

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 16, 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, January 16, 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; Commissioners David M. Unruh; Commissioner Kelly Parks; Commissioner Gwen Welshimer; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Ron Holt, Assistant County Manager; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

INVOCATION

The Invocation was led by Reverend Mike Bradshaw of Haysville Christian Church, Haysville.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, December 19, 2008

The Clerk reported that all commissioners were present at the Regular Meeting of December 19, 2008.

Chairman Winters said, "Commissioners, you've reviewed those minutes. What's the will of the Board?"

MOTION

Commissioner Welshimer moved to approve the Minute of the Regular Meeting of December 19, 2008.

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, "Thank you. Next item."

NEW BUSINESS

A. CONTRACT AND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE KANSAS DEPARTMENT OF WILDLIFE AND PARKS FOR THE COMMUNITY FISHERIES ASSISTANCE PROGRAM AT LAKE AFTON PARK AND SEDGWICK COUNTY PARK.

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "This is an amendment to the contract that we have with the Kansas Department of Wildlife and Parks. The existing contract is for Lake Afton only. The program is aimed at promoting fishing on a state-wide basis at governmental controlled facilities. And a couple of years ago, we worked with the Kansas Department of Wildlife and Parks and brought before you an agreement with Lake Afton Park so that anyone wanting to fish would not have to pay any additional fees over and above a state fishing license.

So what we've done now, working with the Kansas Department of Wildlife and Parks, we've looked at our fees that we get from fishing at Lake Afton and at Sedgwick County Park over time. We did a cost/ benefit study and to be a cooperative partner with them our annual guaranteed payment from the state will be \$45,051 for both parks, so that anyone wanting to fish would not have to pay any additional fees.

Now for Lake Afton Park that means, remember we have a vehicle fee to come into Lake Afton Park, but if they're coming in to fish, there's no vehicle fee. We have a boating charge at Lake Afton Park. If they come in to fish, there's no boating fee and so we took all of those dollars that we're getting from those fees now and developed this annual revenue and we're bringing this agreement before you. It's a three-year agreement, beginning January 1, 2008. If you approve this, it would be retroactive. The good part about it, I checked with Mark Sroufe out there and we've had, at Lake Afton Park, no one that would be affected by this right now, nor at Sedgwick County Park if you approve this today.

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The . . . again, the Kansas Department of Wildlife and Parks agree to pay Sedgwick County an annual sum of \$45,051 and for this payment Sedgwick County agrees that the public should have unrestricted access to the parks for the purpose of fishing during normal operating hours and still though subject to the Sedgwick County code. And I would be happy to answer any questions you might have and would ask you to approve the contract and authorize the Chairman to sign.”

Chairman Winters said, “All right, thank you Ron. I’m not sure I grasp all of this, but I guess the bottom line is though that for our citizens it’s going to be a reduced charge at Lake Afton, particularly if you’re there to fish or have a fishing pole with you.”

Mr. Holt said, “It’s going to be a reduced charge at Lake Afton if you have a fish . . . if you’re coming there for the purpose of fishing and that’s a . . . you know, we’ve been doing this at Lake Afton for a couple of years now. It will be new for Sedgwick County Park. There’s really not much, because we don’t do boating at Sedgwick County Park and so you’ve got to have a state fishing license and there’s really no impact on Sedgwick County Park.”

Chairman Winters said, “Well I just remember that we went through the process of initiating the fees at Lake Afton and I guess we’ve balanced what those fees have been over the past few years and what this payment from the State of Kansas and we’re comfortable we’re on solid ground there.”

Mr. Holt said, “That’s correct. What this does will supplement . . . will, yes, the fees that charge for fishing will not be charged for those coming to fish. This amount will be a guaranteed amount we’ll get every year and so our fees were up and down, based on who might come to fish. Here, we get a guaranteed amount and we’ve gone back over a three-year period of time and run those numbers to make sure that we’re maintaining an adequate revenue exchange here.”

Chairman Winters said, “All right, well I think that sounds like a great benefit. Commissioners, are there other questions of Ron?”

MOTION

Commissioner Unruh moved to approve the Contract and Amendment to the Memorandum of Understanding and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

VOTE

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

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

B. PUBLIC WORKS.

1. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE TOWNSHIP SYSTEM. DISTRICT #4.

Mr. David Spears, P.E., Director, County Engineer, Public Works, greeted the Commissioners and said, "It is standard procedure that after a road is construction within a platted subdivision in accordance with county standards, that road is then assigned to the township road system. In this particular case Idle Banks Court located in the Brownlee Addition will become the responsibility of Grant Township. The Grant Township Board was informed that this resolution would be on the county commission agenda by letter, dated December 4th, 2007. I recommend that you adopt the resolution."

Chairman Winters said, "All right. Commissioner Parks."

Commissioner Parks said, "I did speak with a member of the Grant Township Board and if there's no other comments about that, they were satisfied with the conditions that have happened. In fact some of them just the last week, some of the agreements that they've made with the developer."

MOTION

Commissioner Parks moved to Adopt the Resolution.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item."

- 2. AUTHORITY TO AWARD CONTRACT COMMITMENT OF COUNTY FUNDS WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR SEDGWICK COUNTY PROJECT 618-2-4100; BRIDGE PLACEMENT ON CENTRAL BETWEEN 375TH STREET WEST AND 391ST STREET WEST. CIP# B-431. DISTRICT #3.**

Mr. Spears said, "Item B-2 is the Authority to Award Contract Commitment of County Funds, Form 1309, for the Kansas Department of Transportation. This is for the bridge replacement project on Central between 375th Street West and 391st Street West. This project is designated as B-431 in the Capital Improvement Program. The low bidder was King Construction \$1,034,295. Sedgwick County's matching local share is \$231,000, which represents 20% of the bid, plus 10% for KDOT construction engineering and contingencies. I recommend that you approve Form 1309 and authorize the Chairman to sign."

Chairman Winters said, "All right, thank you. Are there questions of David on this construction project?"

MOTION

Commissioner Welshimer moved to approve the Authority to Award Contract Commitment of County Funds and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item."

- 3. AUTHORITY TO AWARD CONTRACT COMMITMENT OF COUNTY FUNDS WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR SEDGWICK COUNTY PROJECT 636-7-973; BRIDGE REPLACEMENT ON 71ST STREET SOUTH BETWEEN 295TH STREET WEST AND 311TH STREET WEST. CIP# B-384. DISTRICT #3.**

Mr. Spears said, "Item B-3 is also an Authority to Award Contract Commitment of County Funds, form 1309, for the Kansas Department of Transportation. This is for the bridge replacement project on 71st Street South between 295th and 311th Streets West. This project is designated as B-384 in the Capital Improvement Program. The low bidder was King Construction at \$2,336,127.84. Sedgwick County's matching local share is \$520,000, which represents 20% of the bid, plus 10% for KDOT construction engineering and contingencies and I'd recommend that you approve form 1309 and authorize the Chairman to sign."

Chairman Winters said, "All right, thank you. And David, this is the bridge over the Ninnescah River, is that correct?"

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

Chairman Winters said, "So it's a rather large project."

Mr. Spears said, "It's a large project and sorely needed."

Chairman Winters said, "All right. Are there other questions of David? Seeing none, what's the will of the board?"

MOTION

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Commissioner Parks moved to approve the Authority to Award Contract Commitment of County Funds 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, "Thank you David. Next item."

C. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON JANUARY 10, 2008.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of January the 10th, 2008 results in three items for consideration today.

**1) LIVERY SERVICES- FORENSIC SCIENCE CENTER
FUNDING: FORENSIC SCIENCE CENTER**

The first item, livery services for the Forensic Science Center. Recommendation is to accept the low responsible bid from Preferred Mortuary Services and establish contract pricing and execute a two-year contract with three one-year options to renew.

**2) ANNUAL HARDWARE MAINTENANCE RENEWAL OF DATA STORAGE CHASSIS, SWITCHES, MONITORS- DIVISION OF INFORMATION & OPERATIONS
FUNDING: NETWORKING & TELECOMMUNICATIONS**

Second item, annual hardware maintenance renewal of the data storage chassis, switches and monitors for the Division of Information and Operations. Recommendation is to accept the quote from XioTech in the amount of \$52,197.

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**3) COMMVAULT SOFTWARE MAINTENANCE- DIVISION OF INFORMATION & OPERATIONS
FUNDING: NETWORKING & TELECOMMUNICATIONS**

And the third item is a CommVault software maintenance for the Division of Information and Operations. The recommendation is to accept that quote from CommVault Systems incorporated for the amount of \$43,607.44.

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

Chairman Winters said, “All right. Commissioners, you’ve heard Iris’ report. Comments, questions?”

MOTION

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

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 Iris. Next item.”

CONSENT AGENDA

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D. CONSENT AGENDA.

- 1. Two Temporary Construction Easements for Sedgwick County Project 614-e 1/2 34, 35, 36; widen 21st Street North between K-96 Bypass and 159th Street East. CIP# R-256. District #1.**
- 2. One Temporary Construction Easement for Sedgwick County Drainage Project 612-17; on 29th Street North between 135th and 151st Streets West. District #3.**
- 3. Grant Award from the 2008 Juvenile Detention Facilities Fund, the Kansas Juvenile Justice Authority to provide food products for the Juvenile Detention Facility.**
- 4. Payroll Check Register for December 28, 2007.**
- 5. Order dated January 9, 2008 to correct tax roll for change of assessment.**
- 6. General Bills Check Register(s) for the week of January 9 – 15, 2008.**

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “Commissioners, you have the consent agenda and I would recommend you approve it.”

Chairman Winters said, “Do we have a motion to approve the consent agenda?”

MOTION

Commissioner Norton moved to approve the Consent Agenda as presented.

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

E. OTHER

Chairman Winters said, “Commissioners, we acknowledged at the beginning that this was going to be a very short meeting. We’ve come to the end of our regular agenda. We do need to have an executive session, but before we go into the executive session, we might take a moment and discuss any other issues that the commissioners have that we normally discuss at the end of our meeting.

I would like to begin by talking just a little bit about the governor’s budget that was announced yesterday. And I don’t know that I understand all of the ramifications of it, but I think that it has been a good day for south central Kansas in reviewing what part of the governor’s budget that I was able to visit with staff about this morning.

You know, we’ve been working very hard on a regional, unified legislative effort that talks about job growth, education and per capita income and we had some things that we really have been talking to the governor’s staff about and to the governor about. And in the area that we’re working so hard, with aviation and training, NIAR has been included in her government for I believe \$4,000,000 of the National Center for Aviation Training at Jabara is in her budget at 2.5 million dollars and I think these are terrific starting places. I mean, in past years, often we’ve had trouble getting in that first budget, so I think we’re very pleased that we’ve got an excellent starting point.

Another issue that was on our unified legislative agenda was the state support for expanding the medical capacity and for the graduate medical education program. Her budget has a million dollars in it for that effort, which will be a great start. The Kansas For Affordable Airfares funding is in her budget, and again, last year we really kind of had to scramble to get that included, but now we’re starting from a different spot. One of the issues that the City of Wichita has been hard at work about is their equus bed aquifer recharge storage project. REAP has even stepped in and had that as a major objective on their agenda and the governor’s budget has a million dollars in it for that project, and that’s a little different because it’s not really general funds money, but still it’s water money and she has included it.

So again, I’ve not really had a time to really look in depth at this budget, but I think south central Kansas has started off in a pretty good place, much better than we’ve had sometimes in the past. So

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I think our, as we work through partnerships with others in our region, as we look out and particularly think about aviation and our medical needs, I think we're off to a good start. So with that, I'll ask anybody else if they have comments. I see Commissioner Parks, go ahead."

Commissioner Parks said, "Yes, along that line I won't repeat a lot of the things that chairman has said here today, but in terms of aviation, I was appreciative to see the numbers. I think we're just a little bit short on some of the things that maybe were promised at Jabara, but I think those things can be tweaked at the legislative level. And I just wanted to comment about that and just say that that's a great cooperative effort there.

The people in my district, a little light thing that is going on, if you have garage sale withdrawal, the pavilions at the Kansas Coliseum complex will be hosting a flea market this Sunday and that the people that have been calling and inquiring about that. That flea market will be . . . excuse me, that will be next Sunday, not this Sunday.

Anyway, there's some confusion with the TV ad, a TV commercial that's been aired also and I've been getting some e-mails and some calls on this and that is the people that had the RV show up there said 'the newly renovated Kansas Coliseum' and I'm going to repeat this as I have in times past. It wasn't Britt Brown that was renovated, it was the pavilions. So the people that are confused about Britt Brown being the Coliseum, it has not been renovated and the commercial did say Kansas Coliseum, but they didn't particularly say the pavilions, so I'd like to kind of straighten that out. Thank you."

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

Commissioner Norton said, "Well several of us had an opportunity to stop by city hall last night and hear the mayor's state of the state . . . or state of the city address and some pretty provocative ideas that he's pushed forward. I thought it very interesting that on several notes that he talked about the collaboration and the partnership with Sedgwick County and how he wants to continue that and uplift that and make sure that not only at the state level with our legislators, but that the relationship with the two parties across Central Avenue is strong and that we're working together and I thought that was real good.

He talked about the arena revitalization area. He talked about the technical aviation campus, so I thought it was a good chance to reflect on what's going on in our community and to look forward and I think he kind of described that. And I was glad that we had participation there and showed

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that we are good partners and that we are interested in what happens to not only the largest city in Kansas but our anchor city in our community.

I wanted to let people know that on Thursday night I'm having a town hall meeting in Haysville at the community building at 7:00. The subject is storm water and groundwater, flooding problems. This has been an ongoing, continuing issue on the south side. There's a pocket along Hydraulic and a pocket along Hillside where we've had major groundwater and storm water flooding. We've worked hard with David Spears' staff to try to figure out what the county can do, what the townships can do, what the state needs to step in and do and what the citizens need to do to protect their property from flooding and drainage issues and we'll continue that conversation this Thursday night. I would encourage people to come. That will not be an open forum to talk about just anything, but if you've got issues on the south side with drainage, I would encourage you to stop by and be part of that dialogue.

I did want to update the commission a little bit. I did some in staff yesterday, but I want to do it officially today. We had our Health Access Summit, a second large meeting. We had over 60 people show up last week. Dr. Barbara Lagner of the Kansas Health Policy Authority was there and gave us kind of a keynote address really outlining the governor's 21 point plan that came out of the Kansas Health Policy Authority that she endorsed that day. And the good news is that as Dr. Lagner went through the 21 points and described them to us, we were already two, three years ahead on some of the key points. We had already started our work, with the Health Assembly and then this last year the summit. We're deep into dialogue with our workgroups on navigation, coverage and coordination and the health policy authority's recommendations really just reinforce the work we're doing.

And the public needs to know that one reason we've embarked on this is I think we came to the conclusion several years ago that healthcare and healthcare access was continuing to push up in the psyche in the nation, was going to be a huge issue. And you know, as I look at the polls that are being taken now of what interests people in the nation because of the election cycle that is going on, healthcare has risen to number one or number two in almost every poll.

I mean, the economy is up there, immigration is around, but healthcare is on everybody's mind and I'm really glad that Sedgwick County, through our health department and through our summit, have brought a lot of people together to talk about that issue in our community and how do we serve the 50 to 60,000 people that are either uninsured or under-insured and I will assure you that we're not

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looking to throw a lot of government money at the solution but we are looking at bringing all the best minds in the healthcare industry, the insurance industry, the hospitals, the community health centers and the public health sector, along with elected officials and volunteers to figure out what we can do to make health access work in our community.

And then finally, we're also moving ahead on our Visioneering group on adult basic education and GED. Once again, big issue in our community. We think there's around 40,000 people who need some remedial education, that are adults, that either need English as a second language, need a high school diploma or GED or just need some basic skills to help them in their job and we're working hard, in a collaborative effort, to make sure that that happens in our community. That's all I've got."

Chairman Winters said, "Could you give us an update on the basketball game?"

Commissioner Norton said, "Oh yes, I played almost nine minutes of the Harlem Ambassador's Basketball Game, the fund raiser. I'd like to thank the commissioners for helping do some sponsorship. We had a huge crowd, and I was . . . they hauled me off the court right after I jumped, I did the tipoff, but we had a real good time. A lot of kids showed up. The whole evening was focused on kids and making sure they had a good time. So great fundraiser, some of the proceeds went to Station 34, which is our fire station down south. So I'm back. I didn't hurt myself. My wife has forgiven me."

Chairman Winters said, "Good, we're relieved to know that. Thank you. Commissioner Welshmen."

Commissioner Welshimer said, "Well, my goal for this next year is to concentrate and put as number one avoiding a mill levy increase for our jail population and our public safety. And at the same time, to provide drug treatment and other preventive programs and alternatives types detention and correction. And so that's my main goal for this next year."

Chairman Winters said, "All right, thank you very much. All right commissioners, we do need to have an executive session and then we'll adjourn immediately after that. I would remind anybody that happens to be watching today that next Monday, January the 21st, the courthouse will be closed. It's Martin Luther King holiday and as you can see we're all wearing our buttons, as fundraisers

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and to commemorate Martin Luther King, so we will be closed next Monday. Commissioners, if we could have a motion for an executive session.”

MOTION

Commissioner moved to recess into Executive Session for 20 minutes to consider consultation with legal counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation and legal advice and that the Board of County Commissioners return to this room from Executive Session no sooner than 9:50 a.m.

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, “We are in recess.”

The Board of Sedgwick County Commissioners recessed into Executive Session at 9:20 a.m. and returned at 10:25 a.m.

Chairman Winters said, “All right, I’ll call back to order our regular meeting of January 16th, 2008. As we’ve returned from executive session, let the record show that there was no binding action taken in executive session. Commissioners, is there anything else to come before the board? Mr. Euson? Mr. Manager? This meeting is adjourned.”

F. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:26 a.m.

BOARD OF COUNTY COMMISSIONERS OF

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SEDGWICK COUNTY, KANSAS

THOMAS G. WINTERS, Chairman
Third District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner,
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2008