

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

### **REGULAR MEETING**

**July 9, 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, July 9, 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. David Spears, Director, Bureau of Public Works; Mr. Joe Thomas, Senior Purchasing Agent, Purchasing Department; Mr. Robert Parnacott, Assistant County Counselor; Ms. Lindsey Mahoney, ADA Coordinator, County Manager's Office; Ms. Karen McNally, Director of CSS, COMCARE; Mr. Frank Griffith, Assistant Director, Kansas Coliseum; Mr. Joe Brunk, Director, Noxious Weeks, Public Works; Ms. Kristi Zukovich, Director, Communications; and, Ms. Evelyn Good, Deputy County Clerk.

### **GUESTS**

Mr. Mac Manning, City Administrator, City of Kechi  
Mr. Brian Hurd, Ryan Lawn & Tree, Inc. 6352 N. Hillside Street, Wichita  
Mr. Kirk E. Wagner 6332 N. Hillside Street, Wichita, 67219  
Mr. Norman Hardin 6434 N. Hillside Street, Wichita, 67219  
Mr. Kent Johnson, Operations Manager, ADA Accrediting & Consulting

### **INVOCATION**

The Invocation was led by Pastor Keith Koch of Grace Presbyterian Church, Wichita

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES**

Regular Meeting, June 18, 2008

**Chairman Winters** said, "Commissioners, you have had an opportunity to review the minutes. What is the will of the Board?"

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**MOTION**

Commissioner Welshimer moved to approve the minutes of the Regular Meeting of July 18, 2008.

Commissioner Parks 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."

**APPOINTMENT**

**A. RESOLUTION APPOINTING COMMISSIONER DAVID M. UNRUH TO THE SEDGWICK COUNTY TECHNICAL EDUCATION AND TRAINING AUTHORITY.**

**Ms. Jennifer Magana**, Assistant County Counselor, greeted the Commissioners and said, "You have before you a Resolution appointing Commissioner Unruh to this Board. I would point out this is a one-year term appointment, as opposed to the nine other members that are three-year terms appointed by the Manager. I recommend you approve the Resolution."

**MOTION**

Commissioner Norton moved to adopt the Resolution.

Commissioner Parks seconded the motion.

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

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**VOTE**

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

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

**Commissioner Unruh** said, "Thank you, Mr. Chairman. I just want to express my appreciation to the Board for this appointment. Also publicly express appreciation to Commissioner Norton for his service during this last term as Sedgwick County Technical Education Training Authority has gone through several iterations of governance over the past few years.

During that time different members of this Commission have been involved, many to a very heavy degree, and Commissioner Norton most recently has been on the Board as its gone through significant changes, and all for the better, in my opinion, and has brought the technical college through a transition period that's been difficult, both in terms of personnel and in terms of their budget and financing, and done a great job.

Been very much engaged in the process, and he's very passionate about technical education and training, and just wanted to express my personal appreciation for his service during this last term. That's all I have."

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

**Commissioner Norton** said, "Appreciate the kind words. I have been involved with technical education many years, even before I became a Commissioner when I was with Target, I was very active in the DECA programs and DECA programs at the school, and other programs at WATC at the time, so, you know, I believe lifelong learning, and particularly technical education is so important to our community as we try to build the workforce and the intellectual capital of our community.

I'm going to continue to stay very involved. I'm involved in adult basic education, trying to figure out where we're going with that, because it was embedded in WATC, and I think it is an important component in our community. I've enjoyed my time working on that, but it's time to move on and take on some other challenges, and I think it is in good hands, you know.

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Commissioner Unruh was on the WATC Board for a while a couple years ago, and understands the mission and where we're trying to go, so I think the transition will be smooth, and hopefully we've got many, many better days for the community ahead of us when it comes to technical education and continuing learning. That's all I have."

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

### **PUBLIC HEARINGS**

#### **B. PUBLIC HEARINGS.**

- 1. PUBLIC HEARING TO CONSIDER WHETHER THE CITY OF KECHI HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR ANNEXATION ORDINANCE NUMBER 483.**

### **POWER POINT PRESENTATION**

**Mr. Robert Parnacott**, Assistant County Counselor, greeted the Commissioners and said, "This is one of our post annexation hearings that we are required to have five years after the unilateral annexation by a city, that is an annexation without the consent of the landowners. Purpose of this hearing is to determine if the City has provided the services that they said they would provide in the service plan they prepared for that annexation. I have a map up on the screen that shows you the City of Kechi, and the red hatching shows, in the lower corner, shows this particular annexation, which is of a subdivision known as Heritage Hill Estates. We have a little wrinkle in this case. They had unilaterally annexed this subdivision, that is, without the consent of the landowners. The landowners then entered into negotiations with the City to forego a lawsuit in exchange for certain promises.

So then they entered into a settlement, and re-annexed the property through consent. And we found that out after we'd already sent out the notices for the hearing, and the City, as we understand it, did not formally invalidate the first annexation ordinance. We felt we should go ahead and have the hearing anyway, since we sent the notices out, and the first annexation ordinance is technically still on the books. But this actually became what is a consent annexation. So we have not had any calls from the landowners, we sent out about 28 notices to the landowners involved.

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The service plan is fairly standard service plan, it will provide sewer and natural gas, it petitioned water was already existing service, and then they provide the typical other city services, street maintenance, police, code enforcement, those kinds of things. So, again, that's the nutshell of this particular annexation, and we do have a representative from the City to answer any questions, and at this point, unless you have questions for me, I would recommend you open the public hearing and take any comment."

**Chairman Winters** said, "All right, thank you, Bob. I guess my only comment is, we have two items involving Kechi on this Agenda is that correct?"

**Mr. Parnacott** said, "Right. This is the first one. The second hearing addresses several annexation ordinances that are in a different area of Kechi, and we grouped those and put those in a separate hearing..."

**Chairman Winters** said, "Okay."

**Mr. Parnacott** said, "...for clarity."

**Chairman Winters** said, "If anybody is here to speak about this issue, how would you describe this one?"

**Mr. Parnacott** said, "This would be described as the Heritage Hills Estates Subdivision."

**Chairman Winters** said, "All right. At this time we will open the public hearing, and is there anyone here to speak to the Commission about this Valley Center annexation, Heritage Hills, not Valley Center, Kechi, I'm sorry, Kechi, Heritage Hills Edition. Is there anyone wishing to address the Commission on this issue? Seeing no one..."

**Commissioner Welshimer** said, "We do have somebody."

**Audience member** said, "I'm not sure if we're in the Heritage Hills?"

**Mr. Parnacott** said, "Commissioner, I spoke to this person before the meeting started, and she is in the second hearing."

**Chairman Winters** said, "Okay. This is the one that's basically south of 254<sup>th</sup>, is that correct? This is the hearing on south of Highway 254? All right, seeing no one, we will close this public hearing."

**Mr. Parnacott** said, "Did you want to have any questions for the City Administrator, he's here if you do. You're not required to take any testimony at this point, I don't believe."

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**Chairman Winters** said, "We do have a question. Will the Administrator please come forward? The public hearing is still open."

**Mr. Mac Manning**, City Administrator, City of Kechi, greeted the Commissioners.

**Commissioner Unruh** said, "Good morning Mac, just one question. In light of the unusual circumstances on this annexation, which started as a unilateral annexation, was a service plan developed at that time?"

**Mr. Manning** said, "Yes sir, it was."

**Chairman Winters** said, "And in the community's judgment, you have fulfilled all the requirements of the service plan?"

**Mr. Manning** said, "Yes, we have maintained the streets, and they did not want water unless they petitioned it, so, and sewer the same thing. So we've met all those."

**Chairman Winters** said, "All right, thank you for that clarification."

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

**Chairman Winters** said, "All right. Again, is there anyone else on this Heritage Hills Edition? All right, seeing no one, we will close the public hearing. Commissioners, you have other comments or questions for Mr. Parnacott? If not, what's the will of the Board?"

### **MOTION**

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

Commissioner Norton seconded the motion.

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

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**VOTE**

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

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

- 2. PUBLIC HEARING TO CONSIDER WHETHER THE CITY OF KECHI HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLANS PREPARED FOR ANNEXATION ORDINANCE NUMBERS 472, 473, 474, 479, 480, 481, 484, 485, 486 AND 489.**

**POWER POINT PRESENTATION**

**Mr. Parnacott** said, "This is the second of the two public hearings we're having on post annexation matters. This was also a unilateral annexation and remained a unilateral annexation, so we do have to have the hearing for this purpose. Here is a series of ten parcels, or ten annexation ordinances concerning parcels that are to the west of the area that we just talked about and to the north of 61st Street. We've sent out notices to nine property owners. We do have somebody here to testify, a land owner, we received a couple phone calls, but they weren't really of any complaints about services, they were just asking what the hearing was about.

And there was a question about a post office matter, apparently the location of the property, it is in the Wichita post office area, which means they have to go Downtown to pick up their registered mail, and they were asking questions about that. And that's not something that is really subject to this hearing

Again, the service plan is the same as the one we talked about before. Sewer and natural gas were available by petition, water was characterized in the service plan as existing, and then the remainder of the services were going to be provided by the City. We talked about police and street maintenance, those kinds of things.

The service plan, in this case, is at page 84 of your backup, so unless you have any other questions for me, again, I would recommend you to open the public hearing. We'll receive the comments of the land owners and response from the City Administrator and then we can close the public hearing and make the appropriate finding."

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**Chairman Winters** said, "All right. Commissioners, are there any questions for Bob before we begin? All right, at this time we will open the public hearing for comment on this second Kechi annexation. Is there anyone here who would like to address the Commission on this annexation? Yes, please come forward to the microphone, please. Please give your name and address for the record. Our tradition is to try to limit comments to five minutes."

**Mr. Brian Hurd**, Branch Manager, Ryan Lawn and Tree, greeted the Commissioners and said, "Okay. The only comment that Ryan Lawn and Tree has to make is that being new owners of that particular property as of December 31st, 2007, we were totally unaware of this process."

**Chairman Winters** said, "Okay. Were you aware that you were annexed, that you were part of inside the City limits of Kechi?"

**Mr. Hurd** said, "No."

**Chairman Winters** said, "Okay."

**Mr. Hurd** said, "So if there were any petitions that we needed to make to get on local sewer and natural gas, you know, we would still like to do that."

**Chairman Winters** said, "Okay. Very good. Any questions of this individual, Brian? All right. Give me your last name again."

**Mr. Hurd** said, "Hurd, H.u.r.d."

**Chairman Winters** said, "All right. Thank you very much."

**Mr. Hurd** said, "Thank you. Is there anyone else that would like to address... yes, sir, please move forward to the podium. Give us your name and address."

**Mr. Kirk Wagner**, greeted the Commissioners and said, "I'm not a new landowner, I got annexed and didn't know anything about it. Now, I'm not mad, I'm plainspoken, I'll tell you like it is. But four years ago, this last March, I went to the City of Kechi and asked them about a sewer system. They said you can't work on your sewer system in the City limits. I said I've got to put in a lagoon, I can't put in a septic tank. Well, you can't do that, we don't allow that. We are going to run a sewer around to your house.

Four years later I'm still fighting sewer problems. I'm all for Kechi expansion. I'm glad they are putting in fire hydrants, I'm glad they are putting in city streets and water and so forth, I'm for that. I am not against it. But where is our fire hydrants, where is our sewer, that's what I want to know. We're the ones that are paying the taxes, the people that are living there.

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I'm glad that they are wanting to move on, but I would like to know where my sewer is, because I was promised that four years ago. That's all I have. Thank you."

**Chairman Winters** said, "All right, thank you very much, sir. Is there anyone else who would like to address the Commissioners? Is there anyone else? Yes sir, please come forward. Please give us your name and address."

**Mr. Norman Hardin**, greeted the Commissioners and said, "Um, we would like to see sewer run through up Hillside. It would increase the value of our property and such as that, and what we would also like to have some street lighting along there, at least at our drive or whatever. Because we don't have any streetlights. Now, we haven't requested it, we didn't know about what our liberties were. When we bought that property, it was being annexed, but the people we bought it from didn't say anything about it, and we didn't really know that it was being annexed, but we haven't opposed it or anything of that type.

But it would, I don't know how soon we would tie on to the sewer, because to get to our property with sewer from Hillside would be probably 400 yards, or 400 feet, maybe 500. But we would like to see some street lighting, and we appreciate the City of Kechi. We have had police help, and I'm not opposing to any of those things. They have been very nice. What we have talked to them about and we have been to, has been very pleasant, but we would like to see those improvements."

**Chairman Winters** said, "All right, thank you, sir. Is there anyone else who would like to address the Commissioners on this issue? Anyone else? As a part of the public hearing would you like to hear responses from Kechi to some of these questions?"

**Commissioner Unruh** said, "Yes, please."

**Chairman Winters** said, "If we could have somebody from Kechi respond, the public comment portion is open."

**Mr. Manning** said, "As far as the lagoon goes, four years ago I have to say, I was not working for the City at that time. We will check into that. We have allowed lagoons to go in where their septic system is not permissible, or they've had problems. So that would not be a problem I can find. As far as the sewer goes, I would have to check on that, I am not sure, I am not aware of any plans to put a sewer up in that area right now. There's not been a petition filed or anything on that case.

Streetlights, Mr. Hardin, we'll be glad to talk to you about that, and put streetlights in the area. We are not aware that there was any need for them up in that area, but we will be glad to talk to them about that and work with that problem."

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

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Mac, streetlights were not itemized in the service plan is that correct?"

**Mr. Manning** said, "Yes, it is. It said when requested."

**Commissioner Unruh** said, "When requested. So is there a process that these homeowners need to go through to make a formal request? Do they need to come to your office and talk to you?"

**Mr. Manning** said, "Or just call City Hall and I'll be glad to talk to them. We can do it on the telephone or I can stop out and visit them at their home, either way."

**Commissioner Unruh** said, "And then along that same line, like Ryan Tree Farm, who is wanting sewer out there, so forth, is there a formal process to petition for that that you can help them with?"

**Mr. Manning** said, "Yes. It would be through the special assessment process and require 51 percent of the landowners that owned it to the area to being serviced to sign a petition to do that."

**Commissioner Unruh** said, "So, for those services, then, you could contact the citizens and tell them the process they need to go through in order to petition to get those services?"

**Mr. Manning** said, "Yes, sir."

**Commissioner Unruh** said, "Okay. that's all I have."

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

**Commissioner Welshimer** said, "Mac, what was the original process in notifying the people in the area that you annexed, that were you going to do this annexation some years ago, you weren't here then, is there a policy?"

**Mr. Manning** said, "There's a Statute requiring that we send out notices to each property owner notifying them of the pending annexation, and there is a publication that takes place, be in the Ark Valley News, so we met all those requirements."

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So I don't know as far as, you know, new property owners go, we do send out newsletters and things to the properties that we have their addresses and send it out to them. I think we do try to communicate with the people. We will make sure we do a better job of communicating with them then."

**Commissioner Welshimer** said, "When a property sells and a new owner takes over, they are taxed for the City's portion of the property tax and they are just sort unaware, they are in a limbo there that they don't understand what the process is."

**Mr. Manning** said, "There would be probably no reason for them to come in to City Hall to let us know. We find out by checking the post office, with the post office on addresses.

We are, that's one of the things I've been working on doing a better job of, welcoming new people that move in the area, particularly the people that live in the, what I would term, the unserved area, where they don't have water or sewer where they have to come in to City Hall to sign up for utilities. So we will do a better job on that, ma'am."

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

**Chairman Winters** said, "All right. Commissioners, are there any other questions of Mr. Manning? All right, I see none. Thank you very much, Mac."

**Mr. Manning** said, "Thank you, sir."

**Chairman Winters** said, "Is there anyone else in the chambers who wants to address the Commission on this annexation that we're discussing, Item Number B-2? You know, we don't normally have a debate kind of thing, but come on back up and make your comments, sir."

**Mr. Wagner** said, "I just would like to address this. I know he wasn't working for the City and the City Inspector at the time is no longer working for them. This got to be quite an issue about this lagoon. In fact, the Captain, or Chief, I think his name was Mike, I forget his last name, actually showed up at the City Hall because of this.

This Ryan, what he was talking about his business, I am pretty sure he doesn't even have legal limits to put in a septic system, but I know he has one. His business is real close to mine. And all those houses through there are real narrow. To have setbacks for lagoons and septic systems, it's not there. We need a sewer system, and it has been addressed. That's all I've got to say. Thank you."

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**Chairman Winters** said, "All right, seeing no one else, we will close the public hearing and limit discussion to Commissioners and staff. Commissioners? Questions, comments? Commissioner Parks?"

**Commissioner Parks** said, "Well, first off, I'd like to thank the citizen's for coming in and giving their opinion and showing their side of the story. This does have an impact on my voting anyway, to hear what they have to say and to get that information out there. I did drive this area back on Monday and so I'm pretty familiar with the area up there.

I would like to say, by the way, the person that was named Mike, was probably Mike Moore (inaudible) that came into the City Hall and he was Chief of Police at that time. I'd like to say that I do know that Chief Jason Doll and his force does a great job in Kechi and I certainly don't have an issue with that.

During the next, if for some reason this wouldn't pass, during the next two and a half years the City of Kechi would have an opportunity to address a lot of these things that have been heard here today. Now, I don't know that the final vote is going to bring it that way but I've heard issues here about street lights, fire plugs and other things, so I just wanted to say that I think that this is good that the citizens came in to bring this up and I kind of wish it would have happened before, so maybe some of the things could have been worked out, but I'm, don't know that I will be greatly supportive of that in that light. Thanks."

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

**Commissioner Unruh** said, "Thank you Mr. Chairman. It appears to me that the citizens who gave testimony this morning are not objecting to the annexation itself, they just want to see a couple of services that they are lacking provided, and these are services that are going to be provided upon petitions. So it appears it is a matter of just communication between the City and the citizens a what that process is, and establish a time table to go forward.

And so and that process is part of the service plan, I mean, you make a petition under the proper circumstances and the City is required to respond to that, so I think those issues can be resolved as soon as City of Kechi talks with the citizens, and beyond that, it appears to me that the requirements of the service plan have been met, and the citizens are not objecting to being included in the City of Kechi. So I'm going to be supportive of this.

And however, I do appreciate, also, as Commissioner Parks said, you folks came forward and asked for some clarifications, so that you can accomplish what you need to enjoy your homes. So appreciate you being here. That's all I have."

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**Chairman Winters** said, "Thank you. Well, I think I would agree with that. I, again, heard people that have some issues, but I did not hear anybody say they were just opposed to what the City of Kechi was doing, didn't like their methods of operation. I know that Mr. Manning is relatively new to the position, and it would appear to me that this has started a dialogue, hopefully that some of these issues can be solved and straightened out. I'm going to be supportive. Commissioner Norton?"

**Commissioner Norton** said, "Bob, was this an island annexation?"

**Mr. Parnacott** said, "No. Island annexations would be with the consent of the landowner, so it wouldn't have generated a service plan or a need to have a post annexation hearing, if these were adjacent to the City limits at the time they were annexed."

**Commissioner Norton** said, "Where they adjacent because the corner to corner touched, the confluence of the two roads?"

**Mr. Parnacott** said, "You know, the map we have up on the screen is a current City limits. We would have to go back and look at the City limits as they existed at the time to be able to confirm that.

All I can tell you for sure is that they must have been adjacent, either touching corner to corner, the State Statute does not require any particular length of touching, just as long as they are, quote, adjoining to the current City limits they are allowed to proceed with unilateral annexation."

**Commissioner Norton** said, "Okay. I've always been confounded by the patch work annexation of the north side. I mean, if you look at that, the white spaces in between everything and the long strips that run to connect pieces, the corner to corner annexation, it just doesn't, it has never appeared to be logical, sequential annexation that keeps the boundaries tight and offers the chance to give services to people which is part of being in a community anyway.

So I don't know that I'm going to be against the service plan because the two things I hear people wanting most of all, which is sewer service, is described as 100 percent owner finance and has to be petitioned for. The only problem I would have with that, if they weren't notified in the beginning that that's how they get it. If they moved in there later they might assume that that was going to come to them at no cost, because that's a city service that should be provided because you live in a community, not that they are going to have to pay the 100 percent financing.

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I continue to hear that over and over throughout the County for people that moved in later and aren't notified they don't have sewer service or water service, and that if they want it, they are going to have to petition for it and pay for it, because it is something not natural to that area. So it just continues to be confounding that we continue to deal with these kinds of things where citizens aren't notified, they don't know what their rights are, and they are unilaterally annexed, and really didn't have a voice in what later was going to happen to their property. That's all I have."

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

**Mr. Parnacott** said, "In the unilateral process, they are notified, and sent a copy of the Resolution, they are not sent a copy of the service plan. However, the Resolution tells them that a copy of the service plan is available at City Hall for inspection, and then of course the City presents the service plan at the public hearing. They don't get a full copy of the service plan when they are notified of the hearing."

The other point, if I could quickly make, is typically, we try to, typically these cities have limited number of annexations, and we try to group them and get them in one hearing. In this case, in 2003, Kechi had a fairly active unilateral annexation, they did some in the first part of the year which we are addressing today, they did some in the second part of the year that we are going to address at a later hearing. We certainly would be in a position to bring back to you at that time a report on the status of these concerns."

**Commissioner Norton** said, "Well, I guess the positive thing is that Mac is here and the citizens are seeing who Mac is, and they can have someone as a first contact. He may not have been the City Manager at the time, but he's the guy on the firing line now that will have to deal with the citizens, and I think that's encouraging if they've got someone that they can talk to, and look at, and he's at least said in front of us he's willing to visit with them and try to work through this process. So I think that's encouraging."

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

**Commissioner Welshimer** said, "I think the problem compared with someone new coming into a situation, buying a home and coming into a situation of annexation doesn't have the communication that they should have. I don't think this is the first time we've seen this. I think it's the first time, though, that I've really paid attention to that as an issue."

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I'm thinking somewhere in the real estate closing process, I mean, you sign a hundred papers when you close on a home or a building, and what is one more to have a closing process that advises the owner. It could be either by the owners' disclosure or the closing process through the title company, or maybe it would require Legislation, but I'm going to look into it and see what we can do to improve that communication. Thank you."

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

**Commissioner Parks** said, "What I heard here about service was that I'm concerned with is streetlights and fire hydrants. I do know that the process of going through the sewer and household water is a separate thing, and that that will cost the property owner. I also heard that sounded like they were pretty self-sufficient in those things.

And just to add a little bit to what Commissioner Welshimer was saying, this is not uncommon for people when they do get started to get annexed, if they have been in a rural setting and the City is coming into annex them, is to sell property. That is pretty common practice, they want to bail out, they don't want the additional... Kechi, I believe, was about 14 mills at the time, but there are some cities are up to 48 and 49 mills... that the taxes are going to be increased, and they are going to have different rules and regulations coming in.

And I know that doesn't have anything to do with what we're hearing today, I just wanted to say that that is a pretty common practice that some people don't want to live in the city so they move out."

**Chairman Winters** said, "Thank you. Commissioners, other comments?"

#### **MOTION**

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

Chairman Winters seconded the motion.

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

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**VOTE**

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

**Chairman Winters** said, “All right, thank you very much. That concludes this Agenda item. Madam Clerk, please call the next Agenda item.”

**3. PUBLIC HEARING REGARDING SEDGWICK COUNTY’S AMERICANS WITH DISABILITY ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN.**

**Ms. Lindsey Mahoney**, ADA Coordinator, County Manager’s Office, greeted the Commissioners and said, “Before we begin, I would first like to recognize our County appointees to the Wichita/Sedgwick County Access Advisory Board that we have with us today. We have Sanford Alexander, Jerry Davidson, and John Sullivan. We also have several other Advisory Board members in attendance, and I would like to thank them for their contribution to this Board.

As you know, Sedgwick County is committed to ensuring that our programs and services, including all aspects of employment, are accessible to individuals with disabilities. We make this commitment both to comply fully with the letter and spirit of the Americans with Disabilities Act, but more importantly, because it is the right thing to do. As part of the County’s commitment and ongoing efforts to ensure accessibility, we’ve hired an ADA consultant, Kent Johnson, with ADA Accrediting and Consulting, to assist us in evaluating our current programs and services.

This extensive review has resulted in a self-evaluation and transition plan that has been provided in draft format so that the public may be able to review and comment and participate fully in the planning process. Since undergoing our self-evaluation effort, Sedgwick County has taken broad measures to ensure accessibility. We’ve identified ADA liaisons for every department, established training for County employees, maintained ongoing collaboration with the Access Advisory Board, and numerous efforts, such as improvements to the County website, elections process, and closed captioning for our Commission meetings.

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We also recognize that self-evaluation is an ongoing process. The way we work is constantly changing with new technologies, and it is important to recognize that we will continue to evaluate ourselves in the way of accessibility as we move forward with this program. With that, would I like to invite Kent Johnson, our ADA consultant to provide further information on his report.”

**Mr. Kent Johnson**, Operations Manager, ADA Accrediting and Consulting, greeted the Commissioners and said, “Hello, everyone. I’m happy to speak to you today regarding the work we’ve performed in reference to the Americans with Disabilities Act. Basically...”

**Chairman Winters** said, “Kent, could you give your name and address for the record, and your company?”

**Mr. Johnson** said, “Sure. My name is Kent Johnson, I am the Operations Manager for ADA Accrediting and Consulting, located 2207 Burlington Street in Columbia, Missouri.”

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

**Mr. Johnson** said, “Essentially we provided, we examined all internal policies, practices and procedures that the County currently had at the time, including structures. We provided recommendations for changes to those policies and practices, or procedures, including changes to structures. We looked at all County public buildings during the process, during our consulting activities. We also worked with staff internally and recommended numerous changes, including changes to structures.

The structural barriers we found or structural inconsistencies, you might say, as compared to the ADA accessibility guidelines, we found about 900 in all of the around 80 buildings that we examined during the process of our work with the County, and our conceptual cost for correcting those barriers is approximately \$3.5 million, spread out over a 20-year period. And we have prioritized those the removal of those structural inconsistencies over that 20-year period.”

**Chairman Winters** said, “All right, thank you. Are there questions of Kent at this time? Yes, Commissioner Norton?”

**Commissioner Norton** said, “Kent, did any of those structural deficiencies come from us meeting the original ADA guidelines and guidelines have changed in ramp sizes, slopes, curb cut, all of the things that have improved or changed on ADA that he were originally in compliance and over the course of five or ten years we’ve become really out of sync with ADA?”

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**Mr. Johnson** said, "No, not really. The ADA guidelines basically haven't changed since they were enacted in 1990. There's been some very minor changes, but not much. The structural inconsistencies that we found have been is there, it is not because you created something in an attempt to comply earlier, and you did comply at some point in time and then it became a different guideline to deal with. The guidelines just haven't changed."

**Commissioner Norton** said, "How many do you think were preceding the 1990 ADA?"

**Mr. Johnson** said, "Most of them,

**Commissioner Norton** said, "Most of them?"

**Mr. Johnson** said, " Yes."

**Commissioner Norton** said, "So your opinion, in most buildings and facilities that we've remodeled or built since that time, most of them had a better compliance rate than some of the older facilities?"

**Mr. Johnson** said, "Oh, certainly, yeah. In new construction in the last 10 or 15 years we found very few structural problems. So, you know, most of the barriers we're looking at and the costs we're looking at are from older facilities."

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

**Chairman Winters** said, "Thank you very much. Are we ready to proceed at this time with our public hearing, or is there other information we need to discuss before we begin that process?"

**Mr. Johnson** said, "I think we're ready."

**Chairman Winters** said, "All right. One of the comments I would make, Lindsey was telling about what we have done at Sedgwick County, which includes acquiring the services of Kent, we also hired Lindsey. Lindsey Mahoney on staff just recently, her background is in architecture, so she is a structures person, understands structures. I think it is one more significant step that under the leadership of Bill Buchanan we have taken the step to make sure we have a knowledgeable person on staff working on these issues every day.

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As we move forward with adopting our Self Evaluation and Transition Team, it is, we are taking the opportunity to hear from the public. This will be the first of two public hearings for those of you who are watching on television today, Wednesday, the 9<sup>th</sup>, we will have an additional public hearing at 6:30 this evening in the Jury Room on the first floor of the Sedgwick County Courthouse. So if anyone would like to attend the second public hearing, that will be this evening, July 9<sup>th</sup>, 6:30 at the Jury Room on the first floor.

All right. At this time I will open the public meeting to see if there is anyone in the audience today who would like to address the Board of County Commissioners on our self evaluation and transition plan. Is there anyone here who would like to address us today? All right. Thank you very much. We will close the public hearing at this appointed time and hour, and, again, remind folks that we will have another opportunity to address the Board of County Commissioners this evening at 6:30.

I do want to thank all of the Advisory Board Members who are here today or perhaps listening to this broadcast. We appreciate very much the input that citizens have given as assistance in developing this plan, we appreciate the assistance you've given Kent and Lindsay as they develop a strategy to present to the Board of County Commissioners at the completion of this planning period. Commissioner Norton, do you have another question?"

**Commissioner Norton** said, "No, but I do have another comment just for people that may come tonight at 6:30. Lindsey described to us yesterday that they'll have listening devices and we'll try to accommodate in a very nonrestrictive manner anybody that may have a disability or a barrier that maybe they would think, I just can't get to the Courthouse and participate, but we're going to try to make it as easy for people to come and to weigh in on what they believe about our program as they can."

**Chairman Winters** said, "And we would also add to that, that if anybody would like to connect with us via email or letter, those emails and letters will be made a part of a our official record as we go through, again, this self-evaluation. Commissioner Parks?"

**Commissioner Parks** said, "Commissioner Norton touched on quite a few of the things that I was going to. I had one question. The people that are parking in the parking garage can come through the north security door, is that correct?"

**Ms. Mahoney** said, "Yes, that's correct. There's actually extra parking set aside, and everyone can use that north entrance."

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**Commissioner Parks** said, "Okay. And many times we think about, of course, one of the big things in construction and everything are wheelchair bound people, but there are also sight and deaf and hard of hearing anomalies and things we have to get over. So I think I would invite anybody that has any disability of any kind to attend this. I do have a couple of people that told me they would plan on attending. That was one of the questions they had, was do they come through the front of the Courthouse or the north door. So we can advise them, I think they are probably watching now on the closed captioning, and seeing that they can come through the north door now. So thank you."

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

**Chairman Winters** said, "All right. Again, one last call before we close the public meeting. Anyone else who would like to address the Commissioners? All right. Well, thank you all for your attendance. For those of you who may have attended to hear this discussion, if you are in the parking garage, your ticket can be validated this morning in the Commission Office just outside this building. At this time I will close the public hearing, and Kent, thank you very much. Will you be there this evening?"

**Mr. Johnson** said, "I certainly will."

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

**Mr. Johnson** said, "If I could make one more comment?"

**Chairman Winters** said, "Certainly."

**Mr. Johnson** said, "I would be more than happy to. I just I wanted to make it clear that we have worked with hundreds, possibly thousands of state and local governments and surveyed thousands of buildings and facilities, created self evaluations for just about every type of organization you can imagine, and it has been a delight for us to work with the County. The County has accepted the recommendations that we provided more readily than anybody I've ever seen, and systematized into the County, so that these changes that are being made will be lasting into the future, and I just want to applaud the County for the good work that they are doing. I think they are probably in the very top category of the nation as far as the internal work that's going on with the County."

**Chairman Winters** said, "Thank you very much for those comments. We're pleased to hear them. We think that our County Manager and staff have instilled that culture, and the Commissioners try to be supportive, and were very pleased to have Lindsey Mahoney on board with us in her position."

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All right. That concludes this Agenda item. and we will, again, have another opportunity for public comment this evening at 6:30. Thank you again to the Advisory Board members who are here working on this project with us. Thank you. Madam Clerk, will you call the next agenda item?"

### **NEW BUSINESS**

#### **DIVISION OF HUMAN SERVICES – COMCARE.**

##### **C. AGREEMENT WITH EPISCOPAL SOCIAL SERVICES FOR TRANSITIONAL HOUSING PROJECT PAYEE SERVICES.**

**Ms. Karen McNally**, Director of CSS, COMCARE, greeted the Commissioners and said, "As you're well aware, COMCARE's Center City Homeless Program has had a HUD housing project for several years funded by that HUD grant. Part of that is a separate contract service with Episcopal Social Services to provide payee and banking services for those tenants. Since all the folks that live in the Transitional Housing Program have a serious mental illness, a substance abuse disorder and a history of homelessness, they have very little experience or successful experience in managing their incomes or their funds, or even being able to get benefits restored.

Part of the service really has two primary assets for these folks, and one is that we have a built-in component of savings, which is 30 percent of income, if they have it, each month, through the payee banking services that's held for them, so that upon completion of their program at the Transition Housing Program, they'll have a bit of a nest egg to help them move on.

One of our gentlemen, by staying with the program throughout the allowable time, was able to accumulate \$900, for which he then paid the rent on his next home, which was permanent housing, and was able to purchase some of the items he needed for that apartment. Another benefit from the payee services is development of money management skills, learning about budgeting and general cost of living and preparation, again, to move into permanent housing.

Another one of the tenants, from the Traditional Housing Program, working with that service was able to go to school, get a certificate in electrician apprenticeship, get a job, and when he moved from the Transitional Housing Program, he's now been able to maintain, for several months, covering his own expenses and living in his own permanent housing based on his employment and his money management.

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We've been very pleased with the staff and volunteers at Episcopal Social Services and recommend that they continue to be the provider for this HUD subcontract. Be glad to answer any questions you might have."

**Chairman Winters** said, "All right. Thank you, Karen. Commissioners, are there questions or comments? Commissioner Unruh?"

**Commissioner Unruh** said, "Thank you, Mr. Chairman. This is a program that has been established?"

**Ms. McNally** said, "Yes, sir. Approximately six years now."

**Commissioner Unruh** said, "All right. And it is grant funded? The costs of administration?"

**Ms. McNally** said, "Entirely by that HUD grant, yes, sir."

**Commissioner Unruh** said, "All right. The individuals who take advantage of this, they indicated as they graduate or move through the program, they typically have the skills then, to do their management of their funds when they leave this program, or do they need assistance from a family person after that?"

**Ms. McNally** said, "It depends individually. Some will benefit from having one of those natural resources like a family member to continue to assist, but most people really continue on their own at that point."

**Commissioner Unruh** said, "Okay. I notice that this contract is about 11 months. Is that because of the way the grant money came in, or, I mean, are we missing a month, I don't understand that?"

**Ms. McNally** said, "Yes, exactly. It's a good question, Commissioner. This is on a slightly different fiscal year than on that grant, and last year we also had a change of vendors. Previously, The Breakthrough Club had done this as part of this grant. Last year they mutually agreed that that was not something they wanted to pursue in Episcopal Social Services, so there was about a month in there as we transitioned between the Break Through Club and the Episcopal Social Services. Here on those two should match pretty carefully that we would have more of typical 12-month contract."

**Commissioner Unruh** said, "Thank you. That's all I have."

**Chairman Winters** said, "All right, thank you. Are there other questions or comments? If not, what is the will of the Board?"

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**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you, Karen."

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

**Chairman Winters** said, "Next item."

**D. SETTLEMENT OF DISTRICT COURT CASE NUMBER 08 CV 22, CITY OF PARK CITY, KANSAS, VERSUS BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS.**

**POWER POINT PRESENTATION**

**Mr. Parnacott** said, "You held a post annexation hearing last November on the 28th for the City of Park City. I received testimony from some landowners in that case that they felt they had not been provided the services that were set out in the service plan. I brought a map up on the screen that shows, and I probably need to enlarge that a little bit. But you can see the Coliseum Complex there and the properties we're looking at in particular are over here to the east and southeast of the Coliseum Complex."

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Following the public hearing, you made a finding that the City had not provided services as set out in the service plan. The City consequently appealed that to the District Court. That case is pending, but the parties have now agreed to a settlement. The terms of that settlement are that the finding that the services were not provided by the City will be limited to those parcels essentially that we had testimony from, from the landowners. Again, those were the parcels that are to the southeast and then to the east of the Coliseum.

The other parcels that were generally to the west, and I think there is a little parcel to the north of the Coliseum, we received no testimony from those landowners, so the finding will be revised, we're recommending you revise the finding to take those properties out of the finding and the services were actually to find that the services were provided to those properties. The City will dismiss their lawsuit with prejudice, which means they are not allowed to re-file the lawsuit.

We also will specify in the amended finding the particular services that the landowners testified about their concerns, which were sewer issues mainly, but also the limited nature what they felt they were getting in terms of police and street maintenance. The settlement will preserve the right to those landowners, under the Statute, if they feel that in two and a half years they still haven't received the services they were being told they would get, they could petition you for another hearing and you could have a hearing and determine at that time whether the City has provided those services.

We have received a signed copy of the settlement from the City of Park City, they considered it last night at their meeting and did approve the settlement. It just remains for you to approve the settlement and to authorize the Chairman to sign the Settlement Agreement and the Amended Notice of Finding. If you have any questions, I would be more than happy to answer them."

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

**Commissioner Parks** said, "When does the two and a half year time clock start? Did that start back when we made that decision, or has this court case now kind of skewed that?"

**Mr. Parnacott** said, "It runs from the settlement of the lawsuit. I would treat that two and a half years as running from the point that you settled it."

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

**Chairman Winters** said, "All right. Are there any other questions or comments? If not... Commissioner Welshimer?"

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**MOTION**

Commissioner Welshimer moved to approve the Settlement Agreement and Amended Notice of Finding and authorize the Chairman to sign after receipt of signed Agreement from the City of Park City.

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, "Thank you very much Bob."

**Mr. Parnacott** said, "You're welcome."

**Chairman Winters** said, "Next item."

**E. KANSAS COLISEUM MONTH REPORT.**

**Mr. Frank Griffith**, Assistant Director, Kansas Coliseum, greeted the Commissioners and said, "In June, the Kansas Coliseum had a total attendance of 8,245 people from four different events and seven individual performances. The total revenues of the month were \$71,482.59.

The highlights for the month included the Pony of America Regional Horse Show, June 5-8; and the last regular season game of the Wichita Wild Football on June 7. We also had the Katt Williams Comedy Show on June 12 and the Flea Market, June 22.

In July, we just had the Gladys Knight concert last Thursday night, July 13. And in August, we have scheduled the U.S. Weapons Gun Show, and the American Miniature Regional Horse Show. In September, we will host, among other events, the 3 Doors Down concert, September 4; the Park City State BBQ Championship, September 20; The Disney High School Musical, September 19-21 and the Kansas Junior Livestock Show, September 19-22.

I would be happy to answer any questions you might have."

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**Chairman Winters** said, “All right, Frank, it sounds like September will start the pick-up pace again.”

**Mr. Griffith** said, “Yes it will. Very busy.”

**Chairman Winters** said, “All right. Commissioners, are there questions of Frank? If not, is there a motion to receive and file this report?”

**MOTION**

Commissioner Norton moved to receive and file.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “Frank, thank you very much.”

**Mr. Griffith** said, “Thank you.”

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

**F. PUBLIC WORKS.**

- 1. AGREEMENT WITH THE KANSAS DEPARTMENT OF TRANSPORTATION BUREAU OF CONSTRUCTION AND MAINTENANCE TO TREAT NOXIOUS WEED INFESTED AREAS ON STATE HIGHWAY RIGHTS-OF-WAY WITHIN THE COUNTY .**

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**Mr. Joe Brunk**, Director, Noxious Weeds, greeted the Commissioners and said, “This Agreement is just our annual contract that we have with the Kansas Department of Transportation that allows us to spot treat the noxious weeds that grow on their right-of-way areas here in Sedgwick County. We have a really good working relationship with KDOT and would like to continue that for one more year.”

**Chairman Winters** said, “All right. Thank you very much. Any questions of Joe? If not, what’s the will of the Board?”

**MOTION**

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

Commissioner Parks seconded the motion.

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

**VOTE**

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

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

**2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER TWO AND FINAL, FOR SEDGWICK COUNTY PROJECT 628-9-2930; BRIDGE REPLACEMENT ON 39<sup>TH</sup> STREET SOUTH (MACARTHUR) BETWEEN 263<sup>RD</sup> AND 279<sup>TH</sup> STREETS WEST. CIP# B-395. DISTRICT #3.**

**Mr. David Spears**, P.E., Director/County Engineer, greeted the Commissioners and said, “Item F-2 is approval of Modification of Plans and Construction Number 2 and Final for the Sedgwick County Bridge Project on MacArthur between 263rd and 279th Streets West, designated as B-395 in the Capital Improvement Program. This modification, in the amount of \$4,426 dollars, it is a reconciliation of 11 line items associated with the project. I’d recommend that you approve the modification and authorize the Chairman to sign.”

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**Chairman Winters** said, "Thank you. Is there questions for David on this issue? Seeing none, what's the will of the Board?"

**MOTION**

Commissioner Unruh moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, "Next item."

- 3. RESOLUTION DESIGNATING BRIDGE WEIGHT REQUIREMENTS FOR ALL BRIDGES WITHIN SEDGWICK COUNTY, KANSAS; PROVIDING PENALTIES FOR VIOLATIONS OF WEIGHT RESTRICTIONS; AND RESCINDING ALL PREVIOUS DESIGNATIONS OF BRIDGE WEIGHT POSTING REQUIREMENTS FOR ALL COUNTY BRIDGES WITHIN SEDGWICK COUNTY, KANSAS.**

**Mr. Spears** said, "Item F-3 is an annual Resolution which updates the bridge weight posting requirements for all County maintained bridges. We have a total of 638 bridges of which 118 are posted, five are closed and 515 are open. Open low limit bridges are defined as those bridges that can handle any Kansas legal load. As far as posted bridges are concerned, in 1985, we had 318 and as of this date, we have 118, which is a significant reduction over a time period of 23 years.

This Resolution designates bridge weight posting requirements for all of our bridges in accordance with procedures outlined by the Kansas Department of Transportation. Therefore, we will remain eligible for federal funds. I recommend that you adopt the Resolution."

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**MOTION**

Commissioner Norton moved to adopt the Resolution.

Commissioner Unruh seconded the motion.

**Chairman Winters** said, "Is there any discussion? Yes, Commissioner Parks?"

**Commissioner Parks** said, "Just wanted to say on 119th earlier this year, we had one of those that was marked and apparently somebody ignored that and fell through the bridge and the crew got out and fixed that very quickly.

I would just like to say that to the people that are driving these roads, if they have a piece of farm equipment that they don't know, are not sure, turn around and go back. We don't want to have to come out and fish you out or... this person didn't stop and I render they were the ones who fell through the bridge. But we certainly want to make sure that those signs are there for a reason and that to get the word out that those are the, in fact, the weights."

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

**Commissioner Parks** said, "Okay."

**Chairman Winters** said, "All right. We have a motion and a second on our Item F-3, is there any other discussion? Seeing none, call the vote, please."

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

**VOTE**

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

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

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

**G. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JULY 3, 2008.**

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**Mr. Joe Thomas**, Senior Purchasing Agent, Purchasing Department, greeted the Commissioners and said, “There are six items for consideration that resulted from the meeting of the Board of Bids and Contracts of July 3rd. Item one:

**1. CONTRACT SERVICES TO DEVELOP A HAZARD MITIGATION PLAN FOR SEDGWICK COUNTY, KANSAS – EMERGENCY MANAGEMENT FUNDING – MITIGATION PLAN**

The recommendation is to accept the low proposal from CRA Incorporated and execute a contract in the amount of \$159,204. Item 2:

**2. AUTOMATIC TRAFFIC RECORDERS – PUBLIC WORKS FUNDING – TRAFFIC OPERATIONS & MAINTENANCE**

The recommendation is to accept the bid from Jamar Technologies Incorporated for an initial purchase of \$65,000 and to execute contract pricing for one year with an additional one year option to renew. Item 3:

**3. AIRCRAFT HOURLY INSPECTION & MAINTENANCE – FLEET MANAGEMENT FUNDING – FLEET MANAGEMENT**

The recommendation is to accept the proposal from ServiCenter and execute a one year contract with two one year options to renew for an estimated annual cost of \$209,000. Item 4:

**4. ON-CALL PLAN/LARGE DOCUMENT COPY (LDC) SERVICES – VARIOUS DEPARTMENTS FUNDING – VARIOUS DEPARTMENTS**

The recommendation is to accept the proposal from City Blue Print and establish contract pricing for two years with two additional one year options to renew. Item 5:

**5. SHREDDING SERVICES – DIVISION OF INFORMATION AND OPERATIONS FUNDING – DIVISION OF INFORMATION AND OPERATIONS**

The recommendation is to accept the proposal from Cintas and execute contract pricing for three years with two one year options to renew. Item 6:

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**6. VOTING MACHINES – ELECTION COMMISSION  
FUNDING – ELECTION COMMISSIONER**

The recommendation is to accept the quote from Election Systems and Software in the amount of \$76,875. Be happy to answer any questions and recommend approval of these items.”

**Chairman Winters** said, “All right. Thank you, Joe. I just had one on the first item, the Hazard Mitigation Plan, that is a grant funded project, is that correct?”

**Mr. Thomas** said, “Yes, sir, it is.”

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

**Commissioner Norton** said, “On item number, I think its 6, I’d like a little more information on voting machines. How we have decided to purchase more machines, I know we know, because Commissioner Gale has talked to us, but I think we need, at least to explain that he’s gone through a process to determine what else he needed to do for the November election. This is just part of his recommendation. Okay, is there...?”

**Mr. Buchanan** said, “Commissioner, I’d be happy a to attempt to answer that. Mr. Gail is not here this morning.”

**Chairman Winters** said, “Yes, he is. He just walked in.”

**Mr. Buchanan** said, “Mr. Gale is here this morning. Therefore, we have the real expert.”

**Commissioner Norton** said, “Welcome Bill. Did you hear my question by any...?”

**Mr. Bill Gale**, Election Commissioner, greeted the Commissioners and said, “I did not.”

**Commissioner Norton** said, “Item 6 on our Bid Board has to do with purchasing some voting terminals and you had briefed us on that over the last few weeks. There’s been e-mails going back and forth, there’s been Bid Board information, but it’s now on Bid Board and we’re going to authorize paying for it. I just wanted the public to know, kind of the thought process you went through since that’s been a contentious issue with voter groups and everything, give you a chance to tell us how that got on the Bid Board.”

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**Mr. Gale** said, "Thank you, Commissioners. As you said, this has been not only discussing throughout the year to do what we can to be prepared for this these fall elections, and which especially the November election, where we're expecting and planning for record turnout. And so I really feel that we're prepared, as far as through decisions and purchases, you all have approved previously on for our polling places on election day, through the number of voting machines we have and in addition, the paper ballot readers, which really came into play two years ago in the November election and will even more so this November, come into play."

We also have been seeing record turnouts each year and don't expect any different this year in November in advance voting turnout either by mail or also in person at one of either at the election office or one of our satellite voting locations that will be open the week before election day. Now, that's where the critical need or the need for some additional voting machines exists. So with the item before you today, a couple things would help accomplish, to fill that need by having more additional machines to be able to handle the anticipated number of voters we expect to see show up to vote early in person this presidential election, and then also to have us in a good position for elections over the next couple years.

What we experienced with our previous voting machines, our old voting machines, is eventually they start to wear out, have issues. Some we used for parts, for others too, and what not. Eventually the numbers of fully functioning machines begins to dwindle. These additional machines, on your Agenda today, will not only help us for this November's election but also help prepare us for those future needs with these machines as well. I don't know if that, I hope that answered your question."

**Commissioner Norton** said, "I think it does. I think the public needed a little more information because I think there are groups that worry about the election that maybe we're just going to let it happen by serendipity. I don't think that's the case. I think you've continued to brief the Commission on what your thoughts were and we've been engaged in that and are willing to put some money towards your suggestions. I just think it needed to be explained a little more than just a line item on the Bid Board. I'm okay with that explanation."

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

**Commissioner Welshimer** said, "We're approving \$76,875, but that's not the total amount. What is the total amount for all of the requests from the Election Commissioner?"

**Mr. Buchanan** said, "It's around \$300,000 ma'am."

**Commissioner Welshimer** said, "All right. Thank you. I think we need to do this and a I hope it's going to be enough. At least we're doing something and we will hope that we can make this a very pleasant voting experience for everyone in November."

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**Mr. Gale** said, "I appreciate that. As I said, we are planning for a record turnout. We have been able, fortunately, with a couple years, a few years behind us with better information that these new voting machines do provide us, that show us how many voters show up, what hour, what time of the day. We have been able this year, I feel, to be better, to do better planning and preparation for the upcoming election. So we have been able to enter that all, those numbers in the spreadsheet and show, based off the anticipated turnout, the anticipated numbers that will show up early, you know, how many machines and voting stations will it take to accommodate voters.

Like I said, on election day, with the paper ballot, the addition of that, it will be very important and then for the early voting, that's where we're coming up short. So this will definitely fill that need."

**Chairman Winters** said, "Is that all? Thank you. Commissioner Norton?"

**Commissioner Norton** said "I have two other things to finish up with Commissioner Gale. We did encumber some money last year in budget time to be sure that we had a little wiggle room to take care of suggestions that came out of this ongoing dialog, so I think that will be money well spent.

The other thing is we have to wait and see what the election brings. I felt that we needed to be involved in it, in the dialog and the understanding because we fund it. But some of the logistics of it, as electeds need to step back and distanced from that. I don't want to be accused of gerrymandering the system or moving things around in election years. Although we put the money out there and are willing to support whatever the recommendations are, I don't think we have been very high on the front end of saying what had to be done that maybe we would be supportive of what needed to be done. That's all I have on that issue, Mr. Chair, I do have another."

**Chairman Winters** said, "Okay, continue"

**Commissioner Norton** said, "On Item Number 1, CRA Incorporated, I'm going to abstain. If we could take that as a separate item, I'd like to abstain. I didn't realize it, but I have actually done, I wouldn't call it consulting work for CRA, but I was asked to be a subject matter expert on some training they're doing for elected officials. So I have traveled and helped look over a lot of subject matter, and I think that comes from my experience as the mayor during an emergency.

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I have been an advocate for emergency management kinds of things, I have done other training trainings on that. I don't think it's appropriate that I would vote on this. Even though its grant money, it's not general fund money, I'm going to recues myself from that because I do have a connection to CRA and I did not realize it until the last couple days. I am thinking that's the exact company I've done some subject matter work for, I don't want to have any conflict of interest with that."

**Chairman Winters** said, "All right, very good. We'll respect that. They were the low bidder by a good amount. There is certainly no request, question about whether we are taking the low bid or not. If there's no other questions, could we have a motion to approve the Bid Board with the exception of Item 1?"

**MOTION**

Commissioner Parks moved to approve the recommendations of the Board of Bids and Contracts with the exception of Item 1.

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, "Now, could we have a motion to approve the recommendation on Item 1?"

**MOTION**

Commissioner Unruh moved to approve Item 1 of the Board of Bids and Contracts.

Commissioner Parks seconded the motion.

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

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**VOTE**

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

**Chairman Winters** said, "That passes 4 with one abstention. Right. Commissioners, next item. One more item."

**CONSENT AGENDA**

**H. CONSENT AGENDA.**

- 1. 2009 Program Agreement Addendum (renewal) with the Kansas State Department of Education, Child Nutrition & Wellness, allowing the Sedgwick County Department of Corrections to receive meal reimbursement funds.**
- 2. General Bills Check Register(s) for the weeks of July 2 - 8, 2008.**
- 3. Payroll Check Register of June 27, 2008.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "You have the Consent Agenda before you. I would recommend you approve it."

**MOTION**

Commissioner Norton moved to approve the Consent Agenda as presented.

Commissioner Unruh seconded the motion.

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

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**VOTE**

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

**Chairman Winters** said, “Commissioners, that does bring us to the conclusion of today’s Agenda. We do need to have a Fire District meeting, but we’ll be in Executive Session there. Let’s conclude with ‘Other’ portion of our business. Is there any other discussion this morning? Commissioner Parks?”

**I. OTHER**

**Commissioner Parks** said, “In the June Coliseum report that was given by Frank earlier, in June usually the Morgan Regional Show is at the Kansas Pavilions at the Kansas Coliseum Complex, and I’ve been working with Ron Holt and he assures me that some of those amenities that were out there before and that the reason we may be losing some of these shows are going to be back in the renegotiation of the funds for that the showers and other things at the Pavilion.

Just wanted to let them know that we do appreciate the Morgan Horse Club and that they were an asset to the community and they brought a lot of money in. People from everywhere from Montana to Florida that would come into this regional points horse show. Just wanted to let them know that hopefully in the future we will have them back.”

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

**Commissioner Norton** said, “Just a couple of things. Yesterday, or maybe two days ago, we had, Commissioner Winters and I attended another Arena parking meeting and we are getting relatively close to having some agreements with the City on what we think we should do with parking that has to do with the Events Center, but also what the City might want to do with parking that comes in contact with the Neighborhood Revitalization Program that they are trying to put together. Hopefully, we will have something that we can bring before the whole County Commission and we can talk about it at a staff meeting and bring for some kind of an action later.

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But we worked pretty hard the other day. It was a pretty difficult time trying to make sure that we finally got it down to something that we can recommend that the community can support, the Commission and the City Council can support. So we are pretty close, but I wanted to let people know we are still working on Arena parking to make sure that we got the best possible scenario that we can have.

Tomorrow evening at 7:00, I'm going to be having a Town Hall meeting on drainage at the Haysville Community Building in Haysville, south of the Historic District there. We're going to be talking about the areas that have had storm water and groundwater problems. These are not new problems, many of the systems we've already gotten information to about the meeting. I did want to make it public today.

If you have a drainage issue in the area along Hydraulic between 79th and 87th, further south along Hydraulic or in the 103rd and Hillside area, it is a public meeting. I would welcome comments and we are going to continue to be trying to work on solutions for the citizens that have been so effected by storm water and groundwater issues.

The final thing I have, on Friday afternoon, we are having the final report out of our Health Access Project. The three work groups, navigation, coordination and coverage, will come forward. Hopefully there will be a turnout of people that will bring forward some action items that as a Commission and as a community we can start to work on. There was an article in the paper today that a very prominent doctor is talking about medical homes and health access and different ways of trying to solve this issue. Recent reports I've seen from the PU Institute has now said that healthcare, if not the number one issue in Americans minds, its right in the top three.

We will continue to work on that in our community. I don't know that there is an easy solution, but we have had very smart people working on it, trying to analyze it, trying to bring forward very cost effective and efficient solutions, not items that the government will particularly do, but that the community can wrap around and make a difference getting people into a medical home and get them health access. That will wrap up and hopefully we'll have great outcomes to report to the Commission next week. That's all I have, Mr. Chair."

**Chairman Winters** said, "Thank you. Two quick things. The Sedgwick County Fair out at Cheney starts this week. July 10th, Thursday, in the evening, will be the parade at 7:00 in downtown Cheney. The Fair is always a great small town fair. There is a number of the events in our smaller communities that happen each summer and fall, are all great. This Fair has a great amusement ride activities that are very safe and clean. So I would encourage you this weekend, July 11th, 12th, if you want to go to a small town fair, Cheney, Kansas has got it this weekend.

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Several of us will be attending the National Association of Counties Annual meeting in Kansas City this weekend. This is a great opportunity. This is a national meeting. There will be over 5,000 County officials from all around the country and there's certainly, this makes it very advantageous for us to attend since it is so close as Kansas City. A number of us will be participating with the National Association of Counties. Commissioner Norton?"

**Commissioner Norton** said, "When you talk about that, Commissioner Winters, it reminds me, I'm very proud that I'm going to be a panelist presenting our Health Access Project to the National Association County of Health Steering Committee which can be attended by any participant there to showcase one of four counties that have taken a pretty active interest in trying to solve health issues through their Health Department for access into community centers and creating a health access project.

So I think that's another way that we participate. But I am pretty proud that our Health Access Project has gotten some national prominence.

**Chairman Winters** said, "There are always a number of educational opportunities at the NACO annual meetings, so it's good to hear that you are going to be a part of that process. All right, Commissioners, is there anything else before we adjourn this Regular Meeting?"

All right if theres nothing else, the Regular Meeting of the Board of County Commissioners is adjourned. At this time I will call to order the meeting of the Board of County Commissioners, sitting as the governing body of Fire District Number 1 Regular Meeting, July 9, 2008."

### **J. ADJOURNMENT**

There being no other business to come before the Board, the Regular Meeting was adjourned at 10:28 a.m.

**Regular Meeting, July 9, 2008**

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

\_\_\_\_\_  
**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

ATTEST:

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

APPROVED:

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