

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

### **REGULAR MEETING**

**December 12, 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, December 12, 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. Diane Gage, Director, Emergency Communications; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Jo Templin, Director, Human Resources; Mr. David Thompson, Chief Deputy, Sheriff's Office; Dr. Timothy Rohrig, Director, Regional Forensic Science Center; Ms. Irene Hart, Director, Community Development; Ms. Joni Wilson, Manager, Court Trustee's Office, 18<sup>th</sup> Judicial District; Ms. Annette Graham, Director, Department on Aging; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Jennifer Schmitz, Wichita Academy of Pharmacists.  
Ms. Jackie Berger, Hawker Beechcraft.  
Mr. Dave McClintock, KPTS.  
Ms. Dee Stuart, Mayor, City of Park City.

### **INVOCATION**

The Invocation was led by Brad Snapp.

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES:** Regular Meeting, November 21, 2007

The Clerk reported that all Commissioners were present at the Regular Meeting of November 21, 2007.

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**Chairman Unruh** said, “Commissioners, you’ve had the opportunity to review the minutes of November 21<sup>st</sup>. Are there any additions or corrections?”

**MOTION**

Commissioner Welshimer moved to approve the Minutes of the Regular Meeting of November 21, 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.”

**PROCLAMATION**

**A. PROCLAMATION REGARDING A NEED FOR PHARMACY EDUCATION IN WICHITA/SEDGWICK COUNTY.**

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

**PROCLAMATION**

**WHEREAS**, pharmacists provide valuable healthcare services in our communities, filling medications, providing health information and giving advice; and

**WHEREAS**, pharmacists fill more than four billion prescriptions each year, and with the growing aging population, the number of prescriptions is likely to increase substantially, resulting in a critical need for pharmacists to fill the prescriptions; and

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**WHEREAS**, in Kansas, there are seven counties that have no drug stores and 32 counties that have just one, limiting access to pharmacists and needed prescriptions; and

**WHEREAS**, the need for pharmacists is growing across the country, with a predicted shortage of 150,000 pharmacists by 2020, but the current capacity to train enough pharmacists to meet the demand is limited; and

**WHEREAS**, our community can help meet the demand by offering pharmacy education which would also help to support the need for pharmacists in other rural regions of our state.

**NOW THEREFORE BE IT RESOLVED**, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim our support for pharmacy education in our community and encourage others to help build upon our success as a regional health care center, both for patient care and clinical education.

Commissioners, you've heard the proclamation. What's the will of the board?"

**MOTION**

Commissioner Norton moved to adopt the Proclamation.

Commissioner Winters seconded the motion.

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

**VOTE**

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

**Chairman Unruh** said, "And accepting the proclamation is Jennifer Schmitz with the Wichita Academy of Pharmacists."

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**Ms. Jennifer Schmitz**, Wichita Academy of Pharmacists, greeted the Commissioners and said, "Thank you. On behalf of the Wichita Academy of Pharmacists I would like to express appreciation of the commission's support for the Wichita Campus of the University of Kansas School of Pharmacy.

This campus will play an important role in ensuring the continued safe and quality healthcare for the residents of Wichita, Sedgwick County and the entire state of Kansas. Again, thank you for your support in this endeavor."

**Chairman Unruh** said, "Well thank you for being here. We're pleased to make the proclamation. I think many folks don't realize the shortage because we ask for our prescriptions, we get them and go merrily on our way, but I know that a lot of pharmacists are really carrying a heavy burden, a workload right now and so I know the need is approaching crisis proportions, so we're pleased to make the proclamation. We do have a comment here from Commissioner Norton."

**Commissioner Norton** said, "Well I really have a comment that kind of goes down two tracks. The first is as I was president of the county commissioners' association this last year, one of the things that we continue to discuss is the ability for the state to provide services in all 105 counties and services take on a broad perspective, but one of the things we always talk about is medical services, pharmaceutical services, those kind of things in our counties. And it has become obvious to me on another track, as I look at graduate medical education, locally at KU Med here, that creating an atmosphere that trains doctors, trains pharmacists and trains dentists for our state if very, very critical to the health and wellbeing of our community.

The second track is as we talk about health access in our community and in the south central region, and we've been a leader in continuing that conversation, it becomes obvious to me that that whole continuum of medical community, dental community and pharmaceutical community is going to be critical as we progress in our state, as the population grows in urban areas and diminishes in the rural areas to make sure that we have plenty of trained individuals.

And this shortage of not only pharmacists, but could be dentists and doctors coming out of the south central area could really have a profound impact on the economy and the health and wellness of our community, so I'm going to be very supportive of this. I applaud the pharmacists groups for pushing this envelope and trying to make sure that we provide for our community for not only this year, but for many years to come as we progress as a community."

**Chairman Unruh** said, "Thank you. Well thank you for being here and you can see that we wish you best in your effort to get pharmacist education in Wichita. Thank you. Madam Clerk, next item."

### **APPOINTMENT**

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**B. APPOINTMENTS.**

**1. RESIGNATION OF CLARENCE BAYES AS TREASURER OF THE GRANT TOWNSHIP.**

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "This resignation has been submitted in writing commissioners and I would ask that you accept it."

**Chairman Unruh** said, "All right, thank you. Commissioners, what's the will of the board?"

**MOTION**

Commissioner Norton moved to accept the resignation.

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. RESOLUTION APPOINTING (COMMISSIONER PARKS' APPOINTMENT) DIANE GAGE AS TREASURER OF THE GRANT TOWNSHIP.**

**Mr. Euson** said, "And commissioners, this resolution we've prepared will fill the vacancy just created and this appointment will be until January, 2009 and I recommend you adopt the resolution."

**MOTION**

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Commissioner Parks moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Unruh** said, “And County Clerk Don Brace is here to administer the oath of this position.”

**Mr. Don Brace**, County Clerk, said “Good morning Diane. You look very nice this morning. Merry Christmas.”

**Ms. Diane Gage**, Director, Emergency Communications, said, “Yeah, love the tie.”

**Mr. Brace** said, “Raise your right hand please.

*I Diane Gage do solemnly swear to support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Grant Township Treasurer, so help me God.”*

**Ms. Gage** said, “I do.”

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

**Ms. Gage** said, “Thanks Don. This will teach me not to return phone calls, but I’m looking forward to doing some stuff in the area of the county that I live in, so this is kind of cool for me.”

**Chairman Unruh** said, “Well we just appreciate your willingness to serve, Diane. We know how

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hard you work around here, so I'm sure that the Grant Township folks expect you to work that hard in their behalf also. We have a comment here from Commissioner Parks."

**Commissioner Parks** said, "I'd like to thank you Diane for stepping up and taking this and answering that phone call, not that you don't answer a lot of phone calls during the day. The Grant Township has spoken highly of you and we look forward to working with you through 2009 and beyond. Thank you."

**Ms. Gage** said, "Thanks."

**Chairman Unruh** said, "All right, thank you Diane. Madam Clerk, next item."

**3. RESOLUTION APPOINTING ROBERT LAMKEY (AT LARGE APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY ARTS AND HUMANITIES COUNCIL.**

**Mr. Euson** said, "Commissioners, I would ask that you defer this item indefinitely."

**MOTION**

Commissioner Norton moved to adopt the Resolution.

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."

**PUBLIC HEARING**

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**C. PUBLIC HEARING TO CONSIDER WHETHER THE CITY OF MT. HOPE HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR THE ANNEXATION ORDINANCES NUMBERS 84-2002 AND 86-2002.**

**POWERPOINT PRESENTATION**

**Mr. Robert W. Parnacott**, Assistant County Counselor, greeted the Commissioners and said, “This is one of our post annexation hearings we have five years after a city has annexed property and has had to prepare a service plan in connection with that annexation. We’re looking at the City of Mt. Hope here on the map. The shaded areas are the two properties that were involved in the annexation back in 2002. One of them, the smaller of the parcels, I’m moving my cursor over, excuse me, is a single-family residence. The other parcel is undeveloped wetlands and some trees that I think is currently undergoing some development.

We sent notices out to landowners, as required by statute. Nobody has called or inquired about the hearing, so we’ve had no complaints or indications that services are not being provided. Sent notice to the city as well. They intended to be here, but at the last minute, could not make it today. We’ve had some conversations with them. We do have services plans in your backup at page 19 and page 22, because these were two separate annexations. So at this point unless you have any other questions for me, I think we can open the public hearing, see if there’s anybody from the public who would like to speak on this and then we can close the public hearing and take whatever action you feel appropriate.”

**Chairman Unruh** said, “All right, thank you Bob. Commissioners, are there any questions of Mr. Parnacott? Bob I have one question, and I probably should already know this answer, but you said ‘when a city is required to provide a service plan’. On all annexations, is a city required to provide a service plan?”

**Mr. Parnacott** said, “No, typically if it’s a consent annexation, where the landowner has requested the annexation, there’s some other exceptions as well, but usually the service plans are required only if the landowner is not consenting to the annexation.”

**Chairman Unruh** said, “All right, thank you. Any other questions? Seeing none, then at this point I will open the public hearing and ask if there are any citizens who wish to speak to this issue? I don’t see anyone asking to speak, so Commissioner Winters.”

**Commissioner Winters** said, “Yes, Mr. Chairman, I would like to make some comments about this

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annexation. I'm not sure if I should do it in the public meeting portion or if we should close the public meeting and I would make them, but I would like to make some comments from my personal knowledge and observation that I think would help us make a finding. So should I make those in this public period?

All right, well Mr. Chairman I'd like to make just a few comments for the record. I did visit with City Clerk George Dick who had planned on being here this morning, but has had an unexpected event keep him from being here. I do, just with my relationship of Mt. Hope being in my commission district and being out there regularly, do have personal knowledge about this piece of property and what is happening. And again, I have visited with City Clerk George Dick about this property. This property has one residential living unit on it and you can see on the map on the screen it is in the upper right-hand corner. Eugena Smith lives in that residence. The purpose and the plan with annexation of this really undeveloped, wooded, partially wetlands was to bring it into the City of Mount Hope and prepare the property for development. The owners plans have just gone slower than anticipated, so it is still largely undeveloped, although from personal observation and knowledge, I've seen within the last 30 days, they are bulldozing part of the trees and razing part of the property, so their project is obviously just from my personal observation, their project is moving on.

In the course of this hearing and the notice, I have received no calls or comments from either of the basically two landowners that we have, again Ms. Smith in the residence and the folks who are planning to develop the property. Ms. Smith's property does have city sewer provided to her property, but she does not have city water at this time and has not requested it. The City of Mt. Hope provides, if you can see just to the north of this property or to the top, is the four-lane interstate highway of K-96 and you can see development on beyond to the north of K-96. Mt. Hope has water that proceeds along the west side of this property and those properties to the west of this property we're talking about today does have city water. Mt. Hope's plan is when development occurs and the request is made from property owners, then a city water main will be added to the east side of this property and will proceed on east and cross the interstate, or cross the state highway, and they will make then a loop to that to serve the property north of the highway and this property.

So that is Mt. Hope's intention, once either residences or commercial property activity takes place on this property. So with that commissioners, I would be glad to answer any other questions you might have. I personally would support us finding that Mt. Hope has done what they had intended to do, but more has not been done simply because the development has not yet occurred on this property. So if you have questions, I would be glad to try to answer them. I personally don't believe we need to delay this until Mt. Hope can be here and after we close the public hearing, I'd be prepared to make a motion that we find that Mt. Hope has met their service plan requirements." **Chairman Unruh** said, "All right, thank you commissioner. Are there any questions of

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Commissioner Winters during the public hearing? And once again, does anyone else want to speak? Seeing no one, at this time I will close the public hearing and then we'll restrict our conversation to the bench and commissioners, now are there any comment or question?"

**MOTION**

Commissioner Winters moved to find that the city has extended services as provided for in the service plan.

Chairman Unruh 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 Bob. Madam Clerk, before we call Item D, I would ask if we would please call Item H."

**H. RESOLUTION AUTHORIZING SEDGWICK COUNTY TO ISSUE ITS TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 2007, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$60,000,000 FOR THE PURPOSE OF PURCHASING, ACQUIRING, CONSTRUCTING AND INSTALLING AN INDUSTRIAL AND COMMERCIAL FACILITY; AUTHORIZING EXECUTION OF A TWENTY-SECOND SUPPLEMENTAL TRUST INDENTURE BY AND BETWEEN SEDGWICK COUNTY AND THE BANK OF NEW YORK TRUST COMPANY, N.A. ST. LOUIS, MISSOURI, AS A TRUSTEE WITH RESPECT TO THE SERIES 2007 BONDS; AUTHORIZING THE EXECUTION OF A TWENTY-FIRST SUPPLEMENTAL LEASE BY AND BETWEEN THE COUNTY AND HAWKER BEEHCRAFT CORPORATION; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT BY AND BETWEEN SEDGWICK COUNTY, HAWKER BEEHCRAFT ACQUISITION COMPANY, LLC, AS PURCHASER OF THE BONDS; AND AUTHORIZING EXECUTION OF A RELEASE OF NINTH SUPPLEMENTAL**

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**TRUST INDENTURE, TERMINATION AND RELEASE OF AN EIGHTH SUPPLEMENTAL LEASE AND BILL OF SALE.**

**Ms. Irene Hart**, Director, Community Development, greeted the Commissioners and said, “What all that means is that Hawker Beechcraft is here to ask for an issuance of Industrial Revenue Bonds to continue the relationship we’ve had with the corporation since 1982. We have . . . the amount is an approximate amount of \$55,000,000. The county has no financial obligation with respect to the principal or the interest on these bonds. We have people here who can explain the use of these bonds and the status of the corporation. Jackie Berger from Hawker/ Beechcraft is here. Their bond counsel, Winton Hinkle from Hinkle and Elkori is here and county bond counsel Sarah Steele from Gilmore and Bell is here. Jackie.”

**POWERPOINT PRESENTATION**

**Ms. Jackie Berger**, Hawker Beechcraft Corporation, greeted the Commissioners and said, “What I wanted to do is just share with you the actual amount that we’re requesting, the \$55,000,000. That’s actually broken down into \$36,000,000 for new and replace and upgrades to our tooling and that’s really for some of the new products that we brought in and also some of the line expansion in our Hawker line and I’ll explain a little bit about that in a few minutes. And then \$19,000,000 for improvement to facilities, machinery and equipment and some miscellaneous items. And some of that is some CMC machining, our autoclave in our composite fuselage technology facilities and some of the upgrades to the composites too.

And I’d just like to point out in addition, Hawker/ Beechcraft this year has also invested over \$160,000,000 in research and development for new products and also upgrading our facilities, one of them being the upgrade of our delivery center, which is where we actually do the final handover of the aircraft to our customers as they come in and collect their aircraft.

This just actually shows you some of the upgrades that we’ve done. The thing about this is that we’ve actually introduced six new products this year, which is the most that the company has ever done in its 75 year history so it’s been quite a feat for our organization. The Hawker 4000 is actually a brand new aircraft and then the other five aircraft all upgrades from existing aircraft. So the turbo prop line, the King Air which is the number one turbo prop line in the world has actually been upgraded, all three aircraft. And then the Hawker product has also been upgraded to offer two separate aircraft from that sort of mid-size section, so great news for the facility.

And since I’ve seen you last year, I wanted to just share some news with you. First one is that we’ve actually brought the Beechcraft name back to Wichita. The company was sold on March the

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26<sup>th</sup>, 2007 and with provide company, Hawker Beechcraft. We also celebrated 75 years of the company this year and 60 years of the Beechcraft Bonaza. We actually had a big celebration with our employees in September, actually over 10,000 of them and 350 of our Beechcraft Bonaza customers flew in and it was a wonderful site to see those aircraft actually lined up on our road runway.

We actually have about 6,935 employees in Wichita today and about 8,900 worldwide. We hired 1,258, that's very precise, employees this year and we'll still looking for another 300. And we anticipate hiring about another 1,100 next year.

The company recently announced our highest backlog in the history of our company at 5.2 billion and what that means is that the aviation market is strong. And all of the industry forecasts say that it should stay strong through 2009. And the good thing about that too is that about 50% of all of our orders actually come from the overseas market. And as you know, we have cycles in the aviation industry, and so the down cycle that will eventually come, what we're expecting is that it won't be so severe because we're really not relying on one economy. So with the 50% sales internationally, that will make it less severe.

One other thing I just wanted to share with you is that our employees are very engaged in the community. The company actually donates \$1,00,000 from our charitable fund and we've done that for many years, but our employees also are very engaged in supporting different organizations. And in fact, we had a breakfast this morning with the Wichita Children's Home to give them a check from our employees for \$50,000. They actually held a 'Care of Kids Day' just before Thanksgiving, which was a huge success, so some good news from Hawker/ Beechcraft."

**Chairman Unruh** said, "Well it is all good news and we appreciate this presentation. You know, most of the citizens in our community are really pleased that the Beechcraft name is back on that factory. We're very happy about that, but the Hawker/ Beechcraft employs a lot of people. They're one of our largest taxpayers in the community. They obviously involved in the charitable work and community support, so this is, in spite of the tax incentives on the industrial revenue bonds, it's very easy to be supportive of this, so thank you. Commissioners, any other comment? Commissioner Norton."

**Commissioner Norton** said, "Well I'd like to address Irene real quick, just to give us a little history of the IRBs. Over the years, I think we started in 1982 working with Hawker/ Beechcraft and

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Raytheon and then back to Hawker/ Beechcraft. Describe that process. This is the last year of the ten-year agreement that we had, at I think \$1,000,000,000 worth of IRBs. That kind of gets us to the finish of that and we'll need to look, in future years, for a pot of money but this is the last of that agreement. Is that correct?"

**Ms. Hart** said, "That's correct and next year we'll begin negotiating a new letter of intent with the company."

**Commissioner Norton** said, "So this has been an ongoing relationship that we've had to help build facilities, help with low-cost financing to build facilities, buy equipment and advance the composition of the facilities here locally. Is that correct?"

**Ms. Hart** said, "Yes, sir."

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

**Commissioner Winters** said, "Well thank you Mr. Chairman. I certainly just want to say how proud we are to be part of the partnership with you as you move forward in financing your business and how things are looking. These numbers are just incredibly good, 1,258 new hires this year, looking for 300 more immediately and anticipating 1,100 new hires in 2008. Add your numbers in to all of the numbers of our other aircraft manufacturers here and these are significant employment jobs and we just appreciate your success and I'm certainly going to be supportive of this resolution today, so thank you for sharing the up date with us."

**Ms. Berger** said, "Thank you very much."

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

**Commissioner Norton** said, "Well it's interesting that I think the city yesterday dealt with some IRBs for some other companies, I think Cessna, maybe Spirit, Coleman products. I don't know if I remembered exactly from the paper today, but that's . . . you know, when you talk about building infrastructure and progressing our companies that we rely on for good quality jobs, that's pretty exciting. I would be interested you need 1,100 more workers and we're constantly involved in workforce development and technical training. Talk about that a little bit, because that's a critical piece for continuing your mission here in Wichita, is it not?"

**Ms. Berger** said, "Yes it is. In fact, we're very engaged with the technical training facility. I think we're going to break ground next year, which will certainly help us. But you know, in the

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meantime we are looking outside of Wichita and within Wichita for support for our workforce. The training is obviously going to be very important. And as you know, the pool here if you look at Cessna and Bombardier and Airbus, everybody's looking at the same pool, but we're working hard to attract the employees and also to bring specifically engineers into the community and basically grow the community of Wichita too. We're looking very hard."

**Commissioner Norton** said, "Well it seems to me that everybody partnering to try to pull the best and brightest into our community, not only from the companies but from us helping with the technical education side, is going to be powerful for the aviation industry in general, but for Hawker/ Beechcraft specifically."

**Ms. Berger** said, "Yes it is, yes."

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

**Chairman Unruh** said, "All right, thank you. Commissioners, is there any other comment or question? What's the will of the board?"

**MOTION**

Commissioner Welshimer moved to adopt the Resolution 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, "Jackie, thank you for being here."

**Ms. Berger** said, "Thank you very much and I hope you will have a good holiday season, from the Hawker/ Beechcraft employees. Thank you."

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**Chairman Unruh** said, "Thank you. Madam Clerk, next item."

### **PRESENTATION**

#### **D. PRESENTATION DEPICTING ROAD AND BRIDGE CONSTRUCTION PROJECTS COMPLETED DURING THE YEAR 2007. ALL DISTRICTS.**

#### **POWERPOINT PRESENTATION**

**Mr. David Spears**, P.E., Director, County Engineer, greeted the Commissioners and said, "Want to report to you on the projects that were constructed in the year 2007, including roads, bridges and preventive maintenance. I'm going to go ahead and put on the map, showing everything we've done this year. Wait till the end to applaud. This map shows all the projects we've done this year, roads, bridges, intersections, preventive maintenance and all the in-house projects we've done., bridges that we've built and cold mix we've done This year we completed 27.5 miles of skim coating or what we call cold mix and chat seal. Part of that cold mix, 25 miles of that, was something new that we've never done before and we had a contractor do that and I'll show you some slides in a little bit of that. Recycled cold mix, were we took some of our old cold mix roads that had become slightly rutted, about five years old or so, and we're able to smooth those out. Now the advantage of doing the recycled is that before when this would happen, we would have to come in and skim coat ourselves, or cold mix ourselves on top of that, which made the road higher and then we had to have the extra expense of the shoulders for the road. And so this way, we don't have the expense of the shoulders. I'll show you that in a little bit. But anyway we completed 27 and a half miles of skim coating this year. We selected those roads in January and you are notified by memorandum, accordingly.

In addition, the 2007 construction program can be summarized as follows: 11.5 miles of road were treated with a latex modified slurry seal, that's a preventive maintenance; 9.75 total miles of road were treated with asphalt rejuvenation; 24.5 miles we treated the a nova chip process and that's about . . . what that is is a half inch of asphalt on top of existing roads that are in good shape and we try to do something to all the roads every five years. Now this nova chip, we've used it for about five years, it's another tool in our toolbox and we're hopeful that this will last longer than five years, so that we'll be able to get on maybe a seven-year cycle or maybe even more and save money in the longun; ten bridges were constructed, or are under construction, by contract; five bridges were constructed by our crews; rock shoulders we put in thirty-two and a quarter miles of those.

All of the projects are in accordance with Sedgwick County's Capital Improvement Program. In total, improvements were made to 88.25 miles of the 500 miles of paved roads that Sedgwick

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County is responsible for. This means that 18% of our road system was improved in the year 2007.

A memorandum depicting the expenditures on our projects was sent to you on December 7, 2007. In general, the expenditures for 2007 were about 2.7 million dollars in actual bridge project costs and we ended up about 1.6 million dollars under budget on this bridge projects.

Tell you a little bit about preventive maintenance, we had . . . and this to us is the most important . . . one of the most important things that we do, because this preserves our investment that we've had over the years and we've been doing this since 1982. And we think it's extremely important. We budgeted 4.9 million dollars this year and spent about 4.6 million dollars. Now that includes asphalt rejuvenation, Nova Chip, materials that we buy to do cold mix ourselves and chat seal, and slurry seal, latex modified slurry seal and then cold mix by contractor that we did this year for the first time on the recycled. I know three of you know this, but two new commissioners don't that infrastructure is the mother's milk of economic development, so you need to remember those words. Now we are ready to move on with the show now.

This will be asphalt rejuvenation. The map shows the locations, 9.25 miles. This is a main street through Cheney, this is an after, we didn't get a shot before. You see we did that curb to curb. And this is 79<sup>th</sup> Street South between Broadway and Hillside, now that's a before picture and that's an after. After. This is over on Andale Road between 53<sup>rd</sup> and 101<sup>st</sup> Streets North, that's a before picture, also before, you see some cracks developing, after, after. That was Cutler Repaving and we budgeted 942,000 and ended up about \$54,000 under. Now that process, Cutler Repaving is a recycled process, a hot recycling process and what they do, they heat up and scarify the top one inch of . . . most of these are pretty good roads in the first place, and then they put back that inch, plus another inch of virgin material with that. And the heating process makes it bond better, they heat up the lower part and then the upper two inches bond to that better.

Okay, this is the Nova Chip, these are the locations. We did 24.5 miles of that this year. Remember Nova Chip is about a half inch thick overlay. This is Greenwich, from 63<sup>rd</sup> and 79<sup>th</sup> Street South, this is a before, after. This is 85<sup>th</sup> Street North, between Hydraulic and Oliver, before picture, also before, after, same. Ridge Road, between 53<sup>rd</sup> and 85<sup>th</sup>, before, also before, after. 375<sup>th</sup> Street West between MacArthur and 71<sup>st</sup> Street South. These are before, after. Like I say, we're hopeful that this process will last longer than five years. We now have some that is down five years and it's looking pretty good, so we're still evaluating that. 47<sup>th</sup> Street South between Rock and the county line east, Butler County line, after. And Apac of Kansas did that project for us, under contract, and you can see what was budgeted and actual cost and we were under about \$45,000.

Here's the latex modified slurry seal. We've been doing this since 1982. It's a good process actually. 11.5 miles this year. Before picture, Pawnee between Webb and the Butler County line, still a before, there's after. Oliver between 85<sup>th</sup> Street North and K-254, this is Kechi, it's still

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before. That's an after, after and that's a shot through Kechi as it is, after. Now this is the road between Kechi and Park City, 61<sup>st</sup> Street North, that's a before, before, still before at the railroad crossing. Now this is after, this is the railroad crossing again, after. And this is up in Furley, 3<sup>rd</sup>, 4<sup>th</sup>, Avenue E and Avenue F, before pictures. This is after. And this is Webb Road between the north city limits of Belaire and K-254 and we had widened this to four-lane a few years ago. There's an after, it's looks pretty nice. Now Ballou Construction did that project under contract and we were under about \$19,000.

Cold Mix, remember Cold Mix lasts five years, plus or minus, depending on the traffic that's on it. And here's all the locations. Most of those were recycled. We have about two and a half miles that we did ourselves, and I show you that. Now this is one we did ourselves. A gravel road, Maple between 199<sup>th</sup> and 215<sup>th</sup> and we had to replace two culverts in there also. There's a lot of other things involved sometimes in these projects that you don't anticipate. There's after. It's white because the chat seal is on top of that too. When we cold mix, then we put a seal on top of it to preserve it. This is Webb Road between 103<sup>rd</sup> and 111<sup>th</sup>. Mulvane had requested this and then this also connects to 103<sup>rd</sup>, which I'll show you in a minute, that goes by their high school and there's the after. See, you just have to do what you can with the right-of-way. We have no money budgeted to buy right-of-way so you can see how you've got to kind of put the ditches in there. 103<sup>rd</sup> Street South, now this is the road that goes by the high school and it ties into the road that you just saw and there's the after product and I think they're pretty happy about that. Now this is 71<sup>st</sup> Street South between 263<sup>rd</sup> and 407<sup>th</sup> Street West, I think that's all the way to the county line, Kingman County line. As you can see, this is already cold mix and it's starting to ravel a little bit and this will be the recycled job we did with Brown and Brown out of Salina. You see how bad it's starting to look. And this is the way it looks now."

**Commissioner Norton** said, "Dave, before you go on, how many years had that cold mix product b been down? We talk about how long it lasts. How long until it got to that condition?"

**Ms. Spears** said, "You know, I don't know exactly, but I'm going to say about five years, plus or minus. Depends on the traffic, some will go three, some will go seven. We've had some out there ten years, but it looks pretty bad."

**Commissioner Norton** said, "So that wasn't totally deteriorated and awful, but you caught it just before it maybe started to unravel, but it got a good five years out of it."

**Mr. Spears** said, "Yes sir. But one of the things, they'll rut is one of the things, in the wheel lanes and then when it rains you get the puddling and then the hydroplaning and so it's a safety deal a lot of times they have to look at too."

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**Commissioner Norton** said, "Talk about real quick because the public doesn't always know about cold mix. It's a different process than hot asphalt, but the critical thing is that you can get some hard service down at a price different than hot asphalt. Tell us the difference in those two prices."

**Mr. Spears** said, "Okay. We can . . . it's like a baker baking something. We get all the materials, put them together. We have what's called the pug-meal and you put all the ingredients in with the oil and you make your cold mix and it's cold. It's not hot mix and it's not laid down with a lay down machine. We put it down, the guys to a great job laying that down so smooth with the motor grader. It's pretty unbelievable actually. The cost difference, we could do a mile of that, at four inches thick for about \$50,000 plus or minus, depends on the location how far we have to haul.

Your cold mix, for a two-inch lift is probably \$75, 000, so four-inch lift on cold mix will be about 150-200,000 dollars, so you're probably one-fourth the cost on a cold mix that you are the hot mix. But a hot mix, if you do it right, will last 20 years but that takes preventive maintenance.

The good thing about this, we use the cold mix when areas are starting to develop and get a little more traffic than 25 cars a day on the township road and as things develop, and before the actual huge developments come in, you know a lot of people call in and want better road, and also you have to weigh in, you know, the factor of how much does it cost to blade a road after every rain."

**Commissioner Norton** said, "It also prepares your road bed for when you are getting ready to put hot asphalt down too, because you have to smooth it out and prepare it in a different manner. Is that correct?"

**Mr. Spears** said, "That's right and we can take this a grind it up and put it back into the road bed with fly ash and then you've got a really good base for the hot mix. So all of this stuff is continually used and I don't know, most people may not know this but asphalt is recycled more than any other product in the world that includes paper, plastic and everything."

**Commissioner Norton** said, "Okay, good. I didn't mean to take you off your presentation. I thought that was a good talking point."

**Mr. Spears** said, "That's okay, it's good information for people."

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

**Mr. Spears** said, "Okay, this is still the cold mix, and we're still on 71<sup>st</sup>. This 119<sup>th</sup> Street South, between Meridian and Ridge, same process, this goes through Peck, after. This is Oliver, between 101<sup>st</sup>, 125<sup>th</sup> Street North, before, after, after. This is Greenwich between 95<sup>th</sup> and 119<sup>th</sup>. This is after. Now this just shows, the one thing we do add . . . this is the recycle. You see the loose rock

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here on this lane. We add a thin layer of rock, and so when they come through with and recycle with the recycle machine and they're cutting down about one inch into the cold mix, this rock is also added to it to give it extra strength. Now you can see the machinery, I don't know if I can get the . . . there's the . . . here's the . . . this machine grinds up and then you can see the rock laying there. It grinds that up, mixes that in with it, then that comes out this conveyor belt and up here, goes into this machine and this machine adds the rejuvenating oil into it and mixes it again, and then it comes out. That's a wind row right there and then we, our forces lay this down with the motor grader. After product. Oh, this is Macintosh in Derby and Derby's going to annex this now. This is between 71<sup>st</sup> and 79<sup>th</sup>. That's a before and there's an after and it takes a pretty good beating because there's an industrial area right there, so heavy trucks coming into that. Brown and Brown did this and basically it's a wash between what was budgeted and what we spent, which is almost \$1,000,000. When you've got 25 miles out of a million dollars, and that's pretty good because we did one mile of hot mix last year, six inches up on Hillside and it was \$440,000.

Rock shoulders, this is a safety item. We have a rock shoulder machine. There's the locations this year. It's 32 ¼ miles, both sides of the road. It's the same type of deal here, you see the truck, our truck dumps the rock into the rock shoulder machine. It lays it out right on the edge of the asphalt and then the compactor comes by and that's what you get. Also at night, that's a white rock and it helps you see the edge of the road, not only the white line, but you can see the rock. And there's our cost, about \$2,000 a mile for both sides. That's all in-house.

Okay, bridge projects by contract, you see the locations, there's ten of them. There's the list. All of them came in under budget. At the end of this it will show you the totals. This one on MacArthur between 263<sup>rd</sup> and 279<sup>th</sup> Streets West. That's the after project. Donglinger and Sons did that, it's under about \$57,000. This is a bridge deck that we did. We just did the deck instead of the whole bridge, buy a few more years. King Construction did that, about \$200,000. Some smaller structures that we did on 375<sup>th</sup> Street, all of these are 375<sup>th</sup>. Kind of upgrading that road, that's sort of a major road out of Cheney to the south, connects with some other things in another county, that's an after product. That an erosion control fence. That's taken out at a later date. King Construction did that. Another small one. These are just small boxes, King again, on 375<sup>th</sup>, same type of thing, King.

This is a bridge on 15<sup>th</sup> Street South between 295<sup>th</sup> and 311<sup>th</sup>, end product. Claver Construction did this and they were under budget about \$175,000. Now this bridge on 61<sup>st</sup> Street North, between Broadway and Seneca, it's the old bridge, here's the new one, it's a very nice looking structure, sidewalk on one side, you can see the fence. King Construction did that, pretty big job, three-

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quarter of a million dollars. Bridge deck on 151<sup>st</sup> Street West, this road goes up to Bentley, just the deck we did. That's the end result. King also did that one. You can see the budgeted and the actual costs and how much we're under budget.

Now bridges by our folks, we did five. Most of those are up in Number One District this year. So before, it's on 87<sup>th</sup> Street South between Ridge and Hoover. Here's an after. Here's the cost. 45<sup>th</sup> between Greenwich and 127<sup>th</sup>, this is a before, after. This is on the county line between 101<sup>st</sup> and 109<sup>th</sup>. I don't know, no telling how old that is. After. We have about 645 bridges in this county that we're responsible for. This is 109<sup>th</sup> Street North between Hillside and Oliver, this is before, after. You see all these are about between, oh around \$25,000 or so. We buy about \$100,000 of bridge timbers a year. 143<sup>rd</sup> Street East, between 101<sup>st</sup> and 109<sup>th</sup>, and the after picture. The cost \$27,000.

Drainage projects, sort of a special deal we did this year. We're always looking for new things, Armor-Flex, there's the problem over here to the left of this bridge, a drainage problem, erosion. This is 343<sup>rd</sup> Street West and MacArthur and our folks did this. See where before they tried to throw the rock down in here, right in here. That's Armor-Flex, that concrete, held up by the backhoe. Then you lay this down, you grout it in, just put it on top of an erosion control mat, see the black mat, hook it together and that's your product so it won't erode.

And that costs, material was about \$9,000 and our folks put it in, about \$15,000 so pushing \$24,000 but it solved a big problem. You have to take care of these things or it can do damage to your bridges eventually.

Now here, carry-over road projects and I call these our crown jewels, this is 13<sup>th</sup> Street North between K-96 and 159<sup>th</sup> and this will help you remember what it looked like before. These are before pictures, gravel road on a mile of it, narrow trees, both sides. There's when the trees were coming out. Now look at it, five lanes, four plus a turn lane. It's just a beautiful drive. And this is on 13<sup>th</sup>. Now this will provide when the city does 21<sup>st</sup> Street, supposedly they're going to let that next year, and we designed that. We'd already been paying for the design of it, so we designed 21<sup>st</sup>. And the nice thing about this is, once that's under construction next year, traffic can use 13<sup>th</sup> now as a detour and before it would have been pretty bad on that two-lane road.

It's a pretty big product. You can't say, remember when they used to say you can build a road for a million dollars a mile. This is about two and a half miles, almost nine million. Of course it's four lane with turn lanes and curb-and-gutter storm sewer and there was a small bridge in there too.

Now this is our other big project, 63<sup>rd</sup> Street South between Rock Road and the Butler County line,

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this is a before picture. And this one still isn't finished yet. This should be done in May. It had a calendar date certain on it, let by KDOT. This is a before picture. You can see that's obviously before. There's a bridge that went with this project that's finished. This is about five miles long, so you can see part of it is done now. I think it's open all the way to 127<sup>th</sup>. You can actually get through the other miles also, but it's not finished. This is a golf course to the left I believe, and over to the right is Fairway Meadows development. And that project is a little bit over budget, by \$90,000. Keep in mind, you see the note there at the left, KDOT has currently contributed almost \$9,000,000 to this job and we've spent \$2,746,000.

Here again is the big map and that's it."

**Chairman Unruh** said, "Thank you David. That was a good finish, with the Merry Christmas greeting. But it looks like you've had a busy year and done some outstanding work. The roads . . . I haven't been on every one of those roads, but the ones I've been on, to me, they really show high quality and good planning. I know 13<sup>th</sup> Street, one of the later projects you showed there, it's kind of hard to remember what that road looked like before the project was started but it was not good and now it's just outstanding and I think the citizens along 13<sup>th</sup> Street really appreciate that road now that it's there, although there was some angst during the process. But anyway, it's a good project. Commissioner Parks."

**Commissioner Parks** said, "Kind of explain a little bit, you showed several cities, Andale, Peck, Kechi and some of the others, that under 5,000 population connecting links and kind of tell the public about that, the state law . . ."

**Mr. Spears** said, "Okay, if a city is under 5,000 in population, there are certain roads in that city that are considered connecting links, that the county maintains. We don't have the lease power on them and we don't pass ordinances for speed limits and that sort of thing, but we do maintain them. Now connecting link is defined as a link, a piece of roadway that hooks to a county road on the other two ends, and that's how you define them, so there's a few cities that we do have connecting links in and we're going to be . . . that's changed over the years and we're going to be doing a resolution here in the future to update that."

**Commissioner Parks** said, "Okay. The second item that I had, out of the 645 bridges, that's quite a few bridges in the county, all of these are at least at a 90, the report we got here a while back, or higher on our bridge inspections, that we've had a continuing . . . unlike some other jurisdictions maybe out there that haven't kept up with their bridges, we have kept up with the bridge inspections and they're all at the 90 or above level."

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**Mr. Spears** said, “Yes sir. We have two bridge engineers and on one of them spends the majority of his time inspecting and doing the reports for KDOT and we are up to date on those. But no, they’re not all at 90. There’s several bridges that are not . . . that are load rated. In other words, there’s a sign there that says what the weigh limit is for them and we have . . . the ones most critical, we prioritize in the CIP and we do them first, so there are a few that we need to get done. There’s nothing that’s unsafe, if you follow the signs that are marked properly that are determined by our engineers through the calculations they make after observing what the structure looks like, so the signs are . . . if it’s a three-ton bridge, it’s . . . don’t drive anything that’s over three tons and that’s fine. But there are a few of those, but we were on this, full time, even before the Minnesota bridge collapse, so there’s some counties that are behind. We are not and we’ve had several meetings in house about it and we’re continually pushing those inspections but it’s a big job. 645 bridges and you think that there’s 22 working days a month, that means you need to inspect two and a half bridges a day to get them done in a years time, so it’s a big job.”

**Commissioner Parks** said, “And those that are marked, the law enforcement can get out and give them tickets if they’re over the three ton, if it’s marked as a three-ton bridge.”

**Mr. Spears** said, “I don’t know that any . . . the county has no . . . does not do that. They used to years ago but it became a big thing and to take out the temporary scales and would weigh some of the trucks, pull them over and weigh them, but the revenue from the tickets went to the state and the county actually, years ago, sued the state over that to get the revenue and lost that in the supreme court and then the county quit weighing the trucks, so it’s not done anymore by the county. Now I think the Highway Patrol may do it, on and off, on the state routes.”

**Commissioner Parks** said, “But they can take them to a facility to weigh them, an elevator or something that’s . . .”

**Mr. Spears** said, “You could, but I don’t . . . to my knowledge, it’s not done. I don’t think our Sheriff does that.”

**Commissioner Parks** said, “Okay. Now let me, if you’ll just repeat that, infrastructure is the goat’s milk of what?”

**Mr. Spears** said, “I said ‘mother’s milk.’”

**Commissioner Parks** said, “Oh, okay, thank you.”

**Chairman Unruh** said, “All right, let’s keep moving here. Commissioner Welshimer.”

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**Commissioner Welshimer** said, "Well I want to kind of give the public a little explanation for how we pay for our roads and for the projects that you've talked about. I know the county has a one-cent sales tax and half of that we divide among the 20 cities that are under the county's responsibility there. The other half of that one-cent sales tax, half of that goes to roads and bridges. Is that correct?"

**Mr. Spears** said, "That's correct. One half is dedicated to roads and bridges."

**Commissioner Welshimer** said, "About what does that amount to?"

**Mr. Spears** said, "It's about \$10,000,000 a year right now, plus or minus."

**Commissioner Welshimer** said, "Do you have any other sources of revenue that you depend on to pay for all this?"

**Mr. Spears** said, "General Obligation Bonds, although in 2008 we get zero for that, because of the self-imposed debt limit the county has placed on itself and I think there's some . . . the jail thing going on and the tech center and so that would cause too much bonded indebtedness and so it was decided to not have GO, General Obligation Bonds for infrastructure projects in 2008."

**Commissioner Welshimer** said, "Then you did get on some of these projects, if you were in your presentation, you had some state and federal money, particularly on 63<sup>rd</sup> Street South."

**Mr. Spears** said, "Yes. That was really . . . that was about \$9,000,000 and so we're always on top of that and we get that for roads and we get money for bridges also and it varies from year to year, but we . . . just as we have a five-year plan for the county, in our CIP, we also have a five-year state plan that we submit to them."

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

**Chairman Unruh** said, "All right, thank you commissioner. Well we appreciate your management of those different elements to keep our roads and bridges safe and up to date in Sedgwick County so we appreciate your efforts in helping guide us through that challenge."

**Mr. Spears** said, "Well it's a full team effort. You know, we have 130 people down there and they all work hard, and I'm the only one standing here, so it's due to their efforts also. By the way, I almost forgot, Mara Elman took all these picture, she's my secretary and put this powerpoint together so I want to thank her for doing that."

**Commissioner Norton** said, "She's behind you. Why don't you bring her up and make her . . . put

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her on camera so everybody can see her. Because we know she's the woman behind the man today."

**Chairman Unruh** said, "Good job, Mara. Well commissioners, are there any other comment or question for Mr. Spears? Commissioner Norton."

**Commissioner Norton** said, "Well just one. And observation. It looked like King Construction was . . . did a fantastic job this year. If you look at the savings on bridges, that \$1,000,000 plus, most of it came out of the projects that King Construction did, so I'd like to pass on a little accommodations to them, because if you look at the budget and how much they saved on some of those bridge projects, pretty amazing work and they must be a really good construction company to work with and do the job quick and with less labor or whatever, but it looked like they did a great job and saved us a lot of money, so some accolades to King Construction."

**Chairman Unruh** said, "All right, thank you commissioner. Any other comments? Well we need a motion to receive and file this report."

**MOTION**

Commissioner Norton moved to Receive and file.

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."

**NEW BUSINESS**

- E. RESOLUTION AUTHORIZING THE DIVISION OF HUMAN RESOURCES TO DELETE, AMEND AND ADD POLICIES TO THE SEDGWICK COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL.**

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**Ms. Jo Templin**, Director, Human Resources, greeted the Commissioners and said, “The Division of Human Resources has done an extensive review of the county’s personnel policies and procedures manual governing county employment. These changes were necessary because of technical corrections, or updating to reflect current policy and practice or because of new legislation. The resolution will approve amendments to policies in specific chapters covering equal employment opportunity, reassignment, employee conduct and relation standards, separation, lead benefits, career development and records and reports.

We are also recommending the addition of two new policies, 4.506 which is entitled ‘discrimination and harassment’ and 4.712 called ‘safe at home law’. We are recommending the deletion of two personnel policies, 4.404 transferred and promoted employees who request reassignment, and 4.601 involuntary termination, we feel like this information in these policies is covered elsewhere in the manual.

The amendments, additions and deletions recommended have been reviewed with each of you and in your backup you have received a detailed summary of each one of these revisions. The policies have also been reviewed and approved by the County Counselor’s Office, Finance, the leadership team, the Fire District, the Sheriff’s Office and several department heads.

I would also like to thank Jennifer Magana from the County Counselor’s Office who has worked with us, with this extensive review and also Jane Link from Human Resources who did most of the detailed work in updating the policies. I recommend your approval of this resolution and will stand for any questions you might have.”

**Chairman Unruh** said, “Well thank you Jo. We have had an opportunity to review these policy changes previously and you’ve brief us all of that. I’ll just comment that the management of the personnel function in an organization this size requires continued work and management and change of policies as the company grows and as laws change, and so we just appreciate your staying on top of it, but I know that it took a lot of work by you and Jennifer and others of your staff to keep us up to date and in compliance and doing what’s right, according to our employees, so appreciate it and through my review of the information, and your briefing, I’m going to be very supportive of

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this, so just want to say thank you for your work. Commissioners, are there any other comment? Commissioner Parks.”

**Commissioner Parks** said, “Just quickly, if any of the personnel have great difficulty with any of these, they can certainly go through their channels and bring it back eventually to the manager or to the . . . the manager can bring that to our attention if there are some problems with that, if there is anything out there that’s kind of an impasse with the employees then.”

**Ms. Templin** said, “Yes commissioner, any time an employee has an issue, they can contact their hiring authority, Human Resources or the manager with any issues or ideas or opportunity.”

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

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

**Commissioner Norton** said, “Well, we did have a chance to go over that with you, Jo. Most all of these just needed some updating, as far as language. I assume that you benchmarked against accepted practice and changed statute that governs some of your personnel practices, as you went through this process. Is that correct?”

**Ms. Templin** said, “Yes, sir.”

**Commissioner Norton** said, “Okay. You know, having worked in private business for many, many years it’s just a continuing process to upgrade, to make sure you’re in compliance with new laws that may come down, new best practices that may come down. It is also always good to look at those issues that tie to conflict resolution, sexual harassment, harassment in general and I think you did that at a pretty deep level on this policy review. Is that correct?”

**Ms. Templin** said, “That’s true and that was one of the reasons for the new policy, ‘discrimination and harassment’ which were previously covered under other policies, but now it’s a distinct policy in and of itself to address those issues.”

**Commissioner Norton** said, “Well it needs to be more well defined and it looks like the new policy will do that for different kinds of discrimination and harassment that maybe don’t have any sexual overtones or other kind of discrimination overtones. Okay, that’s all I have Mr. Chair.”

**Chairman Unruh** said, “All right, thank you commissioner. Is there any other comment or question for Jo? What’s the will of the board?”

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**MOTION**

Chairman Unruh moved to adopt the Resolution 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, "Thank you, Jo. Next item please."

**F. MEMORANDUM OF AGREEMENT WITH THE OFFICE OF THE ATTORNEY GENERAL OF KANSAS TO PARTICIPATE IN THE WICHITA AREA GUN TASKFORCE.**

**Mr. David Thompson**, Chief Deputy, Sheriff's Office, greeted the Commissioners and said, "This is actually a renewal of funding for a taskforce that we originally entered into in January of 2005. This funding renewal will cover the cost of our detective from September of this year through August of 2009. Even though this is a federal taskforce, Eric Melgren, the United States Attorney for the State of Kansas has designated the Kansas Attorney General to be the fiscal agent for this project. Therefore we need to have an agreement with the Kansas Attorney General, even though this is a federal taskforce and I would ask the board to approve the memorandum and authorize the Sheriff and myself to sign the agreement."

**Chairman Unruh** said, "All right, thank you David. Is there any comment or question? Commissioner Welshimer."

**Commissioner Welshimer** said, "Well explain a little bit about what this taskforce does."

**Mr. Thompson** said, "This is a federal taskforce for the City of Wichita, the Sheriff's Office, Kansas Bureau of Investigation, along with the Alcohol, Tobacco and Firearms unit, ATF here

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locally work to identify career criminals and criminals that use handguns and crimes of violence. I asked if there was any particular high profile that they'd done in the last two years, and they said they hadn't, although Mr. Melgrem was very, very pleased with the taskforce, wants it to continue and they've made many cases where they've taken illegal or other handguns out of the community and are prosecuting people for the use of handguns in crimes."

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

**Chairman Unruh** said, "All right, thank you commissioner. Any other comment or question? What's the will of the board?"

**MOTION**

Commissioner Winters moved to approve the Memorandum of Agreement and authorize the Sheriff or his designee to execute the Agreement document.

Commissioner Norton seconded the motion.

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

**VOTE**

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

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

**G. PAUL COVERDELL NATIONAL FORENSIC SCIENCE IMPROVEMENT ACT GRANT IN THE AMOUNT OF \$40,224.**

**Dr. Timothy Rohrig**, Director, Regional Forensic Science Center, greeted the Commissioners and said, "Before you today is a request to accept a Coverdell grant in the amount of \$40,000. This money will be used to provide some training to our forensic scientists and also to buy some equipment for our firearms laboratory."

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You just heard from the Chief about the taskforce, as far as taking guns off the street. A lot of these weapons are submitted to the forensic science center for examination to aid in the prosecution of the case.

The money is total pass-through. There is no match money required for this and this will help us continue to do our mission to provide forensic services to local, regional and other law enforcement agencies in the area. With that, I would recommend that you accept the grant, authorize the chairman or myself to sign all progress reports and other necessary documents that go with the grant and performance in the grant and to establish the appropriate budget authority.”

### **MOTION**

Commissioner Norton moved to accept the Grant, authorize the Chairman to sign all necessary documents and approve the establishment of budget authority.

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, “Dr. Rohrig, thank you. Madam Clerk, I think we’re ready for Item I.”

### **I. REALLOCATION OF ONE FULL TIME ATTORNEY POSITION TO TWO PART TIME ATTORNEY POSITIONS IN THE COURT TRUSTEE’S STAFFING TABLE.**

**Ms. Joni Wilson**, Manager, Court Trustee’s Office, 18<sup>th</sup> Judicial District, greeted the Commissioners and said, “I am asking for a change to our staffing table to allow us to replace one full-time attorney position with two part-time attorney positions. We are a self-funded office and there will be no tax dollars used.”

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**Chairman Unruh** said, “All right, thank you. That should be an easy choice for us to let you manage your own office there. So commissioners, is there any comment or question?”

**MOTION**

Commissioner Norton moved to approve the reallocation and additions to the Court Trustee Staffing Table.

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, “Thank you, Joni. Madam Clerk, next item.”

**J. AGREEMENT WITH KANSAS PUBLIC TELEVISION SERVICE, INC. TO PROVIDE TELEVISION SERVICE TO SEDGWICK COUNTY.**

**Ms. Kristi Zukovich**, Director, Communications, greeted the Commissioners and said, “It’s my privilege every week to be able to open this meeting, as you get to bring local government into our citizens’ homes and I’m sure that we do have some who are a little surprised when they see you instead of Sesame Street or Barney or some of the regular programming they see on Channel 8

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throughout the week, but it is an opportunity to allow citizens to see the good work of Sedgwick County and to be open and transparent in what we do.

Today I have a renewal agreement for the broadcast of our commission meetings and this is the same agreement we've had with Channel 8. We've had a longstanding relationship with them, and have had a very good relationship in being able to provide this broadcast of our meetings. And in addition to the renewal agreement today, I've also asked the interim general manager, Dave McClintock to come here. I know we've had some questions about the transfer to digital television and what that will mean to viewers in 2009 and so I've asked Dave if he would come and tell us what's happening at Channel 8 and give a little overview of that as well."

**Chairman Unruh** said, "Very good, welcome."

### **POWERPOINT PRESENTATION**

**Mr. Dave McClintock**, KPTS, greeted the Commissioners and said, "Channel 8 has been going through the conversion, like every other station in town, frankly. It has not been different in that sense. I wanted to talk as much as anything about the transition to digital in general that affects all of us.

For over 37 years now, your Public Television Station has had the pleasure of bringing you good quality programming to your home for your children and for adults alike. This country has embarked upon a unique and unprecedented change in the way we view television and I'm talking about the switch to digital television. That's something that's happening right now. In just over one year, in February the 18<sup>th</sup> of 2009, this conversion process will be completed.

Free over the air analogue broadcasts will come to an end at that time, because everything will be digital. Cable TV and satellite subscribers will not be affected on this date. Okay, television will no longer be broadcast the way it was when you and I grew up. I got a little early on that one, let me jump back a minute. It is the single most significant advancement that we've had in television since color television in the 1950s.

Historically, stations have broadcast in analog signals, analog formats for televisions to receive with analog tuners over antennas and of course more recently a lot of cable as well, but it's still all been analog. On February the 17<sup>th</sup>, 2009 these broadcasts will be upgraded to digital. Why the upgrade to digital and how will that change our television viewing? Well congress mandated this switch back in 2005 when they passed a law that set this date for February the 17<sup>th</sup> to convert to digital televisions.

There were a couple of reasons for that. Public safety was the biggest reason, that we needed more

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radio frequencies, as some of you would probably know, to be able to coordinate and protect our citizens with. This change in television broadcast technologies will free up frequencies to allow that to occur. I would also note of course, they're auctioning off additional frequencies for revenue, which is always a nice motivator as well. Congress also recognized that D-TV will give us dramatically better pictures and sound and will be more efficient and more flexible than our analog technologies that we're using today.

It allows us as a broadcast station to actually broadcast more than one channel simultaneously instead of only one that we're doing in analogue. That means for example the local station could broadcast an all-weather channel or an all-sports channel or an all-traffic channel in addition to their normal broadcasts. In fact today both KPTS and KWCH are broadcasting multiple channels.

Digital television was first introduced in the 1990s, when everything we were doing was becoming digitized, our music, our cell phones, our movies, they all went digitals and yet millions of households even today are still receiving analog broadcasts. It's estimated that nearly 20,000,000 households are now receiving analog-only broadcasts, so this does affect a lot of people. In addition, there's about 15,000,000 analog television sets as second or third sets in those homes so there's a total of about 69,000,000 analog television sets still in use in this country today.

Because this transition is happening, we want to make sure and if I could borrow the phrase that 'no viewer and no TV is left behind in 2009'. And we appreciate the fact that you as commissioners want to help educate the community to that fact as well.

We all remember Y2K. It seemed like it was a very overwhelming thing at first, but when it finally got here everyone was prepared and life went on pretty much as it had before. You know, many of us might already be ready for digital broadcasts as well, so how do we know if we're actually ready? If you purchased a TV recently, there's a good chance that your TV has a digital tuner in it and is capable of receiving these digital broadcasts. You would have to ask your retailer, check your user's manual or possibly their website to know that for certain.

All TVs that have been manufactured since March the 1<sup>st</sup> of this year, 2007, were required to have digital tuners in them, so they should be able to receive those broadcasts. However, it's important to note that there are still some analog TVs on the shelf. They were manufactured before this date, but they're still being sold. That's why it's important to do a little homework and be sure you know what it is you're buying. In addition to that, in the last several years a lot of digital ready television sets have been sold that did not have digital tuners within them, and so they are not capable of receiving over the air broadcasts without additional equipment to do so.

If you've purchased an HD set lately, you're probably ready and probably already receiving digital

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services. If you subscribe to a paid cable or satellite service, you may already be receiving these digital services from them. It's important there to ask those providers if you have any questions about that. If you don't meet any of these criteria, then you can follow one of three simple steps to ensure that you will not wake up on February 18<sup>th</sup>, 2009 with static instead of your favorite TV show. One of those steps would be to simply buy a converter box. These converter boxes will convert the digital signals back to analog, allowing your analog set to be able to view these broadcasts. These are extremely friendly user boxes, they're very simple. They're designed to do just that, simple thing, convert digital to analog so that you don't have to do anything but plug them in.

I understand there's a couple of brands available now, but a lot more of those will be available next year. The National Telecommunications and Information Administration, NTIA, part of our federal government, has created a voucher program to help consumers purchase those boxes if they need to get one. You have to register or request those coupons from the NTIA and we'll give you some of that information here as well as we go this morning. You can request those coupons in one of three ways. There's a phone number, 888-DTV-2009 where you can make that request. You can go to the website, DTV2009.gov and make a registration there and next year the post offices are to have forms available there that you can actually mail in for that information.

So every household will be able to apply for up to two of these coupons. So every household will be able to get two of these coupons. They're worth \$40 a piece. Each coupon can be used towards the purchase of one converter box. Those converter boxes are expected to be in the \$50 to \$75 range in terms of price. So for example if you're married and you and your spouse cannot combine your two \$40 coupons towards the purchase of one \$60 box and pocket the change. It doesn't work that way. They're good for one coupon per box that you want to purchase. These will be certified converters that the NTIA has agreed meet their demands, minimum demands, because you can obviously put a lot of other things into a converter box besides this basic conversion technology. These coupons will only be available for the basic box.

A list of certified retailers will come with those coupons so that people will know where to go to find these and the retailer will know which ones that the coupons can be applied to. These coupons must be redeemed within 90 days. It's a limited coupon, so that's why you need to know where to go. They will be available early in 2008, I'm told. Sometimes that gets a little delayed but sometime in 2008 those coupons should be available. They will not however be sent to our homes until they know that there are coupons . . . not coupons, but boxes available in our area to purchase.

So you register early, you get the coupons when they're available in the area to purchase and you've got 90 days then to make that purchase knowing that they do exist. You may be wondering

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if you need a converter box or not. Well keep in mind that some of the televisions you have right now may be digital ready already, some of them may not be. Where do you have TVs? Do you have them in your basement? Do you have them in your kitchen, in your bedroom? Do you have a second home. Do you have a beach house or a cabin? You know, think about all the places you might have TVs and make a mental note of that, are they D-TV ready or not.

If they use an antenna, if they're an older TV, chances are you're going to need a converter box. If the TV is new, and equipped with a digital tuner, it carries . . . or if an owner carries paid cable or satellite subscriber services, then the chances are you will not need this converter box, because cable services do not need the converter box. They're currently providing you an analog service. They will continue to do so for probably three years. You'll have to ask your provider just how long they plan to do that. If the TV is new then you're okay. Now, if you are using a cable service, then that really is the second option and that is simply to subscribe, if you don't have that service, you can subscribe to a service and not have to change anything with the TV. Not have to buy a converter box, not have to buy a new TV or anything else. Your third option then would be simply to purchase a new TV that has a digital tuner in it.

Nearly all of them being sold these days do have the digital tuners, but I still encourage people to ask and be sure, all right. So remember now, if you want to watch your favorite PBS show or perhaps it would be a morning show or a sit com or even a soap opera or something, you just need to take one of these three steps: purchase a converter box, subscribe to cable or purchase a D-TV, those three very simple steps.

We want to ensure that every TV is equipped for the transition that every last person in the country is prepared for. In order to do this, we frankly need everyone's help. Again, I thank the commission for wanting to do this. I urge everyone else to begin to prepare themselves, their neighbors, their friends to get ready for D-TV. If you have any questions about the transition, I would encourage people to visit [dtvanswers.com](http://dtvanswers.com). It gives all the basic information people need to be prepared for that. Television stations have already been doing their part. Well over 90% of them now in the country have digital programs being provided, along with their analog services.

Let me touch on three common questions, as I wrap this up, that we seem to get frequently. Number one, will my VCR, DVR or DVD player still work? The recording devices like the VCR and the DVR, they will no longer work unless you have a new unit that has digital tuners in them. All devices that you've been using up till now will continue to play anything you have recorded, but after this February date in 2009, it will no longer be able to record new TV programming. Again though, if you're a subscriber to one of the services, that will continue to work. Is HDTV the same thing as DTV? No it is not. HDTV is the highest quality High Definition. There's also standard definition or SDTV. And third, will I need a special antenna to receive D-TV over the air? Generally speaking, no. If you can receive the analog signal, you should also be able to receive the digital signal.

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So here we are now with 433 days left before this transition is completed and analog broadcasts come to an end. Let's try to be sure that all of our families are ready. Thanks again for inviting me to speak. I'm happy to answer any other questions you might have about this transition."

**Chairman Unruh** said, "Well thank you for the presentation, Dave and I think I'm more comfortable now about this transition. The words digital and analog basically are just words to me."

**Mr. McClintock** said, "Yeah, we understand that."

**Chairman Unruh** said, "But I think a lot of our viewers also got information from your presentation that helps them understand the process, so appreciate your being here."

**Mr. McClintock** said, "We will have this information on our website as well, and I know all the stations are going to be trying to educate the community over this next year quite a bit."

**Chairman Unruh** said, "All right, and everyone will understand though that county commission meetings will still be available on Channel 8?"

**Mr. McClintock** said, "Yes they will. We're pleased to be a part of that."

**Chairman Unruh** said, "All right. We have a couple of more questions. Commissioner Parks."

**Commissioner Parks** said, "The last couple of days, KPTS on antenna, has there been a problem with that?"

**Mr. McClintock** said, "There has been. We unfortunately are impacted by the major power outages in the Hutchinson area and our transmitting facility is without power right now. As of this morning, they still can't promise us when that's going to be back so I can't give you an update."

**Commissioner Parks** said, "Okay. Well I'm one of those in the country on antenna."

**Mr. McClintock** said, "So am I and I'm not in the country."

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

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

**Commissioner Welshimer** said, "So these small television stations like we have one here in

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Wichita, Channel 55 on Douglas, how are they going to adjust to this?"

**Mr. McClintock** said, "Every station, eventually has to convert to digital. If I understand it correctly, all the low power stations like that also have to convert to digital by 2009. Translators, and there are a couple of those around here, are given a little bit longer, so there may be some translators that will still be analog. They have the ability to do what we call a flash-cut, just simply switch over on that date. Everybody else has had to put up broadcast . . . full power stations have had to put up broadcasts of both analog and digital for the last several years."

**Commissioner Welshimer** said, "Okay. Well, people with low incomes depending on social services totally for such as this, is there some plan for that that you're aware of or are we just going to have to work that out with our social service partner?"

**Mr. McClintock** said, "The only plan I know of are these coupons from NTIA. That would get the costs of a converted down to somewhere in the 10 to \$15 range for a very basic box, but that's still an expense."

**Commissioner Welshimer** said, "But somebody has to go get the coupon."

**Mr. McClintock** said, "The coupon would be mailed if they register, but yes, someone has to pick up the box."

**Commissioner Welshimer** said, "And hook it up."

**Mr. McClintock** said, "Yeah, but I really think that that's tremendously user friendly. It's one input, one output pretty much and that's all there is to it. But yeah, they may need some assistance in doing that. I understand not everybody is technically savvy like that."

**Commissioner Welshimer** said, "Well yeah, in my district I've got a lot of low income and people who are in wheelchairs or invalids and so on. They depend on their television entertainment. Okay, thank you."

**Chairman Unruh** said, "All right, thank you. Thank you for your presentation."

**Ms. Zukovich** said, "And commissioners, I'd just like to point, as well as Dave said, we will have the information on our website and all of those contacts as well for folks and we will be asking Dave to come back a couple of times next year, just so we can keep this out in front of folks and as

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we learn or know more information or as we have opportunities to work with some of our departments to deal with some of these vulnerable groups, we can see what we can do in working all through this process. But we have a little bit of time, but it's also kind of timely now. I think we remember, if you're still looking for someone a gift, he's given us plenty of options here today. I would recommend you approve the contract and would continue to broadcast on Channel 8 through 2008."

**Chairman Unruh** said, "Thank you. Commissioners, are there any other questions or comments about the agenda item to approve this contract with Channel 8?"

**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**

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

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

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

**K. GRANT APPLICATION TO THE NATIONAL CENTER OF SENIOR TRANSPORTATION FOR FUNDING OF THE JOY RIDES PROGRAM.**

**Ms. Annette Graham**, Director, greeted the Commissioners and said, "This is a grant application which would start, if rewarded, January 1<sup>st</sup> 2008 and run through January 31<sup>st</sup> 2009. It is a grant application to seek out funding, \$57,092 from the National Center on Senior Transportation to fund what we're calling Joy Rides program. And this is non-essential rides for older adults in the entire

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Sedgwick County area. And it will be for rides that currently aren't very often available for individuals who can't afford that option, things such as shopping at the mall, going to a theater, going to a movie, going to visit family and friends. So this would be a new service in our community because usually rides are limited to the essential rides, transportation to social services, to doctor's appointments, to hospitals, things like this, so this would be a really nice opportunity to be able to provide that service in our community through our providers.

We would also be increasing the access through increasing the awareness of one number to call to learn all about all the transportation options, so we would be doing some public service announcements, doing some education opportunities, also working with our other providers to get the word out and having magnets and providing information about promoting the transportation brokerage as the one number to call.

We would also be developing a website so that people who had access to the computer could access information about all the service options for transportation in our community. So I would recommend that you approve the grant application and authorize the Chair to sign all necessary documents and I'd be happy to answer any questions."

**Chairman Unruh** said, "Well thank you, Annette. We do have a question from Commissioner Welshimer."

**Commissioner Welshimer** said, "Well here we have a grant application. If we get this, then we can use this money to go and get boxes for TVs, right?"

**Ms. Graham** said, "Well that certainly is an area that we're already looking at is the need for some specialized services for this new transfer to digital TV. And at the national state level, we started talking about that issue and how we might be able to try to respond to that."

**Commissioner Welshimer** said, "That's good to know. Thank you."

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

**Commissioner Winters** said, "Annette, you talked about one number to call. Do we have a one number to call now or will this grant let us do that?"

**Ms. Graham** said, "We do have the transportation brokerage to help people be able to coordinate transportation available but this would be really more of a push to help get that number out to a wider audience, so that they could call not only to coordinate the rides but also to learn about all the different transportation options, so it would be kind of an expansion of that one number and what it

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can be utilized for.”

**Commissioner Winters** said, “Right. Well while you’re on camera today, can you give that number of the Transportation Brokerage? Do you have that with you or am I asking you a bad question?”

**Ms. Graham** said, “I’m sorry, I should have had that number. I do have our reg . . . our other number that they can call to access that. 660-7298 and then we can get you right to the Transportation Brokerage and I apologize for not having that.”

**Commissioner Winters** said, “So if somebody is listening today and they want to investigate transportation, they can call 660-7298 and you’ll get them to the right place.”

**Ms. Graham** said, “Yes, that will get them to the right place.”

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

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

**Commissioner Parks** said, “Of all the days to have an ice storm in my constituents in Sedgwick not being able to hear this on antenna. This could also be used for bus to possibly pick up some people for voting day, the actual Election Day and take them to a polling site?”

**Ms. Graham** said, “It would be, yeah.”

**Commissioner Parks** said, “From a senior center.”

**Ms. Graham** said, “Yes.”

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

**Chairman Unruh** said, “Okay, I don’t see any other requests to speak. I just would make the comment that I think this is a good program to help those citizens stay in-home and help those folks enhance their quality of life while they’re . . . at a time when they need a little extra help. Transportation is really an issue and folks feel like they’re imprisoned almost when they can’t get out and take care of some of their needs of just living an ordinary life, so I think it’s a great opportunity to access some grant money and provide that service. Commissioners, what’s the will of the board?”

### MOTION

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Chairman Unruh moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including the Grant Award Agreement containing substantially the same terms and conditions of the Application.

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, Annette. Next item please.”

**L. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON DECEMBER 6, 2007.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, “The meeting of December 6<sup>th</sup> results in four items for consideration today.

**1) ROAD IMPROVEMENTS- PUBLIC WORKS**  
**FUNDING: R254 119<sup>TH</sup> ST. W BETWEEN 29<sup>TH</sup> AND 53<sup>RD</sup> ST. N/ R254 RECOND. 119<sup>TH</sup> ST. W; 29<sup>TH</sup> -53<sup>RD</sup> ST. N**

The first item, road improvements for Public Works. The recommendation is to accept the low bid from Cornejo Construction in the amount of \$2,848,593.11.

**2) ON-CALL ELECTRICAL SERVICES- FACILITIES DEPARTMENT**  
**FUNDING: ALL DEPARTMENTS**

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Item two, on-call electrical services for Facilities Department and various county departments. The recommendation is to accept the bid from Atlas Electric and Shelley Electric and establish contract pricing for one year, with two one-year options to renew.

**3) PROSECUTOR CASE MANAGEMENT SOFTWARE- DISTRICT ATTORNEY  
FUNDING: DISTRICT ATTORNEY**

Item three, prosecutor case management software for the District Attorney's Office. Recommendation is to accept the proposal from New Dawn Technologies and execute a contract for a negotiated cost of \$486,804 and to establish annual maintenance and support costs for the listed rates.

**4) SYSTEMS FURNITURE FOR THE JUVENILE COURT PROJECT- FACILITIES  
DEPARTMENT  
FUNDING: CONSTRUCT JUVENILE COURT, REMODEL FOR DA- JUVENILE  
COMPLEX**

And item four, systems furniture for the Juvenile Court Project for Facilities Department. Recommendation is to accept the quote from John A. Marshall for a total amount of \$325,161.71.

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

**Chairman Unruh** said, “All right, thank you Iris. Commissioners, are there any questions about any item on the bid board? Commissioner Norton.”

**Commissioner Norton** said, “Item number four only had one bidder. Describe that real quick, Iris.”

**Ms. Baker** said, “Item number four, the recommendation comes from a state contract. This is systems furniture. Systems furniture is the cubical or the modular furniture. That is a county standard. We use the state contract because it is a 73% discount off of retail price and we have tested the bid process before and have not been able to beat that discount, so we piggyback state contracts for systems furniture and get any quotes are based on that.”

**Commissioner Norton** said, “Well that’s a lot of money, \$386,000 and to only have one bid, I wanted to be sure the public knew that that was just attaching to a state contract and we have a

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history of being . . . provide pretty good savings to the county because of that.”

**Ms. Baker** said, “Yes.”

**Commissioner Norton** said, “That’s all I have, Mr. Chair.”

**Chairman Unruh** said, “All right, thank you. Any other questions or comments for Iris. What’s the will of the board?”

**MOTION**

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

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

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

**CONSENT AGENDA**

**M. CONSENT AGENDA.**

**1. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2007 and prior years have been paid for the following plat:

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**Rocky Ford Industrial Park Addition**

- 2. Two permanent Drainage Easements for Sedgwick County Project 634-32,33,34,35,36; Widen 63<sup>rd</sup> Street South between Rock Road and the Butler County line. CIP# R-275. District #5.**
- 3. Donation of \$25,000 to the City of Haysville to be used in the construction and furnishing of the new Haysville Senior Center.**
- 4. Notice stated finding made by the Sedgwick County Board of County Commissioners at the post-annexation hearing held on November 28, 2007.**
- 5. Amend the 2007 Capital Improvement Program to include relocated Fire Station #35.**
- 6. Establish budget authority in the Workers' Compensation Fund.**
- 7. Payroll Check Register for November 30, 2007.**
- 8. Order dated December 5, 2007 to correct tax roll for change of assessment.**
- 9. General Bills Check Register(s) for the week of December 5 – December 11, 2007.**

**Mr. William P. Buchanan, County Manager**, greeted the Commissioners and said, "Commissioners, you have the consent agenda before you and I recommend you approve it and remind you that there's only 19 days left for the sales tax to be in existence."

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

**Commissioner Winters** said, "Mr. Chairman, on the consent agenda, I would request that we pull item number four off and deal with it separately. It's the notice of stated findings made by Sedgwick County Board of County Commissioners of a post-annexation hearing held on November 28<sup>th</sup> and that was the Park City case."

**Chairman Unruh** said, "All right, thank you. Does that take a motion to pull that off?"

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**Commissioner Winters** said, “No, but I’m ready to make a motion.”

**MOTION**

Commissioner Winters moved to approve the Consent Agenda as presented with the exception of item number four.

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, “Now we’re ready to consider item number four of the consent agenda. Is there any comment from the commissioners? Commissioner Parks.”

**Commissioner Parks** said, “I believe there’s an elected official here that would like to address the board, if the chair would so desire.”

**Chairman Unruh** said, “All right, I assume that he is referring to the Honorable Mayor Dee Stuart.”

**Commissioner Parks** said, “Yes.”

**Ms. Dee Stuart**, Mayor, City of Park City, greeted the commissioners and said, “Thank you for allowing me the opportunity to speak to you this morning. I’m also as appreciative of that as I am the fact that we dodged the big icy bullet this week. And I appreciate Commissioner Winters’ removing this item from the consent agenda.

We believe that the finding of the county commission at the conclusion of the public hearing of the meeting of two weeks ago was not supported by the evidence presented. It appears that some of the

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commissioners were confused about the purpose and scope of the statutory hearing. The question to be reviewed was whether the City of Park City had provided services in accordance with the service plan prepared for the annexations under review. There was absolutely no evidence presented that showed any failure by the City of Park City to do anything it had said it would do under the service plan.

What the commission hear were complaints from citizens that the annexation process followed by the City of Park City was flawed, that they had not gotten what they wanted or had not gotten services commensurate with what they believe to be increased taxes.

The problem with this is the complaints about the annexation process are not subject for review by the county commission at this hearing. Similarly, complaints about increased taxes and specific instances of these citizens receiving what they perceive to be less service than others do in Park City or less than they did prior to annexation by other units of government are likewise not the test to be applied by the county commission in this review of annexation under state law.

The commission's attorneys and some of the commissioners recognized this and despite the caution regarding the scope of the review under statute, a majority of the county commission voted to find that the City of Park City had failed to provide the services as set out in its service plan.

I question whether the pending lawsuit in which the county is suing the City of Park City over an annexation matter in the same area that these citizens live in has rendered the commission . . . has given the commission difficulty to be fair and reasonable in a matter such as this.

I also wonder whether recent pronouncements of Commissioner Parks concerning his animus for unilateral annexation are evidence that he is unable to fairly and reasonably consider the facts presented at the public hearing. I would rather believe that there was a lack of understanding of the purpose of the hearing. The City of Park City has followed the law with respect to these annexations and has provided services exactly as it said it would in its plan for services.

If this finding is permitted to go forward, the City of Park City will have two choices. One will be to extend the services that other Park City residents currently enjoy, exactly as they enjoy them. That would involve an expense of approximately \$40,000 per property for sewer services. It would involve an expense of over \$20,000 per property for water service for those properties on 77<sup>th</sup> Street. I really oppose that. I really do not want to take that course of action. I think it is our responsibility as elected officials of the city to protect our residents and at this point in time they are our residents.

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The other option we have is to file an lawsuit challenging the ability of the county commission to sit in judgment of matters like this and to consider them fairly, reasonably and without caprice and self-interest interfering with their deliberations, so I ask the county commission to reconsider their conclusion on this matter.”

**Chairman Unruh** said, “Thank you, Madam Mayor. I appreciate your comments. Commissioners, is there any comment or question as we consider this item of the consent agenda. What is the will of the board? Mr. Counselor, in light of the fact that the commission is being mute at this time, do you have any advice for us?”

**Mr. Euson** said, “Well the proper action to take after a post-annexation hearing is to send a notice of the findings that commissioners made. It’s our standard practice to put one of these on the consent agenda and so we’ve prepared this notice which says that the City of Park City did not provide services as it was stated in the plan and so my recommendation is to approve the notice.”

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

**MOTION**

Commissioner Parks moved to approve Item 4 of 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, “Motion carries. Commissioners, we’ve come to the end of our regular meeting but we need to have both a fire district meeting and an executive session, so at this time I will recess the regular meeting of the board of county commissioners.”

**The Meeting of the Board of County Commissioners was recessed into the Fire District #1 meeting at 10:56 a.m. and returned from recess at 11:06 a.m.**

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**Chairman Unruh** said, “And before we recess to Executive Session, commissioners, this is the appropriate time for ‘other’ comment. Commissioner Winters.”

**Commissioner Winters** said, “Thank you very much, Mr. Chairman. Some of you may have noticed on the front page of the state and local section today was the announcement that Sedgwick County has received a grant from the John D. and Katherine T. Macarthur foundation in the amount of \$100,000 or perhaps even more over the next three years to work with the issue of a disproportionate minority contacts with law enforcement in our juvenile justice system.

If you’ll remember, I traveled to Washington in November with Corrections Director Mark Masterson and representative Melody Miller as we talked to the Macarthur Foundation about what we are doing here. Mark Masterson was scheduled to be in Washington yesterday for the announcement at the foundation, but because of weather travel, Mark elected not to go. I do not want to go into this in detail now but wanted to let you know that on our meeting of January 2<sup>nd</sup> we will invite our partners to come to our regular commission meeting on January 2<sup>nd</sup>. And that will include Representative Melody Miller who has worked on this issue for a number of years and was very helpful in focusing us towards trying to obtain this grant and our Juvenile Court judges will also be here on the second. So I just wanted to give you that little notice, if you see this on the front page of today’s newspaper in the state and local section. We will really have a more detailed discussion on January the 2<sup>nd</sup>.”

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

**Commissioner Parks** said, “Under ‘other’ I would just like to thank the road crew from the Public Works department for their swift action in this ice storm, also the Sheriff’s Department road crew, fire department, 9-1-1. During these weather emergencies, those departments are stressed and like to just tell them a special thanks from the commission to them for working their long and dangerous hours.

Also, I went to the Britt Brown Arena last weekend for the TSO, Trans-Siberia Orchestra. By the way they’re not from Siberia, they’re from San Antonio, Texas. One of the leads wanted me to make sure and get that word out, but it was a great honor for me to present the opening check for ROCKO and that organization of caregivers and the TSO, Trans-Siberian Orchestra, did give a dollar for each ticket to ROCKO for allowing those caregivers to get some time off, so that was a very good program, great program and honor for me to be able to present that, so thank you.”

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

**Commissioner Welshimer** said, “Well last Friday we had the Mulvane High School Madrigals performing downstairs in the lobby of the courthouse. Beautiful young people, absolutely gorgeous presentation, they performed so well and there are so many talented people in that group. I was just thrilled to have them. I wish we could have broadcast that performance.

The other thing is our lobby looks so beautiful, the decorations. I know we’ve mentioned this before, but I’d like to again thank Eula West and Lela Albright and the others that helped with that. They’ve just done a spectacular job and love what they’ve done here for our bench and it’s made it a good Christmas holiday for all of us.”

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

**Commissioner Norton** said, “Well I wanted to comment just real quick, our health access committees and workgroups continue to do their good work. They meet once a month and I went to a navigation committee meeting yesterday and they were discussing partnerships with United Way and 2-1-1 to put together an algorithm and a linkage so that folks that are having trouble gaining health access, understanding how to connect with primary care physicians can call 2-1-1 and link up with United Way to get information on safety net clinics, hours, transportation, anything that might help them link to that. A couple of our staff people, Adrian Lutzburn and Roderick Harris have continued to help lead those processes and are doing a great job.

Later this week, we’ll have a committee meeting of the coverage group that’s working on different kinds of plans and coverage that might help get some people into some insurance plans or some other medical home kind of plans and I’m pretty proud that they’re moving pretty quickly. They’re now trying to digest what the health institute at the state level has recommended and how that fits in with the recommendations they’ll make. It’s a pretty complicated subject. Some of it’s going to be federally guided, some state guided through the health institute and policy committee and then some of it’s going to be local through the health department, through the medical community and through the county commission, so a very complicated issue but I’m really happy that our coverage, navigation and coordination committees continue to work hard to make sure it gets done.

Kudos to Dr. Walling and to Rosa Melina that have chaired that particular navigation committee that will keep moving the process along and having great dialogue. I only got to be there an hour yesterday but it was spirited dialogue and really got to the meat of what the issue is in the community so I’m really proud of them.

And finally, this week we didn’t meet on parking. We’ll meet again on arena parking. We are gathering more information and I think our next meeting with city officials and transportation officials will start to really define the meat of what we’ll bring to the commission after Christmas so

## Regular Meeting, December 12, 2007

I think we've got one more meeting before Christmas and then one right after Christmas that hopefully will start to define recommendations that we'll make to the county commission and the city council and to the public in general so we can put it through the filter of the public and scrutiny to see if it's what they want in a parking solution for the downtown and particularly arena events. That's all I have, Mr. Chair."

**Chairman Unruh** said, "All right, thank you. Well at this time I think we're ready for a motion for executive session."

### MOTION

Commissioner Winters moved to recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation and legal advice and that the Board of County Commissioners return to this room from Executive Session no sooner than 11:25 a.m.

Chairman Unruh 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 11:15 a.m. and returned at 11:32 a.m.**

**Chairman Unruh** said, "All right, we are back from Executive Session and so I will call the regular meeting of the Board of County Commissioners back to order and I will declare for the record that while we were in executive session no binding action was taken. But we do need to have a report from county counselor Mr. Euson."

**Mr. Euson** said, "Thank you Mr. Chairman. Commissioners, while in Executive Session, we

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discussed a Worker’s Compensation case involving a firefighter by the name of Byron Chrisler and he was injured in the course of his employment and he is on full disability and we have a recommendation to you that we settle his claim in the total amount of \$110,000 and leave medical open but close out issues related to review and modification of that award. That’s the recommendation and I would ask that you approve it.”

**MOTION**

Commissioner Norton moved to approve the Worker’s Compensation Claim as presented by counsel.

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 |

**Mr. Euson** said, “Thank you commissioners.”

**Chairman Unruh** said, “Thank you. Commissioners, anything else to come before the county commission meeting? Mr. Manager? Anything more, Mr. Euson? We are adjourned.”

**N. OTHER**

**O. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:34 a.m.

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

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**DAVID M. UNRUH**, Chairman

**Regular Meeting, December 12, 2007**

First District

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

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

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**KELLY PARKS**, Commissioner  
Fourth District

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**GWEN WELSHIMER**, Commissioner,  
Fifth District

ATTEST:

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**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2008