

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

### **REGULAR MEETING**

**April 2, 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, April 2, 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. Brent Shelton, Deputy County Clerk; Ms. Claudia Blackburn, Director, Health Department; Ms. Anne Smarsh, Director of Accounting, Finance Department; Mr. Chris Chronis, Chief Financial Officer; Mr. Troy Bruun, Deputy Chief Financial Officer; Mr. John Schlegel, Director, Metropolitan Area Planning Commission; Mr. Marty Hughes, Revenue Manager, Division of Finance; Mr. Robert W. Parnacott, Assistant County Counselor; Fire Marshal Tim Millspaugh, Fire District #1; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Cornelia Stevens, Kansas Children's Service League.  
Mr. Sheldon Lawrence, Past Master, Albert Pike Masonic Lodge #303.  
Mr. Mark Dick, Outside Auditor, Allen, Gibbs & Houlik, L.C.

### **INVOCATION**

The Invocation was led by Pastor Larry Wren of West Link Christian Church, Wichita.

### **FLAG SALUTE**

### **ROLL CALL**

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

**CONSIDERATION OF MINUTES:**           Regular Meeting, March 12, 2008  
  Regular Meeting, March 19, 2008

The Clerk reported that all commissioners were present at the Regular Meeting of March 12, 2008 and Commissioner Unruh was absent at the Regular Meeting of March 19, 2008.

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**Chairman Winters** said, “All right, commissioners we need to take these in two motions, if we could. What’s the pleasure of the commission on the regular meeting minutes of March 12<sup>th</sup>?”

**MOTION**

Chairman Welshimer moved to approve the Minutes of the Regular Meeting of March 12, 2008.

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, “Regarding the regular meeting minutes of March 19<sup>th</sup>, 2008?”

**MOTION**

Commissioner Welshimer moved to approve the Minutes of the Regular Meeting of March 19<sup>th</sup>, 2008.

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “Next item.”

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**APPOINTMENT**

**A. RESOLUTION APPOINTING RANDAL DORNER (CITY OF HAYSVILLE NOMINATION) TO THE SEDGWICK COUNTY STORMWATER MANAGEMENT ADVISORY COMMITTEE.**

**Ms. Jennifer Magana**, Assistant County Counselor, greeted the Commissioners and said, “You have before you, the City of Haysville has nominated Randal Dorner to serve on the Storm Water Management Advisory Board. We recommend you approve the resolution and authorize the Chairman to sign.”

**MOTION**

Commissioner Norton moved to adopt the Resolution.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “And Randy is here this morning. Is this a position that needs . . . yes, we have Deputy Clerk Brent Shelton, and Randy, if you’d just come up to the podium please.”

**Mr. Brent Shelton**, Deputy County Clerk, said, “Please raise your right hand.

*I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Storm Water Management Advisory Board, so help me God.”*

**Mr. Randal Dorner**, Member, Sedgwick County Storm Water Management Advisory Board, said, “I do.”

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**Mr. Shelton** said, "Congratulations."

**Chairman Winters** said, "Randy, don't go away yet. We've got to give you questions to make sure you're the right person."

**Commissioner Norton** said, "First of all, I've known Randy for a lot of years. He's the public works director in Haysville. And I have to tell you, if you live on the south side, particularly around Haysville, you know a lot about storm water, groundwater, drainage and runoff because everything in Sedgwick County flows towards Haysville and the south side. So Randy has dealt with that for a lot of years. He'll be a great appointment to the storm water board, and by the way, Randy, the first meeting is at 3:00 today so you're going to hit the ground running. Congratulations."

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

**Chairman Winters** said, "All right, thank you very much Randy. We appreciate your willingness to participate with this committee. Next item."

### **PROCLAMATIONS**

#### **B. PROCLAMATIONS**

##### **1. PROCLAMATION DECLARING APRIL 2008 AS "CHILD ABUSE PREVENTION MONTH."**

**Chairman Winters** said, "Commissioners, we have several proclamations this morning and I'll start with the first one."

### **PROCLAMATION**

**WHEREAS**, National Child Abuse Prevention Month will be recognized throughout the United States during April, 2008; and

**WHEREAS**, approximately 9,686 children from July 1, 2006 to June 30, 2007 were reported abused or neglected in Sedgwick County; and

**WHEREAS**, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

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**WHEREAS**, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems such as heart disease and obesity, and risky behavior such as smoking; and

**WHEREAS**, preventing child abuse and neglect is a community problem. All citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

**WHEREAS**, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community- together we can strengthen families and prevent child abuse.

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the month of April, 2008 as

**‘Child Abuse Prevention Month’**

Dated today, April 2<sup>nd</sup>. Commissioners, that is the proclamation. What is the will of the board?”

**MOTION**

Commissioner Norton moved to adopt the Proclamation.

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, “And here to accept the proclamation from the Kansas Children’s Service League is Cornelia Stevens. Cornelia, welcome.”

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**Ms. Cornelia Stevens**, Kansas Children's Service League, greeted the Commissioners and said, "Thank you especially for recognizing the importance of Child Abuse Prevention Month. As was mentioned, in Sedgwick County there were 9,686 reports of child abuse in Sedgwick County. Of those, 5,253 were actually assigned for investigation. We don't actually have the official numbers for how many of those cases were unsubstantiated in Sedgwick County, but across the State of Kansas 92% of all child abuse reports were unsubstantiated.

We really think that it's important to educate the community, inform the community about the importance of reporting incidents or any suspicion of neglect and as one way of marketing and promoting that we are having an annual family fun day event, which is going to be this Saturday, April the 5<sup>th</sup> from 10 to 2 at the Sedgwick County Zoo and this is the first year that we've actually co-sponsored the event with the Sedgwick County Zoo and so we're very excited about that, from 10:00 to 2:00 people will be able to come with their children, we'll have all kinds of prizes, we'll have raffles, they'll have games and activities to participate in and it's really going to be a great time to spend time with family, but really also to spread the word about the importance of reporting incidents or any suspicion of child abuse.

I would like to give people information, if in fact there is anybody there that is just a little concerned about something that they're seeing or hearing that they know about. There is an 800 number that you can contact and that is 1-800-922-5330, again 1-800-922-5330. Commissioners, if you'll see in front of you, you'll have Child Abuse Prevention wristbands and also a blue ribbon lapel. And so you can wear those throughout the month of April and we also have those available to anybody that would like to wear the lapel, just really promote child abuse prevention and if you're interested in that, you can contact the Kansas Children's Service League at 942-4261."

**Chairman Winters** said, "All right, thank you. We have a question or comment. Commissioner Norton."

**Commissioner Norton** said, "Well, one child abuse is too many, 9,686 is way over my tolerance level and it should be over the community's tolerance level. I know some of those are unsubstantiated, but that doesn't matter. Just the idea that in our community children that are vulnerable are taken advantage of are hurt, either through physical activity or words is not tolerable, so I'm very supportive.

My support of this goes back to years ago with the old Child Abuse Prevention Council. I sat on there with Judge Burgess, Shari Buetenbach, Helen Cochran, just a few people that were very dedicated. And we found out then that the child abuse situation was much more than a small unit could handle and that's when the Kansas Children's Service League took it to a much broader

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perspective. So I'm very supportive of what you're trying to do. I hope the weather is great on Saturday. The truth is, families do have problems and they have stressed and sometimes that gets manifested by abuse to children and the more we can strengthen families and understand the issues in our community, the better every child is going to be."

**Ms. Stevens** said, "That's right. Thank you commissioner."

**Commissioner Norton** said, "Your welcome."

**Chairman Winters** said, "All right, thank you very much for being here and hope all your events are successful in marking this month."

**Ms. Stevens** said, "Thank you."

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

### **2. PROCLAMATION DECLARING APRIL 4, 2008 AS "GRETCHEN ZUPERKU DAY."**

**Chairman Winters** said, "Commissioners, the next proclamation."

### **PROCLAMATION**

**WHEREAS**, the Worldwide Fraternity of Free and Accepted Masons has long championed the need and responsibility of a lifelong and 'virtuous education'; and

**WHEREAS**, Albert Pike Masonic Lodge No. 303 in Wichita, Kansas, in continuing its dedication to the community and public schools, has set out to distinguish Wichita's finest educators in the selection and promotion of the Albert Pike Lodge- Teacher of the Year Award; and

**WHEREAS**, our teachers keep democracy alive by laying the foundation for citizenship and demonstrate to the community and the world their commitment to our future; and

**WHEREAS**, the selection committee, comprised of men and women from various backgrounds and vocations, have unanimously selected Gretchen Zuperku for her dedication in teaching 2<sup>nd</sup> grade students in Wichita Anderson All Star Elementary School, USD 259.

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of

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Sedgwick County Commissioners, do hereby proclaim April 4, 2008 as

**Gretchen Zuperku Day**

in recognition of her service to this county, the Wichita Public School District, Wichita Anderson All Star Elementary School and the many students and peer faculty members she has impacted through her dedication and fortitude in the discharge of her duties; in commendation of the qualities, capabilities and commitment that she brings to promote academic excellence, in building internally motivated confidence and teaching self-reliance to her students and all those around her.

Dated today, April 2<sup>nd</sup>, 2008.

Commissioners, what's the will of the board considering this proclamation?"

**MOTION**

Commissioner Unruh moved to adopt the proclamation.

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, "And here to accept the proclamation is Sheldon Lawrence. Sheldon, welcome. We'd like to hear a few comments if we could."

**Mr. Sheldon Lawrence**, Past Master and Public Schools Chairman, Albert Pike Masonic Lodge 303, greeted the Commissioners and said, "The Albert Pike Lodge would like to thank the Board of County Commissioners for their support over the past nine years for our Teacher of the Year ceremonies. Each year we pick from nominations submitted from USD 259 principals. As in the past, it's always been a hard job to pick because they're all worthy of that title.

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This year, as you have said, the principal of Anderson All Star Elementary School, Laura Thompson, assisted by Cheryl Erikson, the instructional coach, submitted the winning nomination. The Albert Pike Masonic Lodge is pleased that the Board of County Commissioners are proclaiming April the 4<sup>th</sup>, 2008 as Gretchen Zuperku Day. On behalf of the Albert Pike Lodge and all Masons in Kansas, we want to thank the board, for their support for working with us, and recognizing our public schools. Thank you very much.”

**Chairman Winters** said, “All right, thank you Sheldon. We have a comment. Commissioner Welshimer.”

**Commissioner Welshimer** said, “Well I just want to say that in your absence, Mr. Chairman, I’ll be at the Masonic Lodge on Friday evening to make a presentation to Gretchen and I’m looking forward to that and I appreciate the honor.”

**Chairman Winters** said, “Well good. Well, I certainly appreciate your willingness to go. And I’ve been there several times and it’s a very rewarding recognition of teachers who sometimes, you know, working down in the trenches, don’t often get recognized but the Albert Pike Lodge does a very good job in selecting someone that’s very representative. So Sheldon, thank you. We hope you have a good event Friday evening. I did ride up on the elevator with Sheldon, and his wife Cindy is also with him here this morning, so welcome to both of you. We’re glad you were here.”

**Mr. Sheldon** said, “Thank you very much, appreciate it.”

**Chairman Winters** said, “Thank you. Next item.”

### **3. PROCLAMATION DECLARING APRIL 2008 AS “FAIR HOUSING MONTH.”**

**Chairman Winters** said, “Commissioners, our next proclamation.

## **PROCLAMATION**

**WHEREAS**, the United States Congress passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and

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**WHEREAS**, the County of Sedgwick is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today, many realty companies and associations support fair housing laws; and

**WHEREAS**, the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that have proved upon investigation to be violations of the fair housing laws; and

**WHEREAS**, equal housing opportunity is a condition of life in our county that can and should be achieved.

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of County Commissioners, do hereby proclaim the month of April, 2008 as

**‘Fair Housing Month’**

in Sedgwick County and express the hope that this year’s observance will promote fair housing practices throughout the county.

Dated April 2<sup>nd</sup>. Commissioners, that is the proclamation. What’s the will of the board?”

**MOTION**

Commissioner Welshimer moved to adopt the proclamation.

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, “And Brad Snapp was scheduled to be here but Kristi?”

**Ms. Kristi Zukovich**, Director, Communications Department, greeted the Commissioners and said, “Yes, Brad was going to be here to receive this proclamation and unfortunately he was called to a conference call and the conference call is dealing with housing issues. It’s about returning offenders to our community and finding housing for those and folks with severe mental illness, so we thought that was probably an important event for him to participate in, so we will make sure he gets this proclamation.”

**Chairman Winters** said, “All right, thank you very much Kristi. Next item.”

**4. PROCLAMATION DECLARING APRIL 7-13, 2008 AS “NATIONAL PUBLIC HEALTH WEEK.”**

**Chairman Winters** said, “Commissioners, this is the fourth and final proclamation of today.

**PROCLAMATION**

**WHEREAS**, Communities across the nation are aware of global climate issues and many are creating sustainability plans to keep environmental protection, economic development, social equity and institutional and financial viability at the forefront of all decisions; and

**WHEREAS**, public health professionals recognize that global climate issues can have significant impacts to our individual health, and as such, community public health plans and programs will change to meet new demands; and

**WHEREAS**, our community sustainability plans can help to reduce the negative health impacts and encourage healthier lifestyles, and

**WHEREAS**, public health professionals recognize that individuals can take charge of their own healthy behaviors, if we can create supportive communities and appropriate prevention programs to address our main health problems including obesity, heart disease and diabetes.

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 7-13, 2008 as

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**‘National Public Health Week’**

in Sedgwick County and encourage all citizens to take charge of one’s health and recognize that individually and as a community we can make changes to be a healthier, more sustainable community.

Dated April 2<sup>nd</sup>, 2008. Commissioners, that is the proclamation. What’s the will of the board?”

**MOTION**

Commissioner Norton moved to adopt the proclamation.

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, “And here to accept the proclamation is Claudia Blackburn with the Sedgwick County Health Department.”

**Ms. Claudia Blackburn**, Director, Sedgwick County Health Department, greeted the Commissioners and said, “Thank you very much for that proclamation. National Public Health Week is a special time for public health. It’s a time to recognize a number of Sedgwick County Health Department programs that promote a climate for change. On behalf of the Public Health Emergency Management program, we’d like to remind our community members, as we move into tornado season, that’s it’s important to prepared for emergencies, both public health and natural disasters. Get a kit, make a plan and be informed.

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Get a kit includes . . . and thank you for the time to be able to remind our citizens, gathering and storing the basics: one gallon of fresh water for each person for at least three days, each person in your family; non-perishable food items for three days; make sure that you have all of our important family documents in some kind of waterproof container and that would include copies of insurance policies, identification, special accounts; a portable battery powered radio, especially the windup kind is the very best; flashlight; first aid kit; a complete change of clothes with sturdy shoes, anybody who has been through a tornado will tell you shoes are really important; and if you have pets or children you want to think about pet food, perhaps infant formula and diapers as well as part of our stockpile. So it's a good time to rotate your stock and make sure you have everything.

Make a plan, family members may not be together when disaster strikes, so it's important to plan in advance, decide how you're going to communicate, where you're going to meet if you get separated and you might want to know about the plans at your workplace, your daycare center and your local school.

And then be informed, find out how you will be notified if there's a disaster. Frequently you'll hear about it through the radio and TV. You need to listen for sirens. Last year, when Greensburg was struck, I was in . . . I was camping in Wellington with a group of girls and we didn't have a radio. We had our cell phones and luckily we were notified through cell phones but this year when I go camping I will be taking a radio with me.

And then I would also like to invite people to get involved. We do have a medical reserve corps. It is for medical professionals and other people that have a public health background who want to be involved throughout the year helping the health department with different events to promote health in the community and this group is also involved in public health preparedness exercises and responding to emergencies.

The Health Department has scheduled an open house next Tuesday, April the 8<sup>th</sup>, from 3 to 5. It will be at 1530 South Oliver, Suite 270. That is upstairs, and it is handicapped accessible. We have an elevator, so people in wheelchairs are invited, people who have difficulty walking and may be interested in learning about our worksite wellness program and some of our other programs at this open house. Our worksite wellness program is available to local businesses. It is a way that businesses that have a small budget can promote the health of their employees. We'll also be promoting our tobacco cessation and prevention program, Healthy Babies, immunizations, that's just to name a few. Again, Tuesday, April the 8<sup>th</sup>, from 3 to 5, 1530 South Oliver. Commissioner Norton will be making remarks at 3:30 and so everybody is invited.

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Once again, commissioners, thank you for supporting Sedgwick County Health Department, to create a climate for change and to make living a healthy life easy for our residents. Thank you very much.”

**Chairman Winters** said, “Thank you Claudia, we appreciate your being here. Commissioner Welshimer, did you have a comment?”

**Commissioner Welshimer** said, “I just have a comment. This is in my district and I plan to be there. This is just south of the Parklane shopping center on the east side of Oliver and I look forward to meeting people there.”

**Ms. Blackburn** said, “Great, thanks.”

**Chairman Winters** said, “Commissioner Norton.”

**Commissioner Norton** said, “Well it wasn’t too many years ago that public health was kind of split between the city and the county and the county stepped in and the health department, the public health department really became an entity of Sedgwick County alone. Since then, we’ve had a Health Assembly, we’ve had two summits, we’ve engaged in trying to understand the community needs for public health and what our main core values are. And I think we’ve created an atmosphere for dialogue about those critical issues that keep people in our community from having the quality of life they deserve when it come to medical conditions, healthy lifestyles, and education about what they can do to control that. So I applaud Claudia and certainly this is a time to celebrate that and to connect with more people about how they promote healthy lifestyles among their family and friends and in the workplace. And the public health system is always there to help with that if people need help engaging in that.

So I’m very pleased with where our public health department has gone. Its outreaches have got new fingers out in the community, out on Central and down at Parklane, not to mention our main office off 9<sup>th</sup> Street next to KU Med. So there are fingers in the community trying to help with healthy lifestyles, understanding communicable diseases and immunizations and so many other issues that are a public health issue for us, not to mention they’ve engaged and helped move the thought process of access to health, access to a medical home in our community through our workgroups that we’re sponsoring. And public health is alive and well in Sedgwick County, I think really engaging the community in those kind of conversations that make us a better community, so thank you Claudia.”

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**Chairman Winters** said, “All right, thank you very much. Claudia, thank you for being here today. Next item.”

**Commissioner Norton left the meeting room at 9:31 a.m.**

**PRESENTATIONS**

**C. PRESENTATION OF GFOA CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO SEDGWICK COUNTY FOR 2006 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, “This award is one that we’ve received for many years, as you know. And Anne Smarsh, our accounting director, is the person who more than any other deserves the credit for the county receiving this award once again. She is not able to be with us today and so I would ask that you defer this item for one week.”

**Chairman Winters** said, “All right. Commissioners, do we have a motion to defer?”

**MOTION**

Commissioner Unruh moved to defer Item C for one week.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

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Chairman Winters said, "Next item."

Commissioner Norton returned to the meeting room at 9:32 a.m.

### D. PRESENTATION OF 2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT.

#### POWERPOINT PRESENTATION

Mr. Troy Bruun, Deputy Chief Financial Officer, greeted the Commissioners and said, "It's my pleasure this morning to present to you highlights from our 2007 comprehensive annual financial report. After my brief presentation, although I wanted to give a two to three hour presentation on our finances, but I realize not everyone enjoys accounting as much as I do, so I only have 15 slides, it will be brief. After my presentation, Mark Dick from Allen Gibbs and Houlik will share with you the results of the audit from our 2007 financials.

And before I begin I need to thank my coworkers in Accounting who did most of the work: Anne Smarsh our director of accounting, who is not with us this morning; we have Marty Hughes, our revenue manager; Ginger Radley, accounting manager; Sara Jantz, our investment and cash manager; and Brandy Bailey and Pam Kelly, our senior accountants. Thank you for all your hard work and many, many hours late evenings, weekends. And I want to let you know that this presentation is a week earlier than we did it last year, so thank you.

2007 was a good year for Sedgwick County, mainly because of our arena sales tax proceeds driving net assets up 120.9 million. This is on an entity-wide basis, we're looking at everything at the county: buildings, roads, bridges. And this number is net of the debt that we own and depreciation. Sales tax proceeds were about 85 million and total net assets increased 120.9.

Property tax revenue increased 12.7%. In 2006, we raised the mill levy 2.557 mills for the 2007 fiscal year and we also had a 6.2% increase in the assessed valuation of real property. Total revenue, county-wide increased 9.6%, while expenses grew by .8%.

Looking at net assets, you can see in 2003 the county had 323 and a half million of net assets and it has grown to 587.7 in 2007. The green portion of the bar in 2007; 240,000,000 those are roads, bridges, vehicles, buildings, net of debt and depreciation. The middle section of the bar, 275,000,000 are restrictive net assets and I've shown those in the pie chart to the right. The majority of that 275,000,000 is restricted for capital improvements. It's where the arena sales tax money sits, unspent bond proceeds, and money from sales tax for road and bridge projects. The small portion at the top of the bar is unrestricted net assets and at the end of 2007 that totaled 72.7 million dollars.

Looking at government-wide revenues, the top three revenues on this table are program revenues.

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Those are revenues that can tie back to the function of government. The bottom four revenues are general revenues of the county, various taxes and investment earnings. As you can see, the first revenue, charges for services, increased 9.1 million dollars from 2006 to 2007, mainly because of the Affordable Airfares program. We're now getting money from the state. That money flows through Sedgwick County. It increases our revenue. We had a full year of that in 2007. Operating grants and contributions, down a little bit, along with capital grants and contributions.

If you look at the general revenues of the county, property taxes, again up 16.4 million over 2006. Sales taxes increased slightly and investment earnings, mainly because of the sales tax on the arena project, increased our investment portfolio. We had good returns and our investment income was up 8.9 million. So total revenues of the county up 35.8 million in 2007.

This shows government-wide revenues just broken down on a percentage basis. As you can see, property taxes, that's the main share of our county revenues, and arena sales tax, 20.8%. Next year that piece of the pie goes away, so we'll lose 20% of our income from '07 and property taxes will go back to normal levels of about 45%.

Government-wide expenses, up a total of 2.3 million in 2007. As you can see, in general government went up 2.3 and a little more than half way down, economic development went down 3.1. That was a change in accounting. In 2006, we accounted for Affordable Airfares in economic development. In 2007, we account for them in general government. Public safety is up 6,000,000 driven by Corrections, it was up about 2.4 million in '07 as compared to '06. So total expenses up .8% or 2.3 million. And these are the expenses, just shown in a pie as percentage. Public safety leading the way with 42.9, health and welfare at 22.4.

You may recall from Chris Chronis' presentation on the financial plan he always shows the structural imbalance in future years, with expenditures growing at a faster rate than revenues. Historically, in 2003 expenses were more than revenue. But revenues have grown faster than expenses over the five-year period. It's a little bit misleading. The next slide, I've taken out the arena sales tax, which goes away, which is gone and this returns us to a more normal picture. As you can see, a slight bump in 2007 driven by the increase in the mill levy and the historically high investment return.

This slide takes all the previous slides and puts them together. As you can see, the total value of each of the bars shows the expenses for that function of government. If I look at public safety, the total amount of the bars up about 122,000,000. The dark portion at the bottom is the program

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revenue. That's the revenue we can tie directly back to public safety, which was about 34.7 in 2007. In the light blue, at the top of the bar, is how much they rely on general revenues of the county. So for public safety they rely on taxes and investment income to the tune of 87.7 million dollars. If I add the totals of all the tops of all the bars, total reliance on general revenues of the county is about 156,000,000 while program revenue was about 128,000,000.

Now I'm switching from entity-wide or full accrual accounting to modified accrual and I'm looking at the fund level. This is more like your checkbook, ins and outs. We're not counting assets like roads and bridges and we're not recording depreciation. This is just the general fund. Property taxes, you can see, went up 14.6 million. And you have use in money and property, which is investment income, a little more than halfway down, up 8.9 million. Total general fund revenues, up 25.7 million in 2007.

Looking at expenditures for the general fund, in 2007 they were up 4.4 million. Again, the increase in general government and the decrease in economic development was because of the change in accounting for the Affordable Airfares program. You can see public safety up a little bit, driven by Corrections, and debt principle and interest up a little bit because of the new juvenile court building at the Juvenile Justice Complex. So revenue are way up, expenditures are pretty flat, you would expect fund balance to increase and in 2007 as compared to 2006, we went from 115.7 million to 148.3. This is governmental funds only. It doesn't include the arena, it doesn't include the coliseum or our internal service funds. The general fund is shown at the bottom, with 42 and half million at the end of '06 to 67,000,000 at the end of 2007.

Now if I just look at 2007 fund balance, these are the governmental funds again, but I've broken up fund balance into the three portions of fund balance. The red is reserved. We have a legal restriction on these. We can't spend it for anything else. These are mainly purchase orders that we've issued. In the general fund, at 6.1 million at the end of 2007. The yellow part is designated. We have plans for this money, but you can change your mind. The 26.9 million in the general fund, most of that is designated to fund the 2008 budget. The green portion at the top is undesignated and the general fund, that was 34,000,000. And we have a minimum fund balance policy, and that policy is based on unreserved fund balance. If you look at this slide, that would add the green and the yellow together. In the general fund that 60.9 million and the minimum balance requirement in the general fund at the end of 2007 was 34.4 million and we had 60.9.

So I've shown that Sedgwick County financial position improved, the financial health improved

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during 2007 but we expected that. If you remember, a couple of weeks ago our CFO Chris Chronis showed you a slide based on the financial plan. The available fund balance that you see in 2009 stands at 37.8. It's in line with the 2007 financial report that I've just shown you. We expected those high fund balances and as you can see, as we start implementing the alternative jail programs, we start incurring debt for Jabara and the jail expansion, those fund balances go down. We're in a structural imbalance beginning in 2010, our revenues again will exceed our expenditures and we spend down that fund balance, even without the impact of the 3% cut in the county tax rate.

I would be more than happy to answer any questions you have. If not, I'll turn it over to Mark Dick with the results of our audit."

**Chairman Winters** said, "All right, commissioners, do we want to listen to Mark Dick? Nope, we've got a question. Commissioner Norton."

**Commissioner Norton** said, "Go back to the bar graph that showed where the money was spent, as far as public safety, health and welfare. There. I think this is a really good indication, as we have conversations about where we spend taxpayers money, you know if we look at public safety, \$122,000,000 of our budget which is 42.9% of the budget goes into public safety. And as we have the conversation about, you know, the need for a jail and operating expenses, that would drive that figure to probably over 50% of our budget would go to public safety.

And when you talk about necessary services, public safety and then you add health and welfare that's over \$60,000,000, that's a huge part for the public safety and welfare of our community and we talk about making cuts, but then you look at economic development is a very small part, culture and recreation, a very small part of the budget. Even public works, when you think roads and bridges, is not near as large as most people would think it is. So that a major share of the government-wide expenses and revenues that we use goes towards public safety and health and welfare, which I think is a profound learning for all of us, particularly citizens that talk about how we spend their money, because I think they believe that public safety and public welfare, mental health, aging, disabilities, all the things we do in public health are important and they are. And you can see by this chart, that's where we put our money, the lion's share of it. So it's just an observation that I think is important.

The other thing that is, I think, really profound is that when you listen to national reports about

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other jurisdictions, municipalities and counties and governments, they are struggling to keep a financial condition that keeps them solvent. You know, I've read some interesting remarks about California and what their debt load is right now. And of course they're a big state and a big entity but they have county after county that's struggling to provide services and to keep a financial condition that doesn't put them into no-fund warrants. And it's encouraging that we have a pretty good financial condition.

Now we can debate fund balances and where we're going to move that money and mill levy structure, but the truth is, I think it's encouraging for our community that we do have a pretty good financial condition and we're not going to be wringing our hands in four or five years about how to support the community and run government. Hopefully, we'll continue to make decisions that will keep us solvent. But the financial condition around the United States, particularly when we read about the counties around the United States, I think there's 3,000 of them. Many of them are really struggling, particularly in the upper Midwest and the Iron and Rust Belt, a lot of counties struggling with how to fund government because they've had job losses, they've had economic downturns, they haven't taken care of their finances for several years and now they're having problems, so I thought this was pretty encouraging and encouraging that we're spending the money on those most necessary needs of our community, just an observation. Thank you Mr. Chair."

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

**Commissioner Parks** said, "For the record, I think the public needs to know that also public safety, you touched on it a little bit, but that includes judiciary, the DA's Office, Corrections both adult and juvenile, other things, not just the traditional things we think of in public safety. And also when you said, for the record I guess, 'we raised the mill levy' there were two commissioners that were sitting on the commission at that time that weren't any part of that 'we' so I guess the county did raise the mill levy in 2006. So just wanted to correct that. Thank you."

**Chairman Winters** said, "All right, thank you Commissioner Parks. Commissioner Welshimer."

**Commissioner Welshimer** said, "Well this is for this year."

**Mr. Bruun** said, "Correct."

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**Commissioner Welshimer** said, "And so things are pretty good for this year."

**Mr. Bruun** said, "Correct."

**Commissioner Welshimer** said, "But in the coming years, like when we get up to 2012 for instance, we're faced with the loss of the \$12,000,000 from the loss of machinery and equipment tax and that's going to give us an entirely different picture. Is it not?"

**Mr. Bruun** said, "Yes."

**Commissioner Welshimer** said, "Is that not going to start until 2012 or will it . . . ? You know, are we going to have some of the problem with that before 2012?"

**Mr. Bruun** said, "It is factored into the financial plan, it's a phase in, about 20% additional every year of lost revenue."

**Commissioner Welshimer** said, "Okay. Do we have 20% in this budget?"

**Mr. Bruun** said, "We have factored all of those numbers into this financial plan you see on the last slide."

**Commissioner Welshimer** said, "So it's not going to be as . . . It's not going to a great impact all at once for us in 2012."

**Mr. Bruun** said, "Right, it's phased in."

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

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

**Commissioner Unruh** said, "Thank you Mr. Chair. Troy, this is a very good report. I mean, we need to be encouraged for what's happened in the past, in this most recent past year. I think the slide that you're displaying right now though is pretty critical in that it shows that we still are experiencing somewhat of a structural imbalance as we go forward. And we've had some talk about what to do with the mill levy and what to do in a good year and I think the bottom line of that indicates that we will be in a deficit spending mode next year if we're not careful, if we make unjudicious decisions. So I appreciate the analysis you've done and it helps give us a clear picture of decisions we make today and how they will affect us in the oncoming years. So appreciate the presentation, thank you."

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**Mr. Bruun** said, "Thanks."

**Chairman Winters** said, "All right, thank you all. Let move right into Mark Dick. Mark, would you like to continue this presentation."

**Mr. Mark Dick**, Outside Auditor, Allen Gibbs & Houlik L.C., greeted the Commissioners and said, "Certainly. Here to present the results of the audit of the 2007 financial statements, which Troy's presentation was based upon and that's a good lead-in because you need to understand our responsibilities versus the county's. Mr. Chronis and his staff are responsible for putting all the financial statements together. That's not something the auditor does. Our job is to audit those statements and tell you whether you can place reasonable assurance on the numbers. And I'm pleased to tell you that yes, you can.

We completed our audit last week. We issued what we call an unqualified opinion, which is the highest level of opinion we can give. In addition to that, our standards require that we communicate certain things to the governing body because we're really reporting to you and we're auditing management of the county.

The first thing that we need to talk about just briefly is we need to advise you if there were any change in accounting principles that could make this year's statements not comparable to prior years, because we account for things a little bit differently. The county did adopt one new accounting principle this year. They were required to by the accounting standard setters and it simply relates to an unfunded liability related to health insurance that retired employees of the county are entitled to. It's very similar to unfunded pension costs. That was adopted this year. The affect on the current year financial statements was to add an additional 3.6 million dollars for that liability and that was the only change. In addition to that, we're supposed to let you know if there were any significant or unusual transactions for which there's no guidance and might affect the financial statements. We did not encounter any of those. That wasn't an issue at all.

Also need to advise you were there any alternative accounting treatments available which simply means is there a situation where you have option 'a' or option 'b', they're different. And if we had that, which option did we take, what's the impact of that? Again, pleased to report we did not

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encounter any of those occurrences.

We need to advise you that many of the numbers in the financial reports are estimates and as far as our audit procedures are concerned, we review the method assumptions that your staff makes in using those estimates to create the numbers and we are satisfied that they're reasonable. Examples of that, it's not . . . we're not estimating how much money is in the bank. We're estimating, as an example, how much of the receivables from COMCARE will actually be collected versus what was billed. That's an example of that type of thing.

We also need to advise you were there any audit adjustments, and we have, in a written letter to you and I'm summarizing the letter right now, we have advised you there were several audit adjustments and several items that we call uncorrected misstatements and the uncorrected misstatements just relate to very minor amounts that are not significant to the financial statements. Management has taken the position they're not significant enough to change the numbers. We concurred with that but we have provided you with the detail of what those are.

There were several audit adjustments, none of which indicate any kind of control deficiencies, as far as your processes or procedures. They were just unusual things. Your staff was well aware of them and they were made primarily for annual financial reporting and really don't impact the day-to-day operations of the county.

We did require that management sign representation letters to us that acknowledge that they're primarily responsible for the preparation of the statements and that they conform to generally accepted accounting principles and we were able to obtain that representation.

Finally, we didn't have any disagreements with management or staff over the application of any of the accounting principles. We had full access to the books and records and cooperation of the financial staff and all the people involved in the audit. In addition to that, we also audit a lot of the federal funds that the county receives. As you receive federal grants, as you're well aware, there are many strings attached to compliance with federal regulations. And as part of our audit process, we go through what we call a single audit. I'm very pleased to report that those reports showed that there were no significant control deficiencies as it related to your internal control systems and that for the items that we tested we found that you were in compliance with all state and federal regulations related to those grants. So again, that's the highest level of assurance you can get.

To summarize, I'd kind like to wrap this up maybe into three very brief points, now that we've got all the required communications done. Number one, I think the question, the first question you have, are the financial statements accurate and can I rely on them? And the answer to that is yes, you can. Our audit procedures proved that. Then secondly, you're concerned about do we have adequate internal controls over our finances and not just do we have them, but do they work and

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that also is part of our audit. We determine what the controls are, we test them to see if they work. The answer to that is yes. And then last but not least is did we comply with our local resolutions, state laws and federal laws as it relates to the financial transactions of the county? And again, our audit reflects that the answer to that is affirmative, yes you did.

So that kind of sums up my presentation. Be pleased to respond to any questions you might have.”

**Chairman Winters** said, “All right, thank you very much Mark. We appreciate the work that you and your firm does in conducting our audit. We do rely on you and have confidence in your firm and I think you’ve given us a very good report today.

Commissioners, are there any questions that you have of Mark, acting as the county’s auditor? Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you. Well, it’s not a question, just a comment. First of all, appreciate the work that you’ve done on the audit. But secondly, I guess I would want to compliment Mr. Chronis and all the folks in his department for doing the work necessary to give us such a good report, especially on those . . . your summary I thought was very good about what we expect out of our department and what they have delivered and so we just want them to know we appreciate very much the hard work and the diligence that they provide to a budget for which we’re responsible for and then ultimately responsible to the citizens of Sedgwick County. So it looks to me like it’s a very good report and appreciate the hard work that everyone’s done.”

**Mr. Dick** said, “Thank you.”

**Chairman Winters** said, “Thank you, commissioner. Commissioner Norton.”

**Commissioner Norton** said, “Mark, just for the public, you’ve done a lot of governmental audits over the years, you and your firm. Just tell us a little about that, because I think they were going to go ‘I’m not sure I know who this person is, I know his company, but do they really have the expertise to do this’ and I think . . .”

**Mr. Dick** said, “Thanks for the opportunity.”

**Commissioner Norton** said, “Well, a little background like that, that you’re not just somebody we pulled off the street to come look at our books and say ‘yea, they’re good’. You’ve got some expertise in this.”

**Mr. Dick** said, “Governmental accounting is rather unique. It’s different than the private sector. So really to be of value, you’ve got to specialize in that. And we’re fortunate, our firm made a

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decision over 25 years ago that ‘yes, that’s something that we wanted to do’. As a result of that, we’ve got the largest governmental accounting and consulting practice in the state and in this area.

Sedgwick County has been a very valued client of ours, but in addition to that, clients include like the Unified Government of Kansas City, Kansas, Wyandotte County, Johnson County, we’ve been the auditor for the State of Kansas for about 12 years, so we specialized in the larger governmental entities in this area. And we value that relationship with all of them, and think that it’s a very, very important part of our practice.”

**Commissioner Norton** said, “Well I just think it’s interesting, once you dig into governmental audits and understand the laws and statutes and accounting principles that governments and you practice that consistently, you can really go deep into an organization and understand it, because you’ve seen a lot of different places, state level, other counties, municipalities and I think that’s important for the public to know, as you give your report. So thank you.”

**Mr. Dick** said, “Thank you.”

**Chairman Winters** said, “All right, thank you very much commissioner. Seeing no other questions or comments, commissioners could we have a motion to receive and file the presentation of the 2007 Comprehensive Annual Financial Report?”

**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, “Mr. Chronis, we deferred Item C. Would you want to proceed with Item C at this time?”

**Mr. Chronis** said, “Yes.”

**Chairman Winters** said, “All right, Madam Clerk, would you call Item C. And do we need to take any other action to overturn our motion that we did earlier?”

**Ms. Magana** said, “Yes, Mr. Chairman, I recommend that you take a motion to take up the item again at this time.”

**MOTION**

Chairman Winters moved to consider Item C, which the commission had deferred earlier in the meeting.

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

**C. PRESENTATION OF GFOA CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO SEDGWICK COUNTY FOR 2006 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

**Mr. Chronis** said, “Thank you commissioner. The county has received an award called the Certificate for Achievement for Excellence in Financial Reporting for some 26 consecutive years and we are here today to make the presentation of this award for that 26<sup>th</sup> year to our accounting director Anne Smarsh and I would ask her to step up, and to Troy Bruun our deputy CFO and I

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would ask him to step up, and to all of the people in the accounting department, who are sitting in the back as good finance people do. They're trying to stay out of sight. And all of these people were instrumental in the county receiving this award for a 26<sup>th</sup> consecutive year.

This award is given to governments that satisfy the highest standards for preparation of governmental financial reports. In order to receive the award, governments have to publish financial statements that are easily readable, that conform to the highest standards of communication to citizens, to elected officials and to people who loan us money, to our bond holders.

The county having received this now for 26 consecutive years, is one of the longest serving recipients of the award in the nation. I believe there are five local governments throughout the United States that have received this award for 26 years or longer, Sedgwick County being one of those five. So that certainly is a record to be proud of and we are and that we were able to receive this for this year, again, is attributable primarily to the work of Anne Smarsh, our accounting director, and so I would like to make this presentation to her at this time. Anne, thank you very much."

**Ms. Anne Smarsh**, Accounting Director, Division of Finance, said "Thank you Chris. Commissioners, good morning. I know that you've had the opportunity already to listen to Troy maybe a little bit longer than you wanted to, but if I could, I'd like to ask the people on our accounting team to stand up so that you all know who they are. Ginger Radley, Sara Jantz, Brandy Bailey, Pam Kelly and Marty Hughes.

Each of these people in her or his own right is a talented accountant, but together these guys are dynamite, a high performance team, professional, I would put them up against any team, anywhere. They've done a great job. We love working together. Thank you very much for this award. Thank you."

**Chairman Winters** said, "Well thank you very much. One more round of applause. You know, you can tell, with Sedgwick County having received this award for 26 years, there is a strong foundation and I think Sedgwick County has valued understandable financials for a long time, but I truly do believe that each year we take another step forward and your group continues to outperform in every way, so we thank you all for the work you do for Sedgwick County and congratulations. The pressure continues to be on for years beyond 26. All right, thank you all very much."

**Commissioner Norton** said, "Put your visors on and get back to work."

**Chairman Winters** said, "No more visors in the Accounting Department."

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**Commissioner Norton** said, “Oh yeah, I guess not. Okay.”

**Chairman Winters** said, “All right. Madam Clerk, would you call Item E.”

**PLANNING DEPARTMENT**

**E. MAPD CASE NUMBER DR2007-05 – PROPOSED AMENDMENTS TO THE UNIFIED ZONING CODE PERTAINING TO THE REGULATION OF WIRELESS COMMUNICATION FACILITIES.**

**Mr. John Schlegel**, Director, Metropolitan Area Planning Commission, greeted the Commissioners and said, “I presented this set of proposed amendments to the Unified Zoning Code to the Wichita City Council at their meeting yesterday and because several of the council members wanted to have one last chance to review the map that’s a very important part of these amendments the council chose to defer any action on these amendments for one week, until their meeting of April 8<sup>th</sup>. So I would ask you as a board to also defer any action until your meeting next week, so that the city council can get the map that they want and take action on that. I’m willing to make the presentation today, if you so choose. But my request would be that you defer any action until the council resolves whatever concerns they have with the map.”

**Chairman Winters** said, “All right, thank you. We have a comment from Commissioner Parks.”

**Commissioner Parks** said, “One of those concerns, John, has been the map and the areas in the parks that have been selected for some of those antennas in some of those areas and that is where my constituents are calling me on and I’m sure that’s . . . I would imagine that that’s one of the reasons that the city has deferred this. And I think that if you look at a park for a 65-foot antenna without staff review, that’s . . . whether it’s you or whether somebody else down the line, that lends itself to taking away from some of the aesthetics from the beauty in those areas.”

**MOTION**

Commissioner Parks moved to defer Item E one week.

Commissioner Welshimer seconded the motion.

**Chairman Winters** said, “Any other discussion? Commissioner Norton.”

**Commissioner Norton** said, “I’m okay with also deferring the presentation, because there may be a

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lot of new information that comes out of that and I think . . . not a waste of John’s time, but he’s given us some information prior to the meeting today that I understand pretty well, so to go over it again before the city council deals with it, not that it’s a waste of time, but I don’t know that we need to deal with that today. So I don’t know that that’s part of the motion, to defer the presentation too, but it’s okay with me if we do.”

**Chairman Winters** said, “Yes, Commissioner Parks, I think you meant defer the presentation.”

**Commissioner Parks** said, “Certainly.”

**Chairman Winters** said, “All right, any other questions or comments on the motion? Seeing none, call the vote.”

**VOTE**

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

**Chairman Winters** said, “Thank you John. We deferred this item for one week. Next item.”

**NEW BUSINESS**

**F. GRANT APPLICATION FOR FEDERAL ASSISTANCE TO BE SUBMITTED TO THE UNITED STATES SMALL BUSINESS ADMINISTRATION FOR FUNDING RELATED TO THE TECHNICAL EDUCATION AND TRAINING CENTER AT JABARA AIRPORT.**

**Mr. Marty Hughes**, Revenue Manager, Division of Finance, greeted the Commissioners and said, “The county was notified several weeks ago that we’ve been identified as a congressional earmark grant recipient under a 2007 public law and related congressional record. This grant, provided by the Small Business Administration will provide \$987,228 toward the costs of the technical training center at Jabara Airport.

After discussion of this grant opportunity with various county department stakeholders, it was determined to apply for funding of partial costs of the furniture and equipment to be used at the aviation services center and the manufacturing/ technology center in phase two of the Jabara

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Technical Training Center project.

The application documents have been prepared for consideration and action by you, the county commission, and the application due date is April the 9<sup>th</sup>, 2008. I recommend that you approve the application and authorize the Chairman to sign.”

**Chairman Winters** said, “All right, thank you Marty. Commissioners, are there questions of Marty about this application? If not, what’s the will of the board?”

**MOTION**

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

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, “Commissioner Norton.”

**Commissioner Norton** said, “Well I just wanted to comment, this is just a little more of the continuing movement towards getting into the National Aviation Training Center and you know, we made the promise that we would go out there and try to find funds and different pockets to offset the costs for the local taxpayer and this is just another layer of that onion of where groups have come together to try to understand where we can attach to grants and programs that will help us create this great entity for our citizens and for our workers and for our aviation cluster and I’m just glad it’s just one more piece of the pie. That’s all I have.”

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**Chairman Winters** said, "All right, thank you very much Commissioner Norton. Marty, thank you very much. Madam Clerk, call the next item."

### **PETITION FOR INCORPORATION OF THE CITY OF WEST VALLEY.**

**Mr. Robert W. Parnacott**, Assistant County Counselor, greeted the Commissioners and said, "Let me set up a visual aid for you. This is the fourth of five steps that are involved in the process that the legislature has created for the incorporation of a new city and we'll talk about the fifth and final step that you are involved in after we finish with today's step.

We have had a petition submitted back in December. On January 8<sup>th</sup>, the clerk reported to you that that petition met the statutory requirements, at which time you set a hearing date for March 5<sup>th</sup>. On March 5<sup>th</sup>, which was the third event we're talking about, you would have . . . maybe I'm losing track of my page, anyway March 5<sup>th</sup> you had the hearing. You left the record open for two weeks to receive any written comment. We did receive some written comments by the deadline of March 19<sup>th</sup> and those have been provided to you in separate packet of materials.

So now today, your role is to determine what the legislature calls the advisability of the incorporation. To do that you have to review a series of factors which are laid out on the poster board. We've provided those factors to you and a summary of the information related to those factors in your notebook. We also have that available in a PowerPoint if this is hard to read or if you want to go through any particular details of any of those factors. But you have reviewed those and I think you're prepared to discuss those.

We have some maps available if you have any questions about particular features of the area, but at this point we've taken oral testimony from the public, we've received written testimony, you've concluded that portion of this. And now it's time for you to have the discussion and determine the advisability of the incorporation and in doing that, and in reviewing the factors, you really come down to two key questions. You are to deny the incorporation if the area in your opinion would be better served by annexation, either currently now or in the future, to an existing city or perhaps the creation of a special service district, but that doesn't really apply I think in this situation. Or in the alternative, or in addition to that factor, if you make a finding that the incorporation would be otherwise contrary to the public interest, then you would deny the incorporation. Now if you can't make those two findings, and in fact, you are prepared to approve the incorporation and move to that final fifth step.

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So having said all that I will answer any questions, or turn it over to you for discussion and will give you any answer you'd like."

**Chairman Winters** said, "All right, thank you Bob. Commissioners, are there comments or discussion as we move towards this request for incorporation. Commissioner Parks."

**Commissioner Parks** said, "I have quite a long discussion and I don't know if the Chair would like to have that now or before or after a motion, but if I may . . ."

**Chairman Winters** said, "I think we could have the discussion now."

**Commissioner Parks** said, "Okay. I would like to start out by thanking our staff, Bob Parnacott has done a lot of work on this. I would like to thank Bob Kaplan and the citizens that proposed the City of West Valley for providing information and backup material that I've been studying to make an informed decision. Thanks to Don Brace for making sure the documents met the statutory requirements.

When the author of the documents filed the original reasoning for wishing incorporation, I believe their cover page that satisfies the Kansas statutes that Mr. Brace reviewed says volumes about what the over 300 people are wanting to convey, and I will read a portion of that document.

*We would like to remain an agrarian culture and maintain a rural residential neighborhood. We oppose additional totalitarian and repressive ordinances and laws designed for urban and suburban communities. Most of the properties have been in peaceful existence for over 30 years and parcels have not been platted.*

In saying that, we look and we study other things that have been provided for us. Our own county resolution I found in 164-06 opposes unreasonable annexation and I think there are several arguments on that and I know that some of those included but not limited to the lowered fire standard and at the end of my presentation I'd like to ask Fire Marshal Millspaugh to address the rating issue on this. It's going to, I know by some comments I heard from underwriters and insurance agents, increase the homeowner's insurance from the rating that we have now to going to a volunteer fire department with miles and no fire hydrants in between, increase insurance in this area if not allowed to incorporate.

The cost of extending city water and street improvements to five-acre lots is prohibitive, although some of those people have asked for that information, that's not been provided but in private applications that we've studied and looked at, this would be very prohibitive for street improvements, sewer, water and all that they have proposed or not proposed.

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The application of restrictions for fire arms, animals, lawn maintenance, rural lifestyles, crops, growing crops, if the wheat gets up to 18 inches being made to mow the wheat before the wheat crop is done. And I'd like to share a story from some of the things that we've heard here a couple of weeks ago. Cheryl Nordstedt said that there were rural rules and regulations. I had a person from this area contact me last weekend and say that she'd called city hall requesting a copy of those rules and regulations for the rural area. She was referred to three different people and on hold about 20 minutes, finally talked to the city administrator and admitted that there weren't really any rural rules as such.

In talking about city services, the new housing areas, there's sixty to seventy housing areas that are areas that have been on their map to grow so they would be able to grow. However, there is some question about their sewer capacity for the City of Valley Center or any other city to provide those services.

Getting back to the fire district, which is in some of our material here, just this portion of the property that's to be annexed this time will cost the county over \$30,000 in our fire district. Over the past five years, I've been able to verify \$68,300 that have been lost due to that and I'm sure Mr. Parnacott or Mr. Millspaugh could back me up on that.

For the same reasons that the county didn't want Park City to annex Greyhound Park, we have those in our materials also and we read those materials that have been provided to us. The cemetery, all the people in West Valley now are paying a mill levy into the Sedgwick County Cemetery District. That would not change. The current cemetery in Valley Center has less than 20 people in it and there would be a price break if those people wanted to go there. However, that's been in existence a little over five years and they have 20 people in it now, so.

The library, the school has a library, the people have told me that between the school and the Internet, that the city library is not of great meaning to them and it's kind of a duplication of services if you will.

The future growth argument can be invalidated by the mere fact that Mennonite housing and the private developer have, in the last month, gone to the Valley Center City Council and they have about 150 homes in a requested area going up to the northwest. This is not . . . this annexation would not limit their growth like land-locking them or anything like Eastborough or anything else. They have a plan to go northwest and build a lot of homes in the next few years.

Some reason and study has been done with the Bel Aire and Park City improvement districts. Over the last 28 years, those two cities have requested incorporation and I think this is very similar reason that that can be done exactly the same way now is because the Kansas Legislature provided a ban on

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that in the late '80s that said that they no longer . . . we can no longer consider any improvement district for annexation.

The precedence that has been brought up that this would allegedly set I believe is a bogus reason and that no other area has been unilaterally annexed in this area or in the county that has taken on the kind of special situation that this is. This is 300 people, many of the houses are over 30 years old and I just can't see where this would set a precedent in the future. I tried to find an area like that in the county and I don't know of another one, beside from the things that have already been surrounded by Wichita that they don't want to have and are protected with their previous issues with the improvement district that they're in.

The two properties that have indicated they don't want to be in West Valley, I have been given strong comments by the people that are organizing this that they would have ample opportunity to opt out.

I've reviewed all these factors and after reviewing all these factors, and taking everything into consideration, and careful study . . .

### MOTION

Commissioner Parks moved that the County Commission approve the incorporation and find the area proposed for incorporation will not be better served by present or future annexation to an adjacent city or the creation of an authorized special service district or other district and the incorporation, if granted, would not be otherwise contrary to the public interest.

Commissioner Welshimer seconded the motion.

**Chairman Winters** said, "We have a motion and a second, which would in effect approve this incorporation. Commissioners, are there other comments, as we begin discussion of the motion before us? Commissioner Unruh."

**Commissioner Unruh** said, "Thank you Mr. Chairman. I . . . we've been wrestling with this issue for a long time, and in light of the fact that one of our commissioners has been very involved in it, I've been trying to justify or come to a conclusion in my mind to be supportive, so that I could be supportive of my fellow commissioner. But I'm not going to be able to be supportive of the motion of Commissioner Parks.

I think one of the things we have to decide what's in the best interest of the public and is this in favor of or opposed to new public policy and I just, I don't find the . . . although the arguments are

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understandable and I know they're passionately felt by the residents of that area and I know how much they are opposed to annexation by Valley Center, in spite of all that I don't see any substantial, compelling logic that would illustrate to me that this would be good public policy to do this.

The area that's proposed for this new incorporation, at least a piece of it is directly adjacent and contiguous with an existing city and that city, Valley Center, has indicated plans for incorporation and has indicated at least plans for bringing services and infrastructure to the area. To go ahead and approve this I think would make our action inconsistent with the whole concept of the comprehensive plan or the planning process, because we've already described a growth area of Valley Center and this is within that area.

One thing that continues to stick in my mind, that this is defensive incorporation and that's the primary reason, primary motivation for trying to do this and I just don't think that's an appropriate reason for us to approve the incorporation of a city. If Valley Center would pledge not to annex this area for the next several years and, you know, give some kind of future timeline, I think the folks now that are supporting this perhaps would say 'well, we don't need to be incorporated, just give us some time to prepare for what is probably inevitable growth by the city of Valley Center.

But the proposal itself presents us with perhaps incorporating a city that is non-contiguous and fragmented in its very nature. There's three separate pieces, as I look at the map, and it just doesn't seem reasonable to me that we establish a city that is non-contiguous in its very nature in the beginning, that it doesn't have a downtown, it isn't urbanized, doesn't have buildings, it doesn't have some of the things that, just on the face of it, make it look like a city. And so it's not reasonable for me to go ahead and try to approve that.

It seems like another issue would be that this is just unnecessarily adding to the number of governments in Sedgwick County. We have 90 governments in Sedgwick County now and most of the conversation I think we all hear is about unifying government, so consolidating governments rather than continuing to multiply.

So for that line of reasoning and maybe that's not completely in consecutive order, my comments, but those are the comments . . . or the conclusions I came to and for that reason I will not be able to support the motion."

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

**Commissioner Welshimer** said, "Well I have to disagree with Commissioner Unruh. I see substantial and compelling logic to approve the motion. The City of Valley Center is not going to be able to provide service to these residents they're taking in at any reasonable cost. These people are on five-acre lots and they really don't need this service. I think it's the best interest of the

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public to incorporate this area and I'll be voting in favor."

**Chairman Winters** said, "All right, thank you. Well I . . . you know, I've spent a lot of time thinking about this issue and reading all the material that we've received. And I certainly appreciate the presentation that the citizens from this area made in their presentation in early April. Commissioner Parks and his wife Debbie are very interested in this and they are the only two people that I know that live in this area, so all of the other information I gain from individuals were either the e-mails they sent or listening at the discussion.

But I think that this is . . . we have a comprehensive plan set out for this county that shows where cities intend to grow and where their future is projected to be and I think that new cities, just creating a new city and particularly in this location would really reduce the current growth area, particularly of Valley Center. And long term, I think that if unplanned cities are created, I think that would just lead to a planning complexity that would not be in the intentions of what our long-range comprehensive plan is about.

I would hope that someday our legislature would enact a very well thought out, well planned annexation law that cities could use in a better manner perhaps. As we've looked at annexations . . . well, I was going to say northern part of Sedgwick County, but really all over, we continue to see these defensive moves and if a group doesn't like one city that's approaching them, will work hard to get someplace else, and I just again do not believe that these defensive incorporations are appropriate reasons to do annexations.

Then lastly, I kind of again just look at the map of this area and see three different distinct areas and in thinking about a business and commercial district or some kind of industrial development, I don't see that as a possibility of taking place in this proposed new city. So because of that, I do not think it's in the best interest of the public to create this new city.

All right, we've had some comments. Commissioners, are there other comments before we vote on this motion? Commissioner Parks."

**Commissioner Parks** said, "I would like to have Fire Marshal Millspaugh, if you could, come to explain a little bit about . . . in reserve of course Bob Parnacott, for a couple of questions also. Fire Marshal Millspaugh, I appreciate you being here and kind of explain to us the difference between the full-time fire department rating and the volunteer rating and how far the stations are away from and the fire plug next to your house and the insurance rating process that they go through, maybe go from a six to a twelve if something like this would occur to just a total volunteer department."

**Fire Marshal Tim Millspaugh**, Fire District #1, greeted the Commissioners and said, "The case of

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this area west of the river, west of Valley Center, they currently fall underneath the hauled water classified, which we received over the last four or five years, which was the project that saved the citizens of Sedgwick County so much money in premiums. That protection class five, upon them being annexed, would go to whatever protect class the City of Valley Center currently has. I'm not sure exactly what it is. I've heard it's a six, but I don't know.

What difference that would make in the premiums would have to be confirmed by their insurance agents, the companies there, but they're currently a protection class five without the fire hydrants. That would likely change once they were annexed and were no longer a part of the fire district."

**Commissioner Parks** said, "The ISO, do they do periodic reviews of these areas? One of the underwriters that I spoke with said that they do periodic reviews and if there are extended boundaries, then those are factored in when there are no fire plugs."

**Marshal Millspaugh** said, "The ISO used to do regular periodic reviews of different cities, different communities, rural areas. There's a lot out there. They've stopped doing regular, scheduled reviews. They will do reviews based upon request or upon a change of geographic boundaries or annexations or whatever. In this case, this should . . . the annexation or incorporation, whichever way it goes, should be reported to ISO so they can adjust the rural area to what it needs to be and look at Valley Center as a whole, with this added area, may have an effect on their current ISO rating."

**Commissioner Parks** said, "Would such things as two railroad tracks and other obstructions and mileage from the station be important in that ISO review?"

**Marshal Millspaugh** said, "Well the key here is that they're within five miles of a fire station and they would be within five miles of Valley Center's fire station, but also the new Sedgwick County fire station on 77<sup>th</sup> Street and Wild West Drive. They don't take into account anything to do with railroad tracks, although in reality that is an issue with us. ISO does not take those types of things into account. It's the drive time.

The department is part of the ISO rating, in that how much water does it carry, how many full-time people do they have, what are their response times, what's the 9-1-1 system like. Those are all factored in. And I don't know how that area would be affected, when the go from Sedgwick County Fire District to the City of Valley Center fire protection. I don't know exactly how it will affect them insurance-wise. In the practical sense, we would no longer run calls to that area. That would be the thing I can confirm."

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**Commissioner Parks** said, "Thank you. I have another question for Bob Parnacott, if we could. The state law doesn't say anything about having to be contiguous for starting a new city like it is for annexation, that it doesn't have to touch in any form, does it?"

**Mr. Parnacott** said, "That's correct. The state law does not make any requirement that the parcels proposed for incorporation be completely contiguous."

**Commissioner Parks** said, "Okay, thank you. I had a response to the Comprehensive Plan. If you'll remember, my colleagues here will remember back to months ago when we had the area of influences set out by MAPC and in an attempt to straighten those out and get the people there, I asked some of the city administrators to get together and come up with some compromise and whatnot. That plan that Valley Center continually presented to the MAPC was they wanted to go to 37<sup>th</sup> and Amidon, was one of the ones that I thought was kind of interesting . . . or 37<sup>th</sup> and Wormer. Basically, their school district for their area of influence and they took in actually four other cities, so I weighed that carefully and that comprehensive plan also. And just I have I guess one more question, and you can answer it by . . . when you talk again or don't have to. But I just wonder if any of you have driven by these locations? So thank you."

**Chairman Winters** said, "Well, I'd make a comment. I took the map and drove all through west Valley Center and this proposed area, so I've been up there."

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

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

**Commissioner Unruh** said, "Thank you. I just wanted to respond to Commissioner Parks. I drove by there, it's been probably six weeks ago or more, but I drove the whole area."

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

**Chairman Winters** said, "All right. Do we have any other comments before we take a vote on this motion that's before us?"

**Commissioner Norton** said, "Mr. Chairman, I think . . . Bob, did you say you have the factors that you can put up on the screen?"

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

**Commissioner Norton** said, "Would you put those up and at least have them where we can page

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through them, because I think those are some of the guiding principles, that's no different than Rules of Golden for annexation and zon . . . or for zoning. These are some of the guiding principles so would you kind of run through them, and I don't think you have to comment on all of them, but at least have them on the screen for citizens to see that are in the audience."

### **POWERPOINT PRESENTATION**

**Mr. Parnacott** said, "I would also note that these are factors to be considered. They are not necessarily you count up the factors and ten are this way and four are this way, so that determines the outcome. These are to weighed and balanced in your own personal opinion, in terms of the overall advisability of the incorporation. The information that we've added to these slides are really the factual objective statements that we can provide you that are related to these factors.

For the most part, I think it's been noted in the previous commentary, these factors don't really answer the question. Sometimes they kind of suggest one solution versus the other, but they really don't provide a clear, direct answer, but we can go through very quickly.

First is looking at the population density of the area. We have had an enumeration, so we do know what the density, approximately is. It does fall within the range of other cities in Sedgwick County.

We are asked to look at the land area, see if there's any natural boundaries. Don't really have any natural boundary. We do have a manmade boundary, the flood control project that does split the properties, but that by itself, it splits other cities also as well, as it winds through the county. Total land area is 438 acres. We'll get to a slide later that talks about Bentley, so it's even larger than Bentley I think at this point. It asks . . . the legislature suggests you look at the ratio of platted land to unplatted land and the assessed valuation. We've got those figures available for you.

Whether there's any business, commercial, industrial development in the area. Right now we have not identified any. That doesn't mean there wouldn't possibly be some in the future but most of this area of course is very residential, by itself again, not necessarily saying this can't be a city. It's just a factor to look at.

Looking at past expansion, we don't really have population numbers, although you would think population would kind of follow the housing construction, but we do have the housing construction records and can show you the pattern of building up to this date.

Whether there's going to be significant growth in the area and adjacent areas, again we're seeing, as most of the parcels are being built out, large lots that there probably isn't a . . . there's a slowing of

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growth.

We look at the mill levy to determine what the present cost and whether government services are adequate. Those are mill levies that are currently assessed, the last available figures we had.

We looked at what might happen if there's incorporation. There will be a reduction, to some extent, of the road mill levy. However, the city has proposed . . . the petitioners for the new city propose they're going to work with the townships to help share costs of maintenance, so there may be some tradeoff there. But really if there was an incorporation, none of the other mill levies would change. The fire district mill levy would stay the same, since it's a third-class city, they would not be having their own fire district.

We did look at what would happen if Valley Center annexed. Since it's a second-class city, there would be a reduction of the mill levies from the two townships. Because it has its own fire department, you'd see the loss of the fire district mill levy and then there would be an increase, of course, for the city mill levy and those are . . . we have two different township available, you have two different mill levies, so we see a difference ranging from 21 to 26 mills of increased taxes for the parcels, depending on which township they land in.

You're supposed to look at the effect the proposed action and any alternative actions on the adjacent areas and the local government structure of the entire urban community. It has been noted this will reduce, to some extent, the growth area of Valley Center. We've talked in the past many times, in other settings, of the type of checkerboard development that's happened with city limits up in that area, so that is certainly a consideration to look at.

We've asked you to look at, because we've got this within five miles of other cities, to what those cities are in terms of their size, their population, their density and that's where you can see that the estimated density for West Valley would be within the range of existing cities.

We also look at how they've grown, in terms of population. We've seen some significant annexation activity by some of these cities over the last few years, so you can see that in terms of their population growth and also in terms of the growth they have, in terms of their size. You get some pretty astounding numbers there, of course.

You're asked to look at whether and to what extent other cities might grow and take over this area.

Of course we've seen on the maps that Valley Center has shown steady grow toward this area and as a matter of fact, includes it in the growth area in our comprehensive plan, in their planning efforts and has proposed annexation currently for at least some of the parcels involved. And of course Valley Center has also indicated their willingness to annex at least some of those parcels

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immediately.

And again, as I think Commissioner Unruh noted, we do have 90 local government units. You're asked to look at the overall orderly and economic development area and whether we have a reasonable or unreasonable multiplicity of independent municipal governments.

So those are the factors you've been asked to look at. Those are some of the information that has been developed about that and the final slides are just, again, the basis for approving or denying the annexation. Again, whether present or future annexation would better serve the interest of the area being proposed for incorporation or would it be otherwise contrary to the public interest. And we can go back over any of those slides if you'd like to address anything else."

**Commissioner Norton** said, "No, I just thought it was important, you've got it posted here for us, but I think the public, as they watch this, could . . . needed to know kind of what some of the standards are and some of the information that we've had to consider. Obviously you're right, it's not that you have to weigh all of them, and put them on a balance sheet. But you have to use those as kind of your guiding principle of what your thought is, as to whether this is a good incorporation or a bad incorporation. Is that correct?"

**Mr. Parnacott** said, "Yes."

**Commissioner Parks** said, "I have a question of Bob."

**Chairman Winters** said, "Yes. Commissioner Parks, go ahead."

**Commissioner Parks** said, "Did you check home-based businesses in this scenario?"

**Mr. Parnacott** said, "No, we did not have that information and I apologize. We were just basing what we could tell by driving around and what we knew about the area."

**Commissioner Parks** said, "I do know about seven of those that do pay sales tax and other things that have conditional use permits, so I just thought I would add that."

**Chairman Winters** said, "All right. Commissioner Norton, another comment?"

**Commissioner Norton** said, "Just a couple of general comments. As always, I'm concerned about unwanted unilateral annexations. You know, I've been on the city council for many years, I was a mayor of a small town and I understand the need for the ability to grow your tax base, to annex

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those properties that come in contact with your city and start to use your roads and facilities, even though they live on the fringes, so there has to be some logical way to annex and to grow cities and grow the civilizations that we consider important to just live as human beings.

It appears to me though that Valley Center should take into consideration that they've got a group of citizens that really would like to maintain their lifestyle, that do not particularly at this time want to be part of the city and I know they haven't been willing to do that, but I would call on their better angels to reconsider what is happening here. You know, I've stood and watched for years, and as a county commissioner, how these unilateral annexations affect people. Now you know we've got people and we've got entities we call cities which are groups of people that have like ideas about a lot of different things.

The one thing that concerns me about this incorporation though is its not been proven to me that they're creating a full functioning municipality is their intended outcome. It's really to do just the opposite and I have a concern that creating municipalities that don't have the idea that they want to become a full functioning municipality that has all of the rights and responsibilities, but all the obligations of being a full functioning municipality is not the intended outcomes here. It's just the opposite and that concerns me.

There's many tenets there that could go maybe both ways in our factors, but truthfully, I haven't come to the conclusion that there is any compelling reason to create another city. Now I do understand that there is a compelling reason not to want to be part of Valley Center and I would hope that Valley Center and their city council, their manager, their mayor would understand is that is really the will of the citizenry of these different areas.

I'm also concerned that with the fragmented nature of the different areas and starting to allow small pocket communities to pull together and create municipalities. If you start a thinking of that in macro-sense around our community, would there be any reason why another area ten miles away that didn't want to be part of anything else couldn't go with this and if we said yes, that cities could become little pockets of fragmented communities that have an interest only to not be part of anything else and I worry about that, whether we're setting a precedent today.

I know there is a lot of conversation at the state level about annexations and incorporations and ribbon annexations and I would hope that as they have that conversation, they start to describe how these kinds of situations are going to be solved in the future, without having to go through this very gut-wrenching procedure that becomes emotional and passionate on both ends of the spectrums. So I don't know that I'm going to be able to support this today, but I understand citizens' passion about not being part of a municipality that may even be predatory in their annexation principles. That's all I have, Mr. Chair."

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

**Commissioner Welshimer** said, "Well I'd just like to comment on the statement of . . . that the city of . . . that West Valley is not prepared to be a city, isn't ready for that, that isn't a free city and doesn't have everything together to just walk in and become a city. But then you can say, from the other side of it too that Valley Center isn't ready to bring them into their city, because they can't afford to go . . ."

**Chairman Winters** said, "Please, if we could refrain from demonstrating, we would appreciate it."

**Commissioner Welshimer** said, "So it's six of one and half a dozen of another in my opinion."

**Chairman Winters** said, "Okay, thank you commissioner. Commissioners, are there any other comments before we ask the clerk to call the roll on the vote? All right, we have a motion in front of us to approve this incorporation. Commissioner Parks said it much better than that, but that's what the gist of it was, was to approve the incorporation. Any other comments? Seeing none, Madam Clerk, call the roll."

### VOTE

Commissioner Unruh	No
Commissioner Norton	No
Commissioner Parks	Yes
Commissioner Welshimer	Yes
Chairman Winters	No

**Chairman Winters** said, "All right, Bob, remind us now what this vote has meant."

**Mr. Parnacott** said, "Well this is a finding that based on your comments that the proposed incorporation would be better served, or the proposed incorporation would be better served by either present or future annexation by the City of Valley Center and that it is otherwise contrary to the public interest."

The fifth step that I talked about earlier, that we still have left to do, will be on next week's agenda.

You have to approve an order that sets out your findings and sets out the ultimate conclusions and make some jurisdictional statements and we will prepare that order and have it for you on your next agenda."

**Chairman Winters** said, "Okay, so that will be on next week's agenda again."

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**Mr. Parnacott** said, “And again, that would not be an item that’s subject to public comment, unless you would want to take comment on it. It would typically be just the last ministerial act of this process, the order stating the action you took today.”

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

**Commissioner Parks** said, “I had a question of Bob. That is unless there is further legal action or injunctions or anything like that.”

**Mr. Parnacott** said, “Well the order that you enter will be your final action. At that point, the statute does provide or allow for appeal of the order by any party aggrieved and that they would have, I believe, 30 days to file that action.”

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

**Chairman Winters** said, “All right, thank you Bob. Madam Clerk, would you call the next item. Iris, lets hold just for a second, while the room clears. All right, proceed.”

### **H. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON MARCH 27, 2008.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, “The meeting of March 27<sup>th</sup> results in four items for consideration.

#### **1) ANNUAL MAINTENANCE AND SUPPORT- REGISTER OF DEEDS FUNDING: TECHNOLOGY ENHANCEMENT**

The first item, annual maintenance and support for the Register of Deeds. Recommendation is to accept the quote from Computer Information Concepts for an annual cost of \$34,859.

#### **2) BALLOT CARD STOCK- ELECTION COMMISSIONER FUNDING: ELECTION COMMISSIONER**

Item two, ballot card stock for the Election Commissioner’s Office. Recommendation is to accept the quote from Election Systems and Software in the amount of \$41,500.

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**3) DATA STORAGE UPGRADE- APPRAISER  
FUNDING: APPRAISER EQUIPMENT RESERVE**

Item three is a data storage upgrade for the Appraiser's Office. Recommendation is to accept the quote from ZioTech in the amount of \$26,922.

**4) 2008 FOUR DOOR, FOUR CYLINDER SEDANS- FLEET MANAGEMENT  
FUNDING: FLEET MANAGEMENT**

And item four, 2008 four-door, four cylinder sedans for Fleet Management and the recommendation is to accept the low bid from Newberry Family Motors in the amount of \$43,803.

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

**Chairman Winters** said, “All right, thank you Iris. Commissioners, are there questions or comments about the recommendation from the bid board?”

**MOTION**

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

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

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

**CONSENT AGENDA**

**I. CONSENT AGENDA.**

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1. Request for Sedgwick County sponsorship of \$10,000 from the Derby Historical Museum to add heating to the Museum.

2. Plat.

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

Hartland Veterinary Addition

3. General Bills Check Register(s) for the week of March 19 - 25, 2008.
4. Payroll Check Register for March 21, 2008.
5. Order dated March 26, 2008 to correct tax roll for change of assessment.

**Mr. William P. 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, "What's the will of the board?"

**MOTION**

Commissioner Welshimer 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**

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

**Chairman Winters** said, "That concludes our regular agenda items. We are at the 'other' portion of our agenda. Does anybody have any other business or any other discussion points?"

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Commissioner Parks.”

### J. OTHER

**Commissioner Parks** said, “I want to comment about some of our actions here just recently. figuratively speaking, I think that, and strictly figuratively speaking, I think this issue was with West Valley was kind of a shot across the bow. But I hope that both sides would sit down and try to establish some kind of dialogue in this. I don’t know that I’m the person to do that but I think that it would be good for both side to reach out and try to establish some kind of dialogue. Also I just had a question from one of my constituents, where are we on the parking plan and when can we get the next report for the downtown parking.”

**Chairman Winters** said, “Our next meeting is scheduled for April 20<sup>th</sup> or 21<sup>st</sup>. Bill, do you want to comment about that? I think hopefully there will be some action items coming out of that or near that. I think that Commissioner Norton and I have both indicated to staff that we need to be moving this faster instead of slower. We are talking with the State of Kansas and that is . . . it’s gone slower than we’ve anticipated. But there are other issues that will be coming in the next meeting and have more information the third week of April.”

**Commissioner Norton** said, “If I could make a comment on that, Chairman.”

**Chairman Winters** said, “Okay.”

**Commissioner Norton** said, “One of the things that kept us, me from reporting and I made a promise that I’d try to report as often as I could, is that much of the information has been sensitive because some of it has to do with buying property and negotiating contracts and I don’t think it’s anything that appropriately we could give you too much detail on until we can firm up what we’re going to do with buying property or signing contracts with owner operators of property and everything, so I think we’re pretty close to firming up some of that, but it became pretty obvious to me that too much conversation about that wasn’t going to advance anything that we may need to. I’d be glad to visit with any commissioner but until we have that firmed up, I don’t think it’s anything to advance out to the public because it’s a lot of ifs that we might do something. I don’t want to put any landowner or developer or entity at risk of being in the middle of this when we’re just having very open conversation now, not making any decisions. I think that’s part of it, Commissioner Parks.

We’ve continued to work on it, but we’re now in that phase that’s kind of messy because we’re actually trying to take some action that requires negotiating and talking with landowners and developers and owners of parking lots and private owners of parking lots and all of that, so is that a

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pretty good explanation, Chairman.”

**Chairman Winters** said, “I think so, yes.”

**Commissioner Parks** said, “That’s certainly something I can take back to my constituents.”

**Chairman Winters** said, “Very good. Commissioner Welshimer.”

**Commissioner Welshimer** said, “Well, in line with that conversation, I’m the members for the county that sits in on the meeting of the Wichita Downtown Development Corporation and they had a meeting last Thursday. This group is working very hard to revitalize our downtown and I think they’ve done a terrific job. They have been responsible for the ongoing beautification and business development downtown. And downtown is the heart of our economic area for all of Sedgwick County.

So I think they’ve done a good job, but the main thing was that we had reports from the different members and much was talked about on the downtown redevelopment around the arena area and they are going to be coming to the city council and to our board with a request for a TIF. I’m pretty sure about that. One of the things that was pointed out at the last meeting said was the lighting was poor down there and so that group was going to address that issue. But the other issue was that they’re already getting complaints about the parking and they don’t seem to be able to solve that either. So what they’re going to do is create a route for the trolley to start down there in the very near future.”

**Chairman Winters** said, “Okay. Thank you very much. Commissioner Unruh.”

**Commissioner Unruh** said, “I just wanted to talk a little bit about the zoo. I know Kristi talked about in the introduction and indicated the restaurant would soon be open. I believe it is open today and open for business so would encourage everyone to go out and see the zoo and take advantage of the restaurant. In March we had a record attendance at the Sedgwick County Zoo. The weather is going to get better. We have great exhibits and work is underway on the new tiger exhibit that will be ready, probably be another year or so. It’s a great zoo and encourage everybody to take advantage of it.

Secondly, just wanted to say that tomorrow afternoon, I’ll be out at the groundbreaking ceremony

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for Park Stone at College Hill, we're going to break ground for the new condo and brownstone complex which is quite an addition and improvement to the College Hill area in Wichita. Looking forward to that. Want to congratulate the folks who have put that project together. That's all I have, Mr. Chair."

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

**Commissioner Norton** said, "I did want to report that we had a relatively spirited presentation and dialogue about solid waste and the solid waste plan yesterday at our staff meeting. There was an article in the Eagle today that started that conversation up again. And there is a lot of components, a lot of moving parts to that, but I did want to comment on just a few of them, not a lot of detail but here are a few of the things we're working on considering and trying to build into the Solid Waste Plan that we have to authorize and move forward to KDHE for the plan for the next five to ten years for Sedgwick County.

Yard waste ban is something we're going to talk about that's grass clippings, and maybe leaf and other materials. Recycling, reuse, whether it be curbside or some other form. Pays as you throw, which is a volume-based program, that's where you pay depending on how much waste and solid waste that. We talked about e-waste and what we're going to do with electronic and computer waste that tends to . . . is starting to tend to build up as we become more of a society that uses and uses up e-materials, We're going to talk about franchising, that's a very volatile issue, has a motion on both sides of the equation but it's something that will have to be in the conversation.

We're also going to talk about a waste analysis and that's trying to determine what goes into the waste stream, what proportions of paper and other solid wastes are in the stream and how we can get them out of the stream.

Then finally, we'll try to come to some conclusions on timing and action that we can report to KDHE that we can take as a county to meet the quality of life issues and the values of our community. Hopefully, that summed up kind of what we talked about yesterday."

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

**Commissioner Welshimer** said, "The committee put this plan together. Are you saying that we're putting . . . to redo this whole thing that the committee has done and reexamine every issue that the

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committee has addressed?”

**Chairman Winters** said, “Yes, we are.”

**Commissioner Welshimer** said, “Why do we have the committee?”

**Commissioner Norton** said, “Well, they’re an advisory committee. I think we take all the things they’ve given us and say ‘yes, yes’, ‘if-y’ ‘no’, ‘yes’. I hope most of them we’ll weigh in on most of them in a positive manner. They are an advisory committee. They didn’t tell us the cost to citizens or to the government. We need to make sure we have a public hearing, which is part of it that finds out what they’ve advanced to us, really the values of the community. That’s important to us. Yes I think you’re right.”

**Commissioner Welshimer** said, “We’re not going to be addressing this issue as a . . . we’re going to be addressing the global issue, we’re going to be doing the whole thing, talking as though we didn’t have a proposal.”

**Commissioner Norton** said, “No. I think all the things I enumerated, there are things built into their recommendations and I think I . . . don’t think we’ll have them as one ‘yes’ or ‘no’. We’re going to accept the whole proposal or nothing. I think we’ll take each one of them as a part of it as their recommendation and go ‘yes’.

A good example is pay as you throw. There are probably four or five manifestations of what pay as you throw looks like. Is it bags, is it containers, is it a combination? Is it or do we even want to go to that system. When you talk about franchising, there’s a lot of different methods of franchising of how that can work.”

**Commissioner Welshimer** said, “Has this been done many, many times, over the years and years and years? I mean, we’ve just done this over and over and over. At what point do we consider a proposal, make a few changes and adopt it?”

**Commissioner Norton** said, “I guess now.”

**Commissioner Welshimer** said, “I hope so. Thank you.”

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**Commissioner Norton** said, “I think it’s important for the public to know that we’re going to debate it and talk, honor the work of our advisory board, put it through the filter of the community through a public hearing and some other analysis and try to make the best possible decision for the community.”

**Chairman Winters** said, “All right. Any other questions? All right commissioners, any other comments? This meeting is adjourned.”

**K. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:09 a.m.

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

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

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

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

\_\_\_\_\_  
**KELLY PARKS**, Commissioner  
Fourth District

\_\_\_\_\_  
**GWEN WELSHIMER**, Commissioner,  
Fifth District

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ATTEST:

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

APPROVED:

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