

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 14, 2010

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:06 a.m. on Wednesday, July 14, 2010, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Karl Peterjohn, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Kelly Parks; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Robert Hinshaw, Sheriff; Mr. Randy Duncan, Director, Emergency Management; Ms. Nikki Huntington, Management Analyst, Finance; Mr. David Miller, Budget Director, Finance; Ms. Annette Graham, Executive Director, Aging; Ms. Marilyn Cook, Executive Director, COMCARE; Mr. Ron Holt, Assistant County Manager; Mr. Michael Oliver, Major, Sheriff's Office; Mr. Joe Thomas, Senior Purchasing Agent, Purchasing; Ms. Kristi Zukovich, Director, Communications; Ms. Karen Bailey, Chief Deputy County Clerk; and Ms. Katie Asbury, Deputy County Clerk.

GUESTS

Mr. Darrell E. Leffew, Appointee, Wichita/Sedgwick County Metropolitan Area Planning Commission
Mr. Kelly Wendeln, P.O. Box 1817, Wichita, Kansas

INVOCATION

Led by Ashok Aurora, Hindu Community

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES

Regular Meeting June 23, 2010
All Commissioners were present

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

MOTION

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Commissioner Welshimer moved to accept the Minutes as read for the Regular Meeting of June 23, 2010.

Chairman Peterjohn seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item."

PROCLAMATION

A. PROCLAMATION DECLARING JULY 19 – 23 AS SEDGWICK COUNTY L.A.W. CAMP DAYS.

Ms. Kristi Zukovich, Director, Communications, greeted the Commissioners and said, "Commissioners, I'll read this for the record:

PROCLAMATION

WHEREAS; approximately 150 youth between the ages of 11 and 15 will attend the 15th Annual Sedgwick County L.A.W. Camp July 19 – 23, 2010, at Lake Afton Park; and

WHEREAS; the mission of the L.A.W. Camp is to create a partnership between law enforcement and youth by providing a positive experience using law enforcement and guard personnel as role models to build self-esteem, confidence and trust; and

WHEREAS; a squad of 10 youth will be assigned to mentors who will keep track of the activity schedule. The mentors will operate in teams of two, consisting of one deputy and one soldier from the Kansas Army National Guard; and

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WHEREAS; L.A.W. Camp is a partnership involving more than 26 public and private sector organizations.

NOW, THEREFORE, BE IT RESOLVED, that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim July 19 – 23, 2010, as

‘Sedgwick County L.A.W. Camp Days’

in recognition of this effort to involve our youth in alternatives to crime and violence.

Ms. Zukovich said, “And it is dated July 14th, 2010, signed by the Chairman, Karl Peterjohn.”

MOTION

Chairman Peterjohn moved to adopt the Proclamation.

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

Ms. Zukovich said, “Commissioners, Sheriff Hinshaw is here to accept the proclamation.”

Mr. Robert Hinshaw, Sheriff, greeted the Commissioners and said, “Good morning, Mr. Chairman, Commissioners. Again, I appreciate you taking the time out of your busy schedule to make this proclamation for LAW (Leaders, Achievers and Winners) Camp. As Kristi indicated, this is our 15th year. This started as an idea from then Sheriff Mike Hill as a way to reach out to some of the youth in our community. It is now in its 15th year, and we think it's been highly successful. We've had people go on to join the Sheriff's Office. We've had many that are serving their country

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overseas, and we've even had one former member of LAW Camp that is a graduate of the United States Air Force Academy.

"This started as an idea of working with the Kansas Army National Guard to create leaders, achievers and winners and alternatives to the crime and some of the things that some of our youth sometimes get involved in. Some of our big sponsors in this that would absolutely not be possible to have this, because it is a private-public partnership, is Koch Industries, the Wichita Crime Commission, obviously the Kansas Army National Guard, Big Brothers and Big Sisters, and Kansas [Department of] Wildlife and Parks. And this year, Quivira Council, the local Boy Scouts, is also going to be coming out and assisting us with this. So on behalf of the Sheriff's Office and all of the youth that you are making an impact on, thank you very much."

Chairman Peterjohn said, "Sheriff, Commissioners Parks."

Commissioner Parks said, "Just like to say that I've personally known some youth that have gone through this program and it's a great program. If somebody's on the edge, or making a decision whether to go the right or the wrong way, this is certainly an alternative, and helps them get down the right path. So thank you, Sheriff, for doing that."

Sheriff Hinshaw said, "Thank you."

Chairman Peterjohn said, "Next item."

DONATION

- B. DONATION BY CLEAR CHANNEL RADIO WICHITA OF \$334.00 TO BE USED FOR THE SEDGWICK COUNTY EMERGENCY MANAGEMENT CANINE SEARCH & RESCUE TEAM.**

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Mr. Randy Duncan, Director, Emergency Management, greeted the Commissioners and said, “I have the privilege of serving you as your Emergency Management Director. I have the additional privilege of being here today to ask your consideration in accepting a donation from Clear Channel Radio-Wichita. This donation was as a result of fundraising efforts through an event called Yappy Days, and this donation will be utilized to provide services and equipment for our K-9 Search and Rescue Team for both the dogs who work and the handlers who work with them. So if it pleases the Commission, we hope that you will all accept this donation. And I would be happy to answer any questions that you might have.”

Chairman Peterjohn said, “Questions or comments for Mr. Duncan?”

MOTION

Commissioner Welshimer moved to accept the donation and authorize the Chair to sign a letter of appreciation.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, “Motion and a second. I would just state, I'm strongly in support of this motion, and the folks who are active in the local kennel club and the dog fanciers in this community, and as a dog owner myself, I'm going to be pleased to support this measure. Seeing no further discussion, please call the vote.”

VOTE

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

Mr. Duncan said, “Thank you, Commissioners.”

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

APPOINTMENTS

- C. RESOLUTION APPOINTING DARRELL E. LEFFEW (COMMISSIONER PARKS' APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION.**

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Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Good morning, Commissioners. We've prepared a resolution of appointment. This fills a vacancy on the MAPC (Metropolitan Area Planning Commission) and this appointment will expire in August of 2013. 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

Mr. Euson said, “And Mr. Leffew is present.”

Commissioner Parks said, “And he is present.”

Chairman Peterjohn said, “He is present. He is present, and if Mr. Leffew would step to the podium and be sworn in.”

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

“I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the office of Wichita/Sedgwick County Metropolitan Area Planning Commission, so help me God.”

Mr. Darrell E. Leffew, Appointee, Wichita/Sedgwick County Metropolitan Area Planning Commission, greeted the Commissioners and said, “*I do.*”

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Ms. Bailey said, "Very good. Congratulations."

Mr. Leffew said, "Thank you."

Ms. Bailey said, "Thank you."

Chairman Peterjohn said, "Mr. Leffew, do you have a few words?"

Mr. Leffew said, "I do. I would like to thank County Commissioner Parks and the rest of the Board of the County Commissioners for this opportunity to serve the citizens of the county, and I pledge to do it in the best possible way, and I do appreciate the opportunity."

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

Mr. Leffew said, "Thank you."

D. K96 CORRIDOR DEVELOPMENT ASSOCIATION, INC. BOARD OF DIRECTORS APPOINTS KELLY PARKS TO THE BOARD.

Chairman Peterjohn said, "I have been serving in that position and I am going to resign from it. And our recommended action is to accept my resignation and make this appointment."

MOTION

Commissioner Welshimer moved to accept the resignation and new appointment.

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	Abstain
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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Chairman Peterjohn said, "Next item."

CITIZEN INQUIRY

E. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING "THE GREAT CARBON DIOXIDE HOAX".

Mr. Kelly Wendeln, P.O. Box 1817, Wichita, greeted the Commissioners and said, "I have to congratulate former Vice President Al Gore and the Environmental Protection Agency, or EPA, on the great job they have done in convincing some people, primely Democrats, that carbon dioxide, or CO₂, is bad and pollutes. You are at a distinct disadvantage if you have not had biology and chemistry in school. Chemistry helps you know what elements make up the air we all breathe. You might want to write these down. The approximate percentages are nitrogen 78 percent, oxygen 21 percent, argon just under 1 percent or 0.96 percent and carbon dioxide 1/25 of 1 percent, or 0.04 percent. We learn in biology that we live in a carbon-based world, and all our food is largely solid carbon, which comes from carbon dioxide in the air. In biology this is known as photosynthesis. If there was no carbon dioxide in the air, we would all starve to death. Did you get it? You may never have thought of it that way. All your food comes directly or indirectly from carbon dioxide in the thin air, and that is a fact.

"If there really is more carbon dioxide in the air, that would be good because our crops will grow faster. Some people think if we had more carbon dioxide in the air we would suffocate. However, suffocation is not a matter of too much carbon dioxide, but rather not enough oxygen. As I said, oxygen makes up 21 percent of the atmosphere. If it gets down to 16 percent, you have difficulty breathing. When it gets down to 12 percent oxygen, you die. Coal miners know this. Every time you drink a carbonated beverage, like a cola, you are drinking carbon dioxide. When you eat bread, the baking soda in that bread was made with carbon dioxide. Yeast in that bread produces CO₂, which makes bread rise."

Mr. Wendeln continued, "When Yellowstone [National] Park, California and many other western states, and Florida and Georgia have forest fires pumping out more CO₂, I notice there is no hue and cry and ringing of hands. We hear scare stories about the jungles, or I have to be politically correct, the rainforests being cut down and burned, which produces carbon dioxide. In South America, Central America, Africa, New Guinea. What do you think American settlers did to our forests over the last 400 years? They considered trees the enemy, because it was almost completely solid forest from the Atlantic Ocean to eastern Kansas, and they had to cut trees down so they could plant their crops and build their homes. We have been lied to so much, why should I believe in global warming when everything tells me it's a big hoax, just like the history of the federal income tax? It's all about money; yours, and how to extract it from you.

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“Over the last couple of years, we have been bombarded with dire warnings that if carbon dioxide isn't decreased, and if range burning isn't stopped, we will exceed the EPA's arbitrary limits, and I do mean arbitrary. We would have to pay a penalty, consumers would pay a carbon tax, businesses would pay a cap and trade tax, and everyone would have mandatory vehicle inspections. No matter what you do, increased carpooling or how many railroad overpasses you build, I can guarantee the bureaucratic EPA will soon say you are over their arbitrary limits and demand penalties in the form of new taxes and vehicle inspections, even though Sedgwick County's air is much cleaner than Los Angeles. The EPA sets the standards and lowers them at their whim. Job justification is their primary motivation. Another thing, thank you for your efforts to keep taxes down. Knowing government, since the state just raised the sales tax, I know some county official will soon advocate more county sales tax for some excuse. Remember, I told you that first. One more thing, when did the Sedgwick County Commission start giving taxpayer money to the Chamber of Commerce? Thank you.”

Chairman Peterjohn said, “Commissioner Parks.”

Commissioner Parks said, “A little bit of a science lesson, I guess there, from Mr. Wendeln, but I would say in the future, if he had his political things, that that was not appropriate at the first there. We may in fact have vehicle inspections if we get to non-attainment, and that was in a meeting, it was touched on in a meeting that we were at a little bit yesterday about air quality and transportation. So remember to do all those things so we don't reach that. Thank you.”

Chairman Peterjohn said, “What's the will of the Commission?”

MOTION

Commissioner Welshimer moved to receive and file.

Chairman Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

Chairman Peterjohn said, "Next item."

NEW BUSINESS

F. PRESENTATION OF THE COUNTY MANAGER'S 2011 RECOMMEND BUDGET.

VISUAL PRESENTATION

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "You had these books delivered to you yesterday, and they did a lot to deforest some of the world, because they are so thick and heavy with paper. But we hope it gives you an opportunity to understand the finances of Sedgwick County. Before we begin, I want to take an opportunity to thank the people that really did all the hard work on the budget, and that's certainly David Miller and his colleagues: Budget Analyst Chris Duncan, Pete Giroux, Nikki Huntington and Jill Tinsley. The Commission needs to also know that through this process we had several budget team meetings, and the budget team was comprised of Troy Bruun, Chris Chronis, Ron Holt, Charlene Stevens, Jo Templin, and Kristi Zukovich and the interns, Anne Jacobson and Bobby Steel. And through that team, we analyzed the information that is in front of you. This budget could not be put together without the good work of the department heads, elected officials and the appointed officials who took very seriously their fiscal responsibility in making sure you have the information you need to make an informed decision."

"We begin the process, always, with our mission, it's, 'To assure quality public service that provides for the present and future well-being of the citizens of Sedgwick County.' We take that mission seriously; quality public service. One of our goals, and the one that seemed to be driving us most this year, was, 'To allocate and use resources for the basic and essential services,' basic and essential, and you get to decide what basic and essential is every year, 'that are responsive to the changing needs of our community.' And we know that they change from time to time. The process began with the outer circle, the long-term financial planning and the Commission priorities. That happened in February, if you will recall. The next circle, the base budget targets were delivered to departments on March 12th. The departments returned those on April 12th. They had 30 days to do that. The Commission, budget discussions happened last month, and you had a series of hearings from June 10th to June 18th, and now that we are in the middle of the budget process, we will have public hearings next week, and we'll have a public hearing on August 10th, Tuesday, and adopt it on August 11th.

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“The budget simply is a plan, it’s a financial plan, it’s a plan for our priorities, it’s a plan to deliver quality public service. We do that in six major areas: Public Safety, Community Development, Human Resources and Health, Cultural, Recreation & Entertainment, Public Works and General Government. A 2011 overview is that we are in challenging times, for the community is in an economic downturn. Some of our key revenue indicators are down; sales tax, property tax, mortgage revenue fees between 2009 to 2011 dropped \$1.6 million. We know that we have an increased need for services, because when the economy goes down, we get more requests for services. Families are in stress, families have a difficult time coping, they tax our system for mental health, for substance abuse, for family disputes, or are in trouble with the law, we know that those trends occur in bad economies and we have seen that in our service delivery.

“But the good news is this organization is poised for the signs of recovery. We have been poised for a decade. We have made sure that we have some actual rainy day funds. We have solid reserves and we have managed those reserves and managed our resources in a fiduciarily responsible way. We have strong financial management. This year's budget was based on 2009 actuals, that's a year and a half away, plus one percent for commodities, contractals and equipment. And we've asked departments to operate within that framework. We have rainy day reserves and this budget is neutral. It grows by one percent and revenues are flat. The recommended budget is that we have a strong financial condition, and it's stable; we start there. For citizens, they need to know that we are steadfast in our delivery of quality service. That they can count on us as being consistent and dependable, and that we are trying to develop this budget so this organization, community is sustainable. We are doing so with no tax increase, no reductions in needed service, no reductions in needed service, and we're recommending going to use reserves for short-term solutions for short-term problems.”

“I want to talk now a little bit about what is in here. And we did, despite the flat budget, we adjusted how we are going to spend our money to include some enhancements. And you need to be aware of those. We're adding two positions in the dispatcher for 911 system. We can do that by a reduction of overtime, so there is no cost associated with that. And we believe in Diane Gage's good management skills to be able to deliver and we will monitor that to make sure it happens. EMS (Emergency Medical Services), we have a need to restore supplies for local fire departments. Fire departments are oftentimes the first responder. It has been the practice of Sedgwick County to make sure they have the proper medical equipment: tongue depressors, oxygen, gloves, bandages, those sorts of things that we replace on a routine basis.

“We’ve noticed a degradation in delivery of service because of the increase in demand for EMS services. We know that Friday, Saturday nights and Tuesdays during certain periods of time are difficult times for us to meet our goal in being there on time. We think it is necessary to add four employees and add an ambulance to the system to cover that, to make sure that service degradation does not continue. We can do that because of an increased use in EMS, and that increased use will

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offset the cost of this. Project Access has come to you and lobbied us on a need for more funds for their operation. They've served about 2,000 clients a year. We know that those people are at 150 to 200 percent below the poverty level. And we know because of the economy in this community, that the need for Project Access has increased. Since its inception in 2009, Project Access has received over \$100 million of free medical service, and that's been provided to needy citizens in this community. In this way, local governments partner with the medical community to make sure that they have administration and make sure that they have the pharmaceuticals to provide patient care.

“Lake Afton, it’s a small issue, \$6500, but we need to inspect, dam inspection, the high-risk dam and make sure that's proper. For our Aging Department, we have put together a funding formula some years ago by which various senior clubs, senior centers, could be provided with more money. Derby has made that cut this year, has provided that the higher level of service, and we need to include, if we are going to be faithful to that formula, include \$35,000 additional for the Derby Senior Club. In our Human Resources, we found a mind benders [MindLeaders] training program. This is a web-based training program that employees can use. We believe that this cost will be offset significantly by a lower reduction in registrations and conference attendees, and we think it is the new way in which organizations can learn and enhance their skills. In COMCARE, we've shifted funds, allocating money from the Child Advocacy Center from a grant fund to...shifted those funds to the general fund in the COMCARE, and we believe that program needs to continue providing services to families.”

Mr. Buchanan continued, “In our Public Safety Contingency, last year we had about \$3.2 million in Public Safety Contingency. I’m recommending that that money be stabilized at \$3.2 [million]. Out of that, I am recommending we reserve to see what occurs, half a million dollars for Community Corrections. The state is in the process of...shortfalls have hurt the Community Corrections program. We think there is a way to make that up through some other grant, but in case that doesn't happen, I don't think we're in a position to reduce the level of service in Community Corrections, which would in fact clog up the population of the jail even worse than it is. The other \$700,000 I set aside for mental health solutions, for people in the jail. Now, that could take various forms and ways we could do that, and we need to study which one makes the most sense.

“Employee compensation; we have a four percent compensation pool. This is in conjunction with a Performance-Based Merit Compensation Plan that you are familiar with. I’m suggesting that we determine this year how we're going to distribute that; that we don't distribute it this year, and it provides for us for flexibility to respond to our changing needs. Now, I know this is a very unusual recommendation; to adopt the budget, but not have a solid plan of how we’re going to implement a compensation package. But we know that compensation of employees, coupled with the plan to deliver service and our financial reality are really a three-legged stool of strategic management. All

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three of those elements need to be decided in a thoughtful and deliberate way. We need to understand fully the consequences of each of those decisions.

“I am suggesting that we don't have enough current information to make that decision that will be implemented in five and a half months. We need to watch those trends and make that decision later. I'm suggesting that we do not decide how to distribute that compensation pool no sooner than on November 15th, it may be later than that, but no sooner than that. You know by the 15th of the month that we've been providing you trend reports, and we will have a trend report then for October up through 10 months of the year. You and I both know the quality services that this county delivers are done so by our good employees. We know that to fairly compensate employees is the right thing to do. We know that our financial condition this year, and next, are good, but we need to be very cautious about which way the trends are headed.

“We've implemented the new health benefit plan, which is a cost increase of 5.8 percent for 2011. That's a significant reduction of what we had planned. We think this is a way better plan for our employees, because it accomplishes three things of the goals that we try to reach. It offers a locally competitive benefit package. We know if we want to retain employees, good employees, we need to pay them well and we need to make sure that their benefits are comparable to what the market is. So our plan needs to be competitive, and it is. It is very competitive. We need to encourage employees to take responsibility for their personal health, and we've done so through this plan. And we are trying to reduce future increases in benefit costs.”

“We are doing so in this notion of sustainability, which has permeated our thinking in the last several years. And it's much, much more than just environmental protection. It is issues surrounding sustainability, delivering services that are socially equitable, that are economic development and that our institution, our organization, our financial viability, that we have sustained this community and this organization. In terms of economic development, we think that it is important that this economy grows and continues to grow. We are providing continued acquisition right-of-way for the Northwest Bypass. We know the direct effect of building highways on economic development is significant, real and important, and we think that's a priority. We continue to support Kansas Affordable Airfares program to support low-cost fares for family and business and continue to support setting aside \$900,000 for economic incentives if we need to.

“The institution and financial viability; we have done so through the healthy benefit plans by reducing our, although the cost increased, they increased at a much slower pace. And we think by instituting this plan, that it will assist employees in taking responsibility for the health that we will see the long-term benefits of that in the next several years. And we are budgeting our performance poll not to be distributed later in the year. The issue about social equity, we have funded, and you will see when I talk about the CIP (Capital Improvement Program), the plans for compliance with the ADA (Americans with Disabilities Act) requirements. We take that issue very seriously in this

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organization and we are providing in excess of \$600,000 to do so, to comply with that law. We are providing for mental health solutions in the Adult Detention Facility. Again, we have found that is an issue that has been disturbing to some of us. The environmental protection, we continue efforts to recycle and our Household Hazardous Waste Facility, we are budgeting for are one special waste collections program in 2011. And we're going to advocate resources for the Clifton Channel drainage improvement in south Sedgwick County to help that neighborhood.

“The Capital Improvement Program is investments in infrastructure, buildings, and remodeling and repair. In the 2011 CIP, we have \$46.4 million budget and various road and bridge projects throughout the county. We have \$600,000 for ADA projects, the two big ones are Kansas African American Museum and Lake Afton, and we have a series of small projects: ramps, parking ramps, accessibility parking, restrooms, and the same applies to the Fire District. EMS, we have the relocation of EMS stations and the remodeling of another one for \$2 million. We need to convert our radio system for 911, and that's been accounted for in this CIP. We need to renovate the Mushroom restroom and shower building at Lake Afton. The Sedgwick County Park, we have a restroom and maintenance building replacement there. We have \$10 million, almost \$11 million, of bridge and road projects from local sales tax, including continuation of purchasing of bypass for the Northwest Bypass. We have a construct the Clifton Channel improvement on South 47th Street, and almost a quarter of a million dollars for the design of the Adult Detention Facility Master Control.”

Mr. Buchanan continued, “The recommended budget for the General Fund \$398 million. It's at 29.868 mills, that's no change from last year. We know that the recommended fire budget is \$16.7 million. It maintains at 18.4 mills. We also know that Bel Aire and Haysville are both looking at alternative fire services, perhaps using the City of Wichita. We've taken that into consideration and know that that cannot occur during this 2011 fiscal year. The 2011 resources for both the Fire District and the General Fund are included in this pie chart. You can see the property tax and motor vehicle tax are 33 and 4 percent. Local sales use tax is six percent; and you can read that chart yourself to see the use of our revenues. Our expenditures are laid out as if it were a dollar bill: 35.5 cents for Public Safety, 26 cents for General Government, that includes Human Resources, which is health benefits, fleet and technology funds, Public Works is 7 cents, Health and Welfare is 19 [cents], Bond and Interest is a nickel, Community Development 3 cents, Culture and Recreation 3 cents, and we have an employee compensation pool at 1.5 cents.

“What are the next steps? Well, budget will be online. The books are available today; the budget's online at www.sedgwickcounty.org. We have a public hearing next week; July 10th [July 21st]. I would remind you that we probably need to pack a lunch that day. We have a public hearing on the closing of 71st Street and the zoning change that would go along with that; that public hearing at the MAPC lasted three hours. I have no idea how long ours will last, but coupled with the public budget hearing and some other business, we may have a long meeting next week. August 10th, which is a Tuesday, this is different than what we have done every other year, we're going to have a

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public hearing on Tuesday morning prior to the adoption of the budget on August 11th. August 11th is Wednesday, and we would expect that budget to be adopted at that day. Online comments could be made, again, at www.sedgwickcounty.org, they can contact us or you, and we will end this process on August 11th. And on August 12th think about 2012 budget.

“Ongoing financial management; as part of this process and part of the continued economics of this community, we have increased our efforts in monitoring our key economic indicators, and we will continue to do that on a routine and regular basis, and you will receive those reports as the months develop to make sure that we are on the right track. In these kinds of economic times, we need to be flexible and we need to be willing to change directions if we need to do that. And we can't do that without some basic information, and that information will be provided. We're going to continue our quarterly financial reports. That should be coming to you soon, next week or the following. And then we will have financial plan review and updates as the months go by.”

“Again, the recommended budget is we have a strong and stable financial condition in this organization for our citizens, the delivery of service continues to be steadfast. We will be consistent, dependable and we expect to sustain those delivery systems. We don't expect to have a tax increase, there is no reduction in needed services and we intend to use, and recommend we use, reserves for the short-term solution for our short, what we hope is a short-term problem. With that, Commissioners, I'll stand for any questions. Thank you very much.”

Chairman Peterjohn said, “Thank you. Questions or comments for the Manager? Commissioner Parks.”

Commissioner Parks said, “On slide 9, or page 9, the new health benefit plan for the information for employees, that would go into effect January 1st or sooner?”

Mr. Buchanan said, “January 1st, sir.”

Commissioner Parks said, “Thank you. And on page 17, the 10 percent other funds and cash reserve funds, can you just briefly explain a little bit about other funds, what some examples of that might be?”

Mr. Buchanan said, “We exchange money in this organization, and so this would be the explanation for EMS would be providing funds for the fleet, for their trucks, for the ambulances, and that would be the accounting for those. It is also a major accounting for grants.”

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Commissioner Parks said, "Okay. And on page 18, the Public Safety, the share of the dollar there, that does include the DA's (District Attorney's) Office?"

Mr. Buchanan said, "Yes, sir."

Commissioner Parks said, "Thank you."

Chairman Peterjohn said, "Commissioner Welshimer."

Commissioner Welshimer said, "On what date is it again that we're going to discuss and amend this budget?"

Mr. Buchanan said, "Next week, next Wednesday at our regular meeting is one of the public hearings, and then the next public hearing would be August 10th, which is a Tuesday. The primary day would be a week before that, August 3rd, so Tuesday, August 10th we will have a public hearing and then adopt the budget on August 11th."

Commissioner Welshimer said, "So we'll be making, if we want to offer motions for amendment, that would be on the 10th?"

Mr. Buchanan said, "Anytime that you want."

Commissioner Welshimer said, "Okay. Thank you."

Mr. Buchanan said, "July 21st, next Wednesday, is what we traditionally call the last up day. That's the last day that you can raise taxes. You can lower them at any time, but after that day, you cannot raise them. It's almost like useless information, huh?"

Commissioner Parks said, "Very good."

Commissioner Welshimer said, "I'm finished."

Chairman Peterjohn said, "Okay. Mr. Manager, on page 9 in your presentation, you talked about the four percent compensation pool and how it was a little bit unusual. Can you give myself and the public an idea, in terms of this budget does contain the four percent compensation pool and that would total approximately how much money as part of this overall budget?"

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Mr. Buchanan said, "It does contain a four percent compensation pool and all the funds combined, and that would be EMS and all the revenue funds combined, the total compensation for four percent is about \$4 million. Now it affects different funds different ways, but the total is \$4 million."

Chairman Peterjohn said, "So a good rule of thumb would be that one percent increase in pay for county employees as a whole is about \$1 million?"

Mr. Buchanan said, "Yes, sir."

Chairman Peterjohn said, "I think that's an important number for people going through budget-wise, especially in light of the fact that we live in a county where our unemployment rate, fortunately, is well below the national average by over percent, the most recent data I've seen. But unfortunately, is well above the state average here in Kansas. Having said that, that's going to be something that I'm going to be concerned about, because last year this Commission adopted a freeze for the higher paid county employees, including the elected officials, and I'm going to be interested in seeing where we go with this, I think that having a...in light of our current economic problems nationally, and in the State of Kansas and locally, we need to do whatever we can to try and help get our local economy back in shape and moving again. And, unfortunately, expanding government spending, I don't believe has worked in the past; I don't think it's working today and I don't think it will work in the future. I've got a couple other questions to come out with where we're at. You mentioned, Mr. Manager, that we're looking at the mill levy being the same as last year, I know technical adjustments sometimes occur at the end, and we're sometimes talking about fractions of one mill. Are you totally confident that we can keep it at at least that figure and no higher, even if we go out to one-thousandth of a mill?"

Mr. Buchanan said, "Nope. That's asking for certainly certainty that doesn't exist. The assessed valuation, although gets locked in, appeals from BOTA (Board of Tax Appeals) are handed down during the year, adjustments occur at the last minute in retirement or health. We've noticed in our health insurance, because some people are unemployed; more families are using our health insurance than they have in the past. That changes all the time. We can say that the budget is based on no tax increase, whether that adjustment goes up or down by a fraction, I cannot guarantee that."

Chairman Peterjohn said, "That's an interesting clarification for those of us going forward and for the citizens who provide input to us. Commissioner Welshimer."

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Commissioner Welshimer said, "Well I have a couple concerns. First, I thought, well, we'll discuss this and I think we have not discussed the pay raise for employees. But I think back to another time when we had a County Manager present a budget, and it had something in it about closing down the pavilions, and at that time, what the Manager recommended in his budget was a surprise to us, but that suddenly became something the public thought we were doing. And I don't want this to become a four percent increase for Commissioners' pay in the minds of the public or in the paper tomorrow. So maybe we had better discuss that subject and amend this budget today. The other thing is the mill levy; we've worked very hard to roll that mill levy back one and a half mills. I'm not going to be pleased if we have to have any kind of increase, and I don't care if it's 1/100th of a cent, or a mill. I want that mill levy to go the other way, 1/100th of a mill. So I just don't want to adopt this, receive and file, or whatever it is we're going to do with the Manager's recommendations here, and leave those two issues open."

Chairman Peterjohn said, "Well, the item before us is to...the recommended action is just to receive and file and put this in the record so we can get input and feedback from the public, and taxpayers the citizens here in Sedgwick County. Commissioner Welshimer, I certainly agree with you, in terms of both your comments about the mill levy and any increase in pay for County Commissioners, but unless we want to open this up to have a Commission discussion on the budget in detail, I wanted to try and focus on, from my end, getting questions to the Manager and trying to get as much information out so the public will be aware of what's before us and how we compare. Mr. Manager, a question I'd like to proceed with, you mentioned in your presentation that we are using up some reserve funds, in this proposed budget, can you give us an idea of the differential of the amount of proposed expenditure and the amount of projected revenue, and what sort of a difference we have between those two figures?"

Mr. Buchanan said, "For 2011, we are projecting using up \$13 million of reserves. Now, that's coupled with, let's remember that in 2011, we will have a 27th pay period for employees, which is a chunk of that \$1.7 million, I believe. And we are anticipating a reduction in revenues that would make up the rest of that difference."

Chairman Peterjohn said, "Let me amplify that question and your response by asking you if, is that \$13 million, is any of the Fire District included in that \$13 million..."

Mr. Buchanan said, "No."

Chairman Peterjohn said, "...or is this all within the county's regular funds?"

Mr. Buchanan said, "It does not include the Fire District."

Chairman Peterjohn said, "Okay. Would the Fire District be..."

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Mr. Buchanan said, "The Fire District is in way better shape, and I don't have that number in my head, but it's not even comparable."

Chairman Peterjohn said, "Further comments or questions for the Manager? And if not, what's the will of the Commission? Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Mr. Manager, just for my understanding, in this budget, funding for some of the service organizations, like the Extension [Education] Center, it did not take a cut, it's the same as it was last year..."

Mr. Buchanan said, "Yes."

Commissioner Unruh said, "...in your recommended budget?"

Mr. Buchanan said, "Yes."

Commissioner Unruh said, "The other agency, like the Child Advocacy Center, we're going to continue to fund it as we did..."

Mr. Buchanan said, "This year."

Commissioner Unruh said, "...the decision last year?"

Mr. Buchanan said, "Yes."

Commissioner Unruh said, "The contingency that you have proposed of \$1.2 million for the Public Safety, the specifics of that is yet to be decided, but it may include, at the decision of the Commission, the consideration of a mental health pod?"

Mr. Buchanan said, "It could."

Commissioner Unruh said, "But no recommendation at this time?"

Mr. Buchanan said, "Not yet."

Commissioner Unruh said, "Okay. It seems like I can't read my own notes, so I'll stop right there."

Chairman Peterjohn said, "Commissioner Parks."

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Commissioner Parks said, "I think those things that Commissioner Unruh just brought out need to be discussed now, and need to, I guess, answer the question for Commissioner Welshimer, if we are going to be giving direction to the Manager, I think it could be done today, certainly. Back in February of 2007, I had made the comment about the \$11,000 annual reduction for County Commissioners, and it didn't go too far back then, either, but I certainly don't want to even have that as a possibility for increasing wages for that. Also, in 2007, I had brought up about the plateau for some of the upper paid contract employees, and I still think that bodes to discussion, and this four percent, it's going to be discretionary and it's going to be down the line. It's a little bit concerning to me, but we will have those decisions to make down the line, I guess, but I think we need to talk about it a little bit now."

Mr. Buchanan said, "Okay."

Chairman Peterjohn said, "Well I'm in agreement, in terms of talking about it, and without getting too deep into the weeds of the budget, I was looking at the...one of my most painful votes, I say this for the public, as well as for staff and individuals, that I had to cast was last year we did a supplemental \$2 million for the Sheriff's Office for expanded population in the Sedgwick County Jail. I noticed on page 316 of the proposed budget that we're projecting an estimate this year of 1,730, which I think is on the high side. We came close, and was at that number last October, but the data I've seen indicates a number probably about 150 less than that, and the budget projected for 2011 indicates a number of average daily population of 1,822. A question I'd have for the Manager is, did we project the Sheriff's budget basically at the same level with the supplemental for 2011 as we did for this year?"

Mr. Buchanan said, "What we did with the Sheriff's population projection was take current figures, and adjust, and try to look at those, in terms of the trends that were occurring. And so the population projection for the Sheriff, I think, is less than what it was in 2010, is that right, Nikki?"

Ms. Nikki Huntington, Management Analyst, Finance, greeted the Commissioners and said, "Yes, but I think you might be referring to the KPI (Key Performance Indicator) page."

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Mr. Buchanan said, "Okay."

Chairman Peterjohn said, "Yes, page 316."

Ms. Huntington said, "Yeah."

Mr. David Miller, Budget Director, Finance, greeted the Commissioners and said, "Chairman, I believe you are referencing to page 316, which outlines expected population levels in the custody of the Sheriff's Office. That estimate was provided to us by the Sheriff's Office, and that is put into their Key Performance Indicator page. Now, I think your question is directed towards the budgeted costs for out-of-county housing. And if you look at page 317, and if you look towards the bottom of that page, which outlines cost by individual programs, if you look in the middle of that section, you will see the budget for out-of-county housing. On that page, you will see that in 2009 we spent \$3.9 million of out-of-county housing. Based on the trends that we were seeing last year, growth in the adult detention population, growth in the shifting of inmates to out-of-county housing, the budget was set at \$4.3 million.

"As you outlined, we've seen a correction of that growth trend, and much more of a stabilization, if you will. If that stabilization continues, what we have included in the budget for 2011, based on the trends that we're seeing so far this year, is \$3.5 million. Yes. Now, of course, the adult detention population isn't always the most stable environment for us, so if that estimate that's included in this budget now should be incorrect, because those trends may reverse, then what we would need to look at doing is something very similar to like what we did in 2009, in which we would need, if we chose to maintain those types of services at that level, to shift money from the Public Safety Contingency to the Sheriff's budget."

Chairman Peterjohn said, "I appreciate getting into the details here, because some of these numbers, I share Commissioner Welshimer's desire that I do not want to see the mill levy go up even by 1/1000th of a mill, and we do have some reserves, we're very fortunate in that regard, so those can be drawn down. But I want to understand, since we are in this unusual situation concerning the salary side of it, that I really don't believe in these economic times that any elected official should be receiving a pay increase. And when I say that, I mean any elected official, regardless of what level of government, I am not referring just to the county here. Commissioner Norton."

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Commissioner Norton said, “Just another caution. We have two public hearings that we need to listen to the public before we start making any profound decisions on the budget. And I am a little uncomfortable without hearing from the public, which is what we should do every year, go through the system, which we've set up and the state is set up for us to have public scrutiny of the budget and get their input before we start making too many decisions about the budget. We've got staff meetings coming up, we've got two public hearings, and we have plenty of time, I think, to hammer out what we all believe about this. The truth is, we've just been presented the budget, you know, just today, and I think we all need to look at it, read it a little more, listen to public input, and then we'll still have time to debate and dialogue on those things that we need to change or advocate for. Just my thoughts about the process of codifying a budget.”

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

Commissioner Parks said, “Well I agree with the timeline, and we do have things that, in the state law that allows us to go down but not up, but I hear from the public about 360 days a year, I think. But that's what I base some of my earlier comments on. Thanks.”

Chairman Peterjohn said, “Commissioner Welshimer.”

Commissioner Welshimer said, “Well I just want to make it clear that this is the Manager's proposed budget, it is not the budget that has been discussed, amended, or passed, or voted on by the County Commissioners. I'm a little disappointed too in the out-of-county housing projections, what we've budgeted for them, because we've worked very hard to get that number down and we had it down pretty close to 50 percent. But to have a higher figure in there for that is something I think we certainly need to discuss in our time when we amend this budget.”

Mr. Buchanan said, “The out-of-county housing line item on page 317 is half a million dollars less in 2011 than 2010.”

Commissioner Welshimer said, “Okay. But it's still more than I expect.”

Mr. Buchanan said, “Or 2009, excuse me, it's a million dollars less.”

Commissioner Welshimer said, “Oh, it is, isn't it? Thirty-four, [inaudible]. Okay. Alright.”

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Mr. Buchanan said, "Thank you."

Commissioner Welshimer said, "Thank you."

Chairman Peterjohn said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Mr. Manager, you did not include in your recommendation, or is there included in the recommendation provision for us to have a government relations person in the staff make-up. We have not had one the last couple years, and I was wondering if there's a change in the direction, or if you think there's a change in the direction of the Commission, maybe that's the question?"

Mr. Buchanan said, "In the recommended budget, there is not a position for a government relations person, so that position is not included in the 2011 budget."

Commissioner Unruh said, "And if we were to want that, we'd have to have at least three people advise you of that?"

Mr. Buchanan said, "Yes, sir."

Commissioner Unruh said, "All right. Thank you."

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "Well a little change of terms here for the layperson that may be watching or in the audience today. That is also been called a taxpayer lobbyist, is that correct? That we..."

Mr. Buchanan said, "We call it...the job description says Government Relations Officer."

Commissioner Parks said, "But they do go to Topeka and Washington, DC and..."

Mr. Buchanan said, "Try to get our fair share of those dollars, yes, sir."

Commissioner Parks said, "Thank you."

Chairman Peterjohn said, "Well I would add that Sedgwick County is the only county that I'm aware of that has had a registered lobbyist at the statehouse for a number of years and no longer has one. There are a whole host of governmental bodies that do so and we still have the...this budget, I

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presume, Mr. Manager, contains a provision where we continue our membership with the Kansas Association of Counties, is that correct?"

Mr. Buchanan said, "Yes, sir."

Chairman Peterjohn said, "Okay. The Kansas Association of Counties has registered lobbyists up in Topeka, and as does a variety of other local governmental units here in Kansas and individual entities, individual bodies of government, whether they're at the county level or a different level, some of them have registered lobbyists too. So that's an issue, I think, that's of statewide significance and goes beyond just the county. Commissioner Parks."

Commissioner Parks said, "Well, I'd be remiss if I didn't say something about that, also. We have some department heads that did a great job this year of going up, and I look out and see Diane Gage and for the 911, and the testimony that she gave for the 911 funds, as well as many others that are out there, that go to Topeka and provide the frontline expertise. So just wanted to thank them for that."

Chairman Peterjohn said, "Well I've, in terms of focus on the budget, is there additional comments or questions for the Manager? And if not, what's the will of the County Commission concerning this proposed budget?"

MOTION

Commissioner Unruh moved to receive and file.

Commissioner Norton seconded the motion.

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

VOTE

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

Mr. Buchanan said, "Thank you for your support."

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Chairman Peterjohn said, "Next item."

G. DIVISION OF HUMAN SERVICES.

- 1. AGREEMENT WITH WICHITA STATE UNIVERSITY (WSU) TO ALLOW STUDENTS IN THE SCHOOL OF SOCIAL WORK TO PARTICIPATE IN A SOCIAL WORK SETTING AND GAIN EXPERIENCE THROUGH PRACTICUM PLACEMENT AT CENTRAL PLAINS AREA AGENCY ON AGING.**

Ms. Annette Graham, Executive Director, Aging, greeted the Commissioners and said, "This is an agreement between Central Plains Area Agency on Aging (CPAAA), which has provided a social work setting for practicum students of the WSU (Wichita State University) School of Social Work for both graduate and undergraduate levels. We have done this for over 10 years now. The purpose is to translate knowledge from all areas of the curriculum into practical skills and competencies. The partnership provides students the opportunity to learn and apply the skills they've learned in the classroom setting. This is a great opportunity for us to provide an opportunity in the community for these social work students to learn about the field of aging, to learn about the opportunities that exist and to learn the practical skills and knowledge that it requires to work with this specialized population.

"By continuing this partnership with the WSU School of Social Work, we are encouraging interest in social work practice with older adults in providing a source of future professionals for the Area Agency on Aging. This partnership agreement with WSU will be effective for two years from the date of execution, July 14, 2010, to July 14, 2012. This agreement will be reviewed by each party annually or when requested by either party, and shall be in effect even if the positions or titles are changed. WSU provides professional liability insurance for each of the students, for the faculty members and other agents, or employees of WSU. The agreement involves no cost to Sedgwick County. I would request that you approve the agreement and authorize the Chair to sign the agreement."

Chairman Peterjohn said, "Questions or comments for Ms. Graham?"

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Ms. Graham said, "Thank you."

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

2. CONTRACT WITH PROJECT INDEPENDENCE, INC. FOR CONSUMER-RUN SOCIAL ACTIVITIES, OPPORTUNITIES FOR LEADERSHIP, EDUCATION, TRAINING, AND RESEARCH IN A DROP IN SETTING.

Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioners and said, "This is a renewal of an ongoing contract that we have with Project Independence. Project Independence is a consumer-run organization, or they're called CROs, that provide opportunities for adults with mental illness to socialize rather than be isolated, and it does provide educational and leadership opportunities for its members. Project Independence's open in the evenings when many other services are closed. Project Independence operates as a drop-in setting with trained peer counselors who work with COMCARE's state hospital liaison staff to welcome consumers back returning from the state hospital to our community and helps to inform them of Project Independence services. Transportation to and from the building on South Ida where they're located and to community activities is available as a result of this contract as well.

"That contract clearly spells out program goals and requirements, and Project Independence submits monthly financial reports and then quarterly program report activities. Project Independence so far, for the first three quarters of this, year have served 136 unduplicated individuals, an average of about 89 a month, and so far have provided 120 social events. I'm noticing in today's audience that I'd like to acknowledge the Director of Project Independence, Rene Strunk, if you would stand up. And next to her, Carr Floyd. And, Carr, are you the assistant director? So thank you. They've been great community partners. We are going to recommend that you approve the contract and authorize the Chairman to sign."

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Chairman Peterjohn said, “Thank you. Questions or comments?”

MOTION

Commissioner Welshimer moved to approve the Contract and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, “We’ve got a motion and a second. Questions? Let me ask, it says in our backup information that the funding source for the \$59,000 for this project is state funding, is this a state grant or what sort of state funding?”

Ms. Cook said, “It’s money that comes from our contract with the state, which is also on the Agenda today.”

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

VOTE

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

Chairman Peterjohn said, “Next item.”

3. CHANGES TO THE COMCARE STAFFING TABLE AS FOLLOWS:

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- **Delete 1 permanent part-time Office Specialist, range B115**
- **Delete 1 permanent part-time Licensed Mental Health Technician range B115**
- **Add 1 Advanced Registered Nurse Practitioner, range B429**

Ms. Cook said, “Commissioners, COMCARE continuously monitors access to our services and our programs. The wait time for new clients to access a medical provider for their initial medical evaluation and medication evaluation varies by program, but it's been substantially growing over time. We feel that we put individuals needing our help and our organization at risk when we don't have sufficient medical staff available for medication evaluations and ongoing medication management of our folks. So to help resolve this, we're requesting a change to our staffing table with a deletion of two positions, a permanent part-time office specialist and a permanent part-time mental health technician position, and we're recommending that we utilize the funding for these two deleted positions to create a new position that would enable us to hire an additional advanced nurse practitioner. The salary difference with this change would be made up with revenue generated by that new clinician. We really believe having a sufficient number of medical providers is critical to our patient populations, and to our organization and this community. So we're recommending that you approve the recommended changes to our staffing table.”

Chairman Peterjohn said, “Questions or comments on this Agenda item?”

MOTION

Commissioner Welshimer moved to approve the recommended changes to the Staffing Table.

Commissioner Norton seconded the motion.

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

Commissioner Parks said, “For the record, the revenue that will be coming in from the new medical provider, that will be from Medicare, Medicaid?”

Ms. Cook said, “It's from any payer source, but our major payer source is Medicaid.”

Commissioner Parks said, “That is one of the questions the last two items, I might add that I did have a lengthy discussion with Ms. Cook about those, and I'm satisfied and will be supportive. Thanks.”

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Chairman Peterjohn said, "Further comments or questions? Seeing none, 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."

4. PARTICIPATING MENTAL HEALTH CENTER CONSOLIDATED CONTRACT WITH STATE OF KANSAS, DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES AND ADDENDUM.

Ms. Cook said, "Commissioners, this contract represents the primary funding contract for COMCARE from the state through Social and Rehabilitation Services (SRS). The contract does a number of things. First of all, it establishes COMCARE as the local mental health authority for Sedgwick County. It outlines then expected responsibilities and outcomes in the contract that are associated with that role, including listing an array of services that we're mandated to provide for adults with a severe and persistent mental illness and for children with serious emotional disturbances. And as of last year, there's also a list of priorities, in terms of who we serve first with this money, and that's on page 2 of the actual contract if you're interested. Due to the allotment last November, the total contract is \$712,409 less than last fiscal year's contract, but I would point out to you that due to the efforts of some of the legislators in our local delegation, due to our associations and to consumers who went to Topeka to testify, this contract was saved from further anticipated cuts in the very final hours of this last legislative session, and we're pretty grateful to all those people for making that happen. We recommend you approve the contract and authorize the Chairman to sign."

Chairman Peterjohn said, "Thank you. Questions or comments? I'm going to...you mentioned the figures on the differential, do you have the percentages, in terms of how that changed right off the top of your head?"

Ms. Cook said, "I don't off the top of my head, but I'll get that to all of you."

Chairman Peterjohn said, "Okay."

Ms. Cook said, "The \$712,000 reduction, you mean the percent change?"

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Chairman Peterjohn said, “Yes. Yeah.”

Ms. Cook said, “I do know in my budget that we've been tracking that over time and we're down over 50 percent since 2005 in the contract with the state. But I'll get you those numbers. I have that by year.”

Chairman Peterjohn said, “Okay. Is there any pass-through money from the federal government coming to us as part of this or is this all state funding?”

Ms. Cook said, “There is a small amount of federal block grant money that’s included in this as well. And that is listed in the contract: \$312,418 is federal block grant money. That's included in this.”

Chairman Peterjohn said, “Thank you. Further questions or comments? Seeing none, please call the vote.”

Ms. Katie Asbury, Deputy County Clerk, greeted the Commissioners and said, “Mr. Chairman, we need a motion.”

Chairman Peterjohn said, “Oh, we need a motion. I’m sorry, I thought...”

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

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Chairman Peterjohn

Aye

Ms. Cook said, "Thank you."

Chairman Peterjohn said, "Next item."

H. RESOLUTION ADOPTING A POLICY ADDRESSING SAFETY AND FIRST AMENDMENT ACTIVITY AT THE INTRUST BANK ARENA.

VISUAL PRESENTATION

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "And before I get into this presentation, I'd just like to mention that Karen Powell from the County Counselor's Office, who has worked on this resolution and policy for us, is here as well as Major Oliver and Captain Mason from the Sheriff's Office and they've been actively involved in the review of this policy. We've also had input from the Wichita Police Department and the folks at Intrust Bank Arena. This resolution and subsequent policy recognizes the importance of providing First Amendment rights of all citizens while at the same time upholding its duty to seek to protect the safety and welfare of all. And in this context, the county has created certain fixed safety zones around the Intrust Bank Arena. This is very similar to policy we have in place at the Sedgwick County Zoo and also one that we had in place for Britt Brown Arena at the Kansas Coliseum.

"The purpose is to ensure that all persons and vehicles may safely enter or exit the areas surrounding the arena. It provides law enforcement clear guidelines to quickly and effectively deal with persons who block certain areas surrounding the arena and who threaten the safety of persons entering or exiting the arena property, and it protects the safety of any and all persons who may be expressing any rights protected by the First Amendment. Nothing in this policy shall be interpreted or construed so as to interfere with the exercise of First Amendment rights of persons on the sidewalks, outside the arena premises, including but not limited to those sidewalks immediately adjacent to the arena premises."

Mr. Holt continued, "The experience we've had have basically, with a policy like this, has basically come from some abortion rights protestors and the other experience is with some animal rights protestors, and so we thought it was important back earlier this year when we had the circus here, we had a request from some animal rights protestors to have a place at the arena where they could offer their protest. We also, during the Sarah Palin appearance, had that same kind of request. I have given you a map, or an outline, of the arena area. And you will notice a very heavily black dotted line. That's the property line for the arena, so what we're talking about are permitted protest areas

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within the Intrust Bank Arena property line and also designated safety zones within the arena property lines.

“What that allows for are for those folks who might have the need to exercise their First Amendment rights with some event or activity going on at the arena, to have a place on the arena site to do that, while at the same time allowing those persons who are coming to the event or the activity to safely enter and leave whether that's by vehicle or by pedestrian at the site. You will also notice that there are blue lined areas around the arena sites. Those are the public sidewalks. And of course, this policy does not affect if and how someone might protest using the public sidewalks. We've been very fortunate to have folks who want to do a protest, to coordinate that with us and we then coordinate that with the Sheriff's Office. As you know, the Sheriff's Office has responsibility on the arena site for law enforcement and they then coordinate that with the Wichita Police Department which has, of course, law enforcement responsibilities on the city streets and sidewalks.

“And so, Commissioners, that's the long and short of this policy. We have had, as I mentioned, a couple of protests events there at the arena already. Using our experience at the Zoo and at the Coliseum, the Britt Brown Arena, we accommodated those protests and we thought it was important to have this codified, therefore, we're bringing to you this resolution and this policy for your approval. So I would ask that you approve the resolution and I'd be happy to answer any questions. And again, Karen from the County Counselor's Office if there are legal questions and/or Major Oliver or Captain Mason from the Sheriff's Office if there are law enforcement questions that I can't address.”

Chairman Peterjohn said, “Questions or comments for Mr. Holt? Commissioner Welshimer.”

Commissioner Welshimer said, “Where did you say you're going to put the protestors?”

Mr. Holt said, “I'm sorry; the green. When you see this map, there's red, blue, green and then there's the white cross dotted areas; the green areas or the designated areas for persons who want to protest on the arena site.”

Commissioner Welshimer said, “So this larger green area here, that's an area between that parking lot and that entrance, is it Entrance B?”

Mr. Holt said, “That's correct.”

Commissioner Welshimer said, “Okay. Okay. Thank you.”

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Chairman Peterjohn said, “Mr. Holt, I’m supportive of what we have in front of us today concerning the Intrust Bank Arena. The question I have is a little bit broader in the sense that you mentioned Britt Brown Arena, but we still have the operations of the pavilions out there. Do we have any designated spots out at the Kansas Pavilions complex today that is designated for protests if one would occur at this point in time?”

Mr. Holt said, “At the current time, what we would use if we had that situation out at the Kansas Pavilions, we would use the same area that had been designated for the Britt Brown Arena, which is on 85th Street at that entrance, the west entrance off of 85th Street. Once we go through our process here of redefining the pavilions, understanding what the priority entrance and exit routes are there, we will probably need to take a look at redefining and redesigning that policy for the Kansas Pavilions in its new setting.”

Chairman Peterjohn said, “Well let me ask you, because probably the most place where I would imagine that folks would be most likely to protest here would be outside this building, at the [Sedgwick County] Courthouse. Frankly, I’d make it a little broader, this courthouse or perhaps the Historic Courthouse across the street. Do we have a similar provision, in terms of areas designated outside this building or the Historic Courthouse to cover that event?”

Mr. Holt said, “I don’t believe we do. Of course, the public sidewalks would always be available for that. Again, I know we have had protestors here. I know that our security folks for this building have handled that. But I’m not sure to what extent other than on, certainly on the public sidewalks, that’s an option.”

Chairman Peterjohn said, “Well when you say the public sidewalk, are we talking about...in the map that you’ve provided us here, and since we don’t have it up on the screen so the people who are watching via Channel 8 or online, basically it appears to me to be strictly the sidewalk itself, so basically within maybe, I don’t know, 10 or 15 feet of the edge of the street would be the only designated area. Not when you say sidewalk here, we’re not talking about the area between, more than 15 feet from the street, is that a fair statement?”

Mr. Holt said, “That’s a fair statement. A visual for the public sidewalk would be that sidewalk that’s attached to the street, that’s adjacent to the street, if you think about that. We then, if you look at this map for the arena, there are certainly sidewalks inside the arena property. We call those, for this purpose here, walkways relative to entrance and exiting the arena.”

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

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Commissioner Parks said, "Well, I certainly want to make sure that we're not violating anyone's First Amendment rights on this. Going from, at the top of your map here, along Williams Street, it says alleyway and it doesn't show that that's a blue and St. Francis there, and I went around there and looked at that. And if they're walking from one sidewalk or one access walk to another to get there, that doesn't allow them to go across the alley or across the street, just merely to conveyance according to this map then."

Mr. Holt said, "If I understand your question, it certainly wouldn't prohibit them from walking through the alley. What it would prohibit them from doing, based on this map, would be to stage a protest in the alley area. But because that alley is related to the city, anything that would happen there, they would have to coordinate and/or work that through the city."

Commissioner Parks said, "Okay. And I guess that's...we're doing something here that's saying that we're giving them approval for the city. If there's any regulations of the City of Wichita or Wichita Police Department, really we don't have a say and shouldn't have a say in that."

Mr. Holt said, "That's absolutely correct, and we've coordinated that. In fact, using the Sarah Palin appearance as an example, I think there were at least three different sets of protest groups. One coordinated their protest area with us, with the arena, with the Sheriff's Office. The others, and we coordinated that with the Wichita Police Department, the other folks coordinated their efforts with the Wichita Police Department and it worked very well. It was a coordinated effort and we've been very fortunate in this community that when we have these kinds of protests, no matter the issue, that folks want to do it in a legal fashion, and consequently, they have coordinated those with the law enforcement of our community."

Commissioner Parks said, "In these coordination meetings, have you discussed with the City of Wichita, Wichita Police Department or legal [Law] Department, the size of their signs, the parade permits or other regulatory things that would be required of them?"

Mr. Holt said, "We have not had that kind of discussion relative to what would happen on the city's controlled property. And no more than to say that that's the city's to control and it's their ordinances, their resolutions, their law enforcement that would be responsible for that. We've focused our efforts, we've talked to them and coordinated, but we've focused our efforts in this resolution just focused on the arena site, which is inside that property line for the arena."

Commissioner Parks said, "And if they got outside that, we would have a county...is it county resolution that would then be able to cite into County Court, is that the Sheriff Deputy or whoever

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would be there to enforce that would be writing a County Court ticket or would we file it in District Court?"

Mr. Holt said, "I can't answer that. I know that we have for other incidents at the arena, we have kind of a coordination agreement with the Wichita Police Department so that there is, even for the specifics of the law enforcement, that coordinating effort."

Mr. Michael Oliver, Major, Sheriff's Office, greeted the Commissioners and said, "The way we've worked through this resolution in the policy on here, violations that we would come across would be trespassing violations, which would fall under state statute."

Commissioner Parks said, "So it's going to the District Court then instead of the County Court?"

Major Oliver said, "Yes. It would be through the District Court, yes, sir."

Commissioner Parks said, "Okay. Thank you."

Major Oliver said, "Thank you."

Chairman Peterjohn said, "Further questions or comments? What's the will of the County Commission?"

MOTION

Commissioner Unruh moved to approve the Resolution.

Commissioner Norton seconded the motion.

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

VOTE

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

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

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Chairman Peterjohn said, "I'm going to call a recess until 10:40 a.m. We shall return at that time."

The Board of County Commissioners recessed at 10:33 a.m. and returned at 10:42 a.m.

Chairman Peterjohn said, "I'm going to call this meeting back from recess. And next item."

I. AGREEMENT WITH THE CITY OF MAIZE TO MAKE IMPROVEMENTS TO TYLER ROAD BETWEEN 53RD STREET NORTH AND 61ST STREET NORTH. DISTRICT 4. .

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "In Item I, we are requesting your approval of an agreement with the City of Maize that will provide for the paving of Tyler Road between 53rd Street North and 61st Street North with cold mix asphalt. Portions of this one-mile long segment of road lie within Maize. Approval of the agreement will provide the county with legal authority to perform the work and provide funding for the project. In our agreement, Maize agrees to prepare the roadbed, replace drainage structures as needed, relocate utilities, acquire any needed right-of-way and provide the materials for the manufacture of cold mix asphalt for the project. The agreement allows us to pave the road within their corporate limits and requires Maize to take over maintenance responsibility for the entire section of the road when construction is completed. The county will construct the pavement with forces and equipment that are already included in our 2010 budget. We recommend that you approve the agreement and authorize the Chairman to sign."

MOTION

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

Chairman Peterjohn seconded the motion.

Chairman Peterjohn said, "Seeing...Commissioner Norton."

Commissioner Norton said, "This is a little bit different than our regular cold mix program, that's correct?"

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

Commissioner Norton said, "Okay. Do we know what the cost to the county would be over and above all the things that Maize is going to supply?"

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Mr. Spears said, "It's about a 50/50 split we figure with material. They provide all the materials. Actually, they'll probably be a little more because they're going to do the roadbed also. We're not going to do the roadbed. They're going to do the roadbed and provide all the materials it takes to make the cold mix. We're going to do all the labor to lay it down. So I'm going to say our part's probably about, maybe up to \$50,000 on our labor."

Commissioner Norton said, "Okay. Well I'm going to be supportive of this, but this kind of is something we haven't done in the past. And I've had other entities come to me and say, we've got some roads that we've had a hard time maintaining in the small cities. They're dirt roads and they'd like to take advantage of the cold mix. So I'm anxious to see how this works out so that it may, it will obviously set a precedent, but how we can participate in getting some of these old roads that are hard to maintain that cold mix is a better option for small cities than hot mix."

Mr. Spears said, "That's fine. We're certainly willing to work with any of them. And we did have, Commissioner, we did have, like it was a three or four party agreement last year. It was very complicated with Bel Aire, Kechi and a developer in the county to build one in Commissioner Unruh's district, 53rd, I believe."

Commissioner Norton said, "Right. Well I'll be supportive today, but I think it will be interesting to see how it works out for a small city and how other small cities respond to this, because I think there's probably other places where hot mix asphalt is just too expensive for them to lay down and they'll never pave a street in cold mix, if they can work with the county, may be very advantageous to us."

Mr. Spears said, "And the thing everybody needs to remember is, and all the little cities, is that it's something that's short-term. It's five to seven years it will last, and then it will go bad. And it basically buys you time before you can put the hot mix on."

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

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "Well this is very much like the 53rd Street project with Kechi and Bel Aire, and it's been under consideration for about three years. And I know not all of you have been at meetings that David Spears and I have been at with the City of Maize and with the people in the area that have recently been annexed by Maize and may be annexed in the future, but I would venture to say it's going to be a higher percentage, especially if they have to move a phone line to maintain those ditches, other things, I think it's very advantageous to us to get this done. It will connect with another piece up there that was an economic development item with the drag strip that

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happened back, oh, probably 10 years ago. And it will be a relief valve for us. I might say that I don't have as many complaints from that area. This is in my district.

“I don't have as many complaints from 53rd and Tyler for drainage since the county, we went in and actually replaced a culvert at that location. That's the old K-96; that has a pretty good roadbed, by the way. When that was redone, that's going to last for years. But this will provide access to Mystic Lakes where they have the national barefoot ski championships [US Barefoot Nationals]. And I'll probably say something about that later on. So, anyway, it's kind of...I tried the economic development route with SCKEDD (South Central Kansas Economic Development District) and some other places a couple years ago, and we just couldn't formulate and get enough. But I think with them taking over the maintenance of this and doing all the pre-work, I think we're in great shape with this from the county side of it.”

Chairman Peterjohn said, “Commissioner Welshimer.”

Commissioner Welshimer said, “Is there any of the big truck traffic on this road from those sandpits up there?”

Mr. Spears said, “That's a good question and I don't believe we took a count of those, so I do not know the answer to that, perhaps Commissioner Parks knows.”

Chairman Peterjohn said, “Commissioner Parks.”

Commissioner Parks said, “There's a sandpit that we approved back about four years ago near that area, however, they were going to have another road coming out of that and not use that. Certainly, I don't see a lot of trucks on that road. Where I see the traffic, and I travel it quite a bit just because it has been a contention for the district and a complaint area, is from where you turn into Mystic Lakes on to 53rd, that area right in there. And now that's established, we've had rock put in for the township; we've provided them some rock here a while back, a couple years ago. And it's going to be a savings for the township also, and of course, the City of Maize is annexing most of it, but that's one of those that there are other areas of this road that may never ever be Maize. I don't know. But to answer the questions, I don't see a lot of trucks on there.”

Commissioner Welshimer said, “Alright. Thank you.”

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Chairman Peterjohn said, "Seeing no further comments or questions for Mr. Spears, 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."

J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON JULY 8, 2010.

Mr. Joe Thomas, Senior Purchasing Agent, Purchasing, greeted the Commissioners and said, "There are four items for consideration resulting from the meeting of the Board of Bids and Contracts of July 8th. Item 1;

1. CLASSROOM EQUIPMENT & INSTALLATION for the NATIONAL CENTER for AVIATION TRAINING – FACILITIES DEPARTMENT FUNDING – NCAT FURNITURE FIXTURES & EQUIPMENT

"The recommendation is to accept the proposal from Smith Audio Visual, Inc. in the amount of \$119,625.51. Item 2;

2. DIESEL EXHAUST FLUID – FLEET MANAGEMENT FUNDING – FLEET MANAGEMENT

"The recommendation is to accept the proposal from Heathwood Oil Co., Inc. for a cost of \$3.14 per gallon and establish unit pricing for the DEF tote system, and establish contract pricing for one year with two one-year options to renew. Item 3;

3. DIGITAL OBLIQUE IMAGERY DOWN PAYMENT – APPRAISER'S OFFICE FUNDING – OPERATING BUDGET

"The recommendation is to accept the quotation from Pictometry in the amount of \$28,915.06. And Item 4;

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**4. AT&T T-1 LINE CONTRACT RENEWAL – FIRE DISTRICT
FUNDING – FIRE DISTRICT**

“The recommendation is to accept the sole source quote from AT&T for 60 months at a rate of \$249 per month. I’ll be happy to answer any questions and recommend approval of these items.”

Chairman Peterjohn said, “Any questions or comments for Mr. Thomas concerning the Bid Board items?”

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Mr. Thomas said, “Thank you.”

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

K. CONSENT AGENDA

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1. Letter exercising our option to renew the agreement with Wichita Transit for transportation services for eligible COMCARE consumers requiring assistance to maintain their employment.
2. Wichita Welcome Channel Sponsorship Agreement.
3. Authorization of a Service Agreement which will allow Grant County to use Sedgwick County's Motor Vehicle Tax Estimator.
4. Retail Dealer's Cereal Malt Beverage License Application for DEA Entertainment/Midwest Rockfest located at Lake Afton Park remote Airplane Field 24600 W. 39th Street South, Goddard, KS 67052.
5. One (1) Temporary Construction Easement and One (1) permanent Easement for Drainage for Sedgwick County Project 801-DD-5280; Bridge project on 151st Street West between 103rd Street South and 119th Street South; CIP# B-443. District 3.
6. General Bill Check Register of June 30, 2010 – July 6, 2010.
7. Housing Department Section 8 Rental Assistance.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V10009	\$573	2	Bridgewater Apts. II
V10022	\$324	BU	Savannah Park Apts.
V10023	\$320	4	Fieldstone Apartments
V10024	\$384	4	Country Park Residences
V10025	\$394	2	Bridgewater Apt. Homes
V10026	\$500	2	Favreau, William
V10027	\$595	2	Chapel Ridge Apts.
V10030	\$336	4	Brookfield Apartments
V10031	\$721	5	Tafoya, Robert
V10032	\$450	2	Favreau, William
V10033	\$408	5	Hearth Hollow Apts.

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V10036 \$151 4 Fieldstone Apartments

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V09028	\$483	\$488
V07051	\$252	\$252
V09024	\$260	\$333
V020030	\$309	\$309
V8009	\$277	\$277
V09032	\$217	\$210
V05038	\$299	\$300
V05042	\$295	\$295
V72016	\$237	\$237
V06040	\$675	\$675
V2038	\$218	\$230
V04039	\$300	\$318

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V03046	\$189	\$178
V08030	\$254	\$264
V05027	\$217	\$217
V08028	\$280	\$408
V07048	\$575	\$573
V05036	\$335	\$333
V99036	\$287	\$287
V07046	\$257	\$272
V08038	\$417	\$325
V08024	\$304	\$306
V09025	\$560	\$560
V01089	\$347	\$337
V09026	\$455	\$545
V04043	\$406	\$406

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V06031	\$208	\$228
V07043	\$275	\$223
V010103	\$307	\$313
V09027	\$214	\$118
V07055	\$550	\$550
V06028	\$335	\$343
V09024	\$280	\$278
V08079	\$228	\$ 51
V04004	\$461	\$640
V06069	\$114	\$410
V07092	\$675	\$646
V04062	\$108	\$245
V05076	\$302	\$ 80
V09012	\$540	\$550
V08074	\$ 35	\$ 40
V08074	\$ 40	\$ 61
V08017	\$ 73	\$553
V10027	\$595	\$559
V01002	\$479	\$432

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.

Chairman Peterjohn said, "Motion and a second. Commissioner Parks."

Commissioner Parks said, "The Wichita Welcome Channel sponsorship agreement, how much money does that involve?"

Mr. Buchanan said, "I think it's \$10,000, Mr. Holt says."

Commissioner Parks said, "Thank you."

Chairman Peterjohn said, "Further questions or comments? Seeing no further discussion on the Consent Agenda, what's the will of the County Commission?"

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Commissioner Welshimer said, "I move we..."

Commissioner Parks said, "Motion."

Commissioner Parks said, "We have a motion? I'm sorry."

Commissioner Welshimer said, "I think we do."

Chairman Peterjohn said, "I'm sorry. Do we have the motion?"

Ms. Asbury said, "Yes, we do..."

Chairman Peterjohn said, "I'm sorry."

Ms. Asbury said, "...we're ready for the vote."

Chairman Peterjohn said, "I'm sorry, I misspoke on that. 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."

L. OTHER

MOTION

Chairman Peterjohn moved to recess into the meeting of the Fire District #1.

Commissioner Parks seconded the motion.

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

VOTE

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

The Board of County Commissioners recessed into the meeting of the Fire District #1 at 10:53 a.m. and returned at 10:57 a.m.

Chairman Peterjohn said, “And we're now back to...I'm going to call the Board of County Commission meeting back and I believe we're under Item L; Other. Commissioner Parks.”

Commissioner Parks said, “Yes, I'd like to tell the public that we had a meeting yesterday with Emergency Management, and in fact, made a decision without a vote yesterday to press on with the outdoor storm warning devices in the capital outlay program, and appreciate all the work that the Public Safety officials, Bob Lamkey and Mr. Duncan have done on that. And I wanted to make sure that the public did know that we are pressing on on that. We also discussed a bird strike committee. That one of the first pictures in our packet that we were looking at yesterday was the flight near Washington, DC that landed in the Hudson, and I would like to remind everybody that 81 days before that, that Commissioner Welshimer and I voted against having a pond at the end of the runway at [Wichita] Mid-Continent Airport, so we were a little bit ahead of the game on that one. We did discuss at length other alternatives to try to rectify that problem.

“And I did want to make a statement about some things. It will be a cold day down under as I, as an elected official, am restricted from asking an auditor, who is bound by state law to report any violations, it's a checks and balances issue. Mark Dick with AGH (Allen Gibbs & Houlik) has said many times; call me if you have any questions. I didn't read the article in the local newspaper this morning. I saw the headline and threw it in the recycle box. I have 29 years as a public administrator and Chairman Peterjohn served in the Finance Department of the State of California and I think we know what we are doing. This goes back to the 104 rule [Rule 104], though. And I will continue to seek open government and adherence to budget law and this item will take another path at this time by me. Thank you.”

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Chairman Peterjohn said, “Further comments under ‘other.’ I’m going to switch topics briefly for a moment. Mention the LAW Camp and I am pleased that that project is going on. We've mentioned it earlier, extremely worthwhile, and I regret that I’ve a scheduling conflict with the retirement of Bobby Stout, so that I'm not going to be able to attend their event, but I wish them well. They did extend an invitation. I'm hoping some of my colleagues here may...well, we've all got the same scheduling conflict, so it's a bit of a challenge. I'm going to give a quick jail report this morning. We had 1,568 folks in the Sedgwick County Jail. Can't give you an update, in terms of how they're broken down between misdemeanors and felons. I can't give you an update, in terms of convicted versus charged. But I can say in the ranking system of those 1,568; 299 are out of county. There are 453 who are classified as maximum security in the Sheriff's system and there are 502 who are classified as medium. The rest would be minimum or unclassified.”

“I'm going to also segue off of Commissioner Parks' comments, because Mr. Dick had mentioned to me, and when Commissioner Unruh raised this issue yesterday, Mr. Dick had always said, hey, if there's any questions, please feel free to give a call. And, you know, I think the headline today; I think both Commissioner Parks and myself deserve a retraction, because we didn't call for an audit and we didn't call for expenditure of funds. My recollection of the request to Mr. Dick was, in light of the information that staff had brought to us, does this have an impact? And going back at least three years, and maybe even four, depending upon whether you count going back to 2007, in 2010 back to 2007, are we talking about having an impact on any of the audited documents that Allen Gibbs & Houlik provides to us, that their opinion on how the county finances are. There was a \$300,000 differential that staff brought to our attention. And this occurred, as the newest Commissioner who came into office in 2009, in getting involved in areas that preceded me.

“And Commissioner Unruh yesterday made the comment that, in terms of incurring the cost, if I had done so, I apologized at that time that that was not my intent. And I don't believe it was my intent. And as far as I'm aware, at this point in the time, the county has not incurred any cost from it. I'd be interested in finding out if we did or not. But the audit function is very important. And I know the folks at Allen Gibbs & Houlik have a great deal of pride, in terms of their financial oversight work and their role, in terms of providing that assurance and the open government provision. And I appreciate the opportunity to dialogue on this for the public, and so when Commissioner Unruh brought it forward yesterday, you know, we had a frank discussion at that time in public and Commissioner Unruh and I had a frank discussion in private following it. But I

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do believe it's incumbent that we have a full disclosure, and when the accountants perform their audit and they're looking back at data going back several years, that we have confidence in these numbers and that we're in a good shape with the budget that's presented with us going forward. Because if we have questions or concerns about the numbers that we're working with, it becomes very hard to provide a budget for us to work with going forward.

“So, I wanted to provide an additional amplification of information for those of you who are watching via Channel 8 or any other means of communication on this issue, because I hate to get my green eye shades out. I kid about it from time to time with the budget stuff. But this is important work. We've got a budget before us that's over \$400 million for a county where we've got a population of just a shade under half a million people, with the way the census figures are there. And we need to be accountable to the taxpayers, and as long as I have the privilege of being a County Commissioner, that's the mission I'm going to be trying to fulfill. Seeing no further comments, I'm going to recognize Commissioner Welshimer for a motion.”

MOTION

Commissioner Welshimer moved that the Board of County Commissioners recess into Executive Session for 15 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation and legal advice, and that the Board of County Commissioners return to this room from Executive Session no sooner than 11:20 a.m.

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

Chairman Peterjohn said, “We’re in recess until 11:20 a.m. for Executive Session.”

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The Board of County Commissioners recessed into Executive Session at 11:05 a.m. and returned at 11:29 a.m.

Chairman Peterjohn said, "I'm going to call this meeting back from recess and recognize Mr. Euson."

Mr. Euson said, "Thank you, Mr. Chairman. We discussed a pending claim while in Executive Session. No announcement is necessary and the record should show no binding action was taken while in closed session."

Chairman Peterjohn said, "Thank you. Seeing no further business, I'm going to make a motion to adjourn."

MOTION

Chairman Peterjohn moved to adjourn.

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

Chairman Peterjohn said, "We're adjourned."

M. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:30 a.m.

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

KARL PETERJOHN, Chairman
Third District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

August 11, 2010