

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 13, 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, August 13, 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; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Chris Chronis, Chief Financial Officer; Mr. Larry Ternes, Youth Services Administrator, Department of Corrections; Mr. Steve Claasen, Facilities Director; Mr. David Rush, Director, Kansas Coliseum; Mr. David Miller, Budget Director; Amanda Matthews, Communications Coordinator; and, Ms. Evelyn Good, Deputy County Clerk.

GUESTS

Mr. Greg Sevier, Chair, Arena Oversight Committee
Mr. George Fulp, 14220 Donegal Circle, Wichita, KS 67230

INVOCATION

The Invocation was led by Reverend Sherdeill Breathett, Sr., St. Mark United Methodist Church, Wichita

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES

Regular Meeting, July 16, 2008

Regular Meeting, July 23, 2008

Chairman Winters said, "Commissioners, you have had an opportunity to review those 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 16, 2008 and the Regular Meeting July 23, 2008.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item."

PROCLAMATION

A. PROCLAMATION DECLARING AUGUST 2008 KANSAS FARMERS' MARKET MONTH.

Chairman Winters said, "Commissioners, I have a Proclamation I'll read for you. The Proclamation is;

WHEREAS, farmers markets are important nationwide outlets for agricultural products providing them with increased marketing opportunities; and

WHEREAS, more than 4,400 farmers' markets across the country offer consumers farm fresh, affordable, convenient and healthful food products, such as fruits, vegetables, cheese, herbs, fish, flowers, baked goods, various meat products and much more; and

WHEREAS, farmers markets serve as an integral link among urban, suburban, and rural communities affording farmers and consumers the opportunity to interact. Farmers' markets support local anti-hunger initiatives through donations of unsold food and food products to programs that feed needy individuals and families; and

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WHEREAS, the popularity of farmers’ markets continue to rise as more and more consumers discover the joys of shopping for unique ingredients sold directly from the farm as well as the pleasure of buying familiar products in their freshest possible state; and

WHEREAS, our Nation’s farmers, while providing for our needs, are among the best stewards of our land. The United States Department of Agriculture strongly supports and promotes the development, operation, and expansion of farmers’ markets and other direct-to-consumer marketing activities for agricultural producers,

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

“Kansas Farmers’ Market Month”

as proclaimed by Governor Sebelius, to further awareness of farmers’ markets and the contributions farmers make to the daily life of America and to encourage the people of Sedgwick County, known for agriculture, to celebrate the benefit of farmers’ markets and the bountiful production of our County’s farmers with appropriate observances and activities. Dated August 13th, 2008.

Commissioners, that’s the proclamation. What’s the will of the Board?”

MOTION

Commissioner Parks 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
Chairman Winters	Aye

Chairman Winters said, “Here to accept the Proclamation is Kathy Pike and Lisa Corr.”

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Ms. Lisa Corr, Administrative Assistant, County Commission, greeted the Commissioners and said, "Seeing you on a different side of the table this morning. This is Kathy Pike, I'm Lisa Corr, and we're with the Kansas Grown Farmers Market located at 21st and Ridge Road, Saturday mornings and Wednesday afternoons; and Derby, Saturday mornings and also another satellite at 21st and Rock Road Tuesday afternoons. We would like for you to accept these gift baskets that a lot of our vendors contributed to. Also, Kathy Pike, whom I apologize to, I omitted from the list, she raises these beautiful bouquets of flowers. We would like to also give you one of those as a gift from our market. Our market has 125 vendors that are official, and we usually have around 80 vendors, on average, attend our market.

And we have all kinds of meat products, several flower vendors, we have a few craft people and many produce vendors, and our market is just very well attended. We appreciate being able to use the facilities at the Sedgwick County Extension Office, Bev Dunning and her people are so good to us, and take real good care of us, but we just want to thank you for this Proclamation, and thank you, Mr. Parks, for joining in the celebration."

Chairman Winters said, "All right. Well, thank you very much, Lisa. For those of you who may not know, Lisa is one of our Administrative Assistants in the County Commission Office. Lisa is a very active person, and we appreciate your work with Kathy and others as you work on the market project.

And Bev Dunning from Extension is here, and the Extension lot, parking lot, at Ridge Road, has played a major role in your farmers' market for a number of years, and we are certainly fortunate to have the different locations of the farmers' markets. But that is a regular Saturday morning event for a number of people in our community who take a great deal of pleasure in going to the farmers' market. Commissioners Parks?"

Commissioner Parks said, "I just wanted to add to that, you know, with all the food borne illnesses that are out there and what not, we don't know what were getting from China, and the other places across the world. We can feel safe by going to the farmers' market and buying stuff from locally grown companies knowing that we don't have lead or some exotic worldwide germ in our food.

So I did want to say that, in addition to the farmers' market, just farmers in general, it is a hazardous occupation. There are more farmers killed normally than police officers in the United States every year for occupational accidents, and they do go out there and work hard for us. Let's not forget when we go to the grocery store to pick up that item, to look and make sure we're buying USA on it. For the farmers and the blue collar workers, I say thank you."

Ms. Corr said, "Thank you sir."

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

Commissioner Welshimer said, "I just wanted to say that's one of my favorite places to go on a weekend, and particularly right now, the Kansas tomatoes, there is nothing like them anywhere in the world. Not only the farm products, but we have trees and, you know, young trees and plants for your garden, and flowers and arts and crafts are in there, too.

It is a wonderful service to the community, and I think it serves everybody all the way around, and I think it is a good thing to celebrate today. Thank you."

Ms. Corr said, "Thank you."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. I want to express my support for the Proclamation and support of Kansas Farmers' Market Month. Appreciate you all taking the effort to be here. But I also want to thank you for the nice goody basket here, and I took a peek in here, looks like there's good things for us to enjoy. So appreciate you presenting that to us.

And also say what the other Commissioners, that I think this is a really important part of our community and the culture that we have here in Sedgwick County. If you go to the farmers' market and you don't even buy anything, it is a lot of fun just to go, and to see the folks and the excitement that you generate with your activity. But beyond that, I hope that it's economically successful for you all. But once again, support the Proclamation, and thank you for the gift."

Ms. Corr said, "Thank you."

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

Commissioner Norton said, "I grew up in a farm community, and we had a garden on the back side of one of our farms. I can remember vividly going out, picking tomatoes, beans and okra and cucumbers with my dad. Today's busy society and without land, I don't have a garden, so it is nice to go and pick those things up from other farmers and to still have that ability to have fresh fruits and vegetables and herbs and everything and have that feeling of community. One of the things I like about going out there, you see a lot of your friends that you hadn't seen in a long time and it gives you that sense of community that you just don't get sometimes in major big cities. Congratulations, I think everybody out there does great work. My favorite thing is not tomatoes, its corn. Thanks."

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Chairman Winters said, "All right, thank you. Kathy, Lisa, thank you very much for bringing to our attention the Proclamation about farmers' markets, and keep up the good work, you're both doing great jobs out there."

Ms. Corr said, "Thank you, Commissioners."

Chairman Winters said, "Thank you. Lisa would you just take our flowers and then maybe stick them in some water back there so...?"

Commissioner Unruh said, "This one's mine."

Chairman Winters said, "All right, thank you very much. Next item, please."

DONATION

B. DONATION OF "THE GOURMET GUYS" PROJECT BY THE JR. LEAGUE OF WICHITA TO BENEFIT THE YOUTH AT THE JUDGE RIDDEL BOYS RANCH (JRBR).

Mr. Larry Ternes, Youth Services Administrator, Department of Corrections, greeted the Commissioners and said, "The Junior League of Wichita and its Board have elected to provide a Conditional Grant to Sedgwick County for the creation of a kitchenette within an existing training room at our Judge Riddel Boys Ranch Facility. The kitchenette will be constructed for the purpose of the Junior League conducting volunteer services in the form of food preparation classes to the youth served by the Boys Ranch program. This grant is contingent on provision and installation of the furnishings of the fixtures and equipment by the Junior League and their network and will enhance the programming activities at the Ranch that are an integral part of our treatment program there."

I'm recommending that you accept the donation, and authorize the Chair to sign a Letter of Appreciation. I would be happy to answer any questions that you have, but also want to let you know that with us today from the Junior League is Stephanie Brock, Junior League President, I'll ask them to come forward, Denise Vandemer, who is the Cookbook Chair, and Tamara Woods, who is their Director of Community Projects."

Chairman Winters said, "All right, thank you very much Larry. Ladies, welcome to our meeting this morning. Let us go ahead and make this motion and then we'll have a couple of comments. Commissioners, do we have a motion to accept the donation and authorize the Letter of Appreciation?"

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MOTION

Commissioner Norton moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

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, “Ladies, please step forward to the microphone. We certainly appreciate this very generous donation that has really some effects beyond just what we see here and now, but as a real training and learning experience, we appreciate this very much, and if you would like to make a comment, we would be glad to have it.”

Ms. Stephanie Brock, President, Junior League of Wichita, greeted the Commissioners and said, “Thank you. I just have written up a quick little statement I would like to read today. It is a true honor for the Junior League of Wichita to be able to assist our community with the Gourmet Guys’ project. For over 83 years, the League’s members have been turning community need into viable and positive solutions, and this coming year is obviously no exception. With our gift of over \$16,000.00, and the dedication of our trained volunteers, the Junior League is sure to make a positive difference in the lives of the young men at the Ranch.

With the new teaching kitchen and nutrition, and the nutrition and etiquette guide, the Ranch will be able to fulfill its mission of being a home-away-from-home for these young men and provide skills and knowledge that I think will serve them well into the future. The members of the League truly do build a better community and are honored to partner with the Judge Riddel’s Boys Ranch. Thank you so much. Ladies, do you have anything? Do you have any questions for us”

Chairman Winters said, “Well, I just, again, am a little bit overwhelmed by the, and it is not necessarily the gift itself, but it is still the long benefits this gift can have over a period of time, and I just think it’s a very good gesture from the Junior League. I’d say that you picked a project here that is one that takes a whole community to figure out how to make it best for

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particularly our young people, and particularly those who are having difficulty. No one group can do everything that needs to be done, and this is certainly a very wonderful and good gift that you've given so."

Ms. Brock said, "Thank you very much."

Chairman Winters said, "So Stephanie, Denise, Tamara, thank you all for your work on this project. Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. I want to echo the Chairman's comments and just thank you for your creativeness. This is kind of a little bit out the normal lines of what you might do. It is a great idea and I think it will provide all the positive benefits the Chairman described. Also, it's a great name, Gourmet Guys, that's a good name. But thank you for your part in helping our community be better."

Ms. Brock said, "Thank you."

Chairman Winters said, "All right, thank you again, Stephanie, Denise, Tamara, thank you for being here this morning and thanks for all your work on this project."

Ms. Brock said "Thank you so much."

Chairman Winters said, "Madam Clerk, would you call the next item?"

CITIZEN INQUIRY

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING TAXES IN SEDGWICK COUNTY.

Chairman Winters said, "Commissioners, this is the time in our Agenda when anyone who wishes to address the Board of County Commissioners can contact the Manager's Office and get on our Agenda. We welcome those who want to address us, and we try to limit the time to five minutes. So Mr. Fulp, welcome."

Mr. George Fulp, 14220 Donegal Circle, Wichita, KS 67230, greeted the Commissioners and said, "Thank you, Mr. Chairperson. Good morning Commissioners. In the nation's capitol, Washington has the Department of Treasury, which can issue debt and print all the money that our government wants for whatever reason. States like Kansas and counties like Sedgwick can't print money, per se, but to obtain the dollars that the Commissions want or need in each county, each County has his own tax collector, and we call him the County Appraiser. Although embodied loosely in written voluminous State Statutes, our County Appraiser is hired by and

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reports directly to this body. As Mr. Buchanan points out on page 112 of the current budget, your Appraiser accomplishes his mission in conjunction with the International Association of Assessing Officers, the Kansas County Appraisers Association, County staff members and WSU, which by the way, wants \$7 million from us in the upcoming budget next year. We don't see objectivity there. To us, it sounds more like an Elks Club fraternity, or a lot of foxes in the chicken coop.

Prior to 2007 when this Commission passed by a majority vote, a major increase in the tax mill levy, the County budget ballooned from \$190 million in 1997 to \$365 million. One doesn't have to be smarter than a fifth grader to figure out that all these additional billions of dollars came into the County coffers by your County Appraiser raising property values, valuations, which leads to higher taxes, while the tax mill levy stayed the same. All of us taxpayers in this County have heard for decades from politicians, 'we haven't raised the mill levy in years', you don't have to. As long as your tax collector, your County Appraiser, keeps raising evaluations on property.

The 2008 County mill levy's total 49.815, this includes the Fire District. The proposed 2009 mill levy totals 48.793, including the Fire District. So the mill levy reduction being bantered about for next year is actually slightly less than one point, and the property tax relief is slightly less than the stated 3 percent. But it makes no difference; it makes absolutely no difference, because city taxpayers, property taxes will still be higher for most of us than they were last year anyway. Why? Because your County Appraiser makes our city as an island to itself, immune from what's happening in the rest of the world and raised property valuations, ranging from 3 1/2 up to 15 percent in the last cycle while the rest of the country has decreased in valuation reportedly at seven to ten percent nationwide.

The promise by members of this body not to increase the mill levy for five years is meaningless, it is misleading, and it is a sham on the taxpayers of this community, unless you also promise that for the next five years you will not allow the County Appraiser to raise property valuations. If this means taking on Topeka, so be it.

Now, Commissioner Norton, you seem to like noble causes. Well, would you like to take on this noble cause? Will you take this on and help us, and the residents and taxpayers of Sedgwick County by promising today, you, Mr. Unruh, everyone else, that you will not allow the County Appraiser to raise property valuations for five years? That's the challenge, and we hope and wait for your answer. Thank you."

Chairman Winters said, "All right, thanks, Mr. Fulp. For those of you who may be listening, this is never a good time, really, to get into a debate at this point in time, but Mr. Fulp's comments were so full of holes that it's just almost not able to respond. Our County Appraiser is not the problem here. Our County Appraiser follows the Constitution of the State of Kansas,

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and the Kansas Department of Revenue oversees our Department Appraiser. The Appraiser's work is judged and valued by them on practically every sale that's made in this County. So to blame the County Appraiser for any problems that Mr. Fulp believes our County is having, I believe, is just completely incorrect. Commissioner Welshimer?"

Commissioner Welshimer said, "Well, I would just reiterate what you just said. Our County Appraiser is not a tax collector, he is in charge of fair and equal taxation, and that's his job, to assure that everyone is fairly valued for the purpose of taxation, and he has nothing to do whatsoever with taxing. He doesn't report 100 percent to the County Commission..."

Chairman Winters said, "That's correct."

Commissioner Welshimer said, "...he is reporting to the State, and he's audited by the State, and that audit affects us. We cannot stop an increase in property values if they are selling for more. If they sell for less, then those values are gonna down across the board. But we can't, you know, we're not controlling what's happening in the market. We're just documenting that. Yes, the tax has been collected in the past on those increases, whereas if the mill levy had been rolled back, those increases might not have existed.

That's happening across the State in every city, in every county, it's not just here. It has been a way to keep up with the rising cost of government, and it is a very difficult task to address the situation, and we're having to give it our most dire attention, and trying everything we can to overcome that situation to where possibly in the future we can roll back the mill levy to an equal amount to the amount of increase in values that has taken place on the market. But at least we're rolling it back this year, and it hasn't been an easy thing to do, and we don't want the County Appraiser being blamed for something that is just absolutely not his fault."

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

Commissioner Parks said, "In 2008, so far I've kept track of how many times I have contacted the Appraisers Office, and that number is 32, and when I see gross, what I figure to be gross overcharges or increases in the property tax, I will call the Appraiser and ask him to come, or his staff to come, to my office, or via email, provide me with various comparables and fair market transactions. So, to say we're doing nothing is not correct, but that I personally, anyway, am calling Mr. Borchard and his staff and I do try to go out and fight for the person to show us the comparables, show us the fair market value on these things.

And I would have to say that about 30 of those have been adjusted. There are two that haven't. One of those I agree with, one of them I don't. But I think that's a pretty good record for the people in my district that have contacted me. So I wanted to just share that with you."

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Chairman Winters said, "All right, thank you, Mr. Parks. Is that it?"

Commissioner Parks said, "That's it."

Chairman Winters said, "Thank you very much. Next item, please."

PUBLIC HEARING

D. 2009 SEDGWICK COUNTY BUDGET.

1. PUBLIC HEARING REGARDING THE 2009 SEDGWICK COUNTY BUDGET.

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "Today is the last day for the public hearing on this budget. You will recall that I presented to you a recommended budget of some \$401 million of which \$386 million is operating funds.

You have worked on this budget since the spring. We have had ten or more sessions lasting two to three hours regarding the details of this budget in your workshops and at staff meetings and we have spent a great deal of time together talking about this spending plan for 2009. Mr. Chairman, it is appropriate, at this point, for you to open the public hearing and hear comments from the public about their concerns, issues and needs. Thank you."

Chairman Winters said, "Thank you, Mr. Manager. Commissioners, any questions before we open the public hearing? Seeing none, we will open the public hearing. The public hearing is now open to take comments from the public on the 2009 proposed budget. Is there anyone here from the public who wishes to address the County Commission on this budget? Please come forward, give your name and address for the record, and we will limit you to five minutes."

Mr. George Fulp, Fulp and Associates, 14220 Donegal Circle, Sedgwick County, greeted the Commissioners and said, "Point of order inquiry, Mr. Chairman. It might help those of us who have some comments if we could hear staff report and recommendation first. It might stimulate some thought or put away some ideas."

Chairman Winters said, "The staff recommendation, the staff report was given on July 13th, I believe, at least three weeks ago. The order of procedure is today, we're going to have the public hearing and your five minutes is running."

Mr. Fulp said, "On the 13th, we tried to point out in some detail line items to which, if the Commission could address itself and staff could pull \$4 to \$5 million off this budget, return that and an increased the mill levy reduction this year. As it stands, the only budget that has been presented is the one we saw on the 13th, there's been no revisions made. So we reiterate those

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suggestions that we made on the 13th. They do not touch vital services, police, fire, et cetera which we all depend upon, but still at the same time could save another \$4 to \$5 million if this Board would take action to send this budget back to staff and to make cuts in those areas that again do not touch vital services and return those savings to the taxpayers and an increased mill levy reduction. Thank you.”

Chairman Winters said, “Is there anyone else in the Board Room who would like to address the Board of County Commissioners on this budget, this is a public hearing? Yes? Oh, I thought you were standing up to talk. Is there anyone else in the room who would like to address the Board of County Commissioners on this budget? Seeing no one, we will close the public hearing. Public comment period is now closed. Mr. Manager? Oh, that was an item, so, Madam Clerk, call the next item?”

2. ADOPTION OF A FUNDING RESOLUTION FOR THE 2009 SEDGWICK COUNTY BUDGET.

Mr. David Miller, Budget Director, greeted the Commissioners and said, “The funding Resolution before you today finance for the 2009 budget is one that you’ll likely see before you of every year in the near future. And I say that as a result of the changes that the State Legislature took several years ago, to exempt new commercial machinery and equipment from the property tax levy which places us and other local jurisdictions in an unfavorable position when it comes to satisfying the State budget laws related to how this resolution is computed. The State budget laws, which require you to adopt a funding Resolution, are fairly simplistic in their description, stating that a governing body must adopt the Resolution if it intends to levy more taxes to fund the 2009 budget, than what it funded in the previous year, subject to certain exceptions. But it is the last portion of that sentence, ‘subject to certain exceptions’ that makes the computation of when a Resolution must be adopted far more complex.

First of all, property taxes levied to repay bonded indebtedness is excluded in the computation mandated by the State. Because our one mill proposed property tax deduction is a result of eliminating debt service related to the jail expansion project, that one mill reduction plays no part in whether this Resolution must be adopted. In fact, if debt wasn’t excluded, per the State Mandates, this Resolution would not be in front of you today. The other exceptions pertaining to the growth of the assessed valuation of the jurisdiction overall. If the total assessed valuation has grown more than the growth experienced from a combination of new improvements, changes in the use of real property or in addition to increases in personal property, then this Resolution must be adopted.

The reality is, Commissioners, that because of the action the State Legislator took several years ago in exempting commercial machinery and equipment from personal property taxation, this Resolution most likely will need to be adopted every year in the foreseeable future. I’d be

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pleased to stand for any questions, if there are none, I recommend that you adopt the Resolution. Thank you.”

Chairman Winters said, “Thank you, David. Commissioners, are there questions about this Resolution? Seeing none, is there a motion to approve this funding Resolution?”

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Winters said, “Next item.”

3. ADOPTION OF THE 2009 SEDGWICK COUNTY BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM.

Mr. Buchanan said, “Commissioners, you have the budget before you, you’ve had the public hearings, you’ve had workshops, you have the budget of \$401 million total, but the County budgeted \$386,083,096.00, and the Capital Program \$61,393,721.00. I would recommend you approve that budget.”

Chairman Winters said, “Thank you, Mr. Manager. Commissioners, are there comments about this budget? Commissioner Norton?”

Commissioner Norton said, “One of the things I’m still a little iffy about, and I don’t know that it has to be discussed as far as a budget item, the capital expenditure on sirens is something that I’m still debating in my head as to whether we need to spend \$800,000 to do that project. For me, it is not as much about upgrading technology and being sure they work properly, but I’m not so sure I want to define it smaller areas to alert people and not keep it County wide.

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For me, if we only access it two times a year, which we did this year, I think I would rather have more people understand that there's inclement weather outside and to shelter themselves or to get information as opposed to less. I'm still debating that in my head. I don't know that I 'm ready to say we need to pull it out of the budget. I guess we could leave it in the capital budget and not do the project next year and make the decision later. I probably would be willing to pull it out of the budget, but I don't know that it will have much impact on the mill levy even if we do that."

Chairman Winters said, "That's correct. I think it is a project that's funded by cash so it would have some, but we did have a rather lengthy discussion at a staff meeting just a few weeks ago, and I would think if we came to a conclusion at that staff meeting, if it was, we weren't exactly sure what we wanted to do. So I agree with you, I think there is more discussion to be had. Mr. Manager, if we would proceed on and leave this item in the budget, there would certainly, we could still have check points in time where we would again continue to gather information and then make a decision at some point in the future, would that be a correct statement?"

Mr. Buchanan said, "Absolutely. Since our discussion became public a month or so ago, we have had lots of contacts by lots of vendors who have lots of solutions that are worth pursuing, so we're not, we have the money put aside to upgrade our sirens, and I think we need to think about it in a way that it is not just about the ability to direct which sirens will go off, we need to you upgrade them so that they are digital nature, rather than the current way they are.

So we are going to, it seems to me, we are going to have, if we're going to continue down the road of using sirens as a warning device, we going to have to upgrade them in some manner. How that's done certainly hasn't been determined. The need to upgrade them remains."

Chairman Winters said, "All right, thank you. I would just say, at this point in time to any citizens who may be listening, again, outdoor warning systems are designed to warn those who are outdoors. They are not intended to be a warning device for those who are inside their residence. So I've had several calls since we've had that discussion with people just confused about the real role of sirens are. Commissioners, I see several other requests to speak, is this in regard to the sirens? Commissioner Parks?"

Commissioner Parks said, "I think we need to leave it in the CIP, that is a flexible account. The technology is improving all the time on this. I know when we went to the National Association of Counties; there was some new technology out there then. I can guarantee you that some of these sirens are Korean surplus stuff. Go out and look at it, and I have, I've gone out and looked at some of the stuff in the field, and I will tell you that there needs to be an upgrade. How far we need to go on that, I think this account is flexible enough that we can serve this line item. I am not going to recommend we do anything with it."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. I just have one comment on the sirens. I share Commissioner Norton's perspective, I think that we need to continue to investigate the issue and understand the fact that an upgrade is necessary and required as we go forward, and for that reason I'm willing to leave this in our budget. However, I think the response from local vendors after our previous conversation implies to me that we've got lots of options, and so we need to thoroughly investigate those to make sure we get what we want and the best value for what we want. I'm willing to leave it in there.

Just a general comment about the budget, Mr. Chairman. It may appear that this is just a perfunctory exercise by us to approve the budget today because we're not, we don't have a lot of conflict or a lot of gyrations that we're going through to try to get something that we can all agree to. I would just want to make a statement again that there has been a tremendous amount of activity, analysis, assessment and evaluation by our Budget Department and by all those involved with developing this budget as we come to this point. And we have been involved with that process early on this year as we tried to understand the budget as Commissioners, number one, but become comfortable with what we're proposing as we try to fulfill the mission of Sedgwick County government, which is to provide quality public services for our citizens, both now and in the future, so that the citizens of Sedgwick County can have the benefit of this taxing that we've been talking about. And I think that the process that we've gone through has done that for us this year.

We have a continued focus on what is termed essential services in our budget, Public Safety, Public Works, Community Development, health and human services, and also cultural and recreational activities that we have in Sedgwick County. So we've had, I believe, a balance in all that, we've done an analysis of each those areas to come to a conclusion of what we want to be supportive of. And, as has been said, we have in that process, not only provided those elements, but we've reduced the tax rate. And as has been said, perhaps it's not as much as we would like to have reduced it, but nevertheless, it is a reduction, which I think most of our citizens are welcome and thankful for.

The big driver of the budget continues to be public safety, and I think that through all our discussions we've clearly given the signal we're doing our best to manage that issue, so that tax moneys are used wisely as we provide for public safety in the community, and our alternative programs of day reporting and our Offender Assessment Program, Drug Court, D.A. Diversion, all those are programs that we've used, they are not without cost, but they do allow us the opportunity to go forward providing the right balance of programs along with our Sedgwick County Adult Detention Facility. So we have, we are providing for public safety for our citizens.

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We've made corrections in our pay schedules, especially relative to shift differential for second shift workers, we've allowed for increasing fuel costs, I think we have a reasonable Capital Investment Program, we're having to build two new courtrooms, which is just a necessity that's imposed upon us. We are providing for development of the Big Ditch, what might be required there so we can meet FEMA accreditation. We've got a big project with Public Works, widening Meridian from 47th to 71st.

So, I just kind of rehearsing through these elements to let our citizens know that this has been a thoughtful, deliberate, analytical process to get us to this point. And we are going to receive about \$128 million worth of property taxes towards a \$386 million budget, which means that our property taxes fund about a third of the budget and the balance comes from fees for services and grant money and intergovernmental transfers, this sort of thing.

But, you know, I've said a lot here, I just want to say this has been a thoughtful, deliberate process, and I think a very efficient leveraging of tax moneys to provide services for Sedgwick County citizens, and I'm going to be supportive of the budget."

Chairman Winters said, "Thank you very much. Commissioner Welshimer?"

Commissioner Welshimer said, "With that said, I'm just going to take the one mill levy, pull back and run."

Chairman Winters said, "All right. Anything else?"

Commissioner Welshimer said, "That's it."

Chairman Winters said, "Thank you. I guess, well, Commissioner Parks, go ahead."

Commissioner Parks said, "I just wanted to ask about, kind of clarify some things on the front page of the Eagle this morning, \$750,000.00 is our share of the AirTran portion of the fair fares?"

Mr. Buchanan said, "It's a later Agenda item, yes."

Commissioner Parks said, "That's all I need to know. Thank you."

Chairman Winters said, "All right. Commissioner Norton?"

Commissioner Norton said, "I continue to hear, when you get into political rhetoric, we have to do a line item review. I got to tell you, after ten meetings, we did line item reviews. We listened to staff, many of us have looked over a lot of budgets in our lifetime, not only

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governmental budgets, but business budgets, and that idea of line item review has been done. The truth is when you look at governmental budgets, particularly the County, a large portion of it is personnel and benefits, so that if you get into eliminating personnel, you are eliminating touch points of where citizens get services and then the dialogue becomes, do you want to eliminate touch points and services to the community, for people of all socioeconomic genders touch our County to get those services. And I came to the conclusion that this year if we could work on a mill levy reduction, that was important.

You know, we have had great angst over the jail. The Sheriff has advocated and advocated well for an expansion of the jail. We have some colleagues that worked hard to try to understand the population of the jail, the judicial system, the State laws, what happens in the jail, and have come to conclusions that maybe some alternative programs might shift the tide that is rising in jail incarcerated populations. I think, very prudently, we made a decision this year that maybe moving headlong into building a jail right now at this point in time is not a good idea. And that gives us ability not only to roll back the tax one mill, which I think is important to people, obviously, but to also be very thoughtful about the infrastructure that we need for public safety and what does that look like, where do we spend our money.

The other part of that whole conversation is the money that we put into the bricks and mortar is only the first part of the scenario that will play out. It is \$7-\$8 million more operating to take care of that 350-400 new inmates, and that's ongoing, forever. And you know, I know as business people and people in the community, they understand a lot of times building the bricks and mortar your business is the easy part. It is maintaining the electricity and the commodities and the extra costs year after year after year, even after you paid for the bricks and mortar. We have the same issue with the jail. It is certainly not that we want to be soft on crime or not support the judicial system, but it is very expensive to build jails, to operate jails, and I think we went through a gut wrenching conversation about where we wanted to go with jail expansion. Big issue this year, we took it on, it does have other implications and one of them was a good implication, that we can reduce the mill levy a little bit and give some property tax relief.

The other thing is we talk about things that where the big wins are, where you can get rid of a lot of money. Obviously the Zoo, \$5.5 million; WSU, \$7 million; some of the other cultural things we support, \$3 or \$4 million. But when you get into the belly of the beast and you talk about our community and what is good for our community, I don't know that I have the stomach to say, 'I'm going to look at the Zoo and say we can easily save almost 2 mills by getting rid of our subsidy to the Zoo'.

And there was a vote years ago to subsidize WSU, you know, some of us have questioned that in the last few years. We went back to the table with WSU, they've shifted their emphasis into scholarships for our kids here in Sedgwick County, which I think is awesome. We also took some of the money that had kind of layered on over the years, and shifted that into Jabara for

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technical education and helped make WSU a great partner of NIAR and the National Center for Aviation and Technical Research. I think that's positive for our community. So it is not that we haven't looked at that money and how it is spent and where it's gone, in fact, we've pushed to morph that into something better for the community that exists today, not the community that exist in 1984 when we started moving on that.

Debt service also is, obviously, another issue. We're well under our debt service limits as a County. We have not, helter-skelter, spent right up to the very edge and then have to worry with that. We still have plenty of capacity over the next few years and have been very prudent of where we are spent money on capital projects and kept it under the debt service load. I am in agreement that I can safely feel good about this budget.

I know there's a lot of extreme emotion about reducing taxes overall from the federal level on down, but you know, to run government, to run it properly, make us a progressive community, take care of all citizens from the highest social economic level to the lowest, we are charged with making tough decisions. Part of that tough decision is the jail and many other line items that we've dealt with. I think we've done that. We've prudently had a lot of conversation at staff meetings. Probably the unfortunate thing about that, is it is not filmed and every citizen doesn't get to know every little thing that we've looked at, talked about, processed, analyzed, discerned, and that's too bad, because we've done all of that. That's our charge as elected officials, to represent our constituents; I think we've done that. I know there will be people out there who don't agree with bits and pieces and parts of the decision we've made as they try to analyze our budget. But it is not because we didn't take a look at it.

I am going to be supportive of the budget. There's still some things like the sirens that I, kind of, am a little dicey on, but we'll make that discussion throughout the year as we get a more information. That's all I have Mr. Chairman."

Chairman Winters said, "Thank you very much, Commissioner. Well, I would make just a couple comments. I certainly agree with Commissioner Welshimer in the fact that one mill reduction is better than a poke in the eye. And I think we're going to run with that, I think we've done a good job. Commissioner Unruh is right, we started this process in February of this year when we held the workshop meeting of all the Commissioners talking about what each of us was expecting. We meet regularly on Tuesday mornings at 9:00 in a staff meeting that's open to the public, anybody can attend, and we have talked about this budget numerous times over this spring. Again as we said before, there are two issues that I think that we've done good work with, there's many, but there's two I want to mention.

One is, I think we've come to a conclusion this year that we cannot build our way out of our jail crisis. The public safety issues are what has driven this budget, the public safety issue is what drove this budget two years ago when we had a mill levy increase, and I think you can explain that by saying that the Commissioners are very concerned about the safety of the public, and we

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want to make sure that we have places and programs in effect that can keep the public safe. But it also becomes very frustrating when you think about building a 400-bed expansion that will be overfull the day you open it, and if that's the alternative, you need to start looking at the next 400 or 500-bed expansion. And it probably won't happen on this piece of property, it going to be someplace else. It would have to be offsite. So I think we've taken a tact here that we've got to look for other alternatives. I think we are very fortunate that the District Court judges have been very supportive of that and want to be a part of the solution. Now, if we can get our municipalities to play along and look at some revisions in the Municipal Court activities, I think that will be important. But the citizens need to remember that we want to have people in our detention facility who are a menace to society and will cause harm and damage, those who will not need to be in some other kind of facility. So I think we've made a good decision on the detention facility.

The second thing that I'm still proud of, is we're continuing to focus on jobs. I've been very supportive of the National Center for Aviation Training and will continue to be as long as I am here. We had a huge announcement this year when Cessna Aircraft made the decision to build their next generation new plane here. And I think for a long time we've known that the aircraft industry probably would not move their 'legacy' airplanes away from manufacturing here, but it is the new airplanes that are so important. I think we're going to have another announcement soon that the community is going to be very pleased with. And if we hadn't have had a facility like the Center for Aviation Training taking shape and under construction now, I believe those aircraft manufacturers would be looking at other parts of the country or other parts of the world to build their new aircraft.

So I think we have stepped up to the plate, and I'm proud of those decisions that we've made. So Commissioners, I think we've worked on this budget a long time, and as Commissioner Norton said, I know that there are parts of it that each of us may not agree on every issue that's here, but I think it is important that we be unified in saying that we've worked on this budget and we're all going to support it. I appreciate all the work that the Commissioners have done. Commissioner Parks?"

Commissioner Parks said, "I am going to repeat just a few of the things that Chairman Winters just said in the last part of his. There are some line items that I do not agree with and don't support, but as a whole, we've come a long ways on getting the budget to where we could have a mill levy decrease. A lot of the detention issues that are dealt with are beyond our control.

State laws change and say we are going to let you keep your fourth DUI's in your local jail instead of sending them to prison like we did 10 years ago or 15 years ago with insurance, third and fourth insurance, no insurance for traffic people. They mandate the laws, so there is a lot of things out of our control at the jail, and I think, we as a body, need to be more interactive.

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And I agree with Mr. Fulp about getting to the State level and some of those issues, too, that may not be readily transparent to the general public that we need to tell the State, 'hey, quit pushing a lot of this stuff back on us, and before you make a law about an insurance contract, think of the ramifications you're going to have on local jurisdiction'. But I am going to be supportive of this budget. Like I said, I do not like all of the things, but as a whole I think it is the best we can do. Thanks."

Chairman Winters said, "Thank you. Commissioners, are there other comments about the budget process, or questions? Seeing none, we're ready for a motion."

Commissioner Welshimer said, "I move we take the recommended action."

Commissioner Norton said, "You need to read..."

Commissioner Welshimer said, "Are you doing it?"

Commissioner Norton said, "Oh no, go ahead, but you have to read the whole...make sure..."

Commissioner Welshimer said, "This one right here?"

Commissioner Norton said, "Yep."

MOTION

Commissioner Welshimer moved to adopt the budget Resolution for the 2009 Sedgwick County Budget that includes an operating budget of \$386,083,096.00 and the 2009 the Capital Improvement Program \$61,393,721.00 the total operating budget includes a certified budget of \$263,855,860.00 and is partially funded with a property tax levy of \$128,049,299.00 which is approximately equivalent to 30.315 mills subject to review and technical adjustment.

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, “Now, there is nothing else we need to do, that concludes the budget here. We need to adjourn...”

Mr. Buchanan said, “Recess.”

Chairman Winters said, “We need to, yes, not adjourn, we need to recess the Regular Meeting of the Board of County Commissioners, so we are in recess and we will move to the Fire District.”

E. RECESS TO THE FIRE DISTRICT #1 MEETING.

The Board of County Commissioners recessed into the Fire District #1 Meeting at 10:03 a.m. and returned from recess at 10:09 a.m.

Chairman Winters said, “I will call back to order the Regular Meeting of the Board of County Commissioners, August 13th. Madam Clerk, would you call the next item?”

NEW BUSINESS

F. AMENDMENT NO. 1 TO THE MANAGEMENT AGREEMENT BETWEEN SEDGWICK COUNTY AND SMG.

Mr. Buchanan said, “You, on August 1, 2007, entered an agreement with SMG to provide preopening consulting services and management services for the Intrust Bank Arena and the Kansas Coliseum. The agreement contains several provisions, but the important one is to provide management services for the existing facilities at the Britt Brown Arena and the Pavilions, and if the County elects to continue to use it as an event venue, all Pavilions facilities and other facilities.

This contract was to begin on January 1, 2009, because of circumstances, we found ourselves in at the Kansas Coliseum Complex, our food vendor, whom we had a contract with, decided they didn’t want to be our food vendor anymore and canceled the contract. Rather than go through a process of trying to find a new food vendor, we thought it was prudent to enter into discussions

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with SMG, since they're going to be taking over that function in January. So we are asking you to amend the contract, which allows them to be our food vendor at the Kansas Coliseum and begins a period of consulting services to us as we transition all the functions of the complex to SMG. What I mean by that is, to make sure that the phone systems, to make sure the accounting systems, to make sure the employees are dealt with in a way that is smooth and easy transition. We believe the several months between now and January 1st will allow us to do that and have SMG run the food services.

We have with us Chris Presson, the general manager of our facility downtown and for the Kansas Coliseum, and we have Harold Feldman, I'm not so sure of his title, but he's really important in SMG, here to answer any specific questions if you have. I would recommend that you approve this amendment to the contract."

Chairman Winters said, "All right, thank you. I guess the only question I would have and I think it's obvious by their presence, SMG is ready to step up this time frame and move in, in a quicker fashion instead of waiting until January 1?"

Mr. Buchanan said, "We were waiting to, for them to receive a liquor license from the State, that has occurred, but allows us for this transition to occur now."

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

Commissioner Parks said, "On 1-A, you mentioned the liquor license there. I see that the one of the amendments is limited to the cost of procuring and maintaining a liquor license by SMG. I want to know what's driving that, what expense are they, are they incurring great expense to procure and obtain a liquor license on that?"

Mr. Dave Rush, Director, Kansas Coliseum, greeted the Commissioners and said, "That is the filing fee with the State for the yearly liquor license."

Commissioner Parks said, "Okay, now the County will be paying for that instead of SMG?"

Mr. Rush said, "To try to simplify, the food service at the Kansas Coliseum will be primarily in house. SMG will be providing a manager, which they will be reimbursed for, and we will be buying all the products and everything in house. Hopefully, we're going to provide a better service to our community, up scaling the food service and a better bottom line and better service to our horse shows and all of our events by being an in-house operation where we control it here locally and not somewhere else south of the country, I mean out of the state."

Commissioner Parks said, "Thank you."

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Chairman Winters said, “Any other questions? Commissioner Welshimer?”

Commissioner Welshimer said, “If we would change the use of the Britt Brown or make some changes at the Coliseum site, is this contract going to be a problem?”

Mr. Buchanan said, “No, ma'am. The provisions for us to, this is a separate operation, stand alone, so if we were to change the use of that facility and continued operating the Pavilions, SMG would continue to help us operate the Pavilions if something occurred that we got out of the business completely up there, we'd have to cancel this portion of the contract. This would not cause us any heartburn at all.”

Commissioner Welshimer said, “Okay. Thank you.”

Chairman Winters said, “Any other questions, Commissioner?”

Commissioner Welshimer said, “No.”

Chairman Winters said, “Thank you. Are there other questions about this amendment to the contract of moving this forward? Seeing none, can we have a motion?”

MOTION

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

Chairman Winters 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

Mr. Buchanan said, “Thank you.”

Chairman Winters said, “Thank you, gentlemen for being here at the meeting too. Next item.”

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G. SIXTH REPORT OF THE ARENA SALES TAX OVERSIGHT COMMITTEE.

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "I guessed wrong on the amount of time that would be required for your budget actions and so I advised the Chairman of this committee, Greg Sevier, to be here at 10:30, he has not yet arrived. I would ask that you defer action on this item until later in your meeting when he can be here."

MOTION

Commissioner Norton moved to defer Item G until later in the agenda.

Chairman 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, "Next item."

H. AIRTRAN REVENUE GUARANTEE.

POWER POINT PRESENTATION

Mr. Chronis said, "Commissioners, as you know, the County has participated with the City of Wichita jointly in a program for a number of years to provide a Revenue Guarantee to AirTran Airlines to induce them to provide service in Wichita. They are a low fare carrier and by providing service in Wichita, they have effectively brought down fares of all carriers serving markets to the eastern part of the United States, which is AirTran's primary market.

The contract that's before you is an update, if you will, a renewal of the agreement that we have had for the past several years with AirTran. It is identical, in every respect, to the agreement that expired July 30th. This new agreement that's before you today is effective as of July 1st of this year, it runs through June 30 of next year. It provides AirTran a not to exceed revenue guarantee of \$6.5 million. That money is payable monthly to AirTran in response to

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information that they provide to us about the number of passengers who use their flights, the revenues that AirTran received because of those passengers and the costs that AirTran incurred to provide service to those passengers. The gap between revenues and expenditures is what we're agreeing to cover if there is a shortfall. I felt that this would be beneficial, perhaps if I take a few minutes and walk you through why we think this program is so important to this community, \$6.5 million is an awful lot of money to spend on any sort of a guarantee to a private business. It's not something that, as you know me, it's not something that I am naturally inclined to want to do, but in this case, it has proven to be very beneficial for us. I have no trouble at all recommending that you approve it.

The total affordable airfares program consists of \$7 million. It funds services by two airlines. AirTran has the largest share of that \$7 million. We are, through this contract, agreeing to pay them up to \$6.5 million. We have entered into a similar Revenue Guarantee with Frontier Airlines to provide services to the western part of the United States, their guarantee is up to a half million dollars. We fund that total \$7 million obligation with \$5 million of State funds that have been awarded to Sedgwick County by REAP through a competitive grant award process and by \$2 million of local matching funds, that \$2 million is split equally between Sedgwick County and the City of Wichita. In the next couple of weeks we will be bringing before you an update of the inter local agreement between Wichita and Sedgwick County to provide for their sharing of that million dollars of local funding.

Looking at AirTran alone, AirTran entered the Wichita market in 2002, so what we're doing on this chart is identifying what the passenger traffic looked like in 2001, the year before AirTran got here, and we're comparing that to passenger traffic last year, the last full year of service. We're looking only at the top 25 markets that are traveled to from Wichita. Of those, 13 are served by AirTran. You can see from this chart that there has been a general increase in the amount of traffic using the Wichita Airport over that six year period, 60 percent growth in total, but look at the 13 markets served by AirTran.

In 2007, 405,000 passengers used, flew to those destinations. That is a 104 percent growth. In six years, traffic to those destinations served by AirTran more than doubled. In the destinations not served by AirTran, the passenger growth was only 24 percent. So that leads us to think that the presence of AirTran and its low fare competition is having a pretty marked effect on passenger usage of the Wichita Airport.

Now, what is happening with fares bottom line is that we want AirTran in this market because they're a low fare carrier and we had lots of complaints back in the first part of this decade about the high cost of air travel from Wichita. So in 2002, AirTran arrived on the scene. What happened, what was the picture in 2001, the year before they got here?

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You see here, the average fares to those top 25 destinations and you see that segmented according to who serves those markets. The 13 markets served by AirTran had an average fare, one-way fare this is, of \$220 in 2001. By 2007, the average fare to those markets had been reduced to \$149, a 32 percent decrease. Now to be sure, general competition in aviation, in commercial aviation, has caused fares to be driven down in the first part of this decade. But the 12 markets that are not served by AirTran saw their fares decrease only 3 percent in that six year period. In 2001, the average one-way fare was about the same in all of these markets. The average fare to the AirTran markets was about the same as the average fare to the non-AirTran markets.

In 2007, the average fare to AirTran's markets is \$50 less than the average fare to non-AirTran markets. This identifies the 13 markets that are served by AirTran and it identifies the average one-way fare to those markets. You can see that the lowest reduction in fare in these markets was 25 percent, and some of the decreases in fare were over 40 percent, all attributable to AirTran's low fare competition in this marketplace.

Looking just at these particular markets that were served by Delta, the primary competitor of AirTran, in 2002, you see here what the actual fares were, both walk up and advanced purchase. These are the high fares that we were complaining about before AirTran arrived on the scene. If you couldn't make an advanced purchase, you were almost guaranteed to have to pay more than \$1,000 per ticket. If you could do a two week notice, you still are going to have to pay more than \$500 for a ticket.

Now in 2007, with AirTran in the market place, the walk up fare is now less than half what you were paying in 2001 or in early 2002, and the advanced purchase fare is a couple of hundred dollars less than what it was back before AirTran arrived in this market. So, again, we see clear evidence that AirTran is having a marked effect on the Wichita market. This program, in other words, is doing what it set out to do. It is reducing fares and that is causing people to use the Wichita Airport.

Now, what would happen if AirTran left this market? We're looking at kind of the reverse picture of what I've been showing you on this chart. I've identified here a series of airports in the central U.S., generally, that do not low fare service to Atlanta, and I'm comparing them with Wichita's service to Atlanta, which of course benefits from the low fare competition that's provided by AirTran. You can see that in the dark blue bars, all those other markets not served by low fare carriers, to fly round trip to Atlanta is costing anywhere from \$800 to almost \$1,200.

In Wichita, earlier this year, the average round trip fare to Atlanta was \$207. If AirTran left this market, we can be sure that our fares would very quickly rise to the levels of these dark blue bars that you see on this chart. That's how much additional money Wichita residents and

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taxpayers would have to pay every time they got on a plane going towards the eastern U.S. So, putting it all together, what do we think is the benefit of the AirTran contract? In sum, by combining the number of passengers that we have going to those 13 markets in the eastern U.S., all of whom benefit from AirTran competition, whether or not they're flying an AirTran plane, by combining that number of passengers with the average increase in fare that we know would happen, as we've determined from that prior chart, we can see that everybody, if AirTran was not in this market, would be paying, on average, \$64 a ticket to eastern destinations, \$64 dollars each way, \$128 dollars total.

If you multiply that by the 400,000 plus passengers that currently are using those destinations, you arrive at \$51.8 million of fare savings produced by AirTran's presence in this market each year. And that, we think, is the benefit that we are seeing for our million dollar contribution to the Kansas Supportable Airfares Program and the total \$7 million cost of that program. We think that's a very good return on investment for the taxpayers, and that's the reason that I have no trouble recommending that you approve this contract that's before you today. If you have no questions, I would recommend that you take that action now."

Chairman Winters said, "All right, thank you, Chris. Are there questions of Mr. Chronis on this agenda item? Chris, this amount of money was, is in our 2008 budget?"

Mr. Chronis said, "Yes."

Chairman Winters said, "And we've included it in our 2009 budget?"

Mr. Chronis said, "Yes."

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

Commissioner Unruh said, "Thank you. Chris, you have given us good information on the direct benefit for this subsidy. Have you compiled any information about the economic effect it has on the community in general, to say this is what it does for economic development and business retention and those sort of things?"

Mr. Chronis said, "The Airport Authority and the City and the County jointly have commissioned W.S.U. Center for Business and Economic Research to do just that kind of cost benefit analysis. They have done that and, I'm sorry, I don't recall offhand what the result of those of that analysis was. Needless to say, it is showing a substantial economic benefit, both in terms of wages paid in this community and number of people employed in this community because of AirTran's presence in the marketplace."

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Mr. Buchanan said, "If I may add, Commissioners, it's not about, it's not just about this community, it's about the State and the addition to the economy to the State is astonishing."

Mr. Chronis said, "And I can elaborate on that a little bit if you'd like me to. Thanksgiving of last year, the Airport conducted what they call a license plate survey of cars in their parking lot, Thanksgiving, of course, is a peak travel period, their lots are full. They wanted to know where the cars that were in the lots came from as a way of determining who was using the Airport."

What you see on this map identifies all the colored counties are counties that had at least one car in the Airport parking lot on the day that they conducted this survey, last Thanksgiving. Bottom line is that of the total of nearly 1,300 vehicles that were in the parking lot at the time of the survey, 14 percent were from out of state, 41 percent were from counties other than Sedgwick, and only 45 percent were from Sedgwick County. So this, I think, more definitively than anything else we have, shows that the low fares that we're achieving in Wichita, because of AirTran's presence, are attracting to this marketplace residents from throughout Kansas and even from other states."

Commissioner Unruh said, "All right, thank you. Well, I had seen those numbers; I was hoping you could refresh me a little bit because I know that they are overwhelming and persuasive in their total. This is a positive economic benefit locally and statewide. And it's a benefit not only to the travelers but, some folks say, well, I don't fly so this is no good, I don't get benefit, but the fact of the matter is, this has tremendous overall benefit locally and statewide. Thank you for the response."

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

Commissioner Parks said, "This may be an unfair question because I didn't ask you before, so you could have the research and answer, you might know right offhand, on the airplane ticket, the last time I flew was probably three years ago, is there a sales tax and a tourist tax on that ticket and do we get any of that returned back off of the actual ticket itself?"

Mr. Chronis said, "There is not a tourist tax, I don't believe there's a sales tax. There are special taxes that are levied, facility fees, facility charges that are levied on airline tickets."

Commissioner Parks said, "But does that come back to the Sedgwick County or does that go back to City of Wichita?"

Mr. Chronis said, "The facility fees go back to the Airport to help support the operation of the Airport."

Commissioner Parks said, "Okay."

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Chairman Winters said, “Thank you, all right. Are there any other questions or comments? Seeing none, what’s the will of the Board?”

MOTION

Commissioner Unruh moved to approve the Transportation Services Agreement 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

Mr. Chronis said, “Thank you.”

Chairman Winters said, “Thank you. Next item. Let’s take a brief recess. Let’s take a five minute recess. We’re if recess for five minutes.”

The Board of County Commissioners recessed at 10:30 returning at 10:37.

Chairman Winters said, “We’ll call back to order the meeting of August 13th and Madam Clerk, let’s go back and pick up the deferred item that we deferred earlier in the meeting, Item G.”

G. SIXTH REPORT OF THE ARENA SALES TAX OVERSIGHT COMMITTEE.

Mr. Chronis said, “The Commission, three years ago, appointed a Sales Tax Oversight Committee consisting of ten citizens to look over our shoulders and make sure that we were accounting for the dedicated Arena sales tax correctly and that we were spending the money in a manner that was consistent with the will of the voters, as expressed in the referendum that was approved in 2004. The chair of that committee, Greg Sevier, is here and is prepared to give you that committee’s semiannual report of their findings recorded, regarding our performance.”

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Mr. Greg Sevier, Chair, Sales Tax Oversight Committee, greeted the Commissioners and said, “You have a copy of a report dated July 22nd, which is the date of our most recent meeting. Since October 2005, our committee has met on a quarterly basis and have issued you reports on a semiannual basis.

As anticipated, if you’d look on page 2 of the report, you’ll see that as anticipated with the project of this size and duration, you’re going to have project revisions going on. That table there shows you what the original estimate of the project was, subsequent revisions with the most current revision dated October 2007, which shows a total project cost of \$205.5 million.

Sales tax collections ran through December 2007. The sales tax has been collected by the County amounts to \$206.5 million, which is a million dollars over the October 7th most recent revision. As promised, the tax terminated the end of December 2007. There will be no further receipts of sales tax to the County for this project.

On the expenditure side, expenditures incurred to the date of our report were \$56.7 million. The arena land acquisition and related costs of almost \$16 million is nearly complete. The Kansas Coliseum Pavilions renovations of \$6 million is 100 percent complete and the other categories are in various stages of completion. In addition to the amount actually expended, the County has committed and encumbered funds of about \$115 million for the Arena project.

Our committee has, when we meet, we have the opportunity to look at all of the activity in the Arena project, we have access to the County fund records. Chris and his staff have provided us everything we requested. We look at detailed reports, expenditures; we look at documentation to support those expenditures, we found no exceptions with any of the items with that. Glad to report that all the revenue that was attributed by the State is in that project fund and all the expenditures, we are in agreement, that those were related to the Arena project or the Pavilions. I’d be glad to answer any questions that you have with our report.”

Chairman Winters said, “All right, thank you, Greg. I don’t know what the official auditor term would be, but your Committee has found no exceptions that you want to bring to our attention at this time that need a course correction or an adjustment or you see something that has gone awry?”

Mr. Sevier said, “That’s correct. Clean opinion, as you might say in our business.”

Chairman Winters said, “All right, very good. Commissioners...Commissioner Parks?”

Commissioner Parks said, “I would like to remind the public, these are open meetings and that I have attended quite a few of those. The next meeting is going to be October 26th, is that correct?”

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Mr. Sevier said, "It is in October."

Commissioner Parks said, "Certainly we'll be available to anybody that would want to attend those. I think they are very interesting meetings to go to."

Mr. Sevier said, "Yes, certainly we welcome the public to be there."

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

Commissioner Unruh said, "Thank you. Greg, I just want to say thanks to you and the committee for your diligence on this project and for the format that you've presented it to us. It's pretty clear where we see what's come in, what has gone out and what is encumbered so far, appreciate all that. How, your committee will continue to meet until the last bill is paid, is that the plan?"

Mr. Sevier said, "I think, as it says, its six months after the opening of the Arena. I think our Committee meets for up to six months after the project is complete. Hopefully all the bills will be paid by then. I'm sure the vendors hope that too."

Commissioner Unruh said, "We know there's money there to do that."

Mr. Sevier said, "Correct."

Commissioner Unruh said, "Just wanted to clarify that because I had forgotten that detail. We'll look forward to continued updates on the finances of the project. Thank you."

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

Commissioner Norton said, "I guess just some comments and maybe a question. We appointed two people each from each County Commissioner, they have continued to work over a period of time. We have upgraded the Committee a little bit when we had new Commissioners. Pretty good participation from the appointees?"

Mr. Sevier said, "Yes."

Commissioner Norton said, "They have been able to..."

Mr. Sevier said, "We have had a quorum at all of our meetings..."

Commissioner Norton said, "...stay at the table and understand the issue. I guess the other thing is a general comment. I mean, we've got people that are out of the accounting industry,

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out of the banking industry out of other business community and citizens that just have a reasonable understanding of what needs to be over sighted. It's a pretty good mix of people that have met. They are not all too balanced one way or another in a certain business or protocol. It's pretty wide variety of people at the table. Is that correct?"

Mr. Sevier said, "That's correct. As Commissioner Parks can attest, our group asked a lot of questions of Chris and his staff and asked for a lot of detail. It's not just go there, listen to Chris talk and leave, we ask a lot of questions, we make a lot of inquiries and look at a lot of detail."

Commissioner Norton said, "I think originally, when we thought that we needed to have a Citizen's Oversight Committee so that everything just wasn't in-house and embedded into the Commissioners, that some people had some angst about that because they thought it would be a rubber stamp committee. But from your perspective, there is plenty of open dialog, plenty of questions digging down deep into the bowels of the whole project and understanding it. You don't see any problems there at all?"

Mr. Sevier said, "No doubt. We have asked a lot of questions and we're provided with all the information that we have asked for."

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

Chairman Winters said, "Thank you. Commissioners, other questions or comments? If not, what's the will of the Board?"

MOTION

Commissioner Unruh moved to receive and file.

Chairman Winters 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, "Greg, thank you for chairing the committee. Now, we are back to item I. Madam Clerk, call the next item."

I. CONSTRUCTION COORDINATION AGREEMENT, STREET AND UTILITY IMPROVEMENTS RELATED TO SEDGWICK COUNTY DOWNTOWN ARENA.

POWER POINT PRESENTATION

Mr. Steve Claassen, Facilities Director, greeted the Commissioners and said, "This business is requesting your approval and appropriate signatures on a Construction Coordination Agreement between the County and the City for primarily utility and street work that is in and around our new Arena. The City took this item up yesterday and approved and signed the agreement. I have that in my possession now.

This would be the second inter local agreement. The first was the Waterman Storm Sewer Project. That was the storm sewer that went from the Arena, underneath Waterman to the river. That project was approved in November of '06 and is now, of course, complete. This agreement is for other street and utility work within and surrounding the Arena, and it involves work in related construction administration of that work, some of which would be done by the City and then the County would agree to pay, reimburse the City for that work as well as work that the County would do and then this gives us a vehicle to be reimbursed by the City.

I want to emphasize that all the financial commitments the County will make in this agreement have already been provided and planned for in previously approved Commission Arena budgets. This will codify and provide a paper trail for working understandings that have been discussed with City staff and County staffs previously.

Going to try to refer you to page two of your Agenda, and I'm going to try to bring it up if I can find my chart. We are going to be looking at the upper left-hand corner of this document, of this spreadsheet. This Construction Coordination Agreement table summarizes the financial aspects of this agreement. It's made up primarily of four different line items as you can see there.

The first line item is described as utility work north and west of the Arena and Emporia Street. This is City required work that we placed in our construction documents for the Arena construction project. It's for new domestic water lines, storm sewers and related street repairs for those utilities as well as a full section replacement of the street of Emporia Street that is adjacent and west of our building.

None of this work is necessitated by the Arena itself, but our project offered the City the opportunity to take advantage of improving these utilities that passed through or adjacent to our

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site and so will be cheaper to build within our project. We planned this early on and required that that the costs for those particular sections of work be broken out within our bid forms and those were presented to you back in September of last year in our Board of Bids and Contracts Report.

As you can see on that first line item, the City's portion of the work is the \$1.3 million. The \$43,000.00 dollars shown under the County contribution is for costs that we would have incurred to patch and repair streets since, the Emporia Street primarily, since Emporia will be completely rebuilt, we won't have to incur those repair costs so we agreed to contribute those cost that we would have incurred to their project.

The second line item is the conversion of Topeka Street to a two-way section between Waterman and Kellogg. The County committed from very early on to taking on that, making that necessary conversion of Topeka to two-way and also improving Washington and Waterman intersection. These were two street improvements that our traffic modeling had indicated were necessary to accommodate the Arena at this particular site. In regards to Topeka, we limited our commitment to the very narrow scope of work that would have included restriping that street, some minor signalization changes and a little bit of patching work.

The City, however, desires to expand that project to include complete street section replacement from sidewalks, landscaping, some lighting, a much larger project. The costs we would have incurred, had we done our narrow scope of work, was the \$123,000.00 that's referred to here, and we agreed to contribute that portion of work to their larger \$1.3 million project. So the City's cost will be \$1.2 million shown there and our costs will be \$123,000.00 that you see there.

The third line item is the Washington/Waterman intersection improvement. The County's commitment is to improve that intersection for the increased traffic flow that is expected there. That involves widening the street sections, providing new left turn lanes and improved signalization. To do that, we had to, of course, acquire the land, then pay for the street improvements themselves. The City's portion of this section of the project is to put a new 48-inch water main through that intersection as well as some sanitary sewer sections through that intersection.

The City would bid and administrate the project for us with the County and City sharing their proportionate costs for those two various sections and would pay based on the actual bid unit prices that we would receive. This would be cheaper for both of us because we would share some of the costs such as excavation and demolition that would be mutually shared between the County and the City.

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The last item, the 4th item on the list, is the BNSF Overpass. This is where Waterman passes under the railroad overpass. It's expected a significant number of people will be using parking east of the railway and will be crossing using that conduit. We want that route to be a safe and pedestrian friendly as possible. This would provide for improved lighting, some concrete repairs that are necessary. There is railings that are in bad and deteriorated condition, we would be repairing those.

The County would wish to take advantage of the current contract that the City has with Dondlinger & Sons, who is the doing elevated rail corridor project currently through Wichita and we would piggyback on that contract and take advantage of some of the unit pricing that is in that contract. As you can see, our costs would be \$168,000.00 dollars. I request that you approve this agreement and authorize the Chairman to sign. I would stand for your questions."

Chairman Winters said, "All right, thank you, Steve. This is the project that a number of us have had individual briefing on and we did visit about this Agenda item yesterday in our staff meeting. And correct me, Steve, this is not, an in a sense, new money but money that's in the Arena project and has been anticipated to spend for construction and this is then, our agreement with City of Wichita about who is doing what street projects?"

Mr. Claassen said, "Exactly. There's no new unexpected costs that are defined in this document."

Chairman Winters said, "All right, thank you. Commissioners, are there questions of Steve? Commissioner Unruh?"

Commissioner Unruh said, "Thank you. You said in your presentation that the City did approve this agreement from their side?"

Mr. Claassen said, "They did that. Took that action yesterday."

Commissioner Unruh said, "Thank you."

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

Commissioner Norton said, "I'm going to support this today. But I have always had a little bit of heartburn about the Washington/Waterman intersection that we should not participate in that. That should be an infrastructure for the City of Wichita. But that train is pretty well left the station now, I will be supportive of this. I have always had consternation just over why we're that far from the Arena taking care of infrastructure that's a major issue in this whole project Downtown. I am going to support it today, but I have always had some questions about that."

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Chairman Winters said, “Your concerns are dually noted. Commissioner Parks?”

Commissioner Parks said, “Having been in law enforcement for 33 years, I can guarantee you that that’s going to be a major intersection for a lot of cars. I’m going to be supportive of this project. I have spent considerable time reviewing this and I think this is going to be good, well spent money for sales tax that was imposed for the Arena, be able to use that for this infrastructure getting in and out of this facility. Thank you.”

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

Commissioner Welshimer said, “Well, just a question. This is the end of the original infrastructure obligation for the County? Are there any more infrastructure coming along?”

Mr. Claassen said, “I’m trying to think if there are any, nothing of significance that comes to my mind right now. It’s an enormous budget. We have not seen any unexpected costs or been asked to participate in any unexpected things. There may be...”

Commissioner Welshimer said, “It will come up, maybe.”

Mr. Claassen said, “...well, we have always run into the water valve that, because we find is in disrepair, needs to be replaced while we’re in a certain area. But nothing of any significance. I think generally this will be the last time that we come before you with an item like this.”

Commissioner Welshimer said, “Okay. Thank you.”

Chairman Winters said, “Thank you, Commissioner. Commissioners, we have heard Steve's report. What’s the will of the Board?”

MOTION

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

Commissioner Parks seconded the motion.

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

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VOTE

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

Chairman Winters said, "Thank you Steve."

Mr. Claassen said, "Thank you."

Chairman Winters said, "Next item."

J. RESOLUTION PROVIDING FOR THE CONDEMNATION OF CERTAIN REAL PROPERTY.

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "I'm trying to get this off the screen and when I do, thank you, Amanda. Thank you. All right. I can do this."

Commissioners, all I had on the overhead was a single frame which was a map of the south central part of the County which shows this project that Public Works is working on, which is the paving of, repaving and widening of Meridian between 47th Street South and 71st Street South, that is a three mile long project. There it is. On the map before you west is orientated to the top of the map and north is to your right. You will see that there are certain tracts identified in red that are required to be condemned along the alignment. There are actually seven different tracts of, the one on the far left is just a temporary easement, the remaining six are permanent easements.

This project involved, as you can see, there's a fairly large tract, this project involved a total of 22 tracts. Public Works has been able to obtain those tracts by negotiation with all but seven, which represents three owners. The offers that were made on these particular properties, on all of these, were based on \$10,000.00 an acre if the property was in the rural residential zoning and \$15,000.00 an acre for property at, I believe it was 55th Street South, there's a small portion that's zoned light commercial. No counteroffers were received and due to the timing of this project and the requirements of KDOT and in order to keep the timeline on track, it is necessary to ask you to consider passing this Resolution for Condemnation.

As is usually the case, when we ask you to enact one of these, we will, Public Works will, continue to work with these landowners to try to reach agreement and indeed, that was the case last time I presented one of these Resolutions and it turned out we didn't need to go to

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condemnation. Hopefully that's the case here too. I will be glad to answer any questions you may have and if not, I would recommend you adopt the Resolution."

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

Commissioner Norton said, "As you know, this has been a project near and dear to my heart for several years, we've put it off for a couple of years. I am certainly ready to move forward. I have had a couple of the property owners call me and are still wanting to negotiate, but they also believe that they would like to, if they could, postpone this for a couple of weeks. We are not meeting next week, I don't think, and we could defer it for two weeks. I don't know that that gets us anywhere really. I guess I would ask Dave Spears, with the timeline, because this has got some KDOT involvement, any kind of delay could add consternation to the whole project. Is that correct Dave?"

Mr. David Spears, P.E. Director/County Engineer, greeted the Commissioners and said, "That's correct. As you know, when you work with KDOT, and we have some forms on here in just a little bit for the 143rd Street Bridge, but it's a very definite or formal thing that we go through with KDOT and you can't get the project let unless you have all your ducks in line. This was one of them. Just because you do the condemnation today, as Mr. Euson said, we will continue to negotiate with these folks as we have been diligently since the spring. So whether you delay this action or not, doesn't stop us from negotiating. What this does do is, that at some point, if we can't reach a reasonable agreement with these folks for, to pay them for this property, there will be a definite timeline then with the court system so that we can get the right-of-way. As it is now, we have no definite timeline and this negotiations that we have been doing since spring can go on and on."

Chairman Winters said, "Commissioner Norton, I would certainly defer to your wishes, but I think it would be my suggestion that we adopt this Resolution today and then, if you want to instruct Mr. Euson not to proceed with the court case, until he's conferred with you again, I would certainly be willing to do that too. Since we are not going to be meeting and getting into a summer schedule, I think it would be better to have this on the books and tell them not to proceed until they are certain that we are at impasse."

Commissioner Norton said, "That certainly gives us a little more latitude as to when we move forward, but that kind of codifies that we are going to take action. I am willing to move forward in that direction. Commissioner Parks did have his light on."

Commissioner Parks said, "I was just going to say that, I was impressed with our staff and working with another similar project up on Ridge Road. We did start the process and then all the agreements came together. I think that they have a proven track record on wanting to work with people and getting things done before it has to go to court."

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MOTION

Commissioner Norton moved to adopt the Resolution

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Winters said, "Thank you, Rich."

Mr. Euson said, "Thank you Commissioners."

Chairman Winters said, "Next item."

K. KANSAS COLISEUM MONTHLY REPORT FOR JULY 2008.

Mr. Dave Rush, Coliseum Director, greeted the Commissioners and said, "Last month we had 723 people through the Coliseum with one event, and the revenues were \$15,309.56. That was a result of the Gladys Knight concert on the 3rd of July.

The Monday morning, you wonder what all went on for the month of July then, the Monday morning after that concert our staff started taking apart all of the concessions operations up there, cleaning, sanitizing and going through everything in preparation for what you approved a while ago on the concessions of doing our own in-house concessions operation. We were getting preparation for that, getting everything cleaned up and spiffed up so it would be ready to go for the fall. Hopefully, we will have one proud operation.

August events, we had the Machinists Union meeting out there and the U.S. Weapons Show; The American Miniature Horse Show, which we just closed this last week, they had about 400 stalls out there. They were very pleased with the facility. This was a new event for the facility. We had our food operations there. I visited with a lot of the people, they were real happy with the food that was served to them, the prices and everything, things went well for that.

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Upcoming events, we have 3-Doors Down coming September 4th; the Kansas Paint Horse Show, the 6th through the 7th; the Flea Market is the 14th; the Park City barbecue, which is the 19th through the 20th; then Disney High School Musical, which is on ice, will be the 18th through the 21st. Then something near and dear to you Commissioners, the Kansas Junior Livestock Show, which will be in there the 19th through the 22nd. Then the Avenged Sevenfold concert, which will be the 23rd.

Another thing that we would like for everyone to be in tune for this Friday will be an announcement of a major touring artist that's going to be at the building. That announcement will be coming up Friday. If there's any question, I'd be happy to answer."

Chairman Winters said, "You can tell us, I'm sure there's nobody listening today."

Mr. Rush said, "I'm sure I could."

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

Commissioner Parks said, "In September, you have the gigantic sale event of inexpensive merchandise coming back up also on Sundays, right?"

Mr. Rush said, "The Flea Market, yes."

Commissioner Parks said, "That name turns off some people. We have to call it other things to get people out there."

Mr. Rush said, "There you go."

Commissioner Parks said, "I think that's the Treasure Trove."

Mr. Rush said, "It is."

Commissioner Parks said, "If you haven't been there, it's worth a trip to stroll through. Little bit of planning for February of '09. The Wichita A's contract, is that finalized?"

Mr. Rush said, "Everything is fine. We are having a meeting. Frank said, I think it's in the next two weeks to finalize their event and plan the final details on it."

Commissioner Parks said, "All the food vendors will be open?"

Mr. Rush said, "Oh, yes."

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Commissioner Parks said, “That are available there?”

Mr. Rush said, “That’s correct.”

Commissioner Parks said, “Okay. Thank you.”

Chairman Winters said, “Thank you. Are there other questions or comments of Dave? Dave, I do want to say on behalf of the Commissioners, we appreciate you and the staff out there as we work through all of the transitions that are taking place at the Kansas Coliseum, the Pavilions, Brit Brown, we appreciate your hard work.”

Mr. Rush said, “Thank you.”

Chairman Winters said, “Commissioners, do we have a motion to receive and file this report?”

MOTION

Commissioner Parks moved to receive and file.

Commissioner Norton seconded the motion.

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

VOTE

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

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

L. PUBLIC WORKS.

- 1. APPROVAL OF K.D.O.T FORM 1306 “CERTIFICATION OF REAL PROPERTY ACQUISITION PROCEDURES AND UTILITY ARRANGEMENTS” FOR SEDGWICK COUNTY PROJECT 839-P-4500: BRIDGE ON 143RD STREET EAST OVER THE KANSAS TURNPIKE. CIP# B-444. DISTRICT 1.**

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Mr. Spears said, “Item L-1 is approval of KDOT Form 1306 for the bridge project over the Kansas Turnpike, designated as B-444 in the Capital Improvement Program. This form certifies that all right-of-ways have been acquired and all utility arrangements have been made. State funds will pay for 80 percent of the construction of the project. I recommend you approve the form 1306 and authorize the Chairman to sign.

Chairman Winters said, “Commissioners, any questions? If not, what’s the will of the Board?”

MOTION

Commissioner Welshimer moved to approve K.D.O.T. Form 1306 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, “Next item.”

2. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE TOWNSHIP SYSTEM. DISTRICT 5.

Mr. Spears said, “It is standard procedure that after a road is constructed within a platted residential subdivision in accordance with County standards, that road is then assigned to the township road system. In this particular case, Cypress, located in the subdivision of Prairie Breeze Estates Addition, will become the responsibility of Gypsum Township. The Gypsum Township Board was informed that this Resolution would be on the Agenda by letter dated June 23, 2008. I recommend that you adopt the Resolution.”

Chairman Winters said, “Thank you. Are there questions of David on this item? Seeing none, what’s the will of the Board?”

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MOTION

Commissioner Welshimer moved to adopt the Resolution.

Commissioner Parks seconded the motion.

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

VOTE

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

Mr. Spears said, “Thank you.”

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

M. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON August 7, 2008.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, “There’s 12 items for consideration today. First item:

1. CHANGE ORDER #1, ONBASE SOFTWARE AND MAINTENANCE – DISTRICT ATTORNEY FUNDING – DISTRICT ATTORNEY ADMINISTRATION

Recommendation is to accept the change order with Cutting Edge Solutions in the amount of \$5,000.00. Item 2:

2. LEGAL RESEARCH SERVICES – DISTRICT ATTORNEY FUNDING – DISTRICT ATTORNEY

Recommendation is to accept the proposal from Westlaw in the amount of \$27,792.00 for the first year and establish contract pricing on years two and three. Item 3:

3. INVENTORY MANAGEMENT SERVICES FOR BOLTS, NUTS, AND FASTENERS – FLEET MANAGEMENT FUNDING – FLEET MANAGEMENT

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Recommendation is to accept the proposal from Lawson Products and establish itemized contract pricing for one year with two one year options to renew. Item 4:

4. CUSTODIAL SERVICES – EMERGENCY MEDICAL SERVICES (EMS) & FLEET MANAGEMENT
FUNDING – EMERGENCY MEDICAL SERVICES & FLEET MANAGEMENT

Recommendation is to accept the low proposal from Air Capital Building Maintenance and execute contract pricing for one year with two one year options to renew. Item 5:

5. ¾ TON FOUR WHEEL DRIVE SUBURBANS – FLEET MANAGEMENT
FUNDING – FLEET MANAGEMENT

Recommendation is to accept the low bid from Don Hattan Chevrolet in the amount of \$107,481.00. Item 6:

6. HYBRID MERCURY MARINERS – FLEET MANAGEMENT
FUNDING – FLEET MANAGEMENT

Recommendation is to accept the low bid meeting specifications from Davis-Moore, Lincoln Mercury in the amount of \$120,770.00. Item 7:

7. NATIONAL OFFICE FURNITURE CASEGOODS – FACILITIES DEPARTMENT
FUNDING – CONSTRUCT JUVENILE COURT, REMODEL FOR DISTRICT ATTORNEY/JUVENILE COMPLEX

Recommendation is to accept the low bid meeting specifications from John A Marshall in the amount of \$87,617.08. Item 8:

8. ON CALL SERVICES FOR CARPET AND INSTALLATION – FACILITIES DEPARTMENT
FUNDING – FACILITIES DEPARTMENT

Recommendation is to accept the bid from Harry Street Carpet and establish contract pricing for one year with two additional one year options to renew. Item 9:

9. ARCHITECTURAL/ENGINEERING SERVICES (PHASE II) FOR THE RELOCATION OF THE ADULT PROBATION DEPARTMENT – FACILITIES DEPARTMENT

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FUNDING – RELOCATE ADULT PROBATION OFFICE

Recommendation is to accept the low proposal from Spangenberg Phillips Architecture in the amount of \$31,500.00. Item 10:

**10. HOME INVESTMENT PARTNERSHIPS PROGRAM – HOUSING OFFICE
FUNDING – HOME REHABILITATION GRANT 06 – VALLEY CENTER**

Recommendation is to accept low bid from New Windows for America in the amount of \$33,025.00. Item 11:

**11. HOME INVESTMENT PARTNERSHIPS PROGRAM – HOUSING OFFICE
FUNDING – HOME REHABILITATION GRANT 06 – BEL AIRE**

Recommendation to accept low bid from New Windows for America in the amount of \$31,265.00 . And item 12:

**12. HOME INVESTMENT PARTNERSHIPS PROGRAM – HOUSING OFFICE
FUNDING – HOME REHABILITATION GRANT 06 - HAYSVILLE**

Recommendation to accept the low bid from New Windows for America in the amount of \$25,540.00. We would be happy to answer any questions. I recommend approval of these items.”

Chairman Winters said, “Thank you, Iris. Commissioners, are there questions of Iris on any of these items? Commissioner Unruh?”

Commissioner Unruh said, “Thank you, Mr. Chairman. Iris, on item number 6, on the Hybrid vehicles, are those substantially more expensive than standard powered vehicles? I mean, is there, we have gone through a calculation of...?”

Ms. Baker said, “We have gone through calculations, yeah. The smaller vehicles are more expensive, but not as dramatic a spread as larger vehicles. We have done a cost analysis on usage, maintenance, payback and the fleet is starting to transition this year and next year bringing some hybrids into the County and start establishing some better tracking information from that.”

Commissioner Unruh said, “Okay.”

Ms. Baker said, “But there are industry processes out there in that data is used as well in the analysis of our standard operating vehicles versus the hybrids.”

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Commissioner Unruh said, “I mean it’s a positive analysis for us financially. It’s not just an initiative to be green, this is this makes economic sense?”

Ms. Baker said, “Correct.”

Commissioner Unruh said, “Thank you.”

Chairman Winters said, “All right. Are there other questions? If not, what’s the will of the Board?”

MOTION

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

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, Iris.”

Ms. Baker said, “Thank you.”

Chairman Winters said, “Next item.”

CONSENT AGENDA

N. CONSENT AGENDA.

- 1. Establish additional Budget Authority in the Risk Management Fund.**

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- 2. Affiliation Agreements with Breakthrough Club of Sedgwick County, Catholic Charities, Inc. and Mental Health Association of South Central Kansas.**
- 3. Amendment to the professional service agreement with Family Prescription Shop, Inc.**
- 4. Request for waiver of personnel policy to promote a Case Coordinator, Band 220 to a Senior Social Worker, Band 322 at 3% above minimum for COMCARE's Children's Services.**
- 5. Request to waiver of personnel policy to hire an Advance Registered Nurse Practitioner, Band 429 at 3% above minimum for COMCARE's Outpatient Services and Community Support Services. Also requesting weekend pay coverage to cover one weekend per month in inpatient unit at Via Christi rounding on COMCARE patients.**
- 6. Request for waiver of personnel policy to promote a Psychiatric Nurse, Band 322 to an Advance Registered Nurse Practitioner, Band 429 at 10% above minimum for COMCARE's services at Via Christi Good Shepherd Center. Also requesting weekend pay to cover one weekend a month rounding on COMCARE patients at Via Christi inpatient.**
- 7. Request for waiver of personnel policy to hire a Food Services Assistant position slightly below midpoint on Band 111 for Corrections.**
- 8. One (1) Permanent Drainage Easement and One (1) Temporary Construction Easement for Sedgwick County/KDOT Project 817-V,W,X; Road widening project on Meridian between 47th St. South and 71st St. South. CIP# R-281. District 2.**
- 9. Ten (10) Easements for Right of Way for Sedgwick County Project 795-N,O,P,Q; Recondition of 199th St. West between 21st St. North and US-54. CIP# R-267. District 3.**
- 10. Resolution Temporarily Suspending the Sedgwick County Zoological Society Inc.'s Cereal Malt Beverage License.**
- 11. Agreement with Board of Indigents' Defense Services (BIDS) for the provision of criminal defense services to indigent Sedgwick County Drug Court Program participants.**

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- 12. **Amend the 2008 Capital Improvement Program (CIP) to include Improve Air-conditioning Juvenile Detention Facility (JDF) Data Telecom Room.**
- 13. **Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V08024	\$309	4	Fieldstone Apartments II
V08025	\$263	4	Fieldstone Apartments II
V08026	\$291	2	Main St. Place Residences
V08027	\$590	5	Kemp Properties
V08031	\$560	2	Bridgewater Apt. Homes
V08032	\$561	2	Bridgewater Apt. Homes
V08033	\$244	2	Main St. Place Residences
V08034	\$450	5	Favreau, William
V08035	\$249	5	Hearth Hollows Apts.
V08036	\$63		Benton Senior Residences

- 14. **The following Section 8 Housing Contracts are amended to reflect a revised monthly amount due to change in income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V07051	\$267	\$263
V05045	\$92	\$79
V07061	\$526	\$521
V8009	\$286	\$288
V07059	\$284	\$279
V05038	\$291	\$296
V05046	\$279	\$276
V05042	\$285	\$281
V94049	\$124	\$120
V06048	\$247	\$291
V72016	\$252	\$248
V06047	\$264	\$310
V05049	\$111	\$212
V07063	\$575	\$524
V07048	\$514	\$590
V04051	\$287	\$333
V05036	\$194	\$201

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V07057	\$279	\$311
V07050	\$450	\$408
V020052	\$494	\$467
V07045	\$286	\$312
V07054	\$183	\$204
V07052	\$293	\$319
V07065	\$254	\$284
V04043	\$421	\$417
V010103	\$246	\$302
V07056	\$630	\$630
V06072	\$293	\$261
V010113	\$293	\$291
V04062	\$21	\$255
V05011	\$302	\$302
V05101	\$473	\$444
V06019	\$585	\$191
V07055	\$550	\$550

15. **Payroll Check Register for August 8, 2008.**
16. **General Bills Check Register(s) for the week of July 30 – August 5, 2008.**
17. **Order dated July 30, 2008 to correct tax roll for change of assessment.**
18. **Order dated August 6, 2008 to correct tax roll for change of assessment.**

Mr. Buchanan said, “Commissioners, you have a Consent Agenda before you and I recommend you approve it.”

MOTION

Commissioner Parks 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

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

Chairman Winters said, "That brings us to the end of our Regular Agenda items, Commissioners. Are there other issues that we need to discuss at this time? Is there any other business? Oh, yes, I'm sorry. Commissioner Parks?"

O. OTHER

Commissioner Parks said, "I just wanted to express condolences to the family of Jack Kern, long time servant throughout the townships, Trustee out at Grant Township passed away. Wanted to let the family know that we appreciated his service and that we will be looking forward to a replacement in the near future for him."

Chairman Winters said, "I didn't know that. Commissioner Unruh?"

Commissioner Unruh said, "Thank you. I just wanted to remind everyone that the Zoobilee major fundraiser for the Sedgwick County Zoo is coming up September 6th. So we encourage everyone to plan for that and get your tickets bought. The Chubby Carrier & Bayou Swamp Band is going to be playing out there for music that evening, you don't have to dance if you don't want to, that's going to be the music. Ought to be a good time. Also, just to report that the new tiger exhibit that's under way at the Zoo is on schedule, I think. So we can look for that being open, I think, later this year. Maybe late October that tiger exhibit will be ready, we are looking forward to that.

Second item, I just want to congratulate the folks at Wichita Area Technical College for achieving Certification, Accreditation from the Higher Learning Commission. A major step for the college and puts the Technical College on equal footing with the other higher learning institutions in Kansas, actually, in the United States. So, proud of the college for achieving that distinction.

As we are talking about the college, just say I was with the Assistant County Manager Ron Holt, we walked around the new Jabara site for the National Center for Aviation Training. Looking from the road, you can't see much going on.

When you get out on the ground, there is a lot that has been happening. They have moved a lot of dirt out there, we are moving on. Paula Downs is here in the room, she's kind of our Project Coordinator of that. Congratulations, things are going well. That's all I had."

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Commissioner Winters said, "Thank you. Is there any other business to come before the Commission this morning? Mr. Euson?"

Mr. Euson said, "No, sir."

Chairman Winters said, "Mr. Manager?"

Mr. Buchanan said, "No, sir."

Chairman Winters said, "We are adjourned."

P. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:19 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner,
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2008