

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 13, 2010

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 a.m. on Wednesday, January 13, 2010, 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 Karl Peterjohn; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Glen Wiltse, Director, Code Enforcement; Mr. Bob Parnacott, Assistant County Counselor; Ms. Irene Hart, Director, Community Development; Ms. Iris Baker, Director, Purchasing; Ms. Jo Templin, Director, Human Resources; Ms. Kristi Zukovich, Director, Communications; and Ms. Katie Asbury, Deputy County Clerk.

GUESTS

Mr. Charles Peaster, 9453 N. 135th St. West, Wichita, Kansas
Mr. John Dailey, P.O. Box 381, Valley Center, Kansas
Mr. Dale Miller, Manager, Current Plans Division, City of Wichita
Mr. Bill Greer, President, Airbus North America Engineering, Inc.

INVOCATION

Led by Reverend Sherdeill Breathett, St. Mark United Methodist Church, Wichita

FLAG SALUTE

ROLL CALL

The Clerk reported, after calling roll, that Commissioner Norton was absent

PRESENTATION

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A. PRESENTATION OF THE 2009 CHAIRMAN'S AWARD.

Chairman Parks said, "I'll speak from down here to the award recipients. In 1988, Commissioner Mark Schroeder recognized the first recipient of the Sedgwick County Commission Chairman's Award. The mission of this award was to recognize the hard work and dedication of citizens who are making a difference in the community. Now more than 20 years later, I have the honor to recognize the next recipient, the Unified Zoning Code [Development] Review Committee. The Unified Zoning Committee was established in February of 2009 for the purpose of working with county and city staff on additional changes to the Unified Zoning Code beyond what had been initially proposed by the Metropolitan Area Planning Commission (MAPC).

"I felt, as did other Commissioners, that citizen participation was needed in this matter, in this area, because there is a difference between city and farm. That was one of the things that this Committee hashed out. The goal was to make changes in a manner in which Unified Zoning Code regulated screening between properties and parking of vehicles in the residential lots of Sedgwick County, and improving the understanding of the code by the citizens. I think it's unfair to, certainly, to put laws out there before we educate the people so they'll know what to expect and how to interact with government. Each member of the Committee spent numerous hours researching and discussing their goals, and on December 25, 2009, the amendments became effective. In the end, both the Committee and the staff agreed that it was a good process to go through, and everyone who participated learned something from it. Please join me in congratulating the Unified Zoning Review Committee on their success and commending each member for their hard work and dedication to make Sedgwick County government more efficient, effective, open and transparent, without pay. Now, I will say that the staff members do get paid, however, they put in a lot of extra work, and we do appreciate that, but the citizens on this group do not get paid for this.

"If John Schlegel will come forward. If you'll all come up here, and be in a group and I will introduce you individually then. First one on there is John Schlegel. I am only going to say this one once, but on behalf of the County Commission and my award for this, I'm presenting this to each one of the members, and I'll say their name individually, but it's kind of hard to give them one big trophy, or one big plaque, so we're giving each one of them a paperweight that's genuine marble from, well I won't say where it says it's made from, but we did buy it locally. Congratulations, John."

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "Thank you."

Chairman Parks said, "Donna Goldtree."

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Mr. Schlegel said, "Donna was unable to come today."

Chairman Parks said, "Okay. Glen Wiltse. Congratulations, Glen."

Mr. Glen Wiltse, Director, Code Enforcement, greeted the Commissioners and said, "Thank you."

Chairman Parks said, "Glen is in charge of enforcement of some of the laws that are out there and the education, and he does a good job in working with people, and this is what we want to do, is to have a good interaction with people before we get them in court, be able to tell them what we expect from them."

Mr. Wiltse said, "Thank you very much."

Chairman Parks said, "Thank you. Kurt Schroeder. Charles Peaster. Charles, on behalf of the Chairman's Award, I would like to present you with this. Charles has been active on several committees, and has been an activist in the community for quite a while. I am going to give him a chance at the end after Joe Allen Lang, I present that, you wanted to say a few words and I'll wait until the end for you to say those."

Mr. Charles Peaster, 9453 N. 135th St. West, Wichita, Kansas, greeted the Commissioners and said, "Thank you, Chairman Parks."

Chairman Parks said, "Okay. John Dailey. John, congratulations."

Mr. John Dailey, P.O. Box 381, Valley Center, Kansas, greeted the Commissioners and said, "Thank you."

Chairman Parks said, "And I don't know if you are wanting to say a few words later or not?"

Mr. Dailey said, "I have a few words to say, yes."

Chairman Parks said, "John also serves on the Valley Center Planning Commission on the outside of the city limits Planning Commission..."

Mr. Dailey said, "Right."

Chairman Parks said, "...member."

Mr. Dailey said, "Thank you."

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Chairman Parks said, "Thank you. Dale Miller. Dale, thank you for your input from the City of Wichita side and appreciate your service."

Mr. Dale Miller, Manager, Current Plans Division, City of Wichita, greeted the Commissioners and said, "Thank you."

Chairman Parks said, "Bob Parnacott."

Mr. Bob Parnacott, Assistant County Counselor, greeted the Commissioners and said, "Thank you."

Chairman Parks said, "Bob is our legal department and when we had some of the meetings that the Committee thought was a good idea, Bob could say, well, now, let's hold on a minute here before we go any further, we have a little problem with state law on that. And Joe Allen Lang. Max Weddle. Max, appreciate that. Let's give the Committee a big hand. Also if there were, I believe, Mr. Peaster and Mr. Dailey wanted to say a few words."

Mr. Peaster said, "Chairman Parks and Commissioners, I would like to thank you for listening to some of the citizens of Sedgwick County when changing the Unified Zoning Code came before the Commission and we made you aware that we thought it needed more changes than were proposed. Commissioner Peterjohn's saying he's having a hard time hearing me, and most people tell me, you speak too loud. Chairman Parks asked several of us to serve on a committee to review the Unified Zoning Code. After many months in meetings with the help of city and county employees, we came up with what we believe to be a better version of the Unified Zoning Code, which both you and the City Council approved. We believe that the changes that were made has made it more beneficial for the citizens and the employees of Sedgwick County. I thank you for the chance to be part of the Committee, and to Chairman Parks for opening Commission meetings up for citizens' participation and input on many of the issues. My hope is that the new Chairman of the County Commission will continue to welcome everyday citizens' inputs at the Commission meetings, even though they were not scheduled on the Agenda. Thank you, Commissioners. Thank you, Commissioner Parks."

Chairman Parks said, "Thank you."

Mr. Dailey said, "I would like to thank the Sedgwick County Commission, especially Chairman Parks, for the opportunity to have input on the Unified Zoning Code Committee Review. It's refreshing to have some Commissioners that realize that living on an acreage in an unincorporated Sedgwick County is different than in a platted lot in Wichita. I hope there will be an opportunity for

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continuing input from the residents of the unincorporated Sedgwick County. And voters outside of Wichita, remember at the polls at election time, ask questions of the candidates, see what they say they will do for you. We need Commissioners who listen, and realize there is a difference between Wichita and county. Thank you very much.”

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

APPOINTMENTS

B. RESOLUTION REAPPOINTING FRANCES KENTLING (COMMISSIONER UNRUH’S REAPPOINTMENT) TO THE SHERIFF’S CIVIL SERVICE BOARD.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Commissioners, this item and Item C, if they could be taken together, they both relate to the same board, and Item C is also a reappointment. It’s reappointing Clyde Bevis, who is Commissioner Welshimer's appointment, to the Sheriff's Civil Service Board. We prepared resolutions for these appointments which will expire in January of 2013, and I would recommend that you adopt both resolutions for Items B and C.”

MOTION

Commissioner Unruh moved to adopt the Resolutions appointing both Frances Kentling and Clyde Bevis to the Sheriff’s Civil Service Board.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Absent
Commissioner Peterjohn	Aye

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Commissioner Welshimer Aye
Chairman Parks Aye

C. RESOLUTION REAPPOINTING CLYDE BEVIS (COMMISSIONER WELSHIMER'S REAPPOINTMENT) TO THE SHERIFF'S CIVIL SERVICE BOARD.

Taken in conjunction with Item B

Chairman Parks said, "And neither one of those are here today, they will be sworn in later and take their action. Thank you."

NEW BUSINESS

D. APPROVAL OF A RESOLUTION AND AGREEMENT AUTHORIZING A FORGIVABLE LOAN TO AIRBUS NORTH AMERICA ENGINEERING, INC. FOR ECONOMIC DEVELOPMENT INCENTIVES, AND AUTHORIZE THE INTRA-FUND TRANSFER OF BUDGET AUTHORITY.

Ms. Irene Hart, Director, Community Development, greeted the Commissioners and said, "Airbus North America Engineering is a subsidiary of Airbus Americas, whose corporate headquarters are in Herndon, Virginia. Airbus North American Engineering main location is in Wichita in a leased facility at 213 North Mead. They also have a satellite facility located in Mobile, Alabama. The Wichita facility was established in 2002, and currently employs 210 engineering staff. They are establishing a new engineering service and they've been searching for the best location, essentially either Wichita or Mobile, Alabama. Their new operation will focus on designing repairs and maintenance on existing Airbus jets, and will eventually employ 100 additional engineers; there are currently 20 already employed. Local Airbus officials have worked with GWEDC (Greater Wichita Economic Development Coalition), the city and the county to build a business case for locating the expansion in Wichita. An incentive package was developed, which included forgivable loans from both the City of Wichita and Sedgwick County. Airbus accepted our incentive offer and has chosen to locate their expansion in Wichita."

Ms. Hart continued, "Sedgwick County has offered a \$200,000 forgivable loan to be used in remodeling the former Hall of Fame building at 238 North Mead in Old Town, and the remodeling will meet the needs of an engineering facility. Under the terms of the agreement, Airbus will increase their employment by 80 new positions within three years to 290 total positions. The 80 new positions will have an annual average salary of \$126,000. The benefit-cost ratio to Sedgwick County is 2.06, which is well above our minimum threshold of 1.3. The term of the loan is for five years with standard provisions in case salaries and employment levels are not reached and

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maintained. Today we have with us the President of Airbus North America's Engineering, Bill Greer and Debra Teufel from the Greater Wichita Development Economic Coalition. I'd be happy to answer any questions, but I believe Mr. Greer has some comments."

Chairman Parks said, "Would you like to come to the podium and make your comments at this time, and then we'll have questions if you'll stay there for a few minutes."

Mr. Bill Greer, President, Airbus North America Engineering, Inc., greeted the Commissioners and said, "First, I want to thank the Commission for considering this proposal. You've kind of saved me in a way, as Ms. Hart mentioned, there was a lot of pressure to move this work to Mobile, Alabama. I do have a facility there about the same size, but it has the advantage of an unfinished floor where the engineers could reside. My reply to corporate headquarters on that issue was this is where I can get the engineers. You heard the salaries mentioned. This in-service repair work requires a 24 hour turnaround after the issue is raised by an airline. It takes a very high level of skill, and experience and education to respond that quickly to an issue, so I'm going to hire very experienced engineers. Now is a good time to do it, due to the economic downturn in Wichita, the engineers are available.

"So when this issue came up, there were four questions they asked me, and demands they put upon me. One is can you get the engineers? And, of course, in Wichita, you can, and Mobile, probably no, because they don't have an aerospace cluster there like Wichita. The other is what will this cost? And the demand they put on me was to find a way of doing this without increasing my charging rate, the amount I charge per engineering hour to the customer. The only way I could do that was to find some way to enter the business into a new building, because I had no more space where I was, without an upfront investment on remodeling, and that's where the county, and the city and the state come in. I work with Debra Teufel, she's here today. I put a good proposal into the business and satisfied their requirements. This was, again, against quite a bit of pressure to move the job to Mobile for political reasons. Airbus wants to look like they are supporting the office down there, but technical considerations overrode all that. This is where the job can be done, it can be done properly, and we can build it up at a very fast rate. So I'm willing to answer any questions you might have."

Chairman Parks said, "Certainly when this was brought to me by Ms. Hart, I asked a lot of questions, and I am not going to repeat every one of those now, but we certainly wanted to make sure that the ratios were correct, and we determined that those ratios were good for the betterment of Sedgwick County. I do think that the wage structure is great, the office space needed a tenant there, but more than that, I hope that if Airbus decides to do any more expansion, maybe through manufacturing or blue collar, that they see that we're receptive to this and would certainly consider us in the future for any expansion."

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Mr. Greer said, "I would hope so. Of course, I'm in the engineering side and I don't know much about their goals on the manufacturing side, however, the advantage of Wichita is the aerospace cluster and the high amount of engineering talent that is here. The disadvantage we have is geography, we're not near a seaport, and it makes it difficult to bring manufacturing here, although, as I say that, our biggest subcontractor in the world is Spirit Aerospace [AeroSystems] in Wichita, Kansas. And I have presently 35 people from Europe in my office, one reason I'm running out of space, supporting Spirit on the E350 program. So you may not get an Airbus facility, but you're getting a lot of Airbus business through Spirit."

Chairman Parks said, "And one of the other questions I had, how small of aircraft do you go down, is it just your own aircraft that you redo and..."

Mr. Greer said, "The service repair is for the Airbus fleet."

Chairman Parks said, "Okay. And what is the smallest aircraft you have?"

Mr. Greer said, "The A320, which you may be more familiar with a 737 of Boeing, it's an equivalent airplane to that."

Chairman Parks said, "Okay, thank you. Commissioner Welshimer."

Commissioner Welshimer said, "Well I'm delighted to see these jobs come to Wichita and Sedgwick County. And about over what period of time will these hundred people be hired?"

Mr. Greer said, "What I've guaranteed to the city and county is that I will have 80 additional, actually 100, in the building by the end of 2012. Personally, I am going to try and to expand much faster than that, because right now I can get people, in 2011 or 2012, I don't know what the situation is. So I am going to try to strike while the iron is hot and build it up very fast."

Commissioner Welshimer said, "Very good. Well we appreciate it, we thank you, and this will create other jobs, as well, in other areas if they come to our community."

Mr. Greer said, "I'm sure that you know the formula for that is, whatever engineering job there is creates auxiliary jobs in other areas as well, so, yes."

Commissioner Welshimer said, "Well we need those jobs. Thank you so much."

Chairman Parks said, "Commissioner Unruh."

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Commissioner Unruh said, “Thank you, Mr. Chairman. Well, Mr. Greer, I’m going to be very supportive of this request, and I’m very happy to do so, especially in light of the return on investment that’s been calculated for Sedgwick County’s investment. I just want to give you my appreciation for your willingness to fight for these jobs here in Wichita rather than letting them go to Mobile, or wherever, because I realize that in the corporate structure, sometimes there is a lot of pressure to fall in line with what the program is, so I appreciate your willingness to fight for them in Wichita. And you mentioned a response, partly at least, to a question I had, is how important is the aviation cluster to you in making this decision?”

Mr. Greer said, “Well it’s everything. Maybe I can answer by giving you a little bit of the history of why we’re here to start with. Number one, we’re here because I’m here. I’ve lived in Wichita for 38 years, but back in 2001 in the summer, the portion of Airbus that was in the UK (United Kingdom) had basically run out of engineering talent of a certain type. What they were looking for was engineers with 15 to 25 years experience. They had a lot of good young guys coming out of the universities, a lot of older guys that worked on the Concorde and stuff like that, but that core group; they just didn’t have enough of them. When they would have been coming out of the universities, there was nothing going on in Europe, so they didn’t go into the field. They know Wichita very well, because Airbus UK builds the Hawker Horizon and the Hawker 800 business jets in Europe, and ships them here to be kitted, so they knew Wichita very well, so they came here looking for engineers to take back to Europe. They were having a hiring fair in August 2001, at the Hyatt, and I usually ask people to guess how many applicants they had, but I’ll tell you, it was zero. Wichita was booming at that time, engineers don’t travel to Europe very well. There is no exit plan.”

“I had retired from Learjet, I was their VP (Vice President) of Engineering for 28 years there, and bumped into the situation. I was doing a little consulting work to get out of the house mainly, and told them that what they needed to do was bring the jobs here. They said, yeah, they’d been thinking about it. They’d actually been talking to the Wichita Chamber about it, but nobody knew how to do it. So I offered to build a business plan and show them how they could do it for no money up front, and basically that’s why they came here, because they could get engineers. At that time, we competed with Dallas and Pittsburgh, Pennsylvania for that and the winning card was we could get engineers here, where in other localities, maybe not. So that’s the reason that Airbus is here, that’s the reason Airbus is expanding here.”

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Commissioner Unruh said, “Well, thank you for that explanation, and we’re convinced of the importance of our cluster, but I don’t think it hurts to repeat that so people understand the asset that we have and we’re willing to support it. Thank you for your efforts in keeping it here.”

Mr. Greer said, “Thank you.”

Chairman Parks said, “If you would leave one of your cards, I have another question...”

Mr. Greer said, “Sure, I’d be glad to do that.”

Chairman Parks said, “...for you afterwards. Commissioner Peterjohn.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. Mr. Greer, I’m going to second the comments that have been already stated from the bench, and I’m glad you mentioned that Airbus is a large purchaser of Spirit AeroSystems and they’re involved in a significant way, and the good news of having professional positions in the aviation industry, or in fact any industry, in this community is very much appreciated. So I appreciate your explanation and look forward to seeing this expansion occur and prosper.”

Mr. Greer said, “Thank you. Thank you for your support.”

Chairman Parks said, “Seeing no further action, what is the will of the Board?”

MOTION

Commissioner Unruh moved to approve the Resolution 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	Absent
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Ms. Hart said, “Thank you.”

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Chairman Parks said, "Thank you."

E. RESOLUTION RESCINDING RESOLUTION NO. 229-1994 AND THE POLICY AND PROCEDURE FOR RENTING EQUIPMENT TO TOWNSHIPS IN SEDGWICK COUNTY.

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "Item E is a resolution rescinding Resolution 229-1994 and the policy and procedure for renting equipment to townships in Sedgwick County. Mick McBride initiated the discussion on the existing resolution because he wanted to make some changes on it with respect to insurance. Public Works staff advised that equipment has not been rented in over 10 years. At that point it seemed to make sense that we simply rescind the original resolution. Mick is here today, if you have questions of him, and if not, I would recommend that you adopt resolution, which rescinds the original resolution."

Chairman Parks said, "I do have a question before the motion and second. The new boards, as they came in, they were familiar with this program and they knew about the program out there?"

Mr. Spears said, "I can't say that they all did. We used to announce it at the annual township meeting. This was like in 1994 when this started. I think it was pretty heavily used for about five years. We had some problems with it, a couple of things, it was for the Drott to clean out ditches, and that's a piece of equipment, as you know, that we use quite often, so sometimes we needed it and couldn't rent it out. The other thing was that the equipment operator wasn't a county person, it was a township person, and they weren't really trained to run the equipment, and that became a problem. In fact, one of the engines was blown out of one of the Drotts and that caused a problem. And then the other thing is that businesses on West Street also like to rent out that equipment, so it sort of put us in competition with them to rent that equipment."

Chairman Parks said, "That's all the questions I have of it then. What's the will of the Board?"

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Mr. Spears said, “Thank you.”

Chairman Parks said, “Thank you.”

F. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON JANUARY 7, 2010.

Ms. Iris Baker, Director, Purchasing, greeted the Commissioners and said, “The meeting of January the 7th results in six items for consideration. First item;

1. CONTRACTING SERVICES FOR AN ASSESSMENT OF THE MASTER CONTROL SYSTEM IN ADULT DETENTION FACILITY SYSTEM – FACILITIES DEPARTMENT/ADULT DETENTION FUNDING – ASSESS MASTER CONTROL SYSTEMS

“Recommendation is to accept the proposal from Professional Systems Engineering, option 1, in the amount of \$32,010. Item 2;

2. MAPPING & DATABASE ANNUAL MAINTENANCE RENEWAL – DIVISION OF INFORMATION & OPERATIONS FUNDING – GEOGRAPHIC INFORMATION SERVICES

“Recommendation is to accept the quote from ESRI in the amount of \$42,182.19. Item 3;

3. ANNUAL MAINTENANCE and REMOTE MONITORING ON LIEBERT EQUIPMENT – DIVISION OF INFORMATION & OPERATIONS FUNDING – COMM. EQUIP/COMM. EQUIPMENT WIRELESS

“Recommendation is to accept the quote from Emerson Network Power, Liebert Services in the amount of \$66,535.72. Item 4;

4. CISCO EQUIPMENT AND MAINTENANCE for INTRUST BANK ARENA – DIVISION OF INFORMATION & OPERATIONS

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FUNDING – ARENA SALES TAX

“Recommendation is to accept the low responsible bid from AT&T in the amount of \$30,188.16. Item 5;

5. XIOTECH MAINTENANCE – DIVISION OF INFORMATION AND OPERATIONS FUNDING – NETWORKING AND TELECOMMUNICATIONS

“Recommendation is to accept the quote from Xiotech in the amount of \$26,747. And Item 6;

6. FIREWALL SECURITY MAINTENANCE – DIVISION OF INFORMATION AND OPERATIONS FUNDING – SYSTEMS AND SECURITY

“That recommendation is to accept the quote from Fishnet Security in the amount of \$33,064.40. I’d be happy to answer any questions and I recommend approval of these items.”

Chairman Parks said, “Are there any exceptions before we have a motion and a second? Commissioner Peterjohn.”

Commissioner Peterjohn said, “I was not going to, I had a question, you jumped ahead of me on that regard. I’ll defer, I had some questions, but...”

Chairman Parks said, “Well if we want to leave one out, let’s...”

Commissioner Peterjohn said, “No, it was just a procedural question.”

Chairman Parks said, “Okay.”

MOTION

Chairman Parks moved to approve the recommendations of the Board of Bids and Contracts.

Commissioner Welshimer seconded the motion.

Chairman Parks said, “Motion and a second, now discussion. Commissioner Peterjohn.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. Ms. Baker, on the renewals that are included within this Bid Board, are these all with the same provider that we’ve used in the past?”

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Ms. Baker said, “Yes they are.”

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

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

VOTE

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

Ms. Baker said, “Thank you.”

CONSENT AGENDA

G. CONSENT AGENDA.

- 1. Range Reallocation.**
- 2. Approval of a one year agreement renewal with Wichita Transit to provide service to residents within and around the general area of Oaklawn per contract 4369-5 approved April 16th, 2008.**
- 3. One (1) Right of Way Easement for Sedgwick County Project 801-M: 151st Street West between 21st & 29th Streets North.**
- 4. One (1) Right of Way Easement for Sedgwick County Signalization Project at the intersection of 167th Street West and Maple; CIP# R-320. District 3.**
- 5. Six (6) Right of Way Easements One (1) Permanent Drainage Easement and Three (3) Temporary Construction Easements for Sedgwick County Project 803-s ½ Q thru U: 135th Street West from US-54 to K-42. CIP# R-303. District 3.**
- 6. Order to correct tax roll for change of assessment on September 16, 2009.**

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7. General Bill Check Register of December 30, 2009 – January 5, 2010.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “Commissioners, you have the Consent Agenda before you and I would recommend you approve it.”

MOTION

Commissioner Unruh moved to approve the Consent Agenda.

Commissioner Welshimer seconded the motion.

Chairman Parks said, “Have a motion and a second, just a couple of discussion items. On the range allocation, I had a person late last night ask me what department that was and how much money that included, do we have just a brief synopsis of that?”

Ms. Jo Templin, Director, Human Resources, greeted the Commissioners and said, “This range reallocation is the outcome of a classification and compensation study done in Noxious Weeds. This position is for the changing job duties of the fiscal associate there, and the budget impact is \$1,964.”

Chairman Parks said, “Thank you. I had no further discussion on that one. Job descriptions change, and I believe that that’s the appropriate time to make the range allocation. Thank you. I did have a question of David Spears on the eminent domain on number five. This was done with or without eminent domain being invoked on this item?”

Mr. Spears said, “Yes, sir. That’s correct. Those were met with property owners and no condemnation was involved in any of those.”

Chairman Parks said, “Thank you. That’s all the questions that I have. Seeing no further comments, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye

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Commissioner Welshimer	Aye
Chairman Parks	Aye

SELECTIONS

H. SELECTION OF ONE MEMBER OF THE BOARD OF COUNTY COMMISSIONS TO SERVE AS CHAIRMAN THROUGH JANUARY 12, 2011.

Chairman Parks said, "What's the will of the Board?"

MOTION

Commissioner Welshimer moved to nominate Karl Peterjohn as Chairman for 2010.

Chairman Parks seconded the motion.

Chairman Parks said, "Any other nominations? Hearing no other nominations, the ballot is set. And let's call the vote."

VOTE

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

Chairman Parks said, "Congratulations."

I. SELECTION OF ONE MEMBER OF THE BOARD OF COUNTY COMMISSIONERS TO SERVE AS CHAIR PRO TEM THROUGH JANUARY 12, 2011.

Chairman Parks said, "What's the will of the Board?"

Commissioner Peterjohn said, "Mr. Chairman?"

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Chairman Parks said, “Yes.”

MOTION

Commissioner Peterjohn moved that the Chair Pro Tem through January 12, 2011, be Commissioner Welshimer.

Chairman Parks seconded the motion.

Chairman Parks said, “Are there any other nominations? Seeing no other nominations, the ballot’s closed. Call the vote.”

VOTE

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

Chairman Parks said, “Congratulations.”

J. OTHER

Chairman Parks said, “As many of you have seen and might wonder what my button is that I’m wearing. It’s for the Martin Luther King Day activities, and you can certainly purchase a button at the third floor of the courthouse, or one of the members of the African American Museum, or community and we would certainly hope that you go out and participate in those activities. There are a lot of activities surrounding that, so please contact one of us to find out the details on that. Anything for ‘other?’ Commissioner Peterjohn.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. I saw a media report today that indicated that we had had a discussion yesterday about fireworks that included that we were going to legalize the sale in Sedgwick County at our staff meeting yesterday, and that was not my impression from the meeting. And I know one other Commissioner specifically made a comment concerning that issue at the time yesterday, and I bring this up because when we were discussing this, in terms of how we wanted staff to go forward with it, I did not believe that the issue of sales was included, and so I thought I would mention it appropriately today, because I think that may

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create more communication on this issue than I think had been expected based on our discussion. And sales was not one of the items that occurred when we had our public hearing on this issue out at the Zoo, so I thought it would be important to clarify that for the record today, Mr. Chairman.”

Chairman Parks said, “Yes. I, too, had received a call this morning on that, and thank you for clarifying that. Commissioner Welshimer.”

Commissioner Welshimer said, “Well I have two things. First, last evening I attended a meeting in the Gypsum Township and there was some concern among township members there, or the officers at Gypsum, and some of the other townships, that we need to put something into our procedures for the paving of subdivisions when we turn those roads over to the townships for maintenance. Often the funds are not there for that maintenance, and the people in the subdivisions are unaware of that at the time, partly, and so we want to do something, they want us to do something, that will assure that that communication is taken care of in these transactions in the future. And they will be here, probably ask for time on the Agenda next week to present that request to us and they would like to talk about that at the next township meeting as well. And then, Mr. Chairman, I would like to present this plaque to you from all of us and from Sedgwick County for the eloquent job you have done as our Chair over the past year. You’ve given Sedgwick County your heart, your good values, fairness, and most of all, courage. And we want to thank you for carrying out your duties with dignity and honor, and we know it hasn’t been easy. Thank you.”

Chairman Parks said, “Well, thank you. I am humbled and grateful for this award, and would like to say that it’s been a pleasure serving the people of Sedgwick County. And one of the things that I did earlier today was citizen participation, I think that we need this more, and I will continue, even as my role as a Commissioner, to pursue both citizens committees and things to get them involved in government, because we are the final say. I want to say that we’ve had some ups and downs with staff, and I think those things that came out of the staff discussions have made it a better organization. So I think that we know that we’re on the right path, and that we need to be positive in our thoughts and our procedures and as we go forward. And thank all of the citizens of Sedgwick County for supporting me during my time, and especially my fourth district and the north face people that have supported me on many of the actions, so thank you. We do have a need for an Executive Session.”

Commissioner Welshimer said, “Okay. Mr. Chairman?”

Chairman Parks said, “Yes.”

MOTION

Commissioner Welshimer moved that the Board of County Commissioners recess into

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Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims, and litigation and legal advice, and that the Board of County Commissioners return to this room from Executive Session no sooner than 9:55 a.m.

Chairman Parks seconded the motion.

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

VOTE

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

Chairman Parks said, “And we are in Executive Session.”

The Board of County Commissioners recessed into Executive Session at 9:47 a.m. and returned at 10:17 a.m.

Chairman Parks said, “We are back in session from Executive Session. We have a report from County Counselor Rich Euson.”

Mr. Euson said, “Thank you, Commissioners. While in Executive Session, we discussed a worker’s compensation case involving a fire captain by the name of Michael Hiebert, we recommend that you settle this worker’s compensation case involving a 33 percent whole body impairment in the amount of \$77,739.30.”

MOTION

Chairman Parks moved to settle the worker’s compensation case involving a 33 percent whole body impairment in the amount of \$77,739.30.

Commissioner Welshimer seconded the motion.

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

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VOTE

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

Mr. Euson said, "Thank you, Commissioners."

Chairman Parks said, "We are adjourned."

K. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:18 a.m.

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

KARL PETERJOHN, Chairman
Third District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

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GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

February 3, 2010