

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 27, 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 27, 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; Joe Thomas, Senior Purchasing Agent, Finance; Mr. Ray Vail, Director of Finance, Department of Aging; Boyd Powers, Ambulance Mechanic, Fleet Management; Mr. Chris Chronis, Chief Financial Officer, Finance; Mr. Richard Vogt, Chief Information Officer, Division of Information and Operations; Ms. Irene Hart, Director, Division of Community Development; Ms. Kristi Zukovich, Director, Communications; and, Ms. Bethany Carpenetti, Deputy County Clerk.

GUESTS

Kelly Wendeln, Box 1817, Wichita, KS
Kevass Harding Box 1817, Wichita, KS 67201
Bob Weeks, 2451 Regency Lakes, Wichita, KS 67226
John Tyler 1554 Payne, Wichita, KS 67203
Shelly Chenoweth, Girl Scouts of Kansas Heartland
Rick Reeves, Boy Scouts of America

INVOCATION

The Invocation was led by Reverend Sherdeill Breathett, Sr. of 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 30, 2008

The Clerk reported that All Commissioners were present.

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

Chairman Welshimer moved to approve the minutes of the Regular Meeting of July 30, 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 24-30, 2008 AS SIGN UP FOR SCOUTING WEEK.

Chairman Winters said, "Commissioners, we have one proclamation for your consideration this morning.

WHEREAS, the purpose of both the Girl Scouts and the Boy Scouts is to inspire girls and boys to the highest ideals of character, conduct, patriotism and service so they may become happy and resourceful citizens. The Girl Scouts of Kansas Heartland serve nearly 15,000 girls and 5,000 adults in 90 counties and the Quivira Boy Scout Council serves 13,000 boys and 4,000 adults in 30 counties; and,

WHEREAS, participating in activities that are fun and personally challenging, girls and boys learn valuable decision-making skills and build self confidence.

WHEREAS, character, conduct and community service are core qualities of the Girl Scouts and the Boy Scouts. In partnership with committed adults, girls and boys become leaders and develop qualities like strong values, social conscience and conviction about their own potential and self worth; and,

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WHEREAS, Sedgwick County is committed to supporting the programs provided by the Girl Scouts of Kansas Heartland and the Quivira Boy Scout Council and encourages our citizens to support both organizations and the “Sign Up For Scouting” night activities;

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

“Sign Up For Scouting Week”

And encourage citizens to make an investment in the lives of girls and boys by participating in the “Sign Up for Scouting” activities at area elementary schools on August 28, 2008.

Dated August 27th, signed by Tom Winters. Commissioners, that is the proclamation, what is the will of the board?”

MOTION

Commissioner Unruh moved to adopt the proclamation.

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, “And we have Shelly and Rick with us this morning. Welcome and please make a few comments.”

Shelly Chenoweth, Chief Executive Officer, Girl Scouts of Kansas Heartland, greeted the Commissioners and said, “Good morning, thank you very much. We appreciate the proclamation and recognition of the work scouting does in Sedgwick County. We do have a sign up for scouting night scheduled for Thursday, so at just about any elementary school and many churches in the region, there will be lots of kids and lots of parents signing up for scouting. So we appreciate your support.”

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Mr. Rick Reeves, Boy Scouts of America, greeted the Commissioners and said, “As well as on the Boy Scouts side, we thank you for your support and we look forward to recruiting over 2,500 boys this year.”

Chairman Winters said, “Alright, thank you. We have a comment from the champion Girl Scouter of the Commission.”

Commissioner Norton said, “I’ve carved up some Pinewood Derby cars in my life too. I had boys and girls both. I had Girl Scouts, Boy Scouts, Cub Scouts and Brownies, all that went through my family. I am still a supporter of scouting in every way and now I have granddaughters that are Daisies and Brownies. I have two grandsons that I assume when they get of age will be Cub Scouts. Scouting does give kids a great start. It starts to put them in social interactions with young people that can grow and understand life at a greater level and we are really proud of our scouting traditions in this area. I think it is important that much of the recruiting is done at the school level, where kids do feel safe and really can have a great life through scouting. Thanks for everything.”

Ms. Chenoweth said, “Thank you.”

Chairman Winters said, “Well, thank you both for being here and again we would encourage everyone to consider signing up. Tomorrow evening is the evening, August 28th at a number of elementary schools. If anybody just wanted to call for more information, do you have a number they could call just to get any additional?”

Ms. Chenoweth said, “Yes, for Girl Scout questions you can call 685... 684-6531, sorry. 684-6531.”

Mr. Reeves said, “And the boy scouts, 491-2231.”

Chairman Winters said, “Alright, thank you very much. We hope you have a successful signup event.”

Ms. Chenoweth said, “Thank you.”

Mr. Reeves said, “Thank you.”

Chairman Winters said, “Commissioners, before we call the next item, I would like to take just a moment here. Sedgwick County lost a good friend last week in Dr. Doren Fredrickson and Commissioner Norton if you would like to make just a comment about that we would appreciate it.”

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Commissioner Norton said, “Well, Dr. Fredrickson was a good friend to everybody in Sedgwick County and whether he ever touched your life or not, he certainly did that through the Health Department. He was a very active as our public health officer, he was an epidemiologist, he was a teaching researcher at KU Med, and he was dedicated to help disparities and the underserved in our community. I think he has been a shining star in our community that not too many people knew. Certainly the folks in the public health department and KU Med and his clients that he served religiously and unendingly out in the community knew him well and we knew him well, but he was a very learned man, a very caring and compassionate person. He dedicated his life to public health in this community and we are saddened by our loss and the community’s loss because he was so dedicated to our community and worked so hard to make sure that the underserved and the underprivileged and those that needed some help in our community were afforded that chance. He had dedicated his life to that and we are all diminished by the loss. I had a chance to be active at the funeral and I have to tell you, a lot of people loved him but what I came back with is that Doren Fredrickson appealed to the better angels of all of us, of what we aspire to be in our lives and I think he reached that before he moved on. I’m very proud to have known him and I’m very proud that he was a part of Sedgwick County.”

Chairman Winters said, “Commissioner Norton, thank you very much for those comments. I think all of us on the commission share those views and thank you for putting it into words. It is a sad day. Alright, Madame Clerk, would you call the next item?”

CITIZEN INQUIRY

B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING ZONING IN SEDGWICK COUNTY.

Chairman Winters said, “This is to remind folks that we do have an opportunity for any citizen who wants to address the Board of County Commissioners to contact the Manager’s office a week or so before the meeting and you can receive a spot on the agenda. We try to limit comments at this part of the meeting to five minutes.”

Kelly Wendeln, Box 1817, Wichita, KS 67201, greeted the Commissioners and said, “There was a lot of guessing concerning why BTK didn’t kill any women after he murdered Vicky Wegerle on September 16th, 1986. He was in prison. He died. After he was caught in February, 2005, he admitted he killed two more women, the last one being Dolores Davis on January 19th, 1991. Speculation was he never stopped his rampage. Here’s likely the correct answer. He found a legal way to fulfill his urge to exercise power over women when he got a job as Park City’s code enforcement officer on May 20th, 1991, less than four months after his last admitted homicide. For almost 14 years, despite complaints from several women, Park City officials

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ignored them. For 14 years! The *Wichita Eagle's* opinion line from March 9th, 2005 says, 'It seems that Park City turned a deaf ear to all the complaints about Dennis Rader over the years. Many small towns have officials who are bullies, and no one does anything about it.' And it is not just the small towns. Five days later, 'With all the complaints lodged against Dennis Rader that were reportedly ignored by officials, it looks as if Park City gives true meaning to the word 'good old boy' network. It really smells'. Elected officials need to realize that there are varying degrees of people who misuse power and it seems like local government is chock full of them. Just let me know if you want me to elaborate.

I want to mention here the defamation law; K.S.A. 21-4004 says truth is a defense. If you say something negative about someone, you better make sure it is factual. Sedgwick County government had a similar code enforcement officer. A former Wichita cop told me George Bloesing, "is an arrogant, pompous ass." Another cop told me, 'He is a pathological liar,' and I agree. He bullied and lied to citizens for six years, while his bosses refused to do anything. He felt safe on the witness stand. He would lie, be contradicted by a witness, but he would always be upheld by Macias. After my first speech of March 22nd, 2000, Sciortino said I should not denigrate this man as if everything I was saying was false. After Sedgwick County finally got rid of him in September, 2003, he drove a bus and had a difficult incident. His boss, Arensdorf, chose to believe him rather than their customers. I bet those customers never came back and told their family, relatives, neighbors, friends and coworkers. He then got a job as a Goddard cop and after being warned, the City Council made him Chief on November 7th, 2005. Exactly one and a half years that he was chief, out of a force of five fulltime cops, 11 quit. 11 Goddard cops quit. In addition to other costs, it cost Goddard taxpayers \$2500 for a study that told them many of the same things I told Goddard City Council, which chose not to believe me too. They had to learn the hard way. Former Mayor Singletary told me they were not going to make him Chief, and then nine months later said he was working out fine when I knew better. And that wasn't all. I can't believe anything that guy says and this mayor is a Baptist minister? Ministers like him reflect poorly on the good ones. This brings to mind Reverends David Brace, Thomas Byrd, Jimmy Swaggart, Jim baker. I think I've forgotten some.

I gave four speeches to the County commission from 2000 to 2002. Every one of them exposed the zoning inspector as a person who misused his power. Yet there are people, Euson, who heard these speeches that claim they didn't know he was so bad? He has since been working for KDOT. Did you know that every zoning case is a criminal case and is a permanent part of the property owner's record? Since Bloesing has plainly been determined to be a habitual liar, this colors every zoning case he has testified in. I would like to propose that every property owner that Bloesing ticketed should have their cases expunged upon request.

Whether it is the Park City or Goddard City Councils or the Sedgwick County Commission, why is it elected representatives don't react to public complaints? From what I've seen and

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experienced making your complaints public with a sign on a street corner seems to get more attention and results. The way taxpayer money hungry, annex, crazy cities are gobbling up this county, you guys will soon be extinct if you don't do something about it. Wichita bureaucrats lie and say they don't get property owner's permission when they annex. In closing, like I said eight years ago in my first speech, I'll get back to you in a few months to let you know what has happened or not happened. Let's clean house. Thank you."

Chairman Winters said, "Thank you, sir. Madam Clerk, will you call the next item?"

NEW BUSINESS

C. CONSIDER PROPOSED CREATION OF THE KENMAR TAX INCREMENT DISTRICT.

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "On August the 12th of this year, the Wichita City Council adopted an ordinance establishing a redevelopment district to be funded with tax increment funds at the northwest corner of 13th and Oliver to be known as the Kenmar Redevelopment district. The district is bounded on the north by 14th Street North, on the south by 13th Street North, on the east by Oliver Avenue, and on the west by Pershing Avenue. The structures within that district are all relatively old, they were constructed in the 1950's; they are all showing significant signs of deterioration. The neighborhood surrounding the proposed Kenmar TIF district suffers from higher than average unemployment, high concentrations of individuals below the poverty line, and below average value of housing units. The proposed Kenmar Redevelopment Project includes extensive renovations of two buildings located within the district, the destruction of a third building located within the district, and the constructions of four additional outparcel buildings.

The idea behind the development is by doing those upgrades, rents will be able to be increased, different kinds of retail outlets will be made available to the neighborhood, and that generally will cause an improvement in the quality of life within that immediate neighborhood. The prospective developer, a company called HH Holdings, LLC has provided all of the requested documents in support of their request, including a detailed description of the proposed site improvements, a project schedule, a gap analysis that identifies the extent to which tax increment financing is necessary to make the project fiscally viable, a project budget, a capacity analysis for the proposed TIF district showing that the incremental revenues from increased property taxes will be sufficient to cover the debt on the proposed public investment, legal descriptions and current tax status of the affected properties, and a market analysis to show that once all of these improvements are done, the project has market viability. The project is estimated to cost \$13.7 million, which includes \$2.5 million of public investment that would be backed by tax increment funding. The estimated impact of that \$2.5 million of public

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investment on Sedgwick County is expected to be about \$73,000 a year for 20 years, which is the equivalent of 2/100's of a mill of the county property tax rate.

In summary, this tax increment district has been defined very narrowly. It encompasses only the properties that are to be improved, and only the increased values on those properties will be used, only the taxes on those increased values will be used to repay the public investment. They are not drawing on the anticipated increase in value in the surrounding neighborhood, as it is brought up because of the improvements in this proposed development. And so because this is a narrowly defined district, because all of the information that we have been provided suggests that it does require tax increment funding to make it viable, and because appears to be viable from a market standpoint. The staff recommendation is that you approve this tax increment district. You have in your packet two resolutions, one approving this district and one denying this district and our recommendation would be that you adopt the resolution consenting to the establishment of the Kenmar Redevelopment District. If there are no questions, I would be happy to or if there are any questions, I would be happy to answer them. If there are none then I would recommend you take the appropriate action."

Chairman Winters said, "Alright, thank you very much, Chris. Commissioners, it is as we discussed yesterday at our staff meeting the intention to take comments from anyone in the audience who would like to speak. Are there questions before that? Commissioner?"

Commissioner Welshimer said, "I'll wait. Thank you."

Chairman Winters said, "Alright. Is there anyone here in the audience today...yes, please come forward. If there is anyone in the audience who would like to address the Board of County Commissioners on this item, please give your name and address for the record, please."

Mr. Kevass Harding, 5816 E 48th Cir N, Bel Aire, KS greeted the Commissioners and said, "Good morning, my name is Kevass Harding, a member of this great, a citizen, of this great county and city. I am a pastor of Dell Rose United Methodist Church on the corner of 14th and Oliver, which is adjacent to the Kenmar Shopping Center. I'm also a school board member for USD 259. I am the developer for the HH Holding. I have a team, who has been working with me for year. May of last year Kenmar went on sale, and I was excited about the opportunity to take this property away from out of state owners who have been using this property as more or less as a slum center where they are basically getting their tenants to pay rent but not taking care of the property. I have been a pastor at Dell Rose since 1998, that is ten years July. I was assigned to go to Dell Rose United Methodist Church to revitalize the church. The church was dying and they were going to close that church or sell it because they believed it was deteriorating as well. I went there and revitalized the church with the help of members and leadership of the church, from a membership of 25, to now a membership of 900 with an average attendance of 450.

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I was born and raised here in Wichita, Kansas, went to Washington Elementary school, Robertson junior high school when they were called junior high schools. I went to Southeast High school and went on to college to University of Texas El Paso, where I played college football and received my degree in criminal justice. Because of my degree in criminal justice, I returned back to this city, which I call home, and was a police officer for four and a half years until I went to seminary and became a fully ordained pastor for the United Methodist Church. As a member of this city and county, my passion was always to help this place be a better place, in any way I can. I watched that center since 1998 deteriorate, fall apart, potholes big enough to literally hurt your car, damage your car, roof problems that when it rained, it poured more on the inside than on the outside. We had more from the vacant lots in the back, you had rats and you had pigeons and you had all these birds and homeless in the back part of the Dollar General. But we began to help the center the best we could by painting the graffiti off of it, keeping the lights turned on, doing what we could to do to make this a viable shop center and we even contacted both owners, which the first owner was out of St. Louis, the second owner was out of California, which whom we bought the center from. If anything they never came to see the center, never even came to our county, I believe, to see what they had bought. And it was deteriorating each year, over and over, getting worse and worse.

So in '07, in May, it was in the business section of the Wichita Eagle that Kenmar was for sale and I pulled together a team of people who believed in my vision of revitalizing this neighborhood and this community, because I truly believe that once this area is revitalized, when we take this shopping center, which was a viable shopping center, in the '50s, '60s and '70s, if we can do that again, it can help that community, it can help that neighborhood. Some people talk about tax increment financing. I believe that it is definitely needed to help us do what we are trying to do for this shopping center. I strongly believe if we do nothing, the center continues to deteriorate and we lose tax base. If we can do something, then we can create a tax base, and now we have a place that's helping not only our city and county, but the community as well and the neighborhood. I just have a passion for this project. I have been working on it for a year and a half passionately, meeting with my team once a week on Friday mornings at the Beacon, going over everything possible and learning so much about development, and I just, I do have a quick letter from Eric E. Williams. He could not be here. He is the President of the Kenmar Neighborhood Shopping Center, and it reads 'In the 20 years that I have been a resident and active member of my neighborhood, no one has done much more than attempt to keep the property clean. What Kevass Harding proposed to do with Kenmar shopping center will revitalize the area, improve the aesthetics, and attract prospective business owners, which in turn should increase the number of jobs at the shopping center. The Kenmar Neighborhood Association recently discussed the new plan for the shopping center and is excited about the prospect of having it under local ownership and the potential for change and much needed improvement. As the President of Kenmar Neighborhood Association, I support Kevass Harding

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in the endeavor to improve the quality of life for those in the Kenmar area, but will in effect make the shopping center a viable entity for the city and county.' Thank you. Any questions from me?"

Chairman Winters said, "Alright Reverend Harding, I see no questions now, but thank you very much for those comments."

Mr. Harding said, "Thank you."

Chairman Winters said, "Is there anyone else in the audience who would like to address the commission on this item? Please give your name and address for the record."

Mr. Bob Weeks, 2451 Regency Lakes Court, Wichita, KS greeted the Commissioners and said, "Thank you, Mr. Chairman. Commissioners, my name is Bob Weeks. The concern I have with the formation of this TIF district is that the applicant may be using his political connections for profit and he has not been forthright with his constituents and the community. The Wichita School Board, of which Reverend Harding is a member, is required, as is this Commission, to consent to the formation of this TIF district. The problem is that since no vote is required by the School Board, all they have to do is nothing, and it passes through. How can we ask him to declare his obvious conflict of interest and recuse himself from a discussion and a vote? Now, he has told the Wichita City Council that he told city staff and his colleagues on the School Board of what he's doing. But it is not to them that he has an ethical obligation. Instead, his obligation is to the residents of Sedgwick County, the City of Wichita, and USD 259. It is to them that he has the ethical obligation to make sure that this matter is handled with openness and transparency. To my knowledge and in my opinion, he has not done that. This smacks, then, of a political insider using his connections for personal profit. Furthermore, the applicant has not been responsive to community concerns over this TIF district. I am Reverend Harding's constituent, as he is the at large school board member for USD 259, and I am a resident of that school district. He has not returned my several telephone calls and email messages regarding this matter. For these reasons, I urge this commission to veto the formation of this TIF district. Let the applicant apply again, this time being open and forthright with the citizens of Sedgwick County, and perhaps this matter can then be viewed differently. Thank you."

Chairman Winters said, "Thank you. Is there anyone else who would like to address yes, please come forward."

Mr. John Tyler, 1554 Payne, Wichita, KS greeted the Commissioners and said, "Morning, commissioners. My name is John Tyler, thank you for this opportunity to speak. What is the proper role of government related to economic development activity? Why is the Kenmar shopping center being considered for public money and not the dozens of similar shopping

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centers across our city with particular emphasis on those dozens of centers possessing greater redevelopment needs than Kenmar? It is my understanding that the proposed Kenmar TIF is \$2.5 million. A commercial real estate broker friend of mine indicated that he was of the opinion that the project would not work without the \$2.5 million public cash infusion. If the owners of Kenmar paid \$2.5 million more than the shopping center was worth, or they are unwilling to scale the project back to match, to without the \$2.5 million. What makes it immune from taking responsibility for this \$2.5 million error in judgment and why is it local government's responsibility to correct this error in judgment? In a free market economic system, private business enterprises should have the opportunity and the freedom to succeed and to enjoy the fruits of their success. By the same token, they should also have the freedom to fail, and to suffer whatever consequences that brings. Thousands of other businesses, business enterprises across our city play by these rules every day without the government parachute or the backing of the public treasure that is being considered for this private group. Why should the Kenmar shopping center group be an exception to these rules? I ask you to vote against this TIF Thank you."

Chairman Winters said, "Thank you. Is there anyone else in the audience who would like to address the Commission on this agenda item? Alright, seeing no one, we'll limit the comments to the staff and the bench. Commissioner Welshimer?"

Commissioner Welshimer said, "Well I think the project is a courageous one, and most likely needs to be done for that neighborhood. I have driven around up there; I realize there are many streets up there, not only in this Kenmar district that are practically cobblestone. I think that's the City of Wichita's responsibility and it should come out of their budget. For it to come out of the total County budget, the problem we have, the problem that I have with doing that, is we're having more and more requests for this and it seems that no building can be built and no project can be had, and no development can be developed without TIF financing, without the County getting in and paying for it. And they are lining up at the door. That's something that's quite alarming to me, and I think it is going to make it difficult for us in the future to fund all the social services that we are responsible for. And that includes the jail, the judicial, the corrections, the public health, mental health. The County can't continuously erode our revenue in the out years. We are going to need that, and if we do this then were just raising property taxes. So I think it is a good project, I think it needs to be done. I think all those streets up there that are in trouble need to be redone and I think the City of Wichita has that responsibility. I probably will not support or I'm not planning to support this motion."

Chairman Winters said, "Alright, thank you. Chris, I have a question for you. As you and your staff were doing the analysis of this shopping center area and the TIF district, what is your projection of the future tax revenue from this center if nothing happens? If there is no TIF district, if there is no remodeling, rehabilitation of this center, what would you anticipate the

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level of revenue to Sedgwick County from this center?"

Mr. Chronis said, "Well, the district currently produces a little bit less than \$60,000 of property tax revenue for the County, the School Board, the City of Wichita, and the state of Kansas. The entire district produces less than \$60,000 in total property taxes. If this project is not completed, or if the center is not renovated substantially, we would expect that the property tax revenue from that area would continue to decrease. The City, the County's share of that \$60,000 would be approximately \$20,000, so we are getting virtually nothing from the district now and going forward if the district does not improve, we would expect what the County gets to drop from that level."

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

Commissioner Parks said, "Well, if I could just add something to this topic, Mr. Chronis. The sales tax off of those; you are not including that into the equation, are you?"

Mr. Chronis said, "No."

Commissioner Parks said, "Okay. The liquor store, the pharmacy, and the other services that are in there, I quite frankly think that if this was improved, that those sale taxes might come up because more people would be shopping there. TIFs are difficult, they are sometimes difficult to match up with state law, they are even more difficult to match up with state law for the spirit and the intent of what the legislature would like to continue to them to do. Maybe we need to talk to our state representatives and our senators about changing this to be a more defined state law or something but that is another topic. This is a narrowly defined district. When I get these TIFs, I go and walk those areas. Having knee surgery about a month ago it is not easy but I broke it up last week and walked these and took some pictures and talked to the people in these, both the Center City and the Kenmar area. The tenants are ready to have some improvements; this area is what I would consider by state law blighted. It is a narrowly defined district and after walking the Kenmar district I came to the conclusion of support. So having said that, if there's nothing else."

Chairman Winters said, "We do have another question."

Commissioner Parks said, "Ok. Go ahead"

Chairman Winters said, "Commissioner Unruh"

Commissioner Unruh said, "Thank you, Mr. Chairman. Chris, is there any sort of guarantee by the developers that should the tax increment not cover the bonded indebtedness that they'll

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cover that shortfall?"

Mr. Chronis said, "Yes. I'm told by the city that developers have agreed to make a personal guarantee that if there is a shortfall of tax increment revenues to pay for the debt that funds the public improvements, then the developers will cover that shortfall out of their own funds."

Commissioner Unruh said, "Okay, thank you. Mr. Chairman, if I might go on here for just a moment. A few months ago this Commission passed a policy that said it is the policy of Sedgwick County to support city efforts to eliminate blight and promote redevelopment of substandard areas by allowing the diversion of County tax revenues to TIF districts when such actions are shown to create no adverse impacts. So we have a policy that we have agreed on and as I recall it was a unanimous vote and at that time to approve that TIF policy, if it didn't create any adverse impacts. And so Chris, in your judgment, the formation of this TIF district does not create adverse impacts."

Mr. Chronis said, "Yes, that's correct. I believe it does not."

Commissioner Unruh said, "Alright, thank you. Well, I think that I will be supportive of this TIF because it has passed our criteria. They've given us all the information that we've requested, so we've taken it through our measurements. It does pass the 'but for' test I think, but for this sort of financing; this development would not take place. We've stated it has no adverse effect, it is a defined area. We have an identified developer. The increment in the taxes, it is calculated to fully cover the bonded indebtedness. There's a guarantee, we're told, for any short fall and the property then would be subsequently marketable for a market price, so for all those reasons I think that it meets the criteria that we've established and that's been established by state statute. So I am going to be supportive. I do want to say that in light of the fact that this has come to us, it appears to me there has been complete openness on the part of the developer, so I am a little confused about that objection by one of the speakers in light of the fact that Mr. Harding is here. I might be missing the point. It seems like the developer is here telling us who he is and what he's doing. That answers that openness question for me. I do understand that if you take the position that it is not the proper role of government to be involved in these activities that you would be opposed to any TIF and so I understand that position. It seems like in this particular case we've established a policy, set some guidelines in this particular project to meet those so I would be voting in favor. That's all I have."

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

Commissioner Norton said, "Well, certainly it is easy right now to be conflicted on TIFs and tax increment financing and decrement financing and neighborhood revitalization financing in our community. I have to look at my colleague, Kelly Parks, and remember the conversation

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where he is not particularly in favor of TIFs, but you have to do your analysis on each particular one and what it might do for our community and put it through the filter of but for us and the city and the school district coming together and saying that's an important project to revitalize an area in our community that is becoming denigrated for whatever reason, that's important. And truthfully, I've looked at many of the neighborhood revitalization plans; the Delano district that got an infusion and is much better than it was before. I know we've worked on the south side Haysville district for years to try to do some work down there and we haven't put together a complete plan that offers up a development project that will make a difference yet, but there are other pockets. I know the near East Neighborhood Association has got a plan. There is the 21st street corridor that's become a plan. There's plenty of them around that try to revitalize the neighborhood and lift the boats up, water up so that the boats in our whole community go up. I know there has been an application of CDBG money in some of these areas that has helped with those kind of projects, but sometimes that's just not enough to launch in an area where something important needs to be done. Chris, recently there was a TIF in the Wesley/Hillside area, and what has happened to that TIF district?"

Mr. Chronis said, "That district was created to renovate a shopping center, reconstruct a shopping center, across from Wesley Hospital, across Central. The district was created for twenty years, as all these districts typically are. It has been in existence for, I believe, seven years and it has been so successful that the city has been able to pay off the debt service that financed the public investments within that seven year period, and so earlier this year the city and the county and the school board all agreed to terminate that district after seven years, rather than allow it to run for its statutory twenty year life."

Commissioner Norton said, "So that money from that project is being poured back into the property tax base?"

Mr. Chronis said, "That's right. Now the taxes are being distributed to all the participating governments."

Commissioner Norton said, "Okay. So there can be some success stories on that. I mean, there's still the debate, whether that TIF should have even gone forward, but paying out in seven years as opposed to going to twenty years and maybe not gaining the traction that somebody had wished, it can happen. I mean, there is a good example. One thing I like about this particular TIF is that it is limited only to the piece of property that's going to be taken care of that is obviously blighted and is deteriorating and is not creating very much revenue now. It is taking a chance, but all were doing is putting the increased property valuation monies that could or could not ever come about back into that property. Is that correct?"

Mr. Chronis said, "Yes."

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Commissioner Norton said, "As infrastructure?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "Okay. I also like the idea that there is a guarantee written in that if it doesn't cost out like it should that the private developers will come back in and continue to pay off any debt there might be. Am I correct there, too?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "Okay. As I said when I started, I'm conflicted on TIF's, you know. We are going to deal with the second one here in a minute on the south of Center City and it is a big TIF district and there's been some angst on that as to why we need to do that and we'll have another debate here on that soon. This one being smaller and being strategic, and having the support of the County Commissioner whose district it falls in is going to sway me to saying this is one I can support. That doesn't mean I'm going to support every TIF that comes along, because as we've learned, some of them are really good and some of them we need to analyze further. I don't think one size fits all when it comes to trying to support our community, do what's right, make the tough decisions, and clean up some neighborhoods that have obviously fallen in disrepair for whatever reason. We owe that to our community, we owe that to our city and our constituents, we owe it to the future generations to have a place where everybody wants to live, work, play, and be safe, so I'm going to support this, but I hope nobody reads into that, that I'm going to support every one of them blindly. I think we've looked into this one and we feel like it's going to be a good thing for that particular area. And I only hope that there's other areas throughout the city that will have similar folks step up, that are engaged in that part of the community and want to fix those areas that really need to be fixed in our community because we know; I think one of the gentlemen that spoke said there's others out there. You bet there is. And my only hope is that somehow we figure out with community, not just government, but developers and citizens will figure out a way to make every piece of our community good for us. You know, I'm in a neighborhood association meeting last night, and what are they worried with? Denigrated areas that have bars where were having murders and shootings. You know, that all has to be cleaned up in our city. I don't know how you do all of that, but this is a start. To make areas start to revitalize and maybe eliminate some of that is starting to be pervasive in our city. So for this one, I am going to supportive and support Kelly Parks because he's done his homework and he thinks it is a good thing for his district. Thank you."

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

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Commissioner Welshimer said, “Well, I still maintain my opinion that it is going to lead to probably in the future a TIF on every agenda. I don’t know why were getting in the business of paying for city streets when we have twenty cities and every city is going to want us to pay for their streets, and rightfully so. We pay for Wichita city streets every time there’s an improvement to be made, every time there is a building that’s obsolete or has functional, obsolescence, they are going to us and the City is going get us involved paying for all these improvements and I don’t think we’re charged with doing that. I think that just tweaking it, tweaking each little one that comes before us, I don’t know, I don’t remember anything that we’ve turned down since I’ve been here. Have we turned one down, other than the arena district, which we haven’t done yet, but?”

Chairman Winters said, “I know of at least two that didn’t even see the light of day, because they have seen our policy and knew that they didn’t fit.”

Chairman Welshimer said, “Okay. Well, I would hope that any one of the twenty cities in the future, that passes a TIF for their street improvements, I would hope that those are all on our agenda so that were not missing the opportunity to address it, and it is just hitting our budget. Another thing in my district, I am not aware that we’ve ever had any TIF financing in District 5, that is southeast Wichita, but what I have is deteriorating township roads and we don’t send our public works people in there and fix these township roads. We’ve got people that can’t get out of their homes and terrible problems in the winter so if we’re going to be doing city streets, I think we should be doing township roads as well. Anyway, I think that the project is necessary. I think it is a good project, but I think it belongs to the City of Wichita. That’s all I have.”

Chairman Winters said, “Thank you. Chris, I am going to ask my same question only in a different form. I was talking about increased tax revenue. Do you believe that if we pass this TIF it will have a negative impact on our budget and our revenue?”

Mr. Chronis said, “No.”

Chairman Winters said, “Thank you. I think, you know, I’m glad we have this TIF on our agenda today, because to me, it kind of clarifies what they are supposed to be doing. I think this is one that is going to be one that I can support. Commissioner Norton?”

Commissioner Norton said, “I think this conversation has been good. You know, I think Commissioner Welshimer is right, over the years, the policy has been to take kind of a benign attitude towards the city’s actions, that if you didn’t say anything for 30 days, it kind of just goes through, and that’s been the way the law was written, that if we don’t decline it, then it passes after 30 days. So I think this conversation is good. You know we talk about transparency and putting it through the filter of the light of day; we’ve had a conversation here about it, so

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that it is not just going 30 days and benignly being authorized. Commissioner Parks went out and really looked at it. I went out and really looked at it. Commissioner Welshimer went out and really looked at it. We understand what it could maybe do for that area. We've talked with people. It's gone through the filter of the public. I think that's a good process. We probably are not going to agree, nor will citizens, on every TIF district about whether they are important. But we are going to have a tough conversation, and put it through some filters, and get some good information from staff and from citizens, and then try to make that tough decision. So I think we're better off by doing it like we did today than we have been maybe in the past and I think that's a good thing. That's all I have, Mr. Chairman."

Chairman Winters said, "Alright, thank you. Commissioners, I see no other requests to speak, so we're at the point where we either need a motion consenting to this establishment of this TIF district or denying it."

Commissioner Parks said, "Do we need to read the whole resolution or..."

Chairman Winters said, "Just read the top part."

MOTION

Commissioner Parks moved to approve the proposal and take action as appropriate.

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	Nay
Chairman Winters	Aye

Chairman Winters said, "Alright, thank you Chris. Thank you Commissioners. We will move onto the next item. Madame Clerk would you call the next item?"

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

Mr. Chronis said, "Commissioners, in the spring of 2007, the City of Wichita created the Center City South TIF district or redevelopment district, and the County consented with that creation. That district, as created, includes approximately six city blocks, bounded by First Street on the north, by William on the south, by Main on the west and by Broadway on the east. What is before you today is a proposed expansion of the boundaries of the Center City South TIF district that was adopted by Wichita City Council on August 5th. Under state law, you have 30 days to either approve or deny that expansion of boundaries, just as you had a similar period of time to approve or deny the original creation of the district. Since the city took its action, the County has raised a series of questions about that district and we are very grateful that yesterday City Council took action to take a step back and they adopted an ordinance repealing the district. We are very happy to engage in continued discussions with the city about downtown development and what form it should take and how it should be paid for. The action that's before you today were put on the agenda before City Council took their action. Again, you have two resolutions in your package, one approving the expansion of the Center City South District, the other denying that expansion and I would recommend that you adopt the resolution denying the expansion of that district."

Chairman Winters said, "Thank you, Chris. Even with the city's action yesterday of repealing the ordinance, we still believe it is necessary to pass this resolution denying creation."

Mr. Chronis said, "Yes, we do. There may be a legal technicality that would suggest that at some point in the future absent County action, the district could be recreated without the County having a voice in that decision, so by adopting this resolution of denial, we are effectively terminating that district so that any future actions will require consent of the County."

Chairman Winters said, "Alright, thank you. Again, we are going to ask if there's anyone here in the audience who would like to address the Board of County Commissioners on this agenda item considering the expansion of Center City South Tax Increment Financing District. Is there anyone here who would like to address the Board of County Commissioners? Is there anyone here? Alright, seeing no one, we will limit discussion to staff and commissioners. Commissioners, are there comments on this action that we need to take? Commissioner Parks?"

Commissioner Parks said, "Well, as I mentioned before, I walked this district also, took pictures, talked with people in the area, actually I ran into quite a few retail businesses that are excited to be near the arena. Two of those businesses, one, an 80,000 project and another one a 15,000 internal remodel on, quite frankly, leased buildings. I am not going to tell who those are but they are putting some money in some leased buildings. And I think this is coming along

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without the help it needs. You know, sometimes we say that there may be a diamond in a cinder pile, but I think this is a few cinders in a diamond pile down there, actually. It is the other way around. I think there's development that will happen. It's already started to happen and a lot of those people are excited about that. We need to look cleaning up, I'm sure, anything we can do to clean up a few of those cinders but as we go along to continue the talks with the city on this. However, in my opinion this does not fit the state law, it is not a narrow band, and I'm certainly not going to be supportive of this as we have discussed."

Chairman Winters said, "Thank you Commissioner. Commissioners, I am sure that most of you know that I have had discussion with Mayor Brewer about this proposed expansion of this district and expressed to him the concerns that I believe many of us have and we have agreed to continue to meet and in fact, will meet again this week to discuss all of the opportunities and options as we try to find a solution to accomplish the task that we want to have happen in this area. So those discussions will continue and will proceed. I don't know what the results will be but Commissioner Norton has agreed to be involved in those discussions and we intend to move forward. They have put a bit of a wrinkle in our situation by voting to rescind the interlocal agreement that we had concerning street construction and utility repair in that area and so that is certainly going to be one of the things we need to address because we just cannot afford to delay for much time at all, that work if it is to be completed by the opening of the arena. Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. Just to make a comment about one of your comments. I think we maybe should have just a moment of discussion about that interlocal agreement after we deal with this specific issue this morning to make a few comments. What I wanted to say relative to this agenda item is that I appreciate the City of Wichita taking the action they took yesterday to rescind the expansion of that TIF district. I think it's helpful to us in our thinking and its very helpful, I believe, in our ability to communicate and go forward as we partner with them in the development of the community here in Sedgwick County. I'm going to be in favor of also voting to withdraw or not support this TIF district because every criteria we had for the previous agenda item, this particular agenda item, this particular TIF district, does not match up to the criteria. It doesn't, its not in conformance with our policy. It doesn't match the 'but for' clause because we just simply don't have a developer identified. It is a very large area that makes it hard to apply the criteria to so I'm going to be voting in favor of a resolution to deny the expansion of that area. That's all I have at this time."

Chairman Winters said, "Alright, well, if we're going to talk about the other part of the construction maybe we need to do it under this agenda item as opposed to taking it off agenda item or getting into a discussion without an agenda item in front of us so I think if we have concerns about that, perhaps now is the time to discuss them. You know, I think what we're talking about here is \$3.2 million that the City was going to do in some additional street work

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and I'm not sure of the number that we were involved in, but we were involved in, I believe, \$4-5 million worth of construction work in this area. They have now cancelled their interlocal agreement to do their portion of that work. I'm confident as we continue discussions with the Mayor that that will be an agenda item that we press forward. But you know, I would never say that \$3.2 million is not a significant number because it is. But our project is over \$200 million project and I don't think we can afford to let it be, some detriment come to it, because we cannot proceed with our road construction work. So I am certainly going to be interested, if we are at some kind of a not finding a quick solution, that for us to consider the paying for their portion of that so we can move on and get this project moving forward. Now, I am not exactly sure what the rest of you think about this, but I am sure that we can come to a longer term solution with the City, but I am interested in short term solutions so we can keep this project on track. Commissioner Unruh?"

Commissioner Unruh said, "Thank you. Well, Mr. Chairman, I would be in agreement with what you have indicated that you want to do, and that is for us to make sure the project goes forward on time without being held hostage to some disagreement or conversations we might have with the City of Wichita. I know they want this project to proceed also, but in order to facilitate the process, I would think that if our CFO can show us that the arena funds will stand this development of the streets right around the Interest Bank Arena, that in order to make it go forward that I would also be supportive of doing that and that we just take care of that entire project. There is some argument, I know, that since any of this street repair around the arena is somehow connected or directly result of the Interest Bank Arena Development that it's part of the arena project anyway and so we have some responsibility for the entire development of that. I know the argument goes both ways as well, we wouldn't have to do the whole thing or there is some division you might make in the project. But nevertheless, I believe that I would be in favor of, since it's directly related to the arena development, that I would be in favor of taking the action that you suggested, subject to an analysis by our Financial Officer."

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

Commissioner Parks said, "I have had quite a few constituents call me on this issue that from the interlocal agreement side and say that that was the argument that the arena shouldn't have been built downtown in the first place. The fact is, it is being built and we need to make sure that we have ingress and egress to this. If you can't get in and out of the facility, it is surely going to be doomed. We need to press on and talk with the City about how we do get the entrance and exits of this building and that's all I'm going to say on that."

Chairman Winters said, "Alright, thank you, Commissioner. Commissioner Welshimer?"

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Commissioner Welshimer said, “Well, I would agree that this is just a completion of the construction as far as I am concerned and that’s something we have to do. So I have no problem with that, as far as doing that.”

Chairman Winters said, “Alright thank you. Commissioner Norton?”

Commissioner Norton said, “Well, I think all of us would like to hope that, because the arena has been placed down there and truthfully, whether people like it or not, it was a free transparent vote of the people and it was authorized by the people to put it downtown and pay for it by a sales tax, which is all happening. At this point, we have to take a look at how we make it work the best to our ability for the revitalization of downtown and for the entertainment value of every citizen. I agree with Commissioner Parks that we need to move forward on making sure ingress and egress is proper because that is going to be part of the success.

I think we would like all of the development downtown to come from a free market interchange because of the placement of the arena in that area that will increase property values and ability to develop near end because there’s going to be increased activity. For me, I have always thought that taking almost the whole blue cloud and making it a TIF district was just too large. There may be smaller pieces of places of where it is still pretty blighted and we need to do some work on it that might be very advantageous to have some kind of either neighborhood revitalization district, which is described differently in state law than a TIF district, to utilize and to increase the possibilities of good development. I also think that the plan is not very specific. I have said for three years now that I wanted a more specific, nailed down plan that I knew would eventually have to come to the public to think about some kind of funding to do infrastructure and walking spaces and lighting and signing and all of those public kind of infrastructures that help out, make it easy to develop and desirable to develop. But we didn’t have those specifics and that is one thing that gives me consternation. I would like to have more of a nailed down number on the cost of the infrastructure and what that might look for this TIF area or at least the areas right next to the arena. We’ve talked about taking Topeka from a one way to a two way street and to widening that and making it more of a boulevard, making the ingress and egress to the downtown area off of Kellogg change a little bit. But I would like to have more information on other streets that might need to be changed and sidewalks that need to be put in or whatever to make the downtown more viable for that free market development.

Certainly, we have heard from citizens, both ways. You know, we want the downtown to be good, but don’t invest any money. There are kind of two sides to the argument. Truthfully, I’m okay with that. I think that’s important to have that dialog in our community. To do this in a vacuum just doesn’t work very well. I applaud the City for slowing up, listening to not only our concerns but some citizens large concerns on what we are going to do with the downtown and how we are going to fund anything that might be happening down there. The truth is, when we

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talked about the Washington and Waterman improvements and money, County arena money going into that interchange, I was a little dicey on that because I really thought that the City should be taking care of some of those early infrastructure issues to be sure that they're downtown. Obviously, it's our downtown too, but they have the biggest dog in the fight for it. They were taking care of those. In fact, I think I lobbied the Commission at that time to rethink putting money into Washington and Waterman, but we moved forward and that's okay. It is going to be done and it is going to help the ingress and egress. But we need to take it very serious. I think we will continue that dialog with the City. How it comes out, I'm not sure.

One thing that as we came back from visioning in Fort Worth we learned because they used a TIF to do some very big projects in their downtown area. Several years ago when I traveled with Target, I was in and out of Dallas, Fort Worth and Fort Worth was their downtown was not a very pretty place. It had come under disrepair and they've done some pretty wonderful things downtown to create new districts and a lot was done with public money with TIF districts. One thing they've done along the Trinity River that I thought was good and we saw a presentation on it, is create a TIF district but they actually costed it out and said here is what the infrastructure will cost, not land, not development money, not subsidies to the development, but just the infrastructure and they capped it and they said, we'll help out with the infrastructure, but all the rest of the money goes back into the county and the school district and other entities that should have had part of that money. I thought that was a pretty provocative way to have a balanced way of looking at where public money is used but the City wanted to move forward on it, but they capped it just to the actual cost of some agreed on infrastructures that needed to be taken care of. So as we have the discussion, I think we need to learn from other communities, continue to put this through the filter of the community. I know there are people that have spoken today and many others that have different ideas about how we use public money and I think we need to keep having that discussion, meeting with the Mayor and other Council members and continuing to talk about it in the community. The downtown is the front porch of our greater community. We have seen communities that have let it denigrate and become a doughnut hole and it's not very good. We have seen others that have reinvested and worked awful hard and brought the community together and taken some political risks and spent some money and got some pretty good results for it. Somehow, we will continue to have that balanced conversation in our community on how we take care of that, make our downtown as viable as it can be and use whatever money we use in the most prudent and best manner that we can. That's all I have and probably today I am certainly going to be supportive of denying moving forward on this TIF district."

Chairman Winters said, "Alright, thank you, Commissioner. This discussion has been helpful as we move forward and continue our discussions with the Mayor and the Vice Mayor. Commissioners, I see no one else asking to speak. We need either a motion consenting to the expansion or denying the expansion of Center City South."

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MOTION

Commissioner Welshimer moved to deny the proposal.

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, “Before we move on, I would like to take a break here for just about five minutes. But I do want to make a comment or two. You know, last night in listening to some of the reports about the discussion between the City and the County, some folks described it as a battle and that there is beginning a battle between the City and the County. That is just not right. I believe what we are doing is we have raised some questions. They’re responding and we are working towards a solution and we want to remember that there are a tremendous amount of positive things that we are doing together with the City. This morning at 10 o’clock, one of our major manufacturers announced that they are going to invest \$260 million and create 700 new jobs in our community. That wouldn’t have happened if the City and County had not have been working together through greater Wichita Economic Development Coalition to make those things happen. We were great partners along with the legislature and others as Cessna made the decision to expand their facility here with a new aircraft production plant, a thousand new jobs. We continue to work on things such as Kansans for Affordable Airfares, the Unified Legislative issues, and our Regional Economic Area Partnership. The City of Wichita and Sedgwick County continue to be strong partners in a number of areas so I hope that City Council and Mayor and media and citizens realize this is not a battle. This is a discussion about how to reach an objective that we all want. Commissioner Welshimer?”

Commissioner Welshimer said, “Well, I think the City of Wichita is to be commended for their efforts in what they are doing to accomplish the visions they have for downtown Wichita. I

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think they are doing a good job at it. If I were a City Council person, I would have voted for this too because it is certainly a way to get more revenue in and accomplish their purpose. So I don't have any problem with what the City of Wichita is doing. I just want us to stand our ground and protect our own budget when we are in a time that it is not easy for us to do. If we were more affluent and we weren't so, well, we constantly have issues come up where we have unexpected large expenses to put out for projects in our community and it is just not a good time for us in my opinion."

Chairman Winters said, "Alright, well, thank you very much for those comments. Thank you for all who participated in this discussion. We are going to take a five minute recess."

RECESS 10:21 AM-10:30 AM

E. APPROVAL OF AN AGREEMENT BETWEEN SEDGWICK COUNTY AND DENNIS LANGLOIS (SOLE PROPRIETOR OF PECK GENERAL STORE) FOR CONTROLLED ACCESS TO THE FOLLOWING ROADWAY IN PECK, KANSAS FOR THE PURPOSE OF HOSTING A CAR SHOW ON SEPTEMBER 6, 2008: A PORTION OF 119TH STREET SOUTH BEGINNING AT NORTH MERIDIAN THEN SOUTH TO "D" STREET.

Irene Hart, Division of Community Development, greeted the Commissioners and said, "That pretty much explains it. The Langlois' are sponsoring a car show on September 6th, which is a week from this Saturday. They have requested controlled access to 119th Street South. They have made the appropriate connections with law enforcement and insurance and we would ask for your approval of this agreement."

Chairman Winters said, "Alright, thank you. Commissioners, questions or comments?"

MOTION

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

Commissioner Welshimer 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

F. ADDITION OF SEVEN (7) PART TIME CUSTOMER SUPPORT ANALYST POSITIONS, B322, TO SUPPORT THE ELECTION PROCESS FOR THE DIVISION OF INFORMATION & OPERATIONS STAFFING TABLE.

Mr. Richard Vogt, Chief Information Officer, greeted the Commissioners and said, “Commissioners, as you know, election process here in Sedgwick County and throughout the country has undergone a significant change in the last few years with the introduction of an unprecedented level of technology. Among other things, this has made a much deeper role for the IT Department in the election process itself. In the first election, about three and a half years ago, I had over 60 of my staff involved in the election, one way or the other. As significant, as you can imagine, a significant impact on our operations during those election times. Since that time, Bob Lamkey and I have been working on ways to narrow our involvement to just those areas where IT skills are absolutely required, where there’s no alternative and then to narrow the number of IT staff involved to people who can to the minimum number necessary with the additional advantage that not impacting the IT operations but also increasing the knowledge that, for that limited a group of people.

This item is in regard to one of those areas where I believe IT skills will be required for quite some time and that’s the area of advanced voting. We have complete dependence on thin clients, desktop printers, soft tokens, virtual private networks and wireless internet access devices. The advanced voting is really the poster child for IT skills required for the election process. We identified three alternatives to getting IT skills in place for this election process, for the grants voting process.

First, we considered outsourcing but after brief consideration, felt that was not an appropriate item to outsource to a private firm. All due respect to my colleagues in the private sector, this is one of the places that needs to be, where the work needs to be, kept in house, particularly with all the security concerns that are out there. The second alternative was to assign existing customer support staff, but my existing support staff is already partly dedicated to the elections technical support line and to further diminish that group of people would have a negative impact on their job here for other departments. The third alternative and the one I am recommending today is to leverage some of the IT application managers and project managers who work

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elsewhere in the department for this role. These individuals have customer support analyst experience from earlier times in their careers and are exempt, as exempt positions would not require overtime pay like the customer support analysts. The mechanism to use these part time positions is HR's recommendation and the cost would be \$18.00 an hour. That's the entry level pay for a customer support analyst and that's what we are targeting. The annual cost of \$3,500 is considerably less than what would be incurred by outsourcing or using the existing customer support analysts in an overtime role and I recommend that you approve the addition of these part time positions to the DIO staffing table. Stand for any questions."

Chairman Winters said, "Alright, Richard again what was the total cost of this project then?"

Mr. Vogt said, "It's about \$3,500 this year and about \$3,000 next year for the municipal elections. There are fewer hours involved next year."

Chairman Winters said, "And you, according to the backup, you anticipate that each of these persons would earn about \$550?"

Mr. Vogt said, "Well, about \$500. We had a number transposed in the background information. So it's actually about \$500."

Chairman Winters said, "Ok. Commissioners, are there any other questions for Richard?"

MOTION

Commissioner Norton moved to approve the addition to the Division of Information & Operations staffing table.

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 Richard. Next item."

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DIVISION OF HUMAN SERVICES – AGING DEPARTMENT.

G. PROFESSIONAL SERVICE CONTRACT BY AND BETWEEN CENTRAL PLAINS AREA AGENCY ON AGING AND PRAIRIE VIEW, INC.

Ray Vail, Department on Aging, greeted the Commissioners and said, “I’m here today to present a contract between Prairie View Inc. and the Central Plains Area Agency on Aging to provide comprehensive home assessments, treatment programs and consultation for identified compulsive hoarding individuals on an as need basis. This contract has been approved by finance and legal and I ask that you approve and authorize the chair to sign. I’ll answer any questions.”

MOTION

Commissioner Norton moved to approve the Professional Services Contract and authorize the Chairman to sign all necessary documents.

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

H. PUBLIC WORKS.

1. APPROVAL OF A SUPPLEMENTAL AGREEMENT WITH KDOT AND THE CITY OF WICHITA FOR CONSTRUCTION OF A FRONTAGE ROAD ON THE SOUTH SIDE OF US-54 BETWEEN 119TH STREET WEST AND 135TH STREET WEST AND RECONSTRUCTION OF THE INTERSECTION OF US-54 AND 135TH STREET WEST. DISTRICT #3.

Mr. David Spears, P.E., Director/County Engineer, greeted the Commissioners and said, “In March of 2008 Sedgwick County entered into an agreement with KDOT and the City of Wichita

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to participate in the design and construction of a new frontage road on the south side of U.S. 54 between 119th Street West and 135th Street West and to improve the intersection of 135th Street West and U.S. 54 with turn lanes and full signalization. KDOT has taken bids for the project and construction is well under way. KDOT is now requesting that you approve a supplemental agreement that will revise four paragraphs in the original agreement to clarify and simplify the funding splits and project responsibilities. Under the terms of the supplemental agreement, KDOT will be responsible for all costs of construction and construction engineering, which is the inspection. Wichita and Sedgwick County will be responsible for all costs of design, right of way acquisition and utility relocation. The local activities have been completed and the expenses paid. KDOT assigned a contract for construction in the amount of \$3,764,076.73 and is performing construction engineering or inspection with their staff. There will not be any additional expenditure for Sedgwick County unless construction change orders and construction engineering costs exceed \$1,135,923.27 and push KDOT's cost above their \$4.9 million cap. Based on our past experiences, this is very unlikely and we recommend that you approve the supplemental agreement and authorize the Chairman to sign."

Chairman Winters said, "Alright. Thank you, David. This had confused me at first because I thought that we had already taken this action to approve this agreement and this three way partnership some time ago."

Mr. Spears said, "We did back in March and this is a supplemental. Actually, they have had some new people come on board at KDOT and looked at the agreement and wanted to clarify some of those parts. This really is very little effect on us whatsoever. All of our expenses have been paid and we will not be affected unless, like we said, the project has change orders and inspection costs that go over \$1.1 million."

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

Commissioner Parks said, "Well you answered part of my question there but your staff is going to have a little more work to do if I read this correctly, right? That's where our cost is going to come in on the design?"

Mr. Spears said, "No that is all finished, Commissioner. The design, the construction is under way. There's actually, it's been let and it's under way."

Commissioner Parks said, "So we're kind of after the fact on this then?"

Mr. Spears said, "This has been promoted by KDOT."

Commissioner Parks said, "Okay. Thank you."

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MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, "Thank you David. You have another item?"

Mr. Spears said, "Yes."

Chairman Winters said, "Next item please."

2. APPROVAL OF AN AGREEMENT WITH KDOT FOR AN UNDERWATER INSPECTION OF SEDGWICK COUNTY BRIDGE 787-Z-1710; BRIDGE ON 263RD WEST (VIOLA ROAD) OVER THE NINNESCAH RIVER. KDOT PROJECT NO. 87 C-4342-01. DISTRICT #3.

Mr. Spears said, "Item H2 is an agreement with the Kansas Department of Transportation to do an underwater bridge inspection of the Sedgwick County Bridge located on 263rd Street West between 79th and 87th Street South over the Ninnescah River. The cost will be shared by both parties at an 8/20 split. Sedgwick County showed it would be approximately \$742. Recommending you approve the agreement and authorize the Chairman to sign."

Chairman Winters said, "Thank you. Commissioners, what's the will of the board?"

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MOTION

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

Commissioner Parks seconded the motion.

Commissioner Welshimer said, "Could I ask one question?"

Chairman Winters said, "Yes, you can."

Commissioner Welshimer said, "How do you do that?"

Mr. Spears said, "Scuba divers. Consultants and there's several around the state that KDOT is going to have a consultant go and actually scuba diving. Of course it is so dirty, I don't know how they see but evidently, they have a method of doing that."

Commissioner Welshimer said, "Okay. Thank you."

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."

I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON August 21, 2008.

Joe Thomas, Purchasing Department, greeted the Commissioners and said, "There are eight items for consideration that resulted from the meeting of the Board of Bids and Contracts dated August 21st. Item One:

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1. HOME INVESTMENT PARTNERSHIPS PROGRAM—HOUSING OFFICE FUNDING—HOME REHABILITATION GRANT '06

Home Investment Partnerships Program for Housing Office, the recommendation is to accept the low complete bid from New Windows for America in the amount of \$20,130. Item two:

2. JUDGE'S CHAMBER & LOBBY CASE GOODS—DISTRICT COURT FUNDING—DISTRICT COURT

Recommendation is to accept the low bid, meeting specifications from Scott Rice in the amount of \$113,197.18 and to establish contract pricing for one year with two additional one year options to renew. Item three:

3. CUSTODIAL SERVICES—DEPARTMENT ON AGING FUNDING—DEPARTMENT ON AGING

The recommendation is to accept the low proposal from His and Hers Cleaning and execute contract pricing for two years with two one year options to renew. Item Four:

4. INFLUENZA VACCINE-HEALTH DEPARTMENT FUNDING SOURCE-HEALTH SCREENINGS

Recommendation is to accept the quote from the Santa Fe Pastor Inc. for an additional purchase of \$83,148.80. Item Five:

5. AMBULANCES—FLEET MANAGEMENT FUNDING—VEHICLE ACQUISITION

The recommendation is to accept the proposal from Conrad Fire Equipment in the amount of \$451,338.00 and a establish contract pricing. Item Six:

6. ON-CALL PAINTING SERVICES—FACILITIES DEPARTMENT FUNDING—FACILITIES DEPARTMENT

The recommendation is to accept the proposal from Summit Tech LLC and execute contract pricing for two years with two one year options to renew. Item Seven:

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**7. INSTALLATION OF A/C SYSTEM IN DATA/TELECOM EQUIPMENT ROOM at the JUVENILE DETENTION FACILITY-DEPARTMENT OF CORRECTIONS
FUNDING-IMPROVE A/C JDF DATA CENTER**

The recommendation is to accept the low bid from Don Vaughan Incorporated in the amount of \$32,500.00. Item Eight:

**8. SALT DOME ROOFS-FACILITIES DEPARTMENT
FUNDING-REPLACE ROOFS 2008**

The recommendation is to accept the low bid from Larry Booze Roofing Incorporated in the amount of \$54,198 and to establish unit pricing.

I'd be happy to answer questions and recommend approval of the items."

Chairman Winters said, "Alright. Thank you, Joe. Commissioners, are there comments? Commissioner Parks?"

Commissioner Parks said, "On number 5, were there some specification problems between the low bid and that bid?"

Mr. Thomas said, "Yes there were some specifications regards to the bonding process in which the skin is applied to the structure itself that would result in some structural degradation and I believe Kevin Miles might have more to offer on that."

Commissioner Parks said, "Ok."

Mr. Kevin Myles, Director, Fleet Management, greeted the Commissioners and said, "One of the bidders used a process in constructing the ambulance box with a patient treatment module where they would affix the skin on to the box using a two sided tape as opposed to using a full weld and that would lessen the box's structural integrity. And you guys are familiar with and aware of; we use a remount project here in the county where we transfer those boxes after the useful life of the chassis on to a new chassis using them for an estimated 67 years and approximately 250,000 miles. So the structural integrity of the box is paramount for us and although there was a bidder who came in lower, they actually did not comport to those specifications."

Commissioner Parks said, "And you will report back to them that's why they didn't make it."

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Mr. Myles said, "Absolutely, absolutely."

Chairman Winters said, "Alright, Kevin, I see that we have a couple of the folks in the audience who I believe are guys that work on the ambulances and I see that they were a part of this committee that reviewed these. Am I correct in assuming that? And you really took advice and worked with the people who are actually working on our ambulances?"

Mr. Myles said, "Yes. Actually, if I could, I'll actually bring them on up here. We have Steve Kotter who is Director of EMS, Boyd Powers who is the foreman of the light equipment shop, we have Mark Kemper who is our primary ambulance mechanic in fleet management and we also have Greg Schuessler from EMS. We all, as a committee, along with purchasing sat down and reviewed all of the ambulance bids that came in just to make sure we were getting the best value for the county. I would ask Steve if he had anything he wanted to add."

Steve Kotter, EMS Director, greeted the Commissioners and said, "This process was taken very seriously and an in depth view and looked at all the bidders and the bids submitted were scrutinized very thoroughly and I'm very satisfied as the EMS director that we have chosen appropriately according to the rules specified by the county with regard to the bidding process and that this box and that this manufacturer will provide us with a very safe box that its fully capable of being remounted as part of our program and will be in the end cost effective for our organization and the citizens of Sedgwick County."

Chairman Winters said, "And so you're pleased with the remount program as it is taking place and getting a full maximum use out of these boxes?"

Mr. Kotter said, "Yes, sir. I'm very pleased with the remount program and the entire maintenance program of the ambulances. Our critical failure rate is extremely low, far below industry standards and the ability for us to efficiently remount these boxes and maintain a longer useful life of the box is paramount to the program. And yes sir, I'm satisfied."

Chairman Winters said, "Well, I remember when we started at that remount program and we had a couple of ambulance bidders that were not too happy with us but I remember and recognize Boyd came and said we can do this and it will be better. So I know that we certainly listened to you that day and it sounds like it has worked out."

Mr. Kotter said, "It's worked very well, yes. We're building number ten now. We've finished nine of them."

Chairman Winters said, "Alright, very good. We appreciate your work and input on this process again and you know, it's often times that hard decision, between doing the best or doing

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the cheapest. Sometimes the cheapest is not the best.”

Mr. Kotter said, “That’s correct.”

Chairman Winters said, “And in the long run, it’s not the cheapest so we appreciate your work and all that you guys do down at the motor pool very much and Steve’s comments about our failure rate is excellent reflection on the work you guys do.”

Mr. Kotter said, “Thank you very much.”

Chairman Winters said, “Commissioner Norton.”

Commissioner Norton said, “Well, really, I was going to ask Boyd to come up too because he was here the last time as we had some pretty tough discussions about it and created some angst with several companies that thought that the low bid should be the only bid and you know our charge as County Commissioners is to find the lowest responsible bid and you know we took it very seriously, but we let staff and our experts and the folks at Fleet Management dig deep into the belly of the beast and come the recommendation that said, you know, cheaper is just not better. It’s not responsible. They are not going to hold up. We are going to have a hard time maintenancing them. It will cost us more in the long run and if we do this remount process, it’s going to be hard to work with those less adequate boxes and remount them because they just don’t hold up very well. So...I don’t know. Boyd, if you want to comment on that but that’s kind of the thought process we went through, as I remember.”

Mr. Boyd Powers, Ambulance Mechanic, said, “And the manufacturer that we selected that day has bent over backwards to help us fix wrecked ambulances. We now have that capability. They supply us with parts as quick as we need them. They have been good people to work with.”

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

Chairman Winters said, “Alright, thank you. Commissioner parks, you have a comment?”

Commissioner Parks said, “I just wanted to say that I was fortunate or less fortunate to be there when there was an ambulance that had been in a wreck and I was able to see the actual slicing and dicing of the box and some of the things that they pointed out to me. I appreciate them doing that. I happened to be there the right day, at the right time apparently.”

Mr. Powers said, “I believe that truck you saw now has 60,000 miles on it. 50 or 60,000.”

Commissioner Parks said, “Thank you.”

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Chairman Winters said, “Alright. Thank you all for working on this process. We appreciate your work.”

Mr. Powers said, “Thank you.”

Chairman Winters said, “Commissioners, are there questions about the recommendation of the Board of Bids contracts?”

MOTION

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

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

CONSENT AGENDA

J. CONSENT AGENDA.

- 1. Request to transfer funds from Arena Contingency to Pavilion for Design of Focus Groups Recommended Improvements.**
- 2. Schedule Post Annexation Public Hearing for October 29, 2008 (City of Haysville – District #2).**
- 3. Resolution to Authorize Destruction of County Hospital Patient records (DISP 2008-25 Human Services – COMCARE).**

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- 4. Resolution to Authorize Destruction of Human Resources Records (DISP 2008-65).**
- 5. Resolution to Authorize Destruction of Clerk Records (DISP 2008-63).**
- 6. Resolution to Authorize Destruction of Health Department Records (DISP 2008-64 Mixed Series 1980-2001).**
- 7. Amendment to lease for CPAAA office space in Butler County.**
- 8. Terminate Contract for Publication of Legal Notices.**
- 9. Donations in the amounts of \$25.00, \$50.00 and \$50.00 to COMCARE to be used as a memorial furthering programs for individuals with mental illness.**
- 10. General Bills Check Register for the week of August 6 – August 12, 2008.**
- 11. General Bills Check Register for the week of August 13 – August 19, 2008.**
- 12. Order to correct tax roll for change of assessment dated August 13, 2008.**
- 13. Order to correct tax roll for change of assessment dated August 20, 2008.**
- 14. Plat**

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

Mr. William P Buchanan, County Manager, greeted the Commissioners and said, "You have the consent agenda before you. I know that Commissioner Welshimer has suggested that she wanted to have a discussion about consent item 8, termination of a contract for publications of legal notice. So it would be my recommendation that you approve the consent agenda without item 8."

MOTION

Commissioner Norton moved to approve the Consent Agenda without #8

Commissioner Unruh seconded the motion.

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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

J. 8. Terminate Contract for Publication of Legal Notices.

Mr. Buchanan said, "Commissioners, it would be my recommendation to approve item 8."

Chairman Winters said, "Do you have any comments about that or would you rather have questions from the Commissioners? And I have indicated to evidently this gentleman that I would have them make a comment. Maybe we ought to start with that. Mr. Manager, can you tell us what item 8 is?"

Mr. Buchanan said, "Sure. Item Eight is a notice of termination of a contract with our publisher of our legal publication, which is the Derby Daily Reporter. We have done that for a number of reasons. Chris Chronis is more closely associated with this project than I am."

Chairman Winters said, "Why don't we start off with Chris and then come back to you, sir."

Mr. Buchanan said, "And I would ask that you would."

Mr. Chronis said, "Commissioners, about three years ago the County engaged in a competitive selection process to solicit proposals for legal ads for the County, which we are required to do, as you know, with some considerable frequency. At that time the award went to the Derby Daily Reporter, principally for two reasons, one was cost. They provided a very favorable rate on their legal ads. The second was publication schedule. They published five days a week at the time and we had expressed a preference in our request for proposal for at least five day a week publication cycle. Since that time, I'm sorry; we entered into a five year contract at that time with the Derby Reporter. Since that time, there have been a series of issues that have arisen. Foremost among those is that the publication cycle of the paper has been reduced from five days, I believe, to three days a week. That makes it a little bit more difficult for some of our departments to schedule their ads to appear on the precise day that statutes require the ads to appear in advance of certain actions. There have been a few occasions in which ads have not

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appeared on the day that they were intended to appear and there have been a few occasions of billing errors, principally we are told with the court systems ads. So all of those instances are issues that can be overcome, and the management of the Derby Reporter has been working with us to overcome them. Nevertheless, it seemed to us that it was appropriate, in light of those considerations, three years into this five year deal to terminate the contract and go back out on the street with a competitive selection process which Derby Reporter, as well as other competitors, would be allowed to respond to, to see what the marketplace could provide for Sedgwick County in order to provide this service that we are required to have. The contract does allow for that termination and reopening the contract provides for early termination by the county either for cause or for convenience.”

Chairman Winters said, “The contract does allow for that termination and reopening the contract provides for early termination by the County either for cause or for convenience.”

Mr. Chronis said, “Yes, the contract provides for early termination by the County either for cause or for convenience.”

Chairman Winters said, “Alright thank you. Commissioner Welshimer?”

Commissioner Welshimer said, “You say you we have a few ads that didn’t appear. How many is a few?”

Mr. Chronis said, “Commissioner, I’m sorry. I don’t have a count for you. I’m reporting to you what I’ve been told.”

Commissioner Welshimer said, “I think we need solid evidence if we are going to cancel a contract in the middle of the contract period. What is three day, what problems, do we have by going from five days to three?”

Mr. Chronis said, “In the statutes for various kinds of actions, there are requirements for ads to appear, legal ads, to appear some specific number of days in advance of the planned action. And so we try and time those ads to comply with that statute. If we have a full week to choose from, it obviously makes that scheduling process administratively simpler than if we have relatively few days in the week from which to choose. And as I said, that five day publication cycle was a principal reason why Derby Reporter was selected in the last competitive process rather than some of their competitors who publish fewer days than that.”

Commissioner Welshimer said, “Excuse me. They have had a change in management so I guess my next question would be on their change to three days did we call them and let them know that this is not something we could work with?”

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Mr. Chronis said, "I don't believe we did, no. I don't believe they called us and asked if it was okay to reduce to three days either. They made a business decision and I understand that business decision. Our job at that point is to try and work within that business decision. We have had other papers we have used. We have used the Derby Reporter for a lot of year's right? How many years?"

Mr. Chronis said, "For a long time. I don't know."

Commissioner Welshimer said, "I'm just curious as to whether or not we had problems similar to this with others. I can understand the newspapers cited this because at one time I published a small town newspaper. There's just no harder thing in the world than to meet those deadlines every single day. It is just so close to impossible. But you get it done and I can understand if there's some management problems that there are going to be errors and it seems to me this is a small number if we don't have any specific, you don't have any specific evidence of ads that have not appeared. It's just someone has told you the ad didn't appear, is that right?"

Mr. Chronis said, "Yes, ma'am."

Commissioner Welshimer said, "Okay. That's all I have right now."

Chairman Winters said, "All right. Thank you. I have indicated that we would take comments from someone representing the Derby paper. So sir, please come forward and please give your name and address for the record."

Mr. Kent Bush, Publisher, Derby Daily Reporter, greeted the Commissioners and said, "I've been the publisher since May 1st. Since the time I got there, we have made two actual major structural changes in our business operations. One was to change from five days to three in our publication schedule. It made sense for our product, what we are trying to do and it was a business decision. The other thing I did was hire a person whose sole responsibility is managing the Sedgwick County legal contract. When I first got here, I had a meeting with Iris Baker, Bernadette and Linda Rangel and we discussed some of the problems that might have happened in the past. Because of those problems, I took immediate action to rectify those situations so that we would not have an issue. In the three months since June 3rd when we began the three day a week schedule, I think I can speak pretty accurately when I say that the mistakes have been minimal, nothing that you would get from any other news product. Because of our size and flexibility, we're able to extend our deadlines to accomplish some of the things that they're worried about, the three days a week. We don't have rigid deadlines because of our publication schedule. We're able to be a lot more flexible. We feel like in the three months since we made the change that we have done a really good job maintaining this. We provide the service very

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inexpensively and effectively for the county. I would really ask that you would continue the contract in the spirit that it was awarded in 2005 because I think we have earned that right.”

Chairman Winters said, “Alright, thank you Mr. Bush, we appreciate your attending our meeting today. Commissioners, is there other discussion or what’s the will of the board on item 8 of the consent agenda?”

MOTION

Chairman Winters moved to take recommendation as presented in Item J-8.

Commissioner Norton seconded the motion.

Chairman Winters said, “Commissioner Norton?”

Commissioner Norton said, “Just a little discussion. Bill, what is your plan if we take this action for next steps?”

Mr. Buchanan said, “We would create a RFP, we would hit the street and people would, folks could bid on the RFP.”

Commissioner Norton said, “Okay. Anything restricting the Derby Reporter from bidding on that and would they be included in that list?”

Mr. Buchanan said, “There were two questions. There’s nothing in there that would prohibit them from bidding.”

Commissioner Norton said, “They would be included on the list to be mailed to?”

Mr. Buchanan said, “Yes.”

Commissioner Norton said, “Okay.”

Mr. Buchanan said, “In the RFP, I think we’re going to state that we prefer a five day a week publication.”

Chairman Winters said, “Right. Alright, other questions or comments no. Any other comments from the Commissioners? Commissioner Unruh?”

Commissioner Unruh said, “Thank you. I wanted to say that I think the administrative or

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managerial problems are something that happen in any business and we can work with those. I think the movement from a five day a week to a three day a week is material and substantial change in the contract. I am going to favor the motion as presented to us.”

Chairman Winters said, “Alright thank you. Any other discussion? We have a motion and a second. Is there any other discussion? Seeing none, call the vote.”

VOTE

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

Chairman Winters said, “Thank you. We will take this action as recommended by the staff.”

K. OTHER

Chairman Winters said, “Is there, it comes to the end of our regular agenda. We do need to have a fire district agenda but why don’t we take up our other business discussion now. We don’t need any executive sessions today, I don’t believe. Commissioners, is there any other business that you would like to discuss today? Commissioner Parks?”

Commissioner Parks said, “I just wanted to kind of respond to one of the people that spoke earlier. I believe the, and I will direct this question toward Rich Euson. In county court we have to follow some kind of state law or something on that for expungements and those are available for a mere filing fee by the person that has been adjudicated in that court. Is that correct?”

Rich Euson, County Counselor, greeted the Commissioners said, “The County Court is really not a court of record as such. I would have to look at that and let you know and I will do that. I am just not.”

Commissioner Parks said, “I certainly did not know this was going to come up under a zoning request to speak but in that I want to make sure that the people know that there are remedies by state law for expungement.”

Mr. Euson said, “I will find out and let you all know.”

Chairman Winters said, “Thank you. Anything else, Commissioner Parks? Anything else

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going on around the county anybody wants to talk about?"

Commissioner Unruh said, "Zoobilee."

Chairman Winters said, "Commissioner Unruh?"

Commissioner Unruh said, "I just want to say, it was already mentioned once by Kristi, but Sedgwick County Zoo is having the major fundraiser on September 9th [sic September 6th]. I encourage everyone to make plans to attend. It's an exciting evening. I have two tickets left for sale. So if anybody needs two tickets out of my allotment, I have two."

Chairman Winters said, "Alright. Very good. Commissioner Norton?"

Commissioner Norton said, "I just wanted to compliment Bob Lamkey and Kim Pennington, I think. She got a different last name? Kim Pennington from 911 came to the Southwest Neighborhood Association last night. I was there a month ago and they had some questions about 911 and some of the problems that may have been created when we moved to the new building and put in the new system. They were gracious enough to show up last night and we had people from Southwest Neighborhood Association, some members from WIN, the Wichita Independent Neighborhood Association, that came. I think they stood up and answered a lot of the questions and brought a little comfort to that group. I don't know that they answered every question to the citizens' satisfaction, but we did address them and I appreciate them being there and trying to discuss exactly how 911 works and why there sometimes may be questions asked or difficulties in the timing as you call 911 and what the protocols look like to take care of citizens. It was a good session and I appreciate them being there doing a little outreach for 911."

Chairman Winters said, "Very good. Any other comments? We would just remind everyone that the courthouse is closed next Monday for Labor Day. So I hope everyone has a good Labor Day weekend coming up. If there's no other business to come before the regular board, I will adjourn the regular Board of County Commissioners."

L. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:06 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