

MEETING OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

January 20, 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 20, 2010, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Karl Peterjohn, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Kelly Parks; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. John L. Schlegel, Director, Metropolitan Area Planning Department; Col. Richard Powell, Chief Deputy, Sheriff's Office; Ms. Irene Hart, Director, Community Development; Ms. Annette Graham, Director, Aging; Mr. Joe Thomas, Senior Purchasing Agent, Purchasing; Ms. Kristi Zukovich, Director, Communications; and Ms. Katie Asbury, Deputy County Clerk.

GUESTS

Mr. Joe L. Norton, Gilmore & Bell

INVOCATION

Led by Pastor Ron Pracht, Olivet Baptist Church, Wichita

FLAG SALUTE

ROLL CALL

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

PLANNING DEPARTMENT

- A. CON2009-00037 SEDGWICK COUNTY CONDITIONAL USE FOR AN ACCESSORY APARTMENT; GENERALLY LOCATED MIDWAY BETWEEN MACARTHUR ROAD AND 31ST STREET SOUTH, WEST OF 119TH STREET WEST. DISTRICT 3.

VISUAL PRESENTATION

Mr. John L. Schlegel, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, "For this case this morning, the applicant is seeking a conditional use to allow an accessory apartment on a one acre lot that's located in the Redmond Estates subdivision. And as Kristi indicated earlier, this is located just to the southwest of the intersection of 31st Street South and 119th Street West."

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“The site currently has on it, I’ll go to the aerial photo, and although it’s small, you can see on there that the site already has on it a two-story single-family residence built in 2007 and a large accessory structure, which is a pool house. The applicant has converted the pool house into an accessory apartment for which he has been informed that he will need, under the Unified Zoning Code, a conditional use. I’ll flip ahead to an aerial photo of the application lot, and you can see the pool house labeled there to the rear of the main dwelling unit, and the driveway coming off of the 31st Street South. Redmond Estates, going back to the aerial photo, is a 52 lot subdivision of mostly one acre but up to two acre in size lots. It’s a little less than a quarter of the home sites have been developed, as you can see from the aerial photo.

“This item was heard by Metropolitan Area Planning Commission (MAPC) at its meeting on December 17th. There was a public hearing at which there were a number of property owners from Redmond Estates and other surrounding properties who were there to speak in opposition to this request. The main issue of the opponents is that they feel that what this applicant has done with converting the pool house to an accessory apartment violates their subdivision’s private restrictive covenants against any outbuilding being used for either a permanent or temporary residence. I’d like to note for the record for you, however, that restrictive covenants are a private contract matter among the property owners involved here and the enforcement of that should not be a factor in your decision on whether or not to approve this conditional use. Another issue that the opponents brought up at the public hearing at the Planning Commission centered on alleged errors that were made in the construction of the principal residence and the pool house, and how those errors have affected drainage patterns on the applicant property and surrounding properties.

“I’m going to skip ahead to show you the photos. This is a street shot of the principal residence. You can just see off to the left, behind the house, the accessory structure where the accessory apartment is. A shot, again, from the street up to the garage of the main house, and this photograph shows how the pool house is laid out on the lot in relationship to the main dwelling unit. The MAPC, after their public hearing, voted a very close vote 8-6 to recommend approval with a number of conditions, and the relevant condition that they added to the staff’s recommendations was that the applicant’s use of the structures and accessory apartment shall be limited to a time period of 12 months, provided the applicant deals with the existing covenant restrictions. And they added that provision, I believe, as a form of compromise to allow the applicant to use the pool house as an accessory apartment, but limiting the time that he could use it.”

Mr. Schlegel continued, “During the subsequent two week protest period, following the MAPC meeting, we’ve received protest petitions from a number of the surrounding property owners, and

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that's a factor in your vote today. You can see in red the surrounding property owners that signed valid protest petitions, and that constitutes over 20 percent of the protest area, so it's a factor in your vote today. An approval to override the protest petitions will require a three quarters super majority vote, or four votes of the Commission. And with that, I'll end my presentation and take any questions you may have."

Chairman Peterjohn said, "Thank you, John. Commissioner Welshimer."

Commissioner Welshimer said, "What was the purpose of the 12 months, I mean, what do they accomplish in 12 months? Is that the 12 months to deal with the restrictions, and are they going to apply to change those restrictions? I don't see how that can be done."

Mr. Schlegel said, "Well the testimony that was provided by the applicant at the Planning Commission indicated that he did want to try to deal with the restrictive covenant, that he did have somebody in that accessory apartment that was not a relative and they wanted to give the applicant, it was two-fold, to allow the person that's in there to continue to reside there for additional time and then also for the applicant then to try to work out with the neighbors some type of arrangement regarding the restrictive covenant."

Commissioner Welshimer said, "Okay. I want to ask Rich Euson a question. If they work something out with the...I know we're not supposed to consider the restrictions, but I'm trying to figure out here, we got into this area, how do you work out a private restriction violation among the people who are all covered by that private restriction? And is that a possibility?"

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "It's certainly a possibility if everybody participates who is involved in the covenants, and so..."

Commissioner Welshimer said, "They're not the ones that put the restrictions on the subdivision to start with, so..."

Mr. Euson said, "Right. It would have been the developer and then it would cover everybody who buys. Unfortunately, in this case, it's a little complicated because we looked for those restrictions in the Register of Deeds Office and we haven't been able to find them, so whether they get something worked out or not, it's a little cloudy to me as to how that might affect how they work things out with their neighbors. But, in fact, whether they do work out something or don't work out something, that really isn't a factor in your determination..."

Commissioner Welshimer said, "Well I understand that..."

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Mr. Euson said, “...as to whether to zone the property.”

Commissioner Welshimer said, “...but is it a part of the recommendation?”

Mr. Schlegel said, “It is part of the recommendation from the Planning Commission, correct.”

Commissioner Welshimer said, “So I’m just trying to figure out if that part of the recommendation is something that we can consider a possibility. I mean, is it possible to do? Okay.”

Mr. Schlegel said, “If I may, I would add a comment that you have not, to my knowledge, added time restrictions to the use of an accessory apartment, but you have restricted it to the use of an accessory apartment to relatives of the...”

Commissioner Welshimer said, “Relatives.”

Mr. Schlegel said, “...main dwelling unit.”

Commissioner Welshimer said, “But this is a rental.”

Mr. Schlegel said, “Well, the testimony regarding that at the Planning Commission was he’s not charging rent, but he is, the inhabitant of the pool house, is paying for the utilities. So whether that’s considered rent or not, I don’t know.”

Commissioner Welshimer said, “Okay. Thank you.”

Chairman Peterjohn said, “Commissioner Parks.”

Commissioner Parks said, “This deals with a deed restriction, and I certainly remember one in my district and the rules of golden we had to follow there, so that’s certainly not going to enter into my decision, but that is a civil issue. However, I had a question of John about the skids, are they on skids? Is it on a foundation? Can this be easily moved?”

Mr. Schlegel said, “No. It’s on a foundation. I’ll go back and show you, it’s a permanent structure.”

Commissioner Parks said, “I tried looking there at the photograph and I couldn’t really see the baseline, and couldn’t really tell whether it was on a skid or didn’t get a close-up of the foundation.”

Mr. Schlegel said, “Yeah, it’s a permanent structure.”

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Commissioner Parks said, “Okay. Now can that, to comply with this, they move the human out of there and get this building, or do whatever, and put a horse in there and then that would be, if it complies to the county code anyway, it looks like it would, with the footage away from the other buildings and whatnot, they could put a horse in there after a year then, couldn’t they?”

Mr. Schlegel said, “I don’t know. I would have to check the code to see if horses would be allowed on these lots.”

Commissioner Parks said, “Well, or chickens, or whatever they need to put in there. What I’m saying is, it wouldn’t be for human habitation after a year the way that I understand this.”

Mr. Schlegel said, “The recommendation of the Planning Commission is, yeah, it could not be used as an accessory apartment after 12 months. Correct.”

Commissioner Parks said, “Okay. Are there any protestors here?”

Chairman Peterjohn said, “Well, that’s the next question, is there...”

Commissioner Parks said, “Okay.”

Chairman Peterjohn said, “This is not a public hearing, per se, but we have established the principle, and as Chairman I plan to continue it, of giving the public an opportunity to testify. Is there anyone here who wishes to testify on this issue, either for or against? Seeing no one, we’ll return this to the bench. Commissioner Norton.”

Commissioner Norton said, “John, is it policy, or rule, that restrictive covenants are attached to deeds? Is that how you have it as a background, is that it’s attached to someone’s deed, the restrictive covenants of the developer?”

Mr. Schlegel said, “Well, I just know from my own experience that it’s usually part of the sales contract, not necessarily attached to the deed, but it’s usually recorded as an instrument with the county register.”

Commissioner Norton said, “Okay. So it would be apparent that if our Legal is having trouble finding the restrictive covenants, that they might not exist, they may just be in somebody’s head?”

Mr. Schlegel said, “They may be attached to the sales contract, which would still make them binding. You know, the practice of most developers is to register so that it’s on the public record

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and somebody can do their due diligence and go find that record. But it may be, in this case, the developer just attached it to the sales contract, but we don't know that."

Commissioner Norton said, "Generally, as areas develop, the developer is in charge of the restrictive covenants until what time it's turned over to a certain percentage of the homeowners..."

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

Commissioner Norton said, "...has this area been turned over to the homeowners or..."

Mr. Schlegel said, "Not to my knowledge. The indication from the testimony at the Planning Commission was that the developer still controls that."

Commissioner Norton said, "Okay. And was the developer there to make any comments about enforcing the restrictive covenants?"

Mr. Schlegel said, "There was a builder there, the person that has built most of the homes that exist in the subdivision, and they indicated their opposition to this. There was no discussion about enforcement, and oftentimes restrictive covenants, if they're written properly, will have an enforcement provision for the HOA (homeowners' association) to carry that out. But that didn't come up during the Planning Commission testimony."

Commissioner Norton said, "Okay. And is this builder the developer?"

Mr. Schlegel said, "That I don't know."

Commissioner Norton said, "Because there is a differentiation..."

Mr. Schlegel said, "Yeah, there is, yeah."

Commissioner Norton said, "...between developer and builder, the developer's the..."

Mr. Schlegel said, "He identified himself as the builder of most of the homes."

Commissioner Norton said, "Well a builder could be a contractor and not the..."

Mr. Schlegel said, "Correct."

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Commissioner Norton said, “...developer of the property.”

Mr. Schlegel said, “Right.”

Commissioner Norton said, “And the developer has the ability to take care of their restrictive covenants. Is there any indication that this will continue over the years to be a leased apartment, or is this just something where they’re helping out a friend for a little period of time?”

Mr. Schlegel said, “The way he presented the situation was they were helping a friend out. The testimony by the applicant was that for the past two and a half years, his father-in-law had been in the pool house, and then more recently, then, it’s a father of a friend is, I think, how it was put to the Planning Commission that’s in there. And he was portraying it, in terms of he’s helping a friend out.”

Commissioner Norton said, “When does a building go from a pool house, where somebody may just sleep a couple of nights, to becoming an apartment? Is there a number of days of occupancy straight, a number of weeks in a year? Is there a guideline for when somebody just sleeps in an outbuilding? I mean, you could sleep in a shed, a garage, anything else, I don’t think it would be illegal until you maybe start calling it an apartment...”

Mr. Schlegel said, “Well, I think what...”

Commissioner Norton said, “...and leasing it.”

Mr. Schlegel said, “...makes this an accessory apartment is the fact that it was built with a kitchenette and a bathroom and it can be, and it is, inhabited. By the applicant’s own testimony, it is inhabited by somebody. There is somebody in residence in that structure.”

Commissioner Norton said, “Is it unusual for a pool house, or an outbuilding, to maybe have some kind of a bath facility and some kind of area to cook, if you were entertaining in a pool house?”

Mr. Schlegel said, “No, in my opinion, that would not be unusual for a pool house to have some type of cooking facilities and a bathroom.”

Commissioner Norton said, “Okay. And is the biggest problem the traffic, additional traffic on the property, or a noise level?”

Mr. Schlegel said, “There was no testimony to that effect, specifically from the opponents. I think they were concerned about it becoming a rental property, you know, a permanent rental property.”

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Commissioner Norton said, “Do we have any kind of code that limits rental properties or apartments on a certain acreage, so if you only have a quarter of an acre, or a half acre, you couldn’t do it, but up to an acre...”

Mr. Schlegel said, “No, the code would allow this to be a rental property as an accessory apartment on this lot, subject to this conditional use approval. So, I mean, if you would approve this without the time limit on it, it could be a permanent rental property.”

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

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

Commissioner Welshimer said, “Well, another question, does this, to be a separate apartment from the house, it would have to have its own address. Does it have a separate post office address?”

Mr. Schlegel said, “I don’t know that...”

Commissioner Welshimer said, “Street address?”

Mr. Schlegel said, “...because of the situation, I suspect not, but I don’t know for sure.”

Commissioner Welshimer said, “I would think if not, then it’s not going to be a separate place for someone else other than the family that owns the property to live. What about a separate driveway? Does it have a separate driveway?”

Mr. Schlegel said, “No, it does not have a separate driveway. I’ll go back to, you can see, here’s the single driveway in the photo, and it shows up also in the site plan. You can see there’s a walkway from the driveway and the garage of the main dwelling back to the pool house.”

Commissioner Welshimer said, “Okay. So it doesn’t have a driveway, it doesn’t have an address, what about well and septic, or does this have public utilities?”

Mr. Schlegel said, “It’s tied into the utilities for the main dwelling.”

Commissioner Welshimer said, “So what if they just built a canopy from the house to the pool house, then it would all be one, right?”

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Mr. Schlegel said, “Yeah, they could attach it to the main dwelling in that way.”

Commissioner Welshimer said, “So the problem is having someone staying in it 24 hours?”

Mr. Schlegel said, “Well the problem for the neighbors, I think this might be where you’re going with this question is, I think the problem for the neighbors is they don’t want it to become, this accessory apartment to become, a permanent rental unit.”

Commissioner Welshimer said, “Yeah. Well it would have to have an address to be a permanent rental unit and a driveway, wouldn’t it?”

Mr. Schlegel said, “I don’t know that for sure. I would have to do some research on that.”

Commissioner Welshimer said, “Okay. Thanks.”

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

Commissioner Parks said, “Well, part of my question got answered about the sewer and water, and that was the one that was in my district a couple years ago that was somewhat of the angst with the people in that neighborhood, but we allow these, John, for the purpose of sometimes they used to be called mother-in-law apartments, but I don’t want to call it that anymore because I may be in the shed sleeping for a couple nights, but we do allow this for the purpose of family members, but now there’s not a family member in there, is that what I’m hearing?”

Mr. Schlegel said, “Well, your practice as a Commission has been to approve these things, when you do approve them, where somebody wants to take care of a family member. And I think that was the original intent in allowing accessory apartments under the zoning code, because that’s not an uncommon situation where somebody has either elderly parents or other relatives that they feel they would want to have them close to them so they could take care of them. And that has been pretty much, when you have approved accessory apartments, it’s been for those reasons.”

Commissioner Parks said, “And I certainly would have liked to have had both sides here today to speak to this. That’s all, Mr. Chairman.”

Chairman Peterjohn said, “Thank you, Commissioner Parks. I’d like to raise a point or two, because, procedurally, this came up, the MAPC actually voted on this back in December, okay, because we’ve been on a fairly compressed time frame here, and I really appreciate my colleagues’ dialogues and questions because it’s raised a couple points I hadn’t thought of. And I’ve read

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through the material that we've had, but there's additional items that personally I'd like to examine in closer detail, and so I'm going to move that we defer this item for one week."

MOTION

Chairman Peterjohn moved to defer Item A for one week.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item."

NEW BUSINESS

B. CONSIDERATION OF COOPERATIVE AGREEMENT FOR THE WICHITA/SEDGWICK COUNTY LAW ENFORCEMENT TRAINING CENTER.

Col. Richard Powell, Chief Deputy, Sheriff's Office, greeted the Commissioners and said, "You have before you this morning a request from the Sheriff's Office to amend the existing cooperative agreement that Sedgwick County has with the City of Wichita regarding the Wichita/Sedgwick County Law Enforcement Training Center at 2235 West 37th Street North. Since 1985, the City of Wichita Police Department and the Sedgwick County Sheriff's Office have together operated the Wichita/Sedgwick County Law Enforcement Training Center. This training center primarily is used for the training of recruit officers for both agencies, the Wichita Police Department and the Sedgwick County Sheriff's Office."

Col. Powell continued, "Along with the training of recruit officers, new officers being hired to the respective departments, we also use the training center for facilitation of in-service training, both statutory training required by state law for both agencies and also make that facility available in the hosting of outside training events to be used by local municipality law enforcement agencies

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throughout Sedgwick County that also need to have that required training on an annual basis. Those classes are typically hosted either by our Sheriff's Office or by the Wichita Police Department. As the years have progressed, we have operated under the same general operating agreement that allows for joint responsibility in the sharing of recurring monthly expenses and overhead costs. The current agreement we're operating under is a split, the City of Wichita pays 75 percent of the operation costs, the Sedgwick County Sheriff's Office pays 25 percent of the operation costs.

"As time has progressed over the years, we have found that the Sedgwick County Sheriff's Office has utilized that facility more and more, and back in 2008, a request was made of the BOCC (Board of County Commissioners) to increase the Sheriff's budget authority to change the agreement from a working agreement of 75/25 split to a 50/50 split. In 2009, additional budget authority was approved for the Sheriff's Office, and funds were allocated to allow us to pay that 50/50 split. At that time, the amended agreement was sent to the city for approval. Due to numerous unforeseen delays on the part of the city, they did not sign off on the revised working agreement until December 1 of 2009. In December 16th of 2009, I appeared before you requesting your authority to go ahead and start paying the 50/50 split amount retroactively back to July 1 of 2009 in a more equitable form to, again, share our responsibilities. It was your decision at that time to table the request until today, so, again, I'm appearing before you to, again, request your authority in the allowance of the Sheriff's Office to fund this at a 50/50 percent with the City of Wichita and changing the agreement that's currently in effect.

"The Sheriff's Office is not asking for any additional budget authority or funding. The funds are already in place in our 2010 operating budget. We just simply are requesting your authority to start paying at a different rate. I have included with your documentation packages some statistics that show how we have utilized the facility. I picked a window of time, just arbitrarily, the last four years, which will show how many recruit classes we have had with the Sheriff's Office, also how many were done with the Wichita Police Department. We've also shown in your package how many in-service classes were during that same four-year window and also the outside agency open classes. You'll see there that I think the numbers will show that we adequately can show that we are using the facility at a much greater rate than we probably have in the past."

"I think typically, especially with recruit classes, which is our primary focus there, we typically have a few more classes than the police department does because we not only train our recruit deputies that have the statutory requirement to train when they are hired on as new deputies, but we also train our detention deputies there, too. So we do have, in that respect with recruit classes, quite a few people going through that facility. I will stand for any questions you may have. If there are none, I would simply request that you approve the Agenda item request as presented."

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Chairman Peterjohn said, “Thank you, Colonel Powell. We’ve got at least one question. Commissioner Parks.”

Commissioner Parks said, “Before there’s a motion on this, I would like to ask a couple of questions, one of Legal and one of Colonel Powell.”

Col. Powell said, “Sure.”

Commissioner Parks said, “Before 1985, were the rookie classes, or the basic classes, held somewhere else then or were they at the Hutchinson facility for the state?”

Col. Powell said, “I can only speak from experience of the Wichita Police Department, because I was there. In prior years, the police department maintained their own academy within the city building across the street. I honestly can’t tell you what we did at the Sheriff’s Office. I would like to make the broad assumption that they were handled internally here within the Sheriff’s Office...”

Commissioner Parks said, “Okay.”

Col. Powell said, “...because there was not a joint training center of any form prior to 1985.”

Commissioner Parks said, “And, Mr. Euson, the legal on this contract, it will automatically renew unless we make some amendment to this today then? This automatically renews?”

Mr. Euson said, “This agreement does, yes, sir.”

Commissioner Parks said, “I don’t know that with the Heartland Center and everything coming up that I’m comfortable with that, but I’m going to go ahead and make a motion that we approve this until January 20, 2011, and that the contract be re-reviewed at that time.”

Col. Powell said, “Certainly.”

Chairman Peterjohn said, “Is there a second?”

MOTION

Commissioner Parks moved to approve the Cooperative Agreement until January 20, 2011, when it will be under further review, and authorize the Chairman to sign.

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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 Parks	Aye
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

Chairman Peterjohn said, “Next item.”

Col. Powell said, “Thank you.”

C. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION AUTHORIZING THE ISSUANCE OF \$16,860,000 AGGREGATED PRINCIPAL AMOUNT OF HEALTH CARE FACILITIES REFUNDING REVENUE BONDS, SERIES 2010 (CATHOLIC CARE CENTER, INC.).

Ms. Irene Hart, Director, Community Development, greeted the Commissioners and said, “The Catholic Care Center is a not-for-profit corporation co-owned by Via Christi Senior Services and the Catholic Diocese of Wichita. On December 22, 2009, the Board of County Commissioners adopted a resolution indicating the county’s intent to issue up to \$17,200,000 in healthcare facilities refunding revenue bonds for the benefit of the Catholic Care Center. This refunding would enable them to receive purchase bonds at a reduced interest rate that would save them approximately \$2.4 million in interest payments. You approved the letter of intent at that time, the refunding bonds will then be dated January 28, 2010, in the aggregate amount of \$16,860,000 and that will be amortized over a 22 year period. The Catholic Care Center is a property tax exempt facility based on their operation as a not-for-profit adult care home.”

“The facility is located within the City of Bel Aire, but the issuance of these refunding bonds is appropriate since Sedgwick County issued the original bonds. The City of Bel Aire has consented to this issuance by formal resolution. Sedgwick County has no obligation to pay principal, premium, or interest on the refunding bonds, and the corporation is obligated to pay for the costs of issuing these refunding bonds. The issue has been reviewed by county bond counsel Joe Norton of Gilmore & Bell, who is here to answer any questions you might have. The next step would be to open the

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public hearing, accept comment, close the hearing and adopt the resolution. J.T. Klaus, who is the applicant's bond counsel from Triplett, Woolf and Garretson is also here to answer any questions you might have."

Chairman Peterjohn said, "Thank you. Commissioner Welshimer."

Commissioner Welshimer said, "Well I just have one question. Would you clarify a little bit more what refunding revenue bonds are? In other words, how does the public, or the taxpayer, what is their obligation in this, since it's being brought to us to approve?"

Mr. Joe L. Norton, Gilmore & Bell, greeted the Commissioners and said, "With respect to your question, Commissioner Welshimer, when the project was originally built and improved, they're issued healthcare facility revenue bonds to provide construction financing and permanent financing. Now they have the ability to, in essence, to refinance that by issuing refunding bonds. Just like if you had had a home mortgage, interest rates dropped, you go in and refinance. That's in essence what is happening here. They have the opportunity to get rid of their old debt, replace it with lower interest rate debt. The obligation is still the Catholic Care Center guaranteed by a Via Christi corporation, also. The county taxpayers have no responsibility whatsoever to repay this debt."

Commissioner Welshimer said, "Okay. Thank you."

Mr. Norton said, "Thank you."

Chairman Peterjohn said, "Any further questions for Ms. Hart or Mr. Norton before I open the public hearing? Seeing none, I'm going to open the public hearing and see if there's anyone who wishes to testify concerning the proposal before the Commission this morning. I am going to wait just a minute and then just make sure, ask a second time. By seeing no one, I want to give plenty of time, in case, I hate to have it closed too quickly and give anyone an opportunity to speak on it. Seeing no testimony, I'm going to close the public hearing and this will return to the bench. If there's no further comment among the Commissioners, what is the will of the body?"

MOTION

Commissioner Unruh moved to adopt the Resolution and authorize the Chairman to sign.

Commissioner Parks seconded the motion.

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

VOTE

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

Ms. Hart said, “Thank you.”

Chairman Peterjohn said, “Next item, please.”

D. DEPARTMENT ON AGING.

1. GRANT APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR FUNDING OF THE SEDGWICK COUNTY RURAL TRANSPORTATION PROGRAM.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, “This is a one-year grant renewal that provides operating assistance for specialized and general rule transportation to the rural areas of Sedgwick County for citizens residing in Andale, Bentley, Cheney, Clearwater, Colwich, Garden Plain, Goddard, Mt. Hope, Peck, Sedgwick, Schulte, Furley and Viola. The renewal would also continue to fund a volunteer transportation program in conjunction with senior centers in Bentley, Mount Hope, Garden Plain and Clearwater. The first agreement with the Kansas Department of Transportation (KDOT) for this program was initiated by Sedgwick County in 1995. The total funding request under this grant is \$189,110. The Federal Transit Administration’s share is 50 percent of that, of \$94,555. Kansas Department of Transportation’s share is 20 percent at \$37,822 and the local match share required is 30 percent, \$56,733. That match funding has already been approved for the 2010 mill levy budget; fund center is listed there.”

“This is, like I said, for general rule public transportation in these areas and this is an annual grant application that we submit to pull down these funds to increase accessibility and transportation services for citizens of Sedgwick County residing in the rural areas. I would be happy to answer any questions, and request that you approve the grant application and authorize the Chair to sign all necessary documents, including the grant award agreement and the application, and approve establishment of budget authority at the time the grant award documents are executed.”

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MOTION

Commissioner Welshimer moved to approve the Grant Application and authorize the Chair to sign all necessary documents, including the grant award agreement containing substantially the same terms and conditions as this application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, “We have a motion and a second, any questions for Ms. Graham? I’m going to just throw out, for the record, I believe the amount total of the grant’s a little over a \$189,000? I’m seeing you nodding in the affirmative.”

Ms. Graham said, “Yes it is.”

Chairman Peterjohn said, “Okay. Please call the vote.”

VOTE

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

Chairman Peterjohn said, “Next item, please.”

2. EIGHT AGREEMENTS TO PROVIDE CONTRACTED TRANSPORTATION SERVICES THROUGH THE SEDGWICK COUNTY TRANSPORTATION PROGRAM.

Ms. Graham said, “The Sedgwick County Transportation program utilizes community transportation vendors to assist with the manned response trips throughout Sedgwick County. We utilize private and nonprofit vendors which maximizes county funds and grants, and assists with the increasing need for low-cost accessible transportation. The first agreements of this type with

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contracted transportation providers were initiated by the county in December of 1998. The term of this agreement with these providers is January 1, 2010, through December 31, 2010. The eight agreements are with: ABC Cab Company, Inc., American Cab Company, Inc., Cerebral Palsy Research Foundation; Timber Lines, First Class Transportation, Inc., Kansas Elk Training Center for the Handicapped (KETCH) of Kansas, Inc., Rita's Ride, LLC, Thunder Enterprises, Inc. and Wisdom Travels, LLC. These are providers that we utilize a variety of different funding sources for. The providers are reimbursed mileage based on an established chart per one-way trip that is in your backup. And like I said, we utilize the variety of funding source, we determine eligibility for these programs, we have a call-in system where people call in and ask for rides. We coordinate that and get it coordinated with a provider, and they can call in five days a week 8:00 to 5:00, and that transportation is available then 24 hours a day based on their call. They are required to call in in advance and request that, and there are co pays required for that, a \$3 co pay, depending on the funding source. So I would request that you approve the agreement and authorize the Chair to sign, and would be happy to answer any questions."

Chairman Peterjohn said, "Seeing no questions, what's the will of the body?"

MOTION

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

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, "We have a motion and a second. I'm going to jump in, a quick question; I noticed that the amount on this agreement's a little over \$365,000, is this all local tax money or is it a combination?"

Ms. Graham said, "It is a combination of a variety of different funding sources; federal dollars, state dollars and grant funds."

Chairman Peterjohn said, "I was looking in the backup information and I couldn't tell that break up between the state, federal and local, do you know what that is off the top of your head?"

Ms. Graham said, "Yes, we have that. One second and I will get that for you. It's 65 percent mill levy, 30 percent federal and 5 percent state is the breakdown of those funds."

Chairman Peterjohn said, "Thank you very much. We have a motion and a second,

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Commissioner Parks.”

Commissioner Parks said, “I had basically the same question, and if the state cuts their five percent, and the feds [federal government] cut their percentage, will our services go down or will we increase the amount of taxation on this project?”

Ms. Graham said, “The services will be reduced. And in our contracts with our vendors, it does say that any of these services are dependent on resources and availability.”

Commissioner Parks said, “Thank you.”

Chairman Peterjohn said, “Seeing no further discussion, please call the vote.”

VOTE

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

Chairman Peterjohn said, “Next item, please.”

3. APPROVAL OF 13 FY 2010 TARGETED CASE MANAGEMENT CONTRACTS.

Ms. Graham said, “This contract covers targeted case management services for the Fiscal Year 2010; January 1, 2010, through December 3, 2010, in accordance with Kansas Department on Aging, Social and Rehabilitative Services (SRS) and Medicaid policies and procedures. The targeted case management contract insures quality service in Central Plains Area Agency on Aging region. This is our fourteenth year as a Medicaid program provider. Clients served are age 65 and

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older, are at risk for nursing home placement and have been determined eligible for nursing home placement based on their functional eligibility and Medicaid eligibility. They are in need of in-home assistance to remain independent and live in their communities and homes. Services are available and provided through Medicaid, and this is a service provided in Sedgwick, Harvey and Butler Counties as the Area Agency on Aging planning and service area. These items are within the Fiscal Year 2010 budget as approved by the Board of County Commissioners. All of the funds that pay for these services are Medicaid dollars, state and federal dollars under the Medicaid program. This is a contract for 13 targeted case managers. They do go out and do the assessment, the functional eligibility determination, the ongoing monitoring of all eligible clients under this program. Last year we served 1,607 clients with this service, total throughout the year. This is a much needed and much accessed program for individuals who are eligible, and certainly as our population ages we see an increasing need and demand for this service. I would be happy to answer any questions, and would request that you approve the 2010 contracts for targeted case management and authorize the Chairman to sign.”

Chairman Peterjohn said, “Well, I’m seeing no questions from any of my colleagues here. I’m going to have to ask at least one. The Governor has recommended a 10 percent cut in Medicaid...”

Ms. Graham said, “Yes.”

Chairman Peterjohn said, “...if that cut goes through, or some other amount, a different percentage, whether it’s 6 percent or 16 percent, what would be the impact on this program under the 10 percent cut or some other cut?”

Ms. Graham said, “Based on that 10 percent cut, we have reduced the rates paid in this contract for targeted case managers, so that 10 percent rate cut was passed on to these providers of this Medicaid reimbursed service.”

Chairman Peterjohn said, “So would that item be brought back before the Commission if that happens, or would that occur automatically?”

Ms. Graham said, “This contract does reflect a 10 percent rate reduction, so we have reduced the reimbursement rate because that 10 percent rate reduction was effective under this program January 1st.”

Chairman Peterjohn said, “Okay. So there’s already a 10 percent...”

Ms. Graham said, “Yes.”

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Chairman Peterjohn said, “...that’s contained within this.”

Ms. Graham said, “Yes.”

Chairman Peterjohn said, “What happens, conversely, if the legislature acts and that 10 percent cut is removed, would it be brought back to us...”

Ms. Graham said, “Then we would come back, yes.”

Chairman Peterjohn said, “...or what would happen?”

Ms. Graham said, “Yes, we would anticipate coming back and changing that rate to reflect the change in Medicaid rates.”

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

Commissioner Unruh said, “Thank you, Mr. Chairman. Annette, the purpose and focus of this is just to help keep folks in home rather than have them placed in nursing homes, which is considerably more expensive than the money that we’re investing here, is that correct?”

Ms. Graham said, “Yes, that is correct.”

Commissioner Unruh said, “All right, thank you. That’s all I have.”

Chairman Peterjohn said, “Seeing no further comments, what’s the will of the body?”

MOTION

Commissioner Parks moved to approve the 2010 contracts for Targeted Case Management and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

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

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VOTE

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

Ms. Graham said, “Thank you.”

Chairman Peterjohn said, “Next item, please.”

E. PUBLIC WORKS

1. APPROVAL OF A RESOLUTION OF SUPPORT FOR AN APPLICATION TO USE FEDERAL TRANSPORTATION ENHANCEMENT FUNDS THROUGH THE KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) FOR A PATHWAYS PROJECT ON OLIVER FROM 47TH TO 63RD ST. SOUTH. DISTRICT 5.

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, “In Items E-1 and E-2, we’re requesting your approval of resolutions of support to be forwarded to KDOT in support of applications for transportation enhancement funding. In this case, we’re talking about bicycle pedestrian paths. The primary purpose of these resolutions is to express your official support for the projects and a willingness to move forward with them if they are selected by KDOT. Specific funding sources for the local share of the projects would be identified and approved in our CIP (Capital Improvement Program) after project selection and prior to your approval of actual project agreements. Both of these projects were recommended in the WAMPO (Wichita Area Metropolitan Planning Organization) Pathways Plan and close critical gaps in the existing pathway system.” “Over the last several months, these projects have been discussed by both the Technical Advisory Committee and the Steering Committee for the Derby-Mulvane Joint Area Study. Public Works staff agreed to pursue the federal funding, but informed both Derby and Mulvane representatives that the county would request that the cities participate in the local share of the cost. No formal agreements have been made. The resolution in Item E-1 is in support of a bike pedestrian path on Oliver between 47th Street South and 63rd Street South. If selected, we estimate that the project will cost \$788,062. Of that total, the local share would be 20 percent or \$157,332. The remaining

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\$630,730 would come from federal funds. We ask that you approve the resolution of support for Item E-1."

Chairman Peterjohn said, "Commissioner Welshimer."

Commissioner Welshimer said, "Yes, this is in my district and I would like to make a motion that we approve the request and authorize the Chairman to sign the resolution of support."

MOTION

Commissioner Welshimer moved to approve the request and authorize the Chairman to sign the resolution of support.

Chairman Peterjohn seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item, please."

2. **APPROVAL OF A RESOLUTION OF SUPPORT FOR AN APPLICATION TO USE FEDERAL TRANSPORTATION ENHANCEMENT FUNDS THROUGH THE KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) FOR A PATHWAYS PROJECT ON ROCK ROAD FROM WOODBROOK TO 103RD ST. SOUTH. DISTRICT 5.**

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Mr. Spears said, “The resolution in Item E-2 is in support of a bike pedestrian path on Rock Road between Woodbrook and 103rd Street South. If selected, we estimate that the project will cost \$611,808. Of that total, the local share would be 20 percent or \$122,361. The remaining \$489,447 would come from federal funds. We request that you approve the resolution of support.”

MOTION

Commissioner Welshimer moved to approve the request and authorize the Chairman to sign the Resolution of support.

Commissioner Parks seconded the motion.

Chairman Peterjohn said, “Seeing the motion and the second, Commissioner Parks.”

Commissioner Parks said, “Out of the 20 percent that we’re kicking in on these projects, that does come out of the sales tax fund?”

Mr. Spears said, “That would be correct, yes, sir.”

Commissioner Parks said, “Okay. Thank you.”

Mr. Spears said, “But here again, we’re going to work with the small cities and they will participate also, so the full amount of it won’t be on Sedgwick County.”

Commissioner Parks said, “Okay. And there won’t be any of those connection problems between the cities that there are 20 foot pieces of missing pathways or anything like that there?”

Mr. Spears said, “No, there won’t be. In fact, these will fill in gaps.”

Commissioner Parks said, “Great. Thank you.”

Chairman Peterjohn said, “Seeing no further discussion, please call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye

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Chairman Peterjohn Aye

Chairman Peterjohn said, "Next item, please."

3. **APPROVAL OF AN AGREEMENT BETWEEN THE UNION PACIFIC RAILROAD COMPANY, SEDGWICK COUNTY, AND THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS REGARDING THE CONSTRUCTION AND MAINTENANCE OF HIGHWAY CROSSING SIGNALS AT THE INTERSECTION OF THE RAILROAD TRACKS AND 87TH STREET SOUTH WHICH IS BETWEEN MERIDIAN AND SENECA.**

Mr. Spears said, "Item E-3 is a three party agreement between the Union Pacific Railroad, Sedgwick County and the Secretary of Transportation for the State of Kansas regarding the construction and maintenance of the highway crossing signals at the intersection of the railroad tracks and 87th Street South between Meridian and Seneca. The project will provide for the installation of crossing signals with flashing lights and gates. Sedgwick County will be responsible for the continued maintenance of the advanced warning signs and pavement markings. The railroad crossings in the state are prioritized by KDOT and selected accordingly. The total cost of the project is \$180,385 to be paid 100 percent by federal funds. I recommend that you approve the agreement and authorize the Chairman to sign."

MOTION

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

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye

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Chairman Peterjohn Aye

Mr. Spears said, “Thank you.”

Chairman Peterjohn said, “Next item, please.”

**F. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING
ON JANUARY 14, 2010.**

Mr. Joe Thomas, Senior Purchasing Agent, Purchasing, greeted the Commissioners and said, “There are three items for consideration that resulted from the meeting of the Board of Bids and Contracts of January 14. Item 1;

**1. ANNUAL SOFTWARE & EQUIPMENT SERVICE AGREEMENT –
FORENSIC SCIENCE CENTER
FUNDING – TOXICOLOGY**

“The recommendation is to accept the quote from Agilent Technologies in the amount of \$65,873.95. Item 2;

**2. MAINTENANCE AGREEMENT FOR LIFEPAK 12 AND BATTERIES –
EMERGENCY MEDICAL SERVICES
FUNDING – EMS OPERATIONS**

“The recommendation is to accept the quote from Physio Control in the amount of \$34,680. And Item 3;

**3. ANNUAL SOFTWARE MAINTENANCE & SUPPORT – DIVISION OF
INFORMATION AND OPERATIONS
FUNDING – SYSTEMS AND SECURITY**

“The recommendation is to accept the quote from Computer Associates for a not to exceed amount of \$47,056. I’ll be happy to answer questions and I recommend approval of these items.”

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

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Commissioner Parks said, “Yes, on the gas chromatograph and the mass spectrometer for the Forensic Science Center, those have just been purchased in the last couple years, and there’s no warranty that goes along with that, that reduces our cost on these items?”

Mr. Thomas said, “There are warranties for the items and they are covered. This is an annual software agreement that covers those items that come off the warranty and then have to be covered by the service agreement. And so from year to year you’ll see that this fluctuates due to those items that come off warranty.”

Commissioner Parks said, “Okay. Thank you.”

Chairman Peterjohn said, “What is the will of the body?”

MOTION

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

Commissioner Welshimer seconded the motion.

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

VOTE

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

Mr. Thomas said, “Thank you.”

Chairman Peterjohn said, “Next item, please.”

CONSENT AGENDA

G. CONSENT AGENDA.

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- 1. Five (5) Right of Way Easements, Two (2) Permanent Drainage Easements 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.**
- 2. General Bill Check Register of January 6, 2010 – January 12, 2010.**
- 3. Payroll Check Register for the week of January 2, 2010.**
- 4. Order to correct tax roll for change of assessment on December 23, 2009.**
- 5. Order to correct tax roll for change of assessment on December 30, 2009.**
- 6. Order to correct tax roll for change of assessment on January 6, 2010.**

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

MOTION

Commissioner Unruh moved to approve the Consent Agenda as presented.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Peterjohn said, “Next item, please.”

H. OTHER

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Chairman Peterjohn said, “Commissioner Welshimer.”

Commissioner Welshimer said, “Well, yesterday Commissioner Peterjohn and I went to Topeka to do some lobbying, since we are on our own this year without a lobbyist. And we met during the day at the Capitol with several members of the legislature, House and Senate. And then in the evening we went to a reception for the Kansas Association of Counties and made our wish lists known as well as we could with the time that we had for that purpose. Mainly we were asking for the legislature not to reduce Medicaid reimbursements another 10 percent and we were asking for a Senate bill that finishes prison sentences, the last 10 days of a prison sentence, in the county jail. We asked that that not be done to us because it would be very difficult for us to house those people. And I think we had a successful meeting. We met with a good variety of legislators and they were not quite into the session yet, and so they didn’t have their minds made up about anything, and there’s a lot of wonderment up there as to just exactly how they’re going to address all of their issues. The people who talked to us were not encouraging, and so that was not good. There is an attitude of dismay among all of them, and so we can just wish them the best and hope that they remember the 10 and 10 rule, we called it; 10 percent in 10 days. Anything with a 10 in it that comes up, just remember that, vote no. So that was our trip yesterday for me.”

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

Commissioner Parks said, “Some of the things we passed here today dealt with some of those cuts, and I hope that the legislature just remembers that when we’re talking about, and I’m going to be redundant here, because I’ve said this before, but the very young, the very old and those that can’t take care of themselves, the transportation issues that we have here today, and passed here today, those are important for people to get to the doctor and to have their transportation needs met. So, I just wanted to say that. And, also in the Consent Agenda, there was an easement project, and no eminent domain was used, I checked into that before, and I want to make sure that I got that on the record that no eminent domain was exercised in those projects. Thank you.”

Chairman Peterjohn said, “Thank you, Commissioner Parks. I’m going to take a Chairman’s prerogative to expand a little bit upon Commissioner Welshimer’s comments. The legislation, the Senate bill, the 10 day, putting prisoners who are due to be released in 10 days back into the county jail system would cause some serious problems for us. And unfortunately in discussions with legislators, we discovered that the original proposal had been 20 days and there was some comment

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to the effect that you guys ought to be glad it's 10 days instead of 20. And I know they face some major challenges in Topeka. One of the things I emphasized, in addition to the 10 or 10, was more additional unfunded mandates that would impact the counties, and that is a continuing concern, and it's a concern that I had before I became a Commissioner, because I'm concerned also about unfunded mandates by the state government under the private sector, and concerns that it's impacting our ability to compete and have a stronger economy that would make us in a better economic position to expand our jobs and the income that people receive.

"I think it's very important that viewers, people who are in our room, and anyone who is following the legislature, pay very close attention because I spoke with Alan Conroy who heads up Legislative Research and he made a presentation to the South Central [Kansas Legislative] Delegation that was not televised recently and he said they are anticipating having four years in a row where they would have a reduction in state tax revenue receipts. And this is causing major and severe problems at the state level. And that problem is so severe that we are facing that this is going to have unintended consequences that I think are going to not only impact some of the folks that Commissioner Parks mentioned just a couple minutes ago, but I think can impact the entire state. And so it's particularly incumbent in our modern era, and the data that head of Legislative Research, Alan Conroy, emphasized to me was that going back to the 1960s was as far back as they go, because I asked him, I said, did we have four consecutive years where we lost revenue in the Depression era in the 1930s? And he said, well, I can't answer that. Just going back to the 1960s, even with the severe downturn we've had in 1980, 1981 and in 2000, 2001, they've never had a situation that we are facing right at the moment.

"And that challenge, I think, is going to impact everyone at all levels of government in Kansas, and I think it's a national, and perhaps even an international, problem too. But I emphasize this because the most important thing that the legislature has to do, they have to pass a budget for next year and it's going to be, I think, from looking at the data and having watched the legislature closely since 1993, I think this is the toughest year that they've faced, in the time that I've been watching them, and according to Mr. Conroy, this whole sequence is the toughest time that they've faced in going back to the 1960s. And I felt it's important to share that because these challenges at the state level, I think, are going to continue to have an impact for the folks here at Sedgwick County and everyone else who has dealings with both local and state governments in Kansas. We have, I believe, our next item, Commissioner Welshimer."

MOTION

Commissioner Welshimer moved that the Board of County Commissioners recess into Executive Session for 20 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal advice and preliminary discussions relating to the acquisition of real property for public purposes, and that the

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Board of County Commissioners return to this from Executive Session no sooner than 10:25.

Chairman Peterjohn seconded the motion.

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

VOTE

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

Chairman Peterjohn said, “We are in recess until no sooner than 10:25 a.m.”

The Board of County Commissioners recessed into Executive Session at 10:05 a.m. and returned at 10:50 a.m.

Chairman Peterjohn said, “I call this meeting back to order. The Board of Commissioners for Sedgwick County returning from Executive Session, we did not take any binding action and seeing no other business, I will entertain a motion to adjourn.”

MOTION

Commissioner Welshimer moved to adjourn the regular meeting of the Board of County Commissioners.

Chairman Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye

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Chairman Peterjohn Aye

Chairman Peterjohn said, "We are adjourned. Thank you."

I. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:51 a.m.

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

KARL PETERJOHN, Chairman
Third District

Regular Meeting, January 20, 2010

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

February 10, 2010