

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

December 17th, 2008

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 17th, 2008 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters, with the following present: Chair Pro Tem Tim R. Norton; Commissioner David M. Unruh; Commissioner Kelly Parks; Commissioner Gwen Welshimer; Mr. William P. Buchanan, County Manager; Ms. Jennifer Magana, Assistant County Counselor; Mr. Jim Weber, Deputy Director, Bureau of Public Works; Ms. Jo Templin, Director, Human Resources; Mr. Chris Chronis, Chief Financial Officer, Division of Finance; Mr. Richard Vogt, Chief Information Officer, DIO; Mr. John Schlegel, Planning Director; Mr. Robert Parnacott, Assistant County Counselor; Ms. Irene Hart, Director, Community Development; Mr. Bob Lamkey, Director, Public Safety; Dr. Timothy Rohrig, Director, Regional Forensic Science Center; Ms. Deborah Donaldson, Division Director, Human Services; Mr. Tom Pletcher, Clinical Director, COMCARE; Ms. Monica Cissell, Program Manager, Department on Aging; Mr. Bill Farney, Administrative Services Director, Sedgwick County Health Department; Mr. Steve Claassen, Facilities Director, Division of Information and Operations; Mr. Dave Rush, Interim Director, Kansas Coliseum; Ms. Iris Baker, Purchasing Director, Division of Finance; Mr. Gary Steed, Sheriff, Sheriff's Department; Captain Stephen McMillen, Fire Captain, Fire District #1; Mr. Charles Hatfield, Trade Specialist, Facilities Maintenance; Ms. Kristi Zukovich, Director, Communications; and, Ms. Evelyn Good, Deputy County Clerk.

GUESTS

Mr. Bob Weeks, 2451 Regency Lakes Ct, Wichita, KS 67226
Mr. Charles H. Peaster, 9453 N. 135th W, Wichita, KS 67135
Mr. John Todd, 1559 Payne, Wichita, KS 67203
Mr. Darrell Leffew, 9908 Briarwood, Wichita, KS 67212
Mr. Joe Johnson, 257 N. Broadway, Wichita, KS 67202
Mr. Joe Fluhr, 507 E. Douglas St, Wichita, KS 67202
Mr. Karl Peterjohn, 11328 Texas St, Wichita, KS 67209
Mr. John Rolfe, 515 S. Main, Ste. 515, Wichita, KS 67202
Mr. Scott Wadle, Senior Planner, Advanced Plans Division, City of Wichita
Ms. Janet Miller, 1102 Jefferson, President, Board of Park Commissioners
Mr. Russell Axtoll, Assistant Center Manager, Hawker Beechcraft

INVOCATION

Observed by a moment of silence.

FLAG SALUTE

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ROLL CALL

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

Chairman Winters said, "Next item."

RETIREMENTS

A. PRESENTATION OF RETIREMENT CLOCKS.

- **GARY STEED, SHERIFF'S OFFICE WILL RETIRE JANUARY 1, 2009 AFTER 34 YEARS OF SERVICE.**
- **DAVE RUSH, INTERIM COLISEUM DIRECTOR, KANSAS COLISEUM WILL RETIRE JANUARY 1, 2009 AFTER 34 YEARS OF SERVICE.**
- **STEPHEN MCMILLEN, FIRE CAPTAIN, FIRE DISTRICT #1 WILL RETIRE JANUARY 1, 2009 AFTER 27 YEARS OF SERVICE.**
- **CHARLES HATFIELD, TRADE SPECIALIST, FACILITIES MAINTENANCE WILL RETIRE JANUARY 1, 2009 AFTER 21 YEARS OF SERVICE.**
- **NORMA GAMBLE, FISCAL ASSOCIATE, TREASURER'S OFFICE WILL RETIRE JANUARY 1, 2009 AFTER 18 YEARS OF SERVICE.**

Ms. Jo Templin, Director, Human Resources, greeted the Commissioners and said, "This Agenda item recognizes the long term contributions of many of our Sedgwick County employees from a wide variety of areas of the County. We have several, so I would ask that all our retirees just come on this side of the room, please.

Our first retiree to be recognized, Sheriff Gary Steed from the Sheriff's Office, he will retire January 1, 2009, after 34 years of service."

Chairman Winters said, "Come on up. Gary, on behalf of the Board of County Commissioners, welcome to our meeting today. We welcome your family and all of your friends from around Sedgwick County. We have a variety of folks retiring today, and it probably couldn't be more representative of the services that Sedgwick County provides to our citizens as we recognize each one of these people.

Sheriff Steed moved up through the ranks of our Sheriff's Department over the 32 years, 34 years that he was here to end his career as an elected official in the law enforcement position of Sheriff of our county.

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As we've talked over the years about folks that retire, there is probably fewer professions that have made, that make a huge difference in the quality of life, and that is those that deal with the safety of our citizens.

I see Chief Norman Williams in the audience today, Chief Williams, thank you for being here, again, Senior Law Enforcement Officer in our county. One of the things that I have recognized and appreciated over the years, as I have served as a County Commissioner, is the increased professionalism of the County departments as a whole, and I think Sheriff's before you and under your leadership as Sheriff, the professionalism of our organization continues to increase, and I attribute a lot of that, as do the other Commissioners, to the work that you have done.

So it is difficult to really say you're the greatest Sheriff, but we would say you are the greatest Sheriff that we've had in a long time and we appreciate the work and the position that you have taken in assisting County Commissioners to attempt to do as good a job as we can do to help you and your troops do as good a job as they can do. So we wish you the very best. We would like to give you an opportunity to make a comment this morning to reflect on your event."

Mr. Gary Steed, Sheriff, Sheriff's Department, greeted the Commissioners and said, "I would love to do that, one last opportunity to speak to the County Commission, and I appreciate that opportunity to do that. I do appreciate the clock; I want to thank you for the clock. I was hoping for a Rolex but the clocks are very nice. But I understand what those clocks represent, the sweat and blood and tears of many years of service and what it takes to earn one of those clocks, and I am very proud and very pleased to be receiving a clock from Sedgwick County and the County Commissioners.

I have had the opportunity for the last 34 years to serve my community. It's been a very gratifying and very satisfying career. When I think back, there are not too many things I would change in my career; in fact I don't think I would change careers. I think, had I had it all to do over again, I would choose the same career.

I've appreciated the opportunity to work for Sedgwick County. It is a great place to work. It has facilitated my career. It has been job security, and great people so I want to thank Sedgwick County and all the people that work here for the opportunity to work with them, because they are great folks, it is a great place to work, and I've enjoyed it greatly.

Appreciate Chief Williams coming over to support me in my retirement. Maybe soon I'll have the opportunity to return that favor, but Chief Williams has been a great partner in law enforcement. My wife and I, because Chief Williams and I spend a lot of time together, often refer to him as my other significant other. But he has been a great partner in law enforcement.

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Which reminds me, and I want to comment on what an honor and pleasure it's been to serve with all of the public safety officials in Sedgwick County, federal, state, local, small cities, we have fabulous law enforcement in our community. Our citizens should be very proud of them. They should understand that what a high level they are operating at in service to our community, and it's been an honor and a pleasure for me to serve with them. It's been a particular honor and pleasure for me to serve with the many men and women over the years of the Sedgwick County Sheriff's Office. Those I have served with in the past, some of them are here, I see Major Elvans, those who have mentored me in my younger years, and those that have been loyal and dedicated and hardworking employees during my term as Sheriff. Thank you for the opportunity to speak today, and to have this opportunity to publicly thank all the folks that have supported me over the years and helped me with my career, and helped me to get to where I am today, retiring after a very satisfying and gratifying career. Thank you very much."

Commissioner Norton said, "Sheriff, don't leave yet. There are some comments, and I am going to kick them off. Really, my comments are going to be on two levels. The first level is having been President of the County Commission Association and dealt with a lot of issues State-wide, we are very fortunate to have a Sheriff that is part of the solution, not part of the problem, and you have really been that person in our community, because, as I went around the State and understood the angst that some County Commissioners had with Sheriff's Departments and how they continued to butt heads, we've been very fortunate that we've always kept it collegial, we've talked about the hard issues, but you've always sought the higher level of professionalism. I have to tell you I appreciate that as another elected official, because it could have been very polarizing and it's never been that way with you, and I appreciate that, Gary.

On another note, many years ago, one of the first times I really got to know the breadth and depth of Gary Steed was when I went through the tornado in Hayesville and he was on board early and helped us innumerable ways in Hayesville to get through that powerfully terrible situation in our community. And from those meager beginnings, you've always been there to help me understand public safety and law enforcement, and rally to help me with anything I needed. And I appreciate that personally, and I think the citizens of Hayesville owe you a debt of gratitude, too, for how hard you worked during that period of time in a disastrous situation. So thank you, Gary, I appreciate it."

Sheriff Steed said, "Thank you.

Commissioner Norton said, "Lots of luck with whatever your next endeavor is."

Sheriff Steed said, "All right, thank you."

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Commissioner Norton said, “Stay in touch. Commissioner Parks?”

Commissioner Parks said, “Well, I particularly enjoyed working with Gary and his staff when I was Chief of Valley Center, and likewise as Commissioner Norton said, you had great State-wide respect, you saved the State millions of dollars a couple years ago in your testimony to the Legislature and leading that charge for the drugs that we get cheaper now for the jail.

A lot of people see the glorious things too, but there are some things in the, that you don't see that Gary came through. Gary faced some adversities, especially as Captain, and he knows what I'm talking about, but we won't get into that, but as Captain, there were some adversities there, you came through it with champion colors. So I have, would like to say that both on the glorious side and on the things that people didn't see, you were strong and you came through those adversities.”

Sheriff Steed said, “All right, thank you.”

Commissioner Parks said, “Thank you for serving us.”

Sheriff Steed, “Thank you, Commissioner. Commissioner Unruh?”

Commissioner Unruh said, “Thank you, Mr. Chair. Gary, I just want to add my congratulations to the others for what is a very distinguished and successful career, and you have distinguished yourself not only to your colleagues and to this Commission, but across the State. I have had, you know, the privilege of knowing you these last six years that I've been on the Commission, and appreciate your willingness to be cooperative with Commission issues as we worked together to try to provide services to the citizens of Sedgwick County, especially in public safety. Really appreciate that you are a team player.

I know, in 34 years, you've had opportunities not only to make a lot of friends, but probably have some folks who have disagreed with you at times, but the fact of the matter is, I never hear those people talking. It looks like all you've done is make good friends, and I think that's testimony to your outstanding character, and to your very pleasant personality, and you've been an asset to Sedgwick County. We're proud of you, and we just wish you the best.”

Sheriff Steed said, “Thank you.”

Commissioner Norton said, “Commissioner Welshimer?”

Commissioner Welshimer said, “I haven't been a part of the law enforcement community, and I've known you since I came onto this Commission a couple of years, but I want to thank you for

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your 34 years, and tell you that I appreciate everything you've done, and wish you well."

Sheriff Steed said, "Thank you."

Chairman Winters said, "Gary, on behalf of the Commission, here is a certificate recognizing today's event, and the clock that you spoke of from the Board of County Commissioners, and the citizens of Sedgwick County. We give you this as a token of our appreciation and you're in our best wishes for the future."

Sheriff Steed said, "All right, thank you."

Chairman Winters said, "Thank you."

Commissioner Unruh said, "Better call the next..."

Commissioner Norton said, "Do we need a..., oh, Jo's still going take charge here."

Ms. Templin said, "Our second retiree is Dave Rush, who is the Interim Coliseum Director. Dave will retire January 1st, 2009, again after 34 years of service."

Chairman Winters said, "Dave, come right on up. Again, a long term employee, that as a number of us would think about how we would describe Dave, I would say it is a steady hand at the wheel.

Dave has done a great deal to improve the quality of life for all kinds of citizens, for those that are into horses and livestock to concerts and family shows to ice events, with Dave's hand at the wheel, often filling in and taking charge for the entire operation, Dave has served Sedgwick County for 34 years in a tradition that is very dedicated to Sedgwick County, and your family goes back a ways. And so on behalf of the Board of County Commissioners, we want to say thank you, we want to wish you the very best. We recognize some of your colleagues and family and friends that are here today to help you celebrate.

We have this certificate for remembrance of today, and, again, on behalf of the Board of County Commissioners and the citizens of Sedgwick County, many of them, who have walked through your facility at one time or another for some kind of an event, you have represented Sedgwick County well and you have helped us put a good foot forward in the community. So thank you for all of

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your work over the years. We appreciate it very much, and we would like to give you an opportunity to make a comment, if you would.”

Mr. Dave Rush, Interim Coliseum Director, greeted the Commissioners and said, “It is an honor to be here. Thank you for the clock and the recognition. I can go on with some things that Gary brought up. I won’t take the time, but I will say that it has been an honor to work with Sedgwick County, and Sedgwick County is in good hands at the present time with you, the Commissioners, Mr. Buchanan at the head, as the Manager, and I have never worked for a more perfect gentleman in my life than Mr. Ron Holt.

Now, you know, when he came over a few years back, you know, he is a super guy as a supervisor, and he is just top notch, as is the Commission. We’re sitting with one of the best Commissions that’s been sitting here in many a years. This next year we’re in some challenging times, and I think we all recognize that, but I think with the management that’s there, that we’ll come out of these challenging times better off. And I thank y’all for having the opportunity to work for Sedgwick County, and it’s been rewarding. There’s been, seen a lot of things, done a lot of things with the Coliseum and lots of events and seen a lot of up there many times. So thank you all.”

Commissioner Norton said, “Don’t run off Dave, got a comment. You know, I don’t know how many years it’s been since we’ve not had a Rush as a public servant in Sedgwick County, but you come from a long line of folks that understand public service and what it means to work for the County and to try to move that dialogue and service along to the citizens of Sedgwick County. And you’ve done an admirable job for all these years, sometimes in tough situations.

You know whenever you are dealing with the public and trying to deliver service, it is not easy. And you have always done that with great professionalism and flair and I appreciate that. You will be greatly missed, because for the first time in, I don’t know how many years, you have to tell me, there is not a Rush at the wheel of some part of Sedgwick County.”

Mr. Rush said, “Been a while.”

Commissioner Norton said, “Thank you very much Dave, we appreciate it. Commissioner Unruh?”

Commissioner Unruh said, “Thank you. Dave, I just wanted to add my voice to the congratulations for a job well done, and you have been in kind of a unique position that you have been running a business for us, and have with all of the elements of dealing with employees and dealing with customers and dealing with performers and you all have done a great job.

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I think it is interesting that as we're here to recognize your retirement and we are supposed to tell you we appreciate you, you are standing up there and telling us what a great group of people we are.

We really appreciate your service to us and the great attitude you have and I think you really exemplify the great employees we have at Sedgwick County. Thanks for your service."

Mr. Rush said, "Thank you."

Commissioner Norton said, "Thanks, Dave."

Chairman Winters said, "Thanks Dave."

Ms. Templin said, "Our next retiree is Stephen McMillen, Fire Captain with Fire District Number 1. Stephen will retire January 1, 2009, after 27 years of service."

Chairman Winters said, "Stephen, come right on up, please. Welcome. We're glad you're here in our meeting room and we want to welcome family and friends and those in the Fire District who are also here.

Again, you are one of the members of the organization that when asked to put yourself in harm's way in the best regard for our citizens, you and your fellow firefighters do that. Again as I complete my career, I continue to be impressed by the dedication and loyalty to those who put citizen safety at the front of their job every day. So on behalf of the Board of County Commissioners we want to say thank you, and sometimes it seems not enough just to say thank you for the career that you have spent here, but on behalf of the Board of County Commissioners and the citizens of Sedgwick County, we want to give you this certificate as a remembrance of today's events.

And we also, on behalf of the Commissioners and citizens of Sedgwick County, want to give you this retirement clock, hoping that as you see it, you will remember a positive career and experience at Sedgwick County. We know that those citizens that you have helped over the years will remember the Department in a positive manner. So, again, we wish you the very best in your retirement, we appreciate your dedicated service, and we would like to give you the opportunity to make a remark or two, if you would like to do that."

Mr. McMillen, Fire Captain, Fire District #1, greeted the Commissioners and said, "Thank you. Thanks for the clock. When Connie told me a couple weeks ago I needed to be here, I started debating what I was going to talk about. Finally scribbled some stuff out this morning, came

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together in my head, so I'll just read it.

First, I would like to thank Jo and Connie from HR for their assistance the last several months. They've smoothed out the speed bumps for me, making the transition to retirement go a lot smoother.

Next I would like to thank my wife and family, my wife is here today, Terri, for putting up with my schedule, as everybody knows, we work every third day, for the last 27 years, we have been married for eight years prior to my joining the Department and it was difficult at first for the family to adapt to the schedule, but they adapted because they knew that I love my job. Now she's happy that she's getting me 100 percent of the time after 27 years. But I was wondering the other day how long it was going to take her to want to go back to that 66 percent.

Last I want to thank you for giving me the rewarding career that I really enjoyed and I will miss in the future. The men and women of SCFD are top notch and you have an organization to be proud of. And I am not just saying that. If I could, I will throw in a plug for the Department.

One example would be a very important issue that had bothered me for years, and that is our insurance ratings. They weren't bad; they just weren't as good as I thought they should be. Within the last five years, we've dropped our insurance ratings to assume some of the lowest in the State in both our cities and in the rural areas. Hayesville I believe is one of two cities in the State that have the lowest rating, which translates to dollar savings for residential and commercial insurance customers. I can't think of a better gauge to measure a Department's quality than the insurance premium savings we have given our Fire District. I am not plugging this because I am responsible. I'm just an old warrior that loves to fight fires.

Chief Commode, Brazil and others laid the ground work and Fire Marshal Millspaugh led the charge on the ISO project. Thanks again for the clock, and the wonderful career and memories in a great organization. Thanks."

Commissioner Norton said, "Don't run off Steve, we have things to say for you and about you. I probably have gotten to know Steve a little bit because he is down, in and out of Hayesville in the Activity Center, and the two things I know, is he's dedicated to the Fire District, he's also always willing to visit about what's going on, and two other things I know, that as he transitions away from

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the Fire District, he's not going to be a dancer, and he's not going to be a basketball player, because I have been able to observe both of those over the years, and I know he'll find something to do, but it won't be either one of those, Steve .

So congratulations on your retirement. I hope you get to do what you want to do in your next life because that's very important as you transition out of a job you've had for a long time, and have been very dedicated to. I will give a word of advice, I had a friend of mine retire not long ago, and his wife finally came to him and said I married you for better or worse, but not for lunch. So take that caution, you've got to find your space as you start your new life. And we have other comments. Commissioner Unruh?"

Commissioner Unruh said, "Thank you. Well, Stephen, I just want to add my congratulations to you for a very successful career, and also best wishes for you in the future. But I want to thank you for your willingness to put yourself at risk for 27 years as you provide public safety for our citizens, but in addition to that, your comments about the insurance rating, I think, show not only your personal perspective, but the perspective of Sedgwick County Fire Department that we're not only trying to provide public safety, but we're trying to just improve the life of our citizens, and one way to do that is to help the cost of living here go down, and those insurance ratings have done that. So we just appreciate your sensitivity to making things better, not only in safety, but in all areas for our citizens. Thanks for a good job."

Mr. McMillen said, "Thank you."

Commissioner Norton said, "Appreciate it, Steve."

Commissioner Parks said, "To elaborate on that, the ISO's, I wanted to say that as a citizen that lives out in the County, and the only Commissioner that lives out in the County, I want to personally thank you for that also, because that did help us with our rates, and I want you to remember one thing when you see a fire truck and see people running into a house, you run out of the house now."

Mr. McMillen said, "Okay. I will do that, thank you."

Ms. Templin said, "Charles Hatfield is a familiar face in the County complex and is appreciated for his helpful attitudes. Chuck Hatfield, Charles Hatfield, is a Trade Specialist with the Facilities Maintenance Department, and he will retire January 1st after 21 years of service."

Chairman Winters said, "Chuck, come on up. Welcome to our meeting."

Mr. Charles Hatfield said, "Thank you."

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Chairman Winters said, “I know you have probably been close to this room many times when we’re meeting here over the years, and have made sure it is a place we want to be. When you stop and think about keeping a facility in operation, that was built in the 1960s, and was a very well constructed building, but as we know, over time things do not function as they are supposed to, and on behalf of the Board of County Commissioners and on behalf of all the citizens who come into and out of this building, and all of the employees of Sedgwick County who work in this building, all the employees of the State of Kansas who work in this building, if we did not have an exceptionally good maintenance crew, we could have more problems than we would ever want to think about.

But because of the dedication of you, and I see a number of your fellow workers here in the room to help you commemorate this day, the maintenance and the upkeep of this facility is hugely important to the function of our local government working. And sometimes even we forget that it is part of our responsibility to provide this facility, not only for County business, but for the State of Kansas to conduct their business. Your work has been appreciated, and so today we want to say thank you. We have a certificate, which will remind you of today, and then we also have this clock that we would like to present you, Chuck.

And, again, it is on behalf of the Board of County Commissioners, but also on behalf of all the citizens of Sedgwick County, who appreciate having a warm, safe place to do our business and to work. So chuck, thank you very much. And I would give you an opportunity to make a comment or two on this very special day.”

Mr. Charles Hatfield, Trade Specialist, Facilities Maintenance, greeted the Commissioners and said, “I would like to thank everybody in Sedgwick County for putting up with me for the past 21 years, and my shenanigans and everything, and for the clock. I appreciate it very much, and that’s about it.”

Chairman Winters said, “Okay, very good, thank you.”

Commissioner Norton said, “He doesn’t get to run off yet. I have a comment, two things.

One observation, and, you know, I came out of management for years with Target, so I try to

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observe a lot of things. But one thing I always know about Chuck, he always had a screwdriver or piece of equipment or something that was broken in his hand, which always told me that he was working on something constantly, that he wasn't looking for things to do, he'd already found them, and was fixing them, so I always admired that.

And the second thing is admired that, his collegiality around the Courthouse. I've always observed that he made eye contact with me, said hi, he did that with the citizens that came here, and I find that inspiring of our employees that work here, kind of behind the scenes, but also understand that they serve the public in a different way and a lot of that, I appreciate. So, Chuck, you are going to be missed around here, not only for your hard work, but for your ability to connect with people. And maybe some other time you can tell us about the shenanigans because I didn't see that, but I'm interested in it. Thanks for your service."

Mr. Hatfield said, "Thank you."

Chairman Winters said, "All right. Thank you, Chuck."

Mr. Hatfield said, "Thank you."

Commissioner Norton said, "Thanks. Oh...go ahead."

Ms. Templin said, "I just wanted to mention we had one retiree that couldn't come today because of the weather, Norma Gamble. Many of us know her; she's been around the County a lot of years. She is a Fiscal Associate in the Treasurer's Office. She will retire January 1, 2009, after 18 years of service. So Norma, if you're watching, we just want to appreciate you for the work that you've done. And also, I would not be wanting to leave without mentioning that David Thompson, in the Sheriff's Office, the Chief Deputy in the Sheriff's Office is also retiring January 1 after 33 years. So thank you, Commissioners."

Chairman Winters said, "All right. Do not call the next item until I get up there, that will give a chance for anybody to clear out."

Commissioner Norton said, "Why don't we take a five minute break as we empty the room real quick, while you're making your way back here and we can also maybe take a minute to shake hands and tell our retirees that we appreciate them in another me method."

Chairman Winters said, "All right. We're going to take just a five minute recess."

THE BOARD OF COUNTY COMMISSIONERS RECESSED AT 9:35 A.M. FOR A 5-

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MINUTE RECESS AND RETURNED AT 9:42 A.M.

Chairman Winters said, "All right. If I can have your attention, please, again, we have been on a short recess. This is a regular meeting of the Board of County Commissioners, December 17th. I'll call the meeting back to order. Madam Clerk, we're ready for the next item, Item B."

APPOINTMENTS

B. SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD REAPPOINTMENTS.

- 1. RESOLUTION REAPPOINTING CHRISTOPHER J. HESSE AND DOUGLAS NIELSEN (COMMISSIONER UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.**

Ms. Jennifer Magana, Assistant County Counselor, greeted the Commissioners and said, "This Resolution would reappoint Christopher Hesse and Douglas Nielsen to additional four year terms. I recommend we adopt the Resolution."

Chairman Winters said, "All right. Commissioners, what is the will of the Board?"

MOTION

Commissioner Unruh moved to adopt the Resolution

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Winters said, "Thank you. Next item."

CITIZEN INQUIRY

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C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE TIF DISTRICT.

Chairman Winters said, “All right. Is Mr. Bob Weeks here? This is the time in our Agenda when citizens that would like to be placed on our Agenda can contact the County Manager’s Office and be placed on our Agenda. We would like to try to limit comments to five minutes if we could. And so if you would please give your name and address for the record, and welcome.”

Mr. Bob Weeks, 2451 Regency Lakes Ct, Wichita, KS 67226, greeted the Commissioners and said, “Thank you. I’m here today to ask this Commission to not approve the expansion of the Center City South Redevelopment District commonly known as the Downtown Wichita Arena TIF District. The reason I ask this of you is for reasons of good and open government. Something I’m sure that we can agree that all citizens are in favor of.

There was a defect in the public hearing that the Wichita City Council held on December 2, of 2008, regarding this matter. Now, this defect in the public hearing is not the fault of this Commission, that blame lies across the street at Wichita City Hall. With the undisputed facts are that the City of Wichita added a large amount of spending to the project plan less than 24 hours before the public hearing. Besides greatly increasing the size of the project, this additional spending is of a different character. Citizens, news media, and even at least one Council member were not aware of this change until it was announced at the very public hearing itself. Now, besides being disrespectful to citizens, there may very well be a legal problem with the way the City of Wichita conducted the public hearing. Kansas Statute 12-1772 requires that if a substantial change is made to the project plan there must be another public hearing after publication of notice.

Does roughly doubling the budget of a plan qualify as a substantial change? Does adding a new type of project, one that wasn’t mentioned in the notice of the public hearing qualify as a substantial change? Yes, I believe these are substantial changes.

Wichita Interim City Manager, Scott Moore, admits there are problems with the public hearing. Rhonda Holman of the Wichita Eagle recognizes them, too. And Randy Brown’s description of changes to the public hearing sneaked into the Wichita City Council’s Tuesday Agenda essentially under the cover of Monday evening’s darkness, accurately captures the nature of what the City of Wichita did.

But what the City of Wichita will not do is accept the consequence of their actions. A volunteer citizen watchdog like me can’t afford to file a lawsuit against the City to force them to hold a proper public hearing. The City has nearly unlimited means to depend itself, and not lost on me is the irony that my own tax dollars would be used in a legal fight against me. This Commission has the power to stand up for good government. Please don’t consent to what has been termed an

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aggravated assault on the spirit of the Kansas Open Meetings Act. Please vote against the Downtown Arena TIF District, and ask the City of Wichita to hold a proper public hearing. Thank you.”

Chairman Winters said, “Thank you, sir. Commissioners, do we have a motion to receive and file these comments?”

MOTION

Commissioner Unruh moved to receive and file

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, “Thank you, Mr. Weeks. Next item... would be citizen’s inquiry with Charles Peaster. Again, Charles, if you would give your name and address for the record.”

Mr. Charles Peaster, 9453 N. 135th Street West, Wichita, KS 67135, greeted the Commissioners and said, “I am here today to ask the same thing, that the last gentleman did, that you reject this TIF.

This morning I picked back up from your office, on page 13 to 16 that gives the reason your staff gives for rejecting this very proposal. When you get to page 18 and 19 the Resolution recommends that you reject this Item D proposal. It is part of your backup.

The City had a TIF area and then they added a \$10 million parking garage, or \$10 million for parking. It may not all go to one place; it may go to several places. But considering that your own staff has said that there is not a need for additional parking at this time in the area that this TIF covers, I would think that would be one thing that needed to be withdrawn from this proposal that needs to be sent back to the City.

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If in fact they used the \$10 million to build one parking garage of 500 spaces, if you could rent it for \$5 day for 260 days of the year at the end of 20 years, you would have only generated \$13 million. The \$20,000 per space was what Commissioner Unruh stated at your last meeting. The County has given the City \$9 million to work the streets around the Arena, and another \$5 million to make parking lots. I think that's more than enough money for the City and the taxpayers to expend, even though the \$5 million and the \$9 million came out of, I believe, what was voted in as a tax increase to generate the money to create the Arena. I appreciate your time and I would recommend that you people vote against this and send it back to the City. If you read your own staff report, it gives you several reasons why you ought to vote against this. Thank you."

Chairman Winters said "Thank you, Mr. Peaster. Do we have a motion to receive and file these comments?"

MOTION

Commissioner Parks moved to receive and file.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Winters said, "Is Mr. John Todd here? Mr. Todd, welcome. And please give your name and address for the record."

Mr. John Todd, 1559 Payne, Wichita, KS 67203, greeted the Commissioners and said, "In the packet of information being passed out to Commissioners today is a letter signed by myself and 27 other citizens of Sedgwick County requesting that you withhold your approval of the Center City South Redevelopment TIF District Plan that was reviewed by the Wichita Mayor and City Council on December 2nd, 2008, until a proper public hearing can be held before that governing body.

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In your packets please refer to a copy of Bob Weeks letter, quote, 'TIF public hearing was bait and switched', published on December 5th in the Wichita Eagle, and Randy Brown's letter, 'Reopen TIF issue', published in December 7th in the Wichita Eagle.

In his letter, Brown says, and I quote, 'Weeks is dead on target when he said that conducting the public's business in secret causes citizens to lose respect for government officials and corrupts the process of democracy'. The issue here involves the City's 11th hour addition of a \$10 million package for private developer parking to the original reported \$11 million streetscape plan without notifying the news media in time for any type of public notice prior to the Council meeting. Brown further states the Council's action, quote, 'May not have been a technical violation of the Kansas Open Meetings Act, but it was an aggravated assault on its spirit. Among other transgressions we have a mockery of the public hearing process rather than an open and transparent discussion of a contentious public issue', end quote.

I would suspect that the Kansas Statutes on redevelopment might provide you with guidance regarding the requirements for public hearings when substantial changes are made to redevelopment plans. And I have heard people say that State law requires a two-thirds vote by governmental units for approval of TIF redevelopment projects.

Since I am not an attorney and in no way qualified to render legal advice of any nature, I would request that you have your County attorney check out these issues and provide you with legal counsel a before you approve the plan. Since the County Commission has 30 days to weigh in on the City's TIF proposal, I believe it is incumbent of the Commission to consider the impact of the plan on all county citizens, including those who live in Wichita, and in the rural unincorporated areas of Sedgwick County, plus the citizens who live in the other 19 incorporated cities located in the County.

The \$10 million last minute surprise addition to the TIF for private developer parking in an area, this item in particular would need public venting. The issue lacks specific details, and is therefore troublesome. How many parking lots are we talking about? Who will receive the free parking lots?

Why would a farmer living near Furley, or a resident of Haysville, or any other small town of Sedgwick County want to divert money from the County Treasury to give a Downtown Wichita

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developer a free parking lot? Why should a business in Downtown Wichita be given an advantage over a business located in Downtown Derby or Mount Hope? I believe your constituents from all parts of our County, including Wichita, deserve the opportunity to know how their tax money is being spent on Downtown development projects and that you will be serving their best interests if you send the proposed TIF back to the Wichita Mayor and City Council for a proper public hearing before you consider action of any nature on this proposal. Thank you.”

Chairman Winters said, “Thank you, Mr. Todd. Commissioners, seeing no lights on, do we have a motion to receive and file these comments?”

MOTION

Commissioner Unruh moved to receive and file.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Winters said, “We are still in the public comments section, is Mr. Darrell Leffew in the audience? Yes, sir. Please come forward. Welcome to our meeting, please give your name and address for record.”

Mr. Darrell Leffew, 9908 Briarwood, Wichita, KS 67212, greeted the Commissioners and said, “I’m here to ask you to veto a specific tax increment financing district also. The Wichita City Council voted, December 2nd, to approve that TIF district for the Downtown Wichita Arena area, including a large sum for parking. As a voter and taxpayer in the County and Wichita, I respectfully request each of you to veto that TIF. The Arena sales tax collections to build the project included parking expenditures. The State Legislature approved the vote for the Arena,

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which included paying for everything associated with the project, the Arena project, using the tax collections. To use a TIF now for more funding associated with the Arena is double taxation.

I say that for this reason: as the property taxes increases in the TIF district to pay back government, business owners paying those increases always pass their cost on to their customers. While not directly a tax, it has the same effect. This continued effort to support a Downtown area while ignoring the business owners elsewhere in the County creates distrust, anger, and unhappy voters. We the consumer will continue paying. Sure, we have a choice as to whether we spend money at those businesses, but should we choose to not trade at those businesses, we actually are doing the opposite of what the TIF's are intended for.

I'm opposed to this TIF, and as a member of the City of Wichita District Advisory Board 5, I have now received more than four dozen phone calls from citizens since December 2nd who want to veto from this County Commission. I know the parking associated with the Arena is a tough issue, I read the most recent study. And as you all know, I have been an opponent to the Arena, but it is being built. I therefore hope that it is the most successful Arena ever built, but taxing an overtaxed community during a recession is bad timing, bad government, bad politics. Again, I and many others have voiced concerns to me, urge you to veto that TIF. Thank you."

Chairman Winters said, "Thank you very much, sir. Commissioners, we have a motion to receive and file these comments?"

MOTION

Commissioner Welshimer moved to receive and file.

Commissioner Unruh seconded the motion.

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

VOTE

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

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Chairman Winters said, “Now, please call the next item, Item D.”

NEW BUSINESS

D. CONSIDER PROPOSED EXPANSION OF CENTER CITY SOUTH TAX INCREMENT DISTRICT.

POWER POINT PRESENTATION

Mr. Chris Chronis, Chief Financial Officer said, “The action that’s before you is to consider this proposed expansion, which you’re well aware of, and take the action that you consider to be appropriate, and I’m going to make a very brief presentation that describes for you what is proposed, how that compares to what was proposed previously, and what your options are at the conclusion of this item on the Agenda.”

Chairman Winters said, “Chris, if I could just interrupt you for one moment. Just for the information of those in the room, we did discuss at our staff meeting yesterday, and we appreciate the four gentlemen who made inquiry to get on our Agenda, and for a very specific reason, but it will be our intention at the proper time, under this item, that we will take comments from others in the audience who wish to speak on this issue. So excuse me. Please proceed.”

Mr. Chronis said, “Okay. In August, the City Council conducted a public hearing and adopted a plan for a proposed expansion of the existing Center City South TIF District. The County had some objections to that, which we voiced to the City, and so towards the end of August, City Council rescinded that action and then in early September, you adopted a Resolution formally disapproving that action. And so the proposed expansion at that point was terminated. The expansion was to a district that had been created more than a year ago in Downtown Wichita and on this map, it is the pink area that you see outlined.

The existing Center City South Tax Increment District is approximately six square blocks of Downtown Wichita, bordered by First Street on the north, by English Street on the south, by Main on the west, and by Broadway, I believe it is, on the east, on the pink area, once again.

The August expansion, the proposed expansion, took in a very large, extending all the way down to Kellogg, all the way over the railroad track, and the north side of Douglas Avenue. And it is highlighted on this map in blue. That is the area that the County objected to and your objections

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were; one, the size of the district, two, the lack of specificity as to how the Tax Increment revenues would be used within the district and those were your primary objections.

The City has, in their recent proposal and their current proposal considered a smaller Tax Increment district, which is highlighted in yellow here. You can see that it is bordered by Douglas on the north, by the railroad tracks to the northeast, the Arena property is the area that's outside the district, there on the east boundary and south of the Arena, it terminates on the east at St. Francis, on the south, it terminates at Lewis Street, except for the southwest corner where it terminates at Waterman, and then brings in that small section over to Main in the on the western boundary.

So the revised district, as you can see, is a good bit smaller than the original district was, and that addresses one of the concerns that the Commissioners had expressed in August. In the district plan that the City considered adopting, they have restricted how the Tax Increment can be used in this expanded area. That is something that they are not required to do by State law. It is not something that is typically done by the City of Wichita with their Tax Increment districts.

But, in response to the objections that were cited by the County back in August, this revised district plan restricts the use of Tax Increment in this smaller area to these three categories of expenditure you see on the slide. First, a series of designated streets that are to be improved, including the streetscape and the landscaping and lighting and signage and so forth. Secondly, new parking facilities within the district but not more than \$10 million of Tax Increment can be spent on the parking facilities. And third, a streetscape design manual.

Now, with regard to streets, the City has restricted further how the money can be spent to particular segments of streets. And you see them outlined on this chart, or on this slide. Market Street, from Lewis to Douglas, Topeka from Lewis to Douglas, Emporia from Lewis to Douglas, St. Francis from William to Douglas, that is north of the Arena, St. Francis from Lewis to Waterman, south of the Arena, English from Main to Emporia and Lewis from Market to St. Francis. Those are the only street improvements on which Tax Increment funding could be spent if this district plan is ultimately approved.

Another objection that the County expressed in August was that the entire amount of Tax Increment, the entire increase in tax revenue collected from the district would be diverted to the City government for its projects, for its Tax Increment funded projects. The Commission and the County expressed the view that the taxpayers who had voted for the Downtown Arena expected to get some payback from that. They expected the area surrounding the Arena to be improved and that to provide a return in higher property taxes that could benefit the entire County. In response to that concern in this revised district plan, the City of Wichita has restricted the amount of Tax Increment that can be used on city projects to 70 percent of the new tax revenue within the smaller district.

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The remainder, the 30 percent of tax increment that is achieved within the district will be distributed to the City, the County and the School District as regular property taxes according to the levies of each jurisdiction. Excuse me.

This slide attempts to estimate the fiscal impact of this revised proposal to Sedgwick County. I want to emphasize that to a large extent this is nothing but an estimate. Because regarding the streets, we don't have good firm cost estimates on each of those individual street segments yet. We have a preliminary engineering estimate of the cost of each of them and that's what I have used to prepare this slide.

The City's estimate of those street improvements that are outlined on that earlier slide is \$14.3 million. The maximum amount of Tax Increment that can be used on parking facilities, according to the district plan that the City is considering, is \$10 million. So that means that if that street estimate is good, the total amount of Tax Increment that would be required to do the projects that are authorized in this revised district would be \$24.3 million. That would require the City to finance that expenditure with approximately a \$25 million bond issue.

That \$25 million bond issue would obligate the City to approximately \$2.1 million a year of debt service, principal and interest payments to repay that bond issue. The County's share of the Tax Increment, the diverted taxes, is about 31 percent. So the County's share of that \$2.1 million annual debt service obligation would be about \$650,000. That equates at the current level of assessed values, county wide, that equates to 15 one hundredths of a mill of County wide property tax. That is the best estimate that we can provide of the fiscal impact of this revised TIF proposal on Sedgwick County. It is a substantially lower estimate than we were providing in the original proposal back in August. Those of you will recall that at that point we were looking at something much closer to one full mil of County tax burden to support the County's share of that proposed TIF district.

The action that's before you is to take the action that you deem appropriate and under State law, there are only two actions that you can take. You can either approve the City's action to expand the district or you can disapprove the City's action to expand the district. If you want to disapprove the City's action, you must make a finding of adverse effect of that TIF district on Sedgwick County. Those are the only grounds under State law for which you can disapprove a TIF district. In the County's policy we have identified five considerations that we define as adverse impact. Adverse impact or adverse affect is not defined in State law.

But in our policy we have defined adverse effect as the following: 1) the potential loss of tax

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revenue would hinder effective future delivery of public services, 2) the proposed project is economically feasible without County funding support, 3) the proposed private equity funding is insufficient to effect default risk, in other words, if there's a private developer involved in the project, he has to have some skin in the game, 4) the costs to the County government are greater than the benefits to the County government, and 5) sufficient data or notification was not provided for the County staff to adequately review the proposal for the TIF district.

What you are not authorized to do under State law is take the action that some of the citizenry have requested of you today. You are not authorized to return this to the City Council with a request or demand for a rehearing before you consider it. Under State law, you are given 30 days to take action on the proposal that the City has adopted. You do not have grounds to defer that action. At the end of the 30day period, if you have failed to take any action, then under State law you are considered to have approved the TIF district. So your choices today are approve or deny.

In the Agenda packet, we have included, we intended to include two Resolutions, one approving the TIF district, one denying the TIF district. You'll recall that's the same approach we took back in August. At that time we recommended that you adopt the Resolution denying the TIF district and that's the action that you ultimately took. In your Agenda packet today, you have only one Resolution as it was published. The Resolution that approves the TIF district was inadvertently left out of the backup materials. I have put that Resolution on your desks during the break. It will look familiar to you because it's the same template we've used for all of the TIF districts since our County policy was adopted.

But you have before you two Resolutions, one to approve, one to deny. Based on our analysis of this district, as it's been revised by the City, we do not find an adverse affect of this proposal on Sedgwick County and so the Administration's recommendation would be that you adopt the Resolution, approving the TIF district.

Once again, I'm going too fast, once again, I will show you the map of the existing Tax Increment district. The original proposed expansion, the blue area and the revised, the current proposal, the yellow area. With that, I'll be happy to answer any questions that you might have. I understand that you want to take comment from the public if there is anybody that wishes to speak. At the conclusion of that, it's our recommendation that you would adopt the Resolution that we've provided, approving the Tax Increment district."

Chairman Winters said, "All right. Thank you. Commissioners, are there questions before we open this up for any discussion? Seeing none, is there anyone else in the room, anyone in the room who would like to address the Board of County Commissioners on item number D? Yes, please

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come forward. Give your name and address for the record and we'd like to limit comments to five minutes."

Mr. Joe Johnson, 257 North Broadway, Chair of Wichita Downtown Development Corporation, greeted the Commissioners and said, "Good morning. That was a great presentation. It really summarizes, I think, everything that this is all about. With me today is the President, Jeff Fluhr our Chair Elect, Larry Weber, our Past Chair, Clay Bastian, and a fellow board member, John Rolfe, are all here in support of your action today.

I would like to shift gears a little bit here because this is an exciting project for us, this whole Downtown Redevelopment, Arena Redevelopment Neighborhood Plan. And I'd like to start out a little bit with a quote that John Schlegel made in a letter he sent with the approved Arena Neighborhood Redevelopment Plan, and I quote, 'Based on the principles of creating a successful place, the vision of this plan is to take advantage of the Downtown context in which the Arena Neighborhood Plan exists.

The vision of the Arena Neighborhood is not to recreate Old Town, Waterwalk or any other destination in Downtown or Wichita. Instead, the vision is to create strong links to the assets that currently exist. All being planned or those that are possible, but simultaneously creating an experiential place that's economically viable and vibrant. In approving this today, we'd like for you to think about that. What we have Downtown is a wonderful chance to make things really nice for the City of Wichita. Your vision in approving the Arena and putting that to a vote of the taxpayers was very commendable.

Let me make some comments in general about TIFs and I think as we go forward, these general principles are things that we want to talk about for the future. While some things have happened in this district, it is only the beginning. There's still a great deal of work to be done. I think you would agree with that. Nearly every project Downtown has proven to be difficult for a variety of reasons. The approval of an expanded TIF would add an additional tool for developers to make projects feasible, the things that are included in this is a great start.

A TIF that partially overlaps the Arena Neighborhood Redevelopment Plan as shown on the illustration before you would reduce confusion on the Downtown development areas and provide conformity to the efforts to continue the improvement of the area.

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TIFs have proved to be very successful for the City. While not all have worked exactly as planned, the long term effect has been very positive. Having the TIF in place removes the time necessary to get it done thereby speeds up the development process. TIFs work best for the improvement of the Downtown infrastructure and basically that's what we're talking about today. To conclude, I would just ask that you pass this Resolution unanimously to show the County Commission's support for Downtown. Thank you very much."

Chairman Winters said, "All right, Mr. Johnson. Thank you very much for those comments. Is there anyone else? Yes, please come forward."

Mr. Jeff Fluhr, President of Downtown Wichita Development Corporation, 507 E. Douglas Street, greeted the Commissioners and said, "As our Chair has said, Mr. Johnson, we do have a number of Board members here to express our support for this item. The expansion in this district will provide essential funding for infrastructure which will in turn continue the development of an environment that will foster economic development, such as noted an Arena Neighborhood Plan.

Today's initiative will greatly contribute to the opportunity to multiply the economic benefit of investments such as the Intrust Arena and the surrounding private sector development. I believe that the Intrust Arena will certainly be a landmark that other communities come to see to see how to do development right.

I think this also provides the opportunity to make sure the area around the Arena is developed to the fullest potential. It will greatly assist in connecting Downtown assets to the Arena, such as Waterwalk, Old Town, as well as new residential units, as of yesterday was announced at City Council meeting that Exchange Place, over 200 new apartments, market rate apartments, will be coming on line on Douglas Street. This is another way to connect the residents into that Arena neighborhood area. This item will greatly address concerns regarding traffic and parking around the Intrust Arena. It will provide way finding signage for cars and pedestrians. We have a great way-finding system in place but with this new development, it's important that we add additional directions to the Arena and also that connecting to other areas in the Downtown area. This is an opportunity to do that.

It also will enhance the streetscape. If you talk to urban planners and designers across the country,

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the streetscape is very important. We've identified over the last few weeks a number of parking lots that will be utilized for the Arena. What's really important is to create the streetscape that people will enjoy walking from, say, a two block area to the Arena. You make it a pleasant experience. It also encourages and fosters private sector investment. All these things will collectively work together to really build a strong Downtown.

If you take it from a regional perspective, this will greatly contribute to Wichita's development as a Destination River City. It will also in turn enhance economic vitality of Downtown but also the region as a whole. So, again, we appreciate the opportunity to express our support today and your consideration, this is an important initiative. Thank you."

Chairman Winters said, "All right, Jeff, thank you very much. Is there anyone else here who would like to address the Board of County Commissioners? Yes, please, come forward. Please give your name address, please."

Mr. Bob Weeks, 2451 Regency Lakes Court, Wichita, greeted the Commissioners and said, "Briefly, there's no doubt that a TIF district is great for the businesses that develop within the TIF district. I mean, it's a direct subsidy. They get to use their property taxes to pay for things that developers in non-TIF districts have to do. This is bad for a couple ways. Developers in a non-TIF districts they view this as an unfair competitive advantage. And we know in Wichita, there have been projects that have been canceled, these are in the fringe areas, they are not in the Downtown area, but they've been canceled because of the tax environment in Wichita and these TIF districts serve to worsen that.

Finally, the TIF district, again, very good for the people who develop in the TIF district, but your responsibilities are actually for a larger area than just the TIF district Downtown. The research I've found in particular, studied by economist Diane Merriman from the Institute of Government and Public Affairs at the University of Illinois finds that cities, towns and villages that have TIF districts actually grew more slowly than municipalities that did not use TIF. We should not find that surprising that when we direct money from other areas of town into this TIF district that the other areas of town will go more slowly. So I have to disagree with Mr. Fluhr's representation that this is good for the region. It's very good for the developers Downtown in the TIF district, it's a bad deal for the rest of us. Thank you."

Chairman Winters said, "Thank you, sir. Is there anyone else who would like to speak? Please come forward. Give your name and address for the record."

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Mr. Karl Peterjohn, PO box 20050, Wichita, 6 7208, 11328 Texas Street, Wichita, greeted the Commissioners and said, “We’re in the middle of a transformation of sorts. Looking at the material that staff presented and following the public discussions and the whole issue about TIFs, I have asked the question and this came up in the campaign on a couple of occasions, if TIFs are really good, why should we limit them to just one area, why not make the City a TIF district or wait a minute, let’s think outside the box, why not the County or conceptually why not make the State a TIF district? I’ve asked that question because I’ve tried to get the information, you’ve heard comments that TIFs have proven to be successful.

The information I’ve seen on the academic end does not support that assertion. I think there’s a need for further discussion. I would recommend to the County Commissioners today that the plan you have before you does have an adverse impact on the County. And I think it’s part of the broader discussion in terms of the TIF, now having the TIFs are not as effective as the proponents have led people to believe that they are. I’d like to see the evidence.

I mean, we’ve got a proposal here about an expansion of an existing district, albeit it’s only been in place for about a year and a half, but we ought to see, is it indeed already working? There are a number of other TIFs in the City that have been in place much longer and we ought to look at all of them to see where we stand and really have a consistent policy.

I realize the issue is narrower between the County Commission because all you can do is respond to an action of the City Council, and city government and across the street for the City of Wichita. But my point this morning for you is that as one of the signers of the letter that Mr. Todd mentioned earlier, one of the 20some people, I would urge you to consider all of this very carefully because the decisions we make today, should tax dollars be used in effect for private parking lots?

I think the argument is clear in terms of public parking, but I think there’s a need for further discussion, and this may not be the place because as the County Commission, you can only decide whether this has an adverse effect. I believe, adverse effect or not, the information that’s presented here makes this issue extremely troubling and I hope the Commission will proceed very carefully like they did in the past and make sure that all the I’s are dotting and T’s are crossed and the fact that so much came up that was outside the initial plan, the openness and transparency that was needed was not there with recent with this recent proposal coming to you.

So I would urge this Commission to take action and see if you can get the City to respond to the concerns that are included within your staff documents and within the public comments that you’ve heard this morning. Thank you for your time and attention.”

Chairman Winters said, “Thank you. Is there anyone else in the audience that would like to speak to the Commission on this item? Anyone else? Yes, please come forward.”

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Mr. John Rolfe, Greater Wichita Convention and Visitors Bureau, greeted the Commissioners and said, "I really was here this morning, as Mr. Johnson had mentioned, as a part of and a Board member of the Wichita Downtown Development Corporation and not specifically perhaps addressing what you have specifically here on your Agenda but just talking about it in general. I know these things are very difficult, the decision that you are about to make as it relates to TIF whether it's a sales tax increase or other forms of resources to enhance an area.

I want to briefly touch upon from a visitors perspective and what we do because in so many cases as locals, we are visitors, but from a visitors perspective, some of the things that are being proposed whether its signage, whether its parking, improved streets, those types of things are very key to projects or when people come into a City.

I, fortunately, in my role there at the Convention and Visitors Bureau, I have the opportunity to travel to many cities and many of them are not very far away. I think often of the Oklahoma City or the Kansas City area, Dallas/Fort Worth area and these aren't mentioning the Los Angeles or the Chicago's or cities of that nature.

All of these cities, where we often travel for trade shows or conventions have some very unique things we're talking about today and while I don't have the specifics of how they got there, I know it was an investment by their elected leaders. I would tell you from Wichita's perspective, we've made some significant investments and I know you've made a significant investment in making a decision on the Arena. And I hope that we will protect that investment by making the appropriate action to build around that particular Arena.

I can remember, and my days go back to 1989 when I did first start at the Convention Bureau for a few years in a different capacity. We only had attractions like Town East and Town West as probably our most popular attractions. Over the years, many investments were made by elected officials for tax purposes to have places like Old Town, museum districts that every day people are coming here and then in fact send many letters and notes saying when Century II was being built, I'm sure there were several issues, while I don't recall the details, but with that particular investment that was made in Wichita and the details probably surrounding that and today, without that particular building, I would tell you we would be far behind not having the facility to bring convention groups or performing arts and the other things.

I know these are tough decisions, but I would just share with you, I do hope as we shared earlier, certainly in support of moving forward with this expansion and certainly protecting the investment that has already been made and is under way currently in the Downtown area. Thank you."

Chairman Winters said, "Thank you, Mr. Roth. Is there anyone else who would like to address

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the Board of County Commissioners? Anyone else? All right, we will limit discussion now to staff and Commissioners. Mr. Buchanan, did you have remark now or do you want to listen to discussion a bit?"

Mr. Buchanan, County Manager greeted the Commissioners and said, "Yes, sir. Mr. Chairman, if it pleases the Commission, I just wanted, not to reiterate what Chris Chronis said but to reinforce what he said. It is our recommendation to approve this TIF. In August, I sent a letter to the City Manager and described that TIF as being too big, too nebulous and not specific. I think the City has addressed those issues. It is smaller, it is absolutely specific. We know what the expenditures are going to be for.

Finally, you have adopted a policy about TIFs that describe the five criteria by which we would declare an adverse effect. I think reasonable people could disagree about some of those criteria, but (inaudible) they're applicable here or not, but in our analysis, the staff's analysis, this TIF does not create an adverse effect on Sedgwick County."

Chairman Winters said, "All right. Thank you. Chris, did you have a comment or are you just ready for questions?"

Mr. Chronis said, "Just ready."

Chairman Winters said, "Commissioners, I think it's time we need to have the discussion. Commissioner Parks?"

Commissioner Parks said, "Mr. Chronis, this is \$650,000 per year, is that a minimum or maximum?"

Mr. Chronis said, "It's an estimate."

Commissioner Parks said, "That's an estimate? You estimate \$13 million over 20 years, did my calculator do the math right?"

Mr. Chronis said, "That's approximately correct."

Commissioner Parks said, "Okay. I did have a question of Mr. Johnson, if I could?"

Chairman Winters said, "All right. Certainly. Mr. Johnson, would you please come back?"

Commissioner Parks said, "I just wanted to... your business is?"

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Mr. Johnson said, "I'm an architect, sir."

Commissioner Parks said, "Do you plan on doing business within this TIF district?"

Mr. Johnson said, "I am available to do business wherever we're asked to do business."

Commissioner Parks said, "Okay."

Mr. Johnson said, "We're not developers, we're not involved in the Arena. I have supported the Downtown Development Corporation since its inception. And I have not benefited from that."

Commissioner Parks said, "Okay. I just needed that to weigh the speakers."

Chairman Winters said, "Okay. Anything else?"

Commissioner Parks said, "That's it."

Chairman Winters said, "Commissioner Welshimer?"

Commissioner Welshimer said, "We were talking about a public hearing on the \$10 million for parking that was added to the plan. Is that absolutely the responsibility of the City and the County, hold a public hearing?"

Chairman Winters said, "Well, my only answer is we're taking public comment today. I don't know that this, this is not an official public hearing on the TIF..."

Commissioner Welshimer said, "...public hearing on the subject. I would like to look into that. I was at the City Council meeting yesterday, the subject was brought up about this and there has been no effort put forth that I can see to accommodate the people who would like to have a public hearing on that addition to this TIF legislation.

We passed a parking plan last week? And we are paying \$5 million to the City to pave their three parking lots down there. We are looking at a contract with the State Office Building parking garage and I think private parking was something, in this parking plan I was told that was something we can depend on to provide 25/30 percent of the parking needed down there. I think we have pretty well covered the parking. And that is another reason why I'm a little concern about the extra \$10 million.

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And the other thing is, if we have no adverse effect, with the current economy we're in line for future sales tax to be much less. We pave our own roads, build our own County roads and bridges with that sales tax. Are we going to be in a situation, I mean, because we don't know that now, but we could find ourselves in a situation as far as our public works funding is concerned. This area has been reduced in size but it's still 408 properties. That's a lot of properties to have any future improvements taken off the tax roll. That's all I have."

Chairman Winters said, "All right. Thank you. Well, Commissioners, I would make a couple comments here and then hear from others. I certainly appreciate all the comments that have been raised today and the folks that have taken time to be here. And I think we've all demonstrated that we do have some concerns about TIFs and their use and we expressed that back in August on a proposal that was, again, large and nebulous and hard to really put your hands on as to exactly what it has done or would do. I think that the City has gone out of their way to give us, now, a specific proposal, that they weren't required to do by State Statute, but they have outlined for us what their intentions are. As I look at TIFs and I understand them and again, as someone said they weren't an attorney, I'm not an attorney, did not write this State Statute, but it looks to me that they are tools that can be used to spur private development in areas where it's very difficult to get private developers to work.

And older sections of downtowns are that kind of a place. Again, I am not a developer and I am not here to say development is easy. But it is often easier to go to the suburbs and the outlying areas of the community where there's large open apartments of space that can be purchased and put together in an easier fashion than in downtown areas. And you know, I've been very privileged to have the opportunity to work with the Regional Economic Area Partnership, REAP, which is about 30 cities and nine counties in South Central Kansas. In my work with that group, as that group tries to study what regionalism is and regions mean and we look at other regions in the State and there are very few successful other regions in the State of Kansas, it becomes clear to me that a strong, vibrant downtown area in the major city in your region not only affects in a positive manner the citizens of that community and the smaller cities in Sedgwick County, but our region and so I think this is an effort to make an investment now that will pay off in the future. Because if an investment like this is not made now, I think it is very questionable whether there will be increased activities and thus valuations and thus property taxes in the future.

So I really look at this as an investment. I look at this as a big change from the proposal that we looked at in August, this proposal is much smaller, it is specific, they have outlined their processes

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and what they intend to do and they've put a cap on it. You know, I want to be supportive of the activities that are listed in this as the reconstruction of the streets, the lighting, the street lighting, the street signs, the landscaping and the additional parking for new development when and if it happens. I think the City has put together a plan that I can certainly support and it looks to me like a positive plan. Commissioners, are there other comments? Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. First of all, I want to say I appreciate the comments that have been made by the various speakers today and appreciate the intense scrutiny that's given by our volunteers, citizen watchdogs. I think that that's an important function for many of our citizens to continue to evaluate what we're doing and make comment. Also appreciate the comments made by those folks who are particularly interested in the development of Downtown Wichita. I think it's all been informative and helpful in our deliberation.

I'm trying to understand what the responsibility of this Commission is as this issue comes to us, our responsibility is not to do with telling the City of Wichita when they may or may not initiate a TIF district, that's totally under their responsibility. Nor do we have specific responsibility or authority over how they go through that process and whether or not they have appropriate public meetings and those sort of things. That's just not for us to do.

As this comes to us, we simply have this, Mr. Chronis describe two options. We either vote this thing up or down based on how we analyze its impact on County government. It seems to me that we have gone through that process in the information that we received and what is the impact to the County budget and how does it affect our long range financial plan and will the elements itemized in the TIF be an improvement or enhancement to the quality of life and to the economic development of not only the core area in our major city but also for Sedgwick County and for our region.

As the Chairman mentioned, some of the principles of regionalism that we have heard in various seminars and meetings, every time I have heard an expert speak on the issue of regionalism, they've said that it is essential that you have a strong central city and that strong central city have a viable core to it. I think that this is an attempt to address not only some blighted areas and the City of Wichita but also to make sure that core stays healthy. And these elements that we have asked to be more specifically defined deal not with issues specifically to a developer, but these are items that have to do with the general infrastructure in Downtown Wichita.

In streets and lighting and curb and way finding, those sort of things that would be beneficial to a

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developer, but they're also beneficial to our citizenry in general. So I'm satisfied that that is a very appropriate and agreeable modification to the original TIF that came us back in August. Because these improvements as described essentially provide a way for the County to partner with the City of Wichita as they improve infrastructure, streets, lighting and those sort of things that have not been accomplished and some may say have been neglected in recent times.

As the core of our city is improved it makes our city stronger and it has a very positive effect on regionalism that is beneficial to the County and the whole South Central Kansas. So I think that the elements that are described are going to be beneficial and they are limited in such a way both in the items listed because, Mr. Chronis, I'll just ask this question now, the City does not have the privilege of adding projects or doing more than what's specifically listed in this agreement, is that correct?"

Mr. Chronis said "That's correct. There are two steps involved in TIF projects. The first is the creation of the district and in conjunction with that, the adoption of a district plan. The district plan is required to be adopted subject to a public hearing and that is what you have 30 days to approve or disapprove. In the district plan, the City has articulated specific street segments and the \$10 million cap on new parking facilities and those are the only permitted uses of Tax Increment in this district.

The second step in the process is the adoption of a redevelopment plan. That gets more specific about exactly what work is going to be undertaken, who is going to pay for that work, whether the City or developer, what sources of funds are going to be used, what's the time frame for completing the project and so forth. That redevelopment plan is adopted by the City after the district has been created and the County has no voice in that decision.

The district plan sets the parameters for the use of the Tax Increment. The redevelopment plan sets the specific authorizations for the TIF district. The redevelopment plan can be modified by the City at any time but it cannot include anything that wasn't authorized in the district plan. And so if the City wants, in the future, wants to add additional street segments or they want to do land acquisition for a developer or they want to do other things that might otherwise be permitted under State law for Tax Increment financing, they would have to amend the district plan. That would require the City to conduct a public hearing, go back through the same process that they have just concluded and at the conclusion of that process, the County would have 30 days to approve or disapprove that amended district plan. If the County disapproved, then the City would not be able to do what it wished with that money."

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Commissioner Unruh said, “All right. Thank you for the explanation. I think that with that explanation and with the specific elements in this plan, we have clearly indicated what might be agreeable to this Board and the ability for us to review any modification to the plan, I think, gives us sufficient control going forward so that this doesn’t get beyond our ability to control or to approve.

I’m fairly well comfortable with the plan as laid out and the restrictions that are on it. I think it will strengthen our central city. I think it is good for the region. And I’m going to be supportive of it. A comment about the addition of the parking, this does not necessarily mean a parking garage, is that correct, Mr. Chronis?”

Mr. Chronis said, “It’s phrased in the City’s District Plan as new parking facilities.”

Commissioner Unruh said, “So it can be surface parking?”

Mr. Chronis said, “Yes.”

Commissioner Unruh said, “And the intent is that, as development might occur Downtown, if the current parking capacity is infringed upon or used up by some development, this is a mechanism by which citizens can still find parking downtown for Arena events so that it would replace what might otherwise be used.”

Mr. Chronis said, “And not just for Arena events. Within that district, the concern is that as development takes place, it’s likely that at least the initial wave of development is going to happen on existing parking in that area. We’re going to remove parking capacity from that area. And so that space is going to have to be replaced. This district plan would allow the City to do that with Tax Increment funding.”

Commissioner Unruh said, “Well, I think it’s a good mechanism to provide for long range stability of the parking issue for the Arena downtown. Once again, it caps our involvement and I think that the City’s made a good effort to try to modify the plan so that it would be something that might be agreeable to us and I believe that I will be supportive, recognizing the legitimate objections have been made by speakers today and recognizing comments that I have received from constituents in my area who are developers, successful developers and who are concerned about just the uncontrolled use of TIF district funding. All in all, I think this is not going to be, have an adverse effect to Sedgwick County and will be positive for our citizens in the region. I’m going to be supportive.”

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Chairman Winters said, "Thank you. Commissioner Norton?"

Commissioner Norton said, "I have a pretty long thing here. We've already talked about the responsibility of the County and its pretty limited, although we challenged the City to give us much more information based on our rejection of their first proposal, is that a correct statement?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "The specifics of the projects and the cost for the City, they're not required to give us any of that. It can be a very open ended, we have a TIF district, we want to raise this much money and the County portion is going to go to whatever we deem necessary at some later date. Is that a pretty good summary of the legislation?"

Mr. Chronis said, "Under State law it is, yes. The County's policy asks for more information than that. Under State law the City doesn't have to provide it."

Commissioner Norton said, "Okay. So we set all of that in motion some time ago when the first TIF district came before us and we had some pretty stringent questions as a County Commission to reject that, to send it back to them and let them put it through the filter and we gave them, on the front end, some guidance of what we thought would be important to us to bring back to us to be able to pass something and be a good collaborative partner with the City. Would that be a fair statement?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "The \$10 million in parking, is that included in the 70 percent cap?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "So we asked them to cap it, we'll take back 30 percent of the overall money that's brought in, but 70 percent of what the County would generate should come to the County, could be used in that area and parking is still under that lid, it's not an addition, it's just under there?"

Mr. Chronis said, "That's right."

Commissioner Norton said, "So, if we had just asked for a 70 percent cap, they could have done, didn't have to, wouldn't have had to describe anything in that, whatever our obligation was. Is that correct?"

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Mr. Chronis said, "Yes."

Commissioner Norton said, "At one point they built up, what the streets, the signage and all that would be, it's an estimate, but they came up with an amount of money. Whatever that was, was still under the 70 percent cap. And we said, we want you to describe everything that goes under there. If its parking, it's not a nebulous thing, were putting \$10 million worth of parking into that toolbox too. We're describing it as that and it can't be used for anything else. Would that be a safe assumption?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "If they want to use it for anything else or streets, signage, way finding, landscaping, any of these things described, if they were to change that at any point, they'd have to come back to the County Commission to amend what they've said. Now in the past they didn't have to do any of that, they could have just waited ten years, come up with a plan, the County had already, by passive vote, let it go through, they could have done whatever they wanted. Is that correct?"

Mr. Chronis said, "Yes it is."

Commissioner Norton said, "So, their hands are much more tied to do what they think is important but what the County will subscribe to. Would that be a fair statement too?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "I have to tell you, over the last year, I have written ten articles on my website and for various newspapers on this subject, either parking or TIF districts, I've had probably 10 or 15 speaking engagements where that was a topic. And I've talked about all of these things that we've had an effort to make sure that we've done our due diligence.

That doesn't qualify as a public hearing, but in my mind that's public information sharing and communication to the electorate to know what is happening. Where we've maybe not put this out to the public in every aspect that could be described, certainly we've been talking about this issue a lot. If you tie TIF and parking and a lot of that together, we have talked about it at staff meetings, for many, many County Commission meetings I brought it up as an item that we're going to have to deal with, that we're worried with. I'm not particularly upset that somewhere they describe parking as \$10 million under that cap that may not have ever come up in any other discussion if we had just followed the rules of what TIF districts say. We tried to do our due diligence and push that.

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Now, the truth is, for several months, maybe even years, I have had angst over the Arena Neighborhood Redevelopment Plan. I vocalized that so many times. I hear today that the Mayor is pushing to pull that together, make sure it's succinct and make sure it's nailed down. We've been talking about that, as a County Commission, consistently for many months. We've talked about parking. In fact, I think we started off that whole conversation about parking and pulled together a group of staffers and County Commissioners to work on that. We reported consistently about what we were working on, what our thoughts were, how complicated it was, how we were going to analyze the Walker report and use that data. But we've been doing that for a year and talking about it openly to whoever wanted that information.

Then through the middle of this year, we started talking about TIF districts. Would that be safe to say?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "I mean, this isn't something we're just dealing with today, it's been on our conscience and probably the public scrutiny for many months now. We've talked about it. I have participated in meetings. I think Chairman Winters and I have been across the street several times continuing to nail down what the Commission, we felt the Commission, wanted in some kind of proposal. A smaller district, more described projects with a cost attached to them and a cap.

Now, that original cap proposal idea came from our Visioneering trip to Fort Worth, where they had a Trinity River Corridor project where the County said we're not giving you all of our money, what's the cost to it, let us figure out what our participation can be based on a cap and we'll give you that much money because we think it's important but you're not going to get all the extra money that might be raised that and use it at will. And we did that, the City signed off on it, it's built into this proposal. So this whole TIF conversation is not anything thing that has been not vetted several times, at least to the County Commissioners.

In fact, we rejected the first proposal. We looked at it and said, we've got some real problems with it, we hear from citizens, we understand what they're saying. We're not going to let it go through passably like many; many others have done for years and years and years. We asked for a smaller district, the description of the cost and projects and a cap of the County's participation. I feel pretty good that those things are brought before us. Would you say that's a truism?"

Mr. Chronis said, "That's an accurate summary, yes."

Commissioner Norton said, "We have a responsibility to the citizens to make the Arena viable. It

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went through a vetting, a vote, the citizens wanted to put the Arena downtown. That was not my personal decision. That was the community's decision. Now we have to do several things to make that happen. The first thing is we had to watchdog the construction, not only the architectural work that went into it, but the actual construction. We're in the middle of that now and were continuing to understand that we have to build the best facility we can with the sales tax money that we were given.

The second thing is we had, we were challenged to analyze parking and we worked really hard trying to do that. I've said it many times at the end of the day the one thing I knew about parking is whatever we come up with, somebody isn't going to like it. You know what, we're going to have an Arena downtown that will need parking for citizens and we're going to try to do the best we can with the money we have and the intellectual capital we have to do the best for the citizens.

The next thing is we had to develop a management plan to make sure it was managed properly that there was not huge amounts of subsidies and we could partner with somebody that's going to bring the best events and the best management structure to this event center that we possibly could. We did a lot of due diligence there, I think we've got that. The downside risk to the public is going to be minimal because of the contract and I think we did our due diligence there.

Now, it's important to ensure a safe and mobile experience as people come to the Downtown. Part of it has to do with the Arena, part of it has to do with the just the City's look at what the Downtown is, whether it's Old Town or the Business District or Waterwalk or Century II Plaza or whatever, but we have a part in ensuring safe and mobile experience and we're working on that right now.

Now, part of that is fixing the streets, the signage, the way finding, the lighting, even the landscaping and a lot of that follows, burden falls on the City. They've told us they're willing to do that but it's going to take a TIF district, they think, to be able to do all of those things. We said, as long as we know what those streets are and what the signing and the landscaping is going to look like and what the cost is, we feel it's important to have a safe Downtown and a mobile Downtown. We will look at that and put it through our filter as far as a TIF.

The final thing is we have to be able to promote the Arena area as part of a citizen friendly area. It's got to be a Downtown that everybody can be proud of, feel safe in, enjoy the experience and feel like they're getting value from taxpayer expenditures. We certainly have had plenty of conversation about that. We're not all going to agree. I believe, though, we have been given something that meets the letter of what we ask for. The \$10 million extra parking, I hate that that

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wasn't described in more generalities, but I personally knew that that was coming up, that there was going to be some amount of money put in there for future parking.

That what we have done as a County Commission was not quite going to suffice for twenty years from now or ten years from now or maybe even five years from now and that there would have to be something available to make sure there was good public parking, surface parking and maybe even a parking garage if so needed. That doesn't surprise me that that's part of the conversation. I can't have control on what the City did with that information because I certainly knew about it.

The last thing I have is, Chris, and maybe you're not prepared to talk about this, but for Kellogg, Rock Road, Maize Road, 21st Street, who generally pays for that big project of infrastructure in our community, where people, a lot of people use those particular roads? Is it private developers or is it the taxpayer in general?"

Mr. Chronis said, "It's the taxpayer in general."

Commissioner Norton said, "Okay. For the signage that goes up there, the streetlights, all of that, who usually pays for that, the developers off to the side or the residents or the taxpayers?"

Mr. Chronis said, "Taxpayers."

Commissioner Norton said, "Okay. For landscaping on public property that is in right-of-way, is that...?"

Mr. Chronis said, "That's a taxpayer thing."

Commissioner Norton said, "Street improvements, reconstruction turn lanes, all of that, is that people off to the sides or is that...?"

Mr. Chronis said, "That's for arterial roads, that is a taxpayer expense."

Commissioner Norton said, "So we think that the infrastructure Downtown, all that thoroughfare movement is all public roads and infrastructure, would that be a fair statement?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "As opposed to residential areas where you have streets that are paid for by specials, public generally pays for those kind of infrastructures. Would that be a safe..?"

Mr. Chronis said, "Yes."

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Commissioner Norton said, “That’s all I have right now, Mr. Chair. Somebody else’s comments may spur me to think of something else.”

Chairman Winters said, “Thank you, Commissioner. Commissioner Welshimer?”

Commissioner Welshimer said “You were mentioning that the taxpayers pay for this. Isn’t it the taxpayers within the boundaries of the City limits? I mean do the infrastructure in Downtown, go to all the other cities in the County?”

Mr. Chronis said, “Under State law, cities below a certain population, for cities below a population, the County is responsible for providing those roadways. So that is a County wide taxpayer expense. For cities above that population threshold, and I’m afraid I don’t know what it is, but I’m sure Jim Weber does, . . . 5,000 I’m told. For cities above that population, threshold, it’s the City’s expense to do those improvements.”

Commissioner Welshimer said, “This infrastructure would be the taxpayers within the City?”

Mr. Chronis said, “Yes.”

Commissioner Welshimer said, “The other thing that bothers me a little bit, we have this Resolution and that’s what we’re voting on. It is so vague, I don’t see anything in here that tells us exactly what we are voting on, at least it doesn’t provide the information to me. It doesn’t mention any amounts of money or numbers of properties or boundaries or anything. It refers to what the City has done and it refers to Statutes, but I think one of the problems that we have with the TIF districts is how very difficult it is to understand it.

No matter how much we talk about it, it is never understood by a majority of people. I’m just concerned that this Resolution, I mean it does go so far as to say, no privately owned property, subject to Ad Valorem taxes will be acquired and redeveloped under the provisions of KSA and amendments there to. But that doesn’t really, I don’t think, say what it says. I mean, it doesn’t mean exactly what it says. What the Board of County Commissioners have to do, consideration of the proposed expansion determined that said redevelopment has no adverse effect on Sedgwick County. How do we know that? We have about 20 years to experience this. So anyway, on this I am a little concerned that this Resolution is extremely vague and does not say what it is we’re actually committing the taxpayers to.”

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Chairman Winters said, "All right. Chris, could you or Jennifer answer the question, where are, what document has the specific outlines for what projects are, we are accepting as part of this TIF agreement?"

Mr. Chronis said, "It is the District Plan that you are consenting to with this Resolution."

Chairman Winters said, "And the district plan contains the list of projects?"

Mr. Chronis said, "Yes. You have it in your packet of materials."

Chairman Winters said, "All right. Thank you. Commissioner Welshimer, anything else? Commissioner Parks?"

Commissioner Parks said, "I do have a media note, I did vote in favor of one of the other TIF projects earlier this year. If there's any media that would like to quote me on that, that would be great."

I would like to thank those also for, responsible speakers for meeting the deadline on the Agenda, that's good for me. I try to ask those questions like I asked of Mr. Johnson before that so I can have that clear in my mind to do my homework. I don't, certainly wasn't trying to embarrass you Mr. Johnson or anything on that. I do contact the people before the meetings and ask them if they have any possible conflicts or any possible economic advantage there.

I've studied this and I want to address several of the things that the speakers have said and some of the other Commissioners have said. Before any, I studied this, quite frankly, before any action or inaction on the part of the City of Wichita. If we want to point fingers and say shame on somebody, shame on them, not shame on us. I really believe that's a good statement on that, that we have done what we need to do and we'll proceed.

I'm going to be weighing my vote on the grounds that, I've set several of them out, and one being our staff reports on parking; two, some of this area is blighted, however much of it is not, I think that's the spirit and intent of the State law for TIFs is to take care of the blighted areas. In fact, I reviewed some pictures just this morning of the, some pictures I took in this area and yes, I can see some blighted buildings and yes, I can see some that the remodeling is already started in the last 18 months. I believe this would meet, I would actually say that this would meet the KSA or the Kansas Statutes, that economic development would have be completed anyway. Third, but not last of course, is the interest of all the taxpayers in my districts and their tax burdens and the financial well being of Sedgwick County, and that too, goes back to the KSA that says the cost would adversely affect Sedgwick County.

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I don't think \$20 million, or \$13 million over 20 years is minuscule and we could say that it wouldn't have an effect on Sedgwick County. If government money spent, in quotation marks, as one of the editorials said, it's an investment; this to me could be a shortfall that has to be made up by the rest of the taxpayers. In saying this, I think we all may know, that have studied this and have the people, some of the people kind of know how the vote is going to go. It would be easy for me to lay down and say, go along with the majority on this but I am trying to represent my constituents as a whole and the people in Maize, Park City, Valley Center, rural areas, little bit of Kechi, some of those people have called me and are more concerned about the number three, the interest of the taxpayers, the tax burden and the financial side of it.

So, that's what I am going to be weighing my decision on. It is a tough decision. When we're talking about other areas, I think it behooves me to say that Fort Worth, we can't compare to Fort Worth. The State of Texas has a different severance tax, they have different tax structures down there, they have a lot more sales tax than we do. The City option in Tarrant County, I'm very familiar with. I think that looking at the taxation issues; I think their taxpayers are more aligned with taxes from the sales taxes and the property standpoint."

MOTION

Commissioner Parks moved to deny the Resolution of Center City South Tax Increment District.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Winters said, "That motion has failed."

MOTION

Chairman Winters moved to approve the Resolution consenting of Center City South Tax Increment District.

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Commissioner Unruh seconded the motion.

Chairman Winters said, “Jennifer, this only requires a simple majority? There is no...?”

Ms. Magana said, “That’s correct, simple majority required.”

Chairman Winters said, “All right. Thank you. Any other questions? Madam Clerk, please call the vote.”

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

VOTE

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

Chairman Winters said, “That motion has passed. That will recommend the approval of the expansion of that district. Thank you all who were here for this Agenda item. Commissioners, we’ve got a pretty long agenda ahead of us, so I suggest if anybody needs to excuse themselves for a moment, we do that, but that we continue on. Madam Clerk, would you call Item E?”

PLANNING DEPARTMENT

E. DR 2006-2 WICHITA PARKS, RECREATION, AND OPEN SPACE PLAN (DISTRICT 1, 2, 3, 4, 5).

POWER POINT PRESENTATION

Mr. John Schlegel, Planning Director, greeted the Commissioners and said, “In 2006, the Wichita Board of Park Commissioners, also known as the Park Board, initiated the development of the Wichita Parks Recreation and Open Space Plan, which is before you today for your consideration. Also known as the PROS Plan, it was developed to replace the 1996 Parks and Pathways Plan as an element of the Wichita/Sedgwick County Comprehensive Plan. This new PROS Plan that’s before you today will serve as an updated and improved 20 year guide for the development provision, maintenance and funding of Parks and Recreation resources within the City of Wichita.

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It was adopted yesterday by the City Council at their regular meeting. The plan area consists of City of Wichita and the City of Wichita's 20-30 urban growth areas identified in the Wichita/Sedgwick County Comprehensive Plan. We've put the item before you for consideration to adopt as part of that comprehensive plan.

It is a City of Wichita plan in terms of its jurisdiction and future growth area. What I'd like to do is take you through a series of slides to acquaint you better with this plan and come back to the recommended action at the end.

It's been a two year process, during which over some 3,000 citizens participated in the development of this plan. As you can see from that list before you, the City used as many different ways of engaging the public in the development of this plan as they possibly could. They did this, they took this time and made this effort in order to be able to assure themselves that they had a plan which meets the needs of the citizens of Wichita.

What they heard during that two year process was that citizens would like to see reinvestment in existing parks, a public park within one mile of every resident. They would like to see the parks that are developed and the existing parks meet specific standards to be developed. They called for the coordination of park locations with other public facilities, most notably school sites. And the public called for the acquisition of additional sites within the 20-30 growth area as the City of Wichita continues to expand outward.

In addition, some of the key things that the public said they were looking for in this new plan was expanded and connected trails, the City already has a fairly substantial trail system if they would like to see that expanded and connected up better; a City pool within two miles of every resident and dog parks. Believe it or not, that was one of the most frequently mentioned items that people would like to see developed as part of this park plan. Also that the Arkansas River is a major recreational asset that should be taken advantage of.

During that process, the public participation process, there was a great deal of discussion about creating high demand programs at the various neighborhood centers and these would be responsive to a program, programs that people in that in the vicinity of those neighborhood centers would like to see at those various neighborhood centers. In developing the neighborhood centers, what they wanted to do was see focus on program improvements, making minor upgrades to the existing neighborhood centers first and then the long haul doing major renovations at the existing centers

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and building new centers. As centers are renovated and new ones are created, that the locations and facilities be combined with public and other partner agencies.

The plan, as it's been developed and adopted by the City Council, promotes the idea of a multi-tiered, multi-sector service delivery program that recognizes the contributions of various institutions within the City already provide and that the City can provide. One of the key provisions is the recognition of the contribution that the YMCAs make to the community and that these are then identified in the plan as mega centers for recreational activities, also recognizes the existing City Neighborhood Centers and specialized centers such as Botanica, Cow Town and so forth. It also recommends that community buildings, which the City has scattered throughout the City, not be a component of future recreation activities.

The graphic in front of you summarizes the recommendations of the PROS Plan. You can see on there the red triangles are the major renovations or development of an existing facility. The orange circles, which you see about four or five of those on there, are change of use and existing facilities. Proposed park target areas are the green circles and the pale green yellowish diamonds are proposed neighborhood center service areas. The darker gray diamond towards the center of the City are existing Wichita neighborhood service areas or service centers and their service areas.

Plan calls for major renovations at 18 park sites and minor renovations at another 35. Site furnishing and signage upgrades, an additional 26 sites and ongoing reinvestment in a total of 49 sites. Also calls for future park development, 18 sites within current City limits, that's eight new sites and ten existing sites that the City already owns and 15 new park sites in the outside of current City limits within the future growth area. Calls for improving park maintenance by rethinking the City's current priorities for park maintenance and allocating more resources to building and park maintenance.

City does, the plan recognizes that the City does have a history of underfunding while adding additional responsibilities to the park staff and it calls for new investment in not only in new sites but also in fleet and staff. It provides for cost estimates for carrying out this plan and you can see some of these numbers are quite large, \$268 million for existing park projects, another \$243 million for new parks, \$43 million for pathways, \$2.5 million in annual, an increase in annual maintenance expenditures with the idea that public investment, public assets such as the parks represent, require continuing investment from year to year. Although the plan does not represent a funding obligation in any way, it does explore the options that the City has for improving maintenance and in operations through improved cost recovery, cost sharing and increased general fund support.

It also lays out options for capital development through current resources which the City already allocates but also some possible new sources through the City's CIP, through special assessments or through a dedicated general tax such as sales or property tax.

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As I mentioned, the City Council has already adopted this plan. The Park Board will continue to work with the City Council to recommend future funding options to the Council and will support the implementation of this plan based on funding availability and continuing work with the community to see, to move this plan forward.

So the recommendation to you today is that you adopt this plan so that it becomes a part of the Wichita/Sedgwick County Comprehensive Plan. I'd be glad to take any easy questions you might have, let's see, I'm looking for somebody from Parks and Recreation for the hard, and back in the corner is Janet Miller from the Park Board for all the hard questions."

Chairman Winters said, "All right. John, thank you. You have a staff member here, Scott, who spent a lot of time on this. Introduce Scott so we might recognize him."

Mr. Schlegel said, "Scott Wadle has put in quite an effort on this. I'm glad that you have given that recognition to him. He was, I don't know how many hours he's devoted to this over the past year, but his contribution was very valuable to this whole effort."

Chairman Winters said, "I have heard him give presentation a couple times, once the Visioneering Steering Committee and he did an excellent job and I know that any time you take upon a task to talk about 3,000 or so citizens and get input from a large group, it's a daunting task. But we appreciate Scott, your work, and the work of the Parks and Recreation Board. Janet, we thank you for the time that has been put into this project. Just a couple of comments and then there's some other questions.

At this time, there's no funding impacts for Sedgwick County and the plan does not identify specific funding, I guess, strategies or plans?"

Mr. Schlegel said, "That work will be left for the Park Board and City Council to continue working on. No TIF districts in this plan..."

Chairman Winters said, "No funding impacts to Sedgwick County at this point and time?"

Mr. Schlegel said, "None whatsoever."

Chairman Winters said, "Thank you. Commissioner Parks?"

Commissioner Parks said, "I just wanted to ask a little bit about the cell towers and the parks and I know we've had this in the past. We've had requests to put cell towers in there and how you have

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addressed this in the plan? I don't know if Janet..."

Mr. Schlegel said, "I don't know that the plan addresses cell towers. I know the City has a policy that allows for builders of cell towers to approach the City about putting towers in parks. It's not an inappropriate way of, it's not an inappropriate use of park land."

Commissioner Parks said, "The aesthetics of that, I know some communities are now putting up like fake trees that look like trees and are in effect a 60 or 80 foot cell tower, so you can't really tell that it's a cell tower but it's there. I don't know if Janet would like to expand upon that anymore. I certainly would welcome her comments if she would."

Ms. Janet Miller, 1102 Jefferson, President, Board of Park Commissioners, greeted the Commissioners and said, "The Board has also shared a concern about that. In the past year, we have done a couple of things. One is we have worked with the Planning Department and reviewed on a map where it might be appropriate to place cell towers and where it might not. And John can specifically address the technicalities of this, but the gist of that was we did remove some parcels from that map."

The Park Board has worked to create a policy now based on a staff review of all the park parcels and we have essentially now a list that says these are parks in which we would consider approving. Not that we have final approval but that we would consider recommending for approval placement of cell towers and those parcels generally include places that already have something tall in them, for example, some athletic fields lighting or other things that might obscure or have a large enough footprint that the tower could, does not take up a large proportion of the park land.

Then there are a list of places that the Park Board has said we would not recommend approval in and those are some examples of those, including natural wildlife areas for example or parks that are fairly small where a cell tower who take up a large portion. So that's what the Park Board has been working on. Also, we have developed a community involvement process to go out and talk to neighborhoods when there is a request to place a cell tower in a particular park.

There's an example of one of those that's going to be coming before District 6 Advisory Board tonight where the neighborhood was consulted. They did not have opposition to having a cell tower placed, replacing a light that's at a ball field. So, as John said, there are places that is an appropriate use and others that is not. But I think we have a much better process and policy in place than we have had in some future years."

Commissioner Parks said, "Thank you, I know that was a concern over in Riverside a few months ago, so thank you for explaining that."

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Chairman Winters said, “Thank you, Commissioner. Commissioner Norton?”

Commissioner Norton said, “I’m going to be supportive of this. I have heard Scott’s presentation several times. John, he does it as good as you, I can tell you.”

Mr. Schlegel said, “I’m sure he does much better.”

Commissioner Norton said, “He knows the details for sure. As we move forward on this, did this, the PROS Plan, come out of Visioneering or was it just simultaneous to that, because it seemed like that that overlapped a lot of the same players were talking. Was this something commissioned by the City and just happened to go along with Visioneering? Is that kind of how it...?”

Mr. Schlegel said, “I think they have been more or less simultaneously. The fact that Visioneering had called for a Regional Parks Recreation Open Space Plan, I think, helped propel this forward for the City. And there were, at least initially, some efforts to try to make this a regional plan rather than just the City of Wichita plan. There are some ongoing efforts being done under the Visioneering/Wichita umbrella to that effect.”

Commissioner Norton said, “As you look at the diamonds and circles and everything, it still is a pretty tight metropolitan look as opposed to a Sedgwick County, a northern Sumner County, a maybe, a Butler County plan which would be more regional in aspect. Is there a place where this is going to expand and have more conversation with the...Andover...?”

Mr. Schlegel said, “I think that’s...Scott, can you address some of those efforts? I think Scott would have more detail.”

Commissioner Norton said, “Because, truthfully, that will have a lot more resonance with the County as we talk about funding and everything if it falls into other areas, the Derby’s, the Haysville’s, the Cheney’s, the Valley Center, Park City, all of the outlying areas and the unincorporated areas. Scott?”

Mr. Scott Wadle, Senior Planner-Advanced Plans Division, City of Wichita, greeted the Commissioners and said, “For Visioneering/Wichita’s part, they were recently, the Recreation Alliance, was recently awarded a grant to put together a website that will have a Google map’s interface so you can look up parks, you can query parks, and we’re hoping to get as much information from the communities in Sedgwick County and then expand it to other communities so we can learn not only what we have but also what’s planned and anticipated in the future. Because it certainly does no jurisdictions any good to have a baseball field in development when right across the jurisdictional line there’s another one being provided by a different organization. So in terms of coordination and leading to a larger regional plan, that’s what Visioneering/Wichita is moving

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towards.”

Commissioner Norton said, “Haven’t they worked hard on indexing and working on what the capacity is for the whole County to do just what you’ve said, to make sure there’s a coordination of recreational activities and to do a glossary of all of that so that we know we’ve got because we say, well, we don’t have any X parks, BMX parks, yet there are a couple, they’re just not in your neighborhood. That needs to be explained to the whole community. Is that...?”

Mr. Wadle said, “Exactly. That’s what part of this is about. We have wonderful resources here in Sedgwick County and in our region, it’s just that getting that public information out there about what’s available is not happening and it’s not happening very well. That’s what we’ve been finding, not only with the Wichita PROS Plan but also in the other communities.

This will be a great opportunity for communities not to duplicate the efforts of other communities but join together and to spend our resources in a very efficient manner to get that all up on one site that people can find out what’s across jurisdictional lines, what’s available within the entire region.”

Commissioner Norton said, “As you develop this final plan, did you take into consideration that some of those future outlying centers will butt right up against the Goddard’s of the world, the Butler Counties of the world, other entities that may have their own plan, did you kind of put that through that filter?”

Mr. Wadle said, “Yeah. It’s a little bit difficult to do right now because you don’t know what’s going to happen 20 years down the road. But the process is that they would identify a proposed site, which has been identified in the park plan, that they would then evaluate the resources around there, to make sure were not duplicating the efforts and provisions of other communities are doing.

The recreation centers is a great example because the YMCA is such an efficient provider of those services. They provide those mega centers with the five mile service radius, whereas the City of Wichita is proposing neighborhood centers, which are local, two mile service radius. In the steps that are outlined in the plan, the Parks Department is supposed to go out and inventory of YMCA facilities, HOA facilities, other organizations that provide those types of services and make sure that they’re not duplicating those efforts. Likewise, that would extend to the other communities, Goddard, Haysville, et cetera.”

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

Mr. Wadle said, “Thank you.”

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Chairman Winters said, “Thank you. Commissioner Unruh?”

Commissioner Unruh said, “John or Scott, this particular plan is just simply an amendment to the Wichita/Sedgwick County Comprehensive Plan, but it is essentially a Wichita plan, is that right that?”

Mr. Wadle said, “That is correct. It will replace the 1996 plan as a guide for the City of Wichita”

Commissioner Unruh said, “I realize it has regional implications, it’s essentially a Wichita plan, but it does not, at this time, imply or ask for any financial contribution from Sedgwick County and our approval of it doesn’t necessarily imply that we’re obligated to financial...”

Mr. Wadle said, “Both those statements are correct.”

Commissioner Unruh said, “Well, I appreciate the hard work that’s gone into this. I think it’s valuable for future planning and I’m going to be supportive of it. Just wanted to make clear what I was approving here. Appreciate those answers.”

Chairman Winters said, “All right. Thank you very much, Commissioners. Scott, thank you, John, thank you. Commissioners, what’s the will of the Board on this Item E.”

MOTION

Commissioner Welshimer moved to adopt the Wichita Parks, Recreation, and Open Space Plan as an amendment to the Wichita/Sedgwick County Comprehensive Plan, approve the Resolution and authorize the Chairman to sign the Resolution.

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Winters said, “Next item.”

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Mr. Schlegel said, “You might permit me one last comment on the PROS Plan, Mr. Chairman.”

Chairman Winters said “Certainly.”

Mr. Schlegel said, “We stand ready any time that Sedgwick County wants to move forward with its own PROS Plan. We now have substantial staff expertise in parks planning. Let us know.”

Chairman Winters said, “All right. Thank you very much, John. Next item.”

F. LOCAL MATCHING FUNDS FOR WICHITA AREA METROPOLITAN PLANNING ORGANIZATION.

Mr. Schlegel said, “This next item we are making a request on behalf of the Wichita Area Metropolitan Planning Organization for a \$25,000 cash contribution to provide local matching funds to provide for work that WAMPO must move ahead on in the upcoming year.

As you know, the Wichita Area Metropolitan Planning Organization is a very specialized, has a very specialized function, to provide regional transportation planning activities for the Wichita metro area. Its primary duties are to comply with a variety of different federal laws and regulations pertaining to transportation planning, activities and bottom line enables the, our local jurisdictions to be eligible for federal transportation grants, and this amounts to tens of millions of dollars a year in federal funds that, if it were not for WAMPO, would not be available to our metropolitan area.

One of the critical federal requirements that they must fulfill is to develop and adopt a long range transportation plan, which is now under federal law, called the Metropolitan Transportation Plan, every five years and the next one is due in August of 2010.

Related to developing that plan, we must have had a regional travel demand model that’s acceptable to the Federal Oversight agencies in developing that Metropolitan Transportation Plan. Particularly when it comes to establishing project priorities in that long range plan for our metropolitan area. Those priorities set in the long range transportation plan become critical components in the year to year allocation of federal funding for transportation projects through WAMPO Transportation Improvement Program. So in order to be able to continue to spend federal funds for the region’s transportation needs, we have to have a travel demand model which meets the specifications of the federal agencies.

We have solicited proposals from consultants who know how to do travel demand models and we have four or five proposals in hand with the most expensive being \$250,000. We have not gone

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through the consultant selection process yet, we wanted to make sure the funding was lined up before we did that. So we know on the upside that the cost could be up to a quarter million dollars. Now, the federal government will pay 80 percent of the cost for this, for updating and validating this travel demand model. So that's up to \$200,000 in federal grants for that. But the remaining 20 percent or \$50,000 has to come from local sources as the local match.

So we are asking our two sponsoring agencies, the City of Wichita and Sedgwick County, to contribute each, \$25,000, as the local match to this effort to upgrade the travel demand models so that we can get on with the development of this new Metropolitan Transportation Plan.

Without the local match, then we would not be able to update this model to the satisfaction of the U.S. Department of Transportation and without the model, then the MTP could not be developed to the satisfaction of the federal agencies. Without a satisfactory long range plan, we put in jeopardy future federal funding. So our recommendation is that you make it contribution to the Wichita Area Metropolitan Area Planning Organization so that this long range plan can be developed. With that, I'll take question."

Chairman Winters said, "All right. Thank you very much, John. Commissioner Parks?"

Commissioner Parks said, "John, do we have a checks and balances system, like the Bid Board or somebody that sends out the invitations to the people that would be doing this work?"

Mr. Schlegel said, "Well, we would, in doing the consultant selection process, we would use the City's process. We operate under their administrative umbrella, so they do have a procedure very similar to what the County has for making those selections."

Commissioner Parks said, "Thank you."

Chairman Winters said, "All right. Thank you."

MOTION

Chairman Winters moved to contribute \$25,000 for local matching funds to the Wichita Area Metropolitan Planning Organization (WAMPO).

Commissioner Parks seconded the motion.

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

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VOTE

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

Chairman Winters said, “John, thanks for spending the morning over here. Next item.”

G. HEARING TO CONSIDER WHETHER THE CITY OF KECHI HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR THE ANNEXATION ORDINANCE NOS. 03-495 AND 03-498.

POWER POINT PRESENTATION

Mr. Robert Parnacott, Assistant County Counselor, greeted the Commissioners and said, “This is one of our five year post annexation hearings we have five years after the annexations have occurred to determine if the City has provided the services as set out in the service plan. I have the amounts on the screen. It shows two, approximately one acre parcels that were annexed under two separate ordinances just to the east of Hillside on 61st Street by the City of Kechi. We sent out the notices, as required by Statute, to the two landowners involved. One landowner did respond by a phone call, he did not have complaints about services, did not have any expressed complaints at all regarding the service plan.

It was fairly ordinary service plan in the terms of sewer and gas, natural gas to be provided upon petition, the streetlights upon request. In previous conversations with the City, there are no pending requests for those services, so they had not had any petitions that they have not fulfilled.

The certain services were going to be continued at the time of annexation under the previous administration so water was going to be continued to be served by the rural water district, fire services was still going to be District Number 1, street maintenance, the street was still going to be maintained by the County. So those services didn’t change upon annexation.

The only services that were actually being provided that are under review today would be your typical city services such as police, code enforcement and other city administrative type services. There have been certainly no indications that those services are not being provided in accordance with the service plan at this point. So at this stage, if you have any questions, I can answer them.

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Otherwise, I would recommend you open the public hearing, see if there are any comments and then close the public hearing and make the appropriate finding.

The City did intend to have a representative to hear from staff, but that was not, they were not able to do that. We do have the City Attorney here, but I think if you have any specific questions for the City, we may want to postpone, we can go ahead and hold the public hearing, but maybe postpone any findings, if there are any questions. But at this point, I'll suggest you open the public hearing."

Chairman Winters said, "All right. Thank you. At this time I will open the public hearing on our Item G, considering whether City of Kechi has provided services as set forth in the annexation ordinance. Is there anyone here in the County Boardroom who wishes to address the County Commission? Is there anyone here who wishes to address the Commission on this issue? Seeing no one, we will close the public hearing. Bob, from the information that you know, is there any reason that we should say that they have not provided what this minimal service plan would require?"

Mr. Parnacott said, "No. Based on the lack of any complaints or any issues being raised by anybody, I think you can draw an inference from that that they are providing the services as set out in the service plan."

Chairman Winters said "Okay. Thank you. Commissioners, questions, comments?"

MOTION

Commissioner Unruh moved to open the hearing, receive evidence from the City and landowners, and make a finding as to whether or not the City has extended services as provided for in the service plan.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye

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Chairman Winters

Aye

Chairman Winters said, “Thank you, Bob.”

Mr. Parnacott said “Thank you.”

Chairman Winters said, “Next item.”

H. APPROVAL OF A RESOLUTION AND AGREEMENT AUTHORIZING A FORGIVABLE LOAN TO FLIGHTSAFETY INTERNATIONAL FOR ECONOMIC DEVELOPMENT INCENTIVES, AND AUTHORIZE THE INTRA-FUND TRANSFER OF BUDGET AUTHORITY.

Ms. Irene Hart, Director, Community Development, greeted the Commissioners and said, “For your consideration today, we have a Forgivable Loan Agreement to assist Flight Safety International in expanding their operations in Sedgwick County where they employ around 450 individuals.

Flight Safety International is one of the companies that we see the name quite a bit but we I know personally I had no idea what a valuable resource they are to this community and the depth and breadth of the services that they provide. Flight Safety International was originally organized in 1951 and now they are the world’s leading aviation training company. The corporate philosophy is that the best safety device in any aircraft is a well trained crew. Flight safety then trains pilots for commercial, private, corporate and military aircraft as well as technicians and other staff for the aviation industry.

They annually train over 75,000 pilots, technicians and other aviation professionals at a global network of 40 learning centers. They teach 3,000 different FAA approved courses for more than 135 different aircraft models using a variety of classroom, hands on training and flight simulators. Flight safety currently uses 230 flight simulators, which is the world’ largest fleet, and not only trains on the simulators, but designs, manufactures and even writes the software that runs the simulators.

Of particular importance to our economy is not only the direct investment in the creation of well paying jobs, but the additional economic return from over 10,000 pilots and technicians who come

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to our community each year. Typically, for a two week training program, these professionals stay in our hotels, dine in our restaurants and purchase goods and services in our communities.

Now, a little more about the Forgivable Loan. We're requesting your approval of a \$150,000 Forgivable Loan to Flight Safety International to assist in their expansion of five facilities in Sedgwick County, two at Hawker Beechcraft and three at Mid-Continent Airport. The expansion will bring nearly 253 new jobs over five years at an additional average annual salary of \$62,000 and capital investment of nearly \$150 million. The return to the County on this investment is calculated to be nearly 1.8 to 1, meaning for every dollar of our investment, we'll be returned \$1.80 to the community.

Wichita City Council approved a similar agreement yesterday. With us today is Russell Axtoll, the Assistant Center Manager for the facilities at Hawker Beechcraft. I believe he has a couple of comments and will be happy to answer any questions that you might have."

Chairman Winters said , "Thank you. Welcome to our meeting."

Mr. Russell Axtoll, Assistant Center Manager, Hawker Beechcraft, greeted the Commissioners and said, "Thank you. Good morning. I'm happy to be here to represent flight safety. We have a long and proud association with the Wichita community. And we have a large footprint in the Wichita community. As Irene said, there are over 40 flight safety centers worldwide, five of the centers are here in Wichita. I think it's the largest native community anywhere. There are two in New York, but five in Wichita, so we have a large footprint and are anxious to increase the footprint. We appreciate your consideration of this."

Chairman Winters said, "Thank you very much, Russell. We appreciate you are your taking time to be with us today to answer any questions. I guess the comment I would make and I think I kind of known this, but just to see the fact that flight safety's pilot and maintenance training programs brings over 10,000 pilots and technicians to our community for approximately a two week stay. That's a lot of folks. So just that impact, again, aside from the jobs is impressive. Commissioner Norton?"

Commissioner Norton said, "I'm going to be supportive of this. I just wanted to welcome Russ. We go back a long ways. And earlier I quoted a wife that said you need to find something to do after retirement, that was Jolene, Russ' wife, that said I married you for better or worse but not for lunch. It's good you're back in the workforce, Russ, probably saved your marriage, I would imagine."

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Mr. Axtoll said, "I think it did. Thank you."

Chairman Winters said, "All right. Any other discussion on this Agenda item?"

MOTION

Commissioner Unruh moved to approve the Resolution.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, "Thank you very much. We appreciate you being here, in case we had a tough question. Next item."

I. DIVISION OF PUBLIC SAFETY.

- 1. AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT BETWEEN CATHERINE YOUNG, MD AND SEDGWICK COUNTY FOR SERVICES AS MEDICAL DIRECTOR FOR THE EMERGENCY MEDICAL SERVICES SYSTEM.**

Mr. Bob Lamkey, Director, Public Safety, greeted the Commissioners and said, "I'm happy to be here today with this amendment. This amendment to the original agreement dated October 20, 2004, provides for an additional term of three years followed by an automatic renewal for one

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successive two year term unless either party shall give intent to terminate with 90 days notice. The amendment provides for a nominal increase in vacation, salary will be \$169,000 for 2009, will be reviewed each year. Dr. Young will be subject, as all employees are, to the County's performance plan. I would suggest to you that the salary, that's certainly within the range of a fulltime medical directors in this region. My recommended action is to approve the amendment and authorize the Chairman to sign. Of course, if you have any questions of Dr. Young, she's with us today."

Chairman Winters said "All right. Thank you, Bob. Commissioners are there questions or comments? Seeing none, what's the will of the Board?"

MOTION

Commissioner Unruh moved to approve the amendment and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winter said, "Dr. Young, on behalf of the Board, I certainly want to say that we appreciate the work you do to try to continue to bring professionalism to the departments that you work with. So we appreciate your work in Sedgwick County very much. Commissioner Norton has a comment."

Commissioner Norton said, "Although we passed this pretty quick today, we had been briefed and talked about as a personnel issue, we've dealt with this over a couple of periods. So it's not anything, even though we didn't have a lot of conversation today, a lot of questions, we have been briefed about it and talked about it and we understood the service agreement because it is a Human Resources issue. Just wanted to be sure that was..."

Chairman Winters said, "Very good, Commissioner. Again, thank you, Dr. Young. Next item."

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2. DELETION OF THE PT FORENSIC PATHOLOGY ASSISTANT, DELETION OF THE PT PHOTOGRAPHY TECHNICIAN AND ADDITION OF A FT FORENSIC PATHOLOGY ASSISTANT TO THE STAFFING TABLE.

Dr. Timothy Rohrig, Director, Regional Forensic Science Center, greeted the Commissioners and said, "Pardon my voice. I think I'm catching a bug going around. The request today is to modify our centers staffing table. We currently have two open part time positions. These are technician, technical type positions that we're having great difficulty in filling because of the part time, no benefit nature of these. The request is to delete those from the staffing table and essentially merge them into one fulltime autopsy assistant position and have the medical photography duties be spread amongst all the assistants in the center.

This will also help with some of the issues as far as getting out high quality which we always have, but timely autopsy reports. The good news is that this will have no financial impact on our 2009 budget, I'm not asking for any funds for that, just authorization to combine the two positions into one. Unless you have questions, I would recommend that you approve of the change to the staffing table."

Chairman Winters said, "All right. Thank you Dr. Rohrig. Again, Dr. Rohrig has visited with each of us about this item. Commissioners, are there additional questions?"

MOTION

Commissioner Norton moved to approve the changes to the staffing table.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item."

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3. AN EMPLOYMENT AGREEMENT WITH DR. JAIME L. OEBERST TO PROVIDE FORENSIC PATHOLOGY SERVICES AS CHIEF MEDICAL EXAMINER AND DISTRICT CORONER.

Dr. Rohrig said, “This agreement is actually to renew the Dr. Oeberst’s contract. She has been our Chief Medical Examiner for the County, I believe, is doing a superb job in that position. I would like to retain her services through this employment agreement with her. There is nominal increases in salary and vacation, basically another day of vacation. To come to the figures, I’ve looked at various offices this, is the mid-west, we can’t compete with New York or San Francisco but I have looked up in Kansas City and Oklahoma City to have equivalent salaries so we could retain her services and pay her an adequate salary.

Dr. Oeberst is assisted by one forensic pathologist and we hope to have another one on board. With three, we should have the capacity to handle the number of cases that are coming in currently to the center in a timely fashion. So with that, unless there’s questions, I would recommend that you approve this agreement and authorize the Chair to sign.”

MOTION

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

Commissioner Welshimer seconded the motion.

Chairman Winters said, “Before we do that, I’d make a quick comment, as I think back over my career as County Commissioner, which I now started doing more than I used to, but as I do think back, one of the things that, and I use the word most proud of, in that most proud category, is development of our Forensic Science Center here.

When I arrived, it was more or less a metal building that was a warehouse. We went through some struggles and difficulties, but we came up with a plan and I have seen the other side of the world and I have seen what we have developed into. And every time I see it now, the two leaders I think of now, because you were both there, is Dr. Rohrig and Dr. Oeberst. So, when I think about that center, I’m very pleased and proud of the work and activity that you are doing and sometimes the most unpleasant of circumstances. That is difficult work, but our communities today have begun to expect our professionals and scientists to know possibly more than it’s possible to know.

I realize that you all work under very stressful conditions, but I’m very proud of the work that you do at your facility. I’m certainly pleased to agree to this agreement for the continued services of Dr. Oeberst. Commissioner Norton, you have a comment?”

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Commissioner Norton said, "Once again, I'm going to be supportive. And it's the same thing, we've been briefed on this, it is a personnel issue and a service agreement and we have gotten all the background data, we may not hash all that out today, but Dr. Rohrig did come around and, at least I've had real good information imparted to me where I could ask questions. It is a personnel issue, it may not all be vetted here today, but we have asked a lot of questions about it. Wanted to make sure that was on the record."

Chairman Winters said, "Thank you. Commissioner Parks?"

Commissioner Parks said, "I too talked at length Dr. Rohrig about concerns of mine, one of those, just in general, is length of contracts, but I'm going to be voting in support of this as a whole, although I think we need to look at that in the future budget years and future years. Also, we discussed a little bit of out of County services that we provide and I think that I have the satisfactory answers to support this and go on with it in support of the Forensic Center. Thank you."

Chairman Winters said, "Thank you. We have a motion, are there other questions? Seeing none, call the vote."

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

VOTE

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

Chairman Winters said, "Thank you very much. Thank you for being here Dr. Oeberst and I'm very proud of the work that you're both doing."

Dr. Rohrig said, "Thank you, sir. Happy holidays everybody."

Chairman Winters said, "Thank you. Next item."

J. DIVISION OF HUMAN SERVICES.

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1. AGREEMENT TO SUPPORT THE NONPROFIT CHAMBER OF SERVICES OF SEDGWICK COUNTY IN ITS MISSION TO IMPROVE THE CAPACITY OF SEDGWICK COUNTY NONPROFIT AGENCIES.

Ms. Deborah Donaldson, Division Director, Human Services, greeted the Commissioners and said, “Also here today is Perry Sheckman from the Non-profit Chamber of Service. I’m here to ask your approval for a contract with Non-profit Chamber of Service which is an organization that really focuses on improving the organizational capacity of many of the nonprofits in our community and many of those that we do business with. They do that through many activities, a number of workshops, like night school or directors and sessions that focus on such topics as employee retention and motivation. One, I’ve been personally heavily involved in has been the Board University, which has been a great event that trains current and prospective board members for nonprofits.

The high quality of that work, I think, has been demonstrated by a 55 percent increase in membership over the last year. And a retention rate of current members of 96 percent. The contract is for \$40,000. I’d be glad to answer any questions and I know Perry would be glad to stand for any questions or comments also.”

Chairman Winters said, “Thank you. Commissioner Parks?”

Commissioner Parks said, “Just for future meetings, maybe next year, I would like to see a little bit of how the Non-profit Chamber is helping us as taxpayers also. Kind of save some of our services and things. If you can expand on that now, please do.”

Ms. Donaldson said, “Okay. I think some of the things that they definitely do is that we contract with a number of these non-profits that are members and as they work to improve those services, the board members in their capacity, then we are able to do a much better job in terms of our contracting and monitoring and the kind of performance we get. That’s very global, but that really does benefit us greatly.”

Commissioner Parks said, “Thank you.”

Chairman Winters said, “And I guess I would add on to that, when this organization was started, Sedgwick County gives millions of dollars to non-profit organizations to contract to provide services. And some of them are very good, some of them are medium good, some of need some

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improvement. What Perry's group does is try to help get all of them into that category of excellent performers which goes right down to the board members. As that group works with board members, it makes sure, I believe, that taxpayers dollars are being spent in productive ways and not ways that are questionable and have some kind of cloud around them. But an open transparent organization. So I think it's well worth the investment. Commissioner Norton?"

Commissioner Norton said, "Well, I was at the very first meeting that they had as we were forming this. I think it was maybe a brainchild of County Manager, Bill Buchanan's, to bring non-profits together and to talk about the role they play in our community and the strength they bring to supplement what we do. Because when you think of all the service organizations that we partner with, not only financially, but just in missions, if you think of mental health society and we do mental health, but there are other agencies that do that, if you think the things that all the non-profits do that are similar, but we try not to cross over, it's very important that they bring a strength to the table and ancillary services that the County could never afford to give to our whole community. We want them to be as strong and vibrant and as well run as we possibly can. This is a good way to ensure that for our community.

You know, we had a little more jurisdiction over those that we got to finance support to, but there was so many other agencies right on the edge that we worked with all the time that we worried that they weren't getting good direction as far as their board leadership and development and how to raise funds and not how to bump heads with other non-profits. Fighting over the same pool of money. I think over the years its added strength to our community in general and the services that we provide. That's all I have, Mr. Chair."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. I don't know if I have anything significant to add to what Commissioner Norton and Chairman Winters has already said, but if the non-profits in our community were to cease to exist, I'm afraid that the services may not be provided at all or else government would have to take a larger role in it. So I appreciate the effort of our non-profits and I think the Non-profit Chamber of Services does help those folks increase their capacities and it helps to leverage your resources and it helps to get them together so that they can share learnings they have to be more effective in our community. I'm going to be supportive. I appreciate Mr. Shuckman's efforts in his behalf in our community and also appreciative of Manager Buchanan's vision in bringing this to Sedgwick County and causing this to happen. It is beneficial in many, many ways, including financially to Sedgwick County. That's all I had."

Chairman Winters said, "Thank you. Commissioners, what's the will of the Board on this item?"

MOTION

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

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Winters said, “Perry, thank you for being with us this morning. Next item.”

2. AMENDMENT TO THE AGREEMENT WITH URBAN LEAGUE OF KANSAS TO PROVIDE GROUP AND INDIVIDUAL PSYCHOSOCIAL REHABILITATION, AND ATTENDANT CARE SERVICES.

Mr. Tom Pletcher, Clinical Director, COMCARE, greeted the Commissioners and said, “Urban League currently delivers rehabilitation services to between 30 and 40 youth with serious emotional disturbances. These youth are primarily between the ages of 4 and 11 and their programs grow during the summer adding about another 20 children during those summer months.

They focus primarily on psychosocial rehab groups and adding attendant care as necessary according to the treatment, the child’s plan of care. This amendment just increases the contract compensation cap as Urban League Services have expanded since they began service delivery about two years ago. All services are funded by Medicaid and are provided on a fee for service basis under this agreement.

An example of the services provided by Urban League involves a child, who is, this story was passed along, this child, who had multiple behavior problems to the extent that these limited social skills made it difficult for him to get along within the community and in the other social situations. They’ve been able to work with him in groups and also work with the family in such a way to provide consistent guidance to this youth and they’ve seen tremendous improvement for him in terms of managing his behaviors and the social skills to the extent that the staff describe him now as a joy to work with. Those weren’t exactly the terms that would have been used at the very

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beginning. We would recommend that you approve the amendment and authorize the Chairman to sign. And I'd be happy to answer any questions that you might have."

Chairman Winters said, "Tom, thank you. Commissioners, are there questions? Seeing none, what's the will of the Board?"

MOTION

Commissioner Unruh moved to approve the amendment and authorize the Chairman to sign.

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item."

3. SEVENTEEN (17) AGING MILL LEVY CONTRACTS FOR IN-HOME AND COMMUNITY SERVICES.

Monica Cissell, Sedgwick County Department on Aging, greeted the Commissioners and said, "I have 17 aging contracts for in-home and community services. These programs include Senior Companion, Meals On Wheels, Roving Pantry, Commodity Delivery and Adult Care Connections and other programs that assist older adults to live quality lives and remain in their homes as long as possible. Our recommended action is that you approve the contracts and authorize the Chairman to sign and I'd be glad to answer any questions."

Chairman Winters said, "Thank you. Commissioners, are there questions of Monica? If not, what's the will of the Board?"

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item."

4. TWENTY-ONE (21) FY 2009 AGING MILL LEVY CONTRACTS/AGREEMENTS FOR THE SENIOR CENTERS.

Ms. Cissell said, "I have 21, 2009 aging mill levy contracts for senior centers in Sedgwick County. These senior centers are senior focused community centers that offer a variety of services, including education, social activities for adults 55 and older and each of the centers are required to provide certain types of programming based on the level that that senior center stands at. The programs include regularly scheduled programming, like exercises, social groups, special events and also educational events. The recommended action is that you approve the 21 contracts and authorize the Chairman to sign. I'd be glad to answer any questions."

Chairman Winters said, "Commissioner Parks?"

Commissioner Parks said, "I have been in contact with one of my smaller cities to discuss the procedure because they have a new City Administrator, so I thought I would just throw that out. They are aware of what they need to be, level of activity for their funding."

Ms. Cissell said, "Great."

Commissioner Parks said, "Get that on the record."

Chairman Winters said, "Thank you. Is there anything else? Commissioners, are there any other

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questions? If not, what's the will of the Board?"

MOTION

Commissioner Welshimer moved to approve the 21 FY 2009 Aging Mill Levy contracts/agreements and authorize the Chairman to sign.

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Winters said, "Commissioner Norton?"

Commissioner Norton said, "Monica, what is the system for applying to move up to the next level, is that an automatic thing or do the senior centers have to do some action for that?"

Ms. Cissell said, "They have to be performing at that particular level that they're wanting to move to for at least a year and then apply through our application process to move to that funding level."

Commissioner Norton said, "Would you make, do you know that Haysville knows that? Are you aware that, Kim Landers down there knows that?"

Ms. Cissell said, "I believe so, but we could certainly touch base with her and make sure that she knows that."

Commissioner Norton said, "They've opened their new senior center and the numbers are starting to show 30-40 percent increases in usage, and that sets in motion, I think, that next level of funding

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if they meet all the requirements. I want to be sure they understand what the parameters for moving to the next level, so that they need to make decisions on programs or capacity or whatever within the guidelines of that new facility, they can do that so they give themselves the best avenue to get that extra funding, if you do that for me?"

Ms. Cissell said, "Sure, I'll touch base with her. No problem."

Chairman Winters said, "Thank you. Thank you, Monica."

Ms. Cissell said, "Thank you. "

Chairman Winters said, "Next item."

Ms. Magana said, "I heard a motion and a second, I didn't hear a vote."

Chairman Winters said, "Oh, we didn't vote?"

Ms. Magana said, "No."

Chairman Winters said, "Well, Madam Clerk call the vote."

Ms. Evelyn Good, Deputy Clerk, said, "We did have a vote."

Ms Magana said, "We did vote?"

Ms. Good said, "Yes."

Commissioner Norton said, "Yes, I waited until after the vote..."

Chairman Winters said, "He waited until after the vote. He confused..."

Commissioner Norton said, "Well that wasn't discussion, that was a statement, you asked for discussion."

Chairman Winters said, "All right. We're ready for item number K."

K. AMEND AND EXTEND THE AGREEMENT WITH CENTRAL PLAINS REGIONAL HEALTH CARE FOUNDATION, SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONERS (BOCC) AND THE CITY OF WICHITA TO

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**PARTNER WITH SEDGWICK COUNTY HEALTH DEPARTMENT (SCHD)
UNDER THE PROJECT ACCESS PROGRAM.**

Mr. Bill Farney, Administrative Services Director, Sedgwick County Health Department, greeted the Commissioners and said, "Project Access is a program that connects the medically uninsured with healthcare providers in the community. It was begun in Sedgwick County in 1999 and since its inception, it has provided services that are valued at about \$75 million. Much of this was donated by area physicians, laboratories, pharmacies and dentists that are associated with the Medical Society of Sedgwick County. Their annual budget is just over \$10 million and just over \$9 million of that are the services that are donated by the Medical Society affiliates.

\$192,000 of that comes from Sedgwick County through this agreement and it with this funding they purchase prescriptions and pay for a nearly fulltime prescription coordinator. Over time, they've become increasingly proficient with purchasing practices and in 2007 they spent only \$74,000 from this grant, but they provide to their clients over half a million dollars of prescription medication. They anticipate spending only \$94,000 in 2008 grant award.

Last year the agreement was revised to allow to purchase physician prescribed medical equipment for their clients as needed. This year they would like to amend the agreement to create a fulltime laboratory testing coordinator, half of which would be paid from this agreement and half from a similar agreement with the City of Wichita. Additionally, they'd like to pay for 5 percent of the Project Access program manager from this grant.

Project Access was approached earlier this year by the Vision Group which is a coalition of safety-net clinic managers with a request to coordinate and manage the donated lab testing for indigent clients at the safety-net clinics themselves. These tests are separate from the donated healthcare services for Project Access enrolled patients so the coordination of this testing would become a new function managed under Project Access. Again, at the request of the clinic safety managers.

Ann Nelson is with us today. She's the Associate Executive Director of the Central Plains Regional Healthcare Foundation which is the non-profit agency that oversees Project Access and together we'd be happy to answer any questions you may have."

Chairman Winters said, "All right. Thank you very much. Commissioner Norton?"

Commissioner Norton said "I'm glad to see Ann here. Project Access spurned out of a Robert

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Woods Johnson Foundation grant many years ago and now it's become a bell weather project around the nation and it houses right here. And we continue not to rest on the laurels of that project originally, but to add to and continue to serve new (inaudible) groups because it's one thing to get free medical, but then if you have to have a lab test and pay for that, that becomes problematic. So we've layered on to that.

I really encourage Ann and her group to continue to think of all those things that we can do to serve the underinsured and the uninsured in our population and I applaud them for continuing to think outside the box on how they can partner with our community health centers, the medical community, the emergency rooms, the medical society and doctors and dentists in our community because that increases our capacity to serve that population that's so underserved and continues to grow because in tough economic times, when people drop out of employee health plans, they drop into the community health centers or drop into the non-ability to pay.

So it's very important that Project Access continue to use our dollars wisely and I don't know how often we hear that we grant money and it didn't get used, that they find other ways to put that money to use and not always use every bit of it. That's pretty good news as far as I'm concerned. Accolades to Ann and her group and I'm going to be very supportive."

Chairman Winters said, "Thank you for those comments. Are there any other questions or comments? Seeing none, what's the will of the Board?"

MOTION

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

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Winters said, "Thank you, Bill."

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Mr. Farney said, “Thank you.”

Chairman Winters said, “Next item.”

L. ALTERATIONS TO THE DIVISION OF INFORMATION AND OPERATIONS STAFFING TABLE – REMOVE ONE NETWORK SUPPORT ANALYST AND ADD TWO MAINTENANCE WORKER POSITIONS ASSIGNED TO THE JAIL.

Mr. Steve Claassen, Facilities Director, Division of Information and Operations, greeted the Commissioners and said, “Today I’m asking for your approval to alter the Division of Information and Operation staffing table by removing one network analyst position and adding two facilities maintenance positions who would be assigned to the Sedgwick County Jail.

The net annual cost of that action would be \$7,007. That money would come from our current facilities maintenance budget and we’re completely confident that we will save at least that amount of money by using this additional in-house labor and avoiding some of the contractual spending we would otherwise have to do.

The network analyst position that we request be removed is one that has been unfilled for several months and our divisions Chief Information Officer does not foresee a need for that position to be filled in the future.

So what’s the justification for the two added maintenance positions? The jail, that many people still refer to as the new jail and as you know is now 20 and ten years old, and just one typical example of the changes that we’re seeing in the maintenance of that now aging facility is that we’ve got thousands of resilient neoprene seals and diaphragms in our flush valves, shower and lavatory devices and they’re all at or nearing their expected service lives and regularly are failing.

When those kind of plumbing leaks result and consequent overflows occur, any time 24/7, it’s an emergency that’s got to have immediate attention. We have three fulltime employees assigned to that 452,000 square foot facility that serves 1,200 inmates. Just by way of an example, the Tulsa County Jail, which is real close to the same size as ours, has seven fulltime employees and again, just to give you a little bit of sideline, the International Facility Management Association, which surveys facilities across the nation of this type and others, reports that a facility of this size, typically would have a little over ten fulltime employees for its maintenance departments. Again, we have three.

We take care of our jail’s facility with far fewer employees than the national average, but that’s not exactly why I’m asking for these two maintenance employees. The three people that we now have deserve a great deal of credit. They’ve done a great job. An in fact, over the last several years,

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through their dedication and some of our encouragement, they've acquired more and more technical skills that have enabled them to repair and maintain more than just the typical things you would expect for them to take care, such as electrical and mechanical and plumbing. But extended their understanding of the security cameras, alarms, the pneumatic locks and stuff that's unique to a detention facility.

That very valuable work permits us to eliminate some of the costly service agreements that we had in previous years come to rely on. That saves us the county dollars. However, as the building ages and these experienced and skilled employees find themselves attending to the mundane stuffy just talked about, it distracts them from their ability to work on those things that they are better suited for. By approving these two new entry level maintenance positions, it will enable us to continue to leverage the skills of our current staff and better and to the best County advantages. Proper care and maintenance of our existing facilities will save taxpayer money and in the long and short run and this requested action will help in that effort and I'm available for your questions and request that you approve this recommended action."

Chairman Winters said, "Okay. Steve thanks very much for the information. Commissioner Parks?"

Commissioner Parks said, "Steve is another person that I spent a long time with discussing this issue and I'm confident that the \$7,007 will be saved in other areas that we're looking at some things over in the jail that might even be able to save on some service contracts in the future. So having said that..."

MOTION

Commissioner Parks moved to approve the recommended alterations to the staffing table.

Commissioner Welshimer seconded the motion.

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

VOTE

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

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Chairman Winters said, "Thank you, Steve."

Mr. Claassen said, "Thank you."

Chairman Winters said, "Next item."

M. KANSAS COLISEUM MONTHLY REPORT NOVEMBER 2008.

Mr. Dave Rush, Interim Director, Kansas Coliseum, greeted the Commissioners and said, "In November we had 63,161 people through 15 events and 22 individual performances. And the net revenues were \$221,868.23.

We had the Toy Run, the Wichita Farm Show, the T.I. and Akon concert, US Weapons Show and then the Park City go-kart races, those were in November. All successful events.

And in our Arena in December, we had the Trans Siberian Orchestra, which was a big success, sold out. Then we had the Flea Market this last week. Upcoming events will be the Thunder Hockey, the next three or four games before the first of the year, and then the Diamond W Wranglers New Year's Eve party, that's a new event, will be on, obviously New Year's Eve out in the Pavilions. If you have any questions, I'd be happy to answer them."

Chairman Winters said, "All right. Dave, I don't see any questions. We appreciate your spending all morning with us today. We certainly, earlier in the meeting gave Dave his retirement clock and certificate and Dave, we said our words then, but, again, we appreciate the work that you have done for Sedgwick County over these 34 years, I believe it was. Again, thanks for your steady hand at the wheel when we needed to have steady hands at the wheel. We appreciate that very much."

Mr. Rush said, "Thank you very much. Thank you."

Chairman Winters said, "Is there a motion to receive and file?"

MOTION

Commissioner Parks moved to receive and file.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item."

N. ADDENDUM TO THE CURRENT CONTRACT FOR ADMINISTRATIVE SERVICES FOR A SELF-INSURED DENTAL PROGRAM WITH DELTA DENTAL OF KS; TERMS AND CONDITIONS OFFERED TO EXTEND THE CURRENT CONTRACT TO 2012 WITH NO ADMINISTRATIVE RATE INCREASE.

Ms. Templin said, "Sedgwick County has been self insured with Delta Dental of Kansas since 1992. Delta Dental of Kansas provides an excellent dental program and insurance service to County employees. The Delta Dental provider network of doctors is representative of 95 percent of all area dentists.

In looking at our Human Resources key performance indicators, we see that since about 2005, our claims costs are relatively stable, thus we believe the reason why Delta Dental is offering this addendum to our 2000, our current contract, which was going to expire at the end of 2009. But they have offered this addendum to hold our administrative fee at \$3.11 per subscriber until December 31 of 2012.

We feel like this is good news for the County and good news for our employees and we would recommend your approval of the addendum to the Delta Dental contract."

Chairman Winters said, "All right. Thank you, Jo, sounds like good news. Commissioners, questions, comments?"

MOTION

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

Commissioner Unruh seconded the motion.

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

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VOTE

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

Chairman Winters said, “Thank you, Jo, thank you, Kevin. Next item.”

O. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON DECEMBER 11, 2008.

Ms. Iris Baker, Purchasing Director, Division of Finance, greeted the Commissioners and said, “The meeting of the 11th results in seven items for consideration. First item:

1. ZTR MOWER AND ACCESSORIES—JUVENILE DETENTION FACILITY FUNDING—JUVENILE DETENTION FACILITY MAINTENANCE

The recommendation is the low complete bid meeting specifications from Maximum Tractor in the amount of \$11,729.75. Item 2:

2. COMMVAULT SOFTWARE MAINTENANCE-DIVISION OF INFORMATION & OPERATIONS/IT FUNDING---NETWORKING & TELECOMMUNICATION

Recommendation is to accept the quote from the Commvault Systems Inc. in the amount of \$48,650. Number 3:

3. CISCO EQUIPMENT & MAINTENANCE—DEPARTMENT OF INFORMATION & OPERATIONS FUNDING—DEPARTMENT OF INFORMATION & OPERATIONS

Recommendation is to accept the low bid from Alexander Open Systems in the amount of \$29,377.22. Item 4:

4. EXTERNAL AUDITING SERVICES—BOARD OF COUNTY COMMISSION FUNDING---DIVISION OF FINANCE

Recommendation is to accept the proposed auditing services and execute a three year contract

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with two one year options to renew with Allen Gibbs & Houlik, for annual audits of the County financial statement, establish contract pricing for additional financial services as needed for various County departments and not to exceed cost of \$30,000 annually and authorize the Chair to sign. Item 5:

**5. VIDEO DETECTION SYSTEMS FOR PUBLIC WORKS—PUBLIC WORKS
FUNDING—R316 REPLACE TRAFFIC SIGNAL CONTROLLERS 08**

Recommendation is to accept the proposal from Gades Sales Company in the amount of \$73,900 and establish unit pricing for 2009. Item 6:

**6. DELL SERVERS—TAX SYSTEM PROJECT (VARIOUS DEPARTMENTS)
FUNDING—TAX SOLUTION SYSTEM EQUIPMENT RESERVE**

Recommendation is to accept the quote from Dell in the amount of \$141,252.59. And item 7:

**7. DATA STORAGE UPGRADE—TAX SYSTEM PROJECT (VARIOUS
DEPARTMENTS)
FUNDING—TAX SOLUTION SYSTEM EQUIPMENT RESERVE**

Recommendation is to accept the quotes from Xiotech in the amount of \$71,110. Be happy to answer any questions and I recommend approval of these items.”

Chairman Winters said, “Thank you, Iris. Commissioners, are there questions or comments about the Bid Board? Commissioner Norton?”

Commissioner Norton said, “If you put six and seven together, which have to do with the tax funding and the tax system, that adds up to about a quarter of a million dollars. I want to be sure that’s been vetted properly and that’s a lot of money. I see some of our techies here who could tell us about that if we need to know more. Just wanted to be sure, that’s a lot of money were spending on that tax system.”

Chairman Winters said, “Here comes one of those guys, let’s let him speak.”

Mr. Richard Vogt, Chief Information Officer, greeted the Commissioners and said, “Yes, as you know, the tax project has been going on for several years now. It’s probably the biggest

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replacement projects we've ever done. It's a very important system to us. It involves multiple departments and the software itself also runs into the hundreds of thousands and some of these projects are just big like that. SAP was another one.

This hardware is the appropriate hardware, we've looked at it. We've known what kind of hardware we've needed for quite some time, but we didn't want to pull the trigger because technology changes. So were ready to pull the trigger now and I'm sure that over time, we've, by waiting, we probably saved some money or at least gotten more oomph for our hardware than we would have before.

But this is the appropriate hardware and yeah, it's been carefully looked at. It's what we support in the Data Center so we're not going to have to retrain anybody on the hardware. Its expanding the capacity of what we have in our Data Center."

Commissioner Norton said, "Is there any difficulties by only having one vendor for each one of these, Rich, I know those are the ones you prefer, that's the County standard. Is there any difficulty with that in pricing or whatever?"

Mr. Vogt said, "There's an obvious tradeoff. If you have multiple people competing for every single order, you do have some; you probably will get price breaks. The problem side is for Help Desk kind of calls, problem calls and the technicians that we have working on those, that hardware, they'd have to know multiple systems as well. Therefore, they'd be left versed in any one of them, which creates maintenance issues down the road. It is definitely a tradeoff. We feel that the organization is better served by having a single hardware in the instance and by being able to work with one vendor, build relationships and it's a better overall solution for our clients."

Commissioner Norton said, "You and your staff feel good about these recommendations?"

Mr. Vogt said, "Yes, we do."

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

Chairman Winters said, "Thank you, Commissioner. Commissioner Parks?"

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Commissioner Parks said, “A couple of months ago, on number 4, couple months ago, staff came around and said that there might be another company that could bid, I don’t have any problem with the vendor on number 4, but I do have trouble with the length of contract. If we could remove that before any motion.”

Chairman Winters said, “You want to take that as a separate item?”

Commissioner Parks said, “I would.”

MOTION

Chairman Winters moved to approve the recommendations of the Board of Bids and Contracts with the exception of Item 4.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Winters said, “Mr. Chronis, would you want to speak to the length of the contract on this item?”

Mr. Chronis said, “The audit services contract that has just expired was a three year deal with multiple years of extension available to it. We had simply replicated that in this new contract that is before you. We can set the term at whatever you would like it to be. I would need to go back to AGH, to Allen Gibbs & Houlik, the vendor, and talk with them about whether or not they will give us the same pricing, the same escalation over what presumably would be a shorter term than what they are getting under this deal. It says subject to negotiation. But if the Commission wishes for a shorter contract, I certainly have no objection to that.”

Chairman Winters said, “This is a three year contract with two one year options, but the main part of the contract then is three years?”

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Mr. Chronis said, “Yes.”

Chairman Winters said, “Would I be correct that, once a firm gears up for a contract this size, there are people issues, personnel issues involved with their firm in having enough people to do the job?”

Mr. Chronis said, “Any audit firm is going to want to undertake, new engagements for some number of years because there is certain amount of time that that firm has to invest in getting its audit staff up to speed in whatever the issues are for that particular client. Allen Gibbs & Houlik has been the County’s auditor for a long number of years, as you know, so we don’t have that concern as much with this contract as we might with another auditor.”

Chairman Winters said, “Are there other service, if there’s some kind of service failure in that three year time period, is there ways to adjust or amend that contract midstream in that three years?”

Mr. Chronis said, “Yes, there are termination provisions in the contract.”

Chairman Winters said, “Thank you. Commissioner Parks?”

Commissioner Parks said, “I just wanted to reiterate that there was another company that indicated that they could handle the audit for this, is that correct?”

Mr. Chronis said, “Yes. There are, we bid audit services last, I believe, was in 2001 or 2002, at that time we received three bids as I recall. Two of the companies that bid at that time, we considered to be unacceptable, they were not qualified to perform our work. Since then, an additional company entered the market with the kinds of services that I believe would be qualified and they have indicated that they would be willing to give us an offer if we were to issue an RFP. Having not used their services, having not spoken to anybody who has used their services, I’m certainly not going to stand here and tell you that unquestionably they are qualified and we would hire them. But they say that they’re qualified, I know that that firm has done these kinds of engagements in other regions of the country and have done them successfully. I believe that they would be a valid competitor in this market.”

Chairman Winters said, “Any other questions commissioner?”

Commissioner Norton said, “I think that answered it.”

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Chairman Winters said, "Thank you."

MOTION

Chairman Winters moved to approve the recommendations of the Board of Bids and Contracts on Item 4.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, "Thank you, Iris."

Ms. Baker said, "Thank you."

Chairman Winters said, "Next item."

CONSENT AGENDA

P. CONSENT AGENDA.

- 1. Appointment of Jaime Oeberst, M.D. as District Coroner.**
- 2. Renewal agreement Attachment A and C for the Administrative Services contract for Sedgwick County COBRA/Retirement Health Program with Harrington Health formerly Fiserv Health of Kansas.**

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- 3. Renewal Summary agreement for Advance Life insurance, AD&D, and Dependent Life insurance plans an affiliate of Blue Cross and Blue Shield of KS.**
- 4. Renewal agreement letter with Vision Service Plan (VSP) for employee vision insurance.**
- 5. Renewal Rate Agreements for the Group Medical Insurance Program with Preferred Plus of Kansas, Preferred Health Systems Insurance Company, a Health Maintenance Organization (HMO).**
- 6. Schedule public hearing for January 21, 2009, for adoption by incorporation by reference of standard code (Wichita – Sedgwick County Subdivision Regulations, December 4, 2008, Edition).**
- 7. Schedule public hearing for January 21, 2009, for adoption by incorporation by reference of standard code (Wichita – Sedgwick County Unified Zoning Code, December 4, 2008, Edition).**
- 8. Resolution authorizing the Chief Financial Officer (CFO) to transfer funds from the Highway Fund to the Special Highway Improvement and/or the Special Road, Bridge, and Equipment Fund.**
- 9. Reassign Tower Lease Agreement.**
- 10. Contract between Keith Bomholt and COMCARE for additional apartments for the transitional housing project.**
- 11. Contract between COMCARE and Keith Bomholt for apartments for the Housing and Urban Development (HUD) Grant.**
- 12. A resolution to authorize destruction of Juvenile Field Services records (DISP 2008-74 PS-JFS 1996-2002).**
- 13. Request for Budget Transfer within Fleet Management Fund.**
- 14. Approval of a Cereal Malt Beverage License for Vaquera's Tortilla Factory & Restaurant by the County Clerks Office.**

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- 15. Approval of a Cereal Malt Beverage License for Sedgwick County Zoological Society by the County Clerks Office.**
- 16. Approval of a Cereal Malt Beverage License for Crowell Enterprises, LLC/General Station by the County Clerks Office.**
- 17. General Bills Check Register for the week of December 3, 2008 – December 9, 2008**
- 18. Order dated December 10, 2008 to correct tax roll for change of assessment.**

Mr. William Buchanan, County Manager, greeted the Commissioners and said, “Commissioners, you have the Consent Agenda before you and I would recommend you approve it.”

Chairman Winters said, “Thank you. Commissioners, you have the Consent Agenda, are there questions about any of these items?” If not, what’s the will of the Board?”

MOTION

Commissioner Unruh moved to approve the Consent Agenda as presented.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, “Is there any other business that comes to the end of our Regular Agenda items? Commissioner Parks?”

Q. OTHER

Commissioner Parks said, “I have about 20 minutes of ‘Other’, but in light of the hour, I’m going

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to condense that to about three minutes here. I just wanted to let the people know that I will be in my remote office at Valley Center on the 26th of December. Also, I will be at the breakfast meeting at Park City that same morning. I will be in the Courthouse on the afternoon of the 26th also.

There was a comment earlier on experts on regionalism. I know we have one in the area this week. I would really like to get over and talk with them because I think I need an update on regionalism. In 1973, I was in a college government class that had an expert on regionalism come in and say that was the one of the socialist manifestos. I guess I need to look at, reevaluate regionalism now; anyway, I would like to wish everybody a Merry Christmas and see what comes from that. Thank you.”

Chairman Winters said, “All right. Thank you. Trying to catch my breath, thinking about regionalism as socialism. Commissioners, today is the, it’s our last meeting before Christmas. Today is the 17th; next Wednesday on the 24th we will not have a regular Commission meeting, so we will not be meeting on that day. But on December 31st, it is our plan to have a Commission meeting on December 31st. So seeing no other comments, we would wish everyone a Merry Christmas. Be safe and have a good holiday season. That ends our regular meeting, but not our Fire District meeting, which I had forgotten about. I will call to order the Fire District meeting, regular meeting December 17th, 2008.”

THE BOARD OF COUNTY COMMISSIONERS RECESSED INTO THE REGULAR MEETING FOR FIRE DISTRICT #1 AT 12:35 P.M. AND RETURNED TO THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS AT 12:38 P.M.

Chairman Winters said, “And that concludes our business for today. Thank you all.”

R. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:38 P.M.

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

KELLY PARKS, Chairman
Fourth District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KARL PETERJOHN, Commissioner
Third District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

_____, 2009