

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 28, 2009

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, January 28, 2009 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Kelly Parks, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Karl Peterjohn; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. William P. Buchanan, County Manager; Mr. Chris Chronis, Chief Financial Officer; Mr. Pete Giroux, Principle Analyst, Budget; Mr. John Schlegel, Planning Department; Ms. Claudia Blackburn, Director, Health Department; Ms. Marilyn Cook, Executive Director, COMCARE; Mr. Chad VonAhnen, Director, CDDO; Mr. Ron Estes, Sedgwick County Treasurer; Mr. David Miller, Budget Director; Mr. Jim Weber, Deputy Director, Public Works; Ms. Kristi Zukovich, Director, Communications; and, Ms. Evelyn Good, Deputy County Clerk.

GUESTS

Mr. Phil Meyer, 315 Ellis, Wichita, Baughman Company
Mr. Dwight "Bud" Curran, 3 Lakewood, Goddard
Mr. Mark A. Foster, 4430 S. 231st W., Goddard
Ms. Barbara Craig Queen, 56 Stratford Road, Goddard
Mr. Justin Givens, City of Goddard, 118 N. Main

FLAG SALUTE

INVOCATION

Led by Pastor Rick Cline of Central Church of Christ, Wichita

ROLL CALL

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

CONSIDERATION OF MINUTES

Regular Meeting, December 31, 2008.

Chairman Parks said, "You have all had a chance to read the minutes from the last meeting. Having done so, do I hear a motion to approve those minutes?"

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MOTION

Commissioner Peterjohn moved to approve the minutes of the Regular Meeting of December 31, 2008.

Chairman Parks seconded the motion.

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

VOTE

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

Chairman Parks said, "Clerk, call the next item."

APPOINTMENTS

A. RESIGNATION OF CAROLYN SMITH FROM THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.

Mr. Rich Euson, County Manager, greeted the Commissioners and said, "This resignation has been tendered to you. I ask that you accept it at this time."

Chairman Parks said, "Do I hear a motion for resignation? Commissioner Unruh?"

Commissioner Unruh said, "Thank you. I will make the motion that we accept the resignation, but I would just want to also say thanks to Carolyn Smith, who has served on the Advisory Aging Council for many years, I don't know exactly how many. She's been a very faithful and productive member of the committee. Her husband is the Mayor of Bel Air, and so she's had a real strong interest in this issue, and just want her to know publicly how much Sedgwick County appreciates her service."

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MOTION

Commissioner Unruh moved to accept the resignation.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Call the next item."

B. RESOLUTION APPOINTING FRANCES SEIDL (COMMISSIONER UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.

Mr. Euson said, "Commissioners, we prepared a resolution for this appointment to fill the vacancy that was just created, and this is for a term to end in April, 2011. I recommend you adopt this resolution."

Chairman Parks said, "Commissioner Unruh?"

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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

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VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Next item."

Commissioner Unruh said, "Mr. Chairman, Ms. Seidl is here and I think the Clerk is here to administer the oath."

Chairman Parks said, "Excuse me, I didn't have that note."

Mr. Kelly B. Arnold, County Clerk, said, "Repeat after me."

Ms. Frances Seidl, Council Appointee said, "Okay."

Mr. Kelly B. Arnold said, "*I do solemnly swear...*"

Ms. Seidl said, "*I do solemnly swear...*"

Mr. Arnold said, "*...that I will support the Constitution of the United States...*"

Ms. Seidl said, "*...that I will support the Constitution of the United States...*"

Mr. Arnold said, "*...the Constitution of the State of Kansas...*"

Ms. Seidl said, "*...the Constitution of the State of Kansas...*"

Mr. Arnold said, "*...and faithfully discharge the duties of office...*"

Ms. Seidl said, "*...and faithfully discharge the duties of office...*"

Mr. Arnold said, "*...of Sedgwick County Advisory Council on Aging...*"

Ms. Seidl said, "*...of Sedgwick County Advisory Council on Aging...*"

Mr. Arnold said, "*...so help me God.*"

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Ms. Seidl said, "...so help me God."

Mr. Arnold said, "Congratulations."

Chairman Parks said, "It is great to have the volunteers in our community to serve on these boards, and I have, in fact been to a couple of those meetings the last couple years, and that is a very important committee to our community. Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. I just also want to thank Frances for her willingness to serve in this capacity. I know that she's been a longtime member of the Advisory Council on Aging under another appointment, and as that term expired, I was happy to pick her up and ask her to continue service. I know that she's been an active member of the committee, and express appreciation to you for your willingness to serve. So thank you."

Chairman Parks said, "Commissioner Peterjohn?"

Commissioner Peterjohn said, "Mr. Chairman, I have two appointments that I would like to bring up at this time. I have been told that there's been a resignation from the Sedgwick County Arena Sales Tax Oversight Committee, both Mr. Short and Mr. Desoico, I believe that's how he pronounces his name, I'll apologize if I mispronounced it, have tendered their resignations after their service which I very much appreciate. They were appointees of my predecessor, Commissioner Winters, and I have selected replacements, and would like to bring them up at this time since at least one is here in the room at the moment."

Chairman Unruh said, "Do we have a motion for an off agenda item?"

Commissioner Peterjohn said, "I'm sorry."

MOTION

Commissioner Peterjohn moved to take the off agenda items regarding resignations and appointments for Sedgwick County Arena Sales Tax Oversight Committee.

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 Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

OFF AGENDA ITEM

Resignations and appointments for Sedgwick County Arena Sales Tax Oversight Committee

Chairman Parks said, "Okay. Now do you have a motion to appoint to, probably ought to do that individually."

Commissioner Peterjohn said, "If I may do it individually."

Chairman Parks said, "Yes."

Commissioner Peterjohn said, "First one I would like to bring up is appointing Mr. John Stevens to the Sedgwick County Arena Sales Tax Oversight Committee."

Chairman Parks said, "Do we, I guess we need to accept..."

Commissioner Peterjohn said, "Do we need to accept the resignation first?"

Chairman Parks said, "Yes. We need to do that."

Commissioner Peterjohn said, "Let me withdraw..."

Chairman Parks said, "I will ask Rich Euson, do we need to do that individually, on the resignation?"

Mr. Euson said, "If you wish to accept them at the same time you could certainly do that. This was really brought up as a combined item and you can certainly do that, unless there is some reason to take them separately."

Chairman Parks said, "Do I hear a motion to accept the resignations?"

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MOTION

Commissioner Peterjohn moved to accept resignations for Sedgwick County Arena Sales Tax Oversight Committee.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "I think we should probably do those individually, if you'd do that that way. Do I hear a motion?"

MOTION

Commissioner Peterjohn moved to appoint Mr. John Stevens to the Sedgwick County Arena Sales Tax Oversight Committee.

Chairman Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Commissioner Peterjohn said, "Mr. Chairman, Mr. Stevens is in the audience at the moment and if the Clerk is here, could we administer the Oath of Office at this time?"

Chairman Parks said, "Yes. Clerk Arnold is here and we can just go ahead and do that."

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Mr. Arnold said, "Raise your right hand and repeat after me. *"I do solemnly swear..."*"

Mr. Stevens said, *"I do solemnly swear..."*

Mr. Arnold said, *"...that I will support the Constitution of the United States..."*

Mr. Stevens said, *"...that I will support the Constitution of the United States..."*

Mr. Arnold said, *"...the Constitution of the State of Kansas..."*

Mr. Stevens said, *"...the Constitution of the State of Kansas..."*

Mr. Arnold said, *"...and faithfully discharge the duties of office..."*

Mr. Stevens said, *"...and faithfully discharge the duties of office..."*

Mr. Arnold said, *"...of Sedgwick County Arena Sales Tax Oversight Committee..."*

Mr. Stevens said, *"...of Sedgwick County Arena Sales Tax Oversight Committee..."*

Mr. Arnold said, *"...so help me God."*

Mr. Stevens said, *"...so help me God."*

Mr. Arnold said, "Congratulations."

Mr. Stevens said, "Thank you. Thank you gentlemen."

Chairman Parks said, "The appointees can say a few words if they wish, but apparently, he did not. Do we have a ..."

Commissioner Peterjohn said, "I believe my second appointee is here, yes."

MOTION

Commissioner Peterjohn moved to appoint Mr. John Todd to the Sedgwick County Arena Sales Tax Oversight Committee.

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 Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Mr. Arnold said, "Repeat after me." *"I do solemnly swear..."*

Mr. Todd said, *"I do solemnly swear..."*

Mr. Arnold said, *"...that I will support the Constitution of the United States..."*

Mr. Todd said, *"...that I will support the Constitution of the United States..."*

Mr. Arnold said, *"...the Constitution of the State of Kansas..."*

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Mr. Todd said, *"...of Sedgwick County Arena Sales Tax Oversight Committee..."*

Mr. Arnold said, *"...so help me God."*

Mr. Todd said, *"...so help me God."*

Mr. Arnold said, "Congratulations."

Mr. Todd, Council Appointee said, "Thank you. Thank you for the appointment, I appreciate it."

Chairman Parks said, "And I believe we are ready for Mr. Chronis to come to the podium and present our fourth quarter report. Do you want to call the item?"

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PRESENTATION

C. PRESENTATION OF FOURTH QUARTER FINANCIAL RESULTS.

POWER POINT PRESENTATION

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, “You have received a copy of this document, the Quarterly Financial Report for the period that ended December 31, 2008. And as you know, that is the end of the County’s fiscal year, so what you have here is a preliminary assessment of how the County ended the 2008 fiscal year. The information that’s in this report is unaudited, the audit is being conducted as we speak, and I expect to come back before you around the 1 of April with the results of that audit and so some of the numbers that are in this report may be changed subject to the findings of the auditor at that time. But we believe that the information that I’m going to give you today is accurate, is complete, and I’m happy to report that we ended the year in good shape.

The presentation that I will give you mirrors in form the presentations that I’ve given you at the end of each calendar quarter for the last several years, and we always begin by taking a look at the total County operating funds. As you know the County, in governmental accounting, accounts for its activity in a series of funds, each of which is a stand-alone financial operation. It has its own revenues, its own expenditures and its own equity or fund balance. This chart looks at all of those combined. And what you are seeing on the chart in blue are the expenditures that were recorded for all operating funds for 2006, starting at the bottom, moving up to 2008, and the revenues in green for the same years.

The numbers on the far right side of the chart identify the amounts of revenue and expenditure each year. The length of the bars indicate the amount of revenue or expenditure that we experienced in 2008 in relation to the adopted budget for 2008. So for 2008, our total revenue for the operating funds was \$374.5 million, and that was right at 100 percent of the amount that we had expected to collect in those funds.

Our expenditures in 2008 were \$333.9 million, and that was 87 percent of what we expected to spend for the year. So we ended the year with slightly more, very slightly more, revenue than we had budgeted, and expenditures less than had been budgeted. And that’s the picture that we want to see, that’s what we consider to be good financial management.

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We always try and underestimate revenues and overestimate expenditures when setting a budget. And that's, as you see from the charts, bars for 2007 and 2006, that is the experience that we have had for the last several years. Compared to 2007, our expenditures increased by a total of 6.2 percent, \$333 million compared to \$314.5 million. Our revenues increased by 4.7 percent, \$374.5 million compared to \$357.7 million. So, in general, 4.7 percent increase in revenue, 6.2 percent increase in expenditures.

Now looking at selected at key revenues, and we're looking here at categories, generally, you can see that most of the County's or the largest share of the County's funding, is provided by Ad Valorem taxes, by property taxes. In 2008, the County received \$136.6 million of Ad Valorem taxes and that includes all the associated fees, the back taxes and so forth, that we collect in conjunction with Ad Valorem taxes. That is 6.6 percent more than we collected in 2007, the blue bar that is indicated on the chart.

The second most significant funding source for us is charges for services, towards the top of the chart. In 2008 we received \$101.4 million of charges for services, or as some people refer to them, user fees, things like ambulance fees or park fees or reservations fees for picnic shelters. Those, in total added up to \$101.4 million.

Now, intergovernmental revenues totaled \$48.8 million, about three percent more than the prior year and you see investment income at the top, sales and use taxes and motor vehicle taxes toward the bottom of the chart are all much smaller shares of the funding of the County government. Each of those categories increased in 2008 as compared to 2007.

Now, when we talk about Ad Valorem taxes, I always try to make the point that what we are talking about today are the County's Ad Valorem taxes and that is only a small fraction of what your constituents see on their tax bills. The County tax levy, the total County tax levy, in for the 2007 tax year that benefited our 2008 budget, was just under \$480 million. That is the total amount of tax levied by all governments in Sedgwick County.

Of that, Sedgwick County government levied \$124.8 million, right at one quarter of the total. The City of Wichita levied nearly 20 percent of the total, USD 259 levied a little bit more than a quarter of the total, and all other governments, and there are about a hundred other governments that levy property taxes in Sedgwick County, all of them combined levied \$131 million or 27 percent of the total that people see on their tax bills. So, when you look at your tax bill, typically Sedgwick County taxes, the taxes that you control, are going to represent only about 25 cents of every dollar on that tax bill.

Now, moving down to a little bit more detail on taxes, I have already spoken about Ad Valorem taxes and sales and use taxes, but I wanted to segregate a couple of others to highlight them. And we've identified here the largest individual revenue sources that the County receives.

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Medicaid fees is a significant revenue source for Sedgwick County. In 2008, we collected just under \$25 million of Medicaid fees. Primarily through COMCARE and the EMS service, a little bit through the Health Department, and Aging Services and CDDO. Medicaid fees, at \$24.9 million, you see were substantially under what we had expected to have in the budget, and they were almost 5 percent below what we received in 2007. That is attributable to a change in the State's practices regarding Medicaid, in particular dealing with CDDO. Until the summer of 2007, right around the time we were adopting this budget, the State changed the treatment of Medicaid fees for providers of services that typically are contracted through CDDO. Used to be that those Medicaid fees were collected by Sedgwick County and then passed on to the service provider. As of the summer of 2007, the State started paying those Medicaid fees directly to the service provider. And so after our budget was adopted for 2008, that happened as a result, our revenue dropped below budget and below what we had collected in 2007 when, for a portion of the year, that practice was in effect.

The State revenue that we receive from SRS also declined from one year to the next, from 2007 to 2008. We received \$16 million in 2008 from SRS. That is primarily the COMCARE operating grants. And we took a reduction in COMCARE operating grant of about a half million dollars in 2008. In addition, the State changed the way COMCARE received funding for certain services. It used to be that those services were provided, were paid for by the State on a grant basis, we receive a grant of x number of dollars, we provide services and we hope the cost of the services equals the amount of grant revenue that we received. Now the State is providing those services or paying for those services on a fee per service basis. So we don't receive that revenue as Medicaid any longer, we receive it as a user fee, and it is directly tied to the amount of service that we provide.

Investment income also dropped for 2008 as compared to 2007, but you see that we were substantially above, more than twice as much as we had budgeted for 2008, at \$15.5 million, that is attributable to the Arena.

In 2008, as you know, we started building that structure and we started drawing down the arena tax that had been collected between 2005 and the end of 2007. In 2008, the amount we had to invest, therefore dropped, because we were paying contractors for the Arena, in addition, because of the change in market conditions with the crash that happened back in September and October, the rates that we receive on investments plummeted towards the last half of the year, and I'll talk a little more about that in a few minutes, but the combination of those two things accounted for the drop in revenue for 2008 as compared to 2007.

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Now, what accounts for the fact that we receive so much more than we had budgeted for 2008, you have, you know that the investment income that we receive on the Arena sales tax is, by State law, credited to the County's general fund. And you have indicated in prior meetings that you want to consider at some point whether or not that investment income that is in the general fund should be transferred to the Arena fund. And so to make sure that we haven't spent that money in the general fund, we intentionally have under-budgeted the amount of Arena, or amount of investment income that we expect to receive in the general fund. We actually collected but we don't budget it so we make sure we don't spend it. That way it's going to be there, if and when you decide you want to transfer it to the arena fund.

Now, turning to expenditures, but not quite that fast, looking at expenditures by category, far and away the largest category of expense for Sedgwick County is personnel costs. In 2008, we spent \$162.6 million on county employees, that's salaries and benefits. That is 4.7 percent more than we spent a year ago, and the increase is attributable to the pay adjustment that you provided at the start of 2008, a few additional pay adjustments that you approved during the course of the year, and increases in workforce that you approved as a part of the 2008 budget, and various grants that we've received during 2008.

Contractual services totaled \$133.6 million dollars for the year. That is 8.6 percent more than in 2007, a relatively large increase. That's primarily attributable to economic development initiatives that we undertook during the year. You'll remember that we approved a loan agreement with Cessna in return for that company to locate the Cessna Columbus Plant here in Wichita and add 1,000 jobs over the next several years. We agreed to provide Cessna a forgivable loan of \$5 million, that \$5 million was paid in 2008, and so it increases the contractual services number. We had a similar agreement that we approved with Spirit Aerosystems, to add 700 jobs for work that they will be doing on that Cessna Columbus jet and some other projects, and we paid \$850,000 to Spirit in 2008 for that agreement in return for those 700 jobs.

We also had fairly significant increase in some operating costs. Utilities increased by \$375,000, mileage reimbursements to our own employees increased by \$200,000; both of those are a function of the rapid spike in fuel prices that took place midyear. We reimburse our employees for mileage at the federally approved rate of reimbursement, and that rate has increased from the start of 2008, I believe it was at 44 cents, it jumped up to 54 cents, I believe, by the end of the year. So we were paying out significantly more to our employees for using their personal vehicles on County business, and we were doing that because they were paying considerably more for fuel in those vehicles.

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Commodities costs increased by 14 percent, almost 15 percent, but commodities, as you see in the middle of the chart, don't really amount to a significant expenditure for Sedgwick County, We don't buy a lot of stuff. One of the major sources of increase for commodities was fuel. Because of that spike in fuel prices during the year, we ended up spending \$460,000 more for gasoline and diesel in 2008 than we had spent in 2007. The number of miles we traveled didn't change appreciably, but the cost of operating vehicles to travel those miles did change pretty dramatically.

The capital outlay, which is capital projects and this is, again, looking only at operating funds, so it doesn't include our big capital projects, it is stuff that's relatively minor, and it includes equipment that we purchased, totaled \$4.9 million, about the same as the prior year, and our debt service at \$18.4 million also was about the same, slightly less than in the prior year.

Now, again, I want to drill down to a few items and pay special attention to them. And once again, what you have listed here, are the individual expenditure accounts that are the largest sources of expenditure for Sedgwick County government. We've talked about salaries and wages, health insurance and employ benefit is related that personnel cost that we talked about and what you are seeing here, the \$19 million, is only the County's share of employee's health insurance, the employees also pay a share of that cost.

Grant awards, decreased by almost 13 percent. Those are awards that we provide typically to social service agencies in the community to provide services on our behalf, and the primary source of the decrease from the prior year had to do with CDDO, with the Community Developmental Disabilities Organization. The State, as I already mentioned, changed the way they were treating Medicaid for some of the providers. We were receiving the Medicaid from the State; we were providing it to those providers in the form of grant awards, now the providers are receiving that revenue directly from the State.

Economic development incentive is a new category, and I've segregated it this year. We created a new account because we had such significant expenditures in that category during the year, we had the Cessna Forgivable Loan I previously mentioned, we had the Spirit Forgivable Loan I previously mentioned, and in addition to that, we had, and have had the AirTran Revenue Guarantee Contract, where we have paid \$6.5 million to AirTran with most of that money being provided to us by the State of Kansas and a portion of it being provided by the city of Wichita.

Our affiliate Medicaid account increased pretty dramatically, but that's an accounting change, not a substantive change. We used to account for much of what you see in this \$10 million in, what we call, other contractual services and it occurred to us that wasn't a very descriptive account, so we have reallocated that money.

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And you see the other lesser charges on here. Fleet management, we've already talked about the fuel costs driving that up, FICA and retirement contributions related to personnel costs, and interest and bond principle are the debt service accounts we talked about earlier.

Now, turning to capital projects, the largest projects that we have underway, or have had underway during the year are these that you see on this page. The Intrust Bank Arena, as you know, is a \$205.5 million project, that's the budget you approved to date, as of December 31, we had spent \$105 million on that project, we had committed, that is, we had contractual obligations for a total of 170, almost \$174 million. We have, as of December 31, completed 54 percent of the construction of that project. And we are on target to finish that project, and open the doors, we expect in January of 2010, about a year from now, and we fully expect that project to come in at or under budget.

The National Center for Aviation Training is a \$47.5 million budget, and you remember that in November and December you approved and we sold bonds to finance most of that project. We have committed a total of \$35 million in construction contracts for the Gateway building in one contract, and for the two other buildings, the Manufacturing Technical Center and the Aviation Service Center. That total project is considered to be about 20 percent complete as of December 31. We expect that it will be fully completed in the summer of 2010, and we will have the first classes in the fall of 2010 in that building. We fully expect it will be completed on budget or under budget.

The Fire Station Relocation Plan consists of a number of fire stations that are going to be moved or constructed. We've talked about that plan a number of times over the past years in 2008, two fire stations, #35, which is located in Goddard, and #39, which is located in southwest Sedgwick County, both were in design phases and they will be constructed in 2009. They have a budget of \$3.8 million, and we spent about \$300,000 to date on the design work.

The Forensic Science Center is primarily an expansion of the facility to provide additional space for evidence storage and also to upgrade the heating and air conditioning system in the structure which has never worked properly, as you know. That total project is \$3 million it has been designed, we have not awarded a construction contract for it, we expect to do that in the next month or so, and so we all we have spent on that project to date is design money. That project was originally expected to be funded with the proceeds of bonds to be sold by the Public Building Commission, as you know, in November of last year, I came to you and suggested that we not finance that project with bonds, but rather with cash that we had on hand and that would allow us to save interest on debt service. You agreed to that, and so we have not sold those bonds and later on in your agenda today, you have a budget transfer that accomplishes that cash funding that we talked about.

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The final major project is highway preventive maintenance, one of David Spears' pets, if you will. The most important thing, I think, he undertakes during the year is taking care of the roads we already have in place, that was an \$8 million budget, we spent a total of \$7.2 million and we did everything that we expected to do, so we came in under budget with that effort.

Now, when you add revenues to the beginning fund balance and you subtract expenditures from that total, you arrive at ending fund balance, and what we are showing here is the portion of that ending fund balance that is unreserved, that is, that doesn't have some legal string tied to it. This unreserved fund balance is in theory available for allocation. In the general fund, we ended the year with right at \$65 million of unreserved fund balance. The red dot in the middle of that bar identifies the minimum target that we have established for unreserved general fund balance by County policy, and that red dot stands at \$37 million dollars. So we are well above the level of fund balance that we consider minimally acceptable for Sedgwick County in the general fund.

The special revenue, well, and that's true, by the way, of all these funds as you will see, special revenue funds, in combination, have an unreserved fund balance at December 31 of just under \$56 million. The minimum target in special revenue funds is \$11.7 million. Special revenue funds are funds that exist to account for a specific kind of revenue that can only be used for one certain purpose, and much of the special revenue funds is grant income that we receive to pay for particular programs. So it is not, special revenue fund balance is not generally available for allocation to whatever we might want to use it for. It has to be used for the purpose, for the programs for which it was originally intended, unlike the general fund-fund balance.

Debt service fund balance ended the year, unreserved fund balance, at \$11.6 million. Enterprise fund, which includes the Arena, ended the year with an unreserved fund balance of \$101.8 million. And you see that that is well above the minimum target, and that is because of the Arena construction project where we have all of the sales tax that was collected to pay the construction bills for that cash funded project.

To put that in perspective, at December 31, 2007, our unreserved fund balance in Enterprise Funds was \$172 million so we drew that down by about \$71 million during the course of the year. That represents bills that we paid for construction of that structure.

Internal service funds had \$14.5 million of unreserved fund balance, compared to a \$2.7 million minimum target. And finally, capital projects funds have an unreserved balance of \$58 million dollars and the policy doesn't require us to have any fund balance in capital reserve funds. The reason that the fund balance is so high is because of those bonds that we sold in December for the National Center for Aviation Training. We haven't yet spent those bond proceeds, so as of December 31 they are part of the fund balance.

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We call them; by the way, we call them unreserved fund balance because under accounting regulations they are not legally restricted to a specific purpose. The nature of the fund, however, is that they are restricted to the purpose of that fund. So to call the fund balances of special revenue, debt service, enterprise, internal service and capital projects funds unreserved should not be interpreted as we've got monies available for use for whatever we might want to do. It has to be used for the purposes for which it was originally collected.

Now, going back to the general fund in somewhat more detail, we paid particular attention to the general fund because it is what I refer to as the fund of last resort. That is, if we come into a significant funding problem, the general fund, regardless of where that problem might be, the general fund is where we go as a last resort to cover that shortfall. The general fund by definition can be used for any legally permissible purpose of County government.

So you can use general fund revenue to pay for Arena project, or for NCAP project, the National Center for Aviation Training Project, or for ambulance services, even though they are a special revenue fund. You can do that, and so we pay particular attention to that fund balance, and our policy calls for the target, the minimum target, to be higher in that fund for that very reason.

Over the past several years, we have intentionally built up the balance in the general fund because of the difficulties that we experienced in the last economic downturn. You will remember that in 2002 and 2003, those of you on the commission at the time, you remember that you had to make some pretty difficult choices about laying off some employees, about eliminating some services, about not doing some things that were pretty important for the County, we thought were pretty important for the County to do. You had to do that because we simply thought that we were going to be running out of money if the downturn continued for very long.

Since then we have consciously built up the fund balance in the general fund so that whenever the next downturn hits, and as that happens, it is hitting now, we would have sufficient reserves to give ourselves enough flexibility to ride out that downturn without having to resort to very dramatic eliminations of service or reductions of service.

In the past five years, including 2008, you can see on this chart how much we have added to the general fund-fund balance, and you can see that in 2002 and 2003 we drew down that fund balance, at the time it was much lower and we were using it to pay bills. We were running at a deficit.

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In fact, we've gone back 30 years in the County's financial history, and we've discovered that no three years in succession did the County run an operating surplus in the general fund until 2006. That's the first time in the last 30 years that the County had run three years consecutively with operating surpluses. And so as I say, we had made a conscious decision several years ago to change the way we operate to make sure that we are going to run surpluses rather than deficits and build up that fund balance and you can see here that we have been successful in doing that. And even to the point of having just under a \$5 million surplus in the general fund in 2008. Now, that surplus does not take into account the year end transfers that are on your agenda later on today. But we have taken those into account in the County's financial planning, and so we are very comfortable placing those on your agenda and recommending that you approve them.

Turning now to County investments, the investment portfolio at December 31 consisted of a little over \$600 million, a very large number, I think you will agree, and that is, it is that large because December 20 was the due date for the first installment of property taxes in Sedgwick County, and so what you see in the \$605 million are not just Sedgwick County's taxes, but also the taxes that the County Treasurer collected on behalf of the School District and the City of Wichita and those other hundred or so governments scattered throughout Sedgwick County. All of that money is in Sedgwick County's investment portfolio, or was in Sedgwick County's portfolio December 31 and remained there until the first statutory distribution date, which was January 20th, and so today our portfolio is much smaller than it was just a few weeks ago.

But at that time you can see that most of our money, the largest share of our money, was in repurchase agreements, which are short-term investments, and that was by design, because we knew we were going to have to be paying out much of that money to those other governments in a very short period of time, and you can see the composition of the portfolio among other securities. Essentially other than the repurchase agreements, what you're seeing on this chart is about the same as what you have seen in prior quarters.

Now, I talked a little bit earlier about changes in rates of return on County's investments and you can see that pretty dramatically on this chart. The green bar represents the size of the County's investment portfolio at the end of each calendar quarter going back two years. The red line identifies the benchmark rate, the 30-day Treasury bill rate that we measure ourselves against, and you can see that that started dropping in September 7th of '07, and as of December, at the end of December, it was at .37 percent, almost zero.

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The County's investment return has not dropped as fast because we were already invested in relatively long-term securities when the market rates started to drop. And so the pattern that you see here is what you see after, in every downturn, the County rate drops, lagging the market rate, when the market turns around, and rates start to rise again, the County will remain below market for some period of time because we will have, already in our portfolio, securities that we had to buy at the lowest rates. And our investment policy tells us that we are supposed to hold those securities to maturity rather than engage in market timing and trying to sell them in order to boost our return. But at December 31 the average rate of return on that \$605 million that the County had invested was, I lost my place, 1.31 percent, sorry.

Now, I always end these presentations by, which are designed to take a look back what happened over the past quarter and how did the County end up, but I always try and end with a look forward, what is on the horizon that we need to be aware of that could affect County, the County's financial condition in the coming months. And the items that you see on this slide are not a surprise to you, most of them we talked about before. We have a variety of inmate reduction programs that we have been in the process of implementing and they are having some effect on jail operating costs, but they also have some operating costs of their own, and we are still in discussions about what to do regarding inmate reduction.

We have talked about work force development, and we have the National Center for Aviation Training in development. We know that the Mayor has just announced his initiative to address the layoffs that are happening in this community. I suspect that the County will be asked to participate in some fashion with that effort, and that may have some impact on us. Wichita Downtown Development is an item that we talked about repeatedly; both TIF district and the growth of the tax base in downtown have an effect on Sedgwick County's finances.

KPERS' pension costs could have a significant impact on County finances going forward. KPERS suffered, as did virtually every investment fund during the past year or so, in fact, KPERS started the year with a \$14 billion dollar pool of assets invested, it ended the year with \$10 billion dollars invested. So they lost 40 some percent, I believe it was during the year. I'm sorry; they lost 27 percent during the year.

What does that mean for us? Well, KPERS started with \$14 billion, significantly underfunded, that is they didn't have enough assets in the bank or invested to pay all of the retirement obligations that had been earned by employees who are in the KPERS system. We knew that, we've known that for years. But because of the drop in the size of their asset base, because of their investment losses during the year, the amount of that underfunding has grown pretty dramatically, and we'll know specifically once they complete their actuarial analysis, but we know that if KPERS started the year underfunded to the tune of a \$1 billion, and that's about what it was, they ended the year underfunded perhaps by \$5 billion.

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It is a significant number, and it is one that the Legislature historically has not really paid a lot of attention to. The actuary each year identifies the contribution rate that is necessary for employers to pay in order to cover current benefits as they are being earned and to pay for a portion of the accrued benefits that have been previously earned and not funded. The Legislature always has required employers, including Sedgwick County, to pay less than that number. So the underfunding problem has grown over the years because we have not been contributing enough to cover all of the costs to the plan.

The size of the underfunding now is large enough that I think it's likely that in the next year or two the Legislature is going to be forced to make a change in contribution rates to address that unfunded liability, more significantly than they have in the past. That could cause our pension contributions to spike pretty considerably. I don't know that that will happen, but it should happen, that's the right thing to do. Whether the Legislature will do it or not, we'll have to wait and see. If it does happen, if they do the right thing, if you will, that will have a marked effect on Sedgwick County finances; it will cause the County's contributions to capers to KPERS by at least a \$1 million, perhaps more than that.

Arena sales tax investment income is an item we talked about previously. It is only on this chart because some of you have talked about your desire to move that money from the general fund to the Arena tax fund. To the extent that happens, it has some ramifications for each of those two operations, and we'll talk about that more in the future when we get to that discussion.

The State budget is a new item on this chart; it is not one you're unfamiliar with. There's been a lot of discussion about the State budget problems and their effect on us the past month or so. I've got a couple of charts that I'll get to in just a minute to describe what we think the effects are of that on Sedgwick County right now. And finally, and perhaps most significantly, local economic conditions are beginning to affect Sedgwick County, much more than they had been last year.

The State has, to date, proposed cuts that would affect all local governments, including Sedgwick County in a couple of ways. And I tend to categorize those cuts into revenue cuts, money that they give us that we have some discretion over for the use of, and service cuts, money that they give us to provide a specific service, and the State has done some of both. The revenue cuts that have been proposed thus far are relatively modest, and I've explained that to you before. For 2009, based on what has been proposed right now, all Sedgwick County would lose in revenue from what we were expecting to receive is \$222,000 from the City/ County highway fund, which funds road maintenance, and from the liquor tax that funds some addiction services treatment programs and some park improvements.

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In 2010, next year, that shortfall, that cut would increase to nearly a \$1.5 million, still a relatively modest number on the scale of our entire budget. Now, we're early in the Legislative Session, it is likely that these numbers are going to change, if I had to bet, I would guess they are going to change in a way that we don't like, that is, we are not likely to get this money back, we are likely to see further cuts, we don't know what they will be yet. But as it stands right now, Sedgwick County is not in line to lose very much revenue as a result of State budget cuts.

When we look at service cuts, we have a little bit different picture. We receive a significant amount of funding to provide mental health services and the State has proposed cutting that grant by \$1.1 million in 2009 and by another \$1.6 million in 2010.

We fund developmental disabilities services that are paid for with State grants at the State's request. They have proposed a fund to cut \$224,000 dollars in 2009 from that grant. We received grants to provide specific senior services. Those have been proposed to be cut, about \$111,000.

And finally in Corrections, the State has proposed to close the Adult Detention Facility, and to provide another reduction in Corrections grants totaling \$637,000 this year and a \$1.3 next year. So you can see that in terms of service cuts, if the County doesn't receive this revenue and decides that we will have a \$2.1 million effect this year, and another \$3.5 million next year. But we haven't yet made the decision in any of these cases that the County either will or should try and continue to provide these services with County revenues. That's a decision that will be we will be discussing in the months to come as the Legislature finishes its work and we know more accurately what effects they are going to have on us.

Now, turning to the economy, I have a couple of slides here that identify some key indicators that suggest just how rapidly local conditions are deteriorating. What I am showing you on these charts are in one column what the rate of change was for the 12 months ending in November of 2008. And that's the most recent information that we have on these indicators, and in the second column, I'm showing what that same statistic was just for the one month of November, 2008, from October to November of 2008.

You can see that in most cases the situation no matter how bad it was for the year was much worse for the last month of that year period. Claims for unemployment, just in Sedgwick County, increased 38 percent in that 12 months, but in the month of November alone, they increased 71 percent as compared to October. Average hours worked per week, decreased 3.8 hours for the year, in the month of November they actually increased 4.2 percent. Not all these statistics follow the same pattern.

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What you have to do is try to make sense of the package, which can be kind of confusing at times. Number of jobs for the year and for the month both increased by 6/10ths of a percent, relatively good statistic. But, again, we're looking at data as of November, the most recent month for which it is available. In November or in December you will recall we heard about the layoffs in the aircraft industry, and in January, there had been more layoffs. None of those are reflected in these statistics.

The value of new residential construction permits in Sedgwick County decreased 15 percent for the year ending in November but they decreased 34 percent for month ending in November. The same thing is true for non-residential construction permits. They actually increased for the year by almost 30 percent but for the most recent month, they were down almost 75 percent. Home sales decreased 16 percent for the year; they decreased 25 percent for the most recent months.

New orders for the air craft industry; this is both planes and parts, decreased 14 percent for the year, almost 25 percent for the last month of that year. The number of passengers flying out of Wichita increased for the year by little over 2 percent but for the month of November, as compared to October, they decreased almost 8 percent. And finally, outbound air freight shipments decreased 11 percent on the year, but for the month of November, that was a good month for us, they actually increased 8 percent compared to October.

In summary, all of these statistic suggest to me that the pace of decline in Sedgwick County is increasing. The rate of decline is speeding up and I think some of the information that we know anecdotally that has happened since November, since these statistics, reinforces that view. We've had the lay-off announcements since this data.

The County sales tax was up 4 percent for the year. But for the last quarter of the year it was down by almost 2 percent. All of those things have some implications for Sedgwick County. Here are the conclusions that I draw from them, you may draw different ones.

To me, it seems we've consciously created reserves fund balance, what some people refer to as a rainy day reserve in the general fund over the past four or five years to last us through the next downturn, whenever that happened. Its' happening, it's raining now. And it's time to start using that fund balance to provide for continuity of services to a constituency that is going to need those services very badly. But we need to use them judiciously. We need to make sure were not spending money unnecessarily for the things we are doing. We need to make sure that the services we're providing are essential services, not discretionary, not luxuries, but to the extent our constituents need services, we need to provide them and use the fund balances to do that.

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We know that economic stress creates a demand for some services. People who are feeling high levels of stress suffer mental health problems to a greater degree than when they're not feeling those stresses. Elderly who have lost returns in their retirement portfolios will need more aging services from the County than they might have a year or two ago when their portfolios were riding high. People who lost their insurance because they've lost their job will rely more heavily on the County's Public Health Department for basic health services. So we can expect and I think we've started to see, demand is increasing in that area.

Finally, law enforcement, people get laid off, they are feeling stress, they take it out on their kids or spouse and we see domestic abuse cases, child abuse cases spiking in economic downturns. In the last economic downturn in 2002 and 2003, the number of cases of domestic abuse and child abuse increased double digits, 20 percent or so for child abuse, I believe it was, and about 30 percent for domestic abuse.

We can expect a similar kind of need in the community this time and that will cause our Sheriff, perhaps, to need more patrol officers, cause him to need more money for the jail, it will cause the Corrections Office, that gets those prisoners at the end of the cycle, to need more funding, it will cause the District Attorney perhaps to need more funding for investigation and prosecution. We need to be prepared for those demands and we need to respond to those when they arise. This is not the time, I think, for the County to say the sky is falling; we're not going to spend money on anything. In fact, this is the time when we need to be spending money on certain things but we need to make sure that those things are essential.

So I'll leave you with this slide that some of you have seen probably more than you'd like. The sky is not falling, funding is never the problem, priorities are the problem. Now is the time that we need to very judiciously establish what our priorities are and make sure that we are taking care of those things.

The corollary is that not everything can be top priority. We do have to make choices and there will be hard choices to make. Within the finance division, we're going through the exercise of identifying a set of, if you will, escalating budget reduction proposals that we expect to bring to you at your retreat in early February, where we will identify as a first phase, when the County reaches a certain state, these are the things that we would propose that you reduce.

If the deterioration continues and we achieve a second state, there will be another set of cuts. If the downturn continues further, there may be a third set of cuts. But we're preparing that right now, we expect to bring that to you in February and we'll be talking more about it in the coming weeks. That concludes this presentation, I'll be happy to answer any questions if you have them, if you don't, then I would recommend you receive and file."

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Chairman Parks said, "I anticipate quite a few questions. Do we have any for Mr. Chronis, at this time? Commissioner Norton?"

Commissioner Norton said, "Talk about the mechanical equipment slider, Chris. Now that's to the general fund, is that a hit to the general fund...?"

Mr. Chronis said, "Primarily to the general fund but it goes to every fund that receives property taxes."

Commissioner Norton said, "What will that escalate to in the out years? It's a little over \$1 million in 10', what does it go to later?"

Mr. Chronis said, "There's a difference between the slider and the loss."

Commissioner Norton said, "Right."

Mr. Chronis said, "We estimate that the total loss in personal property taxes, because of the elimination of M&E taxes, would be about \$10 million? Where is David? \$12 million, excuse me, by the time it is fully implemented by businesses. The slider is to reimburse governments for a portion of that loss based on taxes that they will receive in 2005. The slider is on a decreasing basis, that is, we received, I believe we received 100 percent of the loss in the first year of implementation and then it drops down to zero percent in the final year, two years, which is two years from now, three years from now. The total amount that we expect to receive from the State, or expected to receive from the State this year, next year and the year after, which is the term of the slider, was 2.8 million dollars."

Commissioner Norton said, "So, not totally a huge amount but over the course of some years it adds up to a significant amount of lost revenue. We're only we are getting a portion of it back, but they are going to now take that portion and erase it."

Mr. Chronis said, "That's correct."

Commissioner Norton said, "We think."

Mr. Chronis said, "Yes."

Commissioner Norton said, "At least that's been proposed. That only affects the general fund?"

Mr. Chronis said, "No, it does not only affect the general fund, it primarily affects the general fund, but it also affects to a lesser degree any other fund that uses property taxes."

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Commissioner Norton said, “Okay. Motor vehicle, the dollars actually went up 9.5 percent; where can that motor vehicle money be used? Is it targeted to and designated to a certain place?”

Mr. Chronis said, “It goes to the same funds that receive property taxes. So the general fund receives most of it, but so does the COMCARE tax fund and the EMS fund and the Wichita State mill levy fund and so on and so forth. All of them receive some of that revenue.

The increase in 2008 was attributable to the increase in the County’s property tax rate that occurred in 2007, 2007 or 2006. There’s a one year lag when motor vehicle taxes pick up the tax rates. The increase in ‘08 was attributable to the increase in tax rate in ‘07. We have decreased the tax rate as of 2009. I would expect to see a reduction in motor vehicle taxes because of that decrease in 2010.”

Commissioner Norton said, “So motor vehicle taxes, because a formula affects a lot of different funds...”

Mr. Chronis said, “Yes.”

Commissioner Norton said, “It is not just used for roads and bridges or whatever.”

Mr. Chronis said, “No.”

Commissioner Norton said, “Its spread out among a lot of different things?”

Mr. Chronis said, “That’s right.”

Commissioner Norton said, “On property tax, you talked about it going up 4.7 percent. How much of that was new growth and how much of it was growth in existing properties and how much of it was upgrading existing properties and their property values went up? Do you have that number?”

Mr. Chronis said, “Not off the top of my head. But in general we receive about half of the increase each year from revaluation of existing properties and about half from increased from new construction. It’s slightly more than 50 percent, slightly less than 50 percent for each of those segments in any given year. But it runs generally within 45 to 55 percent.”

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Commissioner Norton said, "I think that's something I would like to see at the retreat, a more definitive talk about how much comes from new growth and how much comes from residential improvements and everything and old stock. I think that's going to be an important conversation as we talk about appraised values and applying the mill levy and where we're going for the next year, so I'd like to have a little more detail on that when we get to the retreat.

It's interesting that personnel and benefits is about would it be safe to say, about 60 percent of the overall budget? That's a huge amount. And if you add contractual to it, it gets to 80 percent. Is that fair to say?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "Any significant kinds of reductions is going to affect personnel and services provided by that personnel?"

Mr. Chronis said, "That's right. As I indicated in other presentations, the County provides services either with people or by hiring some other body to deliver those services. We either pay people or we pay contractors to deliver services. If you want to cut the County's budget, that's where you have to do it.

Commissioner Norton said, "A lot of the people are not paid for by general fund and ad valorem, they're also paid by grants and flow through money in Medicaid so if you can cut them out, but you're cutting money out that we match and get 80/20 matches and money from other jurisdictions and other sources. Would that be...?"

Mr. Chronis said, "Yes."

Commissioner Norton said, "...fair to say. That's all I have right now, I mean, I'm sure we'll have a better more detailed discussion during our retreat. Those were just a couple of things that I wanted to kind of clear up today. Thank you Mr. Chair."

Chairman Parks said, "Commissioner Welshimer?"

Commissioner Welshimer said, "You gave us a 6.6 percent increase in property tax collected for 08'. Does that year include the 1 percent mill levy rollback?"

Mr. Chronis said, "No. You did it you did that for 2009."

Commissioner Welshimer said, "Okay."

Mr. Chronis said, "It will affect the 2009 budget."

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Commissioner Welshimer said, "Okay. Health insurance, \$19 million, is that an increase over '07 and '06 and so forth?"

Mr. Chronis said, "It is a small increase, 1.4 percent."

Commissioner Welshimer said, "Okay. Thank you."

Chairman Parks said, "Commissioner Peterjohn?"

Commissioner Peterjohn said, "Chris, a couple of points, as a new Commissioner up here and trying to understand the process a little bit better. This presentation that you provided is it available on the County's website yet, and how long will it take for it to be up there?"

Mr. Chronis said, "The quarterly report, this document, is on the website now. The presentation itself is embedded in the Commission meeting that can be viewed on the website. I'm not sure what the timing is for getting it out there but it's within a couple of days."

Mr. William P. Buchanan, County Manager, said, "It's either live or this afternoon."

Commissioner Peterjohn said, "Live or this afternoon...thank you. Second question. The Legislature, one of the variables you listed up there that we weren't sure about financially going ahead, should be resolved in the sense that the Legislature will go home and complete its work sometime probably in late April or early May. Can you give us any sort of a ballpark idea in terms of when you'd be in a position to update the figures based upon the completion of the State budget and the Legislature going home? At that time assuming that they completed about when they normally do, which is normally around the first week in May."

Mr. Chronis said, "Very shortly after that. Not before that, if that's what you're asking."

Commissioner Peterjohn said, "No. I obviously, I want you to have that, but I would like to get...from a process point of view, understand where we are because that is a very significant variable and obviously we'll get clarity at that point and we'll be speculating on it until they finish their work."

Mr. Chronis said, "And we will be conducting our initial budget reviews of requests that had been made by operating departments for the 2010 budget. We will be conducting reviews with you in late May or the first week in June. We will have factored into those presentations the results of the State's actions. But if you would like us to do a separate presentation in advance of that, we'll be happy to do that."

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Commissioner Peterjohn said, “Obviously, we want to see what happens at the State level and understand, I know there’s just sometimes a bit of a lag in terms of getting that information, when they finish their work around 3:00 in the morning and it takes a while sometimes to sort out what they have actually done. Thank you.”

Chairman Parks said, “Commissioner Norton?”

Commissioner Norton said, “Just to dovetail on what Commissioner Welshimer said, on the health benefits and everything, at one time that was growing to be \$21-22 million dollars, we did, about three years ago, we renegotiated to get it back down to \$18 million and it’s growing more. Really, we’re less than we were a few years ago through renegotiations and a new plan. Would that be a fair statement, Chris?”

Mr. Chronis said, “I’m not sure if the \$21 or 22 million dollars is accurate but it did go down and now it’s going back up, yes. But I think the \$22 million that you were recalling was the total cost which included the employee’s share of health premiums.”

Commissioner Norton said, “And it may be that it was moving, the percentages were moving up. That’s what I was remembering.”

Mr. Chronis said, “That’s true.”

Commissioner Norton said, “It was getting towards 22 percent, maybe that’s what I was remembering. We did move the bar back so that the new growth is still less than what we’re paying two or three years ago.”

Mr. Chronis said, “I believe that’s right, yes.”

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

Chairman Parks said, “Commissioner Unruh?”

Commissioner Unruh said, “Thank you, Mr. Chairman. I just have a comment, Mr. Chronis. The report had a lot of information and it was well delivered, I appreciate having this information available to us so that we can be careful about decisions as we move forward.

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I want to express appreciation to you and to your department for your management of County finances with the hard work that you all have done and with the approval of the Board of County Commissioners coming into this point, it's clear that we are aware of the challenges that were faced with, but we have through, good management the resources available to take our time as we rationally evaluate what's going to happen from the State Legislature and from our current local economic conditions so that we can do a good job of delivering services as we go forward.

We can use some of the excess funds that we have accumulated so that the citizens of Sedgwick County can be assured that we'll deliver services and that we will go forward with careful scrutiny and analysis of the situation without being in a panic mode. I guess compliments to our Finance Department and to the Commission that has established a policy that's given us a strong position."

Mr. Chronis said, "Thank you. I appreciate that. I should note this presentation was primarily by Troy Bruun, the Deputy Chief Financial Officer. The financial statements that in the quarterly report were prepared by the Accounting Director, Ann Smarsh and by Sara Jantz, an accountant in that department. The budget analysis that is the front of the document was prepared by David Miller, Budget Director and primarily Chris Duncan, a budget analyst. As always, they do the hard work and I just get to take credit for it up here.

The financial management that you're talking about more than just preparing the report and delivering a presentation, that's an ongoing effort that requires a lot of hard work by an awfully talented staff of professionals that you have in Finance and by professionals that you have throughout the County government. This organization works well and it works efficiently and people pay attention to the details, that's what has allowed us to create such a good financial environment for ourselves."

Commissioner Unruh said, "Thank you for the hard work. The citizens of Sedgwick County, I know, are appreciative of the fact that we are not in crisis or panic, at least at this time and we can manage our future. That's all I have Mr. Chair."

Chairman Parks said, "Okay, thank you. Just a couple of questions, back on slide four, if you can get back to that one, I wanted to ask you about the 'all others'. In the 'all others' category on page four, that's all other school districts also, is it not?"

Mr. Chronis said, "Yes."

Chairman Parks said, "Just wanted that for the record. I was pretty sure of that. But I wanted the public to know about that."

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Mr. Chronis said, "I can give you more specific information about it. That \$131 million includes \$79 million from school districts, as you know; there are 20 school districts in Sedgwick County. So 19 of them, all of them other than 259, levy \$79 million in Sedgwick County. The other cities then Wichita levy a total of \$20.1 million.

The Fire District levied \$12.9 million, the State levied \$6 million and a variety of very small special purpose districts, the townships, the drainage district, the library district and so forth, altogether levied \$12 million.

Chairman Parks said, "And then on page eight, with the National Center for Aviation Training or NCAT, as it's been called, we're the leasing of the ground, was that in those figures that we had there?"

Mr. Chronis said, "Yes. It is."

Chairman Parks said, "The Fire Station is on that same page then? All of those were bonded or was there some cash or some combos in that?"

Mr. Chronis said, "To date, everything has been cash funded. We've provided for an increase the Fire District tax rate a couple of years ago, you'll recall, to provide a cash cushion to do some of the projects and we expected to use that additional increase to pay for debt service on the bonds that we would sell to finance the rest of the fire stations. The implementation of the program has taken longer than expected it would. So as its turning out, we are able to use that increased tax revenue to pay for virtually all of these fire stations that are in the relocation program. And that will allow the Fire District and its taxpayers to save the interest on those bonds.

Chairman Parks said, "Well, it will become abundantly clear in the next few months when we talk with another entity about consolidation, why I wanted that made public at this time. On the liquor tax, Sedgwick County gets a minor portion of that. I just kind to make a comment on that that the cities that have those establishments in their cities are going to be highly impacted for this. This is a three-fold distribution, if I'm wrong; tell me, for the prevention of the law enforcement and the Parks and Recreation. That's the way that's divided up in the, at least it was a couple years ago."

Mr. Chronis said "I believe that's right. But the law enforcement piece I'm not certain about. I believe it goes to general operations and maybe allocated to law enforcement but I don't think the statute requires that."

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Chairman Parks said, “If we’re kicking the people out of the programs that are those are funded by and they’re coming to our jail, that is a compounding situation there. That may be more of a problem than we realize on the surface.”

Mr. Chronis said, “Yes, and as you said, that is a fairly significant revenue source for some of the cities in Sedgwick County.”

Chairman Parks said, “Okay. I would like to also thank you and your staff for doing a great job on this. Do I hear a motion to receive and file?”

MOTION

Commissioner Unruh moved to receive and file.

Commissioner Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “Call the next item.”

D. AMEND THE 2009 CAPITAL IMPROVEMENT PROGRAM TO INCREASE FUNDING FOR THE CONSTRUCTION PHASE OF R282 RIDGE ROAD K-96 TO 53RD STREET NORTH.

Mr. Pete Giroux, Principle Analyst, Budget, greeted the Commissioners and said, “Public works has requested a CIP amendment request for your consideration this morning. The amendment is a 2009 CIP project that reconstructs and widens Ridge Road from K-96 to 53rd Street of any additional right-of-way and for utility relocation; KDOT manages the construction phase of the project and provides the majority of the funding for the construction phase.

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KDOR bid the project in December, as you see and has requested we forward our share of the funding to them not later than February 4. KDOT is computed our share as \$2,840,000 and that is 20 percent of the bid and about 10 percent of the construction engineering contingency. That exceeded our planned budget. Public works has attributed the increased bid to the price volatility principal of asphalt and to a lesser extent fuel. KDOT adjusted the portion that they would pay for the pump station, which is storm water pump station and is a major part of the project but they'd only pay for a portion that drained the road within 600 feet. We're picking up a larger portion of that cost. That required us to pay a qualified consultant to monitor the construction of the pump station as well as put a project contingency back in the project so we didn't have to come back to you for minor adjustments.

The requested increase is substantial. It's a \$1,031,521... I detailed the project savings in a total of seven recently completed projects that we would normally be closing out at this time of the year and Public Works and I are in concurrence that those were appropriate sources of funds. It's important to note, even with this substantial adjustment, that the State is still paying 72 percent of the funding of the construction phase and these are federal dollars. Again, they're still paying 72 percent of the funding for the construction phase of the project and I would note that our road and bridge fund is still pretty healthy. And we're pleased with that, of course. Both the CIP Committee and staff recommend your approval of this adjustment to the project. Do you have any questions?"

Chairman Parks said, "I know that Commissioners have been briefed on this and I spent several time with staff reviewing some of these things and really it's more of a housekeeping issue at this point because we'd be in fault of the contract if we didn't. These are federal/state pass through moneys and I think the significant number of 72 percent is good that we were able to get that grant. Having said that, I would make the motion that we approve an amendment to the CIP.

MOTION

Commissioner Parks moved to approve the amendment to the CIP.

Commissioner Peterjohn 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 Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Next item."

PLANNING DEPARTMENT

D. ZON2008-00069 – COUNTY ZONE CHANGE FROM RR RURAL RESIDENTIAL TO SF-20 SINGLE-FAMILY RESIDENTIAL FOR THE DEVELOPMENT OF ONE-ACRE LOTS GENERALLY LOCATED NORTH OF 47TH STREET SOUTH AND EAST OF 231ST STREET WEST (DISTRICT 3).

Mr. John Schlegel, Planning Department, greeted the Commissioners and said, "For this case the applicant is seeking to have 27 acres of land that he controls rezoned from its current designation as 'RR' rural residential to the 'SF-20' single family residential designation. As you know, the 'RR' rural residential zoning district requires a two acre minimum lot size. The 'SF-20' designation would allow for lots as small as 20,000 square feet in size or about one half acre in size.

However, the applicant is indicating that their desire is not to develop anything that small, that they're pursuing a rezoning in order to be able to develop this property with one acre lots. They've also indicated that they're proposing to utilize alternative septic systems on these lots and to be supplied water for these lots from Rural Water District Number 4.

Those of you on the Commission back in 2003 may recall that this same application appeared before the Commission at that time and was denied. That had been based on a denial, a recommendation for denial also by the Goddard Planning Commission and the Metropolitan Area Planning Commission. The lot configuration that you see on the zoning map before you is the result of a plat that the applicant pursued after that denial of that zoning application, so it is currently platted for the two acre minimum lot size, although there are four lots within that subdivision for which they applied for and received an administrative adjustment to reduce lot sizes down to 1.8 acres in size.

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On the previous map, let me go back to that, you can see that the entire area is currently zoned are 'RR' rural residential. The aerial photo shows the character of the surrounding areas, predominantly agricultural, with large lot residential homes scattered through the area. Further to the south is the Lake Waltanna Development which would have some lots, would have lot sizes, you could see them on the zoning map, they're just at the southern edge of the map where you do have some smaller lot sizes. Since the site is located within Goddard's zoning area of influence, it was heard by their Planning Commission at their meeting on December 11. The Goddard Planning Commission voted at that time unanimously to recommend denial of this application. The reasons for doing that are outlined in a letter from the City that's in your agenda backup report.

The item went to the Planning Commission at its meeting on December 18. At that meeting there were several surrounding property owners who appeared to speak against the request. The reasons for doing so were a range of different issues that the rezoning is out of character with the surrounding land uses, some drainage issues were brought up among other things.

At that meeting the MAPC did vote to recommend approval of the request by an 8 to 3 vote. We have received protest petitions from 25 property owners and you can see on the graphic that I put in front of you, the properties that are in red and blue are those that have submitted for which protest petitions have been submitted. The green line is the notification boundary area so we have calculated that over 58 percent of the properties within that notification area have had protest petitions filed.

Your options today are to go with the recommendation of the Metropolitan Area Planning Commission to approve subject to platting within one year. That action would require unanimous vote because of the Goddard Planning Commission action to deny. A modified version of that might be, second option might be to modify the MAPC recommendation for approval to create a protective overlay with the commission to a plat within one year. Also to require a minimum lot size of one acre, that also would require a 5 to 0 vote because of the Goddard Planning Commission Action.

You can also act to deny the zone change and override the MAPC recommendation. That would require a 2/3 super majority vote to do that or four affirmative votes, one denial motion. Or you can return the recommendation to the MAPC for reconsideration and that would require a simple majority. So with that, you do have a recommendation from the Goddard Planning Commission for denial and recommendation for approval from the Metropolitan Area Planning Commission. With that, I'll be glad to take any questions."

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Chairman Parks said, "Thank you, Mr. Schlegel. I do have an ex parte declaration and I'll entertain anybody else who might have had this. I had one personal contact this morning and received a couple emails on this issue. However, that didn't influence my decision in any way. Until I hear the rest of the testimony from the people who might testify here today, I have not made up my mind on this. Are there any other...Commissioner Peterjohn?"

Commissioner Peterjohn said, "Thank you, Mr. Chairman. At this time I'd also like to state that I have received several communications in regard to this case, including, I've had one meeting and also several emails and I appreciate the efforts and interest of my constituents and I am stating for the record that I have not made a decision in this matter and do not intend to do so until I can hear all of the evidence in this case today. Thank you Mr. Chairman."

Chairman Parks said, "Thank you. It's not a requirement of this Board, but it has been customary and I'm going to continue this custom to allow public comment on this. It's not necessarily an open public hearing, but I think it's dangerous when we don't allow people to speak, especially about such important things such as this. If we could start with the applicant on this, is there somebody from the applicant here today that would like to...each person will have five minutes, it will start after you give your name, address and if you're representing or a resident."

Mr. Phil Meyer, Baughman Company, agent for the applicant, 315 Ellis, Wichita, KS, greeted the Commissioners and said, "As John had stated, and he did a pretty good job of explaining this case, but as he has stated this case came before the County Commission in 2003 and was denied for a similar zone change request.

When we first looked at re-filing this case and I looked at it since that time, it was denied in 2003 to date, Sedgwick County has updated their Urban Friends Development policy. And updating that policy, I believe, one of the main goals of that policy was to encourage better use of developable ground. To find a way to get one acre lots on developable ground and not be out in the County development three, four, five acre lots all over the County. That the best way to preserve agricultural ground was when you're going to do a development, go ahead and get it as dense as you can get it as long as the services are available to that area.

I felt like the County made a policy change before we re-filed the case. John, I may need your help, but if I can go back to your protest map, which is probably the best. When you look at the protest map, you can see down in the southwest corner on the west side of 231st Street is Lake Waltanna. Lake Waltanna has approximately 90 lots in there that are half acre size to three quarter acre size. When you look on the east side of 231st Street, there is the Miles Country Club Estates Addition. That's got 29 lots in there that average one to one and a half acres in size.

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To introduce this plat with it being a half mile of both of those developments is one acre lots, I really didn't see that as changing the character of the general area, that these smaller lots were already established in this region. We do plan to use the alternative sewer system. Sedgwick County does have the water quality quantity tests available that you have to go through for multiple lots like this. Or if rural water is available, we will look at hooking on to rural water.

We did, the Planning Commission has a conversation about replatting this, our intent when we filed it was to go through the lot split process. As I've told the Planning Commission, we're not opposed to replatting this; we're not looking to get smaller than one acre lots. One acre is as small as we can do and do the alternative sewer. We're aware there is no way we will have any other public sewer available on the next...quite a while. It will be a while before that's there.

So, if you want to put a protective overlay on it to tie it down to one acre lots, we're not going to be opposed to that. I felt like the Planning Commission did not do that because they knew we couldn't get smaller than one acre using the alternative sewer system. With that, I probably stand for any questions you may have, now or after you hear from the neighbors."

Chairman Parks said, "Are there any questions? Seeing none, thank you."

Mr. Meyer said, "Thank you."

Chairman Parks said, "Is there anyone in the audience who wants to speak against this? Please state your name and address."

Mr. Bud Curran, 3 Lakewood Drive, greeted the Commissioners and said, "I do live at Lake Waltanna, but the property that I own, the 80 acres, is at 23715 West 47th South. That's just north of Afton Creek, directly behind Lake Waltanna. I thank you for allowing me to speak this morning.

I want to say first off, we are not against development. That's not why we're here. We want development in our area. It's just that we want to see the development be like the 2000 Wichita/Sedgwick County Comprehensive Plan which said that they wanted to see a more open space. That was the intent at that time. This change, of course, as I've already commented, was denied by Goddard, who is the closest city to this development. They saw no real advantage to this being built here, developed there.

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Lake Waltanna has been used over and over at these meetings as an apple to apple project. When Gene Miles developed that 45 plus years ago, and its grandfathered now, he did build on small lots with covenants and restrictions. We have open space. There are no fences. You may have a lake in your backyard. So you may live on, as I do a half acre lot, but I have no one behind me but a lake. No one beside me but common area. So I'm wide open and it would appear that I'm a much larger space than that.

What we have here is designed as a road running north and south pieced out of a large piece of farm ground terraced. Some of our concerns are drainage. Right now, when they broke those terraces, which are designed to have the water go over the entire field and spread out and soak in, they cut a road with two ditches, north and south, a half a mile all the runoff goes into the ditches and either goes north or south. When it runs south, it runs across one single 20 acre lot with a house, a barn, horses, they have considerable erosion.

The next thing is the fire safety. We're very concerned, we're very happy they're going to build a fire station which will be about six and a quarter miles north of this project, to date its eight miles, just a little over eight miles. We concentrate that many rooftops in that small an area with very inadequate fire protection and when I say, a fire truck, if there were a fire on that road that you see there, a fire truck enters and a pumper truck must attend that fire truck because they don't have any water, there are no water hydrants. The closest fire hydrant is at the Goddard School, elementary school and that's about eight miles. That's a lot of hose. So they then have to have tanker trucks to attend that pumper truck.

And the Hirsch residents, which is one of your constituents that are affected, lost their home. It took eight tanker trucks, each having to travel to Goddard to load the tanker truck, dump the tanker water into a tub, for lack of any other word, where they then pump that water into the pumper truck and out to the fire. Their home was destroyed, it burned to the ground. And they are on 40 acres.

Our waters have nitrates in Lake Waltanna, as well as on my farm. I have 125 foot deep well at the farm and I have a 75 foot deep well at my house. Both are high nitrates and it's not potable water. So we developed the Rural Water District Number 4 and when it was designed, it had a contingency plan for an overbuild because a lot of people didn't hook up to the meters, they were a little bit skeptical at the time. It was \$350 for the first meters and a few months later it was \$600 and now it's considerably higher than that.

But people have hooked on to that since it was designed. We don't know, and I'm not sure if you can tell me, they intend to hook on to rural water, but are there meters that was designed with a water tower high enough to give the pressure through the pipes? So the design is there. If the meters aren't there we can't hook on to rural water. That indicates they're going to have to be wells at each location. And it's pretty spotty out there."

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Chairman Parks said, "Can you wrap up this...?"

Mr. Curran said, "I will that wrap up. The increased traffic is another problem we look at. I'm sure some of my other party will address the other problems we have. I thank you."

Chairman Parks said, "I thank you. Anybody else want to speak on this issue? Go ahead to the podium, name, address and where you are in relation, if you could, to the affected property."

Mr. Mark Foster, 430 South 231st Street West, greeted the Commissioners and said, "I've lived there for 20 years now. I'm located on the northern five acre lot that's shown on the map, there's two of us up there at the five acres.

If this, I'm getting pretty good at this as to what my complaints are, this is now the 6th meeting that we've done on this subdivision. Three in 2003 and now this will be the third in 2008 and 2009. Basically, when we all moved out there 20 some years ago or as it's been developed, we basically had to live by some extreme Sedgwick County rules. On my five acres I have what is called a super septic system because the land does not perk out there. And so what the super septic system meant, it had two tanks plus the laterals at the back end.

Since I'm at the north end of the property, I would have seven houses now put behind my back door. I mean, right up there at the north end and if you go down half of that, there would be another seven. So I'd have 15 houses now back behind my house. When we moved out there 20 years ago, basically we moved out there to not live in Goddard, where I lived initially on Number 4 Main Street in Goddard. So there's quite a bit of concern on the fact of the density of the population of what you're trying to put back here.

We all agreed back in 2003 to let it go down to two acres. If anybody would ever drive out there, basically it looks like a landing strip right behind my house. I have had people flown over behind it and it said 'what do you have a landing strip back there'. So really, it was a poor thought out development plan. It always gets addressed to the fact that the Lake Waltanna is sitting down there.

Back in 1972, when I first moved down here, I bought land on the far east side at the Santa Fe Lake Estates and basically those developments were designed back then because of the lakes. So a lot of those areas were smaller plots of land, you know, considered for the development of the acreage and the land and the development instead of just a plot of farmland that now has decided to put a road up the middle and put lots and houses up a straight development. You now have 27 houses, multiply the number of cars, two per house at least, and 27 culverts and here we go, all we've got is a straight plot of, in essence, a development that has no support of Goddard because Goddard doesn't want five miles outside of their city limits and we're basically west, development of Goddard is east.

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It will be 20 years; I'll be dead by the time this thing is ever supported by Goddard City out here. That's the way I planned to live when I moved out there. I just feel that when Goddard unanimously does not support something, the staff that wrote the report on this thing back in this time definitely said it wasn't their recommendation. The fact that we go down to the MAP, whatever, the Metropolitan Area Planning Commission and we have to come here again to fight something that they then say 8 to 3 or 6 to 3, I thought it was 6 to 3. But we just have to keep going to meetings and showing how we disagree with this development because we live out here. And so I'm so strongly against this and I was strongly against it in 2003. I don't know why were having to readdress this issue again in 2009. Basically, that's all I have."

Chairman Parks said, "Thank you, Mr. Foster. If I can, address the issues about the rehearing? You're not represented by the Goddard Planning Commission, only with one member, I believe, off of that Board? And you're here for the, you have an elected official on this Board, so that's where you get to the ultimate decision back to the your elected official."

Mr. Foster said, "I know. But it's just we have to take time off from our work. I mean, I've got so many things right now with the way the weather was, the UPS red shipments and everything else, it's a stressful time to do this."

Chairman Parks said, "We do appreciate you coming in. I did drive out there yesterday or rode out there yesterday and looked at this. By the density and the number of people, it appears we have somebody else that would like to speak please step to the podium."

Ms. Barbara Craig Queen, 56 Stratford Road, greeted the Commissioners and said, "I own the agricultural land, if we could have the other one shown, the photography, that one. I own all of the land to the east and half of the land to the south. My acreage is actively engaged in grain and cattle production. Mr. Coleman's site is surrounded, as you will note with agricultural acreage and except for the grandfathered acreage that it is 5 to 15 acres. All neighbors have complied over the years with all USDA, State, County, Planning Commission, City, Township, et cetera, whatever regulation they asked to do, we complied. We are rural residents who are conservators of the land and value the land and the rural lifestyle."

The Planning Commission, when they set out in 2000, to define all the different areas, it was a massive wonderful piece of work, chose when they came to agricultural and rural residential to define agriculture with an enhanced and encourage agricultural activities, recognizing a viable agricultural, recognizing that viable agricultural land exists. And for the rural residential, it was to recognize large residential lots in rural areas that see significant open space is preserved.

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This zoning requests is requesting cluster density and a brand new word to me, urban perimeter. This is considered to be a suburb, I assume, of whatever town is closest to us. I don't know, Bud, what that would be, it would be Goddard. So this is kind of being proposed as a suburb with the new term urban density, excuse me, urban perimeter.

My neighbors have talked, I do not live on my land, my neighbors have talked about their residential concerns. Let me indicate some agricultural concerns. The agricultural activity is not enhanced by density construction. This creates a drainage concern. Myself, the left corner of my land has major drainage concerns due to this. It creates erosion. Again, we have spoken about erosion minus within this land and coming across the roads. It presents a future concern to existing steam and underground water supplies.

My lakes, which are two, are spring fed. Do you realize how many alternate septic tanks are being proposed right here? There are 14 now, 27 if approved. And then if we go to 20, we could have 56. Well, that's a goodly amount.

Open space, fire is also a concern. This is wheat. Can you imagine the 4th of July? Twenty-seven barbecues? All bottle rockets? There's no perimeter, there's no water supply. My grain is not harvested. It has caused me great concern because we have had fired fields out there before. So I am against this proposal, but I would like to welcome Mr. Coleman and his group to come and join us in rural residential. He's welcome there, but not in one acre lots that can go down to 2,000 whatever it is, making 56. Anyway, I am against it, rezoning, 'SF- 20', at this time because it does not protect and ensure the neighborhood around it. Thank you."

Chairman Parks said, "Thank you. Is there anyone else that would wish to speak or any questions of... anyone else wish to speak? Thank you."

Mr. Justin Givens, Director of Community Development for the City of Goddard, 118 N. Main, Goddard, "I'm here on behalf of the Goddard commission as you know who rejected this request at our December 11th meeting. I think a lot of the residents here have voiced a lot of the same concerns that we have when we considered this matter.

One, the density of the development and the existing infrastructure that would be available to serve this development. Obviously, the Urban Fringe policy would encourage these developments closer to services, municipal services such as sewer, water, fire protection, obviously 5 to 8 miles is the closest sewer and water and fire. Mr. Foster mentioned that we won't be getting there for some time. While we would love to be there now, obviously this development right now in its current condition is something that we didn't see as advisable. I just wanted to reiterate those facts for you today.

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Obviously, our concerns have been voiced basically through everything that all these residents have said already. Thank you for your time. Just hope you that consider the denial and that at a minimum returning this to the Planning Commission, Metropolitan Area Planning Commission for further study. I think there's a lot of issues that still remain on this development that need to be answered before you go ahead and rezone it to 'SF- 20' because that does create some future actions without the overlay protection that may come back and harm, be more harmful than what they were intended to do.

One, I think the drainage issues need to be addressed. Two, the fact of perk test I think should be done prior to the approval to determine if the alternative sewer systems will work. We're still talking about a lot of ifs here. Is rural water available, that's another question that I think is a major concern before we approve this rezoning because if we rezone this, we may be wasting a lot of time, if rural water is not available? Then the rest is required to have water wells, will the wells be effective enough, especially with the alternative sewers in such a high density they may be creating more problems than what they're anticipating. I think at a minimum we should return this for further study. Again I'd like to reiterate Goddard's objection to the request anyway. I thank you. "

Chairman Parks said, "Are there any questions of Mr. Givens? Thank you, Justin. Are there any other people that want to speak on this issue if not, I did have a question of the Baughman representative. Did you have a perk test done on the lots that you're going to do, like individuals? Did you conduct a perk test on each one of these?"

Mr. Meyer said, "There had to be, and Baughman Company did not do the original plat of Ricken's Acres, but to get that plat completed back in 2003-2004, they would have had to do some soil either percolation tests or soil profile tests. Then if we plat this thing again, if we replat this, if you approve the zoning based on replatting, we will have to do the soil profile test updated to today."

Chairman Parks said, "Okay. Are you aware of what happened with the terraces? Do you know if there were terraces taken out?"

Mr. Meyer said, "I am not, looking at the map, I would assume there were terraces removed. I am not personally familiar with how that happened. I would make the same statement, if you approve this, it's subject to replatting, we have to go through a drainage plan with County engineering as we go through the process which is kind of why I believe that the Planning Commission was pushing for the replat. Because most of the issues that were addressed at that time by the neighbors on drainage would be looked at and resolved during that platting process."

Chairman Parks said, "Commissioner Peterjohn, do you have a question of...?"

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Commissioner Peterjohn said, “Yes, I do, for Mr. Meyer. If I could, and let me add for the record I’ve been out to the parcel twice and driven out back to the length, the question I’d like to throw out to you, that’s located on a dirt road, 47th Street South, we’ve got no plans for paving it. My understanding is that if you receive approval and put in 20 or more lots with revised plan, you would pick up the cost for paving or is that something that has to go back in front of the Planning Commission?”

Mr. Meyer said, “No, sir. based on the you are Urban Fringe policy to date, my understanding of the Urban Fringe policy the County has, that if we develop that land in a manner to where there are 20 houses or more not just from our development but that use 47th Street, the west half mile of 47th Street, we would be required to do the paving on that property at our expense. So we would pave for, not our property, we would pave 47th Street from 231st Street half mile to the east. Has to be in half mile increments as the County’s policy. So if we develop that to a density that exceeds 20 residential units then we’re going to be strapped with the paving requirements.”

Commissioner Peterjohn said, “Mr. Chairman, I think that’s my only question for Mr. Meyer at this time.”

Chairman Parks said, “Thank you. Any other questions from the other Commissioners? Seeing none, are we...Mr. Schlegel, do you have any other comments...?”

Mr. Schlegel said, “I’d just be happy to answer any questions you might have.”

Chairman Parks said, “Any other questions for Mr. Schlegel? Commissioner Peterjohn?”

Commissioner Peterjohn said, “Yes. John, could you walk through...especially this was... you touched upon all these fairly quickly, but you outlined four options, and I want to make sure that not only that, this is the first zoning case that I’ve had since joining the Commission, But I... also so the public who is here and the public who may be viewing this now or at a later date, have some clarity in terms of what the exact options are that the Commission has at this point in time because when the Metropolitan Area Planning Commission voted, I believe it was 8 to 3 with three members absent...”

Mr. Schlegel said, “Correct.”

Commissioner Peterjohn said, “The approval, were there any other conditions subject to platting within, I guess replatting, in this case within one year?”

Mr. Schlegel said, “That was a condition that the Metropolitan Area Planning Commission recommended.”

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Commissioner Peterjohn said, "When you say recommended, does that mean that we have the option of putting more conditions in place?"

Mr. Schlegel said, "Yes. You do have the option of placing whatever conditions you feel are appropriate. If you do that, we would recommend that you do that by means of what's called a protective overlay."

Commissioner Peterjohn said, "Would you go into more detail on that. We have several types of basically, if we rejected this as I understand it, it would only take one vote of any of the Commissioners to reject this proposal in the form that its come before us, is that correct?"

Mr. Schlegel said, "Yes. That's correct. In order for this Board to approve this application, you would have to vote unanimously to approve it because the provision in the code that if one of the small city planning commissions recommends denial, then that requires a unanimous vote by this Board to approve."

Commissioner Peterjohn said, "Okay. So if we would vote to approve an overlay of some sort with contingent provision in it, would that require also a unanimous vote?"

Mr. Schlegel said, "Yes, that also would require a unanimous vote because you would be approving the request. Even though you were placing additional conditions on it, it would still require the unanimous vote because you would be overriding the Goddard Planning Commission recommendation for denial."

Commissioner Peterjohn said, "You said if we voted to deny it, it would require a two thirds vote..."

Mr. Schlegel said, "Which is a 4 to 1 vote."

Commissioner Peterjohn said, "A 4 to 1 vote, okay. And simple majority of us could vote to return this back to the Metropolitan Area Planning Commission, correct?"

Mr. Schlegel said, "Correct."

Commissioner Peterjohn said, "Let me ask you hypothetical questions. What happens if we vote somewhere in between?"

Mr. Schlegel said, "That would constitute a failure to approve which would in effect be a denial of the request."

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Commissioner Peterjohn said, “I would, I appreciate you walking through that for my benefit. I would I don’t know if its without precedent to throw a question to one of my, to two of my fellow Commissioners who were here when this issue came up. I was curious if the presentation today was similar to the one that they had had when this issue was voted upon in 2003 or 2004?”

Chairman Parks said, “Commissioner Norton or Unruh do you want to speak to that?”

Commissioner Unruh said, “Mr. Chairman, I would just say from my recollection, it’s been some time ago, that this is substantially the same facts of the presentation. However, at that time we did not have alternative sewer systems and we did not have a County policy regarding a paved roads for density of homes at that time. So that was part of our discussion. It came to us at that time also with a rejection by the Goddard Planning Commission. Because of those conditions, I think, that was primarily the reason it was rejected at that time. “

Commissioner Norton said, “As I recollect, in fact, this was one of the bell weather cases that led us to revisit policies on paving roads and Urban Fringe Development because it was kind of right on the edge of the five mile circle and how do you accommodate that. I think it was also a large discussion about fire accommodations, that that’s a pretty long road and I think they require a second entrance off the backside and they didn’t have that or the road has to be wide enough to accommodate two vehicles. I remember we talked about that a little bit.

I think we also talked about how that piece of...has that property been in that landowners possession for a long period of time? Because it said it was agriculture, but it’s a long strip that’s in agriculture and it appears to me that it was sold from another piece of property. It would be interesting where that, the landowner that’s applying to purchase that long strip of property from or if it’s been in their family for years and years and years. I don’t know if we know that. I think I asked that question last time.”

Mr. Curran said, “We can answer that question if you would like.”

(Inaudible from audience)

Commissioner Norton said, “I just think it’s interesting. If it was attached to another property right there and was sold off with no conditions that it couldn’t be developed, it would be an interesting conversation.”

Chairman Parks said, “Is there a former owner in the room today?”

Audience member said, “No, however, the former owner...”

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Chairman Parks said, "Ma'am, would you step to the podium, please. State your name again."

Ms. Queen said, "The owner was Edwin Rickin, who farmed with us. Mr. Rickin's land was across 235. He had five children and at his death it was parceled off. This was Edwin. Edwin farmed for us from right after the war, 1946 until his death in 2002. So since that was his land and it was contiguous with our land, all the terraces were together. It was farmed as one piece of land."

Chairman Parks said, "Thank you."

Ms. Queen said, "It is now owned by Mr. Coleman. Mr. Rickin died of cancer and needed money badly and sold this piece of land to Mr. Coleman."

Chairman Parks said, "Thank you. If we can move along and I would entertain a motion either way. Commissioner Peterjohn, you have another question?"

Commissioner Peterjohn said, "Yes I do for, Mr. Schlegel. But first I'd like to thank both Commissioners Unruh and Norton for taking, bearing with me for a brief walk down memory lane since they were on the Commission at that time."

John, one of the concerns I've heard expressed, and I would appreciate clarification from, if we would approve this to go to 'SF-20', it would be with the alternative sewer systems which would be looking at the potential that 'SF-20' allows half acre lots, correct?"

Mr. Schlegel said, "Correct."

Commissioner Peterjohn said, "The alternate sewer systems would require at least, I've been told, even in fairly good ground... are we aware of any problems that alternative sewer systems have had in rural Sedgwick County, in areas where its zoned 'RR' or 'SF-20'? Can you provide any clarity on that?"

Mr. Schlegel said, "I'm not an expert in septic systems and what's allowed where. I do know that from time to time, usually due to failure to maintain their systems that property owners have problems with them. Then that causes environmental issues because they have not properly maintained their systems. If that's what you're getting at."

Commissioner Peterjohn said, "I'm trying to understand if, the concerns I've heard from the applicant talking about no plans to go to less than one acre, they're currently under a zoning arrangement that they don't, they're limited to two acre lots, but they have four lots that are 1.8 acres, that they've had apparently for some time. I'm trying to understand if they can go down to a lower level to this half acre and..."

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Mr. Schlegel said, "There are constraints with most septic systems going with anything less than an acre. I think as a rule of thumb, I think most people would agree that if they're going to use the septic system that they're probably not going to be able to do it on anything less than an acre. The reason I'm struggling with answering your question is because I really don't know exactly what kind of alternative system that they're proposing. I guess in theory, there are systems out there. You could go you could go with a system that would allow you to develop on less than an acre in size. From everything I've heard, as far as this application goes, their intent is to go with something that would require a minimum of one acre."

Commissioner Peterjohn said, "Let me ask you another question. If we would if the outcome of the Commission vote today is to deny this, the applicant can come back at some future date, how long would they have to wait before they can come back?"

Mr. Schlegel said, "A denial would mean they have to wait at least one year to reapply unless, after six months they can convince the Planning Commission that they have a substantially different application to submit."

Commissioner Peterjohn said, "Okay."

Chairman Parks said, "Mr. Weber, did you have something that you might be able to add to Mr. Peterjohn's question?"

Mr. Jim Weber, Deputy Director of Public Works, greeted the Commissioners and said, "I just want to go back to the alternative sewer systems for a moment. Public Works doesn't run that program but we work very closely with Code Enforcement where they do run the program.

One of the things that was a critical change when the alternative sewer systems were brought in to the County and into the code was that to become a much more scientific process. The soil profiling that they use now as opposed to the perk test that we thought about five or ten years ago are very detailed tests that are very site specific and there are a number of systems that actually they're using in the county now, could be half a dozen or more, but they are designed specifically to work in the soils that exist on that site.

The other things that they're looking at are; to have enough space for the lateral field, to protect that lateral field during construction so you don't get compaction in the soil and then reserve out enough space that would be undisturbed for a second or replaced lateral field down the road. There are, in our discussions with them, it's really, when you think about people in these kind of lots were looking at a shed, maybe, large garage, maybe a swimming pool, as a practical matter, one acre is pretty much impossible. If you really can demonstrate that you're not going to do all these other things, you might get down to three quarters of an acre. As a practical matter, it's not in the code that you have to have an acre but it's about impossible to go less than that.

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And they know it. Mr. Myers acknowledges that. You can't do a layout on less than an acre. I guess what I want to point out is the alternative systems are, obviously the track record here is less than ten years, but they've been having a great deal of success with them. I'm guessing that there aren't that many standard septic systems going in anymore. The other thing to remind everybody of is that the maintenance issue has been addressed by requiring people to now have an ongoing annual maintenance contract. You literally pull a permit every year and somebody has to go out and take a look at your system and make sure its operating properly. If it's not, you're required to fix it. 'This is all stuff incorporated with the Urban Fringe development policy.'

Commissioner Peterjohn said, "Thank you."

Chairman Parks said, "Thank you Mr. Weber. Commissioner Norton?"

Commissioner Norton said, "Well, before Jim came up, I was going to give us a lesson on alternative sewer system because we went through a great deal of work trying to define what they do and part of it is the permitting and the maintenance. Sewer septic systems can fail and you can have problems for years and not know it based on somebody is not coming out to check them and with the new permitting and maintenance system, the alternative systems, I don't think we have any problems with those because there's a policy in place through Code Enforcement that makes sure they're regulated and taken care of. I don't think that's an issue.

Now, whether the size of the lot is appropriate for an alternative system, that's been defined in some of our codes and statutes too, I believe, hasn't it, John and Jim? That there's a minimum size requirement?"

Mr. Schlegel said, "As Jim said, the code does not have a minimum size requirement. It's the minimum size comes about because of practical application of the regulations."

Commissioner Norton said "Through the permitting process and everything... and there is minimum sizes for lagoons and septic systems, though, maybe that's what I was thinking of."

Mr. Weber said, "Yeah, that's correct. Lagoons require, I think you want a 4.5 acres, what we used to call five acre, septic systems used to have an acre in it. There used to be a requirement for one acre, I'm not going to say for sure on the alternatives."

Commissioner Norton said, "I thought there was but maybe I could be wrong, I mean defined by code and permit."

Mr. Weber said, "I don't have the stuff with me today."

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

Chairman Parks said, “I think a lot of this discussion goes back to the density of the properties and the property around it and not being compatible with that. Having said that, is there any motion before us?”

Commissioner Peterjohn said, “As the Commissioner from District 3, I want to walk through the options and explain my thoughts on this and walk through, because the modification, trying to do with an overlay, that was an explanation that I appreciate staff providing here today and I wish I had a better understanding of it earlier on in this process.

In terms of where we’re proceeding, I think I’m going to move that this Board I believe the property is suitable within its, where its currently zoned in that area. The zoning would double the density of the proposed zoning subdivision and, as a case could detrimentally impact the nearby property if some of the concerns expressed here today are accurate.”

MOTION

Commissioner Peterjohn moved to deny the proposed board zone change rezoning due to inconsistent current zoning not in character with the existing agricultural and large lot residential uses that it currently has under its ‘RR’ zoning.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “At this time, I know there are some people that are in the audience that may need to clear out and what not, we are going to take about a 5-minute recess.”

THE BOARD OF COUNTY COMMISSIONERS RECESSED AT 11:21 A.M. AND RETURNED AT 11:28 A.M.

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Chairman Parks said, “We are back from recess to the Regular Meeting, January 28, 2009, Clerk, can you call the next item please?”

NEW BUSINESS

F. HEALTH DEPARTMENT

- 1. AGREEMENT WITH HERITAGE COLLEGE, WICHITA, KANSAS TO ALLOW MEDICAL ASSISTANT STUDENTS TO OBSERVE CLINICAL PRACTICE AND GAIN PUBLIC HEALTH EXPERIENCE IN A CLINICAL SETTING.**

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, “The agenda item before you is an agreement with Heritage College to allow medical assistant students to observe clinical practice and gain public health experience in a clinical setting, we are a clinical site for a number of schools and a variety of students. There are two schools that train medical assistants Heritage College and WATC; and we are happy to host our students recruitment tool for us since we do use medical assistance in the clinic as part of the health care team. Heritage College provides professional liability insurance for each student, faculty member and other agent or employer of Heritage College and the agreement has no cost associated with it. So I recommend that you approve this agreement and authorize the Chairman to sign it, I would be happy to answer any questions.”

Chairman Parks said, “This is much like many of the other programs that we have done in the past and I think it is good.”

MOTION

Chairman Parks moved to approve the Agreement and authorize the Chair to sign the Agreement and any related documents.

Commissioner Unruh seconded the motion.

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

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VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “

- 2. APPROVE THE AGREEMENT WITH THE HEALTH DEPARTMENT TO PROVIDE HEPATITIS A & B VACCINES FREE OF CHARGE TO HIGH-RISK PATIENTS.**

Ms. Blackburn said, “The agreement before you is with the Kansas Department of Health and Environment for Hepatitis A and B vaccines for high risk clients in the Health Department Sexually Transmissible Disease and Family Planning Clinics, this program has been in place since 2003. Hepatitis A and B are diseases of the liver that are caused by viruses and are preventable through proper immunization. Hepatitis B is given now as a required vaccination to children who are in the 5th grade and below, but there are a number of people of the age group we see in clinic that are not immunized necessarily. Hepatitis A is not a required vaccine for school children but it is recommended, so there are a number of people that are not vaccinated against Hepatitis A. The vaccine is supplied to us from KDHE and valued between \$45,600.00 and \$109,500.00. I recommend that you authorize the chair to sign this agreement and I would be happy to answer any questions.

MOTION

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

Commissioner Norton seconded the motion.

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

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VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Next item please."

3. LEASE AGREEMENT WITH OLIVER INVESTMENTS LLC, A KANSAS LIMITED LIABILITY COMPANY, FOR 4,800 SQ FEET OF ADDITIONAL SPACE AT THE 434 N. OLIVER LOCATION.

Ms. Blackburn said, "Commissioners, I'd like to for the record walk you through four changes on your agenda item, I apologize for that but I want you to understand what they are. On page two, in the first paragraph where it says we receive 20 to 40 new referrals per week that should be per month. And then under financial considerations, where it says in the second sentence, the additional cost of \$51,084.20 that should be \$55,373.20. And the last number in that paragraph instead of 21084.20 should be 25373.20 on the last page where in your table it says projected cost the total there should be \$117,060.20, I apologize for these changes it does not really change the essence of this request."

Chairman Parks said, "Mr. Manager are these changes within the financial guidelines that have been set out?"

Mr. Buchanan said, "Yes. Were all embarrassed by this, this was a mistake and we should not have this occur to you, in the future. The issue is that it does not substantially, it does not change either the outcome or the purpose of what we are trying to accomplish."

Chairman Parks said "Thank you."

MOTION

Commissioner Norton moved to approve and the Agreement and authorize the Chair to sign, and make notations of the changes to the backup that we were provided.

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 Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Next item please."

G. DIVISION OF HUMAN SERVICES

- 1. MEMORANDUM OF UNDERSTANDING WITH MENTAL HEALTH ASSOCIATION FOR COMCARE TO PROVIDE ONE QUALIFIED MENTAL HEALTH PROFESSIONAL AT A RANGE B322 FOR THE MID-KANSAS SENIOR OUTREACH PROJECT.**

Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioners and said, "The Mental Health Association in town recently received a grant from the Substance Abuse Mental Health Services Administration or SAMHSA, to outreach to older adults with potential mental health problems, it's called the Mid-Kansas Senior Outreach Program. The grant seeks to identify seniors who are age 60 or older who won't get the help they need on their own, in part due to their own resistance, in part due to a lack of understanding about what resources are available in the community, and in part for a lack of other support.

The narrative in the grant that MHA submitted outlined that there are over 55,000 seniors who live in Sedgwick County and over 11,000 of them live alone. A large part of the grant is focused on recognizing the signs and symptoms of seniors who are in need of help and the idea is to seek out those seniors rather than wait for them to present later with difficult situations. So it's called a case finding and response model, while it's not an evidence based practice, it has been designated as a promising approach and there is a research component to it. Individuals who come in contact with seniors such as mail carriers or pharmacists, meter readers, people delivering meals on wheels will be the target of the training that happened. They will be taught how to recognize when a senior is in need of services. They will be told to call United Way's 211 number and united way will then contact the program director who is a nurse at the Mental Health Association and she will go out to assess the seniors that are identified this way, if they need Mental Health Services, she will make those referrals.

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This memorandum of understanding pays a salary of a fulltime master level clinician who would be dedicated to the project. That person would function out of our crisis program and so the individual would provide in home mental health therapy, serve on the core team that does some planning and evaluation and be part of an advisory committee. And if there were time in that person's schedule, also provide some of the training to the gatekeepers that I mentioned above. The Mental Health Association is also as part of this grant, hiring a clinician who will be working out of their facility as well. There will be two clinicians that referrals can go to.

The memorandum of understanding will provide funds that allow that pay for this position but also there are some extra funds in there for our crisis liaison person. This is a case manager who is well connected in the community and she will provide some of the training and sit on the education committee for this project. They anticipate serving 300 seniors the first year and every year after that with the understanding that they're predicting about half of those. Individuals will need the in-home therapy up to ten visits. It's an integrated community approach that involves five agencies, Mental Health Association, COMCARE, Senior Services, United Way and Tri-West which is a company out of Boulder, Colorado, where this model has been in place, they are serving as the evaluators. We are going to recommend that you approve the addition of one fulltime therapist to the COMCARE staffing table.

MOTION

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

Commissioner Welshimer seconded the motion.

Chairman Parks said, "Motion and a second, is there any other discussion, Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes, Marilyn could you help me understand it is a three year grant, there are state funds involved, and any changes in Topeka likely to put this grant in jeopardy, can you?"

Ms. Cook said, "No, these are SAMHSA money, federal money, SAMHSA is part of the Health and Human Services division on a federal level so there is no pass through money this money is coming directly in a grant from the Federal Administration, SAMHSA."

Commissioner Peterjohn said, "Thank you."

Ms. Cook said, "Now if for some reason SAMHSA pulls the funding there would be a 30 day written notice required, but that is not anticipated."

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Chairman Peterjohn said, “Thanks for that.”

Ms. Cook said, “You are welcome.”

Commissioner Peterjohn said, “Thank you Mr. Chairman.”

Chairman Parks said, “Yes and after a year could you report back to us how many calls were funneled through 211, just as a matter of information?”

Ms. Cook said, “That should be easy to do because it is a big data collection component of this, I would be happy to do that.”

Chairman Parks said, “I just wondered how many would refer through that. We do have a motion and a second, hearing no other discussion, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “Next item please.”

2. AGREEMENT WITH REGIONAL PREVENTION CENTER TO IMPLEMENT AND OPERATE THE WICHITA’S PROMISE YOUTH COUNCIL INCLUDING THE MAYOR’S YOUTH COUNCIL

Ms. Cook said, “Commissioners, this is an agreement with the Regional Prevention Center to operate the Wichita’s Promise Youth Council, the funds that are obtained from, for this come from money that is received in the county liquor sold by the glass in the county. The regional prevention staff utilized this money to implement and operate this Wichita’s Promise Youth Council. One of the outcomes, there are several that they have committed to, but one of them is each year for this group to survey youth in the community and to identify the top three concerns that youth have. Then part of this program and project also is then to provide some educational trainings to youth on those particular subjects. The three that have very prominent in the past are youths perception of involvement in their community, development of leadership has been identified as a concern in the past and attitudes regarding the use of alcohol, tobacco and other drugs. So they have been helpful in the past. We recommend that you approve this agreement.”

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Chairman Parks said, “And this is a \$12,400.26 expenditure on our part?”

Ms. Cook said, “Yes, it is.”

Chairman Parks said, “This is another one of those things, put a sidebar on here that some of the mayor and the regional prevention center does depend on a lot of those local liquor funds coming back from the state. This is something to keep in mind.”

Ms. Cook said, “These funds are targeted in the Governor’s budget to be eliminated, but the session is young.”

Chairman Parks, said, “Yes.”

MOTION

Chairman Parks moved to approve the Agreement and authorize the Chair 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 Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “Next item please. Thank you Marilyn.”

- 3. PROFESSIONAL SERVICES AGREEMENT WITH THE WICHITA STATE UNIVERSITY, CENTER FOR COMMUNITY SUPPORT AND RESEARCH.**

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Mr. Chad VonAhnen, Director, CDDO, greeted the Commissioners and said, “The item before you today is an agreement with the Wichita State University Center for Community Support and research. In 2008 we spent a lot of time in the CDDO working with individuals with challenging behaviors and trying to figure out a way that as a community we can better support their needs. One of the things that we were trying to achieve in this contract is to work with the center for Community Support and Research to facilitate stakeholder meetings to work with now children that were seeing experiencing these same challenging behaviors that are dually diagnosed with mental retardation for developmental disability along with a mental illness. We’ve been running into an increase of difficult to serve children and some are in custody, some are not. This group will be one of the main functions of this contract bringing the stakeholders together. The other piece of this is we want to work with them to develop a strategic plan for Sedgwick County with our stakeholders and DD providers for 2010 and beyond. The funding for this contract is the amount is \$9,776.00, the funding source is administration funds for Community Developmental Disability Organizations that comes through the state of Kansas in our annual contract with them, this is an allowable and appropriate expense in that contract. Those funds can only be used for the administrations of the CDDO and cannot go to direct services for individuals. I’d be glad to answer any questions you might have. Otherwise, I’d recommend approval of the contract and the Chairman to sign.”

Chairman Parks said, “Thank you, Chad. I do know this is that was a very good explanation about the where the money goes on that.”

MOTION

Commissioner Norton moved to approve the Contract and authorize the Chair to sign.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “Next item.”

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H. YEAR-END TRANSFER FROM THE AUTO LICENSE FUND TO THE GENERAL FUND.

Mr. Ron Estes, Sedgwick County Treasurer, greeted the Commissioners and said, “As you are well aware various state statutes direct the County Treasurer in the process for issuing motor vehicle licenses and collecting the motor vehicle property tax, sales tax and fees for doing that process. The motor vehicle property tax is distributed similar to the normal process for distributing real estate and personal property tax. The sales tax and most of the fees are sent to the State Department of Revenue and distributed to the state general fund. A portion of the fees are kept at the county level by County Treasurer for the operation of the Auto License Department, so it pays for the employees that we have as well as the direct costs for operating the department. In addition to that, we also reimburse the county general fund for some of the call center cost for calls directly attributable to the tag office operation.

We also pay an administrative charge out of this fund for those county general fund services that are provided such as Human Resources, Communications or Facilities. KSA 8-145 requires that the County Treasurer at the end of the calendar year, if there’s any money left over from the fees that are collected by the treasurer, that that money be credited back to the county general. And you can see at the end of the conclusion of the 2008, we had \$433,887,000.00 to credit back to county general.”

Chairman Parks said, “Thank you, for your diligence and managing this money. This is a state requirement.”

MOTION

Chairman Parks moved to approve the transfer.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “Next item please.”

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I. ALLOCATION AND INTERFUND TRANSFER OF UNEXPENDED 2008 BUDGET AUTHORITY.

Mr. David Miller, Budget Director, greeted the Commissioners and said, “Before you today are requests from departments to set aside funding for the acquisition of equipment, software or capital improvements in one of two reserve funds. Those funds include the Equipment Reserve Fund or a Capital Improvement Fund as allowed by state budget laws.

The transfers are made possible through unexpended 2008 budget authority and the action requested of you today is to reserve the funding for the specific projects, with the actual authorization of the projects to follow at a later date, with those traditionally through the Bid Board actions that you take.

The projects include a mix of items that were either budgeted for in 2008 but not expended, or were committed to in addition to some operating enhancements, staff believe are of a critical nature and that were envisioned when the 2008 and 2009 budgets were adopted. If the Board will indulge me for a few minutes, I’d like to provide a brief synopsis of each of the items requested for your consideration, then I’d be happy to stand for any questions.

In the general fund, the first item, as budgeted for in 2008 but not purchased, the Election Commissioner requests \$65,000 to be transferred to the Equipment Reserve Fund for the acquisition of thin client terminals which will allow the Commissioner to develop vote centers, which essentially allows any citizen to go to any voting precinct to deliver their vote.

As budgeted in 2008 to address the State’s passage of the Kansas Offender Registration Act, which now requires sex offenders and others to register with the Sheriff’s office as opposed to previous registrations that occurred through the KBI, \$83,400 will be transferred to the Equipment Reserve for equipment and furniture to establish the Offender Registration Unit through the Sheriff’s Office at the Wichita Mall.

As budgeted in 2008 for the development of a Drug Court Program, \$212,000 would be set aside in the Equipment Reserve Fund for the acquisition of equipment and furniture to establish the program which also will be located in the Wichita Mall.

As previously discussed with Commissioners in 2008, \$2.9 million is proposed to be transferred to the Capital Improvement Fund to finance the construction of the Regional Forensic Science Center Annex and replace the HVAC and chiller systems. When this project was originally placed in the 2006 CIP, the intent was to finance the project with debt financing but we’re now proposing to fund it with cash as the CFO had previously discussed with the Commission back in November.

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\$1.6 million is proposed to be transferred to the Capital Improvement Fund to cover the design costs that have already been extended for the Adult Detention Facility Expansion. Again, as the Commission knows, the original intent when we went down the road of expanding the facility, was to fund it with debt financing, but because that project has been deferred, there's no intent to issue those bonds any time in the near future.

\$550,000.00 was proposed for the acquisition of the Criminal Justice Deed to interchange software. With the software, interfaces would be developed between local criminal justice systems among multiple jurisdictions to allow staff quick access to criminal history that they currently do not have.

\$98,000.00 from the Equipment Reserve Fund was proposed for the purchase of a mass spectrometer, that's an analytical device that is used by the Regional Forensic Science Center to determine the chemical composition of forensic samples. This will replace one of the two machines that are currently beyond their operational life span.

\$321,970.00 to the Capital Improvement Fund to finance the construction of the 130-space parking lot adjacent to the Boundless Playground at Sedgwick County Park.

In the Emergency Medical Services Fund, \$235,000 dollars is proposed to be transferred to the Equipment Reserve Fund for the implementation of an ambulance demand analysis automatic vehicle locator routing software in putting GPS essentially in each of the ambulances.

\$110,000.00, also from the EMS Fund to the Equipment Reserve is requested to upgrade the wireless equipment that's in each of the ambulances. This upgrade will allow for the connection speed for the previous item to work properly. It will also allow EMS to transmit heart rhythms while in route to the ER for cardiac arrest patients.

In the Highway Fund, \$247,847 is proposed to be transferred to the Special Road, Bridge and Equipment Fund to implement the ability for Public Works to apply salt brine in treating hazardous winter roads.

In the 911 Fund, which counts for the land-line and cell phone fees, to support the maintenance and updating of the 911 system and equipment, \$1 million is proposed to be transferred to the Equipment Reserve to be held to offset the plan cost in 2011, currently in our CIP to replace 800MHz public radio system.

And finally, for the Special Parks and Recreation Fund, \$43,000, as budgeted, is proposed to be allocated to the Capital Improvement Fund for the replacement of the Plum Shelter at Sedgwick County Park. I'd be happy to stand for any questions."

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Chairman Parks said, "I have a comment on the computers that will be able to interlink and talk with all the others about the records. This is a project that's been needed for some time. Those law enforcement agencies will be able to now access much quicker and better and efficiently. Just want to throw that in."

I did have a question of the 911 expenditure. How does this fit in with the Nextel reimbursement program? I know Mr. Lamkey is not available right now, but... I can certainly get that..."

Mr. Miller said, "I believe I can answer that partially. The actual replacement of the radios is part of this project. But in the sense of Nextel, we also set aside about \$100,000 in the 2009 budget in order to upgrade those radios. Our portion of that \$100,000 was to make them dual capable, analog and digital. Nextel is covering the remaining costs, they'll cover the cost of the radio for the analog bases but they won't cover the cost to make them digital. So, that \$100,000 is to make them dual capable."

Chairman Parks said, "And just for information, that was because they wanted those frequencies in there..."

Mr. Miller said, "That is correct."

Chairman Parks said, "They were willing to pay that out of a class action suit that was done. That's all the questions I have of it. Are there any other questions? Commissioner Peterjohn?"

Commissioner Peterjohn said, "David, quick clarification on the Capital Improvement Fund for the Adult Detention Facility in the amount of \$1,626,400.00?"

Mr. Miller said, "Yes sir?"

Commissioner Peterjohn said, "That was basically for the architecture plans from Schafer, Johnson, Cox and Frey, is that correct?"

Mr. Miller said, "That's correct. It was for the design cost of the facility, which have been completed now and that expenditure has already been made."

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Commissioner Peterjohn said, "Okay. Mr. Chairman, if it pleases the Board, I had requested some information. I wasn't on the Board when the Regional Forensic Center when you had previous discussions on that and my understanding is that, I had raised some questions and some of the folks in the Science Center brought that over to me, in fact, just before this meeting, and I haven't had a chance to review it, and I had some questions. So I'd like to make a motion that we approve all these items except for the Regional Forensic Center and that we approve those, and for the Regional Forensic Center, I request that if we could put that back on the Agenda for next week potentially or at the earliest possible date after I can get the information in question answered. I would appreciate that opportunity to get that, get up to speed on that spending."

Chairman Parks said, "Okay? Would this be problematic, Mr. Miller, on the timing on this?"

Mr. Miller said, "I don't believe so. We could bring the item up before the Board again next week."

Chairman Parks said, "Okay. Mr. Manager, if we could put that back on the Agenda next week that would be great. Have a motion on the floor, do I hear a second?"

MOTION

Commissioner Peterjohn moved to approve the addendum with the exception of the Regional Forensic Science and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

Chairman Parks said, "Commissioner Unruh, did you have some comment?"

Commissioner Unruh said, "I realize administratively...thank you, Mr. Chairman, I did just have a question... it doesn't create a problem with contracts for going forward with construction and expansion? Is that the answer? It's not, administratively we can do what want to I guess?"

Mr. Chronis said, "The project is expected to be out forbid in the next month or so and we would propose to proceed with that activity. The action that you are deferring today merely has to do with providing the funding to support the expenditures that we will incur on that construction activity. What would happen, if you defer the action today, is that we would go ahead and close the books because the auditors are scheduled to start their work on Monday, and then that action, should you approve it, subsequently next week or thereafter, would simply be an audit adjustment that would be at the behest of the auditors after you take your action, so it has no material effect on our operation at all."

Commissioner Unruh said, "Thank you. Then, if I understand what you said, we're going ahead with the project because it has already been approved?"

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Mr. Chronis said, "Yes."

Commissioner Unruh said, "This is just the accounting of it?"

Mr. Chronis said, "That's right."

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

Chairman Parks said, "I did have questions and I did spend some time with the staff on this and if there's one area that needs adequate ventilation and other things that they were bringing up, it is the Forensic Science Center. Next week I will certainly be supportive of this. Any other, I have a motion and second on the floor, any other discussion? Commissioner Norton?"

Commissioner Norton said, "I guess I'm confused, because if the issue is the projects going ahead and we're supportive of that, now we're debating whether to pay cash or we're going bond it. Is that the two alternatives we have?"

Mr. Miller said, "Those would be the two options, yes."

Commissioner Norton said, "I don't think we want to add to your debt and interest, so it makes sense that if we're not going to have a discussion about scrapping it or changing it significantly, that we could have that discussion right now about whether we want to bond it and take on debt or pay it with cash, which is what we've been talking about today, using our reserves prudently and not taking on extra bonding during these times. If we're not going to change our ideas about the project and moving forward on it, then I think I'm ready to have the discussion about whether its paid for by cash or we bond it. That's the only discussion left it sounds like."

Mr. Chronis said, "I think there is a third option, perhaps, and this may be where Commissioner Peterjohn is heading. You have given us approval to put the project out on the street for bids, and we plan to do that. And that is, that proposal that will go on the street will include all of the elements of the project you have previously given approval to. Once the bids come back in and we bring the bids to you for approval, you will, at least in theory, have the option of not approving the award of bid on one or more elements of the project. So you could, if you choose, revisit your prior approval of the project and decide not to proceed with one or more elements of the project, in which case you wouldn't need funding for that piece."

Commissioner Norton said, "Okay."

Chairman Parks said, "Commissioner Unruh?"

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Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “Any other discussion on Mr. Miller’s presentation? I feel like we can probably take this up next week and staff has indicated that it won’t throw any of the projects under the bus. Having said that, we’ll move on. Thank you, David. Call the next item.”

J. SEDGWICK COUNTY 2009 LEGISLATIVE PLATFORM.

Ms. Kristi Zukovich, Director of Communications & Community Initiatives, greeted the Commissioners and said, “I’m here to present the 2009 Sedgwick County legislative platform. As you know, the platform is intended to serve as a guide for the interactions between Sedgwick County and our state legislators during the 2009 session. It’s also to serve as the voice for the citizens of Sedgwick County. The statements in this platform help to provide guidance for staff and our Government Relations Representative to help share our ideas, concerns and interests in serving the citizens of our community. The issues addressed within the platform are related to programs and services that we provide to citizens to either assure adequate and necessary funding or to bring awareness to potential impacts to our service delivery.

This platform includes guidance on a range of Sedgwick County programs, including health and Human Services, which you know includes COMCARE, Aging, Community Developmental Disability Organization and Health. Our Adult and Juvenile Corrections and Public Safety, which also includes our jail overcrowding, transportation needs and of course our interests of general government concern. Part of this is to remind our legislators that the need is here in our community and our citizens are affected by their decisions and actions and sometimes those actions place additional burdens on our local government. The platform also addresses those issues that relate to the economic stability of our community and region including affordable airfares and our support of aviation and technical training. Commissioners, our message to legislators has been that we are aware of and understand the challenging and difficult decisions they have in front of them during this session. We’ve also continued to offer our assistance in providing whatever information or data they need to help them make informed decisions. It is our intent through our platform to help them understand some of the needs of our citizens and how we deliver services. We do understand this is a fluid changing document, much like the legislative session we are in right now. We stand prepared to continue the dialog about these issues and these items and any other issues that arise. You have had some opportunity to have this discussion in the staff meeting and you’ve had this draft and I’d recommend that you receive and file this report and be happy to answer any questions you might have.”

Chairman Parks said, “Since we have reviewed this in staff and beat this around quite a bit, are there any other discussion points that need to be made on this before we vote?”

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MOTION

Commissioner Unruh moved to receive and file.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Ms. Zukovich said, “Thank you Commissioners we will get this posted as well to our website so it will be there for the public to view.”

Chairman Parks said, “Thank you. Call the next item.”

K. PUBLIC WORKS

- 1. APPROVAL OF THE “AUTHORITY TO AWARD CONTRACT COMMITMENT OF COUNTY FUNDS” WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR SEDGWICK COUNTY PROJECT 811-J, N1/2 K; WIDENING OF RIDGE ROAD BETWEEN K-96 & 53RD STREET NORTH. CIP# R-282. DISTRICT 4.**

Mr. David Spears, P.E. Public Works, greeted the Commissioners and said, “In item K1, we request your approval of the authority toward contract and commitment of funds form 1309 for the Kansas Department of Transportation. This will authorize KDOT to move forward with the Ridge Road project from K-96 to 53rd street north. This is designated as project R-282 in the capital improvement program. The low bidder was Dondlinger and Sons Construction at \$9,329,869.85, Sedgwick County’s matching local share is \$2,840,000.00 funding for the project was increased with the CIP amendment that you approved in item D earlier today, and I recommend that you approve the form 1309 and authorize the Chairman to sign.”

Chairman Parks said, “Are there any questions of Director Spears on this item?”

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MOTION

Commissioner Peterjohn moved to approve and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Next item please."

2. APPROVAL OF AN AGREEMENT WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION ENGINEERING INSPECTION SERVICES ON SEDGWICK COUNTY PROJECT 817-V, W, X; ROAD WIDENING PROJECT ON MERIDIAN BETWEEN 47TH ST. SOUTH AND 71ST ST. SOUTH. CIP# R-281. DISTRICT 2.

Mr. Spears said, "In item K2 we request your approval of an agreement with KDOT to provide inspection and testing services for the construction of Meridian between the Wichita city limits and 71st street south, this is R-281 in the capital improvement program. The county enters into similar agreements on all federal and construction projects, under these agreements, Sedgwick county provides KDOT certified testing, in most cases KDOT reimburses the county for 80% of the project related inspection and testing services. In this case, the funding is in the form of an earmark and that does not fully fund the construction cost. Under this agreement we will provide the standard services but will not be reimbursed. I request that you approve the agreement and authorize the Chairman to sign. If you recall, we get approximately a \$3,000,000 earmark on this project, lump sum."

Chairman Parks said, "Any questions of Director Spears, any questions of Director Spears? Hearing none, do I hear a motion to approve?"

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MOTION

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

Commissioner Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Call the next item."

3. APPROVAL OF A SUPPLEMENTAL AGREEMENT WITH PB AMERICAS FOR CONSTRUCTION ENGINEERING SERVICES ON RIDGE ROAD BETWEEN K-96 AND 53RD ST. NORTH.

Mr. Spears said, "Well back to the Ridge Road project now, in item K3, we request your approval of a supplemental agreement with PB Americas for construction engineering services for Ridge Road between K-96 and 53rd street north. The project includes a storm water pump station. While most inspection work for the project will be completed by our in-house staff, the pump station includes extensive and complicated electrical and mechanical equipment, review of the equipment to be provided by the contractor must be completed by qualified mechanical and electrical engineers. This supplemental will bring our design team at PB Americas on board during construction of the project to work in this limited area. The cost of this work will not exceed \$71,521.00, additional funding to add this work to the project was included with the CIP amendment that you approved in item D earlier. I recommend that you approve the agreement and authorize the Chairman to sign."

Chairman Parks said, "Any questions of Director Spears seeing none, do I hear a motion?"

MOTION

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

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Commissioner Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “Thank you, David. Call the next item.”

L. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON JANUARY 22, 2009.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, “The meeting of January the 22nd results in two items for consideration today:

**1. RECORD STORAGE LEASE – DISTRICT COURT
FUNDING – COURT CLERKS**

First item is Records storage lease for the District Court, recommendation is to accept the quote from Underground Vaults and Storage in the amount of \$45,000.00 and establish contract pricing for an additional two years.

**2. ANNUAL SOFTWARE & EQUIPMENT SERVICE AGREEMENT –
SEDGWICK COUNTY REGIONAL FROENSIC SCIENCE CENTER
FUNDING - TOXICOLOGY**

Item two, annual software and equipment service agreement for the Sedgwick County Regional Forensic Science Center the recommendation is to accept the quote from Agilent Technologies in the amount of \$63,927.60.

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

MOTION

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

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Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Mr. Manager."

CONSENT AGENDA

M. CONSENT AGENDA.

- 1. One (1) Easement for Right of Way for Sedgwick County Drainage Project D-833-G. District 1.**
- 2. Cash donation of \$1,500 to Sedgwick County Link for Life run.**
- 3. Community Health Nurse II (CHN II) salary adjustment of a range 22 based on years of nursing experience for Carmen Loeffler.**
- 4. Housing Department Section 8 Rental Assistance**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V09001	\$240	2	Robert Tafoya
V09002	\$100	2	Chapel Ridge Apts.
V09003	\$226		Mapleridge Residences
V09004	\$257		Lawndale Senior Res.

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<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V09005	\$508	5	Robert Tafoya
V09006	\$100	2	Chapel Ridge Apts.
V09007	\$450	5	William Favreau
V09009	\$388	5	Springcreek Apts.
V09010	\$206	5	Springcreek Apts.

5. The following Section 8 contracts are up for annual recertification:

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V020079	\$244	\$230
V200108	\$307	\$315
V07007	\$127	\$111
V08008	\$242	\$238
V98004	\$190	\$158
V020080	\$170	\$203
V07006	\$197	\$386
V08002	\$280	\$270
V07005	\$315	\$311
V06071	\$118	\$ 0
V2009	\$257	\$254
V08001	\$223	\$210
V08012	\$695	\$695
V04097	\$580	\$600
V08007	\$343	\$331
V07004	\$ 64	\$ 50
V08009	\$413	\$470
V2002	\$297	\$290
V07003	\$238	\$250

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V07008	\$277	\$261
V020014	\$324	\$318
V08010	\$667	\$609
V08003	\$295	\$289
V04003	\$267	\$595
V08015	\$314	\$314
V06019	\$191	\$193
V2001	\$250	\$235

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V02009	\$327	\$323
V100116	\$317	\$305
V07002	\$139	\$122
V08025	\$263	\$103
V07107	\$290	\$290
V08079	\$ 64	\$499
V020046	\$194	\$133
V05036	\$139	\$206
V08039	\$525	\$281
V08024	\$309	\$309
V08005	\$530	\$353
V04003	\$595	\$220
V08015	\$525	\$314
V06019	\$193	\$470
V08062	\$149	\$168
V07043	\$142	\$269
V08072	\$299	\$434
V07083	\$443	\$391
V07083	\$391	\$246

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V06023	\$199	\$ 0
V08073	\$407	\$657
V08040	\$244	\$408
V06003	\$202	\$162

- 6. General Bills Check Register for the week of January 14, 2009 – January 20, 2009.**

- 7. Order dated January 21, 2009 to correct tax roll for change of assessment.**

Mr. Buchanan said, “Commissioners you have the consent agenda before you and I recommend you approve it.”

MOTION

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “On the other we do have a need for an executive session, but we will take care of the Fire District First.”

Recess to Fire 12:12 returned at 12:22

Returned at 12:22

Chairman Parks said, “We are back in session, are there any other comments that the Commissioners need to make at this time, Commissioner Welshimer.”

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Commissioner Welshimer said, “Mr. Chairman I would like to address the Aviation Training Center, and the transparency for that \$47.5 million project, this issue has been divided between what has been called naysayers and yay-sayers, but I believe both the naysayers and yaysayers want the same thing which is success for the planned purpose of the center. That said, oversight for this project is difficult with so little information being provided so I would like to ask the County Manager to arrange a briefing one time a month beginning possibly with our second meeting in February and that briefing might include but not be limited to reports from the projects’ Board of Directors, reports from WATC with data on numbers of current enrollees, fluctuations in enrollment and expectations, available information on job opportunities for graduates, hiring layoff data within the local economy, curriculum development, uniqueness of the type of training to be offered at the center, and other information to help us with our oversight that will include public understanding of the training center. I do not know if you need a motion for that or if we can just ask for that from the County Manager?”

Chairman Parks said, “I think we probably have a consensus of the Board that that would be alright to direct the Manager to do that in consensus form, then so be it.”

Commissioner Welshimer said, “Okay thank you.”

Chairman Parks said, “Is that all?”

Commissioner Welshimer said, “That is all I have.”

Chairman Parks said, “While we are on the topic of end cat, I did want to clarify one of the statements I had made to the media, when they were talking about the \$2.5 million that was cut from the endcat facility, or proposal to cut that what my thought was that we did not need to throw that \$2.5 million back on taxpayers, maybe we needed to at somewhere we can cut that, some of those checks have already been cut, some of that expense has already been done, and I don’t think it is going to affect the structural building of that facility from what I learned yesterday in staff meeting so just wanted to clarify that a little bit. Commissioner Unruh.”

Commissioner Unruh said, “Thank you. Mr. Chair as someone who sits on the Sedgwick County Technical Education and Training Authority Board of Directors I just wanted to assure Commissioner Welshimer and the rest of the Commission that I think that Training Authority would be happy to supply any information that is asked for or required as we go forward.

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There is definitely a focus on that Board that there is transparency and openness in all that we are doing in light of the fact that it has members on the Board from the aviation industry, and from County government and from City government and from the business interests in downtown Wichita, I think logical to assume that everybody wants to keep that open, nobody wants to keep anything that is not fully disclosed. The information on enrollments and curriculum and budget issues are discussed monthly at the Training Authority Boards, which is an open meeting so press is there, various media folks are generally there and anyone wants to attend the meeting and hear the information they are certainly welcome to, it is more convenient for us to have a report directly to us and so I understand your request for that.

It may be good for us in our staff time to look at all the Boards that we have a direct involvement in either by Commissioners or through some sort of financial support that we go through and logically evaluate that and see which reports we should get from perhaps the Zoo Board and from Exploration Place and maybe from the Downtown Development Coalition and from Greater Wichita Economic Development Coalition. We get reports periodically and I am satisfied with information I get but if the Commission wants to have more information we might want to look at all the Boards that we have involvement in and see how that comes back to us. But specific requests about the training authority I would want everybody to know that the Training Authority Board is right on top of the issues and of course we have staff that is dedicated specifically to oversight of the construction process of the Training Center, Jabara so the information is there and since I am involved and since I know Commissioner Norton has been heavily involved we are fairly well up to speed but more if more information is needed I see problem in providing that.”

Chairman Parks said, “As I did yesterday, I asked for committee reports in staff and that would be a good time to give those if the entirety of the Commission would like to do that and I think that would be a good idea. Commissioner Welshimer.”

Commissioner Welshimer said, “Well I am not so sure that all of the Advisory Boards need to be reporting to us on an ongoing basis that would create a lot of work for them, my concern for this particular report is because it is the second largest investment we are making, it is the second largest project its \$47.5 million that we have borrowed and we need to be sure that we understand what is going on. I do not see that the other Boards are involved in large projects, big lumps of tax dollars.”

Chairman Parks said, “Well I will try to coordinate those and if I see any that come down I will ask the Commission in Staff meetings if they want a report the next week or the next couple weeks. Thank you.”

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Commissioner Welshimer said, “Mr. Chairman one other thing too. We’ve had good reporting on the arena, the committees come in here and give us reports and that is the type of oversight I am looking for.”

Chairman Parks said, “Well I would certainly agree with that. Commissioner Peterjohn.”

Commissioner Peterjohn said, “I would like to second the comments of Commissioner Unruh in terms of more information on all the appointments and Boards where the County is involved or has appointees or people who are involved because there are some permanent Boards and there are some temporary Boards and for this new Commissioners benefit I’d sure like to understand exactly the responsibilities that I have in terms of identifying good people to try to appoint to them and I know that is an important part of this job and to have a full clarity of for instance the Arena Oversight Board as a temporary Board does not get quite the attention in some documentation here that the permanent Boards do and I want to try to understand and have a full knowledge in all areas and I think that Commissioner Unruh’s comments were very helpful in that regard.”

Chairman Parks said, “Okay, thank you. Any other comments under other? With that I would entertain a motion to go into executive session.”

MOTION

Commissioner Peterjohn moved to recess into executive session for 20 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation and legal advice and that the Board of County Commissioners return to this room from Executive Session no sooner than 12:55 P.M.

Commissioner Welshimer seconded the motion.

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “We are back in session we came out of Executive Session and no binding legal action was taken.”

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O. OTHER

P. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:59 P.M.

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

KELLY PARKS Chairman
Fourth District

GWEN WELSHIMER, Commissioner
Fifth District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KARL PETERJOHN, Commissioner,
Third District

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED:

_____, 2009