

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

### **REGULAR MEETING**

**April 29, 2009**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00a.m. on Wednesday, April 29, 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. Michael Pepoon, Assistant County Counselor; Mr. David Spears, Director, Bureau of Public Works; Sheriff Robert Hinshaw; Undersheriff Michael Stover; Mr. Mark Masterson, Director, Community Corrections; Ms. Deborah Donaldson, Human Services Division Director; Mr. Jack Focht, TECH Plan Oversight Committee Chairman; Mr. Chris Chronis, Chief Financial Officer; Mr. Troy Bruun, Deputy Chief Financial Officer, Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Chris Morales, Department of Corrections Project Manager; Ms. Annette Graham, Central Plains Area Agency on Aging Executive Director; Ms. Claudia Blackburn, Sedgwick County Health Department Health Director; Ms. Iris Baker, Purchasing Director; Ms. Kristi Zukovich, Director Communications; Ms. Karen Bailey, Chief Deputy County Clerk; and, Ms. Angela Lovelace, Deputy County Clerk.

#### **GUESTS**

Mr. Grant Tideman, Appointee  
Mr. Jack Whitson, City Administrator, Park City  
Mr. Kent Meyerhoff, Wichita Bar Association Attorney

#### **INVOCATION**

The invocation was led by Pastor Jerry Vogt of Chapel Hill First United Methodist Church, Wichita.

#### **FLAG SALUTE**

#### **ROLL CALL**

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

#### **CONSIDERATION OF MINUTES**

Regular Meeting for March 25, 2009

Regular Meeting for April 1, 2009

**Chairman Parks** said, "You've all had a chance to review the minutes from last week. What is the will of the Board?"

#### **MOTION**

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Commissioner Welshimer moved to approve the Minutes for the Regular Meeting for March 25, 2009.

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

### MOTION

Commissioner Welshimer moved to approve the Minutes for the Regular Meeting for April 1, 2009.

Commissioner Peterjohn seconded the motion.

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

### VOTE

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

**Chairman Parks** said, "At this point I'd like to entertain a motion for an off agenda item. I'd like to change right after Item B to have Item B-1 for the Proclamation since we are not going to be meeting next week, since we are going to be at the KAC (Kansas Association of Counties) meeting in downtown Wichita, if we could have an off agenda item to go ahead and have that Proclamation also for the "Police Week" because it does fall in that next week."

**Commissioner Peterjohn** said, "Mr. Chairman, I would just interject that KAC is an abbreviation

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for Kansas Association of Counties for the folks out there who may not be up on County speak, it is one of the more common acronyms that gets used around here, but some folks out there in the audience, and folks watching this later may not know that.”

**MOTION**

Chairman Parks moved to consider an off agenda item for the “Police Week” Proclamation as Item B-1.

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.”

**PROCLAMATIONS**

**A. PROCLAMATION DECLARING MAY 3 - 9, 2009, AS CORRECTIONAL OFFICERS WEEK.**

**Ms. Kristi Zukovich**, Director of Communications, greeted the Commissioners and said, “I’ll read this for the record.”

**PROCLAMATION**

**WHEREAS**, today’s professional correctional officers are well educated employees of sound moral character and have been well trained; and

**WHEREAS**, these highly skilled professionals must act as counselors, communicators and

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experts at crisis intervention to preserve the safety of inmates, the facilities they work in and their fellow officers while maintaining their professional demeanor, often in the face of hostile, aggressive and intimidating inmates; and

**WHEREAS**, because of their dedication, these individuals quietly serve our community by taking on the very difficult, dangerous job of corrections officers; and

**WHEREAS**, we could not operate the Sedgwick County Detention, Community Corrections, Juvenile Detention or Residential Facilities without the hard work and sacrifices made each day by our corrections officers; and

**WHEREAS**, correctional officers deserve our support as they perform their roles in keeping our communities and citizens safe;

**NOW, THEREFORE BE IT RESOLVED**, that I, Kelly Parks, Chairman of the Board of Sedgwick County Commissioners do hereby proclaim the week of May 3 – 9, 2009, as

**“Correctional Officers Week”**

in Sedgwick County and encourage all citizens to honor and show sincere appreciation for the correctional officers who make it possible to keep the detention and correctional facilities safe each day.

**Chairman Parks** said, “What is the will of the Board?”

**MOTION**

Commissioner Welshimer moved to adopt the Proclamation.

Chairman Parks seconded the motion.

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

**VOTE**

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

**Ms. Zukovich** said, "Commissioners, we have Sheriff Hinshaw here to accept the Proclamation."

**Sheriff Robert Hinshaw** greeted the Commissioners and said, "With me also is Mark Masterson, the Director of the Department of Corrections for Sedgwick County. The corrections profession is one of the most challenging professions that anyone can pursue, and perhaps the least appreciated in the entire criminal justice system. Correctional staff help keep our citizens and our communities safe, not simply by securing jails and prisons and the offenders confined there, but also by taking care of them while they are out in the community, such as what many of Mark's staff does.

"In a real sense, the women and men working corrections and detention operations are the gate keepers of our criminal justice system. Here in Sedgwick County the Sheriff's Detention staff looks to the needs of over 1,500 inmates; a very similar adult population that Mr. Masterson and his staff look to, which is about 1,500 in the community or in residential. It is for all practical purposes, our jail that is, a city unto itself, providing all the services that any city in Sedgwick County must provide to its citizens. The primary difference being, of course, these are people that have been removed from our community at large for one reason or another.

"The men and women entrusted to our custody have many wants, either because they failed to find what they needed or refused to accept what was offered in their homes, their schools, and their communities. The personnel under my command do an outstanding job, and on their behalf I thank you for issuing this Proclamation, recognizing and appreciating the work they do to make all of our neighborhoods safer. Thank you."

**Mr. Mark Masterson**, Director of Community Corrections greeted the Commissioners and said, "I would just like to echo what Sheriff Hinshaw has said and also point out that our adult residential facility we have corrections officers as well; at our juvenile detention facility, juvenile residential facility, and Judge Riddell Boy's Ranch that work 24/7/365, regardless of the weather, they are there and that's what makes the wheels turn, and they have my respect and appreciation, and I appreciate you doing this."

**Chairman Parks** said, "Thank you and we certainly appreciate our employees. Commissioner

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Unruh.”

**Commissioner Unruh** said, “Thank you Mr. Chair. Sheriff and Mark, I just wanted to add my comment to the Proclamation, and that is often times we take the service by these individuals for granted and assume that everything is going to operate smoothly and we don’t give it much thought, so I think it’s real appropriate that we make this Proclamation today and I just wanted to express my appreciation for the work of all of those corrections officers that you all are in charge of. Thank you very much and I hope they are watching and that they understand our sincere appreciation. Thank you, that is all I have Mr. Chairman.”

**Chairman Parks** said, “Thank you. Commissioner Norton.”

**Commissioner Norton** said, “Well certainly I admire and appreciate all those employees. It was interesting, we got a presentation yesterday at staff meeting about a mental health pod, and my comments are not about that, it’s about how complicated dealing with this population is. As we went through that it talked about anti-social behavior, schizophrenia, bi-polar, felonies, folks that have done some really bad things, all in combination and your people deal with them every day. I couldn’t even understand how complicated that gets to do that job, so I really admire people that can multi-task, understand their profession at a deep level, and continue to be great public servants, everyday, under such extreme conditions of peoples’ human condition, and I really appreciate that. Thanks.”

**Chairman Parks** said, “We just need to remember what former Sheriff Steed said about recruitment of the corrections officers. If we had a ‘CSI’ jail out there maybe we could generate more interest in it, but it is a science, it is a growing science and we certainly appreciate the corrections officers.

**Mr. Masterson** said, “Thank you.”

**Chairman Parks** said, “Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “My quick comment, this is a bit of a variation not only for your current work, but also for the challenges we face because some of the budget difficulties at other levels of government may come down and have some impact on us, and of course there are sometimes outside events that none of us have any control over. That 24/7 effort that has to be done in that area is something that should not be overlooked, so I just wanted to amplify the remarks and express my agreement with the other comments from the bench up here Sheriff.”

**Sheriff Hinshaw** said, “Thank you.”

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**Chairman Parks** said, "Thank you. Next item."

**B. PROCLAMATION DECLARING MAY 1, 2009, AS LAW DAY.**

**Ms. Zukovich** said, "I will read this for the record."

**PROCLAMATION**

**WHEREAS**, this county was founded on the principle that voluntary adherence to the rule of law expands, rather than limits, the opportunities for freedom; and

**WHEREAS**, a viable democracy requires understanding of the nature and basis of our freedoms and recognition of the individual responsibilities that those freedoms impose; and

**WHEREAS**, on May 1 of every year since 1958, Law Day has celebrated the rule of law in the United States of America; and

**WHEREAS**, the Law Day 2009 theme, *A Legacy of Liberty – Celebrating Lincoln’s Bicentennial*, encourages all Americans to explore the legacy of Abraham Lincoln, regarded by many as one of our nation’s greatest and most eloquent president; and

**WHEREAS**, the Wichita Bar Association annually joins in this celebration through a variety of activities, including providing over 100 attorneys to speak in schools across Sedgwick County to promote awareness of our laws;

**NOW THEREFORE BE IT RESOLVED**, that I, Kelly Parks, as Chairman of the Sedgwick County Board of County Commissioners, on behalf of the citizens of Sedgwick County, Kansas, hereby proclaim Friday, May 1, 2009, as

**“Law Day”**

I urge the citizens, schools, businesses, legal professionals, and media in our community to use this occasion to preserve and strengthen the rule of law.

**Chairman Parks** said, "What is the will of the Board?"

**MOTION**

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Commissioner Welshimer moved to adopt the Proclamation.

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, “Here today we have...”

**Ms. Zukovich** said, “We have folks here from the Bar Association to accept the Proclamation.”

**Mr. Kent Meyerhoff**, Wichita Bar Association Attorney, greeted the Commissioners and said, "Also with me today is Karin Kirk, our Executive Director. On behalf of the Wichita Bar Association I want to thank the Commission for this Proclamation and for its recognition of the importance of Law Day.

“As you heard during the Proclamation, Law Day has been celebrated every year since 1958 when President Eisenhower declared that May 1<sup>st</sup> of each year should be a national day set aside to recognize the importance of the rule of law here in the United States and to help citizens recognize the important role that our laws and the legal process play in the freedoms that each one of us enjoy every day. So, each year in connection with Law Day, as you heard, we have more than 100 attorneys who will volunteer their time to speak in our area schools to students from kindergarten all the way through high school about laws and how the legal process works and whatever the kids may want to ask about, and it’s a fun time for those attorneys who participate.

**Mr. Myerhoff** continued, “We also have annually a luncheon where we get together and celebrate Law Day and that’s going to occur this year next Tuesday on May 5<sup>th</sup> over at the Hyatt. In

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connection with the theme, 'A Legacy of Liberty - Celebrating Lincoln's Bicentennial,' we are excited that we have Dr. Gene Griesseman who is a nationally known author and Lincoln impersonator coming to speak to the group as Abraham Lincoln, of course, and his presentation is going to be 'The Wit and Wisdom of Abraham Lincoln' so we are all looking forward to that.

"Once again, on behalf of the Bar Association, I want to thank the Commission for this Proclamation."

**Chairman Parks** said, "Thank you for your service to the community and accepting the Proclamation here today. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "I just wanted to thank you both for coming down to receive the Proclamation today. The rule of law is particularly important to this Commissioner, as is any opportunity to expose our young people to our founding documents, whether it's the U.S. Constitution, Declaration of Independence, and how that's the foundation for the rule of law. They're both relatively short documents, but they are intriguing in a variety of ways and I think that's important, and I am glad that you have demonstrated a commitment to help share our legacy for the next generation. Thank you."

**Mr. Meyerhoff** said, "You're welcome. Thank you."

**Chairman Parks** said, "Commissioner Unruh."

**Commissioner Unruh** said, "I'd second the Commissioner's remarks, but also want to express my appreciation for the time that your 100 attorneys have given to go to schools and remind us, and to teach. It seems like all humans are alike, we need to be taught and we need to be reminded. If we are not reminded of some of these important things then we tend to forget and it weakens our community. So, I appreciate your providing us the appropriate emphasis on this and for your work in highlighting the rule of law in our community. Thank you."

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

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

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

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

### **B-1. PROCLAMATION DECLARING MAY 10 – 16, 2009 AS POLICE WEEK.**

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**Chairman Parks** said, "I'm going to go ahead and read this and then I will get up and turn the meeting over to Commissioner Welshimer and at that time you can accept that and I will say my ayes from out in the gallery. The logistics don't always work well up here but this is one thing that I wanted to read myself, it comes from the heart. Over the years we have celebrated this, sometimes with great joy that we did not have one of our own officers killed in Sedgwick County. I will be participating in the May 12<sup>th</sup> joint venture with the City and I would invite the public to come to that also. This will be held over at the City flag pole where the law enforcement memorial will be constructed for Sedgwick County, which, by the way, they are still taking donations on. It's special for me, and special for the County, and I think because I've written a lot of these and over the years I've asked from out in the gallery to have these Proclamations read ,so I'll try to get through this.

### **PROCLAMATION**

**WHEREAS**, the United States Congress passed Public Law 87-726 in 1962 declaring May 15 to be Peace Officers Memorial Day and the week thereof to be Police Week, and

**WHEREAS**, the law enforcement officers of America have worked devotedly and selflessly on behalf of the people of the nation, regardless of the peril and hazard to themselves; and by the enforcement of our laws, these same officers have given our citizens a system of peace and order, and

**WHEREAS**, Sedgwick County desires to honor the valor, service and dedication of its Sheriff's Deputies and all law enforcement officers joining with other counties and cities to honor peace officers everywhere.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 10 – 16, 2009 as

### **"Police Week"**

in Sedgwick County, Kansas, and call upon all citizens to honor and show sincere appreciation for the law enforcement officers of Sedgwick County and join in commemorating law enforcement officers, past and present, who have rendered a dedicated service to their communities and, in so doing, have established an enviable and enduring reputation for preserving the rights and security of all citizens.

**Chairman Parks** said, "So signed. It's all yours."

**Commissioner Welshimer** said, "Do we have a motion to adopt?"

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**MOTION**

Commissioner Peterjohn moved to adopt the proclamation.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Parks** said, “It’s my honor and privilege to give you this Proclamation today and we hope that you never have to add another name to the wall, either at the State or at the memorial that we are building across the street. Thank you, be safe, and if you want to say a few words...”

**Sheriff Hinshaw** said, “Thank you, Mr. Chairman. As the Chairman indicated, National Police Week started as Public Law 87-726 signed by President John F. Kennedy in 1962, and yet it was 20 years later before even any police group commemorated the event officially. Today, the event is one that provides everyone a chance to remember and reflect upon what it means and what it requires to be a law enforcement officer, and what sacrifices it may demand. Your Proclamation attests to these very things.

“Now on this past Tuesday, April 21<sup>st</sup>, the engravings of the names of the 133 officers who died in the line of duty in 2008 began at the National Memorial. The candle light vigil on the national level is scheduled for May 13<sup>th</sup> in Washington D.C. to honor those 133 and the 254 other officers who, until this moment, history had forgotten their sacrifice.

“Our own memorial service is scheduled for May 12<sup>th</sup> as the Chairman pointed out. Hopefully this time next year we will be able to hold out Wichita/Sedgwick County memorial ceremony just across the street at the corner of Main and Central. The Law Enforcement Memorial of Sedgwick County

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is very close to the funding goal for construction of the memorial, dedicated to the 28 local law enforcement officers from the Wichita Police Department, the Sedgwick County Sheriff's Office, the Derby Police Department, and the Clearwater Police Department who have given the ultimate sacrifice of their lives in service to our communities.

“So on behalf of the men and women of the Sheriff's Office who accept these challenges with pride and love the profession which they have chosen; it is my privilege to accept this Proclamation on their behalf. Thank you.”

**Chairman Parks** said, “Thank you, Sheriff. Any other comments? Commissioner Welshimer.”

**Commissioner Welshimer** said, “Well I just want to tell the Sheriff that I understand the seriousness of the job and I know we've lost officers here in this community, and it's been a very sad thing. We're much safer as a result of the dedication of our Police and Sheriff's departments. Thank you very much, and I want to mention that I can say the same to our Chairman who was the Police Chief in Valley Center for many years and, I'm sure, has had the same situations come up and we are just grateful. Thank you.”

**Sheriff Hinshaw** said, “Thank you.”

**Chairman Parks** said, “Thank you.”

**Sheriff Hinshaw** said, “Thank you.”

**Chairman Parks** said, “Seeing no other comments, next item.”

### **APPOINTMENTS**

#### **C. RESOLUTION REAPPOINTING GRANT TIDEMANN (COMMISSIONER UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY BOARD OF ZONING APPEALS.**

**Mr. Michael Pepoon**, Assistant County Counselor, greeted the Commissioners and said, “You have before you today a Resolution reappointing Mr. Grant Tidemann to the Sedgwick County Board of Zoning Appeals. The Resolution is in proper legal order and we'd recommend that you adopt the Resolution.”

#### **MOTION**

Commissioner Unruh moved to adopt the Resolution.

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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

**Commissioner Unruh** said, “Mr. Chair, Mr. Tidemann is here and he could be sworn in at this time by the Clerk.”

**Chairman Parks** said, “I believe if he would come forward that would be great.”

**Ms. Karen Bailey**, Chief Deputy County Clerk, greeted the Commissioners and said, “Raise your right hand.

*I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Board of Zoning Appeals, so help me God.”*

**Mr. Grant Tidemann**, Appointee, said, “I do.”

**Ms. Bailey** said, “Thank you very much.”

**Mr. Tidemann** said, “Thank you. Thanks again for the chance to serve again.”

**Chairman Parks** said, “Just a minute, Grant, if you’ll...”

**Commissioner Unruh** said, “Thank you Mr. Chair. Well Grant, I just wanted to formally thank you for your willingness to serve. You’ve served in this role for several years, I don’t know the total length of time, but you’re well aware of the responsibilities and duties, and it is a serious,

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significant contribution to the order and respect of law in our community as we handle these zoning issues. I appreciate your service. Thank you.”

**Mr. Tidemann** said, “Thank you.”

**Chairman Parks** said, “Next item.”

### **DONATION**

#### **D. CASH DONATION OF \$2,500.00 TO SEDGWICK COUNTY LINK FOR LIFE RUN.**

**Ms. Deborah Donaldson**, Human Services Division Director, greeted the Commissioners and said, “I’m here to ask your acceptance of a cash donation for \$2,500.00 from Papa John’s who, as you know, also provided the Pizza for the event. This is Link 4 Life, focused on suicide prevention. We had a great run on April 19<sup>th</sup>. We had almost 1,900 runners and that does not include the other family members that were there. We had wonderful weather, I think we had a great event, and I do want to thank the Commissioners for all of their support for this event because that really helps things happen.

“The money that has been raised, this is the one fundraiser for the Suicide Prevention Task Force, and those dollars are used to provide training for physicians, for school personnel, and any others that might help prevent suicide, or intervene when someone is at high risk. It also provides the book marks that we hand out during suicide prevention week. We hand out sometimes 30,000 to 50,000 of those at Quik Trips and other locations, giving signs, symptoms, and what to do with someone who may be suicidal. We also do the survivor webcast over at Via Christi yearly with those dollars.

I would like to ask that you accept the donation, authorize the Chairman to sign the letters of appreciation, and authorize the budget authority for the donation amount. I’d be glad to answer any questions.”

### **MOTION**

Commissioner Welshimer moved to accept the donation, authorize the Chairman to sign letters of appreciation, and authorize the budget authority for the donation amount.

Chairman Parks seconded the motion.

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

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### VOTE

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

**Chairman Parks** said, "I would like to thank Debbie for all the work that she did for the awareness run last week at the Zoo. It was great to get out there, and I did find out that I had another duty right before that. The Chairman of the County Commission is in charge of the weather, so I ordered that up, so it turned out real well."

**Ms. Donaldson** said, "Great job."

**Chairman Parks** said, "Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Debbie, I appreciate your efforts and the other County employees' efforts in helping make this a great event. I'm going to trust that, it's this Commissioner's opinion, that if Chairman Parks was so successful for the weather this year that he'll continue to take on this responsibility in all future years too. But I wanted to also particularly thank Papa John's and the other sponsors from the private sector because they did a great job. If anybody of the runners went away hungry or thirsty they would have had to really work at it."

"There were a tremendous number of youthful runners from across the community because they had a school competition. I started a few of the younger races and whenever I said, 'Does anybody like pizza?' I didn't get a single negative response. The private sponsors did a great job and they deserve our appreciation, including Papa John's and the other folks that provided donuts and drinks, and the other refreshments and helped out at this excellent event."

**Chairman Parks** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Thank you. I just want to add my comment. I also appreciate all of the hard work of our staff and for those who provided the necessary times to make a successful race,

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but this \$2,500 donation that Papa John's is giving here is kind of above and beyond the call and we certainly appreciate it. But, not only thanking Papa John's, but there's an individual who does that, and that's Terry Newman, and we want to make sure that he is appropriately thanked. He is a known figure in our community because he is very active, very generous personally and through his company. I would just want Mr. Newman to know that we truly appreciate his willingness to participate and make this event successful. That's all I have, Mr. Chair."

**Chairman Parks** said, "Thank you. I'd just like to thank you and thank all of the sponsors again."

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

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

**CITIZEN INQUIRY**

**E. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE BRITT BROWN ARENA AND PAVILIONS.**

**Mr. William Buchanan**, County Manager, said, "Mr. Higgs has called and is ill and we would defer this item."

**Chairman Parks** said, "If there is no objection we will just defer this item and go on to item F."

**ITEM E WAS DEFERRED WITH NO OBJECTION.**

**PRESENTATION**

**F. REPORT FROM TECH PLAN OVERSIGHT COMMITTEE.**

**Mr. Jack Focht**, TECH (Taskforce to End Chronic Homelessness) Plan Oversight Committee Chairman, greeted the Commissioners and said, "I'm Chair of the Oversight Committee of what was the Homeless Task Force, and I was also Chair of the Task Force. I didn't realize in July or August of 2006 that I was taking on a lifetime appointment for dealing with homelessness in this community but, be that as it may, we have given you a written report, we are updating that report right now. Ms. Donaldson will give that to you together with the Power Points that I will be using to present this report. This is one of the responsibilities of the Oversight Committee, to report periodically to the Board of County Commissioners and the City Council so I am fulfilling that.

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**Mr. Focht** continued, “What you will see is that back in August of 2006 the Task Force to End Chronic Homelessness was formed. Commissioner Norton was a part of that task force. We had a number of citizens throughout the community and we thought it was going to be a short time event. I worked them hard at 7:00 in the morning about once a week and I think we had about, what we thought would have been about three months we turned into 16 months and I think we had some 50 to 60 meetings if my figures are correct. Over that period of time, what we did was, we studied homelessness in this community, and the available resources in the community to address homelessness.

“Homelessness was something I didn’t know anything about. Not been homeless, not had anyone in my family, to my knowledge, homeless. My church has always served as part of the overflow shelter and so I have gone down there and done my stint on serving the evening meal and coming back in the morning and serving breakfast on occasion, but that was pretty much the extent of it. So we learned a lot during that 16 months. We identified the gaps in the community over service to the homeless people, and homelessness is addressed in a variety of different ways by different organizations in this community, all kinds of charitable and religious institutions deal with homelessness and different segments of it, but we wanted to find out, and we’ll talk in a moment about what our charge was, our responsibility was, but we wanted to see what was going on in this community, what was being spent, who was spending it, and how they were doing that.

“So we spent some time studying that. We identified where there were gaps. Then we took a look at what were the best practices that are going on nationally to deal with homelessness. We had Phil Mangano come in here a couple of times who was President Bush’s appointment nationally. In fact, I got an invitation, I think yesterday, to go to some sort of conference on that.

“We identified strategies to end chronic homelessness, and this was a charge you gave us and the City gave us, to develop a plan to end chronic homelessness in Sedgwick County. Those terms did not mean anything to me when I took over the job. Chronic homelessness, I assumed, just meant somebody that was homeless a lot, so that’s what chronic homelessness would be. Those studies indicated that a plan to end chronic homelessness is more cost effective to a community than trying to maintain or manage homelessness through the use of current community services. There were a variety of organizations, and are a variety of organizations within the County who felt like they wanted to manage, to shelter homeless people, but our charge was to see if we could end it, and when we looked at it we thought a plan to end chronic homelessness saves us money, it more effectively deals with the problem.

“Chronic homeless, the definition was HUD’s (U. S. Department of Housing and Urban Development) definition and it was one we had to deal with. That was an unaccompanied person, that is a single person who isn’t part of a family, now bear in mind we’ve got all kinds of homeless

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problems in families and that sort of stuff, but our charge was an unaccompanied person who has a disabling condition and has been continuously homeless for one year or has had four episodes of homelessness in the last three years. So that cuts it down quite a little bit in terms of the people you are dealing with.

“One thing I didn’t realize when we started studying this, and when we started talking to people, for example, at the VA (Veteran’s Administration) that the number of veterans that were coming home, were choosing to be for one reason or another, generally because of a disabling condition, and that disabling condition may be a mental illness, it may be a physical illness, it may be drugs or alcohol or something like that, but those kinds of conditions cause them to be homeless. So when we looked at it we decided, here’s the plan, we presented it to you, one of those things in the plan was an Oversight Committee, and I was asked to chair that committee, and here are our responsibilities.

“First one, and it wasn’t our responsibility to do it, but it’s to oversee the development of a Resource and referral center. One of the members of the Task Force was the United Methodist Bishop, Bishop Jones. Bishop Jackels of the Catholic Church was also member of the Task Force. Bishop Jones stepped forward and said ‘We will lead the community effort in developing a resource and Referral Center.’ They have the Open Door which we have been utilizing at Market and Third Street, right across from the Federal courthouse, but, as we viewed it, and I was there a number of times, it’s got room for about 50 people and it’s got, I think, three washing machines, and trying to deal with all of the people that you have that are homeless, it’s obvious that it was not adequate.

“One of the responsibilities was to oversee the implementation of the Housing First program. We’ll talk about Housing First because that was the new innovation in this community, to identify emergency housing options. You may or may not remember that over a period of time we had an emergency shelter, an overflow shelter we called it, and the County put up \$12,500.00 and the City put up \$12,500.00, United Way put up \$12,500.00, and then there was dispute among providers as to who was going to run it and what the rules were going to be, and since the governing agencies were putting up the money they got to call some of the shots, and some of the providers didn’t agree with that, well, we wanted that all ended. I will tell you, I’m jumping ahead a little bit, that I went to some of those groups and said, look, if you are going to accept money you have to accept conditions. Your option is to go out and raise the money yourself and run the shelter according to your own rules, and they did that, we’ll talk about that, and, then, to identify sustainable funding sources.

**Mr. Focht** continued, “We were to monitor the implementation of the plan to end chronic homelessness and we have met, I think it was envisioned that we would meet quarterly, but we’re meeting more often than that because this is a new deal, and it’s moving along, and it’s moving rapidly. As you can see, you get a new plan overnight because things are happening fast. We are to increase community awareness and raise financial and in-kind donations. I will tell you I went with

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the Open Door people to the Wichita Community Foundation and made the pitch for the Resource and Referral Center, and we walked away with \$250,000.

“I’ve been out to Boeing and Spirit and we’ve got that kind of money raised, and I’ve joined the Steering Committee of the United Methodist Open Door proposal for their Resource and Referral Center which will be located, when they get done, at Topeka and Second Street here in the old unemployment building, that’s what I called it, the Employment Security building. Then there is another building that used to be Southwest Office Supply two blocks east of that. They are both under contract from United Methodist Open Door to be a part of this, and there are architectural renderings, and money has been raised. Then finally, we were to report regularly to you all.

“Okay, what’s the Resource and Referral Center? A couple three of us went down at your own expense to Atlanta and looked at the Gateway Center down there. The Gateway Center is a place that has the kind of thing that we thought we needed for this particular homeless community. A place to be during the day, for example, a place where you can have showers, that you can meet the housing people that can put you in housing, that you can meet the job placement people that can assist you in getting the job, that you can have some assistance in applying for the benefits that you might be entitled to.

“It’s amazing, I didn’t realize this, it’s amazing the number of people that are entitled to benefits, whether it’s Veteran’s benefits or SSI (Social Security Income) or whatever it is, that don’t stay one place long enough to complete the process, and the process does require a certain amount of staying there.

“A place where the mental health case manager can be and meet them, and the County, through COMCARE, has agreed to come into that Resource and Referral Center and be a part of that, and be a tenant there, and be available with case managers. That physical health care services, and these people have a lot of health problems, and that peer support can be available there.

“Our focus was on getting people in to permanent housing. We don’t want to, we did not, and we actually rejected the idea of building a 24/7 shelter, where we would shelter people and continually move them out. We said, the idea, if we’re going to end chronic homelessness, is to find permanent housing for these people, and so we need to have, and the City and the County both now have, people on staff dealing with this kind of problem. We need to have people who are attuned to this can find the landlords and put them with the people to have permanent housing.

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“The hours at the old Open Door, and it was only through a grant that they got to open them even all day long, were inadequate for people that are homeless. They needed to include the weekends, the capacity needed to be greatly expanded. It was 50, the new capacity should be three times that. And we needed to have a central location to services and transportation.

“Transportation is a big problem. Let me tell you we had two homeless members of the Task Force. My naiveté had me set the meetings at 7:00 a.m. not realizing that two of the members didn't have any transportation, and when I discovered they were walking to our meetings, homeless people were walking to our meetings, and we were meeting at United Way, I said, well I can get up 30 minutes earlier and I'll pick them up, but, the transportation is a tremendous problem for people who are homeless. So we have, the Open Door, has a contract with the State of Kansas to buy that building, I think it's December 31 that they will close.

“They kicked off their fundraising drive, I think some of you were there on February 11<sup>th</sup> and it was a great success. Then Governor Sebelius was in attendance, as was the Honorary Chair, the Honorable Nancy Kassebaum who has agreed to chair, the Honorary Chair of the fundraising drive. We have, well at the time we prepared these slides, maybe bigger than that now, \$1.5 million in pledges. We're asking people to give money. We're asking institutions to give money, my wife and I have said if we're going to be a part of this we're going to make a significant contribution of our own, and we've done that because we believe in this program.

“Then we talked about the overflow shelters. As I said I talked to the people with AECH, the Advocates to End Chronic Homelessness, I hate those initials too, and we had the conversation that I talked about a moment ago. They went out (inaudible) for impact money, you know you don't need \$12,000 from the County, the City, and the United Way, that's \$37,000, you can go raise that money yourself. You can ask people to give money, and they did. And low and behold they raised \$60,000.00 so they're a leg up on, they raised more than that, so they were able to do what they wanted to do and what they were critical of, which was, it wasn't open enough months with the \$37,500 so they extended the period of time and it was open from November until it ended in March, and they ran it.

**Mr. Focht** continued, “Sandy Swank over at Interfaith Ministries administered the program. It was in various churches, they took their turns, and I have forgotten what all they were, I had it here, but, Interfaith Ministries was a host. St. Paul's United Methodist, First United Methodist, St. John's Episcopal, Metropolitan Community, and Interfaith Ministries all took that for about a month and ran it and housed the people.

“Our vision is, you can see that they had about 120 individuals a night, we've received that report from Sandy Swank on that, our vision is that Housing First works, that eventually we almost work ourselves out of the need for an emergency shelter. But right now, while we're just starting, we still

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need an emergency shelter. AECH has said they are going to commit to assist for this for the next two years.

“Point in time count is always an interesting kind of thing. It is a federal requirement if you are going to accept HUD funds that you have, on January 28<sup>th</sup> 2009, you have volunteers span out in your community and count the number of homeless in the community, which is always kind of an interesting proposition. For example, a number of peace officers were part of that, varying members of the staff, and they go to places like, well, anywhere where they know homeless people to be, for example, The Lord’s Diner. Two of the police officers were down at The Lord’s Diner and they said they needed more volunteers there because they couldn’t keep up.

“They don’t just count, they ask lots of questions and try to get a responsive report so that we have some handle on what the homeless community looks like. Everybody, including the police officers, who reported to our Oversight Committee felt like it opened their eyes even more to the conditions that homeless people face every day in this community. We don’t have that data yet because it’s caught up in the political (inaudible), but, May 4<sup>th</sup>, during the week of May 4<sup>th</sup> it’ll be released. United Way was hired, I believe, state wide to do the point in time count so it’ll be available sometime next week or the week after that.

“Okay, what was Housing First? Housing First is a shift in the traditional method of sheltering people. As we looked around the country at what were the best practices, what was winning, in this war, was that Housing First, which seemed, when you first thought about it, which seemed like something that wouldn’t possibly work. Housing First does work. That 80% of the people nationally that you put in Housing First stay housed for at least a year. That means that they are off your streets. That means they are not in your correctional system in the same degree. That means they are not calling upon your emergency rooms for everything that we heard. For example, Via Christi came and addressed us and said that they are spending \$2 million a year in their emergency rooms for uninsured people showing up there. You can do away with a lot of that, and it provides immediate housing for folks with optional supportive services.

“Now what’s that mean? It means, for example, you take a person who is homeless, you find him a place to live and you put certain kind of conditions on him, very simple conditions. One is that you’re going to meet with a case manager once a week; you are going to agree to do that if you come in here. Two, if you’ve got any income, you’re going to agree to spend at least up to 30% of that income for payment of this housing. So if a person has SSI then they can spend some of that money.

“We identified that initially we’re going to need 64 scattered sites throughout the community. We were not interested in having a “Hooverville,” or a place where everybody is homeless, but that you scatter those people. So the City and the County staff have worked with us to identify landlords who are willing to enter into these kinds of agreements.

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“I went down and talked to the Board of Realtors, for example, initially they were somewhat hostile, and I said, wait a minute, I thought you all were entrepreneurs. If somebody is agreeing to pay your rent and agreeing to repair any damage that’s done to your place and all you get is the rent then it seems to me like that’s a pretty good idea, and there were a number of people afterwards who had changed their minds when they saw what it was.

“Requirements are that these people have to meet the HUD definition of chronic homeless, the one that I gave you a little earlier. They’ve got to meet with a case manager weekly, in their place visits, and I’ve told you about the income thing.

“Here’s what we’ve done currently. We have housed five individuals from the pilot program. The pilot program was one that we put together with some funds from United Way and the County and we’re working with it to see how it works. Seven of them are from the VA, 13 from local government funding, and we’ve housed already 25 folks. Two more are scheduled to move in this week. We’ve got 22 on the waiting lists that have been approved.

“Here’s some information based upon the 25 people that we have housed. We took surveys from them. Three are employed, four are receiving SSI or SSDI (Social Security Disability Income), five are receiving general assistance, significant thing. Most of these people are not lovely people. They are people who have been arrested, who have had drug problems, who have had alcohol problems, all of that sort of thing. As the Corrections people came and the police came and talked to our Task Force they made it very clear that they don’t think it’s their responsibility in running these jails to be housing the homeless over there. There are other ways to take care of them, and there has been an 80% reduction in the arrest of those folks that we have housed.

**Mr. Focht** continued, “Housing an individual before offering services allows them to take care of their primary need; a home. When you talk to one of these people that are homeless the thing that’s on their mind is where am I going to spend the night? Where am I going to spend the night tonight? Not whether or not I can go to an AA (Alcoholics Anonymous) meeting or an NA (Narcotics Anonymous) meeting, or even, they can find The Lord’s Diner, it’s always going to be there for them as far as they’re concerned, but, where am I going to spend the night? Well, we take away that need when we get them in a room or apartment of their own.

“Once you’ve got that provided then you can start working on the other issues because they all carry them as Commissioner Norton said a little while ago talking about the varying mental health issues of, Debbie would say their dual diagnosis on all of these people, we can start dealing with

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those problems, mental health problems, substance abuse problems, disability problems, but now we got them in a home and they don't need to worry about the first part.

"I guess I thank you for the opportunity to do this. I've certainly learned a lot. I've become, I guess, an advocate for ending chronic homelessness through Housing First because I just think after I met these people, and I met people that I've known for 20...well, I met a gal that I went to high school with, when we had the public hearing. I was talking to Commissioner Norton at the time and she came up and said, 'Jack, you don't remember me.' Her name popped into my head and I said, 'Yeah so-and-so I do remember you. What are you doing here?' 'Well, I'm homeless.' As we visited I realized that she'd had some very serious mental problems and that had led to her being a homeless person. I thought, you know, that could've happened to any one of us. I have been fortunate and I want to share that fortune with the other folks in this community.

"Thank you very much and I'll be glad to take any questions. I guess I shut that thing off."

**Chairman Parks** said, "Jack if you would stay at the podium, I think we're going to have some questions and I did have a comment. You know, about two years ago we were looking at financing and staffing and using ad valorem tax money for part of this and the faith based community, or faith based social services that had said that they would step up, some of them didn't."

**Mr. Focht** said, "Did or didn't?"

**Chairman Parks** said, "Did not."

**Mr. Focht** said, "Okay."

**Chairman Parks** said, "A great number of them did, but some of them that were out there that had made some promises, and I'm not going to name names and you looked at me and acknowledged that and shook your head yes that there were some of those out there that once we funded that they kind of went away. But I think with these economic times that we are looking at now, that this would be a time for those that didn't step up at that time to support your organization and fulfill their past promises with your organization and be able to help out because I think we are destined here, with some of the announcements just in today's media, that we're going to have some problems housing some people and just wanted to say that and a little bit of the history on that and..."

**Mr. Focht** said, "There's room for all of them."

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**Chairman Parks** said, "Everybody can step up and help even a little bit here and there. You know it certainly is a community effort here."

**Mr. Focht** said, "It is."

**Chairman Parks** said, "I do know and I thank you for your work on that and I'll take comments. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Jack, thank you for your hard work and also I'd like to express my appreciation for the other volunteers who aren't here today who were involved in your effort."

**Mr. Focht** said, "Well some of them are..."

**Commissioner Peterjohn** said, "Are there some other folks here in the audience?"

**Mr. Focht** said, "Well I know Ray Frederick was here earlier, he's on the Oversight Committee. This is staff people, and let me tell you, your staff has been magnificent, just magnificent to work with. They have adopted this, the same as the rest of us, as a crusade."

**Commissioner Peterjohn** said, "I do have a couple of questions. You mentioned that Housing First was the model that your group was using, and my understanding was that was first implemented in New York City back in the 1990s. Is that your understanding too?"

**Mr. Focht** said, "Well I don't know whether that was first but Pathways from back there is one of the models, yeah. And they claim great things for it, whether that's all true or not I don't know."

**Commissioner Peterjohn** said, "I've also heard some discussion going back even to last year's election for President that veterans were more likely to end up homeless, and then I heard some other studies that they were less, but most of the studies that I'd seen indicated that the homeless population among veterans is disproportional to the general public. Do you have any studies, or can you provide any insights on that specific point?"

**Mr. Focht** said, "I don't know that I have studies. I know that in visiting with Judy Epperson, who is the person out at the VA responsible for that, there was a meeting a couple weeks ago with various personnel because there is some more stimulus money coming for rapid re-housing and preventing homelessness and she was indicating the tremendous need that they have out there for veterans, you know, that they don't have any housing. They have some vouchers but they don't have any housing. We're going to be putting them in our housing, but we will be working together,

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and Debbie was saying we have to make some changes in the way they do that with vouchers and that sort of thing but it is very much a collaborative effort.

**Commissioner Peterjohn** said, “My final question for you. I was concerned when this issue came up to the Commission, that the folks that are receiving the housing, that there is no requirement in terms of substance abuse, whether it is a legal substance like alcohol or illegal substances, as any sort of condition. We require if they’re, they’ve got some form of income to put a certain portion towards utilities. Is that something that your group looked at and can you walk me through how you came up with that decision?”

**Mr. Focht** said, “We have not decided to put a requirement that they do it. We believe, though, and the best evidence that we can find throughout the country is, that when you put them with case managers under the Housing First system, that they will, on their own, with a little nudging here and there from case managers, on their own. We have, attached to that report we gave you, a study of Joe... Well, one of the people, for example, that we housed wanted to get an apartment across from his AA meeting so that he could go to an AA meeting.

“So we are convinced, and Debbie’s people have got more expertise in this than I have, we are convinced that case managers can much more effectively deal with those people and get them into substance abuse programs and that sort of thing, but not if you beat them over the head with it. If you give them the home...New York is one of the places, for example, as you looked at that.

“What they said was, as we have them there, where we can form that relationship with them over a long period of time instead of going around time trying to find them, they reach the point where they trust the case manager. They reach the point where they are then willing to go into substance abuse programs, and Debbie will tell you they have other kinds of mental health problems other than just substance abuse. That’s sometimes just a symptom of other problems, but you can deal with that. They are doing it other places in the country. I can’t believe that we can’t be successful doing that.

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

**Chairman Parks** said, “Commissioner Welshimer.”

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**Commissioner Welshimer** said, “Well Jack, in addition to all of your other humanitarian efforts this is a project that looks to me to be well thought out and sometimes we don’t plan and think these things out as well. I think you’ve done a great job, and all the people involved here have done a great job and I am very enthusiastic that this is going to be something that’s going to work for us. Thank you very much.”

**Mr. Focht** said, “Thank you. I want to say how important it has been that the City Manager and the County Manager have come together in a collaborative effort, and how important that is to the community, where you can take the faith based people, the United Way people, the governmental people, and all come together and attack a problem in a united fashion and I have just been so pleased to see that happen.”

**Commissioner Welshimer** said, “I’m sure you were a big help for that. Thank you.”

**Chairman Parks** said, “Another one of your committee members that I wanted to thank that has worked tirelessly on the north end is Rick Thornton also on this project. I do see here where it says that you had one hospitalized for psychiatric reasons, and they went to a hospital. Can you elaborate on that, and do you know what facility they went to?”

**Mr. Focht** said, “[Debbie] can you help me? Bear in mind we’re going to try to maintain all the confidentiality we can for all of these people at all times. It was three days, short term stay and I would imagine that would then be Via Christi. That would be my guess.”

**Chairman Parks** said, “Well, we’re just trying to dovetail all of this in to keep the people that shouldn’t be in our jail that are that way, into those programs so that is something that we are working on there. Also the VA, when they are VA and they’re in trouble and in the court system there are special avenues that we can take with that now, so please contact me if you have any of those needs that the person comes up and talks about. I’ll refer now to Commissioner Norton.”

**Commissioner Norton** said, “Well this is certainly an emotional issue for the community and I want to make sure that people know that this is not anything that was taken lightly, it wasn’t done in two weeks in a think tank, it was done with a lot of hard work and Jack led the group through that. There were a lot of moving parts and it engaged countless people in the community that had a viewpoint of what homelessness looked like, how they dealt with it from law enforcement to nonprofits to providers of mental health services to the faith community. I can’t tell you how many meetings we went through where we got responses and information from all these groups over the year that we worked on this.

“What started out as, people would think, a very simple thing to fix, became very complicated, and I applaud Jack for making sure that we didn’t leave anybody out of the system. Everybody got a

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voice to speak and to come to the table and to try to understand this issue. At the end of the day it really boils down to, as you treat the least of these in your community so goes your civilization, and I really believe that. I think you could define that that chronic homeless person as almost the least in our society in so many ways, and we'll be known for, in Wichita and Sedgwick County, how we've treated the most vulnerable in our population.

"I think we're off to a great start but this doesn't end today, or the next time you come before us, or the next time, or the next Oversight chairman that comes before us. This will be an ongoing thing that will be in our society forever, we're going to have to keep dealing with it and understand it. I hope that this is the solution to end chronic homelessness, but, as we know with some of the economic times and with the perils that the human condition in our community has, every day, that more people are always cueing up to be in the pipeline. It doesn't end today. We're going to have to keep working on it diligently making sure we make good decisions, not only as a community at large, faith based and others, but as government too.

"I couldn't applaud you more for the group that came together, every group in the community that takes this seriously, because it does matter. It does matter. Thank you."

**Mr. Focht** said, "As an aside, the Steering Committee of Open Door looked at the economic times and said is this the time that you go out and try to raise seven or eight million dollars, but homelessness is just going to get worse. It's not going to get better during this period of time, we need to be there. We need to have this, so we're asking, by the way, we might come around and ask you all for donations. Thank you."

**Chairman Parks** said, "Do we have a motion to receive and file?"

### MOTION

Commissioner Welshimer moved to receive and file the report.

Commissioner Norton seconded the motion.

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

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**G. PRESENTATION OF QUARTERLY FINANCIAL REPORT FOR THE PERIOD ENDING MARCH 31, 2009.**

**Mr. Troy Bruun**, Deputy Chief Financial Officer, greeted the Commissioners and said, "I'm going to give you the results of the first quarter 2009, the first half of the presentation, and then Chris Chronis, Chief Financial Officer, will give you an economic update of Sedgwick County."

**POWER POINT PRESENTATION**

**Mr. Bruun** said, "This chart shows net revenues and expenditures, I've taken out transfers, of just operating funds, which includes everything except capital. You can see that 2009 first quarter expenditures are 22.2% of the budget compared to the first quarter of 2008 it was 22%. In 2007 it was 23½ % of the budget. As you can see we are right in line with expenditures.

"The 2009 first quarter revenues are 37.6% of our budget, exactly the same as 2008, and slightly above 2007. The first quarter of 2009 we actually brought in \$125,000 more than the first quarter of 2008. Expenditures for the first quarter are up 3.8% or a little over \$3 million spent in 2009 more than 2008.

**Mr. Bruun** continued, "Looking at some of the key revenues in the first quarter, at the very bottom of the slide, ad valorem tax, just over \$80 million, slightly less than last year, but if you remember you lowered the mill levy for 2009 by one mill, resulting in slightly less ad valorem collected. Motor vehicle taxes are actually up 6.15% over 2008. Sales tax, you can't really tell by the slide, but it's down 2%. Charges for services are up a little bit, mainly caused by EMS (Emergency Medical Services); insurance fees are up in the first quarter by about \$400,000. Investment income, no surprise, down 47%, our returns in the first quarter of 2009 were averaging 1.68%, first quarter of 2008 it was just under 5%.

"The 2008 tax levies fund the 2009 budget. City of Wichita, of the entire tax levies in the entire County, all the taxing districts, the total tax levy was \$504.3 million; 19.7% goes to the City of Wichita, Sedgwick County has 26% of the levy, USD (Unified School District) 259 has 26.9%, and

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all of the other districts totaled 27.4%. The total levy for 2008 was approximately \$25 million more than 2007.

“Largest revenues. Ad valorem taxes, we have a large property tax collection in January, \$79 million. More than half of our annual property tax is collected in January. It’s down a little bit from last year because of the mill levy reduction. Local sales and use tax, \$6.8 million, 24.4% of the budget, so we’re slightly under budget, and that’s a 2% decrease from the first quarter of 2008. “Medicaid fees, down 14%, it looks alarming, but Corrections, their JJA (Juvenile Justice Authority) funds, in 2008 they were reporting them in Medicaid fees, now they are reporting them in a separate line item called Kansas Department of Corrections revenue. So just an accounting change there makes up most of the 14% decrease.

“The SRS (State of Kansas Social and Rehabilitative Services) contract with COMCARE, that’s down almost 23% from 2008. The State has reduced that contract; we got about \$600,000 less this year so far than last year. Depending on what the Legislature does at the end of the session we may get another \$700,000.

“Penalty and interest on back taxes. Normally this doesn’t hit one of our key revenue lines but in December the Treasurer collected an unusual amount of back taxes and interest and that was distributed to Sedgwick County in January. Much more than we anticipated, it’s a one-time shot and I don’t expect this to be on the slide the next quarter. Insurance fees, that’s where EMS records their fees for service from insurance companies, it’s up \$400,000 in the first quarter and slightly ahead of budget at 28.96%.

“Now switching to expenditures on a budgetary basis for the operating funds. Personnel is up 7½ % over 2008. Contractual services are down 1.16%, commodities are about even. Capital outlay fluctuates a little bit, and debt service is off, lower than 2008. As you can see, most of the money we spend is for our employees doing work or hiring vendors to provide the services. In individual lines the largest expenditure; salaries and wages, by far the highest, up 7.4% from 2008. Health insurance at \$5.8 million, that’s up 10%. We had a 6% increase in 2009 when compared to 2008 for health insurance. We also have 2.2% more employees taking advantage of our health insurance which possibly could be from layoffs in the community and families are now taking advantage of the County’s insurance.

“Grant awards, up 6.5%. I don’t anticipate this to be up as we go throughout the year, it’s a timing issue with CDDO (Community Developmental Disability Organization) of when their service providers actually submit their invoices and we pay them. Interest on our debt is down 7.9%.

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Retirement contributions at \$2.6 million is up 10.1%. We had a rate increase for KPERS (Kansas Public Employees Retirement System) in 2008 and the timing of the payments in the first quarter of 2008 were for retirement contributions earned in 2007 so although the rates were up in 2008, some of the payments were based on the 2007 rates, so that's why the increase of 10.1% is higher than the salary increase of 7.4%.

“Affiliate Medicaid dipped down a little bit. In the first quarter of 2008 COMCARE was not fully staffed and they relied on services providers to provide some of the services, and the first quarter of 2009 they're fully staffed, so more of the work is being done in-house resulting in lower payments to service providers.

“The other odd one on the page is Fleet Management charges, up almost 38%. No, our charges didn't go up but we actually had three months of charges in the first quarter. In the first quarter of 2008 there were only two charges so we made that up throughout the year, so again, just a timing difference. Economic Development Incentive, that's Air Tran, last year it was under a different expenditure line, this year it is compared to last year. We changed that in the fall of 2008, so that is why there is no money for 2008.

**Mr. Bruun** continued, “Switching to capital projects, some significant capital projects, Downtown Arena, we have committed \$180.8 million of the \$205 and a half million budget. We wrote checks for \$132.7 million, and construction is approximately 60% complete. The National Center for Aviation Training, total budget of \$74½ million, we've committed \$41.8 [million], the Gateway Building is 85% complete and the second building on that complex is 20% complete. Fire station relocation, Stations 35 and 39, \$2 million has been committed to date, [Station] 35 is in the design [phase], [Station] 39 has been awarded, and I believe they are having a ground breaking May 4 for Station 39. Forensic Science Center, the bid is still pending on that, and the Highway Preventative Maintenance, a \$6 million project, we've committed \$3.7 million and work is just beginning.

“Unreserved fund balance. In the general fund we ended the first quarter with \$83.1 million of unreserved fund balance, compared to 2008 we ended the first quarter with \$88.7 [million] so our unreserved fund balance in the general fund has fallen \$5.5 million when comparing 2009 to 2008, but on this slide I'm showing the unreserved fund balance in the general fund, in the other fund

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categories the red dot in each bar is our minimum unreserved fund balance policy number. As you can see each fund's unreserved fund balance exceeds the policy minimum, and in the general fund it exceeds it by \$46.2 million.

"This is a new slide I added showing total fund balance of just the general fund, looking at the end of each quarter going back to the first quarter of 2006. You can see the cycle of our revenue collections; the first half of the year is when the line graph is going up, we are collecting all of our property tax and we're spending it down in the second half of the year, but you can see the line goes up and down but it's gradually going up as time passes. The interesting note in 2009, at the end of the first quarter, it's at \$92 million, total fund balance of the general fund. When you look at the end of the first quarter of 2008 it was \$97 million, so there is that \$5 million dollar decrease in the general fund balance comparing the end of 2008 first quarter versus 2009.

"Investment portfolio; at the end of March 2009 we had \$345.4 million, most of it in agency coupons. Looking at the investment portfolio and performance, over the last couple of years, as you know interest rates have fallen, our portfolio has stayed relatively healthy. At the end of March 2009 we were averaging about 1.68% on our return, and the benchmark, which is the Federal 1 year T-Bill (Treasury bill), was .57%, so we are above our benchmark and we've kind of had an uptick in the first quarter of 2009 compared to the end of 2008.

"The items with future financial impact; the slide hasn't changed, although the font did on the bottom. The economic conditions in the State budget definitely will have a huge impact on our finances as we move forward. Chris Chronis is going to step forward to the podium and give you the current economic conditions of Sedgwick County."

### **POWER POINT PRESENTATION**

**Mr. Chris Chronic, Chief Financial Officer**, greeted the Commissioners and said, "As Troy said, the items that you see on this page are exactly the same as what we presented to you last quarter but I would suggest to you that the first five items on the page, the significance of those items pales in comparison to the significance of the last two items so I want to spend a few minutes just talking about those last two items. Economic conditions and the State budget, more particularly, what effect we see those two conditions having on Sedgwick County's finances going forward. Before I get into the details I need to observe that talking about economic conditions, as you know it is a very fluid situation. We have seen, over the past six or seven months, conditions change very dramatically, sometimes from day to day, certainly from month to month.

"Just this morning we have received announcements that Cessna is suspending its Columbus program. We had previously heard that they were delaying the program, now they say that they're suspending it, which, I think, has some technical distinction to be made. The point is that they are

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not going to be building that program now when we expected they were going to, and as a result they are not going to be adding the jobs that we expected them to add. In fact, they also announced today that, as of today, they are handing out an additional 1,300 lay-off notices to Wichita employees. That is an announcement that, we think, is in conjunction with their previous announcement of their intent to make those lay-offs. That is, I don't believe these are 1,300 new layoffs, but it's simply an implementation of what has previously happened, and so those conditions are changing very rapidly and they cause our forecast to change sometimes pretty rapidly after we make these presentations to you."

Nationally, conditions are changing rapidly also. We think, based on what we hear from national forecasters and economists that we may have come close to the bottom of the recession on a national basis. Just yesterday the consumer confidence survey that is released identifying what people think is going to happen with the economy, which is a large factor in influencing what actually does happen with the economy. That measure increased last month by the largest amount that it has increased in the last seven or eight months, in fact, the largest amount in the last several years. It is still at a low level, 39 points, and anything below 50 is considered to be a negative outlook. But nevertheless, it's a dramatic increase over where people thought we were just a month ago, So that turn around in consumer confidence is an indication, a pretty strong indication, that, at least nationally, things may be turning around and we may have a better future than our recent past.

**Mr. Chronis** continued "Now, turning to Sedgwick County, one of the factors that we look at to measure the effect of the local economy on the County finances is construction activity. What you see on this chart identifies the construction permits issued by the City of Wichita going back to May of 2005 and I've intentionally shown, on this chart and on the future ones, a long cycle of activity so that you can get a sense of where we are today not just in relation to the last couple of months but where we are in relation to our past history.

"What you see here is that the recent months show that the number of constructions permits being issued in the City of Wichita is about the same as what we have traditionally issued in those months. We're in a down cycle, the winter is the down cycle for construction, but the number of permits being issued is about the same as what we issued a year ago in those same months. When we turn to the value of those permits, however, we get a little bit different picture. In fact, the value of constructions permits has dropped, pretty dramatically in the last couple of months, until March, and we are not sure what is driving that spike in the March value. I suspect that it is one of two or three high profile projects, one of which just got suspended, but we don't know that for certain, But, ignoring that spike, the five months ending in February, had a total cumulative value of construction

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activity that was 43% less than the total cumulative value of construction for the same five months a year ago. So the number of permits is about the same but the value of construction activity is dropping.

“Turning to jobs, another thing that we look at to measure what we think is going to happen with County finances, what we see. Looking at employment levels and this is based on reports by employers to the State, what we see is that the number of jobs in Sedgwick County has increased, year to year, each month up until March of 2009. That was the first month in which the total employment reported for Sedgwick County was less than the same month a year previously. In March of 2009 we had 306,000 which is 1,000 less than were reported in March of 2008, but that is the first month in which aggregate employment has been less than the same month prior year.

“Now, that is kind of at odds with what we hear about the unemployment rate, and unemployment is measured not by reports of employers but reports by employees. A survey of residents is conducted each month to determine unemployment rates and employment levels to compare those rates again, and that is what you see on this chart, and what it shows us is that in Sedgwick County based on the resident’s data, the data reported by residents, the unemployment rate has started to increase pretty dramatically, and that was something that we had suggested to you a quarter ago that we expected was going to happen. In October of last year, about the time all this started, our unemployment rate dropped to its lowest point in the recent past, 4.3%. It has increased every month since then, and as of last month it stood at 6.78%. We expect that it’s going to go a little bit higher in the coming months as additional lay-offs are implemented in this community. But we are not certain how much more the unemployment rate is going to increase.

“What you see on this chart is the number of actual lay-offs each month as reported by employers to the Workforce Alliance. Of course, as a part of the process that most employers go through when they lay off people, is they contact the Workforce Alliance to provide counseling to those people that are laid off and to provide information to those people so they can sign up for unemployment compensation and so forth.

The data provided by Workforce Alliance shows that the number of people laid off each month peaked last month at about 3,100 people. The total number of layoffs dating back to September when all of this started is expected to peak at 8,300 in April, and you see that in May and June, what employers have reported to the Workforce Alliance is very low numbers of people that they plan to lay off in those months. Those numbers may well change, the airplane companies are still in the doldrums, they are still getting orders cancelled and it’s entirely possible that they may have to make further reductions, but at this point Cessna and Bombardier and Hawker have all laid off or announced the layoff of roughly half of the work forces that they had last year. So it becomes a guessing game how much lower they can go and remain a viable business, so we think that there may be a pretty good indication that we are approaching the bottom of the employment cycle for Wichita.

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“Now, what’s the effect of these statistics, some good, some bad, on County revenues? So far, and you heard this from Troy’s presentation also, so far County total revenue has stalled but it hasn’t dropped. What we have seen for the past several months is that County revenues are just about the same level as they were a year ago. We aren’t getting increases as we used to get but neither are we getting decreases. Looking at the revenues by month what you can see, and these are very small bars and I’m sorry for that, but what you see here is five years of data, each color representing a different year, and what I want to direct your attention to are the last two bars in each column. What you see for December, January, February, and March is that the farthest right bar, representing the most recent month is at or above that month a year ago. So again, revenues have stalled but they aren’t dropping.

“Some revenues, however, are dropping. Sales tax, in particular, we have seen some reductions. What you are looking at here is the percentage change of receipts by month, so you see the January of 2009 receipts as a percentage change from January of 2008, and what the chart shows you is that, as it happens for January, the third bar from the right, our receipts increased 8%, but in the two months since then they have decreased almost 10% and 3½%. In April, which we just received notice of yesterday, they are down an additional 3 or 4%. Our year to date receipts for sales tax were 2% lower at the end of the first quarter as Troy reported to you, and they’re 2½% lower through the month of April. So, sales tax is dropping, we expect it to continue to drop, but that is a single revenue in the large pot of total revenues that we have, and the total pot is not dropping.

**Mr. Chronis** continued, “Mortgage registration fees have shown more cyclical activity, and just about more consistent cyclical activity than just about any revenue that we have, and you can see that very clearly on this chart. For the past year, little over a year, going back to January of 2008 mortgage registration fees have been down roughly 10% each and every month over that month prior year.

“So, what we’re seeing in mortgage registration fees is not necessarily, or certainly not solely a manifestation of the economic downturn because the decline started six or seven months before anybody knew that there was a downturn, and we were still thinking that that activity was at a high level in this community. Our total mortgage registration revenue comes to about \$7 million a year so it is dropping each and every month but, in aggregate, it doesn’t amount to a whole lot of revenue in our \$366 million total expenditure program, it’s only about \$7 million.

“Troy spent some time talking about Medicaid revenue, and it, too, has shown pretty consistent drops for the past several years, not a function of the economy, but rather, a function of primarily two actions. First, the State’s actions to reduce reimbursement rates for certain services, and secondly, the State’s actions to change how they pay Medicaid revenues to providers in this community, and as you know from hearing these kind of presentations over the past several years

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the State has been in the process of providing Medicaid revenue directly to non-profit providers in Sedgwick County. Several years ago the standard practice was for Sedgwick County to be the conduit for all Medicaid revenue that flowed from the State. It came to us, was recorded as a revenue, then we turned around and recorded an expenditure to provide that revenue to the non-profit provider who had provided the service. We no longer do that in most cases, now the State is providing the revenue directly to that provider and so the County's revenue has shown a decrease, County expenditures for Medicaid transfers have also shown a decrease.

"Now turning to expenditures, unlike revenues, they have not stagnated, they continue to grow. What we see on this chart, representing the net expenditures, not counting transfers, the change from month to month compared to the same months of the prior year, what we see is that for January of this year our expenditures compared to January a year ago were up 40%. February's expenditures were up 19%. March's expenditures were down 11%. Now Troy just gave you a chart, a couple of charts, that talked about much lower expenditure growth, and what he was talking about, and what he should have been talking about, was operating expenditures, because those are the things that really drive County operations.

"What I'm showing you here is total County expenditure activity; everything except the Arena Project. So what we don't have are major expenditures for the Arena that can skew this chart, but what we do have are major expenditures for other capital projects, such as the National Center for Aviation Training, and that is what is driving the very large increase in expenditures for January and February compared to a year ago.

"Now looking at monthly expenditures, you can get a sense, again, of how month to month our expenditures are changing. You see, looking at the past several months, going back to October of last year that each month, that month has been higher than the same month prior year, and in several months it's by a pretty considerable amount. That is largely a function of capital project activity, but there are other items that drive expenditures beyond just capital. Salaries have continued to grow pretty steadily throughout all of this. What you see on this chart, lays out instead of laying out January compared to January, we're comparing sequentially, months through a five-year cycle, so that you can see the growth in total annual spending for wages and salaries.

"You can see, just looking at the peaks each year, the December month each year, how wages and salaries have grown. In 2006 we spent a total of \$108 million for County employees' wages and salaries. In 2007 we spent \$112 million, in 2008 \$117 million, about a 4% increase each and every year, and that's consistent with the budget that we have adopted each of those years calling for,

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roughly, a 4% aggregate increase in employee compensation. That takes into account pay increases for current employees and pay for new employees that have been added to provide various services. In total, 4% increase a year in personnel.

“Overtime costs also have grown pretty steadily. In 2006 we spent a total of \$4.2 million in overtime. In 2007 it grew to \$4.9 million. In 2008 it grew again to \$5.3 million. So again, you’re seeing, in this case, it’s 10% or more, increase per year in the cost of overtime for County employees. Now that’s offset and partially explained by this chart showing grant awards. This is money we pay to our partners in the community to provide services on our behalf. Those payments have been trending down for the past several years. In 2006 we spent a total of \$23 million on grant awards, in 2007, \$21 million, in 2008, \$18 million. What you see happening here when you combine the increase in salaries and wages and overtime and the decrease in grant awards is a reflection of a shift in the County’s service delivery model in some of our services. We are relying less, over time, on contract partners to provide services and more on County workforce to provide those services.

**Mr. Chronis** continued, “So, when you put all of that together what does it mean for us? Well, I think this is one of the key data indicators to me, and what it shows me is that, just looking at general fund, which is far and away the most important fund that we have to worry about in measuring County financial conditions, what it shows us is that the general funds cash balance has grown about two-thirds of the months over the past seven years; 56 out of the past 75 months the cash balance has increased, meaning that we have taken in more revenue than we have spent.

“Now, that’s just cash balance. When we look at net revenue we see even a different picture, and a more positive picture. Going back to the start of 2002 each and every month the County’s net revenue, our revenue minus our expenditures has been a positive number. We have not run an operating deficit in the general fund any single month since before 2002, as far back as this chart goes, and you see looking across time that we consistently have a net revenue in the general fund of between five and ten million dollars, except for the two months each year in which we receive tax distributions, when we have a spike in our net revenue.

“So, what conclusions does this all take me to? Well, we know that the local economy is down, it’s in the doldrums, but what the charts show us, what the data shows us is that the impact on Sedgwick County has been pretty muted so far. Unemployment is likely to rise, it has risen, it’s likely to rise some more but there’s reason to think that we might be pretty close to the bottom and we might be starting to turn the cycle around, maybe sooner than we had expected that we might. One result of

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that downturn is that the County's revenue is stagnant. That is not a good thing, but it's a good news bad news story. The bad news is that there's no growth, the good news is that it's not being reduced. We see headlines, pretty regularly now, about the State's revenue shortfall is how many hundreds of millions of dollars? Other cities are facing revenue shortfalls of millions of dollars; you don't see that in Sedgwick County, in fact, we don't have those kinds of revenue shortfalls. Projected through the end of the year the County's general fund revenue is projected to be less than \$500,000 below where it was last year.

“Another impact of the local economy is that there will be, we know, increased demand for some of our services. We know that in economic downturns people need workforce development more than they might have otherwise, and the County has assumed responsibility for that service in this community, through the appointment of the training authority and the construction of the National Center for Aviation Training, and the funding support that we provide to WATC (Wichita Area Technical College). We know that in times of economic stress mental health problems increase, and that's going to mean increased counseling demands on our COMCARE providers.

**Mr. Chronis** continued, “We know that in times of economic stress instances of child abuse and domestic abuse increase and that's going to mean increased demands for law enforcement and after they do their job, increased demands for the judicial system to process those people, and ultimately, perhaps, increased demands for jail space. Those effects of the economy are going to cause us to need to increase expenditures in some cases in the face of stagnant revenues.

“Another, well, I've already touched on most of this, another result of that increased demand for services is primary health care. As people lose their jobs and they lose their insurance, they lose their ability to get primary care, perhaps, from their basic provider, and they end up in our clinics receiving primary care. Aging services also see increased demand for services. People like Commissioner Unruh and Mr. Buchanan and me have all seen our retirement funds plummet in the past several years, and that means, in a few years when we retire we're not going to have the money in our accounts to pay some of the bills that we had planned on paying, and so we may very well end up, as many of our peers might, relying on the County's aging services to provide services that we hadn't expected that we would need them to provide.

“So what's the bottom line? Well, if you combine stagnant revenues with normal cost increases and increased demand for services what you end up with is a forecast for the current year of a general fund deficit of between \$2 million and \$3 million. I believe in the report that you've just received they are saying \$2½ million. That may change as time passes and conditions continue to evolve but right now our best estimate of where we will end the year is with a deficit of \$2½ million. Our

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history, as evidences by those charts showing liquidity and net revenues, our history suggests that that deficit may not actually occur. We may be able to manage our way out of it, but even if it does occur we have more than ample cash balances to fund that deficit without taking extraordinary actions. We are in a much better position, in that regard, than most of the governments that you read about in newspapers.

“Now let’s turn to the State budget which is another condition that could have a dramatic effect on Sedgwick County and that we don’t have a lot of control over. There are two ways the State can affect Sedgwick County finances. The first is they can cut our revenues. We think that there are, that I’ve identified on this chart, the primary sources of County revenue that are vulnerable in the State’s budget deliberations. The M & E (Machinery and Equipment Tax Reimbursement) slider could be a \$1.2 million cut. We’ve told you in past presentations that we have been expecting this to be cut for some time and we haven’t been counting on that revenue; if we get it, great, if we don’t get it, not a problem because we hadn’t counted on it.

**Mr. Chronis** continued, “We are told that liquor tax might be cut, although more recently we’re told that it’s in the budget and it’s likely to stay in the budget. If it is cut it affects many cities much more than it affects Sedgwick County. The liquor tax is collected on sales from establishments from a jurisdiction that is receiving the revenue. There aren’t very many liquor establishments in the unincorporated boundaries of Sedgwick County and so our total revenue from that source is something on the order of \$140,000 or \$150,000. That revenue, as you know, is split three ways by Statute; park improvements, addiction services, and general fund revenues, so each of those three pots gets \$40,000 or \$50,000 or \$60,000, and so if that revenue goes away it’s a relatively minor hit. The City/County Highway fund is funded primarily from State gas tax. It also is funded to a very small percent, something less than 5% of the total from State sales taxes and that piece is as risk, we’re told, although again, more recently we have been given to understand that the State Legislature intends to fund that, but even if they cut it for Sedgwick County what we are talking about is a \$300,000 cut, a relatively small impact on the County’s road maintenance program. So, revenue possibilities are fairly few in number and fairly small in size.

“Service cut possibilities are somewhat more dramatic. We know that as it stands right now, the adult residential facility has been cut out of the State budget. That is about \$1.2 million on an annualized basis per Sedgwick County and in addition to that \$1.2 million the County provides another \$900,000 of local support to that facility. Affordable Airfares program is a \$5 million annual grant from the State to Sedgwick County and that is combined with \$1 million that Sedgwick County provides and \$1 million that the City of Wichita provides to provide the low airfares program. That funding, it seems to me, is easy pickings for the Legislature, but, what we’re

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hearing more recently is that's relatively secure. There's not much support in the Legislature for cutting that funding.

"Similarly, the Workforce Development grant, the NCAT (National Center for Aviation Training) grant, if you will, from the State has been planned at \$5 million a year, \$2½ million of next year's funds have already been cut. What is at risk is the additional \$2½ million that remains in the budget. We are told, once again, we are told that the Legislature is relatively convinced of the merits of that funding and they aren't inclined to remove that, but, like the Affordable Airfares funds, strikes me as pretty easy pickings when we get down to the final days of the Legislature so I consider it to be vulnerable. Now that is funding that goes to WATC, not to Sedgwick County.

"How are we affected by it? Well, we are providing a \$48 million complex at Jabara Airport to provide training. WATC has been designated, so far, as the operator of that facility, and they have certain responsibilities to provide specialized equipment and start up efforts to develop the programs that will be offered at that complex. This funding helps them to provide that start up equipment and those start up programs, and if they don't have that funding we've got to figure out how we're going to deliver services at that complex.

"Mental health services and aging services are kind of unknown at this point. We think that they are likely to face reductions as the State goes through its budget process. You heard Troy, in his part of the presentation talk about how the Mental Health grant has been cut this year by \$600,000 so far, although we may get some of that back. We don't know what the cut will be next year. We're relatively certain there will be one. Same thing is true for aging services. We don't think, based on what we know right now, that there will be any cuts for disability services but there could be. Those social services are areas that the State frequently finds it easy to eliminate their funding for and try and shift the service burden down to local governments and we're at the bottom of that hill.

"So what are the conclusions about the State budget? Well, the revenue cuts, to the extent that they happen, will be manageable. In aggregate we don't think that the revenue cuts will be more than \$2 million, in the grand scheme of things a pretty small number. Even more significantly, that \$2 million is spread across a number of funds. The general fund impact is much less than \$2 million. Service cuts, on the other hand, will hurt. To the extent that the State decides to stop funding a particular service that they have been funding, then, somebody's going to get hurt. The question is how is that going to happen?

"Either the County residents will be hurt because that service will go away, if the County chooses not to replace those service cuts, or the County's financial condition will be hurt, and ultimately, I think, maybe an argument could be made, the taxpayers, local taxpayers will be hurt if the County elects to replace the State funds with local funds in order to continue those services. Those are decisions that you're going to have to make in the coming months as we go through this budget

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cycle, as we learn more about what the State has determined with its budget cycle, but the point is that those are decisions that we have the opportunity to make consciously. We have this entire situation within our control. Revenue cuts, relatively modest; effects of the economy, relatively modest; service cuts by the State, possibly dramatic in some areas, but, conceivably, that's a State problem, not a County problem.

“That concludes this part of the presentation. Before I wrap it up I should point out that the quarterly report that Troy was talking about, this document has been delivered to each of you and it has been posted on the County's website for anybody that wants to take a look at it; lots of good information and some information that will put you to sleep.”

**Chairman Parks** said, “Mr. Chronis, how much time are we going to need on this?”

**Mr. Chronis** said, “I am wrapping up right now.”

**Chairman Parks** said, “Okay.”

**Mr. Chronis** said, “The report was prepared, as always, by a combination of the accounting staff, under the guidance of Ann Smarsh, and the budget staff, under the guidance of David Miller. You see many of those people, the brain trust of finance if you will, sitting in the back of the room and they deserve lots of credit for getting this done in a very short time frame. The presentation was largely prepared and delivered by Troy, and he is an important member of the brain trust as well, I just get to take credit. With that I'm done, I will answer any questions that you have, and if you have none I recommend that you receive and file.”

### **MOTION**

Commissioner Welshimer moved to receive and file the report.

Chairman Parks seconded the motion.

**Chairman Parks** said, “We are going to have a little bit of discussion, Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “Chris, just one quick question concerning the State. How long after the State finishes up in Topeka will you be able to get an idea in terms of the full impact, of both revenue and spending side, on the County?”

**Mr. Chronis** said, “It's difficult to say because sometimes, as you know probably better than I do, things get buried pretty effectively in the State's budget and we don't learn about them for weeks or

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months after the Legislature has concluded, but we should have a pretty good idea at or very soon after the conclusion of this legislative session.”

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

**Chairman Parks** said, “Thank you. Seeing no further discussion call the vote.”

**VOTE**

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

**Chairman Parks** said, “At this point we need a little bit of a recess here, let’s take a five minute break.”

**The Board of County Commissioners recessed at 10:55 a.m. and returned at 11:10 a.m.**

**Chairman Parks** said, “Next item please.”

**NEW BUSINESS**

**H. HEARING TO CONSIDER WHETHER THE CITY OF PARK CITY HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR THE ANNEXATION ORDINANCE NO. 648-2004 (BOLE ADDITION). DISTRICT 4.**

**POWER POINT PRESENTATION**

**Mr. Robert W. Parnacott**, Assistant County Counselor, greeted the Commissioners and said, “This is a public hearing you are required to hold per State Statute five years following an annexation where a city had to prepare a service plan, generally occurs when the city hasn’t received consent of the annexation area to annex the property into the city limits. I’ve got a map up on the screen for you that shows this location. It is south of 93<sup>rd</sup> Street between Interstate 135 and Hydraulic and north of 85<sup>th</sup> Street North. It is a small subdivision of six residential lots,

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approximately five acre lots; the interior street is gravel with ditches; they're on individual lagoons for wastewater services. There are some small water mains that the Rural Water District provides in that area but most of those places, I think, are on private wells.

"We did send notices out, as required by Statute, to both the City, and we have the City Administrator here today to answer any questions, we sent the notices to each individual land owner as well and we have not received any responses from any of the land owners, and if they are here they can stand up and speak at the public hearing that you'll open in a few minutes. The service plan provided that they would provide the typical services that you would see in a city; police, code enforcement, those kinds of standard city services. Any other services were to be provided upon request.

**Mr. Parnacott** continued, "We've had no indication that any requests for these services have been made. The City took the step of sending out a survey in January. They've provided us the results of that survey where they asked if any of the residents wanted these particular services, water or sewer, street lights, etc. and there was only one request for street lights and maybe some paving, but one of the six, and the City needed more than that to move forward on those projects, but nobody was requesting water services or sewer services. So, that's really the nutshell of the case. If you have any other questions I can answer them, otherwise I would recommend that you open the public hearing, receive any public comment, close the hearing, and then make the appropriate finding as to whether or not the City has provided the services as set forth in the service plan."

**Chairman Parks** said, "I will open the public hearing to receive evidence on whether the City of Park City has provided services according to their service plan. Is there anybody in the audience who would like to speak to whether they have provided services? Seeing Mr. Whitson here I would like you to, seeing no people from the Bole Addition, if you would step to the podium to field any questions we might have of the City of Park City."

**Mr. Jack Whitson**, City Administrator, Park City, greeted the Commissioners and said, "The City of Park City feels that we have complied fully with the service plan that we presented. We took an extra step to make sure there was no question in our minds that there were any services that weren't being provided that the residents felt like they needed. We even offered the time that we submitted the survey on water, sewer, streets, and paving the City also offered to appropriate approximately \$191,000 to go against those services to help those individuals with that service. Because they have very large lots, it's a very expensive proposition for those folks to get services and our services are

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just a little bit south of the existing location and we felt like we needed to help them keep their costs down if they did desire those services to help provide additional funding to that.

“They elected not to take us up on that offer, as you are well aware that when you do a benefit district petition you have to have at least 50% of the residents signing that petition in order to move forward with the financing of that. As Mr. Parnacott had mentioned we had one person wanting street lights, one person wanting paving, we sent out six surveys and only received back four replies. So we feel that we have taken that extra step to ensure that, at least in our minds, that we have fulfilled at least what we have told those residents we would do at the time that we annexed them. If there are any questions, I would be more than glad to answer any specific questions you may have.”

**Chairman Parks** said, “I do have a couple. There are not problems or contentions with the Rural Water District No. 2 at this point?”

**Mr. Whitson** said, “No. Several years ago we signed an agreement to end a lawsuit that we had against the Rural Water District. Basically, in that agreement the Rural Water District allows us to service any part of their area, however, we have to charge a 17% franchise fee, so to speak, to those residents who receive that service to compensate the Rural Water District for the taking of their territory.”

**Chairman Parks** said, “Okay. I did like your service plan, by the way, it’s a very comprehensive one, some cities just have one or even three quarters of one page of service plan and this service plan was impressive to me. I was going to ask another question that kind of connects to this. On the last page of your chart five, the storm water drainage, it says it’s not proposed for the area, and it’s constructed when problems occur, when requested by 100% of the developers or landowners. Do you charge a storm water utility fee for the entire residents of Park City?”

**Mr. Whitson** said, “We just passed a Charter Ordinance to allow us to initiate a fee, however, there had been a wind of change in the political view of our Council, since we have a bunch of new Council members, they didn’t like the concept of having a fee to pay for storm water services so they instructed our City Attorney last night to prepare an Ordinance appealing [sic] the Ordinance allowing for such a fee to be enacted.”

**Chairman Parks** said, “I think for my cause that was a good move, to realize this action here today. I have no further questions.”

**Mr. Whitson** said, “Okay, thank you.”

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**Chairman Parks** said, “Does anybody else have any further questions of Mr. Whitson? Thank you, Jack, for presenting.”

**Mr. Whitson** said, “Thank you, Commissioners.”

**Chairman Parks** said, “Seeing no further action or no further people from the Bole Addition or any other comments I’ll close the public hearing.”

**Mr. Parnacott** said, “Unless you have any further questions for me I think it’s appropriate to make a finding at this point, and we certainly don’t have any evidence in the record other than they have provided the services, so my recommendation that you make a finding that the City has provided the services as set out in service plan.”

**MOTION**

Chairman Parks moved to find that the services were extended as provided for in the plan and to allow progress.

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, “Thank you. Next item.”

- I. RESOLUTION AUTHORIZING THE SEDGWICK COUNTY CHIEF FINANCIAL OFFICER TO APPROVE SPONSORSHIP AND VENDOR USE AGREEMENTS FOR THE INTRUST BANK ARENA.**

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**Mr. Chronis** said, “As you know the County, several years ago, retained a company called Superlative Group out of Cleveland to market the Arena naming rights and premium seating and sponsorships on our behalf and that company is doing that and has been doing that in accordance with a plan of activity that they prepared at the beginning of their engagement with us. About a year ago they began to market the premium seating, and at that time the Commission approved a Resolution very similar to the one that’s before you today, which delegated to me the authority to sign those lease agreements with premium seat holders, and the reason the Commission elected to do so at the time is that the County will not, after the Arena is opened, have any direct relationship with those tenants. We will assign that contract, that lease, to SMG, the company that we have hired to operate the facility and under the terms of our contract with SMG they will receive all of the revenues coming from those tenants and they will be obligated to incur whatever costs are necessary to provide services to those tenants.

“The County’s role prior to opening the facility is really one of a facilitator or a conduit, and so the Commission decided it probably wasn’t the best use of it’s time to have all of those contracts individually brought on a Commission agenda for approval as they were negotiated and so you chose to delegate that authority to me. The Resolution that is before you today accomplishes exactly the same thing with regard to sponsorships, which is the final segment of Superlative’s marketing activities. They are now in the process of selling sponsorships in the Arena to various vendors in the community and each of those sponsorships will be perfected by a contract that will be executed between that party and the County.

“Once the Arena is opened Sedgwick County will assign those contracts to SMG and SMG will then have the right to any revenues that flow from that contract and the obligation to incur any expenses that are necessary to service that contractual commitment, and the County will be out of it at that point. The Resolution is very straightforward, it’s very short and simply delegates to the CFO or his designee the authority to enter into and execute those sponsorship and vendor use agreements pertaining to the Arena, each of which must be approved as to form by the County Counselor’s office. If you have any questions I’ll be happy to answer them. Mike Pepoon is the person in the County Counselor’s office who was involved in drafting this Resolution and I’m sure he’d be happy to answer any questions that you have also, and if you have no questions then I’d recommend that you take the action that’s been requested.”

**Chairman Parks** said, “What’s the will of the Board?”

### **MOTION**

Commissioner Unruh moved to adopt the Resolution.

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Commissioner Norton seconded the motion.

**Chairman Parks** said, “We do have some discussion. I had a question about, just as an ethical thing, from the standpoint, if we have a family member that would advertise on one of these things is this going to preclude any, or would this insulate us enough? I guess, a legal question here, is this going to insulate us enough to not be a conflict of interest in this matter?”

**Mr. Michael Pepoon**, Assistant County Counselor, greeted the Commissioners and said, "I believe so, Mr. Chairman, we'd have to take each instance, I think, individually take a look at, but delegating it to our Chief Financial Officer and having us review it would certainly remove the Commission at least one step from that process. I don't know of any instance you would then be voting in such a manner so I believe that this even helps in that kind of situation."

**Chairman Parks** said, “Well, that’s why I was asking because there could be a potential conflict here so, from a sponsorship and a spouse that works at a particular place or something, or there may be other Commissioners that would have conflicts with somebody living in their household and working for a company that advertises there.

**Mr. Pepoon** said, “I believe you’re protected, Mr. Chairman, but we’d be happy to look at each case individually and review the statutes on conflict of interest.”

**Chairman Parks** said, “On this one then that would insulate us? Okay, any other questions or comments for this action? Seeing none, call the vote.”

**VOTE**

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

**Chairman Parks** said, “Next item.”

**J. KANSAS JUVENILE JUSTICE AUTHORITY (JJA) SFY10 FUNDING APPLICATION**

**POWER POINT PRESENTATION**

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**Ms. Chris Morales**, Department of Corrections Project Manager, greeted the Commissioners and said, “This morning I am here to present to you, for your approval, the Juvenile Justice Authority funding application for State fiscal year 2010. The estimated award for prevention and graduated sanctions is \$4,964,005. This does represent a slight increase over our current award due to technical adjustments to the funding formula that the State uses. This application also includes an incentive funding award in the amount of \$149,186. The incentive award does require a dollar for dollar local match which we have planned for.

“We have been receiving funding for prevention and graduated sanctions programming since 1998 and in order to continue receiving this funding we must submit an application to the State by May 1<sup>st</sup>. The application before you includes continuation funding for 11 programs, as well as administrative and professional evaluation services.

**Ms. Morales** continued, “The slides will show you how the funding is split out. For prevention programming, the two programs on this slide are the Truancy Prevention Program, which is provided by the District Attorney’s office and USD 259, and we also have Family Group Conferencing. The lead agency on this is the District Attorney’s office, and they subcontract with Episcopal Social Services for conference facilitation.

“The other four prevention programs we have are Functional Family Therapy provided by Youthville Family Consultation Service, Kansas Children’s Service League provides two of our prevention programs. JIAC, or Juvenile Intake and Assessment Center Case Management and Parent Training, and finally the District Attorney’s office provides Diversion Immediate Intervention Services.

“Graduated sanctions programming, which we call core programming or state mandated programming; we have Juvenile Intake and Assessment Center, Juvenile Intensive Supervision Program, and Juvenile Case Management. All three of which are provided by the Sedgwick County Department of Corrections.

“The incentive funding, which I spoke to you about earlier, funds two programs, continuation programs, detention advocacy service, which is provided by Kansas Legal Services, and the Court Services of the YLSCMI, this is Youthful Level of Service Case Management Inventory. It is a risk needs assessment that is provided to youth that the District Court serves.

“Finally, administrative structure, this provides services, contract monitoring, and facilitation of programs through the Sedgwick County Department of Corrections, as well as a contract with Wichita State University for professional consultation and evaluation services. The total for administrative structure is \$98,550 of which, a portion of that, will be paid for with incentive funding. On February 6<sup>th</sup>, Team Justice, your Juvenile Corrections Advisory Board, approved these

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programs and funding amounts for inclusion in our state fiscal year 2010 grant application and we are asking that you also approve this grant application and authorize the Chairman to sign.”

### MOTION

Commissioner Norton moved to approve the JJA funding application subject to technical budget adjustments and authorize the Chair to sign all necessary documentation, including the grant award agreement containing substantially the same terms and conditions as the application and approve establishment of budget at the time of grant award documents are executed.

Commissioner Unruh seconded the motion.

**Chairman Parks** said, “We have a motion and a second. Discussion, Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “Chris, can you provide some additional information for me in terms of how this incentive funding works within the budget process because the figures in the back up that we have here indicated data for 2009 but didn’t mention any 2010 funding and obviously this does look like an area where, if the request goes through at the state level, at that amount, you’d have a small percentage increase over the current year in terms of the total grant award. I was curious how that incentive funding worked and what would be requested for the 2010 budget.”

**Ms. Morales** said, “[Mark] did you want to add to that?”

**Mr. Mark Masterson** said, “Commissioner, of course, we may be back again next month, after the Legislature finishes, to adjust our budgets to reflect whatever changes are made when we get the final allocation. The incentive funding was included in our budget plan for 2009, it will be included in our plan for 2010 but we plan, because of the differences in the funding cycles with the County being calendar year and the State being July through June we have the funding in our budget at this time to cover this expenditure.

**Commissioner Peterjohn** said, “Okay, so the \$149,186 that Sedgwick County would be matching is already part of the current 2009 Community Corrections budget, correct?”

**Mr. Masterson** said, “It is part of my department’s budget, yes, and it was planned for. This is the second year for incentive funding. The Legislature has reduced the amount that started at \$1 million statewide down to, I believe, \$687,000 at this point and the Legislature isn’t done yet but we have in excess of the \$149,000 because of the planning that occurred before based on the allocation last year.”

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

**Chairman Parks** said, "In a nut shell this check will be written before July 1<sup>st</sup>, then?"

**Mr. Masterson** said, "Well, this check for the incentive funds?"

**Chairman Parks** said, "Yes."

**Mr. Materson** said, "It's in our County calendar year budget. It'll be spent before January 1."

**Chairman Parks** said, "Well, I'm just concerned about the State into the next year and what not. Thank you. Seeing no further action or no further questions, call the vote."

**VOTE**

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

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

**K. APPROVAL OF ONE AGREEMENT WITH WICHITA FESTIVALS, INC. FOR THE SPONSORSHIP OF A RIVERFEST 2009 SENIOR GALA EVENT.**

**Ms. Annette Graham**, LSCSW, Executive Director, Central Plains Area Agency on Aging, greeted the Commissioners and said, "Central Plains Area Agency on Aging will sponsor the second River Fest Senior Gala on May 14, 2009, from 6:30 p.m. to 9:30 p.m. at the Garvey Center. In previous years the River Festival used to have a senior event and that included a luncheon, a ball, and a festival. But then over the last several years they had discontinued that event, and based on the success of Central Plains Area Agency on Aging, with our Senior Expo, and our Senior Gala, and our desire to increase both the awareness of our agency and organization, and our core services of information and assistance for older adults and care givers, and our commitment to increasing and improving physical activity among seniors, we went to River Fest Incorporated last year and asked them if they would be interested in doing a senior gala and they were very interested in that, so we did that last year and it was very successful. We worked with them again this year to sponsor this and this would be the second year. It is an event that is open to the public, age 55 and older, and it provides a River Fest event that is solely focused on older adults. This will be an opportunity to

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promote the Area Agency on Aging, our services for care givers and for older adults, and the Senior Expo 2009 which is our premier event to increase awareness about our organization.

“With this we will be responsible for sponsorship of \$1,500, the Wichita River Festivals Inc. is responsible for the cost of the location and the security, and Via Christi Senior Services will be sponsoring the refreshments for the event. I would request that you would approve the sponsorship agreement and authorize the Chairman to sign and I’d be happy to answer any questions.

### **MOTION**

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

Commissioner Unruh seconded the motion.

**Chairman Parks** said, “We have a motion and a second, discussion. How many people attended this last year?”

**Ms. Graham** said, “Three hundred attended the event last year. I was out of town, I didn’t get to go but it was a very successful event.”

**Chairman Parks** said, “Well, I won’t be able to go but I’m sure the rest of the Commission might consider that.”

**Ms. Graham** said, “That would be wonderful.”

**Commissioner Norton** said, “I’m very supportive of this. For years Target supported a senior event at the River Festival and at the peak year we had 3,200 seniors show up, so this is an event that will gain popularity and eventually become a huge event for the River Festival. There is a huge audience out there for something just for the senior population so I applaud the Department of Aging for stepping up and trying to do that, but I would anticipate that 300 is just a beginning number, that there’s a huge population that will take part in this at some point.”

**Chairman Parks** said, “Thank you. Commissioner Peterjohn.”

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**Commissioner Peterjohn** said, “Annette, can you tell me if this is already contained in the 2009 County budget, or is this a supplemental request?”

**Ms. Graham** said, “This really comes out of our State and Federal funding under Older Americans Act, one of our core services is for information and assistance, so this is a way to get that visibility of our organizations because a lot of times people don’t know where to go for services for older adults or for care givers so this is just a prime way to get that information out, increase our visibility so people know where to call when they need answers on aging.

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

**Chairman Parks** said, “Thank you. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you Mr. Chair. I just want to say I’m going to be very supportive of this. I think it’s a great event and we have to keep being creative and finding ways to be supportive of these type of activities and this amount of investment on our part, I think, is really pretty minor. Then I also wanted to tell the Chairman that I got his joke and it was not funny.”

**Commissioner Welshimer** said, “Me too.”

**Chairman Parks** said, “I will be able to attend in 2010 however, due to the age requirement. Seeing no further discussion, call the vote.”

**VOTE**

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

**Chairman Parks** said, “Thank you. Next item.”

**L. AGREEMENT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) TO SUPPORT THE CONTROL OF TUBERCULOSIS (TB) IN SEDGWICK COUNTY.**

**Ms. Claudia Blackburn**, Health Director, greeted the Commissioners and said, “The agenda item before you is an agreement with the Department of the Kansas Department of Health and

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Environment and Sedgwick County to support the control of Tuberculosis in Sedgwick County. This agreement provides \$70,000 to support a nurse and a case manager who are responsible for managing and treating people with active TB (tuberculosis) through directly observed therapy. They're responsible for evaluation of contacts who are infected but, perhaps, don't have active TB but need treatment so that they don't develop active TB. These staff members are part of a six member team that delivers TB services to Sedgwick County citizens.

“In 2008 we had 576 initial evaluations resulting in 16 confirmed active disease cases and 243 infections. The TB program provides TB therapy to 150 to 200 clients every month and this is the same amount that we received last year from KDHE but they did stipulate that we have to use \$5000 of the \$70,000 for training and so we have made some budgetary adjustments to amend the staffing table, and that's a companion document that is on the Consent Agenda today.

**Ms. Blackburn** continued, “We are not asking for any additional local expenditures to deal with this budget issue. I would be happy to answer any questions. I recommend that you approve this agreement and authorize the Chairman to sign.”

**MOTION**

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

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Mr. Buchanan** said, “Mr. Chairman, if it would please the Commission maybe Claudia could speak a few words, or an update about the Swine Flu.”

**Chairman Parks** said, “We were going to bring that up under ‘Other’ but this would be an appropriate time to do that. Claudia, if you would kind of bring us up to date on some of the things that we've been doing. We heard this in staff yesterday; however, I think it would be good to let the public know what we are doing on the local level.

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**Ms. Blackburn** said, “Certainly. Let me just preface my remarks by saying that this is changing so rapidly that what I say right now may be different when I go check the CDC (United States Centers for Disease Control and Prevention) website in a few minutes. In general, Kansas has had two cases of confirmed Swine Flu, we’re moving to calling it H1-N1 Swine Flu, and those cases were in Dickinson County. That was revealed over the weekend and those people did come through the airport here and there have been no exposures related to that. There was one person that came through the airport, he got off the plane, got his luggage, and left. I believe that we have educated the public about that.

“There is cause for heightened awareness at this time but no panic. Masks are not needed at this time. We are supporting the travel warnings that are out of the CDC which discourages non-essential travel to Mexico. There are no travel advisories about traveling anywhere in the United States. There is no vaccine available for this right now but the CDC is working on that. This is a treatable illness. If you have any of the symptoms; runny nose, cough, sore throat, fever 100 degrees or greater, vomiting, diarrhea, those are a little bit different than what we typically see with the seasonal flu, lack of appetite, coughing, body aches, any of those things. The proper thing to do is to call your physician or your health care provider and let them know you have these symptoms and if you have a travel history to Mexico or to any of the places in the United States where there are cases, and that is changing continuously, let your provider know so that they can be ready for you when you come to the office.

“If you get to your provider early on in the disease there are anti-viral drugs that can be given for this within the first 24 to 48 hours and they are very effective in lessening the effects of the illness and the duration of the illness, so, we really recommend that people are in close contact with their provider. We know that a lot of people have a regular source of care, that’s an issue that we work on here at Sedgwick County but we have a number of clinics in the community and that information is available through [United Way] 211 for people that don’t have a health care provider that need treatment for the flu. They can go to those clinics. Those clinics have been included in our communications.

“What we are doing right now is we have activated our plan and our system. We are communicating with our partners so that they have all of the up to date information from the CDC and from KDHE so that they know how to respond. They know what they need to do. We’ve been working closely with the schools, the health care providers, the hospitals; we will be getting information out to businesses reminding them of what their role is in this.

“The most effective way to deal with this is to have an educated population that can take charge of

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their own health and take the measures that they need to take to stay healthy. We are discouraging people from being around other people if they are ill. If people have symptoms of the flu they need to stay home. They need to stay home from work and if they have a child that is sick parents need to keep the child home. That's really hard for us because we all like to go to work and participate in things but that will really help to lessen the spread of this illness and that's what we're after right now. Our goal right now is to lessen the spread and lessen the effective of the disease on our residents.

**Ms. Blackburn** continued, "Let me just remind you, because I would be remiss if I did not give my usual, and that is wash your hands, a lot. Wash your hands, wash your hands, and if you don't have the availability of a sink and running water you can use a hand sanitizer, 60% alcohol base. Cover your cough, cough into your elbow or put a tissue over your face when you are coughing or sneezing, and again, stay home when you are sick and really try to take care of yourself so that you are able to bounce back if you get sick.

"We do have, on our website, [www.sedgwickcounty.org](http://www.sedgwickcounty.org), we have information and our fact sheet, we have Cover Your Cough posters and things like that that can be shared with businesses and other organizations in the County who need to get that message out. Any questions?"

**Chairman Parks** said, "We instructed, just to let the public know, staff to work with the bus companies also that come in from Mexico into the Wichita area that are on that project also."

**Ms. Blackburn** said, "There are actually no special recommendations for busses coming from Mexico, there are inspections that are taking place at the border for anybody that is coming in from Mexico. People are being screened for illness and they're being given advice about the H1-N1 Swine Flu virus so there is really nothing going on here when they arrive."

**Chairman Parks** said, "Thank you. This was just new information from yesterday, and as Claudia is telling us it evolves almost hourly on the CDC website. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Yes, Claudia, is there definitive information out there in terms of what the incubation is for H1-N1?"

**Ms. Blackburn** said, "One to three days is the incubation period and people are contagious for one day before they actually develop symptoms then they are contagious for the whole time that they have symptoms, usually about seven days. We're asking people to stay home for the entire duration

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of the illness plus one day, that is what the current recommendations are.”

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

**Chairman Parks** said, “Any other questions or comments of Claudia on that? Okay, Bids and Contracts.”

**M. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON APRIL 23, 2009.**

**Ms. Iris Baker**, Purchasing Department Director, greeted the Commissioners and said, “The meeting of April 23<sup>rd</sup> results in five items for consideration today.

**1) 2009 COLD MIX RECYCLING – PUBLIC WORKS DEPARTMENT.  
FUNDING – R175 PREVENTATIVE MAINTENANCE – 2009**

“Recommendation is to accept the low bid of from Hall Brothers Recycling and Reclamation, Incorporated in the amount of \$696,572.

**2) EXPANSION OF THE FORENSIC SCIENCE CENTER – FACILITIES DEPARTMENT.  
FUNDING – CONST R FORENSIC SCIENCE CENTER ANNEX & CONTROL**

“Recommendation is to accept the low bid from Conco Construction including alternates one and two for a total cost \$2,470,000 and establish unit pricing.

**3) FOUR AXLE HEAVY HAUL TRACTOR (TRUCK) – FLEET MANAGEMENT  
FUNDING – FLEET VEHICLE ACQUISITION**

“Recommendation is to accept the low bid meeting specifications from Wichita Kenworth Incorporated in the amount of \$119,313.

**4) ELECTRICAL & DATA CABLING PARTS – FACILITIES DEPARTMENT/APPRaiser’S OFFICE  
FUNDING – APPRAISER ADMINISTRATION**

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“Recommendation is to accept the low complete bid from Midwest Electrical Supply in the amount of \$22,731.24.

**5) FOOD STAPLES – JUVENILE DETENTION FACILITY/JUVENILE RESIDENTIAL FACILITY & JUDGE RIDDEL BOYS RANCH  
FUNDING - CORRECTIONS**

**Ms. Baker** continued, “Recommendation is to accept the overall low proposal from U.S. Foodservice and establish contract pricing and execute a contract for one year with three one-year options to renew for an annual estimated cost of \$300,000. I would be happy to answer any questions and I recommend approval of these items.”

**Chairman Parks** said, “The Kenworth goes to Public Works Department?”

**Ms. Baker** said, “Yes.”

**Chairman Parks** said, “It did have a note on there, Fleet Management, so I just wanted to make sure, and Public Works is in agreement with that?”

**Mr. David Spears**, Director of Public Works, greeted the Commissioners and said, "Yes, sir."

**Chairman Parks** said, “Thank you. Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “Iris, I noticed that the bid for the Regional Forensic Science Center came in about \$487,000 below what we had anticipated, is that correct?”

**Ms. Baker** said, “I believe that is correct for construction costs.”

**Commissioner Peterjohn** said, “For construction, thank you very much.”

**Chairman Parks** said, “Any other questions?”

**MOTION**

Commissioner Norton moved to approve the recommendations of the Board of Bids and

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Contracts.

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, "Next item."

**CONSENT AGENDA**

**N. CONSENT AGENDA.** Presented by William P. Buchanan, County Manager.

- 1. VAC2009-00002 – Sedgwick County request to vacate a drainage easement dedicated by separate instrument generally located south of 63<sup>rd</sup> Street South and west of Hydraulic Avenue; City of Wichita’s three-mile ring subdivision jurisdiction. District 2.**
- 2. Make a change to the staffing table for the Health Department, adjusting position number 20002306 from 0.4 FTE to 0.5 FTE in fund center 38013-110 and reallocate \$5,490 from the contractual to the personnel budget.**
- 3. Payment to Gossen and Livingston, LLC for services in revalidating and updating cost for Wichita-Sedgwick County Law Enforcement and Fire Training Facility Master Plans.**
- 4. Partial Release of Easement.**

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5. **Hold Harmless Agreement with the City of Wichita for retaining wall at EMS Post #3.**
6. **Payroll Check Register for the week of April 11, 2009.**
7. **General Bill Check Register for the week of April 15, 2009 – April 21, 2009.**
8. **Order dated April 15, 2009 to correct tax roll for a change of assessment.**
9. **Plat.**

**Doug Eck 2<sup>nd</sup> Addition**

**Mr. Buchanan** said, “Commissioners, you have the Consent Agenda before you and I would recommend you approve it.

**MOTION**

Commissioner Norton moved to approve the Consent Agenda.

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	Nay

**O. OTHER**

**Chairman Parks** said, “Now we’re to the other part of the agenda. Do the Commissioners have any other they would like to address? Commissioner Welshimer.”

**Commissioner Welshimer** said, “Well, the Grandview Neighborhood Association in my district is having their neighborhood cleanup this Saturday, May the 2<sup>nd</sup>, 8:00 a.m. to noon, and we have included in that the County people from the Hazardous Waste Facility are going to be there to pick

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up paint and motor oil, and anti-freeze, fertilizers, pesticides, that type of thing. No electronic material or empty containers or things like that, just the hazardous waste and we're hoping that there will be plenty of collection there. Last year the cleanup in my area was down at Spirit and Boeing and when the other neighborhood associations had their cleanups they weren't able to have this so we need to participate as best we can. Thank you."

**Chairman Parks** said, "Are there any other comments? If none, I would like to say that we are not having a meeting next week so if you're tuning in on Channel 8 and KPTS (Kansas Public Telecommunications Service) you will see Elmo rather than the rest of us or whatever programming they have on. For some of you I'm sure that is pretty good, some of you might not like that. We are having a Kansas Association of Counties Meeting which we are hosting so we need to be at that, and we learn a plethora of things at those meetings. I would like to compliment Dave Spears and his crew along with the mowing that had been done with the Wichita Valley Center Flood Control. Your guys got out and cleared out the culverts and things, and the problem areas in my district. Thank you."

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

**Chairman Parks** said, "Seeing no further action, motion to adjourn?"

**P. ADJOURNMENT**

**MOTION**

Commissioner Welshimer moved to adjourn.

Commissioner Peterjohn seconded the motion.

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

**VOTE**

Commissioner Unruh

Aye

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

There being no other business to come before the Board, the Meeting was adjourned at 11:45 a.m.

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

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**KELLY PARKS**, Chairman  
Fourth District

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

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

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**KARL PETERJOHN**, Commissioner  
Third District

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**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

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**Kelly B. Arnold**, County Clerk

**Regular Meeting, April 29th, 2009**

APPROVED: June 3, 2009