness to be here."

Ms. Phillips said, "Thank you."

Chairman Unruh said, "And was anyone else with you?"

Ms. Armstrong said, "Yes, I have a city councilwoman that is here also and she would like to express some thoughts please. Her name is Lorraine Martin."

Chairman Unruh said, "All right, would you please step to the podium."

Ms. Lorraine Martin, City Councilwoman, City of Bentley, greeted the Commissioners and said, "Well I have something written up but since you guys have already talked about that, I can't speak for all council members, but I have been asked to come in and speak at this meeting about having a full-time fire department in the Bentley area. The level of expertise these guys have shown and the community involvement that they have exhibited when they are in Bentley has been a great asset to our community. We have several elderly people in our community and it's nice to know that we have first responders within five minutes.

About six months ago I was widowed and I did not have the piece of mind that I do now with these firefighters being fire responders. I dare say if we would have had their level of expertise at the time of my husband's death, he may be here standing right beside me asking for the same thing. Appreciate it."

Commissioner Winters said, "What was your name again?"

Ms. Martin said, "Lorraine Martin. I've serve on the council in Bentley for two and a half years now."

Chairman Unruh said, "Okay, thank you for your comments. Okay, we . . go ahead."

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Mr. Charlie Peaster, 9505 N. 135th St. W., Sedgwick, Ks., greeted the Commissioners and said, “Commissioner Unruh, you’re aware that I’m Charlie Peaster and that I also live in that area and if she wanted somebody to speak, why . . . just so you guys know that what you did when you put the fire station over there made a big difference because they, other than like she said, it would have been probably 20 minutes before they possibly could have gotten there, not being north of the river, with the bridge being shut like it was.”

Chairman Unruh said, “All right, thank you very much. We appreciate you all being here and expressing this concern, and we understand that it’s an important issue to you and we will take it into consideration as we make our future plans. Thank you very much. Can we have a motion to receive and file these remarks.”

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

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

Chairman Unruh said, “Now commissioners, I think we’re ready to take an off agenda item relative to the management contract.”

MOTION

Commissioner Winters moved to consider an off agenda item concerning the management of the Sedgwick County arena.

Commissioner Norton seconded the motion.

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

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VOTE

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

Chairman Unruh said, “And Mr. Ron Holt is to present this to us.”

OFF AGENDA ITEM

AGREEMENT WITH SMG, A PENNSYLVANIA GENERAL PARTNERSHIP, TO PROVIDE PRE-OPENING CONSULTING SERVICES AND MANAGEMENT SERVICES FOR THE NEW DOWNTOWN ARENA AND THE KANSAS COLISEUM.

POWERPOINT PRESENTATION

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, “I am . . . every time I get up here I mention this, I am technologically challenged, but we’ll make this work if you bear with us. Thank you. I’m here today to review for you and ask for your approval of the management agreement with SMG to operate and to manage the new Sedgwick County Arena in downtown Wichita.

In the last quarter of 2006, the county solicited proposals for the provision of management services for the Sedgwick County Arena, including the remaining facilities located at the Kansas Coliseum. Through a competitive selection process, an evaluation committee consisting of county staff, management and private business representatives recommended that SMG be selected for this job.

On December the 7th, 2006 the Board of County Commissioners approved a recommendation of the Board of Bids and Contracts to negotiated a contract with SMG and in the months since that time the county staff, aided by outside legal counsel and outside arena management counsel, have been working on and negotiating the agreement that is before you for consideration today. I would like to mention that here today representing SMG is Gary Desjardins from Oklahoma City. Gary is the General Manager of the Ford Arena in Oklahoma City and will be actively involved in the early stages working with us on this agreement if approved today.

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The negotiating team is outlined on this sheet and while you see myself as the team leader, County Manager Bill Buchanan, Chris Chronis our Chief Financial Officer, Mike Pepoon our Assistant County Counselor, Stephanie Knebel the Manager of Project Services, John Nath the Kansas Coliseum Director, Troy Bruun, the Deputy Chief Financial Officer, Chad VonAhnen Director of Community Relations from the Communications Department, Jeff Brown outside legal counsel with Triplett, Wolf Garretson and Rich Oriolo who was outside arena management counsel with Stafford Sports. We all played an important and key role in negotiation of this agreement, but I would like to give just added recognition to Chris Chronis, the Chief Financial Officer, Mike Pepoon, the Assistant County Counselor and Jeff Brown, our outside legal counsel who really did carry the bulk of the work on working out the nitty-gritty details, making sure that all of the details that we were concerned about had been fully vetted, reviewed, discussed and worked through on this contract.

We believe that the agreement before you today is somewhat unique, since as we will cover in a few minutes, it relieves the county of any risk for operating losses at the new arena. That was a major goal of ours and we believe it has been accomplished and accomplished successfully in this contract.

The agreement contains separate requirements for SMG to number one, provide pre-opening services from now until the arena opens. SMG will provide services during the pre-opening period, while the arena is being planned, designed and constructed. As we'll also present a bit later, SMG has already been actively engaged with us during the construction documents phase of the arena design process. Secondly, SMG will provide management services for the pavilions and other facilities at the Kansas Coliseum and third, SMG will provide services for the new Sedgwick County Arena in downtown Wichita.

The term of the agreement will extend from August 1, 2007 through December 31 of the fifth full year following the first public event conducted at the new arena. Now the pre-opening services, term extends through September 30th, 2009 and although SMG has been working with us since us since January of this year on the construction documents we are, as you will see here, recommending for payment purposes we only go back to May 1, 2007 for their management fee regarding pre-opening services and we'll be talking about that more a bit later.

When we were in the final stage of completing the construction documents, SMG was onboard, fully onboard, has reviewed those documents, had input on those final documents so that as the operator they fully understand what went into the construction development of this project.

The pre-opening services could be extended if for some reason the arena doesn't open on October

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the 1st, 2009. The term for the management of the pavilions and the other facilities at the Kansas Coliseum would commence at the latest and I think the site there says on or before, no later than January 1, 2009. The county does have the option on this portion of the agreement to terminate it at any time and for any reason, with a 90-day written notice to SMG. However, the agreement also provides for this term to be extended for an additional five-year period at the end of the initial term of the agreement upon mutual agreement of both parties.

The term for the management of the new arena will extend from the time of the first public event and now that's anticipated to be October 1, 2009, and will continue through December 31, again of the fifth full year. As such, the contract is expected, if all things come together as planned, to expire December 31, 2014. That's the fifth full year following the first public event should it be held October 1, 2009.

This agreement also provides, or this portion of the agreement also provides for this term to be extended for an additional five-year period at the end of the initial term of the agreement upon mutual agreement, or it renews automatically if the county receives more than \$1,700,000 in the aggregate during the initial term of the agreement.

The agreement provides for SMG's compensation to be determined in unique ways for each of the three service areas. SMG's fees for pre-opening services total \$200,000 to be paid monthly over 26 months, as I mentioned earlier, beginning May 1, 2007 and ending September 30th, 2009. The fees are for SMG to provide pre-opening operational and management services including a number of items that's in an appendix to the agreement, but one of those items is that they will include . . . I raise this because it's been a point of discussion throughout the arena project, that they will include a written market analysis or feasibility study at no cost to the county for the future use of Britt Brown Arena by June 1, 2008.

Secondly, they will be providing pre-opening design, development and construction review services, again which they've already been involved with and it's the reason that a portion of the schedule, fee schedule is to be retroactive to May 1, 2007.

And finally, they will be providing consulting services related to furniture, fixtures and equipment for the new arena. If the new arena does not open on 10/1/09 then we would be obligated to continue to pay \$8,000 per month to continue these services each month, pay that amount each month until the arena does open. The county is also obligated to fund the pre-opening costs, which are estimated to be approximately 1.5 million during the next 26 months or so.

SMG will receive 5% of gross revenues of the Kansas Coliseum facilities and will not be responsible for any operating losses at the Kansas Coliseum. The county will retain all net

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operating profits at the Kansas Coliseum and the county will be responsible for capital improvements and capital equipment purchases for the Kansas Coliseum.

SMG will receive a portion of net profits of the new arena and here is a significant and key portion of this agreement, however they will be solely responsible for funding any operating losses incurred at the new arena.

The net operating profits at the new arena will be distributed as follows: first SMG will recover any net losses incurred in the prior year from those net profits; secondly, after recovery of prior losses, SMG will receive the first \$450,000 of net profits; then in those years where there's been capital expenditures incurred in amounts greater than \$250,000, the county will be reimbursed for those expenses from the net operating profits; then the county receives the next \$450,000 of net profits; and finally, if there are any remaining net operating profits, the county will receive 60% of those profits and SMG 40% of those profits.

Again, I'd note that the county will be responsible for capital improvements and equipment, but again the key point here is that SMG is responsible for net operating losses. This was a major goal in the development of this contract and we believe we have very successfully accomplished this goal. I would also point out to you that the county will receive 100% of the revenues derived from any naming rights for the new arena, so any naming rights revenues that we get have not, or will not be included . . . or will not be used by SMG to cover any operating losses that might be incurred.

The next major point is the Kansas Coliseum employees. They will continue as county employees until SMG assumes management of the Coliseum and that would be January 1, '09 or earlier should we get to that point. They will be provided an opportunity to become employed by SMG and then once SMG assumes management responsibility, again on or before January 1, 2009, all remaining employees at the Coliseum will become SMG employees. I think a key point here is that we will have plenty of time to work with our employees out at the Kansas Coliseum so that they would clearly understand how their pay and benefits match up . . . at the county, would match up with what that pay and benefit plan would be for SMG and then they would have plenty of time to make an informed decisions about whether or not they wanted to continue in the entertainment venue business and if so, would then work through and with SMG to continue that employment.

The other thing it gives us time to do, that should they elect not to want to stay with SMG, we would have plenty of time to work with them to look at other employment opportunities that might be available with them here or for them here at the county.

Commissioners, I believe these are the key important significant points of this agreement. We would ask that you approve the agreement and authorize the chairman to sign. I would be happy to answer any questions, and I just want to make sure Chris Chronis is in the room, because I may

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defer most if all of those, depending on how tough they are, to Chris.”

Chairman Unruh said, “All right, well thank you Ron for that presentation and we do have questions. Commissioner Parks.”

Commissioner Parks said, “Yes Ron, I’d like to say that I did meet with Ron for 35 or 40 minutes this morning. Hopefully, those 35 or 40 minutes won’t come into this meeting now. I’m just going to hit some high points that I wanted to discuss. On 2.5, particularly like b, c and d we’re paying the \$200,000 for the pre-opening. Is that on top of the 1.5 million or kind of go over that for me and clarify that a little bit more.”

Mr. Holt said, “Yes, commissioner. The pre-opening . . . there’s a list of pre-opening services and tasks that will be performed during this next 26 months. They are delineated in appendix b, c and d I believe. For the performance of those tasks, there’s a \$200,000 management fee. Then on top of that, there would be a budget related to putting those services into place, which is now estimated to be 1.5 million dollars. But that is reimbursement of expenses related to the pre-opening services and task. The \$200,000 would be the management fee to SMG for carrying out, for performing those tasks.”

Commissioner Parks said, “Okay, thank you. And on page 10, the replacement equipment that is in that document there, I do realize that from attending the tax oversight committee meeting the other day, there could be a possibility of 1.8 million left after the pavilion improvements at that north site and I think this is something that we’ll probably address later as a county commission, that I would like to keep that on a separate line item, but that’s just something in the future that I think we would need to look at because of where we said we were going to spend the money and getting that project done.

On page 12, 4.2 Ron can you give me an example of the 5% override on that?”

Mr. Holt said, “4.2 is fees with respect to the existing facility. That’s the 5% of operating revenues that would be paid to SMG, as their fee for operating the facility. Right now, our experience at the pavilions, at the Coliseum for the pavilions, excluding Britt Brown, is that operating revenues run

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around is that operating revenues run, this is very round numbers, around \$500,000 a year. That would mean that SMG then would be paid, if those in any given years that those expenses or operating revenues were at the \$500,000, they'd be paid 5% of that, which I believe is \$25,000 management fee. Now any net profit that would be above . . . that would be generated there, all of that would come to the county, any net lose that would be generated at the Coliseum would also be the responsibility of the county."

Commissioner Parks said, "Okay. On page 13, the net profit, does that include the premium seating on the project?"

Mr. Holt said, "It does include premium seating. Page 13 is fees with respect to the new facility, and that's where we talk about how the net operating profits will be distributed. Those included in the consideration of net operating profits would be any revenues, income from premium seating. However, I'll just reiterate again, revenues, income from naming rights would not be included in the net operating profits of the new arena."

Commissioner Parks said, "Okay. On page 14, I know this is . . . we're a week away from knowing some outcomes on this, but on II on page 14, I guess I just have a little bit of trouble with that even being tied to casino or another facility that's in the neighborhood, but if there's some explanation that you want to give on why that's in there and whether that was SMG's . . . a driving force for them, or the county, and the negotiation on that."

Mr. Holt said, "The reference that Commissioner Parks is making to that page 14 item has to do with this agreement would be open to renegotiation with SMG should we have a public indoor facility that seats 5,000 or more or should we have a casino entertainment venue that would seat 2,500 or more. Early on in our discussions with SMG there had been this discussion about a new arena in Park City by Mr. Hartman for his football team and later on in our negotiations came the casino discussions. SMG operates in a number of markets across the country. Some of those markets have casinos and other public indoor facilities. Some of them do not. It's their experience they tell us that any facility that is casino related, entertainment venue that's casino related with 2,500 seats or more or any other public indoor . . . any other indoor public assembly facility with seating of 5,000 or more causes considerable amount of competition for the business and of course, if they're going to have sole responsibility for operating loses, they want to know certainly what their competition is and that's why that clause is in the agreement and why we were fully in agreement with do that."

Commissioner Parks said, "Okay. I would just like to comment on the back side of that that I will probably be following former Commissioner Burtnett's vote in December of 2006 on this issue and other discussion."

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Chairman Unruh said, "All right, is that all for now?"

Commissioner Parks said, "That's it."

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

Commissioner Welshimer said, "Ron, you mentioned \$500,000 gross, that's just the pavilions, not Britt Brown income."

Mr. Holt said, "That's correct. That's a round number, looking at our history, our track record at the pavilions."

Commissioner Welshimer said, "What's the net on the pavilions, do you have any idea?"

Mr. Holt said, "I don't have that number because the way . . . we certainly keep revenues separated at the Coliseum Pavilions versus Britt Brown, but working employees back and forth in both places, at this time there's not a clear delineation. We look at those total costs, but the reason I mention that is that the fee to SMG for the Coliseum is only based on the operating revenues."

Commissioner Welshimer said, "Well even after we develop the parking plan for the Coliseum area, we even at that have a \$500,000 loss a year, isn't that right, on the pavilions and Britt Brown?"

Mr. Holt said, "I . . . just to restate the question so I'm clear in my head, at the Kansas Coliseum over the past few years we have had significant net operating losses if you will, at the Coliseum. In 2008, we were proposing a significant parking fee there that would in essence wipe out that operating fee for 2008. You approved adding a facility fee, but not adding the parking fee and yes, I believe that our end result there was that in 2008, at the Coliseum complex, which includes the pavilions and Britt Brown, that we are anticipating a 500,000 . . . the need for a \$500,000 operating subsidy."

Commissioner Welshimer said, "Well I'm a little concerned about SMG including the pavilions in their management and I think if we add that 5% to the cost, I think we're just coming up with another \$25,000, but you may be able to explain that one."

The other thing is is that in this report, I believe in the last report we had on the parking study for the arena that the current assumption or plan is that every event will have its parking planned.

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There will be a different parking plan for each type of event. I'm wondering, if there is nothing in this contract about that. Is that going to be a separate contract with SMG, apparently is going to take that over, be responsible for making those parking plans with each event?"

Mr. Holt said, "We will be working, as a part of the pre-opening services, we will be working with SMG relative to how arena event related parking will be handled at the new arena. In exhibit B, item number nine on page B-1, it says that part of these pre-opening operational tasks will be recommend strategies and relationships for parking ticketing and so forth. So during the pre-opening time, we have a lot of work to do, not only on parking but on ticketing and on other items to be ready to open the arena and to have the arena operate after it opens in '09."

Commissioner Welshimer said, "Would you expect that when those decisions are made, SMG doing the parking plan each time, that they would accept the liability too for the parking too, so that the county is not in that position?"

Mr. Holt said, "All of those kinds of issues would be worked through, commissioner, and the operating of the new arena, the reason one of the aspects of them having sole . . . SMG having sole responsibility for operating loses is that they have sole responsibility for operating the arena, and while we will certainly be interacting and be talking and be keeping commissioners informed about what the plans are and how they're going forward, all of that detail will be worked out.

I might just remind the commissioners that one of the reasons that SMG was selected back in our review process in the fall is because of the references that we got from them and in the communities where they operate, they operate not as outsiders, but as a significant and incorporated part of the community and we would expect the same here."

Commissioner Welshimer said, "Well I would hope so, because if they're going to take over the pavilions, the pavilions are a little bit different. They're not just events, they're community activities there and I think we need management over that, that is understanding of the needs of the community."

Mr. Holt said, "That's correct, commissioner and I would just add . . . I would remind us that their responsibility at the new arena is they have responsibility for operating loses, and consequently the

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data they operations management. Their responsibility at the Kansas Coliseum is that they will be paid a management fee, so in essence the operation of the Coliseum will continue much as it is today, relative to the coordination and the relationship to those events out there and back to the commission. They, SMG, will only be paid a fee for operating that but it was the county's view in the very beginning of this, that we felt operating these two facilities in concert with each other because of the synergies that would be offered for operating expenses, as well as operating revenues for marketing and that sort of thing, that it made all of the financial as well as day-to-day operational sense, to have those facilities operate under one management group."

Commissioner Welshimer said, "Okay, that's all I have. Thank you. Thank you Ron."

Chairman Unruh said, "Okay, thank you commissioner. Commissioner Winters."

Commissioner Winters said, "Thank you very much. Ron, well I want to say thank you to you for being the leader in this negotiating team that we put together from Sedgwick County's viewpoint and want to say thank you to all of those who served on that negotiating team and for the time, effort and work that they put into this.

I think, you know from early on there were, at least speaking for myself, as we listened to the community and as we responded to the positive vote that was taken in 2004 and still, as we listened to some of those who had concerns about us moving forward with this project, one of the things that we continually heard was arenas are going to be money losers and there's going to be money loses and Sedgwick County is going to be on the line for those losses.

And I think at that time a number of us started thinking about and talking about if we could work with the right company that we would be willing to let the right manager share in the upside, if they would be responsible for the downside. And it appears to me that that is exactly what you and the negotiating team have come up with, is a contract with a nationwide, worldwide company that's in the entertainment business who has said they will be responsible for covering the operating losses of this arena if they can participate in the upside and I think they have stepped forward and I am just so pleased that SMG sees the opportunities here in Sedgwick County with this arena and I would have to think that this contract clearly demonstrates their confidence.

So I am excited about moving forward with a company like SMG. I think they have connections in the entertainment world and venue that is going to be a huge plus for this community and the only way that I see that they can make their financial objectives is to have a lot of activity in that

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building. There's got to be a lot going on for them to put up with a contract like this and I'm excited about working with SMG. I think the team has done a great job and I again want to thank our negotiating team, but I also want to thank SMG, because I'm going to be very supportive of this contract. Thank you."

Chairman Unruh said, "Commissioner Norton."

Commissioner Norton said, "Well I'm going to be supportive too and as I hashed through all of it and went over it with Ron and staff and everything, I really didn't have a heck of a lot of questions and some of them have already really been answered. One thing I would like to do though is once we move forward on this and kind of understand that this is locked up and the subsidies may not be needed, we put some money aside in the arena project for some operating subsidies in the future and I'd like to get some information on revisiting that and see how this affects that thought process that we had two years ago, as we went forward.

Because there was so money that came out of the arena tax that was going to be available for the first few years, subsidies and everything. And there's been a lot of dialogue in the community, oh that's all dried up and you've taken all of it and put it into the building of the arena and where is that at. I think now, with this, that gives us a chance to lock and reload and re-look at that and let you give us a report on now where is the arena monies, what does that look like, how much is really left for parking, how much is left for reserve, how much is left for capital improvements. I don't know that I know that off the top of my head. I think that's the next conversation, once we get past this, so could we do that at some point Ron?"

Mr. Holt said, "We can do that. I would just beg your indulgence to let us do that in the early October timeframe. The reason being the bids on the arena construction part comes back in in mid to late September. We will then have . . . that's a significant piece of information that has impact on the budget and then soon after that we would be fully prepared to come back and say 'here's how the budget lines out now' and you then, commissioners, can make some decisions about earmarking, specifically earmarking or not certain items if you elect to do that."

Commissioner Norton said, "Hopefully by then we'll also know naming rights and how much money that's going to be and some other key details. I don't have a problem with waiting until then. I think the public would like to hear it more, but it really makes sense to let the big contract first and then see what's left but I think that's a dialogue we have to have, because it's been out in

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the public. I think people have worried about that on kind of how we've moved along with the project and I think we need to know that so we can articulate it to our constituency of we had to move some things around but here's what's left for subsidy, here's what's left for capital improvements, here's what came out of naming rights, here's how much we anticipate that we will have to spend for parking or other things and I don't know, there's been so many moving pieces recently, I don't know that I have a perfect handle on that, and as we get more information, it will maybe clarify that, but I'd like to have that at some point."

Mr. Holt said, "Yes sir."

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

Chairman Unruh said, "All right, thank you. Well my comment is that first of all I'm going to be supportive of this agreement with SMG and I also want to express, as others have, appreciation Ron for your leadership and Mr. Chronis and Mr. Pepoon for your activities on behalf of the county to come up with what is I think a very favorable agreement that does . . . the primary thing it does to satisfy a lot of us that are concerned about how the money is going to flow is that it keeps us out of the loss side of the operation of the arena. It puts all that responsibility on SMG and I know that they did not take that responsibility or make that agreement without doing considerable market research, looking at our community and the surrounding area, looking at the size of the arena and its feasibility and viability for producing a profit for them. They're not a successful national company for making dumb mistakes, and so I am fairly confident that they think this is going to be successful and they're going to be able to go forward and make a profit and our citizens are not going to be faced with the prospect of looking at net operating losses and subsidizing those going forward. So I'm encouraged by the agreement and encouraged very much by that fact.

And also by the fact that we're involving this company in the pre-opening planning and the negotiations. This appears to me very much like a true partnership, in that we're bringing someone into our community who wants to go forward and make this successful for financial reasons, but also it appears that they're looking forward that they want this to be successful for our community at large, so I'm very pleased at the whole aspect of it.

On another comment, or issue however I wanted to ask Commissioner Parks about his last comment, that you said you were going to be following a former commissioner's vote, and so commissioner if you would, could you explain that to me? I don't . . . you lost me there."

Commissioner Parks said, "Well, just that a first vote to get SMG on board was back in December of '06 and that was the vote I was referring to."

Chairman Unruh said, "And that vote, by the former commissioner was?"

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Commissioner Parks said, “No vote.”

Chairman Unruh said, “And your reason . . . that implies you’re going to vote no on this.”

Commissioner Parks said, “It’s not for the same reasons. I think that you know 90% of this contract is great. I think that having us out of the loss column, it positions us to do that. I think staff has done good work on it, but it’s just those few items that I mentioned in my comments that I think with the \$200,000 and the 1.5 pre-opening, there’s just some things in there that I can’t agree with.”

Chairman Unruh said, “Okay, thank you. Well that helps me understand your position and I’m going to be supportive. I think we’ve got a good agreement working here. Commissioners, I don’t see any other requests to speak, questions or comments, so . . .”

MOTION

Commissioner Winters moved to approve the agreement with SMG 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	No
Commissioner Welshimer	No
Chairman Unruh	Aye

Chairman Unruh said, “All right, motion carries. Thank you, Ron. Thanks for the good work. I think, Madam Clerk, this time we’re ready to return to our regular agenda so if you’d please call the next item.”

PUBLIC HEARING

D. AUTHORIZATION FOR THE COUNTY MANAGER TO PUBLISH A

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NOTICE OF HEARING ON THE RECOMMENDED 2007 SEDGWICK COUNTY BUDGET.

Mr. David R. Miller, Director, Budget Department, greeted the Commissioners and said, “As part of the budget process, state budget laws require us to public a notice of public hearing and adoption a minimum of 10 days prior to the scheduled date, which for us is August 15th at 9:00 a.m. in this room. The publication also sets the maximum property tax levy that can be used to fund the 2008 budget and on budget adoption day we cannot exceed that maximum property tax levy without republishing the budget, hearing notice and holding an additional hearing prior to the budget adoption.

Consequently, I ask you today to authorize the publication of the public hearing notice, setting our final public hearing and budget adoption date for August 15th at 9:00 a.m. regarding a recommended budget of \$371,433,581, which includes a certified budget of \$255,012,317, and a maximum property tax levy of \$125,839,525, which is equivalent to 31.315 mills. I’d be happy to stand for any questions.”

Chairman Unruh said, “All right, thank you David. And this procedure that we’re into right now is state mandated.”

Mr. Miller said, “That’s correct, Chair.”

Chairman Unruh said, “And this is all part of the check and balance system, so that we do things properly, decently and in order.”

Mr. Miller said, “Yes sir.”

Chairman Unruh said, “All right. Commissioner Parks.”

Commissioner Parks said, “Well I just wanted to say that certainly we’re going to follow the state procedures on this, but this is last day up and I would urge any citizens that had any comments about the published budget, read it, study it, bring us our . . . the information back that you would have or the input you have. Historically, a lot of these budget meetings aren’t well attended and I would like to say that if you have strong feelings about it, either call, for myself, call me or call your representative in your area. That it’s just a good thing to have public input on these meetings. Thank you.”

Chairman Unruh said, “Thank you. Commissioner Welshimer.”

Commissioner Welshimer said, “This \$125,000,000, that’s the additional amount of money we’re

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picking up in revenue from Ad valorem tax valuation increases, is that correct?"

Mr. Miller said, "That's correct, it doesn't result from an increase in the property tax rate, but the increase in the assessed valuation of the property within our community."

Commissioner Welshimer said, "But the vote on this today will be simply to authorize the County Manager to publish a notice of public hearing on this issue."

Mr. Miller said, "That's correct."

Commissioner Welshimer said, "Okay, thank you."

Chairman Unruh said, "David, Commissioner Welshimer said this was an additional ad val . . . tax . . . it's not an additional taxes. That's just what the Ad valorem mill levy amounts to."

Mr. Miller said, "That's correct, yes, yes."

Commissioner Welshimer said, "This is not, the \$125 is not the increase."

Mr. Miller said, "The \$125,000,000 is included within the recommended 2008 budget to fund the budget as a whole. It doesn't mean that it's an increase of \$125,000,000 from the previous year if that's what we're attempting to indicate."

Commissioner Welshimer said, "It seemed like a lot for that, yes."

Chairman Unruh said, "But what that is is that is what we expect our Ad valorem mill levy to produce."

Mr. Miller said, "Yes sir, at the 31.315 mill rate."

Chairman Unruh said, "Which is the same rate that we have this year."

Mr. Miller said, "Correct."

Commissioner Welshimer said, "Do we know how much of that is an increase?"

Mr. Miller said, "Right now, we anticipate the increase in the assessed valuation which produces the increase in the property tax levy of being 5.9%."

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Commissioner Welshimer said, "Of 125? 5.9% of \$125,000,000?"

Commissioner Winters said, "No."

Mr. Miller said, "No. Let me put it this way. Last year the assessed valuation was \$3,793,419,298. For the 2008 budget we have an estimated assessed valuation of 4,018,414,615 and that's a 5.9% increase."

Chairman Unruh said, "Okay, that's the right answer. Thank you."

Mr. Buchanan said, "Excuse me. That increase includes two elements. One element is increase of assessed valuation of existing properties, really includes three elements, increase the assessed valuation of existing properties, the second increase is new construction, the third increase is moving property from one category, from ag to commercial properties. So two of . . . there are three elements that create that 5.9% increase."

Mr. Miller said, "And to clarify the manager's comment, what we've seen in this assessed valuation increase is that the new improvements comprises 52% of the overall increase so it's a significant portion of that."

Commissioner Welshimer said, "I'd like to have a breakdown of that in dollars, rather than percentages. Thank you."

Mr. Miller said, "Okay."

Chairman Unruh said, "All right, thank you commissioner. Commissioner Norton."

Commissioner Norton said, "Well we've had that conversation, I just wanted to be sure the public knew that the \$371,000,000 budget is not all personal property taxes. It is only \$125,000 [sic] of that is personal property taxes. The remainder of that budget comes to us from state grants, federal grants, revenues that we get and fees that we get from what things that we do. So the idea that our whole budget is weighted on property tax is not true because we do get sales tax monies, we get federal grants, we get a lot of other revenue streams.

Having said that though, the \$125,000 . . . \$125,000,000 is an extremely big number that we're concerned with. That tends to be the money . . . I don't want to say that we can move around and play with in a budget, but we have a little more ability to change some of that. If you look at like a

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COMCARE budget, which is huge, it's \$42,000,000, very little of that is property tax. Most of it is federal grants, user fees, state grants, Medicare reimbursements. You're not going to do much with that \$42,000,000 that's in our budget. In fact I think as I remember only about \$2,000,000 of it is property tax generated. So as we look at that number, that is the number that you really have to focus on because it relates directly back to the mill levy.

The mill levy that is stated here could go down. Is that correct?"

Mr. Miller said, "That's correct. If the assessed valuation came in at a higher level than what we're anticipating today on November 1st, when that is actually finalized, the property tax rate could be lower."

Commissioner Norton said, "The number that is a hard number is the number we budgeted, so that the rate could go down based on the rate being applied to the appraised value. Is that correct?"

Mr. Miller said, "Correct, but the property tax levy would remain the same."

Commissioner Norton said, "The levy would remain the same, the rate could go down, depending on what that is. It could drift back up, if we overestimated too. Is that correct?"

Mr. Miller said, "That's correct."

Commissioner Norton said, "So this is the state standard, this is how we are to communicate to the public what we intend to do. These numbers cannot go any higher, but they can go lower, as we go into the public hearings, we analyze the budget more, we get more information from the manager, as we make policy decisions, that number could go down, dollar-wise and mill levy-wise also."

Mr. Miller said, "That's correct."

Commissioner Norton said, "Okay. I think it's just important that every year we talk about that because I don't know that the public always understands what the last up day is and how that big number is affected by a mill levy rate and appraised value."

The other part of it, and I tend to agree with Commissioner Welshimer, I don't know that we always understand what part of the increase in evaluation is from the appraiser reappraising some properties and how much of it is from the movement from a certain category to another and then all

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the new growth. Truthfully, in places like Johnson County and places that have extreme new growth, so much of their property tax levy and increase comes out of all that new growth and I hope that we can stimulate that here in our community, so the burden doesn't fall on older homes that have that growth, but that it comes from new building and it would be interesting to see that relationship. I think Commissioner Welshimer is right. We need a little more information on that so we understand that balance.

I think most people think 'Well, you've raised all my valuations, my property has gone up and I'm paying all that load' but every time a new house is built, a new commercial property, a new industrial property, that's new people sharing the load so it's not really only folks that have owned property in previous years that pay the whole burden of that and I think we need to understand that a little more as a commission to be sure we can articulate that. So I'm going to be in favor of voting on this and going to the public hearing today, knowing that it won't get any higher and depending on our decisions in the next couple of weeks, it could go lower. That's all I have, Mr. Chair."

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

Commissioner Welshimer said, "Well I think you could debate the new properties going on the tax roll quite a bit. They're going to include the valuation increase from the beginning, so they would have gone on the rolls probably the year before at least. But and also your state and federal funds and grants that come in, we'll we're all paying state and federal monies too, and so I'd like to look at what we're spending in total.

The valuations going up and the mill levy going down, how often have we reduced the mill levy over the last, let's say, 15 years?"

Mr. Miller said, "I don't have that number on my right now with me, Commissioner. What you'll see if you look at those numbers is you'll see, because when the budget is adopted we don't know what the assessed valuation is actually going to be so . . ."

Commissioner Welshimer said, "I think I looked at this once and I think that it went down a half a mill, maybe a little more than half a mill once and so we haven't been in the habit of reducing the mill levy when the valuations go up. I understand the situation when you look at the budget and all the responsibilities we have, but on the other hand I'd like to see us get more interested in doing that, reducing the mill levy when the valuations go up if we can get ourselves to that point. Thank you."

Chairman Unruh said, "All right, thank you commissioner. Are there any other questions or comments of Mr. Miller? I don't see anyone asking to speak. What's the will of the board?"

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MOTION

Commissioner Winters moved to authorize the County Manager to publish a notice of hearing regarding Sedgwick County's 2008 budget of \$371,433,581, the total budget includes a certified legal budget of \$255,012,317 with a \$125,839,525 Ad valorem tax levy, which approximately equivalent to 31.315 mills, subject to review and technical adjustments and establish August 15, 2007 as the final hearing date on the recommended 2008 Sedgwick County Budget.

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, "Now commissioners, I think that I will recess the regular board of county commissioners."

E. RECESS TO THE FIRE DISTRICT #1 MEETING.

The County Commission was recessed at 10:15 a.m. and returned from recess at 10:22 a.m.

Chairman Unruh said, "I believe that we are ready now for agenda item F."

PRESENTATION

F. PRESENTATION REGARDING SEDGWICK COUNTY QUARTERLY

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FINANCIAL REPORT FOR THE PERIOD ENDING JUNE 30, 2007.

POWERPOINT PRESENTATION

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, “We have previously delivered to you this document, which will be on the county’s website soon, if it’s not already out there and it is a quarterly financial report for the period ending June 30 of 2007, which represents the six month point in the county’ fiscal year. In that report, as you know from the detailed reading that you’ve given it already, is a series of narratives explaining the budgetary status of our various revenue sources and expenditures and the various funds in the county, as well as a report on the status of the county’s capital projects that are in process or approved and finally there is a complete set of financial statements for all of the county’s funds that are prepared in accordance with generally accepted accounting principles. That information is long and arcane and probably not very interesting to very many people who aren’t accountants or budgeteers, but nevertheless I think it is useful information for anybody who wants to know what the status of the county’s finances are halfway through the fiscal year.

I’m going to today to give you just a brief summary of the information that is contained in that report and I’ll be happy to answer any questions that you might have if I go into insufficient detail. First, we have a slide showing on the green bars the county revenues for 2007 year to date and for the two prior years and on the blue bars, the county’s expenditures for the same periods. We are showing on these bars not the amount of the revenue and amount of expenditure, but rather what percentage of the annual budget has been achieved to date. And I’ve chosen to do this because I think it’s particularly informative for people to understand that the county’s activity cycle, the cycle in which we receive our revenues, is substantially different than the county’s expenditure cycle.

We always, as you can see looking at these three years, we always receive most of our revenues in the first half of the year and that is principally because we receive most if not all of our property taxes in a series of distributions that culminate in a payment to us by the county treasurer in June of each year. And so we have received through June the 30th 77% of budgeted revenues for the year.

We have spent only 27% of budgeted expenditures. That is, as you see, a much lower percentage of annual budget than we typically have at this point in time and that is because this year we have a number of fairly substantial, multi-year capital projects that have been budgeted and the expenditures for those projects will extend through the end of this year and on into next year and perhaps the year beyond that and so that is the reason that we’ve only spent 27% of the total budget. Now in dollars, what we’re talking about here are 278.6 million dollars of revenue through June 30th of this year. That represents about an 11% increase over the revenues as of the same point a year ago. On the expenditure side, we’re looking at 180.6 million dollars of expenditure. That represents a 12% increase over the same point a year ago. So our expenditures are growing slightly

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more rapidly than our revenues. That's a manifestation of what I've termed a structural imbalance in a variety of discussions that I've had with you about the county's financial plan and our forecasts for the future.

But more significantly, our revenues are substantially greater than our expenditures at this point in the year. That will not continue to be the case as time passes. As we move into the last half of the year, we will spend some of that revenue that we've collected in the first six months and so for the last half of the year we typically see expenditures exceeding revenues.

Looking just at revenues and we have here a combination of single key revenues and significant categories of revenue. What you see here, primarily, is the significance of ad valorem taxes to the county's budget and to the county's financial system. Ad valorem taxes are far and away the single largest source of funding that we rely on and it is the funding source over which as you know you have the greatest amount of discretion.

Through six months of the year, we have collected 128.3 million dollars of property taxes. That is about 13% higher than the amount that we had collected at the same time a year ago. The reason that property taxes are up 13% is principally because the mill levy, the tax rate increased about 10% and the tax base, the taxable value that is assessed property taxes increased about 6%. The combination of those two things, those two features produces about 13% more revenue in 2007 than in the same period to time in 2006.

We also, although it's a little bit less visible, at the top of the chart we have significantly grown our investment revenue, from 2006 to 2007. Although it's a much smaller number, the first half investment revenue for 2007 is just under \$10,000,000 compared to about five and a half million dollars a year ago. The two primary reasons for that increase are one, the arena tax, which it is a growing funding source and a new funding source that is temporarily available to us until we start spending the money on arena construction, and secondly, a change in the yield on our investments over the past years. For a number of years in the first half of this decade, as you know, the rates of return that we were receiving on our investments were real low. At one point, we were averaging slightly over 1% on our investments. We are now getting about 5% on our investments and the growth in the investment yield is a significant driver in our investment income also.

The final point I want to make on this chart is in the middle of the chart the arena tax, which we are showing as a separate revenue source for you, even though technically it's just another sales tax. But again, this is a new revenue source for Sedgwick County as of 2006. You didn't see any revenue in the first half of 2005 from that source. We now are receiving a little bit more than \$40,000,000 each half year from that source and I'd be remiss if I didn't point out to you that as of

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today we have 153 days remaining before that tax will cease to exist, people will stop paying that tax, it will go away.

Now turning to the largest single revenues funding our budget. Ad valorem taxes once again are far and way the largest single source, producing a little over \$128,000,000 in the first six months of the year, which is 97% of the budgeted annual property taxes. The arena sales tax has produced \$42,000,000. That is about 51% of what has been budgeted in receipts from that source for this year and you see scanning down the chart the other significant revenues. All of these, these seven revenues amount to a total of a little over \$228,000,000 which is 82% of all of the revenue that the county collected in the first six months of the year. These seven single revenue sources produce 82% of all of the money that the county has to spend.

The two that are somewhat troubling, in that they are substantially below where you would expect them to be, halfway through the year, are Medicaid fees and state revenue from SRS. Medicaid fees are at 12.8 million dollars, only 36% of the amount budgeted. That is because the state has been in the process of changing the payment system, the software system that they use to pay Medicaid bills and they made a request to all of their key customers, one of whom is Sedgwick County, to slow down our billing in the second quarter of the year, in the period of April through June, as they were making that transition. In the third quarter of the year we expect to catch up, so we should see a surge in that revenue in the next several months. And SRS revenue, the revenue that we receive from the state for COMCARE principally is only 42 and a half percent of the budgeted total and that represents a change in the state's funding plans for the year.

Now turning to expenditures, what we're showing here are the total expenditures of the county and again, this represents \$180,000,000 more or less sorted by major categories. Personnel and contractual services are and as you see looking at the bars for the prior years, have been consistently the two largest sources of expenditure for county government. We are in the service business. We provide services either with our own labor, county employees who need to be paid, or with vendors with whom we contract to provide services. And so we don't buy very much stuff in the grand scheme of things we don't build very many things, capital outlay is relatively small compared to our total budget. And because we don't build very much in the grand scheme of things, we don't incur very much debt. Our debt service is relatively small. But you see here that personnel and contractual services are the predominate categories of expenditure.

Now looking to single items, salaries and wages have increased about 3.2% . . . well, not about, they've increased 3.2% in 2007 over 2006, through the first half of the year. Infrastructure construction is actually down about 23% from one year to the next. That's because we are taking on fewer projects, primarily roads and drainage makes up infrastructure construction, we are taking on fewer projects in the first half of this year than we did a year ago.

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Grant award are also down from one year to the next at 11 and a half million dollars and that is principally because of the COMCARE contract for Children's Therapy Services, which has been reduced in this year. We're providing those services in a different way rather than through the vendor that we used a year ago.

And finally design and architectural and engineering services are down about 9% from one year to the next. We paid the arena design team most of the money that we pay for design services last year, as opposed to this year and that explains that.

Land acquisition costs are significantly up. That is directly attributable to the arena. Retirement contributions are up by a fairly healthy percentage. That is attributable to the change in the contribution rates, that is dictated by the state and we've discussed those with you in prior discussions. And finally health insurance payments to vendors are up significantly from one year to the next. We paid out 11.7 million dollars for health insurance for employees in the first half of 2007. The reason that that is up substantially, 22%, is because we are in the transition period from our old system, the system that was in place a year ago when we had two vendors providing services to the current system where we have a single vendor providing services, and so in the current year we are paying that vendor for current services, but we are still paying the old vendor some carryover, some bills that remained active at December 31st that rolled into this year from services that the vendor provided last year, so that's kind of an anomaly in the way money gets spent, but it shows up as a significant increase in expenditures.

This is essentially the same slides that I showed you at the end of the first quarterly report. One of the key reasons that we monitor the budget is to determine which operations are on track to overspend their budgets. Our projections through six months of the year show that three county operations are in some difficulty. The rates of expenditure suggest that by the end of the year they may spend more money than has been allocated to their budgets. We think that all three of these situations are manageable and by the end of the year all will be well under control.

In the case of the sheriff, the expenditure is attributable to out-of-county housing and medical services for inmates. Out-of-county housing, as you know, we always under budget in the sheriff's office. We put aside a significant amount of money in contingencies in anticipation of the payment of out-of-county housing, but we don't transfer that into the sheriff's budget until we actually need to spend it. In the case of economic development, the over-expenditure is attributable to the payments that the county was required to make to REAP for the AirTran contract for the Kansas Affordable Airfares program which, because last year was the first year of this action, was an

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unbudgeted activity and we will before the end of the year transfer in sufficient spending authority to eliminate that.

And finally in Public Works this very minor overage is attributable to unanticipated costs for drainage occurring in the general fund for Public Works and again we expect that that will be addressed before the end of the year, and so there should be no departments exceeding their budgets at the end of the year.

Now when you combine revenues and expenditures with the beginning fund balances, you end up with the ending unreserved fund balances. The blue bars on this chart show those fund balance levels, the red dots on the bar, inside the bars, show the targets for minimum unreserved fund balance that have been established by county policy. We are significantly over the targets in each of these funds. That is a function of the county's case flow cycle. We receive most of our revenues in the first half of the years. We spend down those revenues in the second half of the year. The ending unreserved fund balance at June 30 is the highest point that it should be at any point in the year, and it will drop down as we move into the last half of the year. We expect to end the year, however, above the targets in each of these fund categories.

Now turning to county investments, at June 30 the county had an investment portfolio of \$356,000,000, consisting of the county's idle cash balances and undistributed property taxes that were being held for the county treasurer, prior to the distribution to the hundred or so jurisdictions in Sedgwick County that receive property taxes. As you know, the county is permitted to invest those property taxes prior to distribution and we use that investment income to defray the costs that we incur to collect the taxes on behalf of those jurisdictions. The portfolio is well diversified. As you see here, more than half of it is in federal agency coupons, but substantially less than 60%, our county policy calls for something less than 80% of the portfolio to be in agencies and you see the balance of the investments here.

I would point out that it's because the county has an approved state investment policy that we are allowed to diversify in this manner. If the county did not have that policy, state law would require us to invest all of our idle cash and undistributed taxes in either CDs or in Money Market accounts. . . oh, I'm sorry, the municipal investment pool that is managed by the state. In other words, we would not be very well diversified at all. We would be at substantial invest risk.

The investment yield, finally, is growing as I pointed out a little bit earlier. This chart goes back to June of 2005. It covers a two-year period. Two years ago, we were earning 3% on our money.

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Today, we're earning about 5%. You see the cycle on the bars, the cycle in the size of the portfolio also that's a reflection again of the revenue collection cycles. The peak periods for our investment portfolio always are in December, when property taxes are collected and then in June, when property taxes are collected once again.

That concludes . . . I'm sorry, that doesn't conclude the presentation. There's one less slide, identifying items that we have spent some time talking about with you and that you've spent talking about among yourselves over the past few months that may have some future financial impact and that we just want to keep on the front burner and I'm not going to spend a lot of time dwelling on these. You're well familiar with all of them. The jail expansion, we've talked with you as recently as a week or so ago about inmate reduction programs are a feature that we're discussing in the context of the budget that's before you. We've talked about workforce development efforts at Jabara complex and at WATC. The Storm Water Management program has produced a recommendation that has been brought to you and will be under discussion. That might require some additional revenue from the county in the coming year to the extent that we chose to implement those recommendations. Levy certification is a program that you're well aware of with FEMA and it has some budgetary impact that you're seeing in the 2008 recommended budgets, but more significantly to the extent that we go through that certification program and at the conclusion identify significant areas of improvement that are required in the county's levies, there are some cost implications for the future.

The Homeless Taskforce, as I understand it, is nearing completion of its efforts and they will be bringing recommendations to you in the near future that may very well have some cost implications.

The Wichita Downtown Development, the arena redevelopment program of the City of Wichita is something that has been discussed and I believe the city council received a presentation I think it was earlier this week, or maybe it was last week, on that. As I understand it, the arena redevelopment plan is estimated to cost about \$100,000,000 over a number of years. The city's proposal to pay for that is to use tax increment financing which means affectively about 30% of the cost of that program would come from diverted county property taxes that would have an impact on future county finances.

Gambling is an open issue as you know. It may have some revenue production for the county. It may have some cost implications for the county. We'll know better as the election pays out in the next week or two and then as proposals are considered by the state later this year. And finally, we've already talked about KPERS contributions and they continue to grow and continue to have a pretty dramatic impact on the county's expenditures.

Any questions about any of this presentation?"

Chairman Unruh said, "Thank you, Chris. We do have a comment or questions. Commissioner

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Parks.”

Commissioner Parks said, “The investment of the idle funds on the regular sales tax, where does that go and where is that shown?”

Mr. Chronis said, “By state law, the investment of any revenue goes to the county’s general fund unless there is a specific statutes directing that it be placed some place else. And so the revenue from the general sales tax goes into the general fund. The revenue from all investments goes into the general funds with a very few exceptions that are specified in state law.”

Commissioner Parks said, “Okay, so the arena fund would also fall into that category?”

Mr. Chronis said, “It does.”

Commissioner Parks said, “But the interest off those idle funds are into the general fund.”

Mr. Chronis said, “Yes.”

Commissioner Parks said, “Okay, thank you.”

Chairman Unruh said, “All right, thank you. Any other questions of Chris? I see no more questions. What’s the will of the board?”

MOTION

Commissioner Norton 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 Chris. Next item please.”

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Items G-1 and G-2 were switched due to order of procedures.

NEW BUSINESS

G. COMMUNITY DEVELOPMENT.

2. SETTLEMENT AGREEMENT AND LOAN RELEASE WITH OPTIMA BUS CORPORATION.

Ms. Irene Hart, Director, Community Development, greeted the Commissioners and said, “We’re taking item G-2 first and you’ll . . . and it follows and you’ll understand why. One of the purposes of economic development is to assist local companies to grow and prosper. To achieve this goal, the State of Kansas allows a variety of economic incentives that can be tailored to meet some of the specific needs of a company.

In 2004, one of our local companies, Optima Bus, approached the State of Kansas and local government which would be county government requesting assistance in getting through a critical point in their growth and development. The State of Kansas provided a forgivable loan in the amount of \$100,000 and the Board of Sedgwick County Commissioners in December of 2004 approved a 60 month economic incentive loan in the amount of \$100,000.

During 2006, Optima Bus, after continuing to operate and thrive, Optima Bus was purchased by the North American Bus Industries Company or NABI. Unfortunately, in June of 2007 NABI announced closure of the Optima Bus plant in Park City effective August the 8th, 2007. Moving their operations to NABI facilities in Anniston, Alabama.

A settlement has been reached in which NABI will provide \$50,000 in settlement to Sedgwick County to provide an opportunity to assist their former employees in furthering their career opportunities. In order to implement this agreement, the board of county commissioners needs to approve the settlement agreement and release of all known and unknown claims and liabilities. Ann Holman, representing Optima Bus, is here if you have any questions and I’d be happy to try to answer any questions you might have.”

Chairman Unruh said, “All right, thank you Irene. The negotiation for the settlement was accomplished by whom?”

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Ms. Hart said, "Your economic development staff worked with Optima leadership and accomplished that."

Chairman Unruh said, "Okay, thank you. Commissioners, are there any other questions? What's the will of the board? Oh, we have a question here from Commissioner Norton."

Commissioner Norton said, "The 50,000 figures out to be half of the original amount and they've gone through about half of the program, so in essence they used up the money for the first half of the contract and we're getting a rebate on the second half. That's kind of the way it figures out?"

Ms. Hart said, "Yes sir."

Commissioner Norton said, "Okay, and in the next item we're going to describe what we're going to do with the money that we're getting back, is that correct?"

Ms. Hart said, "Yes, sir."

MOTION

Commissioner Winters 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, "Next item. Excuse me just one moment, Madam Clerk. Commissioner

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Norton.”

Commissioner Norton said, “Well, this is one of those issues that as we do economic development kinds of things and we put some money in companies, there’s always that idea that there needs to be claw back provisions if something doesn’t happen the way we believe. And although we didn’t have that, this is what this ends up being is that we’re clawing back the money that was not used in the second part of the contract and I think the public needs to know that. Even though there wasn’t a claw back provision, there is an ability to do that with the company so that the county and the taxpayers aren’t footing the whole bill of what hasn’t been used, so just a statement before we move on.”

Chairman Unruh said, “All right, thank you commissioner.”

Ms. Hart said, “I’d also like to clarify it’s Amy Holman that’s here, not Ann Holman. If she’s going to come, I might as well say her name correctly.”

Chairman Unruh said, “Okay, good. Thank you. Now Madam Clerk, next item.”

1. AGREEMENT WITH WICHITA AREA TECHNICAL COLLEGE FOUNDATION FOR OPTIMA BUS SCHOLARSHIP PROGRAM AND AUTHORIZATION OF INTRA-FUND TRANSFER OF BUDGET AUTHORITY.

Ms. Hart said, “As you know, the Wichita Area Technical College provides a wide variety of testing, career counseling, remedial education, as well as instruction in a variety of professions. Through Wichita Area Technical College, students can earn Associate of Applied Science degrees, technical certifications and other kinds of certification required for employment in the modern workplace.

In recognition of the affect of the plant closure upon the employees of Optima Bus Incorporated, NABI, North American Bus Industries, requests that the settlement funds be used to provide scholarships for the more than 200 Optima Bus employees of record on the date the plant closure was announced. By using these scholarships, employees would be able to obtain certifications and upgrade their skills, enabling them to provide . . . to achieve greater success in the Sedgwick County workplace.

The agreement presented today for your consideration would become effective upon receipt of the settlement funds. Former Optima Bus employees would have up to two years to apply for and use

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the scholarship funds, which could be used for application fees, testing, books, materials, special course fees and remedial training if necessary for the employee to be successful in their chosen program. The scholarship program would follow the same policy and procedures used by the foundation for other scholarship programs. We will receive regular reports on use of funds and program results. At the end of two years, the scholarship program will close and Sedgwick County will be consulted regarding the ongoing disbursement of any remaining funds. Ginnie Cary from the Wichita Area Technical College is here to answer any questions you might have and I'll try to do my best."

Chairman Unruh said, "All right, thank you. Commissioners? Commissioner Norton."

Commissioner Norton said, "Go over that last line, Irene. I see Ginnie, but go over that last line one more time. We will be consulted in the distribu . . ."

Ms. Hart said, "If all the scholarship funds are not used at the end of a two-year period, then we'll sit down and talk and see and the county will be consulted as to the further use of those funds. There may be critical skills that the county wishes to support scholarships in, but it . . . we'll have some input into any remaining funds at the end of two years."

Commissioner Norton said, "Okay, we'll sit down and talk with who?"

Ms. Hart said, "Wichita Area Technical College Foundation."

Commissioner Norton said, "Okay, the money is not going to remain with NABI and then we discuss it with them. It comes all to WATC and then at that point, if there's monies left over, we discuss with WATC what we think the best use will be."

Ms. Hart said, "Yes sir."

Chairman Unruh said, "Well it goes to the WATC foundation."

Ms. Hart said, "Yes sir. The check comes to Sedgwick County. This agreement will transfer it to the WATC foundation."

Chairman Unruh said, "Okay. And the foundation is a relatively new entity and I have the privilege of sitting on that board and I will assure commissioners and everyone else that we're going to focus on providing technically trained individuals to support industry in this area and I think this is a very good use of these funds and a reasonable settlement of another economic development venture and now we get it into the training specifically designed for those displaced

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employees from Optima Bus and it seems like a very winnable situation for all of the parties. Commissioner Norton.”

Commissioner Norton said, “I guess my next question, I don’t want to hold us up long, but I understand that many of the people have already interviewed with Hawker and some other places and have already been placed. Do we have a realization of how many of the 200 employees will be in this pool to use this advantage money?”

Ms. Hart said, “Well all of them would be eligible.”

Commissioner Norton said, “Even if they’ve gone back to work and been placed in a job.”

Ms. Hart said, “Yes sir, anyone who was an employee of record on the date that closure was announced would have the opportunity to use these to change careers, to improve on their existing career.”

Commissioner Norton said, “Okay.”

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

Commissioner Parks said, “That was my question.”

Chairman Unruh said, “Okay, good. I don’t see other questions. Ginnie, did you want to say anything?”

Ms. Ginnie Cary, Vice President, Finance and Operations, WATC, greeted the Commissioners and said, “The only thing I’d like to say is that on behalf of the Wichita Area Technical College, we’re very pleased to be able to have this scholarship fund to provide the training or the retraining for the Optima Bus employees, so thank you very much commissioners.”

Chairman Unruh said, “Thank you. Any other comment, commissioners? What’s the will of the Board?”

MOTION

Commissioner Parks moved to authorize funding for the telephone costs for a Regional 911 Back-up Center.

Commissioner Norton seconded the motion.

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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, Irene. Next item."

H. DIVISION OF PUBLIC SAFETY.

- 1. ACCESS AGREEMENT WITH HUTCHINSON COMMUNITY COLLEGE (HCC) TO MAINTAIN AND OPERATE AN EMERGENCY COMMUNICATION DISPATCH TRAINING FACILITY NEAR PIONEER HALL, ON THE HCC SOUTH CAMPUS.**

Ms. Diane M. Gage, Director, Emergency Communications, greeted the Commissioners and said, "I have an access agreement before you today for use of the backup site for the South Central Regional Council for the Department of Homeland Security, which built a backup 9-1-1 center on the Hutchinson Community College South Campus. It's a six-position dispatch center which is open for use for anyone in the 19 county South Central Regional Area for Homeland Security. We anticipate that if we were ever to use this, it would serve either as a tertiary backup site for us should something happen where we couldn't occupy our current building and our backup site or if we wound up in our backup site up at the law enforcement training center that we could use this as a supplemental dispatch position to the eight-position backup site that we have.

The only costs involved with this agreement here are the costs that we might incur by using the center up there, fuel for their generator, just incidental expenses. Be happy to answer any questions."

Chairman Unruh said, "All right, thank you. Commissioners, do you have any questions of Diane? What's the will of the Board?"

MOTION

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

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

2. SOUTH CENTRAL REGIONAL 9-1-1 BACKUP CENTER TELEPHONE COST SUPPORT FOR THREE YEARS.

Ms. Gage said, "Before you is . . .the South Central Regional Council has come to Sedgwick County to ask if we would support the telephone service to this backup site for a three-year period, at a cost of approximately \$50,000 spread out over three years, a little over \$16,000 a year.

They've run into some funding issues to pay for just the telephone portion of supporting this center. All of the equipment in the center purchased with a grant from the Department of Homeland Security. They're having some problems keeping it going with the operating costs or recurrent costs and have come to us to ask for assistance."

Chairman Unruh said, "Commissioners, do you have any questions on this item? Commissioner Parks."

Commissioner Parks said, "Just wanted to reiterate that that money is going to come out of the 9-101 telephone tax, wired and wireless."

Ms. Gage said, "That's correct."

Commissioner Parks said, "Okay."

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MOTION

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

Commissioner Winters seconded the motion.

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

VOTE

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

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

3. AGREEMENT WITH HUTCHINSON COMMUNITY COLLEGE TRAINING PROGRAM TO ALLOW SEDGWICK COUNTY EMS TO PROVIDE FIELD INTERNSHIP FOR THE STUDENTS OF THE EMS TRAINING PROGRAM.

Mr. Garry B. Tolle, Interim Director, EMS, greeted the Commissioners and said, "This agreement would allow Sedgwick County EMS to provide field internship for paramedic students that are attending Hutchinson Community College. It's a fairly large pool, a feeder pool for our organization. They come here, they have supervised preceptorship and it gives us an opportunity to help these young employees grow in their field and also a chance for us to evaluate their conduct and recruit them frankly. And we have done this over years past, and this is a continuation of that practice. I would ask that you approve this agreement."

Chairman Unruh said, "All right, thank you. It appears that this has been and probably will continue to be a successful program and we benefit from it in a variety of way."

Mr. Tolle said, "We certainly do. There's about ten or eleven students right now in their program that will initiate their field internship, so there's a fair pool there for us."

Chairman Unruh said, "All right, very good. Commissioners, are there any other questions?"

MOTION

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Commissioner Parks 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, "Commissioners, at this point we need to take an off agenda item."

MOTION

Commissioner Norton moved to consider an off agenda item.

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, "The off agenda item is an agreement with Barton County, Mr. Tolle."

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Commissioner Welshimer left the meeting room at 11:00 a.m.

OFF AGENDA ITEM

AGREEMENT WITH BARTON COUNTY COLLEGE TRAINING PROGRAM TO ALLOW SEDGWICK COUNTY EMS TO PROVIDE FIELD INTERNSHIP FOR THE STUDENTS OF THE EMS TRAINING PROGRAM.

Mr. Tolle said, "It is sir. This is also an agreement with Barton County Community College and their paramedic program, Emergency Medical program. They too are an organization that is training students, student paramedics and as we are a large service and high-volume service, it is a good opportunity for their students as well to come here. They have, I believe, eleven students currently in a program and there is ample room within our organization with preceptors and again, this grows another group of potential employees and is an important partnership and an important recruiting tool for our agency. I would ask that you sign that."

Chairman Unruh said, "Thank you. I didn't mean to cut you off. Commissioner Parks."

MOTION

Commissioner Parks moved sign as a graduate of Barton County Community College program 33 years ago to approve the agreement and authorize the Chairman to.

Commissioner Norton seconded the motion.

Chairman Unruh said, "We have a motion and a second. It's not often that we have an alumnus make the motion but that's . . . congratulations, Commissioner Parks."

Commissioner Parks said, "Well I might say, we didn't have that ability to come to Sedgwick County and internship. We did most of our internship at Central Kansas Medical Center and we practiced on other firefighters and police officers so it was not a pleasant experience."

Mr. Tolle said, "It's come a long way."

Chairman Unruh said, "All right. Well we have a motion and a second and without any other comment, Madam Clerk, please call the vote."

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VOTE

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

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

DIVISION OF HUMAN SERVICES- COMCARE

I. AGREEMENT WITH KANSAS SOCIAL AND REHABILITATION SERVICES FOR THE PARTICIPATING MENTAL HEALTH CENTER CONSOLIDATED CONTRACT.

Ms. Marilyn Cook, Director, Comprehensive Community Care, greeted the Commissioners and said, "This is a renewal of an agreement that we have with SRS that establishes COMCARE as the local mental health authority for Sedgwick County. It spells out the array of core service that we're responsible for providing and it's intended this year to implemented with the new Medicaid state plan that is being coordinated by Kansas Health Solutions.

Since it is now separated from basically our Medicaid contract, it's a lot more simple than you're used to seeing. It's in a different format than you're used to seeing from previous years and about half the size. It spells out outcomes though, still does, some of which went up slightly this year. It also spells out reporting requirements that we have to SRS and it spells out service conditions that need to be met. It is also the mechanism through which COMCARE receives federal block grant money and tobacco settlement money. We are recommending that you approve the agreement."

Chairman Unruh said, "All right, thank you. So this is a simpler contract, but it still includes all those components. I mean, . . ."

Ms. Cook said, "Yes."

Chairman Unruh said, "Okay. Well it seems like it would be very complicated to work our way through that and I haven't read that whole contract."

Ms. Cook said, "It's about half the size of the other one."

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

MOTION

Commissioner Winters 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	Absent
Chairman Unruh	Aye

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

Commissioner Welshimer returned to the meeting room at 11:04 a.m.

HEALTH DEPARTMENT

J. HEALTH DEPARTMENT.

- 1. CONTRACT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT TO PROVIDE FUNDING TO EMPLOY ONE FULL TIME NURSE DEDICATED TO CHILDHOOD LEAD POISONING PREVENTION.**

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Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, “Before you today is an agreement with the Kansas Department of Health and Environment. It is a renewal. It is our sixth year for this agreement for \$58,500 to support a full-time position for a nurse who provides screening for blood lead and also provides case management for children through the age of six who have elevated blood lead levels. There is a 25% match and that is budgeted out of local dollars for ’07 and ’08 to support this program.

In 2006, we screened, our one blood lead nurse screened 3,000 children, had 93 that had elevated levels and 34 of those required case management. And she shared a story with me that just kind of demonstrates the complexity of the case management aspect of this. We had a four-year-old who had an elevated blood lead level, didn’t speak English, she took an interpreter out, met with the parents, did all the counseling, explained to them, you know, how to clean the house and what causes lead poisoning and continued to monitor the child and the levels came down. But then all the sudden they shot back up and almost reached a point where the child needed special chelation therapy. And went in again with another interpreter and revisited the family, found out that the child had started eating dirt again, which it was dirt that was contaminated with lead. And so after more education, more counseling, she with very limited resources was able to bring the child under control and he is doing fine now, but it is really important because lead poisoning can cause developmental delay, it can cause a drop in IQ, behavioral problems in school, stunted growth and a number of other problems. So it is a really important program and I would appreciate your support of this agreement and recommend that you approve it. I’d be happy to answer any questions.

Chairman Unruh said, “Thank you, Claudia. Commissioners, do you have any questions about this agenda item? What’s the will of the Board?”

MOTION

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

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, "Next item."

2. AGREEMENT WITH BETHEL COLLEGE OF KANSAS DEPARTMENT OF NURSING TO PROVIDE NON-HOSPITAL SITE SETTING FOR NURSING STUDENTS DURING THEIR CLINICAL ROTATIONS.

Ms. Blackburn said, "This is just a very straightforward agreement with Bethel College School of Nursing to allow their nursing students to rotate through our non-hospital clinical site. We had about six students last year and it allows us to give them some exposure to public health and hopefully be able to recruit some students, future nurse as we need to replace staff. So there is no cost to the county and the students is . . . the college is responsible for providing professional liability insurance. I recommend your approval and I'd be happy to answer any questions."

Chairman Unruh said, "All right, thank you Claudia. It's another opportunity to benefit us and benefit a student and look for new recruits for our workforce. I think it sounds like a very good deal."

MOTION

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

Commissioner Parks seconded the motion.

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

VOTE

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

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

K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' SPECIAL MEETING ON JULY 26, 2007.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of July 26th has 11 items for consideration today.

**1) PROPERTY DEMOLITION GROUP THREE AT 219 AND 223 S. ST. FRANCIS- FACILITIES DEPARTMENT
FUNDING: FACILITIES DEPARTMENT**

The first item is property demolition group three at 219 and 223 South St. Francis for Facilities Department. The recommendation is to accept the low bid from Bradburn Wrecking Company Incorporated in the amount of \$22,333. 10.

**2) PROPERTY DEMOLITION GROUP FOUR AT 350 S. EMPORIA- FACILITIES DEPARTMENT
FUNDING: FACILITIES DEPARTMENT**

Item two, property demolition group four, location 350 South Emporia for Facilities Department. The recommendation is to accept the low bid of Bradburn Wrecking Company Incorporated in the amount of \$8,210.33 and to establish unit pricing.

**3) PROPERTY DEMOLITION GROUP FIVE: 301, 305, 315 AND 317 S. ST. FRANCIS- FACILITIES DEPARTMENT
FUNDING: FACILITIES DEPARTMENT**

Item three, property demolition for group five, locations 301, 305, 315 and 317 South St. Francis for Facilities Department. Recommendation is to accept the low bid from Bradburn Wrecking Company in the amount of \$59,999.33 and to establish unit pricing.

4) PROPERTY DEMOLITION GROUP SIX, AT 233 S. ST. FRANCIS- FACILITIES DEPARTMENT

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FUNDING: FACILITIES DEPARTMENT

Item four, property demolition group six, location 233 South St. Francis for Facilities Department. And the recommendation is to accept the low bid from Bradburn Wrecking Company in the amount of \$33,333 and establish unit pricing.

- 5) ON-CALL ENVIRONMENTAL SOIL TESTING SERVICES FOR THE DOWNTOWN ARENA SITE AND WASHINGTON RIGHT-OF-WAY- FACILITIES DEPARTMENT.**

FUNDING: FACILITIES DEPARTMENT

Item five, on-call environmental soil testing services for the downtown arena site and Washington right-of-way for Facilities Department and Environmental Resources. Recommendation is to accept the proposal from Burns and McDonnell Company Incorporated to execute a contract and establish contract pricing.

- 6) ON-CALL TRANSPORTATION SERVICES OF CONTAMINATED SOIL FOR THE DOWNTOWN ARENA SITE- FACILITIES DEPARTMENT**

FUNDING: ARENA SALES TAX

Item six, on-call transportation services of contaminated soil for the downtown arena site for Facilities Department. Recommendation is to accept the bid from Waste Connections and establish unit pricing of \$2.25 per mile for transportation of any contaminated soil.

- 7) MEDICAL SERVICES AMENDMENT FOR THE SEDGWICK COUNTY DETENTION FACILITY- SHERIFF'S DEPARTMENT**

FUNDING: SHERIFF'S OFFICE

Item seven, medical services amendment for the Sedgwick County Detention Facility for the Sheriff's Office. Recommendation is to accept the amendment as listed in the table with Conmed Healthcare Management and amend the final two years of the contract.

- 8) CLASS 328 OIL DISTRIBUTOR TRUCK- FLEET MANAGEMENT**

FUNDING: VEHICLE ACQUISITION

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Item eight, a Class 328 oil distributor truck for Fleet Management. Recommendation is to accept the bid from Doonan Truck and Equipment in the amount of \$128,683.

9) COMPUTER HARDWARE- EMERGENCY MEDICAL SERVICES
FUNDING: EMS EQUIPMENT RESERVE

Item nine, computer hardware for Emergency Medical Services. Recommendation is to accept the quote from Dell Computers in the amount of \$37,896.93.

**10) AUDIO VISUAL EQUIPMENT FOR EMERGENCY OPERATIONS CENTER-
PUBLIC SAFETY**
FUNDING: CONSTRUCT 9-1-1 DISPATCH/EMERGENCY OPERATIONS CENTER

Item ten, audio visual equipment for Emergency Operations Center for Public Safety. Recommendation is to accept the low responsive proposal from Ford Audio Video in the amount of \$69,438.13.

11) BUNKER COATS AND PANTS- FIRE DEPARTMENT
FUNDING: FIRE TRAINING

And item ten [sic], bunker coats and pants for the Fire Department and the recommendation is to accept the low bid meeting specification from Total Fire Group, Fire Rescue Services for an initial cost of \$106,123.80 and execute a one-year contract, with two one-year options to renew.

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

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

Commissioner Parks said, “Well I was glad to see the local company on number eight get the bid. However, I just wondered what the . . . on the grand totals there, was there some specification problem with the low bid on that?”

Ms. Baker said, “Yes, in the notes, Cummings, McGowan & West had several specifications that they did not meet and actually Doonan Truck had a couple of specifications that they did not meet and the recommendation is based on the bid that had the fewest exceptions to the specifications.”

Commissioner Parks said, “Okay, thank you for clarifying that.”

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Chairman Unruh said, "Any other comment or question. I just want to make a comment on item number seven, which has to do with the medical services for the detention facility. The information that we received in briefing on this particular item, it includes dental as an increase base population."

Ms. Baker said, "Correct."

Chairman Unruh said, "More staffing."

Ms. Baker said, "Correct."

Chairman Unruh said, "And yet this contract is actually lower than it was a few years ago when we were trying to provide these services."

Ms. Baker said, "That is correct."

Chairman Unruh said, "Okay, well I guess that wasn't a question was it. Well I just wanted to bring that out that we've got folks who are working hard to do the best job possible for budget considerations and to provide the services in our detention facility. So we do have a question now. Commissioner Norton."

Commissioner Norton said, "On items one, two, three, four, five it looks like four different companies responded to each one of the bids. Are there any of them that are minority or disadvantaged businesses? Because early on in the conversations that was one of the reasons we split up so that one big company didn't get all of the demolition work. That some small companies, particularly minority and disadvantaged businesses might be able to bid and I don't recognize any of those as being minority or disadvantaged."

Ms. Baker said, "Cornejo is actually listed as a minority vendor."

Commissioner Norton said, "Okay."

Ms. Baker said, "And in terms of smaller businesses, the first bid there were a couple of small businesses. We did award to one, the first . . . Scott Construction was a small business and they were actually outside the area."

Commissioner Norton said, "Do you know how many actually bid documents or envelopes you sent out? Obviously more than four."

Ms. Baker said, "We sent to our entire distribution list and there are 34 vendors on that list."

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Commissioner Norton said, "Okay, and you believe some of those were minority and disadvantaged businesses?"

Ms. Baker said, "Yes and small business."

Commissioner Norton said, "And small businesses, and they elected not to bid."

Ms. Baker said, "Correct."

Commissioner Norton said, "Okay, I just wanted to be sure we talked about that because that was kind of a dialogue we had early on and one of the reasons we split out the bids at two or three properties at a time, instead of one big bid, it was five or six smaller bids and if they elect not to participate or whatever, I don't know why but at least I think we did our due diligence, trying to give people an opportunity to bid on a smaller piece of the action."

Ms. Baker said, "Yes, we did."

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

Commissioner Winters said, "Well thank you. The only thing I would add is large or small business kind of is in the eye of the beholder, but I would think Bradburn Wrecking would certainly be considered a small business owner, I mean in comparison even to the Cornejo organization, he's pretty small so I would think that this is a small business owner that's benefiting. Thank you. That's the only comment I had."

Chairman Unruh said, "All right, thank you. Commissioners, any other questions or comments about the items on the bid board? Hearing none, what's the will of the board?"

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

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

CONSENT AGENDA

L. CONSENT AGENDA.

- 1. Resolution temporarily suspending the Sedgwick County Zoological Society Inc.'s Cereal Malt Beverage License.**
- 2. Three Easements for Right-of-Way for Sedgwick County Project 811-J, n ½ K; widening of Ridge Road between K-96 and 53rd Street North. CIP #R-282. District #4.**
- 3. One Temporary Construction Easement for Sedgwick County Project 616-3 through 36; widening of 13th Street North between K-96 and 159th Street East. CIP# R-253. District #1.**
- 4. One Temporary Construction Easement for Sedgwick County Drainage Project on MacArthur between 343rd Street West and the Ninnescah River. CIP# R-264. District #3.**
- 5. Order dated July 25, 2007 to correct tax roll for change of assessment.
(6. not on agenda)**
- 7. Payroll check register of July 13, 2007.**
- 8. General Bills Check Register(s) for the week of July 11 – July 17, 2007.**
- 9. General Bills Check Register(s) for the week of July 25 – July 31, 2007.**

Mr. Buchanan said, "Commissioners, you have the consent agenda before you and I would recommend you approve it."

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Chairman Unruh said, "Thank you Mr. Manager. You weren't going to repeat the number of days until the end of the tax?"

Mr. Buchanan said, "Mr. Chronis stole my thunder."

Chairman Unruh said, "Well I saw you drop your head, because I knew you wanted to say. What was the day?"

Mr. Buchanan said, "152 days."

Chairman Unruh said, "Thank you. All right. Commissioners, what's the will of the board on the consent agenda?"

MOTION

Commissioner Norton moved to approve the Consent Agenda as presented.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Unruh said, "Commissioners, we are at the end of our agenda. We need an executive session, but before we recess to that, is there any 'other' comments you'd like to bring at this time? I think Commissioner Parks was first."

M. OTHER

Commissioner Parks said, "I'd like the citizens of the county and the fire department family and everyone to remember the family of John Coslett. We lost him, his funeral was yesterday, and a long-time Sedgwick County firefighter and just dedicated employee. May all our thoughts and prayers be with their family."

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Also, as we get into the voting, everybody is going to have an equal opportunity to get out and vote just like we do now, so if we can go out and voice our opinions at the ballot box and I would urge people, especially in those areas if you had a little bit of problem last time of traditional day to go out and vote early.”

Chairman Unruh said, “All right, thank you commissioner. Commissioner Norton.”

Commissioner Norton said, “Well I did want to kind of update the commission on the parking work group that Commissioner Winters and I are on. I was dedicated to doing that every week, so we met on Monday. We spent time with John Schlegel and Ron Holt and the manager again. We reviewed some new maps and we’ve asked them to reproduce those maps and get them to each one of them, because they show very definitive the kinds of parking that are available. The legend talks about if it’s private, if it’s on-street, if it’s public, it has a legend that describes all of that. It’s color coded, it’s a pretty good map that will show you all that, and describes how many parking spaces. So there was also an overlay that showed the walking distances that overlays over that map so you can kind of pulse out from the arena and see about what they estimate the walking times will be from any particular lot in that area.

We also discussed empty land within close proximity to the arena so that we can look at not only available parking but available land that could be surface parking or parking garage, because if we have conversations about that, we need to know what land is available. We’ve got Ron Holt getting us some information on pieces of property that are available and what we might want to do with them along the way.

We also talked about understanding the available private lots and what kind of agreements can be negotiated. I think SMG will probably help us with that, as they come on board. But that was an important discussion as we went along.

And then finally we talked a lot about the redevelopment and what the city’s actions and thoughts are on coming on board and helping solve the downtown parking . . . I don’t want to call it a problem, but it is certainly an issue that’s in front of us because of the arena and the city is going to be a big player in that, so those are kind of the four talking points. We spent about an hour going over that and our dedication is to meet every Monday until we come up with the final solution to bring towards the commission and to the city council. I’d entertain any questions, if you have questions about what we talked about or places you want us to go and research and talk about, we’d be glad to do that too, but I wanted to be sure that I met my obligation to let you know that we’re meeting every week and trying to really be detailed and understanding what the Walker study said, and what our obligations are and what’s available and what we think the best course of action is going to be.”

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

Commissioner Winters said, "Thank you. Well I would just add on, Commissioner Norton did a very good job of talking about what our discussion was about. One of the things, as we studied this are around the arena, there are some obvious places that I think we can do some significant enhancements to parking that will specifically help the arena. I think the thing now that is . . . not that we're going to come to an immediate conclusion, but we're going to need to start the discussion with others in the downtown area, as we put resources into solutions for the arena area, is that really going to be the best . . . even though it's obvious for the arena, is it going to be the best situation or the best solution for the rest of downtown, for Water Walk, Century II, Old Town. And so we just need to make sure that as we find some of these obvious solutions for the arena, that we need to be in touch with the rest of the folks and so it is going to be important I think that somebody take on the role of the point position, so to speak, as we manage downtown parking. But again, as we look at the specifics, I believe there are some obvious solutions that will help the arena immensely, but we just want to make sure those are the best solutions for all of downtown."

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

Commissioner Welshimer said, "Well I'd just like to add I think we need to look after the county and arena first, since this seems to be in our lap. And when is that map going to be ready?"

Commissioner Winters said, "I would say within a week or so. It's rather a large map, but I think John Schlegel is in the process to get those."

Commissioner Welshimer said, "Okay. I'll look forward to that. Thank you."

Chairman Unruh said, "Thank you. Any other comment or question on the parking? Any other comment or question as relative to 'other' items or issues? I see none, so we're ready for a motion to recess to executive session."

MOTION

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 10 minutes, to consider consultation with Legal Council on matters privileged in the attorney-client relationship relating to potential litigation and legal advice. And that the Board of County Commissioners return to this room from Executive Session no sooner 11:35 a.m.

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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, "We are in recess."

The Board of Sedgwick County Commissioners recessed into Executive Session at 11:22 a.m. and returned at 11:37 a.m.

Chairman Unruh said, "All right, we have returned from recess into executive session, so at this point I will call back to order the regular meeting of the Board of County Commissioners and declare that while we were in executive session no binding action was taken. And at this time, I'll ask if there's anything else to come before the Board of County Commissioners? Seeing none, we are adjourned."

N. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:38 a.m.

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

DAVID M. UNRUH, Chairman
First District

Regular Meeting, August 1, 2007

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner,
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2007