

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

### **REGULAR MEETING**

**September 17<sup>th</sup>, 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, September 17<sup>th</sup>, 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; Ms. Kristi Zukovich, Director, Communications; Mr. Thomas Pletcher, Clinical Director, COMCARE; Mr. Chris Chronis, Chief Financial Officer, Division of Finance; Mr. Bob Lamkey, Director, Public Safety; Mr. Ron Holt, Director, Division of Culture Entertainment and Recreation; Mr. Joe Thomas, Sr. Purchasing Agent, Division of Finance; Ms. Kristi Vermillion, Deputy County Clerk.

### **GUESTS**

Ms. Julie Menze-White, 11312 E. Calais, Wichita, KS  
Ms. Susan Bacon 11622 E Calais, Wichita, KS 67210  
Mr. Robert Winters, 11720 E. Calais, Wichita, KS 67210  
Mr. Mark Little, 11414 E. Calais Rd, Wichita, KS 67210  
Mr. Kenneth Helms, 11932 E. Calais, Wichita, KS 67210  
Mr. Bob Wilson, 11505 E. Calais, Wichita, KS 67210  
Mr. Mick Allen, State Chair, Employer's Support of the Guard and Reserve  
Colonel Gary Major, Chief of Staff, 89<sup>th</sup> Regional Readiness Command  
Ms. Mildred Edwards, Stand Together Coalition  
Mr. Jim Walters, Senior Vice President of Human Resources, Cessna Aircraft Company  
Dr. Nancy Insko, Justice Concepts Incorporated  
Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C  
Ms. Beth Oaks, Vice President of Community Planning and Resources, United Way of the Plains

### **INVOCATION**

The Invocation was led by Pastor Lincoln Montgomery, Tabernacle Baptist Church, Wichita

### **FLAG SALUTE**

### **ROLL CALL**

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

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**Chairman Winters** said, “Before we call the next item we would like to rearrange the agenda just briefly. We have got three proclamations and we are going to do them next and then we have a donation we’ll do and then we are going to move up Item I, our agreement between Wichita, Cessna, and Sedgwick County to after that donation.”

### **PROCLAMATION**

#### **A. PROCLAMATION OF SUPPORT FOR THE NATIONAL GUARD AND RESERVE.**

**Chairman Winters** said, “Commissioners I have this proclamation and declaration for your consideration.

Statement of Support for the Guard and Reserve: We recognize the National Guard and Reserve are essential to the strength of our nation and the well-being of our communities; and

In the highest American tradition, the patriotic men and woman of the Guard and Reserve serve voluntarily in an honorable and viable profession. They train to respond to their community and their county in time of need. They deserve the support of every segment of our society;

If these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security;

Therefore, we join with other employers in pledging that:

1. We full recognize, honor and enforce the Uniformed Services Employment and Re-Employment Rights Act
2. Our managers and supervisors will have the tools they need to effectively manage those employees who serve in the Guard and Reserve; and

We will continually recognize and support our country’s service members and their families in peace, in crisis, and in war. Signed Tom Winters, September 17<sup>th</sup>, 2008.

Commissioners, what is the will of the Board in regard to this letter of support, declaration?”

### **MOTION**

Commissioner Norton moved to adopt the Proclamation.

Commissioner Parks seconded the motion.

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

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### VOTE

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

**Chairman Winters** said, “And we have Gary Major and others with us this morning so if you would please introduce yourselves and welcome to our Commission meeting.”

**Mr. Mick Allen**, State Chair, Employers’ Support of the Guard and Reserve, greeted the Commissioners and said, “We thank you very much for signing this Statement of Support. I noticed on the information received that you have some approximately 88 employees that are in the Guard or the Reserve and my hat is off to you for that. Employers’ Support of the Guard and Reserve is a committee that is funded by Department of Defense and we have about 70 volunteers across the State of Kansas and I am honored to be the Chairman and we work daily with Guardsmen and Reservist that are activated and deactivated and we ensure that when they come back that they return to their jobs in a very smooth fashion. And one of the things that we try to do is educate employers before the Reservist or Guardsmen is activated so that the employer has the knowledge about the laws, what the soldier has to go through, what the family has to go through so that when the soldier is gone the soldier doesn’t have to worry about whether he/she is going to be employed when they return from active duty. And unfortunately some of the soldiers are coming back with wounds or physical problems that sometimes limits their re-employment ability but employers, I will tell you, are stepping up to the plate and taking care of our soldiers and we appreciate that.

This week is E.S.G.R. week, there is an actual Chairman, Chairman Reholtz. The Governor signed a proclamation Monday for Employers’ Support of the Guard and Reserve, the President signed one last week and we thank you again, the County Commissioners, for signing the proclamation here. We would hope that all employers in this Wichita area or Sedgwick County would sign a statement supporting the Guard and Reserve. You don’t have to have an employee that is in the Guard or Reserve to sign a Statement of Support. We are trying to educate all employers because who better to hire than a Guardsmen or Reservist that is disciplined, trained, and shows up to work on time. You know we travel across the nation and we see all kinds of soldiers and I call them young men and women and sometimes they get frustrated with me about calling them young men and women but anyway, they are, and I have to say the spirit of Corp and dedication and the love for this country is unbelievable. You have got to remember that these soldiers, now Colonel Major is not one of the young ones, I am sorry but he isn’t, and I will introduce him here in just a second but these young men and women are volunteers and they go into harm’s way and if you talk to any of

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them that has returned they have no complaints. They are a great bunch of kids. Also with me today I have Colonel Gary Major, who is the Chief of Staff of the 89<sup>th</sup> Regional Readiness Command. I belonged to it when it was the old 89<sup>th</sup> Arcom but Gary is the Chief of Staff and welcome.”

**Colonel Gary Major**, Chief of Staff, 89<sup>th</sup> Regional Readiness Command, greeted the Commissioners and said, “As he said I am Colonel Gary Major and on behalf of our Commanding General and the soldiers and families of the 89<sup>th</sup> Regional Readiness Command, U.S. Army Reserve Command here in Wichita, I just want to publicly express our appreciation for all the support that you give to our soldiers and families as they serve this great nation.”

**Chairman Winters** said, “Alright, thank you Colonel we do have...”

**Mr. Allen** said, “I’m sorry. One other thing right quick, I would like the Human Resource person from Sedgwick County to come forward and we have framed this to put this in her office. We have given one to each of the Commissioners to put in their offices and I would ask if any employer wants to sign, would the members of the Committee stand? Rick Storm is the full time E.S.G.R. person here in Wichita, he is located in the 89<sup>th</sup> Headquarters and we also thank them for their support for doing that and my wife, Coleen, is my boss, actually she is on temporary duty full time with E.S.G.R. because one of my three full time employees was activated. Anyway, I was kind of upset and she reminded me that you are beginning to act just like employers that we are trying to educate so she educated me right quick.”

**Chairman Winters** said, “Alright, Jill, could you hold up that plaque so we could take a look at that. Thank you very much. We will hang that with pride. We do have a few comments. Commissioner Norton?”

**Commissioner Norton** said, “Well, I am very supportive of the Proclamation. We are a Guard family. My son in law is a Guardsman, not only on the civilian side and working full time but also you know serves actively in his Guard position with his weekends and other ways so we are a very supportive Guard family. But beyond that you know we all need to be sure that we understand the impact on our veterans, the ones that serve in harm’s way and the ones that serve stateside their whole career. There are many profound problems that have come out of the war, of the veterans coming back; we’ve certainly tried to deal with that. The Chairman moved us forward on a compact with the Veteran’s Affairs and other military parts of the County so that we understand what we need to do to make sure that our veterans are taken care of as they process back into civilian life and you know that goes along with the National Guard and Reserve too because for the first time in many, many years our civilian warrior has moved to the national scene and has gone over seas and many young men who are in the Guard or are in the Reserve are now finding

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themselves displaced for periods of time and serving our country overseas and we need to be as supportive as we possibly can because that is a new dynamic that is going to be very profound and have long terming residual effects on our world as we know it today. So I am very supportive and thanks for coming today.”

**Chairman Winters** said, “Alright and I would just again follow up in the fact that Sedgwick County does want to become and be known as a veterans friendly community and we appreciate those of you who were here in August as we held a news conference talking about the fact that Sedgwick County is going to attempt to become much more aware when our departments and agencies touch citizens who are veterans. We discovered that many of our departments were not asking that question and we believe that there are resources that both can serve the community and the individual veterans that may have been overlooked so we appreciate your being here today Colonel and Mick and others. We appreciate your attendance very much. So thank you for being here.”

**Mr. Allen** said, “Thank you sir and ma’am.”

**B. PROCLAMATION DECLARING SEPTEMBER 17 – 23, 2008 AS “CONSTITUTION WEEK”.**

**Chairman Winters** said, “Commissioners, I have another proclamation.

**WHEREAS**, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

**WHEREAS**, September 17, 2008, marks the two hundred twenty-first anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17-23, 2008 as CONSTITUTION WEEK.

**NOW THEREFORE BE IT RESOLVED**, that I, Thomas G. Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 17-23, 2008 as

**“CONSTITUTION WEEK”**

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In Sedgwick County and ask our citizens to reaffirm the ideals of the Framers of the Constitution by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Commissioners, that is the proclamation, what is the will of the Board?"

**MOTION**

Commissioner Parks moved to adopt the proclamation.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, "And I don't believe Kimberly Wimmer is here today."

**Ms. Kristi Zukovich**, Director, Communications, greeted the Commissioners and said, "That is correct and we appreciate every year they do send this proclamation into us Commissioners to remind us of how important it is that we and those who live in our community remember the Constitution and how it does drive the work that we do and our freedoms in this country so we will make sure that they do get this proclamation."

**Chairman Winters** said, "Well I think it is significant that today, September 17<sup>th</sup>, is the 221<sup>st</sup> anniversary of that document. Madame Clerk, call the next item."

**C. PROCLAMATION DECLARING SEPTEMBER 22, 2008 AS FAMILY DAY.**

**Chairman Winters** said, "Commissioners this is the last proclamation.

**WHEREAS**, the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

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**WHEREAS**, surveys conducted by the National Center on Addiction and Substance Abuse (CASA) at Columbia University and the Stand Together Coalition of Wichita, KS have consistently found that the more often children and teenagers eat dinner with their families, the less likely they are to smoke, drink and use illegal drugs; and

**WHEREAS**, teenagers who virtually never eat dinner with their families are 72% more likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

**WHEREAS**, the correlation between family dinners and reduced risk for teen substance abuse are well documented; and

**WHEREAS**, parental influence is known to be one of the most critical factors in determining the likelihood of substance abuse by teenagers; and

**WHEREAS**, family dinners have long been constituted as a substantial pillar of family life in America.

**NOW, THEREFORE BE IT RESOLVED**, that I, Thomas G. Winters, Chairman of the Board of Sedgwick County Commissioners hereby proclaim September 22, 2008 as

**“FAMILY DAY IN SEDGWICK COUNTY”**

a day to eat dinner with your children.

Commissioners that is the proclamation, what is the will of the Board?”

**MOTION**

Commissioner Norton moved to adopt the proclamation.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “And here with us today is Mildred Edwards.”

**Ms. Mildred Edwards**, Stand Together Coalition, greeted the Commissioners and said, “Commissioners, we thank you for this opportunity. On Family Day, on Monday, in Wichita we will celebrate and commemorate this occasion, starting with a Dream Dinners Family Preparation opportunity at 1 o’clock and 3 o’clock, 5 o’clock at Popeye’s Chicken on west Central we will host a press conference and we have invited our Mayor Carl Brewer to speak to the Family Day Initiative and then Texas Roadhouse, a National level sponsor, will celebrate the event at 7 o’clock. It is our hope that Sedgwick County residents all participate in this event not only on September 22<sup>nd</sup> but let this be an occasion that is continued throughout all of our families and reducing alcohol and substance use throughout our community.”

**Chairman Winters** said, “Alright thank you. We do have a comment. Commissioner Norton?”

**Commissioner Norton** said, “Well this is more than just a proclamation for me. We used to have a family rule that there was at least two nights a week that everybody, all my five kids, had their feet under the table and we had a family meal. Although we called it the feeding frenzy instead of a family meal it was profound, it did bring the family together to have discussions and connect and understand what all the kids were doing so this is more than just a hollow proclamation, it is a way of life in the United States that has become tougher and tougher for families as they have so many things going on but it certainly does make a difference to bring people together within a family unit, whatever that looks like and I am going to be very supportive of the proclamation.”

**Chairman Winters** said, “Alright, well Mildred thank you for being with us today and best of luck on your events on the 22<sup>nd</sup> and we hope everything goes very well and you are able to draw some attention to this very worthy project.”

**Ms. Edwards** said, “Thank you Commissioner.”

**Chairman Winters** said, “Thank you. Madame Clerk, call the next item.”

### **DONATION**

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**D. DONATION OF 2,500 TOOTHBRUSH KITS FROM DELTA DENTAL FOUNDATION FOR DISTRIBUTION BY COMCARE.**

**Mr. Thomas Pletcher**, Clinical Director, COMCARE, greeted the Commissioners and said, “Over the last few years, considerable effort and time has been spent in addressing the oral hygiene needs of our consumers, realizing that a person’s physical health is closely tied to their mental health. Delta Dental Foundation has donated 2,500 toothbrush kits that will be donated or distributed by COMCARE to its consumers. Each kit contains a toothbrush, toothpaste, some dental floss and a pamphlet on emergency dental care. They look something like this, as we are going to be distributing them. These kits will both raise awareness of proper dental care in the adults receiving these services and will provide them with basic supplies that they need to better care for their teeth. We would ask that you approve or accept the donation and authorize the Chairman to sign a letter of appreciation.”

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “Tom, thank you very much and again express our appreciation in every way we need to.”

**Mr. Pletcher** said, “We will. Thank you.”

**Chairman Winters** said, “Thank you. Commissioners, I would like to deviate from the agenda for scheduling reasons this morning so Madame Clerk would you call Item I.”

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### I. CITY-COUNTY ECONOMIC DEVELOPMENT AGREEMENT (CESSNA COLUMBUS PROJECT).

**Mr. Chris Chronis**, Chief Financial Officer, Division of Finance, greeted the Commissioners and said, "Late last year Cessna Aircraft Company made a decision to proceed with the development of a new product line which we now know as the Columbus jet and as a part of that process the company solicited proposals from communities to locate what would be a new production facility in their community. They solicited proposals from Wichita and Sedgwick County through the Greater Wichita Economic Development Coalition as well as a number of other jurisdictions. In April, you approved, gave conceptual approval, to an incentive package that included among other things a \$10 million forgivable loan to the company that would be shared equally by the City of Wichita and Sedgwick County. What we are here for today is to seek your approval or specific approval of the agreement between Sedgwick County and the City of Wichita that will fund that forgivable loan. The company has announced that it will locate the new production facility for the Cessna Columbus jet in Wichita at Mid Continent Airport adjacent to existing Cessna facilities. That production facility will entail an \$800 million capital investment by the company to build the new plant and related facilities and that plant will be occupied by a total of 1,000 new employees to Sedgwick County. Those 1,000 new jobs to be added over a 10 ½ year period, will have an average salary per job of at least \$65,000. The interfund loan agreement that has been negotiated with the company provides a ramp up schedule, a certain number of jobs to be added each year at certain total wages and the company has to achieve those annual ramp up, that annual ramp up schedule in order to qualify for forgiveness of the loan.

The City of Wichita through this interlocal agreement that is before you today will administer the loan on our behalf. We will pay the City of Wichita \$5 million, which will be used by the City to reimburse initial expenditures of the company for site preparation. They need to bring in a significant amount of topsoil to raise the elevation of the site to make it suitable for construction. Those expenditures will be incurred in the next several months. Then the facility will be constructed and near the end of the construction cycle, 18-24 months from now, the second \$5 million of the total \$10 million forgivable loan will be used to pay primarily for paving of taxiways connecting the new facility to the airport runways and to pay for the paving of employee parking lots.

The City of Wichita and Sedgwick County originally planned to finance the entire \$10 million through the issuance of bonds by the City of Wichita and this interlocal agreement would have had Sedgwick County agreeing to repay the City of Wichita for half of that bond issue, including \$2.5 to \$3 million of debt service on those bonds. What we have determined more recently is that the Sedgwick County piece, our \$5 million, can be funded by a draw on our existing fund balances. We have sufficient fund balances in excess of the minimum target that is established by County policy

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that can be used to make this payment to the City of Wichita and by doing that, by drawing on the County's fund balance it will enable us to avoid the issuance of that part of the debt and avoid incurring \$2.5 to \$3 million of interest costs on that debt. The County's economic development policy calls for incentives of this type to be provided only after we have completed a benefit cost analysis through the Wichita State University offices and that model is intended to identify the public benefits and the public costs of a proposed economic development project, including not only the incentives that we are providing but also the additional services that we will be required to provide because of the economic development and counting as benefits to the community the additional taxes that we will receive from the company but also the additional revenues that we'll receive from the employees that are added and from the purchases that they make in the community.

The results of that economic analysis, that benefit cost analysis, show that this total incentive package will produce benefits in relation to costs for Sedgwick County of \$2.62 for every dollar of public cost and so it is well above the minimum threshold that we establish in our economic development policy. It is a good return on investment for this project. We have with us in the audience Jim Walters and James Wade from Cessna Aircraft Company and I am sure they would be happy to answer any questions you might have about the project or about the company's plans for Wichita and if you have no questions then I would recommend that you approve the agreement that is before you."

**Chairman Winters** said, "Alright, thank you. Commissioner Parks?"

**Commissioner Parks** said, "Who audits considerations i.e. if there is supposed to be a 1,000 jobs out there who actually checks to make sure that those are being met."

**Mr. Chronis** said, "Through this interlocal agreement we are delegating that responsibility to the City of Wichita, their Economic Development office."

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

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

**Commissioner Welshimer** said, "It's probably difficult for a lot of people to decipher all the pieces and parts of this when you are talking about the cost benefits and so on. About what does this cost us per job?"

**Mr. Chronis** said, "The County is contributing \$5 million to this transaction and we are getting a 1,000 jobs so that works out to \$5,000 per job."

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**Commissioner Welshimer** said, “Ok, and then the City is putting in \$5,000 and the State’s a little more than that.”

**Mr. Chronis** said, “Additional amounts yes.”

**Commissioner Welshimer** said, “A little more than that? Alright, thank you.”

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

**Commissioner Unruh** said, “Thank you Mr. Chair. I just want to make a comment that to some degree I agree with Commissioner Welshimer that there is a lot of misunderstanding in the community about how this works and what the benefit is to the community. I would say that we just have to continue to work hard to make that clear because we are in an intense competition with other communities across the United States for this type of investment and these types of jobs. This is a huge benefit to Sedgwick County and South Central Kansas with the number of jobs, the value of those jobs and the amount of capital investment so our participation in this is justifiable and appropriate by almost any measurement that you can make and often times folks misunderstand that but in light of the competition that is out there for these types of jobs I am just very thankful that we were able to compete and that the folks at Cessna have decided to keep their plant and their jobs here in Sedgwick County and we are grateful for the partnership with the City of Wichita and with Cessna in order to make this great benefit for South Central Kansas and so I am going to be very supportive.”

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

**Commissioner Norton** said, “Well I am going to be supportive too. I know there is consternation in the community as they look at economic development processes and where we put public investment into job creation, workforce development and companies to make sure that they are healthy and are staying here. As we look at the national economy and I think everybody that reads a paper or listens to any kind of electronic media understands that there are many communities that are struggling, the nation somewhat is struggling economically but job creation and building capital investments in our community is one way to stem the tide on that so we need to continue to be progressive when it comes to understanding the workforce development and job market in our community. 1,000 jobs is nothing to sneeze at and knowing that the ancillary affects of that are Spirit is now building a unit to help build that with 750 jobs and all of that ties together to continue to make our community strong when it comes to our economics. Now I know that there are folks that just don’t want to believe in that or to understand that. We have spent a lot of time analyzing this, staffs have looked at it, Commissioners have languished over all of the numbers to understand what we need to for our community but at the end of the day we have to be sure that our community

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has good jobs, has workforce development and that we make sure that our economy stays as healthy as it possibly can. We all know that there are plenty of things nationally poking at us and under the bubble, which is what I call it; we need to make sure we make decisions that are bold and progressive to ensure that that bubble stays inflated here in Wichita regardless of all the things that poke at us from the outside. So I am going to be supportive of this and of Cessna because I think it sets in motion some really good things for our community.”

**Chairman Winters** said, “Alright thank you Commissioner. I do have a question for Mr. Walters so Jim if you would come up to the podium please and I am going to preface it by just saying in the last couple of days I get up early to walk on the treadmill and I sometimes watch Good Morning America. This week they started a tour on a train across the country, they are going to stop in all 50 states. Yesterday they were 400 miles out of New York City headed into western New York and the communities that they stopped at had lost 85,000 jobs in the last eight years so they were talking about jobs. What they are hearing out there is jobs and you know I thought about what we have done here and what we intend to continue doing and I thought one of the other things that I think that we continue to forget about is what kind of employment Cessna has in our community today and the second part of the question is what is the significance of this being a new product that is going to built here? Is that significant to us?”

**Mr. Jim Walters**, Senior Vice President of Human Resources, Cessna Aircraft Company, greeted the Commissioners and said, “Thank you. Yes it is. The building of the Citation Columbus will set the stage for a new generation of jets. It will be our largest jet that we manufacture and as I said it is going to be setting the stage for many generations to come for new products for Cessna.”

**Chairman Winters** said, “So it’s not like an addition to something that is already there? This is a new product?”

**Mr. Walters** said, “This is the single largest investment that Cessna has made in its history in a new product. As Chris mentioned \$800 million so it is a huge gamble, a huge bet but we think it is a very safe one.”

**Chairman Winters** said, “Alright and what is the current employment of Cessna now in our community?”

**Mr. Walters** said, “In our community, in Kansas, a little over 12,000 employees. 90% of those being in Sedgwick County or Wichita and the remainder in Independence, KS.”

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

### **MOTION**

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Chairman Winters moved to approve the agreement.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “Madame Clerk, we are going to go back now and call Item E please.”

**PRESENTATION**

**E. REPORT TO BOARD OF COUNTY COMMISSIONS ON THE INITIAL WORK AND PROGRESS OF JUSTICE CONCEPTS INCORPORATED.**

**Mr. Bob Lamkey**, Director, Public Safety, greeted the Commissioners and said, “I am very pleased to welcome and reintroduce Dr. Nancy Insko and Dr. Alan Beck who are principals of Justice Concepts Incorporated. As you know Sedgwick County engaged J.C.I. to examine our criminal justice system and to help us find additional ways to safely and effectively reduce the population in our adult detention facility. J.C.I. began their work several months ago with an initial group stakeholders’ meeting and has been in our criminal justice community since then conducting a number of activities and so at this point I will ask Dr. Insko to come up and talk about those activities. At the conclusion of her report and any questions you may have the recommendation is that you receive and file this report. So without further adieu, Dr. Insko.”

**Chairman Winters** said, “Dr. Insko welcome to our Commission meeting.”

**Dr. Nancy Insko**, Justice Concepts Incorporated, greeted the Commissioners and said, “Commissioners I am elated to be here this morning and just to provide you a little bit of an update as to the progress of our efforts as Mr. Lamkey indicated we launched our process on July 8<sup>th</sup> actually with a large orientation meeting of all the key stakeholders and many others who attended that meeting and we were fortunate to have two Commissioners actually be part of that process. We have been received with a great enthusiasm and willingness to participate and everybody that we

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have interviewed so far. We have toured the jail, we have spent time observing first appearances, which is a very interesting process, and for those of you that are Criminal Justice system aholics that is very much of a learning process. You can learn a great deal about what is happening in the jail and the courts at the same time through that. So we have had some of our assistants doing that, actually some WSU students, so we are very pleased to include them in this process. We have spent time in Municipal Court and spent time with the Municipal Court administrator as well as the administrative judge and actually had the opportunity yesterday to observe Drug Court in that venue and are very excited about the activities that are ongoing with Sedgwick County's Drug Court, which promises to be, I think a fine representation of a very advanced specialty court and we are very interested and supportive of the approach that they are going to be taking with the felony population whereas in Municipal Court, of course, they deal with the misdemeanor population.

We have spent time with folks from COMCARE. We have yet to spend a great deal of time at the agency but we have certainly been working with the folks that are very concerned about the mentally ill and the mental illness involvement in the criminal justice system. We have spent time with the SCOPE personnel and we are very humbled to be asked to speak and learn what has been going on in the CRISIS Intervention Team, training and the activities that have been built up around that. As many of you know the mentally ill in the criminal justice system have been a very dramatic problem for many, many years. I know myself, when I was a Warden for a large State prison facility, that managing the mentally ill were probably the greatest problem that I had on a day to day basis and there are many, many needs in this community as it relates to treatment, placement, asystemic response and so we have been learning, we do have somewhat of a large curve. This is a very complex system. You have been, I think, gracious and supporting financially. Many, many efforts we do not even pretend that we have a handle on every single thing that has been going on but we will very shortly. This is our third site visit.

We are also in the process pursuant to the terms of our contract and also at the request of the people from the CJCC, we are actually going to update the recommendations from the 2003 report issued by Dr. Al Kamanoffe in the Institute for Law and Public Policy. Through that process actually it would be very beneficial to us to understand why some of the recommendations may have not been implemented. One of things that Dr. Beck and I, and I want to recognize him now, stand up Alan so you can be introduced here. One of the things that Dr. Beck and I find as we have been doing this work around the country for over 14 years is that it is easy to provide recommendations to a community and to a system but there are many, many reasons why those recommendations cannot be implemented. And so sometimes it is resources, sometimes it is just the staff and money but many times there are systemic problems into the implementation. So we are going to learn a lot. Our approach from Justice Concepts is not to spend time here and issue a report and walk away. We are very solution oriented. It is our goal to assist this community and reducing the demand for jail beds and to reduce the length of stay of individuals in the Adult Detention Center. We believe that there are many other ways to manage this population. We believe that there will perhaps have

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to be an investment of some dollars but we really believe it will not be in the kinds of beds previously envisioned and the level of security needed. We hear an outcry by many, many of the members of the community, of the Criminal Justice community for additional Work Release beds. Sometimes Work Release beds are very appropriate, sometimes they need more structure but we are looking at a broad range of graduated sanctions and a broad way of alternatives that will safely house these folks, allow these folks in a Criminal Justice system to hopefully continue in their employment to support their families while perhaps serving some sanctions of the Criminal Justice process. We are also very much involved, as we always do in every community, at looking at the front end of the process and the delays in the processing of individuals into that jail facility and the obstacles that are prohibiting them from being released to the community, for instance, on pre trial release so we obviously have a large plate before us. We are excited though, we are starting to feel like we have identified many of the issues that we have got to explore. We believe there is a willingness particularly by the judiciary to explore alternatives and that is what we are going to do. So with that I can take any questions. I am not going to be making any great findings statements today. That is a very dangerous thing for us to be getting into at this point but I can share observations with you.”

**Chairman Winters** said, “Alright thank you.”

**Commissioner Norton** said, “Thank you Dr. Well, we are very intent on trying to understand this issue. A lot of moving parts, tough issue to understand. Will you be looking at the process that starts all of it, which is the legislative process that dictates the judiciary that dictates the Sheriff that dictates how many beds you need ultimately. I mean we look at it in the confines of the jail but the criminal justice system starts with legislation that is passed that starts the whole process moving.”

**Dr. Insko** said, “Absolutely. You are absolutely right Commissioner Norton. Legislation in Kansas, not unlike many states, has become much more, has resulted in a lot more punitive sanctions and mandatory sentences. We are going to look at legislation. I believe that there is a lot of activity, charging and obviously required jail time, around many, many offenses that maybe 5 to 10 years ago do not carry the same penalties. It is my hope to do that kind of legislative analysis and to be able to come back to you all and say this is the impact of this legislation on our communities. The states and counties cannot be a part in solving these problems and the criminal justice problem and the management of offenders is a shared burden. I think what happens in state legislatures and far be it for me to you know say anything disparaging particularly when Commissioner Welshimer was in the legislature for many years and we know that she did a fine job and responded to constituent needs as legislatures do. However, one of the things we have found in states such as Kansas, other states that we are working, such as I will say Florida right now, we find that legislation many times is introduced and passed on the basis of one constituent complaint or one constituent sad tale and while we all recognize that these events are tragic there needs to be a lot more physical analysis and a lot more detailed impact analysis on what is going to happen to

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local criminal justice systems for instance and the burden that will have to be carried by counties and municipalities in that regard. We are also going to be looking at law enforcement very closely.

We believe that there may be some over charging, that there may be inappropriate arrests and thus the long train of inappropriate detention and those kinds of things. What we believe too is that this community has what all communities of this size have today, which is a number of unemployed, homeless people, mentally ill people on the street that commit consistent offenses, that find themselves in the jail, whether it is the holding cells or ultimately in a housing unit but we are going to really look at that front end of the process very, very closely and you are right. It does start with legislation that drives the activity and the penalties. So we want to bring you solutions, some of those solutions however, I do feel even at this point are going to be such will perhaps allow us to create a forum for discussion with the state legislative contingency and just talk about the impact of these and the needs of this county particularly as it relates to what the impact that legislation has caused.”

**Commissioner Norton** said, “Over 14 years obviously with multiple states that you have done work in, are there I guess legislative best practices that you look at that can be suggestions or benchmarks that we can kind of put together a plan and talk to our legislators about because there is a financial impact to what they do and you know whether you call it unfunded mandates or whatever, it does change the landscape of how we finance this locally and you know we are in a unique position. We don’t guide the laws, we don’t guide the judiciary, we don’t incarcerate people, we just build jails and fund it and that puts us in a real dicey position because we are at the downstream end of it so all of that would be important as far as benchmarking and having something to move forward legislatively.”

**Dr. Insko** said, “Well, let me just add something that I say to everybody and you may have heard it already so excuse me for the redundancy but number one, you can never build your way out of the problem. Number two, the jail is the repository for all that is wrong in the rest of the criminal justice system and many times in the law making process. I mean the jail has to sit there and accept what it has to accept. The National Council for State Legislatures has been very active in the last five to seven years in looking at the burden on states and subsequently counties and dealing with the outcomes of legislation that has been damaging, if you will, or has presented obstacles to the criminal justice system. I was a part of a national dialogue a few years ago that took place actually in Baton Rouge around this issue and I am in contact with the staffers that staff those committees. I do not know that there is a best practice out there that has been issued, there should be, but I can certainly go back and contact individuals that I have worked with and talk to them about perhaps creating such an effort within their means because it is within their purview to do these kinds of things. They are becoming a lot more interested in what is happening in criminal justice then they were say even 10 years ago so I think that this a place and a resource that we can call on with prior relationships already built to do such things like that. However, let me just say that Kansas is not alone in all of this so you know it is not a unique place to be. Unfortunately, it happens all over the

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place. We do look at the legislative issues and I am never, having coming out of that environment I am never really timid about you know, speaking up in that regard so we will do that yes.”

**Commissioner Norton** said, “Well I mean if you look at we are now moving towards a Drug Court but that is a best practice that has been in many jurisdictions for over 30 years and we are just now a large metro area finally coming to the conclusions that we at least need to move that forward, try it, see what it does and the continuum of the system and there are best practices out there for Drug Courts.”

**Dr. Insko** said, “Oh yes absolutely.”

**Commissioner Norton** said, “So I mean there is just an example of something we haven’t done in the past that we have moved forward on so...”

**Dr. Insko** said, “And I think, I mean I want to echo the comments of many, which is I really believe that the Drug Court here is going to operate at an optimum. I am very delighted to see the quality of staff that have been hired and also the thing that is so exciting to me is what they have identified as their pool of eligibles for the population. It truly are in the deep part of the system that would not otherwise probably have an opportunity to participate in this kind of aggressive treatment and supervision so I really do think that the Commission should be certainly given the credit for funding that at the capacity that it did because it should operate very, very well and serve as a model actually for other such specialty courts. The City has just received a planning grant for a mental health court speaking with Judge Jones yesterday as a matter of fact. She is very excited about that effort. I think that that will draw a great deal of attention to the needs of the mentally ill and the number of mentally ill that are in this criminal justice system and in this offender population and that have repeat entries into the jail and into all of our facilities so that is very exciting. There are other models for specialty courts that we will be looking at against the needs of this population and against the needs of who is sitting in that jail. We have designed a data collection form which will hopefully interface with the Sheriff’s data system over there to collect I think a great deal of information, detailed information about the standing population that is going to certainly reveal to us who’s there, why they are there, what their histories are and what their needs are. I think that there have been some efforts to do this before and we are actually going to I think capitalize on some of the efforts that have been initiated say several years ago. One of the things I will say is that it appears to me that staff are to be very commended in this regard, that there has been a continual attention on the needs of the criminal justice system. I mean it is not that it has been ignored. You have done many, many, many good things. There is a lot of good things happening in this system. There are a lot of resources here that are not found in other communities of this size and larger. I think your community corrections operation is an outstanding operation.

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We had the pleasure yesterday of actually visiting the adult residential center. Those beds probably could be quadrupled and still have a waiting list. You know they have a waiting list of some I think nine months to get into those beds. The Sheriff's Work Release Facility also has a waiting list of at least 60 days if not longer. I think we have to look at that and look at the eligible population and say ok, well does it make sense to build some of these much, much less expensive beds, can they be done, I mean is there a place that the County owns property for instance that we could expand this kind of initiative? And how should it be structured? Should it just be a, you know, a check in and should the person just show up to sleep there or should we do programs, should we infuse it with programming and pursue into the needs of that population. It is our understanding, for instance, that the Sheriff's Work Release facility is pretty much the site for fourth time DUIs so they can reside there, complete their sentences as mandated and still, you know, keep their employment and function in the community while serving out their sentence. And I suspected that is a very accurate description of who is in that Work Release Facility. The problem is, we have a huge other population that also is eligible and needs to be in that facility. When you have people who have a mandated sentence, they aren't going to budge until they complete their sentence and are out of there so we have to think to augment the resources so that we can capture the other folks who fit the eligibility criteria."

**Commissioner Norton** said, "I guess my last question is do you also look at technologies that make court systems run better? We invest a lot in technology but there are electronic filing systems and things that Judges can use and some judges are apt to use them real easily and be early adaptors and some are not. Do you look into that? Do you kind of lift that up and look at it?"

**Dr. Insko** said, "Well, we will. I want to remind everyone that are partner in this study is the National Center for State Courts. We are very fortunate to have actually garnered the assistance of their Chief and their senior analyst; I guess we should call him, a fellow by the name of David Stillman who is well written about court case processing. They have also the resources to provide to this court the best in technology that would fit the needs of this court. Now we also will say that the Judges being the individuals, that they are within their discretion some of them are very comfortable using technology and others just like all of us have been a little less aggressive about its use but I will say that the National Center I think will provide exactly those resources to help us grasp that problem and perhaps provide a series of recommendations to them. I also believe that the Court Administrator here and Dr. Beck had the pleasure of interviewing her on the last visit, District Court Administrator. I think that she is in the process of doing a great deal of that herself and examining, you know, what can be done to expedite the system and get the information shared and one of the things that we have heard but have not examined closely is that we have a number of automated systems that do not interface and any time that happens within the criminal justice system you are going to have delay and you are also going to have some mistakes and so we would hope to be looking at this also as it effects the entire criminal justice system to give you recommendations about what should be done in this regard so that the system at least is in sync."

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**Commissioner Norton** said, "Well thank you. I look forward to your recommendations and some solutions and that is all I have Mr. Chair."

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

**Commissioner Parks** said, "I don't know if this comes under observation or findings. If you feel that you can't answer it at this time please just defer it to another time."

**Dr. Insko** said, "I will plead the Fifth."

**Commissioner Parks** said, "I get the public booking record on a daily basis and I try to review those quickly and go through those, which is sometimes a pretty long list. Just for instance one municipality in particular I see these booked, people booked into jail for failure to show driver's license upon demand. I realize that is a misdemeanor and a lot of those do that. My question of you and if it can't be answered now maybe it can be later, the OR's that come out of that, that is an own recognizance available arrest, those OR's that go in are they getting out in minutes or hours, and I do preface that by saying that I did have a complaint from a constituent that was in there for like almost 20 hours?"

**Dr. Insko** said, "I cannot answer that with fact but what I can say is that it is our feeling at this point that there is for lack of a better term a traffic jam at the front end and I think that there are a lot of folks who spend a lot of time in booking and as a matter of fact when individuals are sanctioned, for instance, with a more restrictive sanction out of even Municipal Drug Court there are penalties that require a three day jail stay. We were told actually by the Judge that these folks never get out of booking; they spend the weekend in booking in the holding cells. That is pretty miserable. That is a real message. I wouldn't want to be in one of those holding cells all weekend but with 80 other people having to be in it, that might be an exaggeration, about 80 in a cell but there is many people in those holding cells. So we can certainly, we will be looking at length of stay in booking, length of time to actually getting released on a recognizance bond. As I said we are really going to look very, very, very carefully at the front end of the system because already my analogy of a traffic jam is it's a pretty comprehensive traffic jam. There are many things that are happening and none of them very quickly. So we are going to unravel that but it does not totally surprise me that that would be an outcome of such an arrest and sitting in booking for 20 hours or whatever. And perhaps those persons are in a holding cell or they are sitting, there is also kind of an area in the middle of booking that folks sit in I think and I was told when we toured the jail that the folks that are actually sitting out there are the ones that actually can be OR'd but they are still sitting in booking, they are just out in an open area. So we have got to get a little bit more of a handle on what is exactly happening at booking and when these things occur, one of the things that we have

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done, I think, in our three visits, we've tried to make sure that we are going to all of the other agencies and conducting in depth interviews so that once we really get to the jail we spend a lot of comprehensive, concentrated time just on the jail and what is happening at the jail. So hopefully we will be able to give you an answer that is factual to that question before very long."

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

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

**Commissioner Welshimer** said, "Well I certainly appreciate what you are doing and I am excited about some of the things that you are finding and I can see where would have some delays as a result of our system that we could correct but I have to admit when you were speaking about my legislative past, that I have some regrets and I would like to have a group of us or a task force of us try to work with our legislators to impress upon them the difference between getting tough on crime and overreacting."

**Dr. Insko** said, "Well smart on crime I think is probably where we would all like to be."

**Commissioner Welshimer** said, "Smart on crime would be much better, yes, yes. Thank you."

**Dr. Insko** said, "Well, I think a task force is very appropriate and I think that, in fact I think every jurisdiction should do that because I really do believe that the legislators, and I can say this from my own many, many years of working with state legislators, they truly do not realize the impact on local jurisdictions or the impact on individuals many times of some of the more punitive sanctions that are attached to getting tough on crime and I have always found that when I do sit down with legislators and actually draw the map out and explain the various tentacles that result from these kinds of piece of legislation that many times they are shocked. They don't begin to have that information and I used to work very closely with legislative analysts and trying to impress upon them that you really need to dig into the broad far reaching tentacles if you will of the fiscal impact statements for instance so I think that would be a wonderful thing if we could facilitate, that we would love to participate in that. That would be wonderful."

**Commissioner Welshimer** said, "And you are going to be here several months?"

**Dr. Insko** said, "Several months, several months."

**Commissioner Welshimer** said, "With more reports as we go along?"

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**Dr. Insko** said, “Yes, this is the first of many and we would hope that we will be already bringing to you solutions that we are in the process of implementing. One of the things that have been very encouraging to us in meeting and interviewing folks is that we have advised them of our approach of being a partner in the implementation process to ensure that a recommendation is implemented and I think everybody has actually been pretty excited because they know that when recommendations are implemented they can’t drop everything and try to address that and forget the rest of their jobs and sometimes it is just can be overwhelming. So we have decided that the best use of our expertise and talent is to assist in the implementation to ensure that it happens and that if the solutions are built and instutionalized, if you will, into the process and into the practice of criminal justice.”

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

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

**Commissioner Unruh** said, “Thank you Mr. Chairman. Dr. Insko I want to thank you for being here to bring us this update and appreciate your bringing your expertise to bear on what has been a high profile issue in County government for these last few years and you have not in any way inferred that we have been helpless in light of this challenge and I just wanted to in light of discussion, highlight the fact that the Criminal Justice Coordinating Council that was established a few years ago, has been very active under the direction of our Public Safety Director and with the cooperation of the Sheriff and the District Court, 18<sup>th</sup> Judicial District, and with the City of Wichita and with all those who have a stake in providing public safety in Sedgwick County. We have done things in the procedures at Sedgwick County Jail that has improved our system in terms of classification and changing bonds schedules, things like that, we have been active in working in Pre Trial Services and the DA Diversion Program to try to control the population. We have implemented a Day Reporting Center that has been successful; Sedgwick County Offender Assessment Program has been successful. We have just implemented the Drug Court that we are going forward with, our Crisis Intervention Team train that we are working on. We are in the process of trying to implement a new communication system through technology so that the different components can have a seamless communication with one another through their computer communications so many, many things have been implemented that our expertise that we have in house that’s helped stabilize this population going forward so in light of all this discussion and the challenge that we have I just wanted any interested citizens watching to know that we have been active and we have implemented best practices as have been mentioned and they have been successful. We are open and willing to hear your expertise and what we can do to make progress from this point forward.”

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**Dr. Insko** said, “Thank you Commissioner and I would echo that. I think that you all have supported it not only with the financial support but also with the enthused understanding of the complexity of the system and that there are many things that without some of these programs and these diversions that have been implemented the problem would be exacerbated beyond what it is currently, most assuredly and I think that all of us together are aware that this is a system that has had a lot of focus on it. You have some absolutely fine professionals here that have brought best practices into the work place and they are very impressive. One of the things that Dr. Beck and I talked about walking into the building today was boy, there really is a lot of things going on and for us to totally make sure that we do not overlook any of those components we are going to create a nice pictorial map of every single initiative that is out there connected to managing this offender population. Such a map has probably been done before but for our understanding we are going to create what I think will be something that will allow all the constituents to understand the amount of attention that has been on this problem for a long, long time so thank you.”

**Chairman Winters** said, “Alright, thank you Commissioner. Dr. Insko again on behalf of the Board of County Commissioners we appreciate your report today and we do look forward to hearing from you in the future.”

**Dr. Insko** said, “Ok, thank you. Thank you very much.”

**Chairman Winters** said, “Thank you. Madame Clerk, would you call the next item?”

### **DEFERRED ITEM**

#### **F. RESOLUTION CREATING ROAD IMPROVEMENT BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (UNPLATTED TRACTS AKA CHATEAU ESTATES EAST).**

**Chairman Winters** said, “This is a deferred item that we first began back on September the 3<sup>rd</sup> and we agreed to defer it for two weeks and so we are back on this item. So welcome Joe.”

**Mr. Joe L. Norton**, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, “Also today to assist me in this preparation is Jim Weber from Public Works. As you correctly stated this item was deferred for two weeks. I might take just a moment to refresh some of the facts for those who may not have been here before. A petition was filed with the County Clerk requesting the creation of a road improvement district in an unincorporated or unplatted area of the County known as Chateau Estates East, the paving of Calais Road and Calais Court. This is an area of the County in the southeast portion near 31<sup>st</sup> Street South and Greenwich Road. On the screen before you is a map depicting the layout of the proposed benefit district. The petition contains 21 parcels

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to be assessed equally, 58% of the parcel ownerships have signed the petition requesting the improvements. One thing that has changed slightly since the first hearing on this, in consultations with one of the effected property owners, Mr. Weber has determined that in the estimated cost prepared there should be sufficient funds in which to extend the road down in the lower right hand corner of the plat map down to an area which we think will cover the proposed driveway approach to the property that's unbuilt at this point in time. I think that item has been addressed and you can direct any questions on that to Mr. Weber. The estimate of cost for this project is approximately \$465,000. The resolution, if adopted, would estimate that cost and increase it 1% per month from the adoption of the resolution until the project is completed. That equals, when divided by 21 parcels, approximately \$22,000 per parcel. It's spread over 15 years at 6%, approximately \$2,278 dollars annually. There is no public hearing required by the statute authorizing this project but I have been informed there are affected property owners here that would like to address the Commission so Mr. Weber and I would be glad to answer any questions now or after you receive comments."

**Chairman Winters** said, "Alright, I don't see any questions at this time. I know that a number of you folks spoke at our meeting two weeks ago and it is my intention to let everyone speak again today. I would hope if you spoke last time you might just say again that you were here last time and what your general principles were and try not to take the entire five minutes. But first I would ask if there was anybody here who was not at the last meeting and wishes to address the Board of County Commissioners. Yes ma'am, please come forward and could you give your name and address for the record and we would like to try and limit our comments to five minutes."

**Ms. Julie Menze-White**, 11312 E. Calais, Wichita, KS 67210, greeted the Commissioners and said, "I'm a Sedgwick County employee and Sedgwick County resident. I've been a long time Assistant District Attorney here since about 1991. So thank you very much for the opportunity to speak to you again. I am asking you to vote against the recommendation to adopt this proposal. If you recall, there were, I think, six people that showed up and spoke against it on September 3<sup>rd</sup>. I was in court at that time. I left court and am going to go back there as soon as I'm done. I think my concerns can be broken into three general areas. First of all, the economy, some of you have spoken about jobs today. Every time I look at the paper or hear the news, there's talks about the stocks and loans and mortgages and portfolios and just the general economic recession or slowdown or whatever you want to call it. I know in our household, just the added expenses for food and gas are adding up. Most of the homes in our neighborhood are on a propane gas heating system. That has skyrocketed in the last several years. Taxes and appraisals have gone up almost every year. We just added almost \$100 to our mortgage per month just with the things that have already been passed and the insurance requirements for that new appraisal value. My family is on a fixed income. I'm a County employee, I am a salaried employee so I don't get comp time or overtime and I can assure you I work a lot more than the 40 hours a week that I'm salaried for. My boss is up for election. I know that County Commissioners certainly understand that election process. I am lucky that my

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supervisor, Ms. Foulston, has always been I think one of the highest vote getters in general elections. But there's no guarantees. If she did not win, I could very well not have a job and my family would be losing half of our income. Others in our neighborhood, including my husband and myself, have young children, there are people approaching retirement, striking airplane manufacturer employees, families with college children, with costs increasing that they did not expect and just as a County employee, we're told to economize, to watch out for citizens and voters and make sure we are making economical decisions. And to me, this is not a necessity. It's a limited road. It's not a major thoroughfare. It has a limited use just for the 21 people that live on this street and I just don't think it's a necessity when you look at the amount of money that could possibly be added to our budget each year.

I am also very concerned specifically about safety and health for the neighborhood. I'm a traffic supervisor, so I see traffic cases day in and day out. I have had concerns for the nine years or so that we have lived there about the speed and the reckless driving that I have observed on our road. The way it is now, we have pets and wildlife in the neighborhood. There are people who like to walk for exercise. There are children who don't have any other place to ride their bikes or play except on the street and I know that my husband and I have been contacted about some of the incidents that, well you are in law enforcement, what should we do, what can we do about these sorts of incidents and I think asphaltting or paving the road will increase the speed or the concerns about that. We have neighbors with businesses with heavy trucks or trailers and machinery. Our neighborhood, I think, is unique in that part of the half the neighborhood on the north is Wichita school district and the south half is Derby school district so we have buses for every grade imaginable or every set of schools imaginable times two that go up and down that road twice a day and they go very fast and they also have a lot of wear and tear on the roads. We have people with four wheelers on those and in the ditches. Like I said there's just a number of safety concerns and no speed except the assumed county road speeds. This plan doesn't present a sidewalk or anything to address those concerns; it's just simply paving the road, making it a hard surface.

We are also very, very concerned about drainage. My husband and I are on the second lot on the north of the entrance, and I can tell you that the four lots that are at the very entrance of that road have drainage issues almost all of the time, even in the middle of summer. So when you have rains like we have had this last week, it's very significant."

**Chairman Winters** said, "Ms. White that has been five minutes can you come to a conclusion then?"

**Ms. Menze-White** said, "I sure can. The other concern I had is that there is only one entrance and exit and that's been a concern for fire and safety. I know this doesn't seem, it may not seem significant in the big scheme of things with all the other budgets and things you're looking at. It's just one little road, but the impact of that amount of money per month on many of us is going to be

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very significant so I am asking that you not approve that. Thank you.”

**Chairman Winters** said, “Alright, thank you very much. Is there anyone else who was not here? Yes, please come forward. If you could give your name and address.”

**Ms. Susan Bacon**, 11622 E. Calais, Wichita, KS 67210, greeted the Commissioners and said, “We’re right about where the first bend of the road is, just a few houses down from the previous speaker. One of the comments I wanted to make was the reason we didn’t attend the first meeting was because the letter we received had said if you had any issues to attend the meeting. We don’t have any issues. We were in favor of the road so we didn’t attend. So we have come forward to this meeting to say we attended the Homeowners meeting and the Association meeting and we voted in favor of the road and I believe I have talked to Gwen also to let her know that yes, we were in favor of the road and why we didn’t attend the first meeting. We are probably one of the newest neighbors in there, we have been there about one year and we have done a lot of improvements to our property and of course, we are doing it too as an investment and we would like to see the road because it’s hard on our cars, it chips the paint when the trucks drive up and down and what the school buses and some of the other neighbors throw up too. We would definitely like the road to go through.”

**Chairman Winters** said, “Alright, thank you. We do have a question. Do you have a question for this?”

**Commissioner Parks** said, “Well, I wanted to ask each one of them that spoke how long they lived there. You answered that question and Ms. White...?”

**Ms. Menze-White** said, “We have lived there since 2000.”

**Chairman Winters** said, “Thank you. Alright, is there anyone else who wasn’t here on September 3<sup>rd</sup> that would like to address the Commission? Is there anyone else then whether you were here or not that would like to readdress the Commission? Yes, please come forward, give your name and address and we like to take less than five minutes.”

**Mr. Robert Winters**, 11720 E. Calais, Wichita, KS 67210, greeted the Commissioners and said, “I promise I will make it quick. Robert Winters, again we are no relation. I have been a resident at that address since 1998. It was just mentioned that there was a vote at the Homeowners Association meeting. As a former Chair of that Association there were no formal minutes or actions authorized by the Association to start this project. I believe the petition was initiated by an individual rather than the Association and there is no matter of records that could be produced via our minutes to support any association activity. Also as a Chair for the, former Chair of the Association, there has been no formal request by the Association to the Gypsum Township to make any improvements on

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the road. We know its dirt, we know its traffic use but nobody has ever come up and said hey, let's try to improve on what we already have and make it better other than what we are looking at today.

As Ms. White mentioned, the water and drainage problem. We just went through a soggy week; we all know what water can do to our neighborhoods. However, with paving the road and as I believe Mr. Weber had mentioned prior there is a culvert that passes under Calais right in this general vicinity right here. It may be required to enlarge that culvert to allow increased water runoff. Hydrology, water hits pavement it runs off into the ditches at a more rapid rate. There are homes, I lost my mouse, there are homes here that are in a hundred year floodplain. We have a new barn that is erected. If we have increased runoff the increase of flash flooding that may affect homes that are not part of this activity will be affected. As the water runs south it also pushes into agriculture and then west into a further home development on 35<sup>th</sup> Street. If you look at the downstream potential, downstream affects of a good gully washer, yeah we may have a road that will please 20 people that we will have to pay an excessive amount for in my opinion, but we also may flood the heck out of our neighbors down the way. Thank you."

**Chairman Winters** said, "Thank you. And again for the record Robert Winters and I are not related. Three times."

**Commissioner Parks** said, "Could I ask him how long he lived there?"

**Chairman Winters** said, "Robert, how long have you lived there?"

**Mr. Winters** said, "Since '98 sir."

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

**Mr. Mark Little**, 11414 E. Calais, Wichita, KS 67210, greeted the Commissioners and said, "I have lived there right at three years. As I said two weeks ago I am not against paving the street, I am against the cost. I bought in this division because it had no specials. This let me build the house I wanted without the added costs of specials. I know it has been stated that 58% of the project voted in favor. 95% of those live on the back half of this. I think I can speak for the 42% saying that we feel like we are being asked, I shouldn't say asked, forced to pay for a driveway to their front door. We won't use this road past our house because it goes nowhere but to their front door. And in case of emergency, we still can't get out of neighborhood. That is one way in, one way out.

This road has not been a problem as far as water standing on it, washing out, when there has been a problem or concern I have made one phone call to Bobby Johnson, the gentleman that maintains the road and usually within 48 hours it has been addressed. It is a gravel road and will never be perfect.

We all knew that when we bought there. I can't help that some people refuse to slow down out of respect for their neighbors but for them to ask me to pay for a road so that their high dollar sports

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cars won't get dirty anymore is a little much to ask. I have other things to spend \$200 a month on like my two children's college education. Thank you for your time."

**Chairman Winters** said, "Thank you sir. Commissioner Parks you have a question here?"

**Commissioner Parks** said, "He answered that question I guess."

**Chairman Winters** said, "Is there anyone else? Yes, please come forward sir."

**Mr. Kenneth Helms**, 11932 E. Calais, Wichita, KS 67210, greeted the Commissioners and said, "I would like to start by thanking the Commissioners for deferring this proposal for two weeks. I think it was beneficial for myself and other people to look at the scope of this entire project and maybe gather a little better understanding of where we are moving forward with this. I know that I entered into some discussions with Public Works and with the County and some of my concerns were addressed. I am happy with the resolution that we have come to but I am still against the road because of the cost. I am also pursuing the paperwork that will be required to vacate that particular easement so you might have the honor of seeing me again in the near future and I would just like to end with you have heard numerous quotes on the water flow issues. On Friday after the rain and where I am located I was standing in an intermittent waterway was how it was described to me, in my boots, watching the water back up to the north end of my neighbor's property. I was watching water spilling off a farm field that is a direct result of irresponsible farming practices. I would hope that if you move forward and create this benefit district that the engineers that are responsible for looking at the water might take the time to personally come speak to some of us that live there. I have owned this property since 1996 and I can tell you exactly what that water does. I have pictures of six inches of water, eight inches of water, ten inches of water and I am really concerned that if there is an increase, you can put a culvert in but you are pushing it to somebody else and where my property is located I am at a major point of where that water tries to get out and it does not flow very well. So that is all I have."

**Chairman Winters** said, "Is there anyone else who would like to address the Commissioners? Anyone else? Yes sir, please come forward."

**Mr. Bob Wilson**, 11505 E. Calais, Wichita, KS 67210, greeted the Commissioners and said, "I bought my property in 1998. I echo all of the concerns of the previous speakers. We felt that the meeting that was held to do the signing of this request was done very inappropriately, very underhanded, very under the table. The people who had expressed over the years of moving in that they moved in because they wanted a dirt road, because they did not mind living on a dirt road, were not contacted prior to the meeting that this was even going to happen. I have lived on dirt since 1971. I do not have a problem with it. Secondly, concern over the cost, when I moved into the area, I was employed. I had a very good income. Due to health problems since then, I'm on Social

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Security Disability. I make \$1,451 a month and I live in a \$200,000 house, which when this is approved I expect to either go into foreclosure or forced sale at a lower price. At this time, I would request you not to approve this and thank you very much.”

**Chairman Winters** said, “Thank you, sir. Is there anyone else who would like to address the Commission? Anyone else? Alright we will close the public comment of this agenda item. Commissioners are there questions or comments? Commissioner Parks?”

**Commissioner Parks** said, “I do have a comment. About five years ago, this is a little story from mine and bear with me on this but I think it exemplifies what we are dealing with here. I live on a dirt road. Bought a house on a dirt road 18 years ago. I knew coming from a rural community and working in rural areas what that brought. About five years ago, not as a Commissioner but as a property owner I had a neighbor come to me and say, when can we get this road paved and when can we get something done? Well this was a person that moved into the area, that they took out an irrigation system and put houses in this area and they knew that this was going to be a dirt road and I said why now the sudden urge to do this? ‘Well, we have to take our daughter into town, into the City, to meet with her boyfriend because he has a Pontiac Firebird and he needs to keep the dust off of his car’ and my comment to her was, as a citizen, ‘well if he is going to be dating a country girl he needs to get a pickup truck.’ So I am really torn between the State law but I am looking at ten years, eight years, twelve years against some of the apparently there is a clash between the new and the old here and I think that the people that maybe moved in earlier or later in the scheme of things and if I am wrong, I see some heads shaking out there, this is what I have got. The people that have spoke this morning have lived there eight, ten, twelve, and twelve years. They basically knew when they moved in there it was going to be a dirt road. I don’t know, I haven’t heard any testimony that they had any promises from any real estate agents or anybody else that said that there was going to be. Now Homeowners Associations and other things can do what they want to in relation with putting Dustrol on it if dust is a problem. That is a much cheaper solution. Reclaimed asphalt has been put on one of the roads that I am adjacent to that I participated in so I am going to have to vote my conscience here and I guess that is where I am coming from here and looking at the people in this situation. Thank you.”

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

**Commissioner Welshimer** said, “Well this is my district. The yays and the nays are pretty close together. There are 12 property owners in favor of paving the road and 9 against. Mr., the gentleman at the end of the road, that we had a problem with because the road didn’t come far enough in for him is going to be pursuing a vacating of the road petition. We have added another 300 feet to come down in front of his property so that he has some paved road since he is sharing the cost. I was concerned last time we addressed this two weeks ago because we had everyone who testified here was against the paving of this road and my understanding was that we had a majority

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who were in favor so not seeing any of those here I did telephone everyone on my list of property owners to see if there was any misinformation, if there was a clear understanding of cost and if they were truly, not riding the fence, but truly anxious to go ahead and pave that road. They all were and so this puts me in a real difficult position because I don't like to go ahead with things when there is a lot of opposition in a neighborhood but here I am just, what I am going to have to do is go along with the majority which is paving the road so that will get my support."

**Chairman Winters** said, "Alright thank you."

**Commissioner Welshimer** said, "Oh, one more thing. We didn't have any input from the Township and the Township people did call me. They are concerned about what it would cost them to make road repairs. Road repairs would be expected in five years and then more, a slurry mix would be needed 10 years later if the road has the normal amount of traffic on it and the Township is concerned that this would cost them more of their budget then they could allocate considering the other areas of the county that they have to take care of. So I would say that when the time comes that repairs need to be made that the petitioners who are wanting this road should be aware that they may have to petition again the County Commission to actually pay for that as a neighborhood should that be the situation. And that is all I have. Thank you."

**Chairman Winters** said, "Alright, thank you. I guess that raises a question. Maybe David Spears could help. After a road has been created in a benefit district does that same benefit district assess an additional charge at a later time?"

**Mr. David Spears**, Director, Public Works, greeted the Commissioners and said, "What you are suggesting would be unprecedented. The duty of the Township is to maintain the roads that are in the Township system and knowing that they need to budget the money to do the preventive maintenance in five years so say that would take place in the year 2014, in the year of 2013 they need to plan that that would be done and if they do not have the capability of doing that they need to hire a contractor to do that, figure out what that would cost and budget that money to be spread over the entire Township. We do not go back; it has never been done that an individual small area would pay for their own maintenance. That just is not done. Thank you."

**Commissioner Welshimer** said, "Could I ask our County Counselor if he has any comments on that?"

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "We did visit about this and you know, the question was whether or not it is possible for a benefit district to petition for maintenance and yes I think that is a possibility under certain circumstances. We would have to amend our charter resolution to provide for that and it would have to be for an amount certain but

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even though we have never done it, as Mr. Spears correctly points out, legally it is a possibility to be done. If you have a situation where a Township was just unable to do maintenance because of the type of maintenance it is then that certainly would be a remedy that would be available to the owners in the benefit district if we want to make so.”

**Chairman Winters** said, “Ok anything else Commissioner Welshimer?”

**Commissioner Welshimer** said, “No.”

**Chairman Winters** said, “Commissioner Unruh?”

**Commissioner Unruh** said, “Thank you Mr. Chair. I just had a question for either Mr. Spears or Mr. Weber about the comments about the runoff and the water issues and the flooding. Will paving this road create a substantial difference in that?”

**Mr. Jim Weber**, Deputy Director, Public Works greeted the Commissioners and said, “I think substantial or maybe significant is maybe the key word. Technically speaking, if you ran the numbers you could probably find a infinitesimal difference between the amount of runoff that comes from a hard sand or gravel road and the amount that would come off an asphalt road but I would say that you could calculate a difference but if they are having problems now this wouldn’t be a significant contributor to those problems but we would as part of a design project, we want to go back and look at the drainage and make sure that things are working as well as they can while we are doing this. Because, for example, if you have to change out a culvert or something, you want to do it before you put asphalt down so this is really an important thing for us to look at. But technically speaking, yeah, I would have to say there is an insignificant increase in the amount of runoff but it would be there.”

**Commissioner Unruh** said, “But in the process we will do our best to alleviate the situation and not make it worse?”

**Mr. Weber** said, “We would certainly look at it and make sure we don’t miss an opportunity to fix something.”

**Commissioner Unruh** said, “Alright, thank you. My comment is that I have great sympathy for the comments that have been made here today but we have rules and procedures by which these things happen. They are established. It seems as though that the majority rules, the process has been followed and so I will probably be supporting the resolution and especially in light of the fact that Commissioner Welshimer, who’s district it is in, has done the research and talked to the individuals who are supporting so I am also going to be supportive.”

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**Chairman Winters** said, “Alright, thank you very much. Commissioners I see no other Commissioner questions. I think we are ready for a motion if we are ready for a motion.”

**MOTION**

Commissioner Welshimer moved to adopt the resolution.

Commissioner Unruh seconded the motion.

**Chairman Winters** said, “And that is a recommended action to create this road improvement district?”

**Commissioner Welshimer** said, “Yes.”

**VOTE**

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

**NEW BUSINESS**

**G. COMMUNITY COUNCIL ON HOMELESS ADVOCACY’S (CCHA) CONTINUUM OF CARE APPLICATION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

**Ms. Beth Oaks**, Vice President of Community Planning and Resources, United Way of the Plains, greeted the Commissioners and said, “In approximately one month United Way will be submitting an application to the Department of Housing and Urban Development on behalf of the Wichita/Sedgwick County community. In response to HUD’s notification of funding availability or what they call a supernova. This particular application will direct funds, federal funds, toward homeless services in this community. The homeless services that it will address are transitional housing services, permanent supportive housing, safe havens, supportive services, shelter plus care, and a homeless management information system. This year’s application will be requesting \$2,206,362 for ten renewals and two bonus projects and what we are requesting of you today is a

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letter of support for this application.”

**Chairman Winters** said, “Alright, thank you Beth. Commissioners, pretty straight forward. Commissioner Norton?”

**Commissioner Norton** said, “Just recently, United Way hosted a meeting at their offices with all the principal players of this grant application for supernova funds. I attended that and made sure that I understood all the moving parts of this particular advocacy and I think we should move forward with a letter of support. It fits in very well with the hard work we did on the Homeless Task Force and it does bring to bear money that can be pushed into the transitional housing and the housing continuum that is part of the final solution for dealing with homelessness. When we elected to take the housing first model and try to implement that in our community, the supernova grant fits in with that whole idea that if we can get people stabilized and into some housing, then we can wrap around services and maybe get them into the mainstream of life, get them off the streets and out of the homeless conditions. So I am going to be supportive and hopefully I adequately vocalized that Beth. If I missed anything you can add on to that.”

**Ms. Oaks** said, “You did a great job. Thank you Commissioner.”

**Chairman Winters** said, “Thank you and Commissioner Norton, thank you for those comments. Is there any other discussion on this?”

**MOTION**

Commissioner Norton moved to authorize the Chairman to sign letter of support.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “Commissioners we do need to take up an off agenda item regarding the

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arena project so I move we take an off agenda item.”

**MOTION**

Chairman Winters moved to take an off agenda item.

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

**OFF AGENDA ITEM**

**Mr. Ron Holt**, Assistant County Manager, greeted the Commissioners and said, “Thank you for this opportunity to give you an update on the Intrust Bank Arena Project. Part of this update will be kind of a pictorial tour so we will try to be efficient and move through this as quickly as possible but make it an effective presentation so you get the sense of work that has gone on on this project over the last 10 months. Our goal throughout the project and continues to be that we will build a modern, first class sports and entertainment venue and arena in downtown Wichita that seats 15,000 for basketball, 20 executive and two party suites designed to provide maximum fan experience for all guests and the arena would be home to indoor sporting events, concerts, family shows and other entertainment. As you know, the Intrust Bank Arena is owned by Sedgwick County, will be operated by SMG. The arena is located in the center of an area of downtown Wichita that is very much in need of revitalization. As such, the Intrust Bank Arena plan was developed by Sedgwick County in the summer of 2004 in response to requests from leaders of the City of Wichita and also business leaders from our community and with input from citizens through a number of community meetings that were held throughout the Sedgwick County community in the summer of 2004. The arena does serve as the centerpiece for the City of Wichita’s Arena Neighborhood Redevelopment Plan that was adopted in November of 2007 as an element of the Wichita/Sedgwick County Comprehensive Plan. The arena is being financed through a 30 month, 1% sales tax that was approved by Sedgwick County voters in November 2004, authorized by the state legislature in April 2005. The 30 month 1% sales tax collection started the first day of July 2005 and they ended as promised the last day of December 2007, resulting in a \$206.5 million fund for the arena project.

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On September 14<sup>th</sup>, 2007, a bid for construction of the Intrust Bank Arena was submitted by Dondlinger & Sons Construction and Hunt construction. They went together and it is the Dondlinger/Hunt, a joint venture. Their bid was accepted by you, the Commission, on September 26<sup>th</sup> of 2007. While the original official construction date was November 19<sup>th</sup>, 2007, publicly construction got under way on December 4<sup>th</sup>, 2007 with a groundbreaking ceremony that was held at the site. The new facility is scheduled to open around the middle of January 2010. Next summer, we should be far enough along with construction that a more specific date can be established and work can begin on booking an opening act.

This is a rendition of the geographical layout, the footprint of the arena for orientation purposes when viewing the construction photos that I will be showing you as a part of this morning's presentation. This site, as you see here, is bounded on the north by Williams Street, on the south by Waterman Street, on the east by the railroad tracks and on the west by Emporia. The main entrance will be off Waterman, another public entrance will also be located on the north side of the facility. For construction purposes, the building footprint has been segmented into four quadrants, going clockwise from southwest to northwest to northeast to southeast and these quadrants are designated as A,B,C, and D. I'll be referring to those throughout the presentation so that we will be going pretty quick so it just gives you a sense of orientation to what we are talking about. Again, quadrant A is the southwest quadrant or the Waterman and Emporia quadrant of the building. Quadrant B is the English and Emporia, the northwest quadrant of the building. Quadrant C is the northeast or the Commerce Street, Spaghetti Works Warehouse quadrant of the building and Quadrant D is the southeast or the railroad tracks and Waterman quadrant of the building. Now let me give you, and again, I will try not to go too fast. These move pretty good but to give you a sense a pictorial presentation of the construction from November 2007 through the current time.

### **POWERPOINT PRESENTATION**

This is a picture of the site taken on December 4<sup>th</sup>, 2007. This was the day of the ground breaking ceremony and by the way I might mention just in relative terms the absolutely most beautiful day of the year in 2007, bar none. As you can see, and it was that way weather wise as well as the ground breaking of this project at that point. As you can see some construction equipment is in place and some site work is under way. Remember the official construction date started on November the 19<sup>th</sup>, 2007. This is an ariel view of the site. This picture was taken on December 13<sup>th</sup>, 2007. The work on this date is pretty much limited to site preparation work. You see a little bit of the concrete columns beginning to, equipment being set in place to do those and we will talk about those as we go through.

The view in this picture is looking west, looking to the west from the southeast portion of the site. This area will feature parking and the service yard. The parking area is located just north of Waterman Street on the west side of the railroad tracks. In the forefront of this picture are the

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remaining portions of building foundations that will be removed hopefully in the next 60 days. These building foundations were not removed during the building demolition process to accommodate the City of Wichita's Environmental Remediation of known soil and water contamination at this location.

This is an ariel view of the arena site from the northwest corner of the site. The street along the front of this picture is Emporia, just south of Williams Street. Waterman Street can be seen in the upper right hand portion of the picture. The railroad tracks can be seen in the upper left-hand portion of the picture. The foundation system for the building consists of 1,222 piles or concrete columns and 292 pile caps and when this picture was taken they were nearing completion. The concrete columns which support the super structure were approximately 17% at this time. Very few problems were encountered in drilling these structures. Remember they were concrete columns that were drilled 60 to 65 feet into the ground. The installation of these columns was initiated on November 29<sup>th</sup>, 2007 and was completed on February 1<sup>st</sup>, 2008. The scaffolding that you see in this picture is being installed in preparation for the concrete pours for the main concourse flooring.

The main entrance is located along the south side of the building with a significant aspect of the main entrance at the southwest corner of the building at the intersection of Emporia and Waterman Street and that is what is shown in this view. The concrete columns you see here are located in the ticketing area of the building and will support the main concourse at the southwest portion of the building. In the background again is the scaffolding for the main concourse. This picture is taken at the service level or the playing floor level of the building.

This is a picture of the main concourse; it's the east side of the building showing steel reinforcing. Workers are getting ready to pour concrete. This is the northwest Quadrant B, northwest section of the building and it is showing pile caps and those concrete columns. This is an ariel view of the site and construction that was taken in March 2008. You see the main concourse flooring that is in progress there in Quadrant C and D of the building. This is Quadrant D, southeast quadrant of the building. This picture is the south side looking north. Workers here are installing a concrete column form. This is the main concourse of the building, Quadrant D, again southeast; reinforced concrete slab is being poured by the workers in this picture. Quadrant B, again the northwest side of the building, workers are installing in this picture the stair foundations. Located to the north on Commerce Street from inside the construction site is the view of this picture. A line up of concrete trucks in support of a concrete pour, most reinforced concrete slabs were approximately 400 cubic yards, required 40 trucks to support this pour. During the summer months these pours started at about 5 A.M. Actual placement was completed around noon however the cement finishers did not complete their work until about 5 P.M. The view in this picture is looking south from Commerce and is the northeast corner of the building, Quadrant C, is the major view of this picture. Pictured is the temporary support structure for concrete at the main and upper concourse floors of the arena. You get a good sense of down where that truck is sitting is the service level, you see that one

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flooring area, there that is the main concourse, and then the upper flooring area is the upper concourse. Concrete flooring for the main concourse was completed, about 95% completed in July, and concrete pours for the upper concourse was about 95% complete in August. This view is looking west from the raised railroad corridor, just to the east of the arena site and is the east elevation of the service yard. The temporary support structure for the concrete at the main and upper concrete floors is pictured in this picture.

This view is taken from Emporia, looking to the east at the service level of the playing floor level of the building, just south of the center of the building. To the left will be a stair tower, to the right of the stair tower is the main administration area. The concrete columns shown here are located in quadrants, in Quadrant A, which is again the southwest quadrant and Quadrant B, the northwest quadrant of the building. These columns will support the main concourse at the west side of the building. In the background in this picture are temporary support structures for the main and upper concourses. The upper concourse is the predominant view in this picture, in Quadrant C, which is northeast. Here you are looking to the north, the first set of raker beams are being installed, raker beams support the precast concrete flooring for the bowl seating. Here you are looking west at the interior bowl. This picture shows Quadrant D, which is southeast and you are looking southwest at the main concourse, the south lounge and the suites are the predominant view in this picture. This is a shot of the upper concourse, this is Quadrant C northwest. Here you are looking north at precast seating bowl flooring. This is an ariel of the site and construction progress as of July 2008. Looking south at the east end of the bowl is the view of this picture. Workers are installing precast concrete flooring for seating for the loge boxes. We are now back to the upper concourse, again this is Quadrant D. You are at the east side looking north. The structural steel installation has occurred here and the plumbing pipes in the floor are for the men and women restroom facilities in this portion of the building. This is in Quadrant B; again that is the northwest section of the building. Here you are looking northeast and this is the service level event and Zamboni storage area is shown in this picture. This is the service level behind the main lobby; you are looking west into a future maintenance area that will be located in the building. This is a picture taken in Quadrant C. It is the northeast quadrant of the building. This is the north side of the building and you are looking back to the west, workers installing roof structural steel. This is the center of the building, looking west. This picture was taken from the top row of the seating riser looking down to the event floor and finally, this is a September 8<sup>th</sup> ariel view. This gives you a good contrast from that first or the second picture I showed you, which was taken December 13<sup>th</sup>, this picture was taken September 8<sup>th</sup>.

These are the major construction trade groups that have or will have workers on this project. I won't go through them but you see that they cover pretty much all of the trade areas. The coordination of workers as well as information related to the construction documents is really key, huge day to day aspect of this project. As the work progresses this coordination becomes even more significant and important, Dondlinger/Hunt will have approximately 35 major contracts to

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subcontractors over the life of the construction. At any one time during the course of the project there will be a maximum of eight subcontractors on site. Some of these folks come and finish their work and then leave. A good example, this is their contractor which was Bergkamp and the Auger Piles, the country columns drilling company, Longfield drilling. They came, did their work, and left. Bergkamp, however, will be back when the exterior site work starts. This is the same with the number of workers. At any given time of the job there will be approximately 275 workers, maximum, on site. However, over the course of the project almost 1,000 workers will have had a role in this construction project. The result of all of this is pretty much in line with what the Center for Economic Development and Business Research at WSU concluded in 2004. They conducted a preliminary study, the economic impact of the arena for construction and that impact was or their numbers were \$107.4 million over four years. That is 992 jobs per year, 3968 total jobs, \$27,000 average earnings per job. That is the worker coordination piece. You see there the information coordination piece, there is 626 RFIs have been initiated on this project to date. An RFI is the process used for the subcontractors or the workers to clarify information from the construction drawings. You also see there that 450, there have been 450 submittals to date. A submittal and Larry Pecenka, I will talk about this as if I know what it is but Larry Pecenka gave me this information so I feel very comfortable in sharing it with you as if I know what I am talking about. A submittal is a precise rendition or exact document of what will be purchased and delivered to the job site to fulfill the design requirements. An example is the concrete submittal. There are four different types of concrete mixes being used on this job. Each mix design is submitted, that becomes a submittal, with the exact type of cement, the number of pounds of cement, the exact type of gravel and the pounds of gravel, the exact type of sand and pounds of sand, the exact type of ad mixture and pounds of ad mixture. All of this done in order to get the design concrete strength. The 450 submittals total 1.5 gigabytes of information and again I went to Richard Vogt and asked how do you in laymen terms think about a gigabyte and he tells me that 1.5 gigabytes of material is equivalent to reading about 1,500 average novels or reading War and Peace 268 times. Putting it in more constructive or layman terms about the approximate correlation would be 150,000 emails. Commissioners, the arena is the largest public building project ever for this community. We are 10 months into construction and as has been the case for the project overall, planning, teamwork and project management is the key to success for the construction phase of this project. Again, just like it has been for the overall project. As you see on a monthly basis the environmental project folks meet between the Sedgwick County and the City looking at that one area on the site that I mentioned earlier. Bi-weekly the Intrust Bank Arena review team meets. We meet with the manager to talk about progress issues, solve problems and make sure we are staying on track. On a weekly basis the Sedgwick County core group meets. That core group is made up of Larry Pecenka, Steve Claassen, Chris Chronis, Bob Parnacott and myself. We meet every week to make sure that the details of issues and concerns and problems are worked out. Each week there is a joint meeting between Sedgwick County and the architect and the contractor. That happens every Tuesday afternoon and then there is meetings each week with Chris Presson who as you know is the manager, SMG manager for the arena. On a frequent daily and sometimes more frequent than that

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basis there are on site coordination meetings and on site walk through or observation activities. Additional activities, there are meetings with SMG as needed, again Gary who is from Oklahoma City and is the Area Manager for SMG and Chris Presson. As a matter of fact, on Thursday we have an all day meeting with those two folks. We look at review of construction modification and change orders and the review of pay applications happens on a periodic and ongoing basis.

As I mentioned earlier planning, teamwork and project management is the key to success on this project to date. A key and significant player is the position of the Project Manager. You know that Stephanie Knebel, who is no longer with us and is now the Assistant Manager in Derby, was the go to Project Manager in the early design phase of the project. Larry Pecenka, on loan to the County from Spirit Aerosystems is now our go to Project Manager on site. Generally, his duties are to coordinate the project teams. That is the County, the City, SMG, the Arena Design Consortium, the utility companies, naming rights, all of those various folks. He is responsible to update and maintain the arena global schedule, he develops and maintains the organization charts, he maintains communication plans and timely decision making process, he assures all work, design and construction meets quality standards that are set forth in the contract documents, he oversees the construction budget, he monitors project schedules, that is with Dondlinger/Hunt, with the County, with environmental city/street and environmental, the SMG and furniture fixture and equipment purchases, utility companies, naming rights and so forth. He also compiles and participates in the Dondlinger/Hunt safety program and he reviews all of those RFIs, submittals and correspondence that I talked about earlier.

In addition to the Project Manager as well as having a superb general contractor in Dondlinger/Hunt the architectural and engineering team plays a key role in the success of the project as well. The design professional responsibilities are divided into phases. The programming phase, which has been completed of course; the design development phase, which has been completed; the construction documents phase, which has been completed last summer; the bidding phase took place last fall and now we are into the construction administration phase of the project. The duties of the architectural and engineering team during the construction administration phase of the project, which started last fall, are as you see listed there. Representative and consultant for the County, on site construction administration, review and approval of submittals, prepare change orders, advise on contractor payments, conduct inspections and provide weekly progress reports during construction. We are extremely pleased to have the Arena Design Consortium playing this role and as you know the three local architectural firms that head up Arena Design Consortium are Wilson, Darnell, Mann; McCluggage, Van Sickle, Perry and Gossen Livingston.

The construction budget you approve for this project is \$139,973,101. The Dondlinger/Hunt bid for this project was \$138,022,898. The base bid was \$136,546,898. Remember those parts one and four that had to do with some utility improvements on site, \$806,000. And then there was an alternative for Chiller at \$670,000. In September 2007, you adopted a resolution authorizing the

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County Manager to approve construction change orders for the arena. In the aggregate amount not to exceed \$2 million. Well, to date there have been nine, remember we are 10 months into the project, nine change orders, which represent 53 construction modifications, ranging from site work, concrete masonry and structural steel modifications. If this paperwork that is involved in this would be stacked one on top of the other it would be approximately a half a foot tall. The net dollar amount of change orders and we are just extremely excited about it amounts only to date \$230,596.

That is less than ¼ of 1% of the budget. A construction project this big, that is phenomenal but again it is the people involved, it's the process involved and certainly related to the Project Manager and to the Arena Design Consortium team. When you add that \$230,596 to the original contract the sum comes to \$138,253,494 and we are still well under the budget that is approved for construction for this project.

Again the overall project budget, more than just the construction, overall construction budget is \$205.5 million. Now, I mentioned earlier that the sales tax raised \$206.5 million, that additional \$1 million certainly goes to the project, we just need to bring back to you an updated budget that would roll that \$1 million into the overall budget and we will do that in the near term. So what are the next steps? September '08 through January '09, construction will be progressing on exterior masonry, exterior metalskin support structure and roof structure, interior work consisting of melastud walls, roofing, plumbing, mechanical fire protection and electrical and also continued installation of major mechanical and electrical equipment will happen during this time frame. February '09 through May '09, the lower bowl precast will be installed, curtain walls will be added in entrances, the interior bowl mechanical and electrical equipment as well as the elevator will be installed. June '09 through August '09, the interior architectural finishes and ceilings, railings within the bowl and glass rails at concourses, seating, plumbing, mechanical and electrical hook up and trim out exterior landscaping will occur. September '09 through January 2010 will be start up and commissioning of systems, the audio visual scoreboard, ribbon board, kitchen and concession equipment installations, and training of personnel will occur. In conclusion, the project Commissioners is progressing very, very well. The bottom line is we are both on budget and on schedule. Actually we are under budget and on schedule and as I mentioned earlier in addition to the planning and team work of all that are involved in this project including a superb general contractor, Dondlinger/Hunt, project management is significant and key to our success and the key players to the construction are the construction Project Manager, who is Larry Pecenka for the County and the architectural and engineering team being led by Wes Darnell on behalf of the three local architectural firms of Wilson, Darnell, Mann; McClugage, Van Sickel, Perry and Gossen Livingston. That concludes my presentation. I will be happy to answer any questions if you have them. Otherwise, I would recommend that you receive and file the report."

**Chairman Winters** said, "Alright, Ron, you are not asking for any action? This is a receive and file?"

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**Mr. Holt** said, “Yes sir.”

**MOTION**

Chairman Winters moved to receive and file this report.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “We need to conclude this meeting by 12 o’clock so I suggest we plow on through. If anybody needs to leave the room they can do that but we will call the next item.”

**H. AMEND RESOLUTION 10-2004 TO MODIFY MEMBERSHIP OF THE CRIMINAL JUSTICE COORDINATING COUNCIL.**

**Mr. Lamkey** said, “Earlier this year, the Criminal Justice Coordinating Council met to review its first four years worth of work in a workshop and we asked ourselves the question, who should be at the table that’s not on the table based upon the work that we have done and the work that we are looking to do. Five entities emerged. One was a representative voting member from the Sedgwick County Association of Cities and then four ex officio members whose business impacts the C.J.C.C. or the business of the C.J.C.C. impacts those. That is the Sedgwick County Association of Police Chiefs, represented from the 18th District Judicial Court Services, also known as State Probation, the Wichita Municipal Court Probation and the State of Kansas parole. It would be my recommendation that you approve the request and modify the C.J.C.C. membership and amend and sign the resolution.”

**MOTION**

Commissioner Norton moved to approve request to modify CJCC membership and adopt

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resolution.

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	Absent

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

**1. AMENDMENT TO THE CONTRACT WITH THE MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS FOR COMMUNITY-BASED SERVICES.**

**Mr. Pletcher** said, “This is an amendment to the contract that we have with the Mental Health Association for community based services. This part of the contract, part of the total contract that supports the operation of their crisis home services. These provide services that support individuals at risk of hospitalization. In an effort to locate the crisis homes in a location that provides a safe and secure environment as possible so the consumers can successfully resolve their current situation, the decision was made to relocate two of the homes to other neighborhoods. This amendment provides that some onetime expenses related to the move and that the remainder will payable quarterly as with the original grant. This will allow MHA to continue to provide safe supportive environment that our consumers have experienced over the years. This move was advised by the community police officer when MHA was looking at some safety issues related to the homes. We would ask that you approve the amendment and authorize the Chairman to sign.”

**MOTION**

Commissioner Unruh moved to approve the amendment and authorize the Chair 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	Abstained

**2. PROFESSIONAL SERVICE AGREEMENTS (3) TO PROVIDE INPATIENT PSYCHIATRIC CARE FOR COMCARE CONSUMERS.**

- Mukhtar Shah, MD for \$72,000.
- Laurie Coyner, MD for \$86,250.
- Joan Hertlein, ARNP for \$22,560.

**Mr. Pletcher** said, “Commissioners, this is a renewal of agreements with three of our medical providers who have been providing inpatient psychiatric care to the COMCARE clients for over a year. Dr. Shah, Dr. Coyner and Dr. Joan Hertlein, who is an ARNP, are covered by the agreements. I would be happy to answer any questions you have but would ask that you approve these agreements.”

**MOTION**

Commissioner Welshimer moved to approve the agreements.

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

**3. NOTIFICATION OF GRANT AWARD FROM THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR COMCARE TO**

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**REIMBURSE VIA CHRISTI FOR MENTAL HEALTH SERVICES PROVIDED TO INDIGENT INDIVIDUALS INVOLUNTARILY COMMITTED FOR TREATMENT.**

**Mr. Pletcher** said, “Commissioners, this renewal is a renewal of a complicated and necessary agreement. Individuals who are being involuntarily committed for mental health treatment and who are indigent may find themselves at Via Christi’s inpatient psychiatric unit or emergency department as part of the process of obtaining treatment. This grant award from the Department of Social Rehabilitation Services provides payment for these individuals receiving these services locally. Some cases the clients have been approved for admission to the state hospital and they’re being monitored in Via Christi’s Assessment Center prior to being transported to Osawatomie State Hospital. In other cases, it may be determined that the client is likely to stabilize locally and quickly enough that treatment is more appropriately provided here rather than taking the time to transport them across to the state, to Osawatomie. Finally, in rare cases the census levels of the state hospital may require someone to be held locally when the state hospitals are above their censuses. Since no payment sources exist for these people the State of Kansas SRS desires to grant funds to assist with the cost of services in these situations. We would recommend that you approve the grant award and authorize the Chairman to sign the agreement and all other documents containing substantially the same terms and conditions as the application approved by the County’s Grant and Coordinating Community, approve establishment of budget authority and authorize budget authority adjustments as required. I would be happy to answer any questions.”

**Chairman Winters** said, “Alright, thank you Tom. Tom has read the motion that we need to make. Are there questions?”

**MOTION**

Commissioner Welshimer moved to approve the grant award authorizing the Chairman to sign the agreement and all other documents containing substantially the same terms and conditions as the application approved by the County’s grant coordinating committee; approved by the budget authority, and authorized budget authority adjustments as required.

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Winters	Aye

4. **COMCARE HOMELESS PROGRAM TRANSITIONAL HOUSING PROJECT RENEWAL GRANT TO BE INCLUDED IN THE WICHITA/SEDGWICK COUNTY CONTINUUM OF CARE APPLICATIONS TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

**Mr. Pletcher** said, “Commissioners, this grant application has part of the item that you heard previously from Beth Oaks. Since 2003, COMCARE has operated the Transitional Housing Project for adults who have serious mental illness and who also have a co-occurring substance abuse disorder and where treatment has not been as successful for them. This is a renewal application that is part of the NOFA Project or application mentioned previously. This NOFA makes funds available for the Support of Housing Program, which includes transitional housing, supportive services such as case management and permanent supportive housing such as Shelter Plus Care. The community application will be submitted to HUD by the United Way of the Plains by September 26<sup>th</sup>. This renewal as part of that NOFA application would fund the lease support for 16 apartments, mental health and substance abuse treatment staff, case management, clerical support and budgeting payee services provided by Episcopal Social Services. Participants can receive treatment and housing support for up to two years with the goal of having a successful transition to permanent housing. We recommend that you approve the grant application and authorize the Chairman to sign all necessary documents including the grant award agreement containing substantially the same terms and conditions as this application and approve establishment of budget authority at the time the grant award documents are executed.”

**MOTION**

Commissioner Norton moved to approve the grant application and authorize the Chair to sign all necessary documents.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Winters	Aye

**5. COMCARE HOMELESS PROGRAM TRANSITIONAL HOUSING PROJECT RENEWAL ENHANCEMENT GRANT TO BE INCLUDED IN THE WICHITA/SEDGWICK COUNTY CONTINUUM OF CARE APPLICATIONS TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

**Mr. Pletcher** said, “Commissioners, this is an extension of the item that we previously heard about and its part of that renewal of the COMCARE’s Transitional Housing Project. This covers four apartments added to the regular grant in 2006. These additional apartments are part of the project mentioned previously and have the additional requirement, in addition to the mental health, substance abuse and homeless issues that are there, that the individual must be chronically homeless. These funds will support the four units in which people with mental illness, substance abuse disorders and chronic homelessness may live and provide services for those individuals with the goal of addressing their mental health and substance abuse treatment needs in transitioning to more permanent housing. I would be happy to answer any questions but would ask that you take the recommended action.”

**MOTION**

Commissioner Norton moved to approve the grant application and authorize the Chair to sign all necessary documents.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

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

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**Commissioner Norton** said, “Well, before Tom gets out of here I just wanted to congratulate him. He just completed the Kansas Public Health Institutes Leadership Program. I see he has his lapel pin on today. This was the fifth cycle of Kansas Public Health scholars that have gone through this intensive program for a year and Tom is our most recent graduate from Sedgwick County and we are very proud of him and now being a scholar or a fellow? I am not sure which it is.”

**Mr. Pletcher** said, “Now I am a fellow yes.”

**Commissioner Norton** said, “You are a fellow. Well, congratulations.”

**Mr. Pletcher** said, “Thank you very much sir.”

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

### **K. PUBLIC WORKS**

#### **1. RESOLUTION ENDORSING TRANSPORTATION IMPROVEMENTS FOR SEDGWICK COUNTY, KANSAS CONCERNING THE ENACTMENT BY THE KANSAS LEGISLATURE OF A NEW STATE-WIDE COMPREHENSIVE TRANSPORTATION.**

**Mr. Spears** said, “The Kansas Association of Counties and the League of Kansas Municipalities have requested resolutions from all governing bodies of cities and counties regarding a 2009 Comprehensive Transportation Program. Specifically, we were asked to do two things: number one, list our priority transportation projects and two, endorse and support the enactment of a new comprehensive transportation program by the Kansas Legislature. The projects most likely to be selected are classified as regional type of projects and we have selected four in our resolution. They are #1, acquire rights of way for the Northwest bypass; #2, construct a modern interchange at the south junction, which is at I-135, the Kansas turnpike and 47<sup>th</sup> Street South; #3, construct a modern interchange at the west junction, which is I-235 and Kellogg; #4, construct a modern interchange at the north junction, which is I-235, I-135 and K-254. We will also be prepared to present these projects to the T-Link task force appointed by the Governor and I recommend that you adopt the resolution.”

#### **MOTION**

Commissioner Norton moved to adopt the resolution.

Commissioner Welshimer seconded the motion.

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**Chairman Winters** said, “Commissioner Parks?”

**Commissioner Parks** said, “I just wanted to say for priority in my district and for my constituents, the northwest bypass needs to be kind of on that front burner and that is in the program and I hope to see some movement on that even later this year, get some right of ways and purchase some right of ways for that and I would like to use that before I pass this life so...”

**Mr. Spears** said, “So would I.”

**Commissioner Parks** said, “People that need to go to Kingman or Pratt and need to get around a little quicker that is going to be a good project.”

**Mr. Spears** said, “Ok, thank you.”

**Chairman Winters** said, “Is there any other discussion on the motion? Seeing none please call the vote.”

**VOTE**

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

**3. APPROVAL OF A PROJECT AGREEMENT WITH KDOT FOR CONSTRUCTION OF A BRIDGE ON 143<sup>RD</sup> ST. E. OVER THE KANSAS TURNPIKE. DISTRICT 1.**

**Mr. Spears** said, “The Wichita Area Metropolitan Planning Organization or WAMPO has allocated federal funding to the construction of a new bridge on 143<sup>rd</sup> Street East over the Kansas Turnpike. The Kansas Department of Transportation distributes the federal funding and has provided a standard project agreement for approval by the County. The proposed agreement outlines fiscal and project management responsibilities for the project. The County and the Kansas Turnpike Authority will be responsible for 100% of the cost of the design, acquire right of way, and relocate

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utilities. Federal funds will be used to pay for 80% of the cost of construction and construction engineering or inspection up to \$3.9 million. The remaining 20% will be paid by the County and the KTA as outlined in a separate agreement that was approved on November 22<sup>nd</sup>, 2006. I recommend that you approve the agreement and authorize the Chairman to sign.”

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**L. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON SEPTEMBER 11, 2008.**

**Mr. Joe Thomas**, Sr. Purchasing Agent, Purchasing Department, greeted the Commissioners and said, “There are 10 items for consideration that resulted from the meeting of the Board of Bids and Contracts on September 11<sup>th</sup>. Item One:

**1. ON-CALL LABORATORY SERVICES FOR HUMAN RESOURCES FUNDING-HUMAN RESOURCES**

The recommendation is to accept the proposal from Associations in Health Care and execute contract pricing for one year with two one year options to renew. Item Two:

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**2. AUDIO/VISUAL SOLUTION FOR HUMAN RESOURCES TRAINING ROOM---HUMAN RESOURCES FUNDING—WORKFORCE DEVELOPMENT**

The recommendation is to accept the proposal from Ford Audio/Video for the amount of \$21,248.79. Item Three:

**3. ON-CALL BALLOT PRINTING SERVICES—DIVISION OF INFORMATION AND OPERATIONS FUNDING---ELECTION COMMISSIONER**

The recommendation is to accept the proposal from H&H Printing and establish contract pricing for one year with two one year options to renew. Item Four:

**4. IBM HARDWARE MAINTENANCE—DIVISION OF INFORMATION AND OPERATIONS FUNDING---SYSTEMS AND SECURITY**

The recommendation is to accept the low proposal from Decision One and establish contract pricing for one year with two one year options to renew. Item Five:

**5. MULTIFUNCTION PRINTING DEVICES FOR VARIOUS COUNTY DEPARTMENTS FUNDING—VARIOUS COUNTY DEPARTMENTS**

The recommendation is to accept proposals from OCE North America, Konica Minolta, and Copy Products, Inc. and establish contract pricing for three years with two one year options to renew. Item Six:

**6. TRANSMISSION SERVICES FOR FLEET MANAGEMENT FUNDING—FLEET MANAGEMENT**

The recommendation is to accept the proposals from Bob's Transmission for weekend and holiday services, Fisher's Transmission for routine services and Worldwide Transmission for emergency services and establish contract pricing for two years with two additional one year options to renew. Item Seven:

**7. TRACTORS WITH ARTICULATED BOOM MOWERS FOR FLEET MANAGEMENT**

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**FUNDING---FLEET MANAGEMENT**

The recommendation is to accept the low proposal meeting specifications from Wichita Tractor for the amount of \$237,410. Item Eight:

**8. FUEL PUMPS WITH DISPENSERS—FLEET MANAGEMENT  
FUNDING—FLEET MANAGEMENT**

The recommendation is to accept the proposal for electronic fuel pumps with dispensers from Double Check Company, Inc. in the amount of \$50,034.58. Item Nine:

**9. SAFETY STANDS—PUBLIC WORKS  
FUNDING—SPEC ROAD & BRIDGE EQ & BRIDGE BUILDING FUND**

The recommendation is to accept the low bid from Stands Alone, LLC for the amount of \$54,250.00. Item Ten:

**10. CHANGE ORDER #7 ADDITION OF CLASSROOM SPACE FOR  
JUVENILE COURT AND DISTRICT ATTORNEY REMODEL-FACILITIES  
DEPARTMENT  
FUNDING-CONSTRUCT JUVENILE COURT, REMODEL FOR DISTRICT  
ATTORNEY/JUVENILE COMPLEX**

The recommendation is to accept the change order with National Contractors, Inc. for \$14,048.00. I recommend approval of these items and would be happy to answer any questions.”

**MOTION**

Commissioner Unruh 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**

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

**M. CONSENT AGENDA.**

- 1. Request for waiver of personnel policy to promote a Case Manager, Band 217 to a senior social worker Band 322, at 3% above minimum for COMCARE's Children's Services.**
- 2. Amendment to employment agreement with Katherine Grimsley, MD.**
- 3. Amendment to CDDO Annual Contract with SRS.**
- 4. Two Temporary Construction Easements for Sedgwick County Project 263<sup>rd</sup> Street; Drainage Project on 263<sup>rd</sup> St. West between 93<sup>rd</sup> and 101<sup>st</sup> Streets North. D-787-E. District 3.**
- 5. One Right of Way Easement for Sedgwick County/KDOT Project 817-V, W, X; Road Widening project on Meridian between 47<sup>th</sup> St. South and 71<sup>st</sup> St. South. CIP# R-281. District 2.**
- 6. Five Easements for Right of Way for Sedgwick County Project 795-N, O, P, Q; Recondition of 199<sup>th</sup> St. West between 21<sup>st</sup> St. North & US-54. CIP# R-267. District 3.**
- 7. General Bills Check Register for the week of August 28 – September 9, 2008.**
- 8. Payroll Check Register for September 5, 2008.**
- 9. Order dated September 10, 2008 to correct tax roll for change of assessment.**

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "You have a consent agenda before you and I would recommend you approve it."

**MOTION**

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Commissioner Norton moved to approve the Consent Agenda as presented.

Commissioner Welshimer seconded the motion.

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

### **VOTE**

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

**Chairman Winters** said, “Alright that brings us to the end of our regular agenda. We do not need to have a Fire District meeting or an Executive Session today. Is there any other business? Commissioner Parks?”

### **N. OTHER**

**Commissioner Parks** said, “I was pleased to see Justice Concepts in here and pleased to see a person who is running for office in here. That shows me that they are really looking into those things. One of the Sheriff candidates is in the audience today and I appreciated him being here and absorbing that information and learning about that process. The Fall Festival is coming up this weekend at Valley Center. Parade at 10, Ottoway Amusements, if you got rained out or didn’t go to the State Fair I would say this is just the next best thing. They have the largest self contained Ferris wheel in the world and if the engineering students out at WSU want to get a real lesson, go up on Thursday night when they are setting this thing up. It is pulled in on a trailer and it all just blossoms out. That is just kind of a simple term but I will tell you that it is an amazing feat to see this apparatus go up but that will be at the Midway there on Main Street in Valley Center. I would be remised if I didn’t mention the Car Show and the Motorcycle Show. The Motorcycle Show on Friday, the Car Show Sunday at noon and those will be in two other locations and you can get that information off the Valley Center Chamber of Commerce website. Also the Lyons Club will be there serving their all beef franks. These are not merely hot dogs, these are all beef franks and that is at a really good price. On a more serious note, I want to send my condolences to the family of Norma Daniels. She passed away. She was an active person in politics in Sedgwick County. She was active when she was a Mayor back in the ‘70s in Valley Center, was the first female state Senator from Sedgwick County Delegation so I want to think of her and her family during this somber time. Thank you.”

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**Chairman Winters** said, “Alright thank you Commissioner. Is there any other thing that needs to be discussed or come before this Board? Commissioner Welshimer?”

**Commissioner Welshimer** said, “Well just briefly. Saturday is the Oaklawn Parade and I plan to participate in that and we had a Solid Waste Summit on Saturday that I thought went very well. It was very informative and we brought in a person who is skilled in contracting with recycling and franchising. A Harvard graduate person who has specialized in this and she gave us a lot of good information and I am hoping that we will continue to work with our cities and not drop the ball.”

**Chairman Winters** said, “Thank you Commissioner. Anything else? Mr. Manager, anything?”

**Mr. Buchanan** said, “No, sir.”

**Chairman Winters** said, “Mr. Euson?”

**Mr. Euson** said, “No, sir.”

**Chairman Winters** said, “This meeting is adjourned.”

**O. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:37 a.m.

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

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

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

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

**Regular Meeting, September 17<sup>th</sup>, 2008**

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**KELLY PARKS**, Commissioner  
Fourth District

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**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

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

APPROVED:

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