

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

February 24, 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, February 24, 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; Ms. Jo Templin, Director, Human Resources; Mr. Steven Spencer, Maintenance Worker, Kansas Coliseum; Ms. Deloris Kocher, Senior Maintenance Worker, Kansas Coliseum; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Michael Borchard, County Appraiser; Mr. Michael L. North, Assistant County Counselor; Mr. Glen Wiltse, Director, Code Enforcement; Mr. Bob Lamkey, Director, Public Safety; Ms. Annette Graham, Executive Director, Department on Aging; Ms. Marilyn Cook, Executive Director, COMCARE; Ms. Claudia Blackburn, Director, Health Department; Ms. Iris Baker, Director, Purchasing; Ms. Amanda Matthews, Communications Coordinator; Ms. Karen Bailey, Chief Deputy County Clerk; and Ms. Angela Lovelace, Deputy County Clerk.

GUESTS

Mr. Michael Aumack, Partnership Specialist, US Census Bureau
Ms. Peggy Cleaton, President, Wichita Desk and Derrick Club
Ms. Sally Dewey, Co-Chairman, Wichita Metro League of Women Voters
Mr. James W. Baker, Appointee, Sedgwick County Mechanical Examiners and Appeals Board
Mr. John Todd, 1559 Payne, Wichita

INVOCATION

Led by Ashok Aurora, Hindu Community, Wichita

FLAG SALUTE

ROLL CALL

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

PROCLAMATION

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A. PROCLAMATION DECLARING MARCH AS CENSUS 2010 MONTH.

Ms. Amanda Matthews, Communications Coordinator, greeted the Commissioners and said, "I'll read this in for the record:

PROCLAMATION

WHEREAS, an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day care centers, roads and public transportation, hospitals and other facilities, and achieve an accurate and complete count of the nation's growing and changing population; and

WHEREAS; more than \$400 billion per year in federal and state funding is allocated to states and communities based, in part, on census data; and

WHEREAS; census data help determine how many seats each state will have in the U.S. House of Representatives and often is used to redistrict state legislatures, county and city councils and voting districts; and

WHEREAS; the 2010 Census creates jobs that stimulate economic growth and increase employment; and

WHEREAS; the information collected by the census is confidential and protected by law;

NOW, THEREFORE, BE IT RESOLVED, that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim March, 2010 as

'Census 2010 Month'

In Sedgwick County, and encourages residents to support the US Census Bureau in helping ensure a full and accurate count in 2010.

"And that's dated February 24th, 2010."

Chairman Peterjohn said, "What is the will of the body?"

MOTION

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Commissioner Welshimer moved to adopt the Proclamation.

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

Ms. Matthews said, “And we do have someone here from the Census this morning. This is Michael Aumack.”

Chairman Peterjohn said, “Welcome to the Commission, Mr. Aumack.”

Mr. Michael Aumack, Partnership Specialist, US Census Bureau, greeted the Commissioners and said, “Thank you very much. Thank you, Amanda, for that introduction. Chairman Peterjohn, Commissioners Welshimer, Unruh, Norton and Parks, on behalf of the U.S. Census Bureau, I want to thank each of you for considering this proclamation. I couldn’t have asked for better timing. The 10 year Census, the 2010 Census is going to be delivered to all the residences in the country beginning mid-March. In fact, this coming Monday they are starting to deliver the 10 question form to all the rural residences that don’t receive mail service at their home. We’re also hiring right now 4,000 people here in Kansas; in Wichita it’s a little over 1,000 people we’re hiring. We’re recruiting over 5,000 to meet that goal and hiring people in every census tract, because they know their tract and that’s where they are going to be canvassing for our non-response follow up. And what that means is the residences that do not respond by mailing in the form, in the self-addressed postage paid envelope, people will be following up to see if the home is abandoned or if they didn’t get the form. Also, I want to thank Tania Cole, the Community Relations Director, for all the work that she’s done. She has been with us from the very first meeting we had at City Hall back in October, and also Assistant County Manager, Charlene Stevens. She was gracious enough to venture out on a very frosty morning in January to the Urban League where we had the road tour, that was a van, a rolling press tour if you will, that visited Wichita that morning.”

“So the county has been behind us the whole way, and also Commissioner Parks was present at that one meeting, so we do want to thank each and every one of you for adopting this. And it is very

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important for all of us that everyone be counted for our future budgets, and, of course, anyone who writes a grant proposal over the next 10 years is going to hope we have good numbers with the census count. Also, I want to mention the county Health Department on 9th Street is going to be one of our Be Counted sites. And what that is, around the county we're setting up these places, public accessible locations, where people can walk in if they did not receive a census form, if they do not understand the form, if they need it in large print, or in one of six languages, or in Braille, it will be available to them. So we're trying to do our best to make sure everyone and every sector of our community knows about this important event. Thank you all very much. Any questions?"

Chairman Peterjohn said, "Mr. Aumack, I appreciate you coming in and speaking a little bit. I happen to have a couple of questions, if I may, for people who are interested in, perhaps, a position. We've got an unemployment problem in this county that's larger than I think any of us here on the Commission would like to see. If people are interested, how long would these positions be available for, and are these considered part-time or full-time during the period that they would be working?"

Mr. Aumack said, "Okay, to answer your question, anyone interested in employment, there's a toll free number to call, and that's 1-866-861-2010. People call that number, they will enter their zip code, that call will be directly sent to the local census office here at 13th and Tyler where they will be scheduled to take a test, I would call it a simplified postal employee exam, where they're just verifying the person can read instructions, can follow numerical sequences and some simple math. Once that occurs, and they are not a felon; they don't have any felony convictions over the last 10 years, they are then qualified to be an employee. To answer your question directly, we do have full time and part-time positions. They are all temporary. This is the largest undertaking the US Government does outside of warfare. Once every 10 years they gather this army of people to complete this count. There are various positions from clerical positions in our office, and of course the classic, the canvassers that are out there, that will be following up with those who do not respond to the form. And these positions, they are hiring at this moment, and these positions, some of them, they go on eight week cycles, and considering the demand, these positions can go on through August. I'm even temporary, my expiration date is September 25th. It is all temporary, but there are full-time and part-time positions available.

Chairman Peterjohn said, "Good to know. If a person was interested, and they weren't quick enough to get the phone number, again, which I'll be happy to read before you stand down, can they come by between 8:00 and 5:00 weekdays at 8414 West 13th Street North in Suite 130 and apply there too?"

Mr. Aumack said, "Correct. It's directly across the street from Northwest High School. However, if people were to go there, before they actually fill out the application, they need to be scheduled to take that exam and they need to pass that exam, 70 percent or above, at least 70 percent on that

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exam, and then from that point the employment process continues. So the best thing for them to do, call the 866-861-2010 number.”

Chairman Peterjohn said, “We got that number in again. Thank you very much, Mr. Aumack.”

Mr. Aumack said, “Thank you all very much.”

Chairman Peterjohn said, “Next item.”

B. PROCLAMATION DECLARING MARCH 2010 AS DESK AND DERRICK AWARENESS MONTH.

Ms. Matthews said, “I’ll read this in for the record:

PROCLAMATION

WHEREAS, the Association of Desk and Derrick Clubs was founded in 1951 by Inez Awty Schaeffer; and

WHEREAS; the Association of Desk and Derrick Clubs is made up of seven regions covering the United States and Canada with approximately 2,700 members in 61 clubs; and

WHEREAS; the purpose of the Association of Desk and Derrick Clubs is to promote the education and professional development of individuals employed in or affiliated with the petroleum, energy, and allied industries; and

NOW, THEREFORE, BE IT RESOLVED, that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners does hereby proclaim March, 2010 as

‘Desk and Derrick Awareness Month’

and encourages all citizens to congratulate them on the 59th annual observance of this event.

“And it is dated February 24th, 2010.”

MOTION

Commissioner Norton moved to adopt the Proclamation.

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Commissioner Parks seconded the motion.

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

VOTE

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

Ms. Matthews said, “And today it looks like we have Peggy Cleaton and Mary Combs here to accept the proclamation.”

Ms. Peggy Cleaton, President, Wichita Desk and Derrick Club, greeted the Commissioners and said, “I want to thank you for this proclamation. We do educate all of our members and the public of the oil and gas industry, and the importance it is to Kansas, and the United States and Canada. Thank you.”

Chairman Peterjohn said, “Well thank you. Wait just a second. Commissioner Norton.”

Commissioner Norton said, “Well I think we all know that Kansas has a rich history in the petroleum, and oil and energy sector, and I think this proclamation is very appropriate because it is a driver of our economy throughout the state. And I have been invited to speak next Monday to your club, and I’ve had several exchanges with Mary to be sure she educates me about, so I don’t step in the oil when I get there, because I am not sure I know everything about the oil industry. But we know that it’s very important to our community and to our state, and we’re glad to do the proclamation.”

Ms. Cleaton said, “Thank you.”

Chairman Peterjohn said, “I would like to second those comments, because I agree with Commissioner Norton, there is a lot to learn in reading a little history. A while back, during World War I, Kansas was the leading producer of oil and petroleum products during World War I, and played an absolutely crucial role at that time, a very challenging time in our country’s history. And

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the discovery of the oil fields over in Butler County was a big, big part of that, and your efforts to educate the public on the importance in the past, because I firmly believe it's going to be just as important in the future. And in fact, if you tapped into our oil shale, and [into] the north slope of Alaska, we would have more oil by far than Saudi Arabi, and I think maybe even all of the Middle East, but unfortunately that oil shale is hard to get into, and the north slope has been a contentious issue. But I appreciate educating people on our history and our past, because I do believe that is very important.”

Ms. Cleaton said, “Well, I’ve been in the industry for about 40 years and everybody in it thinks it is the best industry to be in. We love our jobs.”

Chairman Peterjohn said, “Thank you.”

Ms. Cleaton said, “Thank you.”

Chairman Peterjohn said, “Next item.”

C. PROCLAMATION DECLARING RECOGNITION OF THE LEAGUE OF WOMEN VOTERS 90TH BIRTHDAY.

Ms. Matthews said, “I’ll read this in for the record:

PROCLAMATION

WHEREAS, Kansas has a history of being trendsetters for women’s suffrage; and

WHEREAS; Kansas approved votes for women in 1912, eight years before the 19th Amendment was adopted into the Constitution of the United States; and

WHEREAS; February 14, 1920, marked the creation of the Wichita Metro League of Women Voters – the first League of Women Voters unit established in the United States; and

WHEREAS; the League is a nonpartisan political organization that encourages the informed and active participation of citizens in government; and

WHEREAS; the Wichita Metro League of Women Voters recognizes this anniversary as a milestone and encourages women, both young and old, to vote on Election Day; and

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WHEREAS; in recognition of the League’s birthday, we look to future generations to continue the work of this group of visionaries;

NOW, THEREFORE, BE IT RESOLVED, that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners does hereby recognize February 14, 2010 as the

‘90th Birthday of the Wichita Metro League of Women Voters’

“And it is dated February 24th, 2010.”

MOTION

Commissioner Welshimer moved to adopt the Proclamation.

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

Ms. Matthews said, “And we have Sally Dewey here to accept the proclamation this morning.”

Ms. Sally Dewey, Co-Chairman, Wichita Metro League of Women Voters, greeted the Commissioners and said, “A special thanks to Commissioner Gwen to whom I sent this information and who took it and ran with it. The facts as you heard them are accurate. I don’t know if you feel as much like celebrating as we do, but we are very proud of the league, and also the fact that it started in Wichita, Kansas. I am personally proud that my mother-in-law was a charter member. The league is very important in our family. I’m Co-Chairman right now with Denea Lyons. Is my husband a member? Sure, he is. The league is open to all women and all men, so before I leave I would sign you all up this morning.”

Ms. Dewey continued, “We are very political. We are also non partisan, which is a healthy state in which to be. We have studies throughout the year. One of our studies that will culminate August 26th in the celebration of the 90th anniversary of the 19th Amendment allowing women to vote is the kickoff next week, March 4th. March 4th is only coincidental. We will have an event at the

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Murdock Theatre, I believe it's Pine and Broadway, in the 20th Century Club house. Our speaker that evening will be Magistrate Federal Judge Karen Humphreys, and it will be interesting to look at this study of reputation on the bench. It has been noted nationally as well as locally, I'm afraid, that minorities and women are sadly lacking on the judicial bench. We hope to bring that to the attention of the public, and in the future perhaps that can be more balanced. Judge Humphreys will look at that from a female judge's point of view, and it should be very interesting. The public is invited. It's free, 7:00 Thursday evening March 4th, We'd be delighted if you all would come. There will be discussion and cookies following. Irresistible. Thank you again, and Commissioner Gwen, thank you."

Chairman Peterjohn said, "Thank you. Commissioner Welshimer. Sally, I think we might have a comment or question for you."

Commissioner Welshimer said, "Well, I just want to make a comment is all. You're very right about the judicial bench. Here in Sedgwick County we have, I believe, 28 judicial elected positions and no women at all."

Ms. Dewey said, "Actually, I only see one out of five on this bench."

Commissioner Welshimer said, "There is only one on five on this bench and there's only one other elected official of the county elected seats, and that would be Nola Foulston. There's only 2 out of 38."

Ms. Dewey said, "Maybe we can do something about that in the near future."

Commissioner Welshimer said, "We should do something about that."

Ms. Dewey said, "Thank you again."

Commissioner Welshimer said, "Another thing, too, this celebration for the League of Women Voters obviously was formed about 20 years after Kansas. Kansas allowed women to vote before the amendment was passed."

Ms. Dewey said, "We were a leader."

Commissioner Welshimer said, "And so it looks like after Kansas allowed women to vote, then they were allowed to serve in elected seats, and there's 20 years later the League of Women Voters was formed. It's been a long struggle with all the different groups that we've had. I think the

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League of Women Voters has been out front, and I'm so glad that you came and that we had this proclamation today. Thanks Sally.

Ms. Dewey said, "Thank you, Gwen. I kind of don't like that verb 'allowed.' I think we all have so much to contribute to one another."

Commissioner Welshimer said, "Yes. It was not a good word."

Chairman Peterjohn said, "Sally, if I may jump in with a comment, too. I'm interested in the history in that period before the federal constitutional amendment was adopted. "

Ms. Dewey said, "Me too."

Chairman Peterjohn said, "There were a number of states besides Kansas that allowed women the right to vote, and in fact the first woman, Jeannette Rankin, was elected to the US House of Representatives in 1916, four years before women received the constitutional amendment was adopted. And I've always had some fun with my legal brethren to ask them exactly how did that happen? And under the rules that existed at that time, there were a number of states that where women not only had the right to vote, they could run for office. So I think that's a proud history that precedes what happened when the federal constitutional amendment was adopted 90 years ago in 1920, if my memory is correct. Please feel free to correct me if it's not."

Ms. Dewey said, "No, that's right."

Commissioner Welshimer said, "I think Kansas was the second state and Colorado the first."

Ms. Dewey said, "And then the rest of the country caught up with us."

Commissioner Welshimer said, "And then the rest of the country caught up and finally federal."

Ms. Dewey said, "Good for Kansas."

Commissioner Welshimer said, "Good for Kansas, yes."

Chairman Peterjohn said, "Well, Congresswoman Rankin was elected from Montana in 1916, so Montana got in there, too. But if we beat Montana, that's fine."

Ms. Dewey said, "Thank you again."

Chairman Peterjohn said, "Thank you. Next item please."

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RETIREMENTS

D. PRESENTATION OF RETIREMENT CLOCKS.

- **STEVEN SPENCER, COLISEUM MAINTENANCE WORKER, KANSAS COLISEUM WILL RETIRE APRIL 1, 2010 AFTER 32 YEARS OF SERVICE.**
- **DELORIS KOCHER, SENIOR MAINTENANCE WORKER, KANSAS COLISEUM WILL RETIRE APRIL 1, 2010 AFTER 22 YEARS OF SERVICE.**

Ms. Jo Templin, Director, Human Resources, greeted the Commissioners and said, “This item recognizes long-term employment and many contributions to public service from two of our Kansas Coliseum employees who will retire April 1st. We want to thank them for their work and wish them well in their retirement, and we have clocks and certificates to present to them. The first is Steven Spencer, and he has been a Coliseum Maintenance Worker for 32 years at the Coliseum, and plans to retire on April 1st. Congratulations.”

Chairman Peterjohn said, “Congratulations, thank you for your service to Sedgwick County; 32 years is a long time.”

Mr. Steven Spencer, Maintenance Worker, Kansas Coliseum, greeted the Commissioners and said, “Thank you.”

Commissioner Peterjohn said, “I hope this memento will give you something to think about, in terms of your efforts, and on behalf of the Kansas Coliseum, and the entire complex, and the many successful events and important achievements that went on out there during those 32 years. Would you like to take a moment and speak to the rest of the Commission?”

Mr. Spencer said, “No.”

Chairman Peterjohn said, “Okay, well thank you very much.”

Ms. Templin said, “Thank you.”

Mr. Spencer said, “I guess all I can say is that I was there before the Coliseum was started, well, not before it started, before it opened when it was dirt inside, and I guess I’ll leave when it’s gone.”

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Ms. Templin said, “Good for you. Thank you. And the other employee is Deloris Kocher, who is the Senior Maintenance Worker, and she will retire April 1st after 22 years of service.”

Chairman Peterjohn said, “Congratulations. Thank you. On behalf of Sedgwick County, I’m proud to provide you with this clock and a certificate of appreciation for 22 years of service. You also got to see quite a few important events out there at the Kansas Coliseum during and the Britt Brown Arena during its heyday.”

Ms. Kocher, Senior Maintenance Worker, Kansas Coliseum, greeted the Commissioners and said, “Yes, I did.”

Chairman Peterjohn said, “Would you like to say a few words?”

Ms. Kocher said, “Just thank you.”

Chairman Peterjohn said, “Well, thank you.”

Ms. Templin said, “Thank you.”

Commissioner Norton said, “I do have a comment. Steven and Deloris, thank you so much for your service all those years. I know it has to be a bittersweet moment for you to separate from the Coliseum. Life moves on somehow. We wish you all the best in your retirement and whatever your endeavors are, and thanks for serving so well. You know, the Kansas Coliseum has a very high place in the history of our county, and you’ve been a participant in that for many years, and we appreciate that very much. Thank you.”

Chairman Peterjohn said, “Thank you also. Next item.”

APPOINTMENTS

E. SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.

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1. RESOLUTION REAPPOINTING AS LISTED BELOW TO THE SOLID WASTE MANAGEMENT COMMITTEE.

- **Non-Voting Chair – Nicki Soice**
- **Commissioner, 1st District – Nancy Larson**
- **Commissioner, 2nd District – Clement Dickerson**
- **Commissioner, 3rd District – Gil Hoover**
- **Commissioner, 4th District – Jeff St.Clair**
- **Commissioner, 5th District – Garry Winget**
- **First Class City – Joseph (Joe) Pajor**
- **Third Class City – Randy Parker**
- **Unincorporated Area – Brenda Melby**
- **General Public – Dean Frankenbery**
- **Private Industry – Steve Dalluge**
- **Private Solid Waste Industry – Jim Spencer**
- **Private Recycling Industry – Roger Lyon**
- **County Recycling – Jo Oliver**

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Item E-1, E-22 and E-3 all deal with the Solid Waste Management Committee, and with your indulgence, I would like to announce those all at the same time. It would be appropriate for you to approve them all at the same time.”

Chairman Peterjohn said, “Without objection, please proceed.”

Mr. Euson said, “Item E-1 is a resolution containing reappointments to the Solid Waste Committee.

This is a 15 member voting board with one non-voting chair, and the resolution makes the following reappointments: Nicki Soice as the Non-voting Chair, Nancy Larson as the 1st District County Commissioner Representative, Clement Dickerson as the 2nd District County Commissioner Representative, Gil Hoover as the 3rd District County Commissioner Representative, Jeff St. Clair as the 4th District County Commissioner Representative and Gary Winget as the 5th District County Commissioner representative.”

“Representative of a First Class City is Joe Pajor, of a Third Class City is Randy Parker, of the unincorporated area is Brenda Melby, of the general public; Dean Frankenberry, private industry; Steve Dalluge, private solid waste industry; Jim Spencer. Roger Lyon would represent the private

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recycling industry and Jo Oliver is the County's Recycling Coordinator and fills that position. Then in Item E-2, a new appointment, the citizens' organization appointment to this committee, which is Elizabeth Bishop, and then Item E-3 is a resolution appointing Keith Thomas, he is the Second Class City appointment to this board. All of these appointments are two-year appointments, and they will expire in December of 2011. I recommend you adopt resolutions for Items E-1, E-2 and E-3."

MOTION

Commissioner Norton moved to adopt the Resolution for Items E-1, E-2 and E-3.

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, "Okay, just for the record, is anyone who is being appointed in the audience at the moment? Okay. Thank you very much. We have a motion and a second. Seeing no further discussion, please call the vote."

VOTE

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

- 2. RESOLUTION APPOINTING ELIZABETH BISHOP (CITIZEN'S ORGANIZATION APPOINTMENT) TO THE SOLID WASTE MANAGEMENT COMMITTEE.**

Action taken with Item E-1

- 3. RESOLUTION APPOINTING KEITH THOMAS (SECOND CLASS CITY APPOINTMENT) TO THE SOLID WASTE MANAGEMENT COMMITTEE.**

Action taken with Item E-1

- F. RESOLUTION FOR 2010 NOMINATIONS AND ALTERNATES FOR THE GREATER WICHITA ECONOMIC DEVELOPMENT COALITION STEERING COUNCIL.**

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- **Nominee 1 – Karl Peterjohn**
- **Nominee 2 – Gwen Welshimer**
- **Alternate 1 – Dave Unruh**
- **Alternate 2 – Tim Norton**

Mr. Euson said, “Commissioners, we prepared this resolution of appointment. The nominees are Karl Peterjohn and Gwen Welshimer, and the alternates are Dave Unruh and Tim Norton. These serve at the pleasure of the Board of County Commissioners, and I recommend you adopt the resolution.”

MOTION

Commissioner Parks moved to adopt the Resolution.

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

G. SEDGWICK COUNTY BOARD OF BUILDING EXAMINERS AND APPEALS.

- 1. RESOLUTION REAPPOINTING TIM LeBLANC, STRUCTURAL ENGINEER AND STEVE SHEPHERD, COMMERCIAL CONTRACTOR (AT-LARGE REAPPOINTMENTS) TO THE BOARD OF BUILDING EXAMINERS AND APPEALS.**

Mr. Euson said, “Commissioners, these are three-year appointments, and I would recommend you adopt the resolution. The backup information indicates that neither one of these persons is present.”

MOTION

Commissioner Norton moved to adopt the Resolution

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Commissioner Unruh seconded the motion.

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

VOTE

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

H. SEDGWICK COUNTY BOARD OF PLUMBING EXAMINERS AND APPEALS.

- 1. RESOLUTION REAPPOINTING MIKE BRAND, JOURNEYMAN AND SUSAN ERLLENWEIN, ENVIRONMENTAL SERVICES (AT-LARGE REAPPOINTMENTS) TO THE BOARD OF PLUMBING EXAMINERS AND APPEALS.**

Mr. Euson, said, “Commissioners, these are also three year appointments, and again the backup information indicates that neither of these persons is present.”

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “Rich, a quick question. Are these also for two years?”

Mr. Euson said, “These are three years, yes.”

Chairman Peterjohn said, “Three-year appointments ending in December?”

Mr. Euson said, “Yes. They actually end in February, 2013.”

Chairman Peterjohn said, “Oh okay, February. Seeing no further discussion, call the vote.”

VOTE

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

I. SEDGWICK COUNTY ELECTRICAL EXAMINERS AND APPEALS BOARD.

1. RESIGNATION OF ROBERT BOLING FROM THE ELECTRICAL EXAMINERS AND APPEALS BOARD.

Mr. Euson said, "Commissioners, it is recommended that you accept this resignation at this time."

MOTION

Commissioner Parks moved to accept the Resignation.

Commissioner Welshimer seconded the motion.

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

VOTE

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

2. RESOLUTION APPOINTING SCOTT PECK, ELECTRICAL ENGINEER (AT-LARGE APPOINTMENT) TO THE ELECTRICAL EXAMINERS AND APPEALS BOARD.

Mr. Euson said, "Commissioners, if you could take Items I-2, I-3 and I-4 at the same time, they relate to the same board."

Chairman Peterjohn said, "And the duration of these appointments?"

Mr. Euson said, "These are all three-year appointments, ending in February of 2013. Item I-2 is a resolution appointing Scott Peck to the Electrical Examiners and Appeals Board. Item I-3, Richard

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Kretchmar, who is a Master Electrician to that board, and Item I-4 reappoints Troy Alan Phillips, who is a Journeyman Electrician to that board. The backup information also indicates that none of these persons is present.”

MOTION

Commissioner Norton moved to adopt the Resolutions for I-2, I-3, and I-4.

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

- 3. RESOLUTION APPOINTING RICHARD KRETCHMAR, MASTER ELECTRICIAN (AT-LARGE APPOINTMENT) TO THE ELECTRICAL EXAMINERS AND APPEALS BOARD.**

Action taken with Item I-2

- 4. RESOLUTION REAPPOINTING TROY ALAN PHILLIPS, JOURNEYMAN (AT-LARGE REAPPOINTMENT) TO THE ELECTRICAL EXAMINERS AND APPEALS BOARD.**

Action taken with Item I-2

- J. SEDGWICK COUNTY MECHANICAL EXAMINERS AND APPEALS BOARD.**

- 1. RESIGNATION OF DALE MALTBIE FROM THE MECHANICAL EXAMINERS AND APPEALS BOARD.**

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Mr. Euson said, “Again, I would ask that you accept this resignation at this time.”

MOTION

Commissioner Parks moved to accept the Resignation

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, “Commissioner Norton.”

Commissioner Norton said, “I just wanted to say that Dale has served several years, he is sunsetting his Chairmanship of PEC (Professional Engineering Consultants, P.A.), but has served well on our Mechanics Examiners and Appeals Board for several years. I just wanted that so noted.”

Chairman Peterjohn said, “Seeing no further discussion, I believe we have a motion and a second. Please call the vote.”

VOTE

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

- 2. RESOLUTION APPOINTING GLEN NELSON, MECHANICAL ENGINEER (AT-LARGE APPOINTMENT) TO THE MECHANICAL EXAMINERS AND APPEALS BOARD.**

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Mr. Euson said, “And again, Commissioners, if we could take items J-2, J-3, J-4, and J-5 together, these are appointments and reappointments to this board. Item J-2 appoints Glen Nelson as Mechanical Engineer representative to the board. Item J-3 is a resolution appointing Jason Menges, a Master Mechanic to this board. Item J-4, a resolution appointing Andy Mills, who is a Master Mechanic, to this board, and J-5 is a resolution reappointing James Baker, who is Mechanical Engineer representative to this board. These are all three-year terms, again, expiring in February 2013, and backup information indicates Mr. Nelson is present, and Mr. Baker is present, and the other two are not.”

MOTION

Commissioner Norton moved to adopt the resolutions under J-2, J-3, J-4, and J-5.

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, “Any and all of these folks mentioned who are here, please step to the podium so we can get you sworn in, please.”

Mr. James Baker, Appointee, Mechanical Examiners and Appeals Board, greeted the Commissioners and said, “I’m James Baker.”

Chairman Peterjohn said, “A little closer to the microphone, please.”

Ms. Karen Bailey, Chief Deputy County Clerk, greeted the Commissioners and said,

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

Mr. Baker said, “I will.”

Chairman Peterjohn said, “Thank you, Mr. Baker, welcome. And please, if you have a comment or two we would be happy to hear from you.”

Mr. Baker said, “Well, just a quick comment. I think this is my third reappointment, and it’s been a pleasure serving on the board. They do a tremendous job here for Sedgwick County, and really make the job as part of the examiners board very easy.”

Chairman Peterjohn said, “Well thank you for your service and welcome back, appreciate it for Sedgwick County. And we have one more person, I believe, to be sworn in. Stand down for just a second here, if we have...”

Ms. Bailey said, “Is Mr. Nelson here?”

Commissioner Norton said, “It doesn’t look like it.”

Chairman Peterjohn said, “Perhaps we only got to swear in one this morning. Thank you very much. Next item, please.”

3. **RESOLUTION APPOINTING JASON MENGES, MASTER MECHANIC (AT-LARGE APPOINTMENT) TO THE MECHANICAL EXAMINERS AND APPEALS BOARD.**

Action taken with Item J-2.

4. **RESOLUTION APPOINTING ANDY MILLS, MASTER MECHANIC (AT-LARGE APPOINTMENT) TO THE MECHANICAL EXAMINERS AND APPEALS BOARD.**

Action taken with Item J-2.

5. **RESOLUTION REAPPOINTING JAMES W. BAKER, MECHANICAL ENGINEER (AT-LARGE REAPPOINTMENT) TO THE MECHANICAL**

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EXAMINERS AND APPEALS BOARD.

Action taken with Item J-2.

CITIZEN INQUIRY

K. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING TICKETING AT THE INTRUST BANK ARENA.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, Mr. Allen called this morning and is unable to attend today's meeting."

Chairman Peterjohn said, "There's nothing to receive and file, so let's just go on to the next item, please."

PLANNING DEPARTMENT

L. ZON2009-00037 – SF-20 SINGLE-FAMILY RESIDENTIAL ("SF-20") TO GENERAL OFFICE ("GO") ON PROPERTY GENERALLY LOCATED SOUTH OF WEST 21ST STREET NORTH AND ONE-HALF MILE WEST OF NORTH 119TH STREET WEST (12807 WEST 21ST STREET NORTH). DISTRICT 3.

VISUAL PRESENTATION

Mr. John Schlegel, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, "You can see the location of the site, it's just a little less than one acre in size, located along west 21st Street North, about halfway between 119th Street and 135th Street. Currently zoned SF-20 (Single-Family Residential), as you can see on the zoning map before you, surrounded by a great deal of other SF-20 zoned land on the north, south and west. And then off to the east you can see the SF-5(Single-Family Residential) subdivisions, zoned subdivisions, Teal Brook Estates and Cedar Downs just on the north side of 21st Street. The applicant's intention in seeking this rezoning request is to build an office for his chiropractic practice. It is part of a larger 29 acre site on which he has a residence. The original application that the applicant submitted was for Limited Commercial (LC), but then they've reduced their request down to General Office (GO) as a result of conversations with the staff. You can see on the aerial photo the development pattern for the area."

Mr. Schlegel continued, "Again, to the east are the single-family dwelling subdivisions, Teal Brook Estates immediately to the east, and then off to the north is still largely undeveloped land, and then

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off to the west and south are largely undeveloped with scattering of single-family homes and agricultural uses. The General Office zoning, if it is granted, would allow a building height of up to 60 feet. However, that would be tempered by the compatibility height limits within the zoning code, which would limit the structure to 35 feet when located within 50 feet of any lot line that's zoned for Single-Family Residential. We don't know exactly how tall this office structure would be because I don't think it's been designed yet, and no drawings have been submitted to us for review. In addition to the height limits, another mitigating factor that you might want to consider is that there would be zoning screening requirements, required by the Zoning Code, for fencing and screening with either a wall, or solid vegetation, an earth berm that would be required along the edges of this property along the east side and the south side of this property in order to buffer it from nearby residential uses.

“The case was heard by the Metropolitan Area Planning Commission (MAPC) at the meeting on January 21st and the MAPC, at that time, voted unanimously to recommend approval subject to planning within one year. There was a representative at that meeting to testify from the Teal Brook Homeowners Association, and they spoke in opposition, citing a number of concerns from that neighborhood, one being the lack of an effective buffer between the application area and their neighborhood. They cited an abundance of land along 21st Street in the vicinity of this site that's already available zoned appropriately for office use. They cited the fact that the floodway for the Cowskin is used as a wildlife corridor, that the area is also associated with, has historic significance, in that they were concerned about the impacts of developing this site, which is in the floodplain for the Cowskin, potentially having negative impacts on the neighborhood. Since the issue came up I've included this graphic from Geographic Information Systems (GIS) which shows the extent of the floodplain for the Cowskin. The pink area is the floodway for the Cowskin, and then the blue area is one of the floodplain zones adjacent to the floodway. In addition to that testimony of the Planning Commission meeting, there was one other area property owner who testified in favor of the application, and the Planning Commission had a general discussion about the requirements for building or filling within a floodplain, and they were assured by the applicant that they would be able to do this in a way that would not negatively impact any of the adjacent properties. So with that, you do have a recommendation from the Planning Commission to approve this, subject to platting within one year. And I'll stand for any questions.”

Chairman Peterjohn said, “Questions for Mr. Schlegel? Commissioner Parks.”

Commissioner Parks said, “The historical part of this that they had the objection to, the Chisholm Trail doesn't run through this or anything, does it? What was the historical...”

Mr. Schlegel said, “I don't really know exactly what they were referring to. Perhaps if the applicant is here, they would know, or if there's a representative from the homeowners association, they would be able to elaborate on that.”

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Commissioner Parks said, "Thank you."

Chairman Peterjohn said, "Segues very nicely into the next point I would like to make. Is there anyone here in the audience who wishes to testify, either for, or in support, or opposition to this application? Seeing no one, I'm going to bring it back up to the bench. This is in my district, and I am going to make a motion that we approve the recommendation to adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to GO, General Office, subject to platting within one year and direct the staff to prepare an appropriate resolution after the plat has been approved, and also authorize the Chairman to sign all documents."

MOTION

Chairman Peterjohn moved to adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to GO General Office; subject to platting within one year; direct staff to prepare an appropriate resolution after the plat has been approved and authorize the Chairman to sign the resolution.

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, "Got a motion and a second. I'm going to mention for discussion purposes why I'm doing this, and I think it's important for several reasons, because we've got, a little later on our Agenda we're going to have a presentation by our Appraiser, in terms of valuation in the county, and that's not certainly the only reason for a case like this, but we do have to look at the big picture. I am going to digress a little bit to talk about the details, because I think we can put the protections in place. I think there are legitimate concerns and I think they will be addressed through the platting process, for the homeowners immediately to the east who have a concern about this. I have looked at this property carefully, and the Cowskin Creek has been a major concern, and also the dry creek that feeds into it, that is out in the county. This is a very interesting area because the City of Wichita is both east and west of the south side of 21st Street, and so we have this little corridor of unincorporated land that stretches south 21st Street down to 13th, and the possibility of developing it has to be proceeding very carefully because it is close to the Cowskin Creek. And so the drainage issues are a concern, but looking at that, I believe that those are legitimate concerns, but they can be addressed and are going to be addressed, before any property is built upon."

Chairman Peterjohn continued, "And going back to the larger concern, I want to state that I think it's important that we provide a pro-growth environment, and I'm delighted that it looks like we've got some possibility of building an additional piece of commercial property here in the community. We need all the additional assessed value that we have. When we get the information here shortly, it's not going to be the news I was hoping to see, in terms of where we are as a community, but

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we've got some economic challenges in front of us, and so that's my thinking, in terms of why I'm supporting this motion. Seeing no other lights, I'm going to call the vote."

VOTE

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

NEW BUSINESS

M. APPROVAL OF FUNDING TO UNITED METHODIST OPEN DOOR, INC. FOR DEVELOPING A RESOURCE AND REFERRAL CENTER FOR THE HOMELESS.

Mr. Buchanan said, "This item is before you because it had a really short deadline. It is the Chairman of the homeless oversight task force, Mr. Jack Focht, who has chaired that group for the last year or so, approached us with an opportunity and a problem. You know that the United Methodist Open Door provides referral service for the homeless community. The plan was, and is, because of the homeless task force plan, was five elements in that plan, including Housing First, which we have supported. The second one was to create a Resource and Referral Service Center for the homeless. This group, the Open Door, United Methodist Open Door, went ahead and purchased the property, formally the Unemployment Office at 2nd Street, 402 E. 2nd Street. They've estimated a cost of about \$4.5 million to renovate that facility to make it available and suitable for this purpose. They have raised in excess of some \$2 million to help do that, and have an opportunity to receive a large grant from the Mabee Foundation. The conditions of the grant from the Mabee Foundation require them to have a matching fund of \$1 million. They received half a million dollars from the Kansas Health Foundation, and approached us if we were available to assist in any way. What we've designed is to pledge half a million dollars to them for this project to make them eligible for the grant with the Mabee Foundation. Our contribution would begin in 2011 and be \$100,000 for the next five years. I would be happy to answer any questions you may have, and I would recommend you approve this."

Chairman Peterjohn said, "Thank you, Mr. Manager. Is there a motion?"

MOTION

Commissioner Welshimer moved to approve funding in the amount of \$500,000 over five years, beginning in 2011, matching Kansas Health Foundation's Pledge.

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Commissioner Parks seconded the motion.

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "This would bind this particular fund out to future commissions, is that correct?"

Mr. Buchanan said, "Yes."

Commissioner Parks said, "And this actual line item that this comes out of, is that County Commissioners' contingency, general fund contingency, and how would that affect our rainy day fund?"

Mr. Buchanan said, "It would not come from the Commissioners' contingency but the general fund contingency. It has very little effect, in the financial plan, on any reserves we would have. We currently have an excess of \$60 million of reserve. That's projected to drop down a little bit in 2011, but \$100,000, having that much time to plan for and budget for, will have little or no effect on our reserves."

Commissioner Parks said, "Thank you."

Chairman Peterjohn said, "Commissioner Norton."

Commissioner Norton said, "Well, I sat on the task force for however long it was. It was supposed to be a three month deal, and it turned out to be well over a year. I think we've already seen great successes. Housing First, although it was a challenge to get to that point in our dialogue has shown great successes so far. I think as we look at the oversight committee, which was another one that they have gained some structure, we've looked at the transitional housing and that's worked very well, so I think to put this in place and be supportive of it is very important, and I'll do that today. I did have a chance to sit down with Commissioner Welshimer and Jack Focht, and kind of talk about all the pluses and minuses of us participating as government."

Commissioner Norton continued, "I think it is important, because we will have co-locations in that building with COMCARE and many of our services, and we know we deal a lot with that population because just their homeless aspect, but also their mental health and health aspects. So, I think it is something that is in our core delivery mechanism, and this will be a place where Sedgwick County will have an easier time to connect with those that are either chronically homeless, or newly homeless that just need some help as they go through the transition. And unfortunately, as Chairman Peterjohn tells us, we are in an economic issue in our community, and

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there are more and more people that maybe don't stay homeless for long but touch that system, and we need to provide that service. So I'll be supportive today. I think they found a great business, and a great business location in our core area, and we'll put a facility back into use that's been kind of languish and sitting empty for a while, so I think that's good news also. That's all I have, Mr. Chair."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. Mr. Manager, you said that they've raised about \$2 million towards this project. What is the total goal, funding goal?"

Mr. Buchanan said, "I think the last I heard, the funding goal was in excess of \$7 million. The building we have, rehabilitation for that building, was around \$4.5 million."

Commissioner Unruh said, "Okay. Thank you. And we're trying to get these funds together to provide the threshold for an ask of the Mabee Foundation. Do you know how much we're asking of them?"

Mr. Buchanan said, "Lots of numbers have been tossed around. There's no commitment from the Mabee Foundation. The numbers I've heard is anywhere from three quarters to \$1 million."

Commissioner Unruh said, "Okay, thank you. That's fairly consistent with my knowledge and understanding of how Mabee operates, and I know they are very strict on, when you come to them, you have to have met the threshold and you have to meet a lot of requirements before you can make the ask. But I think it's important as we move forward on the project to have other philanthropic organizations to help support and invest in our community, and what we've considered to be a high profile and important initiative here. I mean we have, the City of Wichita is working on this, invested in it, as well as Sedgwick County, and concerned citizen groups. So because we've identified it as a high priority, and we have this opportunity to partner with others, and it is a worthwhile project, I am going to be supportive. That's all I have, Mr. Chair."

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

Commissioner Parks said, "This is a housing contact point, is that correct? There's no beds at this location, this funding will not go for beds?"

Mr. Buchanan said, "That's correct. This is a Resource and Referral, so that those people who are facing the homeless issues will have an opportunity to receive some counseling, perhaps get directed to the right medical place. For housing, they will be referred to existing places where beds are available. And the concept is, the idea is that there's plenty of beds in the community currently."

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That system needs to be managed in a way differently than it has in the past. Providing one resource center, one place to do that, makes some sense, and it gives us the opportunity to begin to tackle that problem.”

Commissioner Parks said, “Much like the questions I had with the CAC (Child Advocacy Center) and the business plan, how many people does this plan to serve a year or a month?”

Mr. Buchanan said, “The business plan would call for an excess of 1,600 unduplicated clients in a year.”

Commissioner Parks said, “1,600 per year?”

Mr. Buchanan said, “Yes, sir.”

Commissioner Parks said, “The reason I’m asking so many questions is this is kind of a sudden thing on the Agenda...”

Mr. Buchanan said, “Excuse me. I said 1,600. It’s 1,300. Sorry. Excuse me for the interruption.”

Commissioner Parks said, “The non-budget time, bringing this up and whatnot, this information was just provided Friday, and I was out of the office Friday and Monday, so that’s why I was asking so many questions. Thank you.”

Chairman Peterjohn said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chair. The funding that we’re providing is for the capital expenses?”

Mr. Buchanan said, “Yes, sir.”

Commissioner Unruh said, “This is not ongoing operational?”

Mr. Buchanan said, “No, sir. I mean, that’s correct.”

Commissioner Unruh said, “And their operational costs are funded as they are presently, and who’s the main funder of that?”

Mr. Buchanan said, “The main funder, currently, is the United Methodist Church, through their programs. The half a million dollars that they have received from the Kansas Health Foundation is for programming over the next several years.”

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Commissioner Unruh said, "I see. Okay, thank you."

Chairman Peterjohn said, "Who is next?"

Commissioner Welshimer said, "I don't think I'm next."

Chairman Peterjohn said, "Commissioner Norton."

Commissioner Norton said, "Well, I think it's important to note that this is not going to be a place for people to come and eat, we have the Lord's Diner that serves that. There will be snacks and some things there. It's not going to be a place to sleep overnight, although it will be a place for respite, to get people maybe out of our other public spaces, and into places where there's caseworkers, mental health services and those kind of services they can connect to. One thing that we've discovered as we deal with this homeless issue is that it's like finding goldfish in a bowl. If they're all moving around, and they're in different locations and they're homeless, it's hard to give them services. If there's a place where they can gather, come every day, they'll have the ability to do laundry there, they'll have the ability to have a mailbox there to start pulling together their life in one central location, where there's people also to help get them into housing, and get them into other services and maybe get them out of that situation. If you know the history of our homeless here, particularly chronic, over half of them are males that are servicemen that are veterans. So I think it's powerful in our community that we're taking care of this very vulnerable population in a way that has evidence-based proven results in other communities that we studied. So I'm going to continue to be supportive. It doesn't recreate a place to feed them, or house them or whatever. It creates a place for them to, I think as Jack Focht says, to be every day, and connect with society instead of just being out on the streets. I'm going to continue to be supportive."

Chairman Peterjohn said, "I'm going to jump in with a couple of questions. I'm interested why we're under such a short deadline."

Mr. Buchanan said, "It's the deadline of the Mabee Foundation, which came to the attention of United Methodist Open Door recently."

Chairman Peterjohn said, "Well, let me ask, because from a budget point of view, we really can't tie the hands of the next, we will have to adopt a budget for 2011 in August. But whoever is up here come January 2011 will be responsible for budgets in 2012 for the next four years and so, in effect, there's kind of a, I'm trying to understand how we can make this commitment. Because normally the budget items come up and they're part of the budget process and get approved. We basically are being told that there's a foundation, and if we don't jump through this hoop, we won't be able to

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proceed, and I want to clearly state for the record that the facts I have on this, that I've just made, are correct or not. Is that your understanding, Mr. Manager?"

Mr. Buchanan said, "Yes, sir."

Chairman Peterjohn said, "Let me follow it up with a couple of other questions because, in terms of, this would strictly be for the capital side and not for any ongoing operations? I want that clearly on the record."

Mr. Buchanan said, "Yes, sir."

Chairman Peterjohn said, "Can you give me that assurance?"

Mr. Buchanan said, "Yes, sir."

Chairman Peterjohn said, "Okay. And Commissioner Norton, I believe, raised a comment from you, Mr. Manager, that we would be giving this to the United Methodist..."

Mr. Buchanan said, "Open Door."

Chairman Peterjohn said, "Open Door. I have a question for Mr. Euson, in terms of is there any problems that we get into if it's a church organization, or to prevent any church/state problems in that regard?"

Mr. Euson said, "Not that I'm aware of, sir."

Chairman Peterjohn said, "Okay. Those are the questions I have at this point. I have a concern about trying to tie the hands of future commissioners in a sense, and in effect opening a budget hearing well before this summer when we normally go through these things. But the extraordinary circumstances did put this on the Agenda and we're having, I think, a useful discussion, in terms of the various aspects of this funding request."

Mr. Buchanan said, "Mr. Chairman, if I may clear up an item."

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Chairman Peterjohn said, "Sure."

Mr. Buchanan said, "The agreement would be between Sedgwick County and United Methodist Open Door Incorporated, so it's an agency that has been incorporated in the State of Kansas."

Chairman Peterjohn said, "Okay, I appreciate that clarification. Commissioner Welshimer."

Commissioner Welshimer said, "I think when I first came on to the County Commission, I found my hands tied by previous Commissions in many ways. In just about everything, as a matter of fact. I don't think that is really as large an issue as we might think. Also, I want to apologize to Commissioner Parks. When we visited with Mr. Focht about his dilemma, the problem that they have is trying to put several funding sources together, and whenever you do that there's always something that stands up and creates a problem. The Mabee foundation gave them until the end of this month and only let them know that, gave them very short notice. And so they would lose half a million dollars, which would be our loss, too, as a community, if they don't have at least the pledge. Open Door didn't have to have the money, but they have to have a pledge before the end of this month, and therefore I asked to have this put on the Agenda today. So I think it's a very worthy cause. I think it's something this community should have done long ago, and I think that we all play a role in it, and I'm going to be supportive of the recommended action."

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "Does this require zoning change in this area on 2nd Street, or..."

Mr. Buchanan said, "Not that I'm aware of, sir."

Commissioner Parks said, "Do you know if this has been by the DAB (District Advisory Board) in that area?"

Mr. Buchanan said, "Not that I'm aware."

Commissioner Parks said, "District Advisory Board."

Mr. Buchanan said, "Not that I'm aware of."

Commissioner Parks said, "I know several other projects we've had that have come up and it, to me, is just a timing issue at this point. Thank you."

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Chairman Peterjohn said, “The Chair may have made a mistake, in terms of I tried to make an opportunity. We’ve had the discussion up here on the bench. Commissioner Unruh, I was going to just check and see if there was anyone in the audience who wanted to comment on this issue. Please come to the podium. Please state your name and address for the record.”

Mr. John Todd, 1559 Payne, Wichita, greeted the Commissioners and said, “The question I would ask, has the City of Wichita, are they participating in this, and if to what extent are they participating?”

Chairman Peterjohn said, “Thank you. Mr. Manager, I believe you made a comment that the city was participating but I don’t think you mentioned an amount. Do you happen to know?”

Mr. Buchanan said, “I’m not aware that they are. I’m not aware if they’re participating or if they’re not participating.”

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

Commissioner Unruh said, “Thank you, Mr. Chairman. I think maybe that comment came from my lips that the city has been a partner in this initiative, and if that implied a financial support, I didn’t mean to imply that. My point was that this has been an agreed upon need in our community for the last several years, that the task force has worked upon it and several have come to the table to move the plan at this point. So in that respect, we have had both community and governmental partners in it. The reason that I asked to speak again was to just to ask a question that came to my mind from a couple of comments, and that is, should for some reason the Mabee grant not materialize or other funding not occur, then that would give us the opportunity to, I mean, if the project falls apart, then we’re not committed to continue with the funding?”

Mr. Buchanan said, “There’s ways in which, yes.”

Commissioner Unruh said, “Okay. Thank you.”

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

Commissioner Norton said, “Just a little more history because I was a part of this. You know, we talk a lot about we want private industry, and private sector and other entities to jump in and take the ball, and as we sat through those countless meetings when it came time to create the referral service location, Bishop Scott Jones of the Methodist Church raised his hand and said, ‘I’ll go out and try to raise the money and push this through.’ And, you know, remarkably, in that short amount of time, they’ve already raised over \$2 million and are out there with just a lot of grants. This is just one that’s come before them. I’m very hopeful that, because of the Bishop of the Methodist Church

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in the West Conference has stepped up and said he's going to take this on, that they will meet their requirements and this is just going to help them push the ball up the hill a little bit. But it is being handled by somebody in our community, nongovernmental entity that stepped up to say they'll help take care of this problem in our community, and I think that's admirable, and we're just giving it a little boost."

Chairman Peterjohn said, "Well, Commissioner Norton, I appreciate this dialogue, because I think we've clarified and gotten more information out there. My concerns, in terms of how quickly this has appeared and being put on, seems like somewhat of an arbitrary deadline that comes up quickly, and the longer term financial commitments are concerns that I have. And I am glad to get more clarification, because a lot of the information out there, when we're talking about the entire homeless issue, this has traditionally been one that the private sector has played a leading role, primarily through the faith-based communities. And we get into some challenging difficulties, and I'm glad to see the Methodist Church is providing leadership in this area. But considering that, in some places, the government has gotten involved, and the more the government's been involved, the more the faith-based community has pulled back. And so I think this is, we can get on to some very thin ice over the longer term, and since we are being requested for a five year commitment, that presents a number of challenges and concerns for this Commissioner. Commissioner Parks."

Commissioner Parks said, "Well, along that line, I did challenge my church, as well as other churches, about 18 months ago when Mr. Focht was in here. They had gone out. I would have liked to see more participation, not only with the United Methodist organization, or the spinoff organization incorporated, that could have stepped in and taken up some of this. I do have another question, and I'm asking these questions so I can make a good decision on this, what is the Mabee Foundation?"

Mr. Buchanan said, "I'm not aware of what their mission is."

Commissioner Parks said, "If any of the other Commissioners can tell me what the Mabee Foundation is, that would be great."

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

Commissioner Welshimer said, "I don't know. I had something else. I can't answer that question."

Chairman Peterjohn said, "I will throw out this. I happened to be up in Emporia last night to hear a lecture with a professor from Southern Illinois University, and a good friend of mine who is a professor at Emporia State, and we were at the Granada Theater, which was built in the 1920s, very much like the Orpheum. Interestingly enough, I was looking at the plaque, because it had just been remodeled in 2008, and the Mabee Foundation was listed, and I assume there's only one. It's a

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fairly unusual name. M-a-b-double-e was on the plaque for that building in Emporia, Kansas. That's the only insight this Commissioner can provide. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Mabee is a philanthropic organization based in Tulsa, Oklahoma. It's a family organization, and their foundation now is run by a board of directors, and at one time I could have told you the dollar amount of philanthropy that they're involved in on an annual basis, but they're primarily involved in making matching grants for capital projects. They've done a lot of things with schools and a lot of church buildings also. Most recently in our community, we were the beneficiary of a \$600,000 matching grant for Envision over here at 610 N. Main, for the rehabilitation of that building. So they're a great organization. They run a very tight ship. You have to follow all their rules and so there's some comfort, I guess, in us being part of this particular initiative, in that if the Open Door meets all their qualifications and gets that grant, you can be assured that they have done things on the up and up and followed all the rules. But Mabee is a great regional partner."

Chairman Peterjohn said, "Commissioner Welshimer."

Commissioner Welshimer said, "Well, I would just like to add one thing that, you know, I don't see this as us helping the religious community. I see them helping us, because we're responsible for the social services in this community, and were it not for them, we would be facing the dilemma of how to handle this alone. So I see this as a great help for Sedgwick County."

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	No
Commissioner Welshimer	Aye
Chairman Peterjohn	No

N. PRESENTATION OF SEDGWICK COUNTY APPRAISER'S ANNUAL REPORT OF REAL PROPERTY VALUE TRENDS IN SEDGWICK COUNTY.

VISUAL PRESENTATION

Mr. Michael Borchard, County Appraiser, greeted the Commissioners and said, "Each year prior to March 1st we like to report out to the Commission and the public the result of our market trends

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for the prior year, 2009. As far as the number of parcels in Sedgwick County, we are up to 219,086 parcels. Those parcels represent the number of real estate properties that we appraise annually. The parcel count in Sedgwick County continues to grow, but at a much slower rate than in recent history. Our primary responsibilities in the Appraiser's Office are to physically inspect each property within Sedgwick County at least once every six years; discover, list and value all property that has significant changes, and update appraisals each year to assure that all properties are valued at fair market value. Our appraisal date is January 1, 2010.

“Overall, the number of sales in Sedgwick County are down about 16 percent from last year. It's a significant decline if we compare to 2006. Very recently up to \$15,767, we are down close to 33 percent in 2006. The Appraiser's Office is also responsible for applying the classification rates to the properties. Residential property is valued at fair market value and the assessment rate is 11.5 percent. Commercial industrial property is appraised at market value, and its assessment rate is 25 percent. Vacant land is appraised at market value, and its assessment rate is 12 percent. Agricultural property is valued based on use value, and its assessment rate is 30 percent.

“Residential property represents about 55 percent of the total assessed value in Sedgwick County. New dwelling construction in 2009, there was 1,202 new dwellings. It's down 29 percent from the prior year, but down almost 50 percent from 2006. Interest rates have remained at very low levels throughout the last few years. We did have a slight decrease in the median sale price in 2009. It was down about four percent from the prior year. Home Price Index measures the amount of home price appreciation. This chart shows Wichita compared to Kansas and the US. You can see from this chart that Wichita has fared fairly well in the last couple of years, although it has flattened out. We just received a 2009 preliminary ratio study from the Department of Revenue that showed our residential median ratio at 93.3 percent. This was comparing our 2009 appraised values to sales that occurred in 2009. Commercial property represents about 30 percent of the total assessed value in the county, and commercial property transactions were down significantly from the prior year, down about 35 percent. About 50 percent from 2006. This slide shows the commercial building permit activity. In 2009 there was 1,824, it was very similar to last year's numbers. However, there was a significant number of roofing permits this year due to a hailstorm. If we remove those roofing permits due to the hailstorm, I think these permits would be down close to 30 percent.”

“This is new construction activity by property type in Sedgwick County. In 2009 we added 280,492 square feet of retail space. However, that is down about 65 percent from the prior year. We added 80,269 square feet of office space, that's down about 54 percent from prior year. There was 701,519 square feet of industrial space added, which was down 20 percent from prior year, and 365 apartment units added, which was down 27 percent from prior year. The 2009 preliminary ratio study from the Department of Revenue on commercial properties showed the median ratio at 96.3 percent. Agricultural (ag) property, there's 448,982 acres, or 70 percent of the land in Sedgwick County is still devoted to ag use. And the Department of Revenue Property Valuation Division sets

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the ag use values for the entire state each year. So as a result of our final review of values for 2009 and January 1, 2010 appraisals, the market was relatively flat in residential. Therefore, 79 percent of the parcels will receive no change in value, about 16 percent of the parcels will receive an increase in value and 5 percent will receive a decrease in value. On commercial properties, 62 percent will receive no change in value, 20 percent will receive an increase in value and 18 percent will receive a decrease in value. The ag land values went down again this year, 64 percent of the agricultural parcels will decrease in value, 30 percent will not change and 6 percent will increase in value.

“So 219,086 properties will receive their value notices on or around March 1st. Once people receive those value notices, they obviously have the right to appeal those values. Our informal hearings will begin March 16th. The deadline to file those appeals will be April 1st. And for people who are considering an appeal, they want to research any of our information at our office, they’re welcome to come. Our main office is at 4035 E. Harry. Our phone number is 660-9110. We have people at the convenience center at the Derby Tag Office, and we have lots of good information for research on our website, including how to appeal properties. We have a database that allows people to research their property values and other property values in their neighborhoods. And people also have access to sold properties from our website. So that concludes my report. Just ask you to receive and file it. If you have any questions...”

Chairman Peterjohn said, “Thank you. Any questions for the County Appraiser? Well, let’s get a motion.”

MOTION

Commissioner Parks moved to receive and file.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “We have a motion. Questions for Mr. Borchard? It’s lighting up. Commissioner Norton.”

Commissioner Norton said, “Mike, talk about the, you said there was some properties that had increases residentially. What was kind of the average increase, do you have a median there for that? You had a large share, almost 80 percent, that had no increase in property valuations. You had some that had decreases. You had about 16 percent I thought I saw. What does that increase look like?”

Mr. Borchard said, “The typical amount of increase on the 16 percent that did go up was about 4 percent.”

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Commissioner Norton said, "So pretty minor compared to some years where those properties have gone up 8 to 10 percent, so still pretty marginal. Do you have any kind of an overarching look at that group of properties? Are they in new areas that are still growing, where there's sales and building going on? I would think those are probably not in older neighborhoods."

Mr. Borchard said, "Location plays such a big role in this that all the markets are unique, and I can't really pinpoint an age range or a location where these are at, it's just scattered about."

Commissioner Norton said, "Okay, but it is still done by the computer formula of what's sold in that neighborhood and the values of that particular area. And as people want to protest, they'll need to limit it not to the global perspective but to the area that they live in, is that correct?"

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

Commissioner Norton said, "Okay. There is a graph, and I don't know if you can go back to it, it was a line graph that showed the national, the state and I think it was in Wichita. That's it. It appears, is the big line that goes way to the top, is that, the blue line, is that the US?"

Mr. Borchard said, "Yes."

Commissioner Norton said, "Kansas is the red line?"

Mr. Borchard said, "Right."

Commissioner Norton said, "And Wichita is the one that continues to grow?"

Mr. Borchard said, "Right."

Commissioner Norton said, "I guess I'd like to discuss that, and I don't know if I have any reflections other than it looks like nationally, when we talk about a bubble, it almost looks like a bubble going across the top, and it's come down dramatically fast nationally in the last couple of years. Wichita, which remained relatively low and flat, has gained a little bit in that time because of a more stable housing market, even though our sales are down a little bit, would that be a correct assumption?"

Mr. Borchard said, "Yeah. That's the same thing that our ratio studies have indicated, is that over the last couple of years the home price appreciation has been one and a half percent per year."

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Commissioner Norton said, "Well, it looked like the nation ballooned really fast between '05 and '08 until it started to crash in late '07 and '08. Would that be a fair assumption too?"

Mr. Borchard said, "Yes."

Commissioner Norton said, "Okay, I just think that's pretty provocative to look at over a course of some time, that even though we've had consternation about our rates going up every year, they've been on a straight line and didn't have that huge bubble where people thought their home values were worth a lot more than they were and now reality set in. I think that's good news as far as maintaining the home values in our area. Would that be a fair assumption too?"

Mr. Borchard said, "Well, the local real estate markets certainly didn't appreciate as fast as it did nationally, and it hasn't slowed down as quickly as well."

Commissioner Norton said, "That's all I have, Mr. Chair."

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

Commissioner Parks said, "Of the commercial property, you show a chart that said 20 percent up on that. Was that basically due to retail, or do you know if that's retail or income producing commercial property?"

Mr. Borchard said, "It wasn't a specific property type that saw the increases. It was generally just a market equalization that's required every year, and we did have a significant number of appeals in 2008. Obviously, those properties hadn't seen a value change for a couple of years."

Commissioner Parks said, "So do you anticipate, or I don't know if you keep the stats (statistics) or not, those people that appealed last year and were successful now may be in the 20 percent that's going up this year, then?"

Mr. Borchard said, "That's true, yes."

Commissioner Parks said, "I have a couple of constituents that will be in southern Texas during that month from March to April 1st, can they call you by phone? They will certainly get their appraisal through the mail forwarding, but can there be an appeal by phone?"

Mr. Borchard said, "Yes. On the back of the valuation notice, you can request a phone appeal."

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Commissioner Parks said, "Okay. Then the price index that you had there, it said Wichita, but that included the whole metro area of Maize, Bentley, West Valley [unincorporated], all those places that are out there?"

Mr. Borchard said, "That's the Wichita MSA (Metropolitan Statistical Area)."

Commissioner Parks said, "Okay. So the distressed auctions may be in Bentley that go for quite a bit less. Is there a formula that you take out? I know the engineering department, when they have a speed study, uses 85 percentile, and those on the top end and bottom end may not get in the formula, but do you have..."

Mr. Borchard said, "We actually don't produce this Home Price Index, so I'm not sure how the statistics work on it."

Commissioner Parks said, "Okay. Where do you get that Home Price Index?"

Mr. Borchard said, "It's from the Federal Housing Finance Agency."

Commissioner Parks said, "Okay. Thank you."

Chairman Peterjohn said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Mike, on the appraisal, the sales ratio study, does that include both residential and commercial?"

Mr. Borchard said, "There was two of them. We showed one for commercial and one for residential."

Commissioner Unruh said, "Okay. I guess I wasn't paying attention when you talked about the commercial. The 93.3 is..."

Mr. Borchard, said, "Residential."

Commissioner Unruh said, "That's all residential, all right."

Mr. Borchard said, "And the..."

Commissioner Unruh said, "And commercial is 96, I see on the screen. Is that Sedgwick County, are we pretty much similar to other counties in Kansas in meeting that ratio? All counties are required to meet 90 percent as a minimum?"

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Mr. Borchard said, "Ninety as a minimum and 110 as a maximum."

Commissioner Unruh said, "Do you know, are we consistent with other counties, or are we leading the pack in our accuracy?"

Mr. Borchard said, "Most counties are between 95 and 100 percent, so I wouldn't say we're leading the pack, but we're consistent with other counties."

Commissioner Unruh said, "Okay. It depends on how you look at it, whether 93 is better than 95, I suppose. If my valuation is 93 percent of my sales price then I'm, as far as paying taxes, better off than being 95 percent of my sales price. Is that correct?"

Mr. Borchard said, "I don't know if I'd relate it to taxes or not."

Commissioner Unruh said, "Well, yeah, it depends on the mill levy, I understand that. Shifting gears then a little bit. Another question is, have you had any feedback from the fact that we do not have a housing officers panel anymore? I know we were one of the last counties to quit doing that, and that was one way for residents to come in and talk about their valuation, and I just wondered if you had received any feedback, the fact that we're not doing that."

Mr. Borchard said, "There has been some that have questioned it. Feedback has been very, very minimal."

Commissioner Unruh said, "Okay. Well, it was kind of somewhat controversial for us to make that decision. I think it was the right decision, but I didn't know it was perceived in the community, so I appreciate your comments. That's all I have."

Chairman Peterjohn said, "Thank you. I've got several questions. Let me begin with asking about, you listed residential, commercial, industrial, vacant, agriculture, but the highest assessed property is utility property. Could you talk for a minute about utility property, because if my memory is correct, and please straighten me out if I have this number wrong, I think the assessed value for utility property in Sedgwick County dropped about five percent in 2009 over 2008. I was interested in how we did 2000 with these numbers versus last year?"

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Mr. Borchard said, “Well, the real estate is the first portion to be appraised and assessed. Personal property is going to be finished in the next couple of months. The last thing we get is the state assessed, which is utility property. We won’t be getting those final numbers until June. Last year it did fall off about five percent.”

Chairman Peterjohn said, “Okay. Let me ask you, you mentioned vacant property. It is a separate class of 12 percent. One of the concerns I have is that, has the amount of market value that’s listed as vacant, is that number going up or going down compared to the other classes? And let me leave it with that question, in terms of trying to find out if our vacant property is growing, or if it’s stable, or if it’s shrinking is what I’m trying to find out.”

Mr. Borchard said, “I would say that as far as value, it’s stable. As far as the number of properties, it is down from prior years. There’s not as many vacant parcels to develop right now. As far as market value, I would say that vacant land is stable.”

Chairman Peterjohn said, “Because I’d like to, there is an apparent paradox. You had a median sales price fall back you described as dropping about four percent, and realizing that the Federal Housing Finance Agency is looking at our MSA ,which is a three-county area showing us with a very, very slight increase. I wanted to try and understand because the apparent paradox between those two charts, because if you average the two of them out, they would be roughly even, although it’s got to be a little bit apples and oranges since you’re looking strictly at Sedgwick County, and the MSA count includes several other counties.”

Mr. Borchard said, “Well, remember that the median is just a single point estimate, so it’s not as stable as the method that the Home Price Index analysis uses. And we also conduct a ratio study over time that supports roughly a one and a half percent appreciation rate over the last couple of years.”

Chairman Peterjohn said, “Okay. Let me throw out, when you mentioned that if you threw out the roofing permits on commercial property, there would have been about a 30 percent drop in commercial activity in your presentation. I noted that retail, in terms of building permits added 280,000 square feet. Industrial added about a little over 700,000 square feet. I was curious if retail had had about the same 20 percent drop that you mentioned that industrial property had or was a different percentage?”

Mr. Borchard said, “Retail, the amount of square feet added was actually down 65 percent.”

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Chairman Peterjohn said, "Down 65 percent."

Mr. Borchard said, "From 2008."

Chairman Peterjohn said, "Well, I wanted to point out, particularly for my colleagues on the bench, the industrial part is interesting, because 700,000 square feet by my very rough calculations, that's about 16 acres. And if we absorbed 20 acres the previous year, after you adjust for the 20 percent drop, that's 36 acres total over a two year period. That's an interesting number, in terms of some of our discussions about industrial property, and having industrial property available, and Mike, I very much appreciate that. I'm going to end with a last question. Well, no, two more. Two more questions. First one I'll make is very easy. If people want to appeal their valuation if they got an increase, how can they go about doing so?"

Mr. Borchard said, "The process, once you receive your notice March 1, you can review your value, if you're considering appeal, the back of the value notice is actually the method for appealing. You fill out the back; send the back in to us. We'll get you scheduled for an appeal, whether it be with a hearing officer in our office or an appraiser over the phone, either one."

Chairman Peterjohn said, "Last one I'll throw this out to you is, if you added up the residential, commercial and agricultural portions, and realizing that you don't have the utility and you don't have the personal property pieces, how would the 2010 numbers compare for the residential, commercial and agriculture overall compared to last year? Have you aggregated those three categories at all as part of this?"

Mr. Borchard said, "We've taken an early look at that, and compared to last year I would say it's down about one percent from last year."

Chairman Peterjohn said, "Down about one percent, okay. Commissioner Parks."

Commissioner Parks said, "I felt compelled to kind of respond to Commissioner Unruh's comment about the Board of Tax Appeals. I do get a few on this, but they are vocal about that about having non-elected officials in doing that, and I can certainly pass the comments along, or those questions along to you from those people, especially on my Friday morning meetings up north. Kind of dovetailing into that, the agriculture valuation is set by the Department of Revenue, Property Valuation Division sets those for the entire state, and you don't have anything to do with that, is that correct?"

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Mr. Borchard said, “We don’t set the values. We identify what type of production is going on on the land, and what type of soil quality it is.”

Commissioner Parks said, “Okay. Thank you.”

Chairman Peterjohn said, “And just for the record, they have an eight year rolling average, and it’s very complicated, and we’d need almost an entire hearing to go through all the details on agriculture. It’s very complicated. Commissioner Welshimer.”

Commissioner Welshimer said, “This question may have been answered. I’ve been studying this handout, the 64 percent decrease in the value for ag parcels, do we know, are there are fewer sales in ag? I mean, are we down the same percentage, less number of sales?”

Mr. Borchard said, “I don’t know about the market activity in ag. I wouldn’t say, I would say it’s probably down some, but it’s a modified income approach that the Department of Revenue uses to come up with the price per acre on these.”

Commissioner Welshimer said, “So this is use value, decrease in value?”

Mr. Borchard said, “Right. It’s not market value.”

Commissioner Welshimer said, “Okay. So that’s right, it doesn’t really have anything to do with the sales?”

Mr. Borchard said, “No.”

Commissioner Welshimer said, “So that’s quite a reduction in property tax on agricultural properties.”

Mr. Borchard said, “The change was minimal, but the number of them that went down was significant, yes.”

Commissioner Welshimer said, “Okay. Thank you.”

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

O. A RESOLUTION AUTHORIZING SEDGWICK COUNTY, KANSAS TO ACQUIRE LAND TO PAVE AND WIDEN PUBLIC ROADS AND TO SIGNALIZE INTERSECTION.

VISUAL PRESENTATION

Mr. Michael North, Assistant County Counselor, greeted the Commissioners and said, “We are coming before the Commission requesting approval of a resolution to pursue eminent domain concerning two Public Works projects in the southwest part of the county. The first project is concerns in widening and paving road at 135th Street West. Generally the property is located and, I’ve got a bit of a graphic here to show you, on 135th Street. The entire project of the widening and paving of the road is between (US Highway) 54 and K-42. The specific properties in question lie a little bit south of West MacArthur. The second Public Works project that’s involved in this concerns installation of a traffic signal and that is located at Maple and 167th Street West. Again, the property involved in this is on the southeast corner. In the first project, there are several property owners that are affected by this. Public Works has been able to negotiate solutions with, I believe, 47 property owners. There are still two that we’ve not been able to reach agreement with, and that’s why we’d like to pursue an eminent domain proceeding so that we can acquire title of these properties. It’s also, I think, of note that on this particular project, the paving and widening project on the 135th Street West is a project that’s 80 percent funded by federal moneys, and that’s one of the reasons that we need to pursue this in somewhat of an expeditious manner. The two properties involved in it on 135th Street, one of them is only about 1/10 of an acre. The other one is slightly more than about 1/13 hundredths of an acre. We also are asking for some temporary easements for that as well. On the traffic signal property on 167th Street and Maple, that’s a little bit less than half an acre. And again, it’s one of these where we’ve pursued negotiations and have been able to get to a resolution at this point in time.”

Mr. North continued, “This is just basically an example on the first project, on the widening and paving, the first parcel you can kind of see on here the left hand side, which would be to the west side of the property, there’s a strip of about 20 feet for which we want to acquire the right of way. Second parcel involving the paving project involves a strip, again, sitting to the west end of the property, which is about ten feet in width there. The third parcel, which involves the installation of the traffic signal at Maple and 167th Street, we basically are looking at sort of an elbow or L-shaped property that we seek. This is about 20 feet in width and it goes on the west end of the property and the north end of the property. And that in essence, I think, is a summary of what we need the property for. We will continue to negotiate with the property owners even after initiating eminent

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domain proceedings because that is what we do. And we would seek approval of the resolution so that we can pursue these eminent domain proceedings in local district court. I'm certainly open to any questions that the Commission would have."

Chairman Peterjohn said, "What is will of the body?"

MOTION

Commissioner Welshimer moved to adopt the Resolution and direct the County Clerk to publish the Resolution once in the official county newspaper.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, "We have a motion and a second. Any questions for Mr. North? I am going to make a comment that I would have much preferred to see the negotiations continue before we proceed on condemnation for the properties on 135th Street. In terms of for road purposes, that is one of the provisions that is quite clearly stated under the 5th Amendment and I don't have a problem with that one, but I do have concerns on the 135th. Commissioner Parks."

Commissioner Parks said, "While we are in this procedure, you did state that negotiations could continue, is that correct?"

Mr. North said, "Of course, and we almost always would do that right up until the time that we would have a hearing."

Commissioner Parks said, "I would hope that that would happen and we would be able not to go to court on this. I think people's property rights are certainly paramount as Commissioner Peterjohn said in the Constitution. I am going to be favorable of this, though, in that we will continue to negotiate. Thank you."

Mr. North said, "I understand."

Chairman Peterjohn said, "Seeing no further comments, please call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye

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Commissioner Welshimer	Aye
Chairman Peterjohn	No

Chairman Peterjohn said, "Next item, please."

P. GOVERNMENT SERVICE AGREEMENT FOR AS REQUESTED CODE INSPECTION AND ENFORCEMENT OF COMMERCIAL BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, FUEL GAS, AND FIRE CODES BY SEDGWICK COUNTY IN SUMNER COUNTY, KANSAS.

Mr. Glen Wiltse, Director, Code Enforcement, greeted the Commissioners and said, "What we have before you today is a contract with Sumner County that would allow us to do all of these trade inspections plus plan review. We had been approached by them in the last year or so to discuss this. We're not requesting any additional staffing in order to provide this service. We can do it with existing staff at present to do this. It is only for commercial projects, and the only time we would be involved in these projects would be at their request. There's some potential projects, potentially in Sumner County, but at this time there would be no money spent out of pocket for Sedgwick County, and the only time that we would be involved, once again, would be at their request. We do have two individuals who represent Sumner County, we have John Potucek who is legal counsel, and Jon Bristor who is the Planning and Zoning Director that would be available for questions, as I would be."

Chairman Peterjohn said, "What's the will of the body?"

MOTION

Commissioner Welshimer moved to adopt the Agreement.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, "Motion and second. Commissioner Norton."

Commissioner Norton said, "Well, I just think in these times when we are looking for regionalization and places where we can partner, it's a very small thing, but it's a place where two counties can get together. We obviously have the capability and Sumner County needs it. They don't need to particularly recreate something that we can do in a partnership, and I'm going to be supportive of that, and I'm glad that Sumner County thought that Sedgwick County could be a good neighbor and participate with them in something they needed that they didn't want to recreate as government. I'm going to be supportive of that."

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Chairman Peterjohn said, "I'm going to state for the record that I agree with Commissioner Norton on this issue. 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."

Q. EMPLOYMENT AGREEMENT WITH WESLEY HELENA, MD TO SERVE AS INTERIM EMERGENCY MEDICAL SERVICES SYSTEM (EMSS) MEDICAL DIRECTOR.

Mr. Bob Lamkey, Director, Public Safety, greeted the Commissioners and said, "As you know, Dr. Katherine Young, our current EMSS (Emergency Medical Services System) Director has accepted a position in Texas with a last workday of February 26th. We've begun the search process to replace her, but that will likely take several months before we have a new full-time Director in place. In order for essential EMSS processes to continue and to meet statutory requirements, particularly for Sedgwick County EMS (Emergency Medical Services), we must have a Medical Director in the system. Dr. Wes Helena has agreed to serve as a part-time Medical Director until a full-time Director is secured. Dr. Helena has served as back up to Dr. Young in her absence, while she's on vacation and out of the community for the last five years, serves on the Medical Society EMS Subcommittee, and in fact was a paramedic with Sedgwick County EMS before he was a physician. So he's well versed on system processes, practices and protocols."

"He is a practicing anesthesiologist in our community, and as the interim director, he will provide the requisite oversight to the delivery of clinical care, quality assurance processes, systems training, provider credentialing and other EMSS programs to ensure continuity and quality until a full-time Medical Director is secured. And just for some applications, things that you know that the public may not, the EMSS really is an integrated structure that includes the Wichita Fire Department, Sedgwick County Fire Department, Sedgwick County EMS, our 911 folks, the Boeing Fire Department, the airport response folks and in the near future will probably have the volunteer fire departments of several the small cities becoming part of that process. Its intent is to provide a high level of integrated care, pre-hospital care in our community, and so this is an essential portion of this. Dr. Helena will earn \$5,000 per month. He will not receive county benefits and will provide

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malpractice insurance at his own expense, and I recommend that you approve the agreement and authorize the Chair to sign, and I'll stand for any questions."

MOTION

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

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

R. DIVISION OF HUMAN SERVICES.

1. APPROVAL OF ONE AGREEMENT WITH WICHITA FESTIVALS, INC. FOR THE SPONSORSHIP OF A RIVERFEST 2010 SENIOR GALA EVENT.

Ms. Annette Graham, Executive Director, Aging, greeted the Commissioners and said, "The Central Plains Area Agency on Aging will be sponsoring the third annual Riverfest Senior Gala on May 12, 2010, from 6:30 p.m. to 9:30 p.m. at Botanica, the Wichita Gardens. In years past, the Riverfest had held a Senior Day and provided events including a fair, luncheon and even a dance at one point in time."

Ms. Graham continued, "This, however, had not been available to older adults for several years. As a result of our success in providing the Senior Expo and the Senior Expo Gala, Central Plains Area on Aging approached the Riverfest in 2007 to suggest and recommend the provision of a Riverfest Senior Gala again. For the third year, this will be open to the public, and it will be open for individuals age 55 and older, and it will provide a Riverfest event to focus solely on that population. This is done as the Area Agency on Aging and it is one of our functions to provide information and assistance and to provide outreach, so that when people need services, aging services for older adults and caregivers, they know where the resource is and they know where to go. So this is an excellent way and opportunity for us to get the word out, to get the information out to a new population and to a new target audience, that we are an available resource. When there is a

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need related to aging or caregivers, we are the one-stop shop, we are the place to call. So this really fulfills our mandatory role.

“It also enables us to encourage seniors, and older adults and their caregivers to get out and engage in healthy activities; to go dance, to do exercise, to socialize, to get involved in the community. So we find this is a really great event and a good way to get our name and that recognition out. So at this event, we sponsor it. We also provide information about our agency. We have information out, we have brochures, we have little presentations, we have things around on the table so that they can recognize our name. It also gets our name out through the Riverfest brochures and through their marketing material. The level of sponsorship for this event is \$1,500. Wichita River Festival Inc. is responsible for advertising. We also have other co-sponsors. Via Christi Senior Services is one, and we also are currently working with getting other organizations to be involved with this. I would request that you approve this sponsorship agreement and authorize the Chairman to sign, and we’d be happy to answer any questions.”

Chairman Peterjohn said, “Thank you. What’s the will of the body?”

MOTION

Commissioner Unruh moved to approve the Sponsorship Agreement and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “We have a couple of seconds. Commissioner Parks.”

Commissioner Parks said, “How many seniors usually attend this event?”

Ms. Graham said, “Around 350 to 400. It just kind of varies, but very year it’s kind of gone up as the word gets out.”

Commissioner Parks said, “As I’ve said in years past, but I can’t say that this year. I’ll be able to attend that this year. Do you have a ticket form, or is there a limit of the number of people, or you shut it off with the fire code at the door or what?”

Ms. Graham said, “That’s exactly it, because it is open to the public, and we try not card people to tell them they’re too young to come.”

Commissioner Parks said, “Thank you.”

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Chairman Peterjohn said, “Commissioner Norton.”

Commissioner Norton said, “Well I have a little history with the senior event. When I was manager of Target Store East we sponsored the Senior Celebration the first year, and at that time I was 35 years old. Now I can actually participate in the event, but there is potential. We started with a tent in Cowtown with 400 people, and by the time we gave it up 10 years later, 3,000 people attended the event. So there’s a huge potential in our community for seniors to be involved and enjoy the River Festival at a different level, and I encourage us to be part of this and watch it grow as that population of baby boomers flood into the active society of being older. That’s all I have.”

Chairman Peterjohn said, “Thank you, Commissioner Norton. Seeing no further comments or questions, please call the vote.”

VOTE

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

2. GRANT APPLICATION TO KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR A PROJECTS FOR ASSISTANCE IN TRANSITION FROM HOMELESSNESS (PATH) FORMULA GRANT.

Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioners and said, “COMCARE is applying for a continuation of funding for a PATH grant, as you just said; it stands for Projects for Assistance in Transition from Homelessness. The grant’s coming from SRS (Kansas Department of Social and Rehabilitation Services). COMCARE has been doing outreach and providing services to homeless, mentally ill individuals in the community for over 21 years and has relied on this funding source since the inception of our homeless services. The grant allows us to provide continuation of outreach to mentally ill, homeless and supportive housing services. The grant provides 82 percent of the salaries and benefits of existing staff, two case managers, 0.2 FTE (full-time equivalent) or 20 percent of the salary of a System Integration Coordinator, and a half-time Peer Support Provider who has experienced homelessness herself. We’re requesting a total of \$225,344 for this two-year grant, and we’re expected to provide a match of \$48,874 which will come from revenue generated by the Case Managers and the Peer Support Specialists. The grant

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requires us to divide out the salaries, and the benefits and the anticipated cost of the supplies, so it's in the format it is because of their requirement to do so.

“And without this grant, we would have difficulty maintaining this level of outreach and service to individuals for any sustained period of time. We anticipate enrolling 130 consumers in each year of the grant period and provide outreach to 875 consumers in each of those years. In 2009, Center City Path Grant staff actually provided outreach to 928 individuals and enrolled 114 in ongoing Center City services. So it just seems that we do predict how many we feel we're going to serve, but it always seems that that climbs a little bit. We recommend that you 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. I'd be happy to answer any questions. I have Karen McNally with me who is more intimately involved with this grant than I have been.”

MOTION

Commissioner Norton 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 Welshimer seconded the motion.

Chairman Peterjohn said, “I've got a motion and a second, wanted some clarification. This is a continuation of an existing grant?”

Ms. Cook said, “Yes, we've had, it's kind of base funding for our homeless program. We've had that for as long as we've had our homeless program.”

Chairman Peterjohn said, “Is this pass through from the feds (federal government) to the state...”

Ms. Cook said, “Yes it is.”

Chairman Peterjohn said, “...or is this strictly state money?”

Ms. Cook said, “No, it's pass through from the feds.”

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Chairman Peterjohn said, “Oh, okay.”

Ms. Cook said, “The state contributes a little, I asked Karen about that, that’s somehow calculated in this formula, but it is primarily coming from the feds.”

Chairman Peterjohn said, “And so has that been affected at all by any of the state’s fiscal problems, in terms of what we’ve received in the past?”

Ms. Cook said, “The grant? Not to my knowledge, no.”

Chairman Peterjohn said, “No? And the…”

Ms. Cook said, “For once.”

Chairman Peterjohn said, “...there’s no property tax money, local property tax money that goes into this?”

Ms. Cook said, “No.”

Chairman Peterjohn said, “Okay. That’s all I have. Thank you. Seeing no further questions, please call the vote.”

VOTE

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

3. ADDITION OF ONE SR. SOCIAL WORKER POSITION, BAND 322, TO THE COMCARE STAFFING TABLE.

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Ms. Cook said, “Commissioners, during the October 21st BOCC (Board of County Commissioners) meeting, you approved our grant application to the United Methodist Health Ministry to provide funding for a third Proud of Me program in Sedgwick County. The Proud of Me program is one for children who are two and a half to five years old who have challenging behaviors at home, and in school and in daycare situations. Many of these young children have been expelled from multiple preschools or child care centers. One little guy that we are serving right now was expelled from eight different child care centers. The program is designed to teach children self-control, conflict resolution and problem solving skills. We were recently awarded the grant that we applied for to fund an Early Childhood Clinician for six months of the program, as the program, when it is established, would pay for itself and be able to sustain itself. The grant not only pays for six months of the Clinician’s salary, but it also pays for a five-day training on Conscious Discipline model which is the clinical backbone of the program. Within six months of establishing the program it’s expected to be self-sustaining, just as the two other programs have been here. We already have six children on a waiting list for the new site for this afternoon preschool. We are anticipating it being located in Haysville. Many of the children attending our half-day program also attend a Head Start program in the morning. We’ve had a lot of success with this program. I’ve shared stories with you in the past about how successful these children are in kindergarten after they spend a year with us. Last year we even had a child who started out in kindergarten in one of the schools and was not doing well there, and the school personnel said, ‘Why don’t you try that program for a year?’ So this little guy came to us and went back to kindergarten the following year, having spent a year with us, and the teacher could not believe that it was the same child. So we’ve had some wonderful success. We are recommending that you approve the addition to the COMCARE staffing table.”

MOTION

Commissioner Norton moved to approve the addition to the COMCARE staffing table.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “I’ve got a motion and second. Seeing no further discussion, I’m going to just ask a question or two for my own information. You’ve talked about the program side, but the backup information seemed to indicate this was for adding a...”

Ms. Cook said, “Clinician.”

Chairman Peterjohn said, “...COMCARE, position on COMCARE staffing table. Would this be, is this strictly all for personnel, or is it partly...”

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Ms. Cook said, "It's all for personnel. Since we have several Case Managers and a Clinician in these programs, and we are with these children non-stop for the half day of the program, we have ability to continuously bill; have billable activity for that time, so these programs pay for themselves. What is more difficult is starting up these programs and making sure that we're allowed to have up to 12 children in the program, so if we would start this group with only 6 or 7 children and build as the year goes on, and we've never had problems doing that, it allows us six months to really establish the program without worrying about the salary and making ends meet."

Chairman Peterjohn said, "My reason for asking that was tied to the fact that the backup information indicates that the funding source was the United Methodist Health Ministry Fund and Medicaid revenue. And I was interested because we know that Medicaid's under financial pressure from the state, so I was curious, in terms of do you have any idea how that's split up between the Methodist Health Ministry Fund grant and the Medicaid side of it?"

Ms. Cook said, "The Medicaid revenue would be that billable activity that we establish in..."

Chairman Peterjohn said, "Okay."

Ms. Cook said, "...in billing these children, so the Clinician will be able to bill. If none of these children do have a medical card, the clinician will be able to bill Medicaid and be able to sustain her position that way. The Case Managers bill and are able to bill more than their salaries, so that helps sustain that Clinician as well."

Chairman Peterjohn said, "Thank you."

Ms. Cook said, "You're welcome."

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "This is an additional new hire, or is this somebody from within COMCARE that will just take the position?"

Ms. Cook said, "It would be a new hire. We have two locations currently; one kind of [Interstate] 235 and Zoo Blvd. in a church. We have another location just south of Kellogg near Hillside, and so this would be a third program. You need the Clinician there and the Case Managers there as a team."

Commissioner Parks said, "Okay. So do they realize when the grant is out, their job is out then?"

Ms. Cook said, "All of our grant funded position employees realize that."

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Commissioner Parks said, "Okay, thank you."

Chairman Peterjohn said, "Thank you. Seeing no further comments, please call the vote."

VOTE

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

S. HEALTH DEPARTMENT

1. AGREEMENT TO DELIVER IMMUNIZATION SERVICES RELATED TO IMMUNIZATION CAMPAIGNS FOR THE 2010-2011 SCHOOL YEAR.

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "Before you is an agreement with the Kansas Department of Health and Environment (KDHE) for \$42,174 and 6,490 doses of chicken pox vaccine to be used to conduct the Adolescent Catch Up immunization campaign for 2010-2011. The Kansas Immunization Program has been awarded \$279,450 in American Recovery and Reinvestment Act funding and it is distributing this funding to all 105 counties in Kansas. The funds will be used to immunize adolescents between the ages of 10 and 14 who will be required to have one dose of varicella vaccine at the start of the 2010-2011 school year. And we will be providing vaccine clinics in places other than our clinic to reach this population, hopefully we'll be partnering with the schools on that. Funds will used to support a part-time or existing Community Health Nurse. We anticipate reduction in funding in one of our programs that funds a nurse, and so this funding will help to make up the difference." "This grant begins April 1st and runs through June 30th of 2011, and there is no match required. So I recommend that you authorize the Chair to approve this agreement and I'd be happy to answer any questions."

MOTION

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

Commissioner Parks seconded the motion.

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Chairman Peterjohn said, "I have a motion and second. I'm going to ask a couple of questions, because 6,000 doses, less than 7,000 doses, almost 6,500 doses won't go very far in a community Sedgwick County's size. Is being inoculated for chicken pox one of the requirements for attending school among school districts in Sedgwick County?"

Ms. Blackburn said, "Right now it's required for K (Kindergarten) through the 1st grade. They have to have two dose doses. For 2nd through 10th grade, they'll have to have one dose. That will be required. It's actually recommended that they have two doses, but one dose will be required. And a lot of children get their vaccinations, or maybe they've had it because it's been recommended for a long time, so they've already had it, they've gotten it through their private doctor, or they've gotten it through us. But for those children that haven't yet received it, this will be an opportunity for them to get it. This will help those children who have not received their varicella vaccine to get vaccinated. So we don't anticipate covering all children with this small amount."

Chairman Peterjohn said, "I wanted to just clarify how that fits in, because vaccination is important, and there's a variety of issues out there, and whether its chicken pox for young people or shingles for those who are closer to my age and chronologically gifted, it's very significant and important."

Ms. Blackburn said, "That is a great point, because people think why should I get vaccinated, why should I get them vaccinated against chicken pox? It's usually a fairly mild disease, though it does take the child and the parents frequently out of circulation for a good week, and you can get infections that can cause death, even from chicken pox, but it does reduce the shingles rate in older people if you've had a varicella vaccine. So there is believed to be a link there, so that's a really good point."

Chairman Peterjohn said, "Shingles can be incredibly debilitating, and for people with other chronic conditions it can even be life threatening. I'm pleased that many years ago when I had a case it was quite mild, but it's a very serious problem, and if we've got any vaccination that can help, whether in the short-term or in the long-term, I think it's important for people to take advantage of it. I would be supportive of this motion."

Ms. Blackburn said, "I'd like to make one other comment on that. We do have the shingles vaccine for people that are 60 and over, so we do have that available at the Health Department. There is a fee attached to it, but we do have it and you can also, if you qualify, get it from your private physician."

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Chairman Peterjohn said, “That’s an important point to note, too. 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.”

- 2. APPROVE THE RESEARCH AGREEMENT BETWEEN THE HEALTHY BABIES PROGRAM AND THE KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT (KDHE) TO EXTEND A MORTALITY AND NATALITY DATA ANALYSIS PROJECT.**

Ms. Blackburn said, “As you know, the Healthy Babies program is a prenatal and postpartum group education home visitation program that is designed to improve birth outcomes in high risk families in Sedgwick County. One of the components of the Healthy Babies program is the Sedgwick County Fetal Infant Mortality Review Project (FIMR), which is really now getting off and running. This is a community partnership that promotes the health and wellbeing of women, infants and families by addressing social factors that play into poor pregnancy outcomes, such as smoking, lack of prenatal care, drug use, domestic violence and things like that. So we hope that through reviewing fetal and infant deaths we’ll learn more about the circumstances that lead up to those poor health outcomes.”

Ms. Blackburn continued, “The purpose of this agreement is for the Kansas Department of Health and Environment’s Bureau of Public Health Informatics (BPHI) to provide our Health Department with pregnancy outcome information about the individuals that we serve and the individuals that live in the three targeted zip codes that we focus on that we don’t serve, so that we can understand the differences. It will also give us really good data about all of the women who have lost babies in Sedgwick County. All of that information will go to the Fetal Infant Mortality Review team to help inform their work, and go to the community action team to help inform them so that they can recommend policies and maybe system changes that will help us to have better birth outcomes. So this grant, this contract, is for \$7,000 annually for three years to be funded out of the CDC (Center for Disease Control) Safe Motherhood and Infant Health grant, which is special federal funding that we have. And this contract begins as soon as it’s signed by the Chair and will run through

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December 31st of 2012. I recommend that you approve the contract and I'd be happy to answer any questions."

Chairman Peterjohn said, "What's the will of the body?"

MOTION

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

Commissioner Norton seconded the motion.

Chairman Peterjohn said, "I have a motion and a second. I have a couple of questions for you, Ms. Blackburn. Sudden Infant Death Syndrome, would they be included as part of the information they take up here?"

Ms. Blackburn said, "Yes."

Chairman Peterjohn said, "Can you give me an idea, in terms of, well, let me try and ask it two different ways to help clarify it. In terms of the age of the people of the infants being tracked, would that include miscarriages and stillborn children as well as, and up to what age would they be too old to be continue to be counted for tracking purposes under this grant?"

Ms. Blackburn said, "Stillbirth here is defined as 350 grams or greater, and it does not include induced abortions. It does include infants then, up through a year of age."

Chairman Peterjohn said, "Okay. Well, the reason I mention that is there's international discussions, and the United States comes down often listed rather poorly, in terms of how we do on infants and birth rates, and one of the reasons I believe that's the case is a lot of the foreign countries don't include stillborn, don't include miscarriages and they often get included here. And while I'm going to be supportive of this agreement, I think it's important to understand that with some of the international numbers, it can be a case of, some cases apples and oranges for statistical purposes. Seeing no further lights up here, please call the vote."

VOTE

Commissioner Unruh

Aye

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

T. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON FEBRUARY 18, 2010.

Ms. Iris Baker, Director, Purchasing, greeted the Commissioners and said, "The meeting of February the 18th results in 10 items for consideration. Item 1;

- 1. CHANGE ORDER #4 FORENSIC SCIENCE CENTER EXPANSION – FACILITIES DEPARTMENT
FUNDING – CONSTRUCTION OF REGIONAL FORENSIC SCIENCE CENTER ANNEX & CONTROL**

"The recommendation is to accept the change order with Conco, Inc. in the amount of \$76,030. Item 2;

- 2. PARKING LOT AND ROOF ASSESSMENT SERVICES FOR VARIOUS SEDGWICK COUNTY FACILITIES – FACILITIES DEPARTMENT
FUNDING – ROOF AND PARKING LOT ASSESSMENT (09) AND BUILDING MAINTENANCE**

"The recommendation is to accept the proposal from Law Kingdon Architecture at the negotiated cost of \$54,255. Item 3;

- 3. ON CALL SERVICES FOR SEDGWICK COUNTY CARPET STANDARDS – FACILITIES DEPARTMENT ALARM UPGRADE
FUNDING – FACILITIES DEPARTMENT**

"The recommendation is to accept overall low bid from Harry Street Carpet and establish contract pricing for one year with two one-year options to renew. Item 4;"

- 4. ADDITIONAL COURTROOM AND CHAMBERS IN JUVENILE COURTHOUSE – FACILITIES DEPARTMENT
FUNDING – ADD COURTROOM & CHAMBERS – JUVENILE COMPLEX**

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“This item was deferred at Bid Board for one week. Item 5;

5. **CLASROOM FURNITURE FOR THE NATIONAL CENTER FOR AVIATION TRAINING – FACILITIES DEPARTMENT FUNDING – NCAT FURNITURE AND EQUIPMENT**

“Recommendation is to accept the proposal from Contract Furnishings (Option 1) in the amount of \$91,851.52. Item 6;

6. **DISTRICT COURT ADDITIONAL COURTOOMS IN MAIN COURTHOUSE – FACILITIES DEPARTMENT FUNDING – ADD COURTROOM & CHAMBERS – MAIN COURTHOUSE**

“Recommendation is to accept the low bid from Walz Harman Huffman Construction, Inc. in the amount of \$684,700. Item 7;

7. **GAS/ELECTRIC HYBRID CARS - FLEET MANAGEMENT FUNDING – FLEET MANAGEMENT**

“Recommendation is to accept the low bid from Rusty Eck Ford in the amount of \$199,372. Item 8;

8. **LARGE INTERMEDIATE SEDANS - FLEET MANAGEMENT FUNDING – FLEET MANAGEMENT**

“Recommendation is to accept the low bid from Don Hattan Chevrolet in the amount of \$110,400. Item 9;

9. **DIGITAL RECORDING SYSTEM - EMERGENCY COMMUNICATIONS FUNDING – EMERGENCY COMMUNICATIONS**

“This item was deferred for one week at Bid Board. Item 10;”

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**10. SUN SPECTRUM SUPPORT – DIVISION OF INFORMATION AND OPERATIONS
FUNDING – INFORMATION TECHNOLOGY DEVELOPMENT/LAND TECH FUND**

“Recommendation is to accept the quote from Open Technologies in the amount of \$23,127.46. I would be happy to answer any questions, and I recommend approval of these items.”

MOTION

Commissioner Parks moved to approve the recommendations of the Board of Bids and Contracts with the exclusion of number 6 and those items that have been deferred.

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, “Motion and a second. Any further discussion? On that, before proceeding, I’d like to make sure we have, get it straight in my own mind if we have, item number six, main courthouse, okay, seeing no further discussion up here, please call the vote.”

VOTE

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

Chairman Peterjohn said, “We’re back on Item 6, and the two deferred items.”

MOTION

Commissioner Unruh moved to approve the recommendations of the Board of Bids and Contracts for Item 6.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, “Any discussion? Commissioner Parks.”

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Commissioner Parks said, "I'm just doing this for consistency. I voted against the one, the space utilization by the District Court in the first round and I'm just being consistent in my vote here. Thank you."

Chairman Peterjohn said, "Okay, thank you. Seeing no further discussion on Item 6, let me ask a procedural question before we go to the vote. Commissioner Parks' motion included deferring two items. I think that's the first time that this has happened since I've been on the bench. Do we normally take action on that, on items where the Bid Board has declined to take? Because I really don't see any point in our process handling these items if the Bid Board itself has deferred for a week, I don't understand what's really being brought on those two items before us. Let me ask you, if those were the only two items on the Agenda, would you be here Ms. Baker?"

Ms. Baker said, "Yes."

Chairman Peterjohn said, "Oh."

Ms. Baker said, "And it is procedural. The Bid Board is a public meeting, open meeting. Notes are taken and recorded, and this is a result of that meeting. So when we defer those items, we share them with you. Normally you do not take action on them, but I think what I heard was he's just agreeing with the Bid Board. And these items will come back up before Bid Board, actually tomorrow, with additional information for Bid Board members."

Chairman Peterjohn said, "I very much appreciate the diligence and the efforts of the Bid Board to make sure that we're getting best value for taxpayer dollars, and screening these items before they come to the Commissioners themselves, and I appreciate the clarification for procedural purposes because we really do need to make every nickel scream at this time economically, and get the best value for our county tax dollars. Commissioner Parks."

Commissioner Parks said, "Well that's exactly why I did it that way, to make sure that the printed material didn't conflict with our vote. Thanks."

Chairman Peterjohn said, "Okay. Seeing no further discussion, please call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	No
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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Chairman Peterjohn said, "Next item."

CONSENT AGENDA

U. CONSENT AGENDA.

- 1. Granting of one sanitary sewer easement and one temporary construction easement to the City of Valley Center across property owned by Sedgwick County for flood control purposes.**
- 2. Community Health Nurse II (CHN II) salary adjustment based on years of nursing experience for Sheila Blackmon.**
- 3. Midlevel salary adjustment based on years of Physician Assistant/Advance Registered Nurse Practitioner experience for Misty Koch.**
- 4. Donation in the amount of \$100.00 to COMCARE of Sedgwick County to be used as a memorial furthering programs for individuals with mental illness.**
- 5. Order to correct tax roll for change of assessment dated February 10, 2010.**
- 6. General Bill Check Register of February 10, 2010 – February 16, 2010.**

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

MOTION

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Welshimer seconded the motion.

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

VOTE

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Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	No
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

Chairman Peterjohn said, "Next item."

V. OTHER

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "Just wanted the public to know that we, as a governing body, hold staff meetings on Tuesday. That's where you get a lot of the information in the media out of certain things. I wanted to pass along a couple of items that either staff or we have discussed recently. One of them is the tornado siren issue. I think this is something that's been lingering for about 18 months. I recommended we get it on the Agenda as soon as possible yesterday. If we wait for the technology to catch up and then get the most advanced technology, we can be waiting for five years on this project. And I think it's important for all of our citizens in Sedgwick County to have that knowledge that the warning devices are there, they're going to work, they have the confidence that they're going to be warned in those situations. In comparison, I did have a vote today that was kind of a tough vote for me, and this was on the grant for the homeless coordination. I really wanted to vote for that, but I couldn't because of the timing issue and the uncertainty in the budget. The questions that were asked by me about the DAB and the zoning, being that this is in my district, I wanted to make sure those things were answered and they weren't. That was a tough vote. We're looking at serving 1,300 people per year. That's about \$77 per person served over five years, and in comparison with the siren, the siren system is one year, and \$1.61 per person. So I think looking, the whole picture there, we need to look at having all the information brought forward as far as we can, and to be diligent stewards of the taxpayers, money."

Commissioner Parks continued, "On a more light note, the [Wichita] Wild is having their first football game at Hartman Arena at 7:05 on Friday. Tickets start at \$5, so that's a relatively inexpensive entertainment venue. They're a winning team. They're the Central Indoor champs from last year. They're bringing back Darius Fudge and adding John Randle and some other people that some of the local fans will remember from around the area. Also, I did have a question and I wanted to just ask very quickly if the Lipizzans (The Lipizzaner Stallions) that were at IBA [Intrust Bank Arena] last weekend, I had a constituent that brought up that there was a \$14 fee at the door, and if we have any information on that, I would like to get that out to the public as soon as possible. Thank you."

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

Commissioner Unruh said, "Thank you, Mr. Chair. I just wanted to make a comment that at the Intrust Bank Arena this weekend, the State 5A and 6A High School Wrestling Championships are going to be happening. About nearly 450 high school wrestlers there, and all their family and supporters, so if any of you are interested in that activity I would encourage you to go. It's all day Friday and all day Saturday. I would suppose that Chief Curmode will be there watching the wrestlers as he has an opportunity, and I'll be there watching some of them. Particular interest in a grandson who qualified for the tournament this year. Secondly, I just wanted to say that the City Councilmen and County Commissioners toured the National Center for Aviation Training yesterday out at Jabarra Airport just to see the progress and what's going on there. It's something that our community, I think, can be very proud of as we try to maintain our strength in manufacturing for this region, and especially as the aviation manufacturing has a great deal to do with providing revenue for our state budget. Our efforts to support that, I think, are the right thing for us to do as County Commissioners, so I'm glad we're involved in that as we try to help provide research and training for the manufacturing cluster here in Sedgwick County. So that's all I had, Mr. Chair."

Chairman Peterjohn said, "Thank you. I'm going to entertain a motion to recess this meeting at the moment so that we can call a Fire District meeting."

MOTION

Commissioner Welshimer moved to recess from the Board of Sedgwick County Commissioners meeting into the Fire District meeting.

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
Chairman Peterjohn	Aye

The Board of County Commissioners recessed into the meeting of the Fire District #1 at 11:30 a.m. and returned at 11:34 a.m.

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Chairman Peterjohn said, “We are back at the Board of County Commissioners meeting, and back under Item V, Other. Is there a motion? Commissioner Welshimer.”

MOTION

Commissioner Welshimer moved to recess into Executive Session for 30 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation, potential litigation, and legal advice, and that the Board of County Commissioners return from Executive Session no sooner than 12:05 p.m.

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

The Board of County Commissioners recessed into Executive Session at 11:35 a.m. and returned at 12:10 p.m.

Chairman Peterjohn said, “Mr. Euson.”

Mr. Euson said, “Commissioners, while in Executive Session we discussed a case involving a John Case, a former EMS employee. We would recommend at this time that you settle his Worker’s Compensation case in the total amount of \$70,000, which would close any future issues relating to future medical payments and review and modification of the award.”

MOTION

Commissioner Norton moved to settle the Worker’s Compensation case for \$70,000.

Commissioner Welshimer seconded the motion.

Regular Meeting, February 24, 2010

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, "Seeing no further business, motion to adjourn?"

MOTION

Commissioner Welshimer moved to adjourn.

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

W. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:11 p.m.

Regular Meeting, February 24, 2010

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

KARL PETERJOHN, Chairman
Third District

DAVID M. UNRUH, Commissioner
First District

Regular Meeting, February 24, 2010

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

March 17, 2010