

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

### **REGULAR MEETING**

**August 11, 2010**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:05 a.m. on Wednesday, August 11, 2010, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Karl Peterjohn, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Kelly Parks; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Ms. Dorsha Kirksey, Director, Housing; Mr. Robert Steele, Intern, County Manager's Office; Ms. Irene Hart, Director, Community Development; Mr. David Miller, Budget Director, Finance; Mr. Kevin Myles, Director, Fleet Management; Mr. Bob Lamkey, Director, Public Safety; Ms. Deborah Donaldson, Director, Human Services; Mr. Ron Estes, Treasurer; Ms. Cindy Burbach, Division Director, Health Department; Mr. Marty Hughes, Revenue Manager, Finance; Mr. Seth Konkel, MMRS Director, Health Department; Ms. Charlene Stevens, Assistant County Manager; Ms. Annette Graham, Executive Director, Aging; Mr. Tom Pletcher, Clinical Director, COMCARE; Ms. Janice McCoy, Health Protection Coordinator, Health Department; Ms. Iris Baker, Director, Purchasing; Mr. Gary Tolle, Director, EMS; Ms. Kristi Zukovich, Director, Communications; Ms. Katie Asbury, Deputy County Clerk; and Ms. Angela Lovelace, Deputy County Clerk

### **GUESTS**

Ms. Lisa Corr, 19500 W. 87th Street, Viola, Kansas  
Ms. Gail Emley, Wichita Independent Neighborhoods (WIN)  
Mr. Gene Rath, MKEC Engineering Consultants  
Mr. Charles Edwardson, 4631 West 47th Street, Wichita, Kansas  
Mr. Glenn Gregg, 6021 S. Greenwich, Derby, Kansas  
Mr. Chuck Bouilly, Senior Vice President, George K. Baum & Co.

### **INVOCATION**

Led by Commissioner Unruh.

### **FLAG SALUTE**

**Regular Meeting, August 11, 2010**

**ROLL CALL**

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

**CONSIDERATION OF MINUTES**

Regular Meeting July 14, 2010  
All Commissioners were present

**MOTION**

Commissioner Welshimer moved to accept the Minutes as read for the Regular Meeting of July 14, 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."

**PROCLAMATIONS**

**Regular Meeting, August 11, 2010**

**A. PROCLAMATION DECLARING AUGUST 2010 AS KANSAS FARMERS' MARKET MONTH.**

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

**PROCLAMATION**

**WHEREAS;** farmers' markets play a key role in developing local and regional food systems, support family farms, revitalize local communities, provide important outlets for producers and the opportunity for farmers to develop a personal relationship with their consumers and make their community stronger; and

**WHEREAS;** hundreds of Kansas farmers' markets offer affordable and healthful products sold directly from the farm in their freshest possible state, increasing access to fresh fruits and vegetables for children and families, which can help promote child health and assist in reducing childhood obesity; and

**WHEREAS;** farmers' markets offer fresh healthy food via the Supplemental Nutrition Assistance Program (SNAP) and Senior Farmers Market Nutrition Program and address hunger through donations of unsold food to the Kansas Food Bank; and

**WHEREAS;** the United States Department of Agriculture strongly supports farmers' markets and other direct-to-consumer marketing for agriculture producers and recognizes August 1st – 7th as National Farmers' Market Week;

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

**'Kansas Farmers' Market Month'**

and encourages Sedgwick County consumers to celebrate the benefits of farmers' markets as a valuable part of the county and state's food distribution system, and to buy local produce and products.

"And it is dated August 11th, and signed by our Chairman, Karl Peterjohn."

**MOTION**

## Regular Meeting, August 11, 2010

Chairman Peterjohn moved to adopt the Proclamation.

Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, “And I'm going to just briefly comment that last weekend I got out to the farmers' market and had a great time with one of my children, and also managed to pick up some great home-grown Kansas produce out there. The only disquieting note, for me anyway, was not for the producers, was that they had actually, by the time I got there, they'd sold out of all of their sweet corn, but hopefully there'll be some more in the next weekend. But I'm happy to make this motion, and seeing no further discussion, please call the vote.”

### VOTE

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

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

**Ms. Zukovich** said, “Commissioners, we do have a friendly face here today to accept the proclamation; Lisa Corr is here.”

**Ms. Lisa Corr**, 19500 West 87th Street, Viola, greeted the Commissioners and said, “Thank you, Kristi.”

**Chairman Peterjohn** said, “Welcome.”

**Ms. Corr** said, “And I am a member of the Kansas Grown Farmers Market and I also work the customer service booth there at the market. I want to thank you all for this proclamation supporting our market. And I placed at your spots a bookmark that I designed and produced through a grant that our market received. We are a self-sustaining market, meaning we are member-owned and member-operated. We have no outsource financing; it's all produced by our vendors by their membership fees and their stall fees that they pay every time they come to the market, so we are a little short on funding for our promotion.”

**Ms. Corr** continued, “And we were very blessed this year. I applied for a grant through the Department of Agriculture and received the Farmers Market Promotion [Program] grant for \$18,000, and it all went for advertising. We are partnering with the Wichita Transit system, our

## Regular Meeting, August 11, 2010

Sedgwick County Health Department, the SNAP program through the SRS (Department of Social and Rehabilitation Services) department, and City Blue [Print, Inc.] helped us with our printing. So I did want to recognize those businesses. This is the market's 20th anniversary. We're very proud of that. The market started in the parking lot of Towne West [Square] and then was very fortunate to be able to move to the Extension Office, which they have been so wonderful to us, and I do want to extend a thank you to Ms. Bev Dunning, the Director, and to the staff there at the Extension Office for helping us and allowing us to use, also the inside facilities for the restrooms. That's been very beneficial, not only for the customers, but for our vendors also.

“Just wanted to let you know that we, besides the grant our market, we have, oh, probably about 30 vendors that produce in the state program that is for the seniors. It's Kansas Seniors Farmers' Market Nutrition Program. Seniors are awarded that program based on their income and they apply through our Department on Aging which Annette Graham has also been helpful in promoting the market for us. And they go over their income and the seniors receive coupon booklets that they can bring to our market, and it's just like cash that they are able to buy fresh fruits, vegetables, honey and herbs. They are limited, just as the low income people who we have the Vision card program, which you can see by the bookmarks that we accept debit cards and Vision cards at our market. You can come to the customer service booth and you can swipe your debit or Vision card and receive market tokens, and all the vendors at our market accept those and it's just like spending cash. So, again, we're very proud of the market, and I want to thank Commissioner Parks for his representation of our farmers and supporting us, and I know that I've seen all of your faces at our market at one time or another. And, also our County Manager is very supportive, I appreciate that. And thank all of you again.”

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

**Commissioner Parks** said, “I did want to congratulate you on your work in getting this grant. It's important to get the word out and we're doing that right now...”

**Ms. Corr** said, “Thank you, sir.”

**Commissioner Parks** said, “...and to get the word out a little more, I did, this is not the first time I've wore my overalls here, and it's, I think it's appropriate and it does get the word out. And if it gets a little more attention to the farmers' market, so be it. As the farmers feed the nation, and our global unrest and things going on in the world today, I think this is a very important program. We're seeing more of these pop up around the country. I mean, if you read any regional online news,

## **Regular Meeting, August 11, 2010**

farmers' markets are on the increase. And I do want to say that I appreciate the farming community and the farmers. It's a dangerous occupation, not only the implement tragedies, but we have to think about the chemicals that are used, the perils of weather, the bugs, all the other natural disasters that go on, and they are talking about gambling and gaming. That is a gamble and a game to know when to plant your crops, and what time of year, and when the next freeze is going to be, and the worry and a lot of prayer goes into that to get to the elevator or to the end product. I would like to say, also, that the corn farmers in our area, as well as the ethanol manufacturing plant and the plant that manufactures the product to be able to manufacture that is in Sedgwick County, and that adds to our economy here."

"You can support the corn farmers by going to the ethanol pump and being able to get the 10 percent ethanol. And if you happen to have a flex fuel vehicle, it takes 85 percent. The other day I saw in Maize that their fuel was \$2.25. So not to take away from the Kansas oil producers, but on the global market, we're importing a lot of oil, so we know that that can keep that right here. Talking about fuel prices, this is one thing that the farmers certainly have tried to endure as another hardship. It takes a lot diesel fuel to go out and plow, even with the new techniques, and plant and get their crops in the field. Later in this meeting today we're going to be talking about taxes, and they pay lot of taxes, too. They do get a few tax breaks on sales tax, but nothing like they would at the property tax level. They have a lot of hardships to overcome, but I do thank them and those farm families for sticking in there and taking their produce to the farmers' market, and 21st and Ridge if you haven't been there on Saturday morning, it's a great place to go. Thank you."

**Ms. Corr** said, "Thank you, sir."

**Chairman Peterjohn** said, "Thank you. A quick..."

**Ms. Corr** said, "I'm sorry."

**Chairman Peterjohn** said, "Go ahead."

**Ms. Corr** said, "I was just going to let you know we do have four locations for the market, and 21st and Ridge Road, Saturday mornings from 7:00 to noon. We also are at Derby from 8:00 until noon at 801 North Baltimore, Saturday mornings. Tuesday afternoons from 3:00 to 7:00 at 21st and Rock Road in the GreenAcres [Market] parking lot. And then Wednesday afternoon from 3:00 to 7:00 back out at the Extension Office at 21st and Ridge Road."

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

## Regular Meeting, August 11, 2010

**Commissioner Unruh** said, "Well, thank you, Mr. Chair. I just want to briefly say that things like this don't happen by serendipity, somebody has to assume the leadership, and I want you to know we appreciate that. The farmers' market has obviously become something that's very desired, a desired service in our community; people show up, you sell out early, and so it's something people want. And so I just appreciate your leadership and what you bring to the culture of Sedgwick County. Thank you."

**Ms. Corr** said, "Well thank you, sir."

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

**Commissioner Welshimer** said, "Well we don't want to leave out it's an extraordinary shopping experience, and a lot of good things there, wonderful products and very refreshing."

**Ms. Corr** said, "Well, thank you, Commissioner. And that's very correct. We have live entertainment every Saturday and we use our local people for that. And our vendors support those musicians by donating a lot of their produce or product to the musicians, and then I can't forget Troubles the Clown, he is always a big gatherer for the children. But it has become a family gathering..."

**Commissioner Welshimer** said, "Yes."

**Ms. Corr** said, "...and we really appreciate our customers. You know, without them we wouldn't be a market. But we just want to thank everyone for supporting us. And it is, we have all kinds of items, not just the fruits and vegetables, but we have yard art, and there's jewelry, and of course I say fruits and vegetables, we have bread, homemade breads, and pies, and honey, Kansas-grown honey. And one thing with our market, your product has to be Kansas-grown or Kansas made. You have to be a member and we don't allow things brought in from outside of our state."

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

**Ms. Corr** said, "Thank you again."

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

**Commissioner Norton** said, "Well I think this is another fine example, I have to compliment Lisa, we have wonderful Sedgwick County employees that do their job every day serving the public, but then when they step outside of the courthouse or their facility, they're also serving the public in other ways in volunteer efforts and making sure that we have a quality of life. And I appreciate that."

**Regular Meeting, August 11, 2010**

And Lisa's a good example of the 3,000 employees that we have that not only serve the public, you know, by being paid to do it, but to also go out and be an integral part of our community. And I'm supportive of the farmers' market. I grew up in a small rural community in Arkansas and you loved the local farmers because you'd wake up on Saturday morning and there'd be a bag of corn on your doorstep. And those days have gone because we don't have near the small farmers we used to, but this keeps that alive in our community to let us know that the farming community is still very important. They provide food for our community and are for the world, and that it's still local. That it's not a large thing that we're detached from, but it's right next door, and I appreciate that, that you continue to work so hard for that, Lisa. Thank you."

**Ms. Corr** said, "Thank you, sir."

**Chairman Peterjohn** said, "Yes, and all the small entrepreneurs, and whether they're farmers or they're selling other things that are home grown here in Kansas, it's a great job. And if you haven't been out there, it's an incredible experience. So it's a real pleasure to approve this proclamation this morning."

**Ms. Corr** said, "Thank you again, Commissioners."

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

**B. PROCLAMATION DECLARING SEPTEMBER 18 NEIGHBORHOOD UNIVERSITY DAY.**

**Ms. Zukovich** said, "Commissioners, I'll read this for the record:

**PROCLAMATION**

**WHEREAS;** for more than 17 years, Wichita Independent Neighborhoods, Inc. (WIN) has helped provide education, resources, and a unified voice on quality of life issues in Sedgwick County; and

**Regular Meeting, August 11, 2010**

**WHEREAS;** WIN has established the Neighborhood University program as an educational forum to bring together neighborhood leaders, businesses and county representatives to share and discuss ideas to find solutions to neighborhood problems, improve neighborhood conditions and overall quality of community life; and

**WHEREAS;** Neighborhood University promotes team effort and offers learning experiences that will lead to success for individuals and organizations and instill values of caring and consideration for all neighborhoods; and

**WHEREAS;** the 2010 Neighborhood University continues WIN's vision to ensure an informed, empowered and healthy living environment for the citizens of Sedgwick County.

**NOW, THEREFORE, BE IT RESOLVED,** that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim September 18 as

**'Neighborhood University Day'**

in Sedgwick County and recognizes the efforts of WIN and its partners by supporting the citizens in making Sedgwick County the best place to live and encouraging citizens to attend the Neighborhood University event on September 18, 2010.

**Ms. Zukovich** said, "And it is dated August 11th, and it is signed by the Chairman, Karl Peterjohn."

**MOTION**

Commissioner Norton moved to adopt the Proclamation.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

## Regular Meeting, August 11, 2010

**Ms. Zukovich** said, “Commissioners, we have Gail Emley here today to accept the proclamation.”

**Ms. Gail Emley**, Wichita Independent Neighborhoods (WIN), greeted the Commissioners and said, “Thank you.”

**Chairman Peterjohn** said, “Welcome.”

**Ms. Emley** said, “I appreciate this opportunity and I very much appreciate you recognizing us as a part of the city and the county as undergirding the efforts of our communities. It’s very important, what our communities are like, and WIN provides annually what we call a university. It is for anyone who doesn’t even belong to a neighborhood association. It is to come, and we have breakout sessions. We have free food, but most of all, we have representatives from all parts of the city which participate each year. And it helps update neighborhood communities on the new adoption of laws that’s taken place in our county and in our city to keep them abreast of what is happening. It also gives them guidelines and teaching opportunities to share with each other. It’s a very special year. This is our ninth year of having the university, and we thank you again for recognizing us as a part of undergirding the city and the county.”

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

**Commissioner Parks** said, “Well thank you for serving in your capacity here. And I was going to say, during these tough economic times, and not only this year, with some of the cuts that have been made across the street from personnel and things, volunteers and the spirit of volunteerism is stepping up and these are the kind of organizations that we need to hopefully will increase in their popularity and the volunteers will get out and fill some of those gaps that are out there. Thank you.”

**Ms. Emley** said, “We certainly hope so because we need them.”

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

**Commissioner Norton** said, “Well I’ve participated in the Neighborhood University most years, I think I missed it last year, but I think I hit the seven years before that, so it is a great time for people to get together and talk about how we restore our neighborhoods and how we keep them strong. You know, I think the strength of any large community is the sum of all its parts, and neighborhoods are just that. And the stronger that we can build neighborhoods, and neighborhood ideas and collective thinking, the better we’re going to be. It’s interesting; I was just at the Southwest Village Neighborhood Association last night for their monthly meeting. And they continue to work on crime in their area, how to build community, trash cleanup days, all of those

## **Regular Meeting, August 11, 2010**

things that make their area just that much better. And I know WIN supports that and supports all the neighborhood associations, so keep up the good work.”

**Ms. Emley** said, “Thank you.”

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

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

**Chairman Peterjohn** said, “Next...”

**Ms. Emley** said, “Oh, and there is some flyers that I left, as well.”

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

### **PLANNING DEPARTMENT**

- C. ZON2010-00020 AND CON2010-00025 – ZONE CHANGE FROM SF-20 SINGLE-FAMILY RESIDENTIAL (“SF20”) TO LI LIMITED INDUSTRIAL (“LI”). CONDITIONAL USE FOR CONSTRUCTION AND DEMOLITION LANDFILL (ASSOCIATED WITH A TREE WASTE SERVICE) AND RESCIND THE PORTION OF PO #57 PERTAINING TO THE PROPERTY ZONED LI; GENERALLY LOCATED SOUTH OF 47<sup>TH</sup> STREET SOUTH AND ONE-HALF MILE EAST OF HOOVER ROAD (4631 WEST 47<sup>TH</sup> STREET SOUTH). DISTRICT 2.**

## Regular Meeting, August 11, 2010

### VISUAL PRESENTATION

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “This first case that I have this morning, the applicant is requesting to have this property, it’s outlined in the bold on the graphic that I’ve put up in front of you now, rezoned to, the SF-20 (Single-Family Residential) portion of that, rezoned to LI (Limited Industrial). The kind of bluish purple colors is the portion of this property that’s already zoned Limited Industrial. And then to have a conditional use approved for all of that site, which would allow him to have a construction and demolition landfill. And then concurrent with this action today, the applicant is requesting the removal of an existing protective overlay that exists for the portion of the property that’s already zoned Limited Industrial. The applicant also owns that small green spot that you see on the graphic, which is General Office zoning classification, which is where his dwelling unit is located. The purpose of the request is to allow him to continue to store tree waste and other items that he collects as part of a tree service business that he operates on the site, and then to periodically burn the tree waste that’s brought to the site and stored. He does obtain an annual burn permit from the appropriate permitting agencies to do that burning, and he’s had an open burn pit on the site for over 10 years now. The reason for the C&D (construction and demolition) landfill conditional use is that he wants to be able to store items, incidental items that he picks up as part of the tree service that his clients request that he haul away when he hauls away the tree waste. So, over time, he winds up accumulating some of this other material, which, primarily tires, but other materials as well. There will be no actual landfill involved on this site. There will be no excavation, removal of fill material and burial of any material.”

“The site is about 24 acres in size. You can see its location on the map. On the east side is the Wichita-Valley Center Flood Control facility, the Big Ditch, and his property is bordered by the levee for that system. On the west side of his property is the Union Pacific tracks that come up from the southwest, and then to the south of his property is the Cowskin Creek as it comes in from the west and connects ultimately to the Big Ditch. And so within that triangle that you see there are two ownerships. This applicant owns the portions that I’ve described to you, and then one other property owner owns the remaining portion of that. The aerial photo I think displays the characteristics of the land pretty well. Off down in the lower left-hand corner of the application area, you can see a dark area, and that’s where he’s been operating the open burn pit for a number of years. And then, on this property, you can see where a home has been built more recently. That home was built in 2008. Access to the property is off of 47th Street across the Union Pacific tracks and then along an access easement that’s been granted to these two property owners to access their properties.

## Regular Meeting, August 11, 2010

“The Metropolitan Area Planning Commission (MAPC) heard this request at its meeting on July 8th. And at that meeting, the property owner for this home appeared in opposition to this request, asking that a greater buffer be created between where the applicant is currently storing tree waste, which is along this property line, and his home. He’s worried about how close that material is to his home. And he also asked at that meeting that the applicant be required to remove the incidental materials that he collects and stores on his property more often than the once a year that the applicant has been doing it in the past. The MAPC did vote to include a narrower buffer along the northern edge of this adjacent property owner's property line as part of their recommendation, and they also created buffers for the incidental materials that are collected. They also placed a limit on how much of the incidental material can be collected before it must be removed from the property, and that condition is written in such a way that when he accumulates material up to 10 by 10 cubic yards or at least annually.

“Now the adjacent property owner has filed a protest petition, and you can see how that affects the vote today. It does represent more than 20 percent of the notification area, so to approve the request as recommended by the Planning Commission today will require a three-quarters majority vote. And I’d like to correct, for the record, some information I gave to you at the briefing. The adjacent property owner has included, and we’ve included it in the Agenda backup material, he has sent you a letter indicating that he was not happy with the results from the Planning Commission meeting in two ways. I was misinterpreting the results from the Planning Commission meeting to think that the Planning Commission had fully resolved his concerns, but in going back and further reviewing that, I could see that the Planning Commission recommendation did not fully satisfy his concerns and in two ways. The one way is that he is still looking for, if I go back to the aerial photo, more of a buffer along his two property lines regarding how the tree waste is stored.”

**Mr. Schlegel** continued, “He’d like at least a 500 foot buffer along this northern edge of his property and a 100 foot buffer along his western edge; the same dimensions that were required by the Planning Commission for the other incidental material. And he also would like the incidental materials to be removed and taken to a landfill or a transfer station more often than what the Planning Commission wrote into their conditions. And so with that, I would be glad to take any questions that you might have regarding this application.”

**Chairman Peterjohn** said, “Questions or comments for Mr. Schlegel? What is the will of the...Commissioner Norton.”

**Commissioner Norton** said, “John, talk a little bit about the buffer. Why did they not make it as large as maybe the protest would request? Is that putting a burden on the individual as far as placement of the materials and everything? It seems like that would be a pretty easy compromise.”

## Regular Meeting, August 11, 2010

**Mr. Schlegel** said, "I put the site plan up here to show you how the Planning Commission handled that buffer along that northern property line. You can see this line and this triangle that's created here was identified as a floodway, and so the Planning Commission recommendation was that the stored tree waste be kept out of that triangular area. But you can see that how close then this would allow tree waste to be stored to this property owner's home right here. So his concern is he'd like to see it moved further away from that property line and from his home."

**Commissioner Norton** said, "Well, could you, is there any way to put a restriction on there that it has to be so many feet east or west along that line to start?"

**Mr. Schlegel** said, "Yes. It could be along the lines of what the Planning Commission is recommending for the incidental materials. Condition number two is regarding those types of materials, other than the tree waste, where those materials would have to be stored a distance of at least 100 feet from this property line and 500 feet from that property line. And I think what the neighbor is looking for is the same sort of setbacks for the tree waste."

**Commissioner Norton** said, "Well, I guess what I'm trying to think of is along that line that runs east to west there, that for the first 200 feet it has to be 500 feet away, and then after that it can drop down to whatever..."

**Mr. Schlegel** said, "Okay."

**Commissioner Norton** said, "...and that gets it away from the house."

**Mr. Schlegel** said, "Correct."

**Commissioner Norton** said, "What it appears to me is that based on what you've got right now, if you put it right in the east corner, you'd have it pretty close to the house, and I can understand that concern. But if you restricted it from the first he 200, 300 feet along that line, then you don't have a problem, it falls much further onto the property and pretty far away from the house. Is that condition that could be interjected by this Commission?"

**Mr. Schlegel** said, "Yes."

**Commissioner Norton** said, "For the condition?"

**Mr. Schlegel** said, "And we could modify the resolution to reflect that."

## Regular Meeting, August 11, 2010

**Commissioner Norton** said, "Okay. The second concern, I guess, was removal, and do we understand that a 10 by 10 cubic yard pile will be removed more than once a year? What is the history been? Has the pile grown larger than that, or are we doing just describing it, and then it's still only going to be removed once a year?"

**Mr. Schlegel** said, "Well, I don't know the answer to that, but let me show you some photographs of types of materials, and you can probably judge from that whether or not that would have to happen more often than once a year, based on that restriction that the Planning Commission is recommending. Here's a pile of logs. Here are some tires that are being stored on the property, other steel, metal materials. While I'm doing these photographs, this is the home of the property owner to the south. And this is looking back to the north at the applicant's home and outbuildings. This is a shot of the burn pit off in that far southwestern corner of the property. That gives you a pretty good indication of how much material the applicant, at the time that these photographs were taken, had stored on the property, other than tree waste."

**Commissioner Norton** said, "Okay. Is that view there along the road to both people's houses? Is that..."

**Mr. Schlegel** said, "Yeah. What you see in the foreground, this shot was taken from on top of the levee, and it looks down on the access road that serves both of those homes."

**Commissioner Norton** said, "Okay. And presently, it looked like you had several piles of materials, not one pile."

**Mr. Schlegel** said, "Yes."

**Commissioner Norton** said, "I mean, there was a metal pile, there was a tire pile, there was wood, looked like maybe wood or other debris piles..."

**Mr. Schlegel** said, "Right."

**Commissioner Norton** said, "...it sounds like it's all going to be one pile. If you say it's an area of 10 by 10, that sounds like it's restricted to all being thrown together. How do you measure that?"

**Mr. Schlegel** said, "Well, somebody would have to take a tape measure out and measure each of those piles and add them up to see whether or not 100 cubic yards of material is being stored. So that would be Code Enforcement, if there's a complaint, going out onsite and measuring."

## Regular Meeting, August 11, 2010

**Commissioner Norton** said, “Well, I guess I’m trying to look for the unintended consequences. You say if there’s a complaint, and there’s already been a protest, there may be some angst out there, and it seems like we’re going to be out there trying to measure those piles quite often. And I’d rather mitigate that on the frontend and decide what the pile needs to look like, how it needs to be contained and how you would measure it, as opposed to taking a tape measure out, and measuring several piles and coming up with a calculation that not everybody might agree on. I think that just sets in motion, maybe a conflict. And I’d just assume not, I’d rather deal with that now than deal with that later. It seems to me. It sounded to me, in all the things that I heard, there was going to be one pile restricted by a 10 by 10 space, and now it sounds like it’s a measurement of all piles, which could be anywhere.”

**Mr. Schlegel** said, “Correct. That is correct.”

**Commissioner Norton** said, “So we’re not describing a location that is limited to 10 by 10, we’re describing multiple locations that can’t be any larger than the compilation of 10 by 10?”

**Mr. Schlegel** said, “Right. The way that the condition was worded by the Planning Commission is that these types of materials shall be periodically removed when the amount of material reaches 100 cubic yards or at least annually. And what the neighbor is asking for is that it be removed at least monthly.”

**Commissioner Norton** said, “Well monthly may be too much, but I don’t know that trying to measure it and figure that out consistently will be easy, and if we have to go out there and measure it monthly to try to figure out if it’s time to remove it, that just adds a burden to Code Enforcement. I think I would rather build into it that we require it be removed twice a year, maybe that’s a compromise, but have a little different thinking on this. So, at this point, those are some of my thoughts. I may have some other questions. I see other lights open, Mr. Chair, so we’ll continue the conversation.”

**Chairman Peterjohn** said, “The dialogue continues with Commissioner Parks.”

**Commissioner Parks** said, “Thank you, Mr. Chairman. I tend to agree with MAPC, but I do hope to hear from both parties here today. Are they represented or here today?”

**Commissioner Norton** said, “The applicant is.”

**Mr. Schlegel** said, “He’s back there.”

## Regular Meeting, August 11, 2010

**Commissioner Parks** said, "Okay. What year was did the protestor build a house there beside this?"

**Mr. Schlegel** said, "2008."

**Commissioner Parks** said, "2008?"

**Mr. Schlegel** said, "Correct."

**Commissioner Parks** said, "So this condition was in the area when he built the house there, or when they built the house?"

**Mr. Schlegel** said, "Yes."

**Commissioner Parks** said, "Okay. I guess I have a pretty big problem with that, but I'd like to hear from the protestor on that. And I'll reserve any further comment until I hear from that. Thanks."

**Chairman Peterjohn** said, "Well, while this is not a formal public hearing, this Commission has certainly been receptive to getting public input, and if either the applicant or the opponent would wish to address the Commission, please approach the podium, give us your name and address, and welcome to the County Commission, gentlemen."

**Mr. Gene Rath**, MKEC Engineering Consultants, greeted the Commissioners and said, "We're the agent for the applicant and Charles Edwardson is the applicant, the owner of Alfred's Superior Tree Service. As John mentioned, this is an operation that's been ongoing for a number of years. His primary business is bringing in tree waste, and he does work for the county, for the city, for private citizens, if you've got a lot that needs cleaned up and so on. But when he brings in the tree waste, often there's other waste, such as tires, and metal and so on, included in that. He removes as much as he can, separates it before he burns it, and then just sets aside the tires and the other waste. And, in fact, in the past, he's stockpiled tires for several years, then he has a company that comes in and recycles them. And the metal and other materials, he sets aside and has removed it periodically, and it's hauled to the landfill or an appropriate recycling area. And I'm not sure whether he's done that at a certain set interval. I think when he determines he's got enough for somebody to come in or haul off, he does so. And as a part of the process, as Mr. Schlegel mentioned, we discussed how much could be stored, and it was kind of working with staff and the Planning Commission, it was discussed that up to 100 cubic yards of the tire and metal waste could to be stored until it had to be removed or on an annual basis. So he might not even get 100 yards annually."

## Regular Meeting, August 11, 2010

“Now, there are two different storage areas, if you will, or two different types of material. There’s the tree waste, and then the tires and the other waste. And the tires and the other waste are restricted by what staff recommended and the Planning Commission approved, which are at least 500 feet away from the neighboring property and 100 feet west of the Big Ditch area, but it was also approved that he could store tree waste closer, and so I wanted to make that distinction. What we talked about, and we’ve suggested to Planning staff and the Planning Commission, that it’s not his intent to store any of those materials in the area where the neighbor has concerns, but there have been times when there’s a big storm and he gets a lot of material from all over the city, and in fact the plan that we submitted to the Planning Department, after it was approved, shows that the area north of the neighbor’s house outside of the floodway would be overflow area. So I don’t think it’s Mr. Edwardson’s intent to store material there at any time if he doesn’t have to, but he wants the ability to store material, the tree material only, if he has an overflow condition. So I think I’ll end with that. I’ll be glad to answer any questions, and Mr. Edwardson is here, you may have questions, he may want to make a little statement. Thank you.”

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

**Commissioner Parks** said, “Just had a question about the tires, when they’re setting there that long, what’s done to prevent them from gathering water and being a mosquito trap? Is there something that you do to...”

**Mr. Charles Edwardson**, 4631 West 47th Street, Wichita, greeted the Commissioners and said, “Right now those tires were moved to that location that’s in the picture, because of my zoning problems. When Sedgwick County Zoning came out, they said I couldn’t store them in that southwest corner where the burn pit is, so I had to move all that stuff this spring to the current location. And that’s the point I wanted to bring up...”

**Commissioner Parks** said, “Okay.”

**Mr. Edwardson** said, “...it never was there until I’m trying to just to make everybody happy, and come in compliance. And that was the reason why I’ve asked for the zoning change, so I could move it all back in that corner. But the answer to your question, I’ve basically done nothing. And the tires that are in that pile that we see is about seven, eight years of storage. I just haven’t had them removed. I’ve had a company that was supposed to come and get them, and I think within the next week, I’m just going to take them to them, because they were supposed to take them up to Concordia to a recycle place, but they’re telling me that they’re going to move them when they have room on their truck, because they go to all the tire places.”

## Regular Meeting, August 11, 2010

**Mr. Edwardson** continued, "It's been three or four months and they haven't come got any, so I'm just going to load them and take them to them within the next two weeks or so. So those will be gone. And when we get this all approved, the tires would be included in removing the annual thing, so we won't have that many more of them. And the answer to your question on the quantity of stuff, we're just talking about the scrap iron pieces and anything that may need to go to the C&D landfill and those tires. The brush wasn't included in that measurement area."

**Commissioner Parks** said, "Mr. Chairman, I'll yield to the applicant if he wants to make a further statement. Thank you."

**Chairman Peterjohn** said, "Okay. Thank you. Further comments or questions for either gentleman? What's the will of the commission? Longest period of silence I've ever had since I've been up here."

**Commissioner Norton** said, "Well I still have some concerns about it being in that corner. It looks like it's supposed to go back to the tree line; I would hope that's where it's going to go. I have a little problem, if he said the tires have been there for years now, that seems like a long time to leave tires out in a field or whatever, but, you know, I could go along with the recommendation. I'd like to see a little more stringent on how often it's picked up and maybe that buffer, at least close to the house, be widened a little bit. But other than that, I'm ready to move forward. I think he should have the ability to do his business on his property. I do have a little angst about, you know, some of the extra debris that may sit there for a long time. And if we can work that out, then I'm ready to move forward."

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

**Commissioner Parks** said, "Well I certainly read those 19 conditions that affect his business and limit his liberty to do what he wants to with his property, and I think that's a pretty comprehensive list, that's why I tended to agree with MAPC from the start on this, but, and I didn't hear from the protestor here today. I'm going to editorialize a little bit. Those big logs, when you're storing those big logs, do you ever do business with lumber companies in the spirit of true recycling, or reusing, or anything to sell those?"

## Regular Meeting, August 11, 2010

**Mr. Edwardson** said, "Yes, I have a firewood operation that we cut, and split and sell firewood, and that's what those are for. And that's just a percentage, we've got more stacked in that other location down in the corner that I never got moved, and we've added to them through the summer. But, yeah, we create a pretty good pile of those, and those are processed and sold through the winter, which in the original zoning change I did, I have the permission to cut, and store and sell wood products. And I don't know if that's even an issue here today, because in the original limited zoning area, we was doing it, but my problem was when I moved it into that SF-20 ground. And they'll just like to include the whole area now and do it. And that way I get that pile there, all that stuff should be down in that far southwest corner, and that's where I'd like to take it."

**Commissioner Parks** said, "Well, you know, you get to burning some of those things that are, those trees that are 20 or 25 inches or larger, you go beyond the scope of your daily burn permit, too, so that was why I was asking about that."

**Mr. Edwardson** said, "You'd be surprised, I can get them to burn pretty fast."

**Commissioner Parks** said, "Yeah, okay."

**Mr. Edwardson** said, "Yeah, no, those will be produced into firewood."

**Commissioner Parks** said, "There you go. Well, I tend to take leads from the person's district that it is, but I'm ready to agree with MAPC on this unless I hear something different."

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

**Commissioner Unruh** said, "Thank you, Mr. Chair. Mr. Schlegel, I have just a couple questions of clarification. Would you put the site map back up and clarify for me, with all the conversation, I'm getting..."

**Mr. Schlegel** said, "This site plan?"

**Commissioner Unruh** said, "Yeah. Where can this storage of this material be? Can you just take your cursor and show me on there?"

**Mr. Schlegel** said, "For tree waste, he can store anywhere on the property except within..."

**Commissioner Unruh** said, "Okay."

**Mr. Schlegel** said, "...this triangle..."

## Regular Meeting, August 11, 2010

**Commissioner Unruh** said, "Alright."

**Mr. Schlegel** said, "...for the other materials, it would have to be at least 500 feet off that property line, wherever that line would come to, and 100 feet off this property line. Now, what he's been doing, you know, with the point he was making earlier, was that his practice has been to store as much of that material down here as possible. I think what happened was there was a complaint from this property owner that he was storing tree waste along this property line and that's what led to this action before you today."

**Commissioner Unruh** said, "Okay. And the homeowner there to the south is, according to my information, said it's 221 feet from the first tree line, is that right?"

**Mr. Schlegel** said, "Yes."

**Commissioner Unruh** said, "Okay."

**Mr. Schlegel** said, "Yeah."

**Commissioner Unruh** said, "And then that triangular shape, no trees waste can be in that flood zone?"

**Mr. Schlegel** said, "Correct."

**Commissioner Unruh** said, "Alright. But the other material can't be stored except 500 feet north; is that right?"

**Mr. Schlegel** said, "Correct."

**Commissioner Unruh** said, "Okay. Just trying to get clear."

**Mr. Schlegel** said, "Yeah."

**Commissioner Unruh** said, "One other question, on condition number 8, it says, 'No scrap vehicles or scrap metal/appliances waiting to be processed shall be visible from ground-level view from any public right-of-way or abutting properties.' I mean, is that possible? How is it not visible from..."

**Mr. Schlegel** said, "Well it's a pretty flat site. That would be a challenge for him to make it not visible, but maybe the applicant could speak to that. I'm not intimately familiar to the site to know

## **Regular Meeting, August 11, 2010**

whether or not there are places where he could put things like that and not have them visible. Now there aren't any public right-of-ways through here. The only access to these properties is over a private access easement that's been granted to them."

**Commissioner Unruh** said, "Okay, well that explains...that's all I need. Thank you."

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

**Commissioner Parks** said, "I believe I may have an answer to that, but I'm going to refer this to Legal, but being familiar with the county code, I believe he can do that if he has a screening process, some kind of a cedar fence or something. And it doesn't look like it would take too much to put that up, to screen that little bit. Is that what you understand, Mr. Schlegel, that if he'd have some screening that he could do that without any..."

**Mr. Schlegel** said, "Yes."

**Commissioner Parks** said, "...this conditional use?"

**Mr. Schlegel** said, "Yes, sir."

**Commissioner Parks** said, "Okay. Thank you."

**Chairman Peterjohn** said, "I would only add that I'm inclined to agree with comments of Commissioners Norton and Parks concerning this matter. I don't think we formally have a motion unless you made one and I missed it..."

**Commissioner Norton** said, "No."

**Chairman Peterjohn** said, "...Commissioner Norton?"

**Commissioner Norton** said, "Mr. Chair, I'll make the motion that we adopt the findings of the Metropolitan Area Planning Commission and move forward. The opponent has not come today, nor have I heard from him personally. I am familiar with this area and I have talked to the opponent on other matters, and I just want to be sure that we're putting all the facts on the table, talking about it, try to analyze it. I guess the two caveats, after I make the motion, are that if the materials, and not mandated, but can be removed more often than once a year to accommodate your neighbor, I would appreciate that. And if you can make sure that you try to stay out of that buffer area at all costs, that would be great, too. But I will move forward on the recommendations and just have a caveat that

**Regular Meeting, August 11, 2010**

hopefully neighbors can get along, and business can go on and everybody has gone through the process that the government requires.”

**MOTION**

Commissioner Norton moved to adopt the findings of the Metropolitan Area Planning Commission, approve the zone change, ZON2010-00020, to LI and the CON2010-00025, subject to the recommended conditions; rescind the portion of the Protective Overlay #57 contained within ZON2010-00020, and authorize the Chairman to sign the Resolutions.

Chairman Peterjohn seconded the motion.

**Chairman Peterjohn** said, “Seeing no further discussion, this will require a three-quarters vote for Commissioners voting for this for its approval. Please call the vote.”

**VOTE**

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

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

- D. CON2010-00023 SEDGWICK COUNTY CONDITIONAL USE FOR AN ACCESSORY APARTMENT; GENERALLY LOCATED ON THE WEST SIDE OF SOUTH GREENWICH ROAD, MID-MILE BETWEEN 55<sup>TH</sup> STREET SOUTH AND 63<sup>RD</sup> STREET SOUTH (6021 SOUTH GREENWICH ROAD). DISTRICT 5.**

**VISUAL PRESENTATION**

**Mr. Schlegel** said, “For this case, the applicants are requesting a conditional use to allow an accessory apartment, when in fact though it will be actually a manufactured home that would be put on the site, for their property along south Greenwich Road. You can see that it’s just up to the northwest of the intersection of 63rd Street South and Greenwich. They are proposing to, let me go

## Regular Meeting, August 11, 2010

to the site plan, to put an additional manufactured home in this location on the site that's between the existing home, which is located here, and the barn that's located on the site. And I'll go back to the aerial photo so you can get a better perspective of where all this is located. You can see on the aerial photo, the location of the existing home. The barn is located up here, so that additional dwelling unit, or accessory apartment, would be located right in between those two. The total site is just a little less than 20 acres, current zoned Rural Residential (RR). And I'll go back to the zoning map, you can see that this entire neighborhood is zoned RR. Going back to the site plan, you can see the additional accessory apartment would share the same access lane off of Greenwich, would share the same well and septic system as the main dwelling unit on the property.

"Because this property is located within the Derby area of zoning influence, it went to the Derby Planning Commission on July 1st. There was a citizen that spoke in opposition to the request, citing the possible negative effect on property values. The Derby Planning Commission voted unanimously 9-0 to approve the request as submitted. The item then went to the Metropolitan Area Planning Commission for their consideration at their meeting on July 8th. There was no one to speak for or against the item at that meeting, so the item was heard as a consent item and it was approved unanimously 11-0 by that body."

**Mr. Schlegel** continued, "Since that time, we've received a protest petition from the property owner immediately to the south. I'll go back to the aerial photos so you can see where that home is located in relationship to the applicant's property, and the home is here and the other outbuildings on the property. That does represent, that protest petition does represent a little over 31 percent of the notification area, so this action; an approval or following of the MAPC recommendation will require a super majority three-quarters vote. With that, I'll be glad to take any questions."

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

**Commissioner Parks** said, "Did the protestor meet the deadline on this?"

**Mr. Schlegel** said, "Yes. It's a valid protest petition."

**Commissioner Parks** said, "And it's just the one landowner that owns..."

**Mr. Schlegel** said, "Correct; one property owner."

**Commissioner Parks** said, "...that makes up the 31 percent."

**Mr. Schlegel** said, "Yes."

**Commissioner Parks** said, "Okay. Thank you."

## Regular Meeting, August 11, 2010

**Chairman Peterjohn** said, "Does that include the invalid protest portion that's south of the..."

**Mr. Schlegel** said, "No. We do not count that as part of that 31 percent."

**Chairman Peterjohn** said, "That was a second party?"

**Mr. Schlegel** said, "Yes. Well, you know, I don't know that for sure. I can't say that for sure if that's...I'm presuming it is a separate property owner."

**Chairman Peterjohn** said, "Okay. Is either the applicant or the opponent here in the audience today? Please approach the microphone, give us your name and address and welcome to the County Commission."

**Mr. Glenn Gregg**, 6021 South Greenwich, Derby, greeted the Commissioners and said, "Basically, well, we work, but we have race horses. My daughter, brought her back to help break horses. She's recently gone through a divorce so we thought it would be advantageous if we could bring a single-wide mobile home in there so she could have her own residence and yet be close to us, help us out with things. We're getting older so there are things; I don't need to be breaking horses anymore. But, and that's the reason for it, we don't intend, if her lifestyle ever changes, and she leaves and goes somewhere else, we don't intend to leave that mobile home there. We would get rid of it. But it's more of a matter of convenience for her and us. It will reduce our expenses and hers. We are somewhat supporting her because she's going through this divorce. And that's the reason why we did it.

"I think the appearance of our property, by bringing this one single-wide in, the Greenwich runs north and south and we're planning on having it set up running east and west, so you're going to have head-on 16 feet of appearance, and it's going to be fairly close to a white barn, it's a white single-wide mobile home, so I don't think the appearance is going to be altered greatly to where it would necessarily affect the property. Now, there is a double-wide mobile home on there that we currently live in now. It's a single-wide; I've had both of them put on temporary foundations. And the reason I did that was if later on, we leave or we pass away, and our kids decide to sell the property, those can be moved and it can be a building site for a home for anyone that wants to do it. And that was the reason I put them on temporary foundations. If I wasn't going to build a permanent home there while I lived there, I wanted it to where it could be used by somebody else if they'd decide to build a permanent home, they'd be able to move those homes off of there."

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

## Regular Meeting, August 11, 2010

**Commissioner Parks** said, “Well from what I got out of this, that there was going to be a horse trainer that wasn't a relative living here, and once again, I refer back to Legal or there wasn't any reason for me to ask Glen Wiltse to be here, but if somebody from Code Enforcement, I think there's some kind of provision in there for a family member that makes a difference on this, makes it even stronger to allow this.”

**Mr. Gregg** said, “It is my daughter. Now she, I guess you could classify her as a horse trainer. She's rode extensively all over the United States, exercising race horses, running shed rows for some of the biggest trainers in America, but she is my daughter.”

**Commissioner Parks** said, “Well I had one of these in my district, if the other Commissioners recall, about three years ago, that was quite heated, and it was a relative so there was a lot of leeway on that. So this is good to know. I'm glad you came today. Thank you.”

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

**Commissioner Welshimer** said, “Well, I'm going to ask legal counsel if he's aware of anything about family members, any difference, or John?”

**Mr. Schlegel** said, “Just to clarify that the point that Commissioner Parks was making, there isn't anything in the code that talks about relatives getting a break. It's just been the practice of the Commissioners to be, I think, more sympathetic to applicants where it's a relative. And usually it's, you know, an elderly parent or somebody like that where you see those applicants and you've been, generally have been approving those. There's nothing in the code that specifically talks about that. The four provisions regarding approval for a conditional use for an accessory apartment are in your Agenda backup report. There are four items that you can see for yourself. It has been a factor, though, in your votes in the past. That's the point I wanted to make.”

**Commissioner Parks** said, “Well maybe I did a flashback to another community that I served before. That was my understanding, that some of the codes do that.”

**Chairman Peterjohn** said, “Okay.”

**Commissioner Welshimer** said, “Well, Mr. Schlegel explained this as a manufactured home, but it's actually a mobile home.”

**Mr. Gregg** said, “Yes.”

**Commissioner Welshimer** said, “Yes. Did you happen to bring a photo of it?”

**Regular Meeting, August 11, 2010**

**Mr. Gregg** said, “No, I didn’t.”

**Mr. Schlegel** said, “Well let me run through the photos that we have and see if...”

**Commissioner Welshimer** said, “Okay.”

**Mr. Schlegel** said, “Is it onsite already?”

**Mr. Gregg** said, “No, it is not.”

**Mr. Schlegel** said, “Oh, it is not. Okay.”

**Commissioner Welshimer** said, “Okay. Is it in fairly good condition?”

**Mr. Gregg** said, “Yes, ma’am.”

**Mr. Schlegel** said, “Come on up to the mic [microphone].”

**Commissioner Welshimer** said, “Okay.”

**Mr. Gregg** said, “Yes, ma'am, it is. Now it is a '94, but an elderly woman lived in it. It's a one owner home. When we get it out there, we'll repaint it, obviously skirt it, so that it will look nice. I'll cold seal the roof, do everything that we need to do to have its appearance look well.”

**Commissioner Welshimer** said, “How far back from the road is this going to be? How far back from Greenwich?”

**Mr. Gregg** said, “I would say 50 to 60 yards.”

**Mr. Schlegel** said, “Let me put the site plan up. Well this is showing up as 80 feet, so that's probably a couple hundred feet back from the road...”

**Commissioner Welshimer** said, “A couple of hundred feet?”

**Mr. Gregg** said, “Yes, ma'am.”

**Commissioner Welshimer** said, “Okay. Well, my concern there is you're right across the street from a country club.”

## Regular Meeting, August 11, 2010

**Mr. Gregg** said, "Right. Hidden Lakes."

**Commissioner Welshimer** said, "Yeah. Did that group oppose this?"

**Mr. Gregg** said, "No."

**Commissioner Welshimer** said, "Okay. Alright. Well this is in my district, and that being the case; I'll make a motion that we approve it and take the recommended action."

### **MOTION**

Commissioner Welshimer moved to approve the Conditional Use, subject to the conditions recommended by the Metropolitan Area Planning Commission (MAPC), adopt the findings of the MAPC and authorize the Chairman to sign the prepared Resolution (Three-quarters majority vote required to overturn the protest petitions).

Chairman Peterjohn seconded the motion.

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

**Commissioner Norton** said, "Well, when we were first briefed on this, it sounded like it was going to be an accessory building or home for a trainer that could be rented out later. And I think that's always been the angst we've had that if the, I think we've had two or three of these over the years I've been here, that they were putting elderly parents on the property and then, you know, it could have been if the parents died or found other arrangements, then that became a rental property and that it proliferated. But it seems to me that that's not the case here, that it could be a temporary fix for a family issue, so I'm going to be supportive of the motion to move forward. And hopefully your daughter will live there for a while, and be able to move on, and restore her life and everything will be fine. So I'm okay with it."

**Chairman Peterjohn** said, "Well my comments concerning this matter are similar to what was stated in the prior one. And I appreciate the hard work of the folks who are, not only at the MAPC but also, serving on the MAPC, but also the folks at MAPD and getting this information, briefing us and being able to get us the information. And I appreciate the applicants coming out this morning. So I plan to be supportive too. Seeing no further discussion on this matter, this does require a three-quarters vote again, please call the vote."

**Regular Meeting, August 11, 2010**

**VOTE**

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

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

**NEW BUSINESS**

- E. ADOPT A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF ALL NECESSARY DOCUMENTS RELATING TO THE SALE OF THE MORTGAGE-BACKED SECURITIES ACQUIRED WITH THE PROCEEDS OF THE SEDGWICK COUNTY, KANSAS AND SHAWNEE COUNTY, KANSAS SINGLE FAMILY MORTGAGE REVENUE BONDS (MORTGAGE-BACKED SECURITIES PROGRAM), 2001 SERIES A-1; AUTHORIZING THE EXECUTION AND DELIVERY OF INSTRUCTIONS RELATING TO THE DEFEASANCE AND REDEMPTION OF SUCH BONDS; AND AUTHORIZING THE OFFICERS, EMPLOYEES AND REPRESENTATIVES OF SEDGWICK COUNTY, KANSAS, TO DO AND PERFORM ALL THINGS NECESSARY, APPROPRIATE AND INCIDENTAL THERETO UNDER THE AUTHORITY OF THE ACT.**

**Ms. Dorsha Kirksey**, Director, Housing, greeted the Commissioners and said, "This item is in regard to our mortgage revenue bond program, which, as you know, is a first-time homebuyer program that Sedgwick County and Shawnee County together operate statewide. And we've been operating this program, again, for over 25 years. And this item before you today is in regard to the bonds issued in 2001. It's a technical adjustment of that bond issue, redeeming the bond early because market conditions right now make it financially advantageous to do so. Chris Chronis in our finance department has review and approved the transaction, along with our bond counsel, financial advisors and our legal department. I request that you approve the resolution and authorize the Chairman to sign. We do have Chuck Bouilly with George K. Baum & Co., our bond underwriter, who's present today. And between the two of us and others here from that same company, we'll be glad to answer any questions that you may have at this time."

**Chairman Peterjohn** said, "Questions? Commissioner Welshimer."

## Regular Meeting, August 11, 2010

**Commissioner Welshimer** said, "Well I think to clear this up for buyers, and sellers, and realtors and so forth, this in the past has been a situation where a buyer's closing costs and down payment would be forgiven if they stayed in the home a certain number of years, and that doesn't happen anymore. This particular one will require that that encumbrance would result in a second mortgage on the loan, correct?"

**Ms. Kirksey** said, "That is the current design of the program, however, this item is just redeeming an old issue from 2001 because we're able to do so right now at a premium."

**Commissioner Welshimer** said, "Okay."

**Ms. Kirksey** said, "So it's somewhat separate from the..."

**Commissioner Welshimer** said, "Alright."

**Ms. Kirksey** said, "...current program."

**Commissioner Welshimer** said, "Okay. Thank you."

**Ms. Kirksey** said, "You're welcome."

**Chairman Peterjohn** said, "To help the public out there, I think, when I was reading this material, I think the simplest explanation is, this is kind of the equivalent of we're taking advantage of the fact that interest rates have dropped and we're in effect refinancing, would that be a fair analogy?"

**Ms. Kirksey** said, "Somewhat."

**Chairman Peterjohn** said, "If it's not fair, I'd appreciate a clarification."

**Ms. Kirksey** said, "We'll let Chuck clarify that for you."

**Mr. Chuck Bouly**, Senior Vice President, George K. Baum & Co., greeted the Commissioners and said, "Good morning. Basically what's happening here, and we've done this several times with the county over the years, this is a bond issue that becomes callable December 1 of this year. And the way these programs work is when as loans are made, they're pooled into Ginnie Mae securities, and the Ginnie Mae securities are really the security for the bond issue. Well, as the Chairman said, we're in a real low interest rate environment right now and those bonds are callable, so we can sell those Ginnie Maes at a real good price, at a good premium, generate enough dollars to call the bonds on 12/1, pay all the costs, interest, premium and still have over \$600,000 left, so that money then is distributed to the counties."

**Regular Meeting, August 11, 2010**

**Chairman Peterjohn** said, "To Shawnee and Sedgwick County?"

**Mr. Bouilly** said, "Yes."

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

**Commissioner Parks** said, "While you're at the podium, what is the downside of not doing this, taking this action today?"

**Mr. Bouilly** said, "I don't know of any downside. I mean, the bonds would remain outstanding and would eventually get paid off, or the mortgages would be retired. But by doing this now, you take advantage of the market conditions that we are in right now. Well, yeah, you wouldn't get the proceeds now, maybe over time you would get some money, but depending what the interest rate market is at the time."

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

**Chairman Peterjohn** said, "Seeing no further questions, what's the will of the Commission?"

**MOTION**

Commissioner Unruh moved to adopt the Resolution and authorize the Chairman and Commissioners to sign 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	Aye
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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

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

## Regular Meeting, August 11, 2010

### F. SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT PROGRAM.

**Mr. Robert Steele**, Intern, County Manager's Office, greeted the Commissioners and said, "In June of this year, the Department of Housing and Urban Development (HUD) had announced a \$100 million grant for the Sustainable Communities Planning Grant Program. This grant is unusual in the sense that the Environmental Protection Agency (EPA) and the Department of Transportation are both involved in the grant making process. The grant is designed to help the local governments develop a regional plan to improve a coordinated housing, transportation, economic development improvements, and water infrastructure and environmental planning efforts. The grant program will last three years and will result in a coordinated plan for sustainable growth for the five-county region and to help build the capacity for our region to compete in the world economy.

"A local consortium came together to apply for this grant. The consortium consists of the counties of Sedgwick, Butler, Reno, Harvey and Sumner. It also includes the cities of Wichita, El Dorado, Newton, Hutchinson and Wellington. Other organizations include the Kansas Health Foundation, Visionary Wichita, the Wichita Area Metropolitan Planning Organization, WSU (Wichita State University) [Hugo Wall] School of Urban [and Public] Affairs and the Regional area Economic [Area] Partnership, also known as REAP. REAP is the organization that will be submitting these grants on behalf of the consortium. The consortium's eligible for a minimum award of \$500,000, but as the application develops, the consortium may ask for up to \$2 million, as reflected in our amended resolution for approval. I should note that we're still in the process of developing the grant application and the budget.

"Sedgwick County has been asked to be the fiscal agent for the consortium. This means that the county will be responsible for managing and distributing the grant funds for the rest of the consortium once the award has been made. There will be no requests for cash match, but there will be a commitment of in-kind time from our Director of Community Development. There will be no county staff added to work on this grant. REAP will be handling the grant implementation by hiring a part-time project manager and consultants. The grant application is due August 23rd and the award announcements will be made in October. Today we ask for your approval of the amended resolution and the memorandum of agreement that will allow us to participate as a member of the

## Regular Meeting, August 11, 2010

consortium for the grant application, to provide in-kind match, to be the fiscal agent for the grant and to establish budget authority up to \$2 million should the grant be approved.”

“The outcomes of this grant program will be to assist the regional partners, which is the consortium efforts, to integrate our housing, transportation, economic development, water infrastructure and environmental planning efforts. To also promote our economic prosperity in our region, allow community access to economic opportunity, better energy usage and to promote the public health and the environment. At this time, I’ll take any questions. I have with us here director of our community development to help.”

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

**Commissioner Norton** said, “Well we approached this yesterday at WAMPO and are sending a letter of support, so the [Wichita Area] Metropolitan Planning Organization, which is kind of the transportation arm of this, is fully engaged. And I would urge us to approve the grant application because I think it brings together, number one, a lot of partners, not only for the grant application, but there are partners at the national level with HUD, EPA and the federal Department of Transportation that is very unique. So I’m hoping by us partnering with all the key partners, that that will make the application strong and that we can bring this money to our communities. So I’m not ready to make a motion yet, but I will be very supportive of it.”

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

**Commissioner Parks** said, “I, too, was serving on that board yesterday when we passed this. I did vote for it yesterday for the transportation side. But I do have a couple other questions about if we were to get, or if the conglomerate was to get \$3 million, I guess I want to know what the plan would be to do with that. Are we going to hire more people, are we going to...and some of the words that I want to bring out is same things that I brought out yesterday in the meeting at WAMPO: integrate housing, land use, empowers jurisdictions, some of those kind of concern me, those terms. And it sounds like maybe we're out to hire a bunch more inspectors to go around and make sure to tell people about how to use their land again. So, I guess I’m just asking that question.”

**Ms. Irene Hart**, Director, Community Development, greeted the Commissioners and said, “This is a complicated grant application. I've never seen one like this before. It has 58 pages of regulations and requirements to go in the application. The \$100 million that's available at the national level,

## Regular Meeting, August 11, 2010

there's two different kinds of grants. One is to get together, and to plan and result in a plan. The second type is communities that have been working on this for quite a while, and already have those plans and want to go into implementation. We're still at the beginning stage. We have five counties and numerous cities that all have individual plans, and a good example might be one issue that we'll be dealing with is air quality.”

**Ms. Hart** continued, “We have no mechanism right now to plan for the entire region to keep us in attainment for air quality, so part of the planning process would be to engage all the stakeholders who would be affected by this, the units of local government, and develop a plan so that we can stay in attainment. So that's one example. But it's taking, rather than planning and silos, planning housing, planning water infrastructure, planning roads by individual counties, it's a way to...all of this to work together to come up with a sustainable communities plan. So this is an application to get funding to put together a regional plan. It would be managed by REAP. They would hire a part-time project manager and then the work, the rest of the funds would go to a consultant that would help take all five counties and the various stakeholders through a planning process to result in a final regional sustainable plan.”

**Commissioner Parks** said, “And realizing when the plan is done then the employee is gone?”

**Ms. Hart** said, “Yes.”

**Commissioner Parks** said, “Okay. Thank you.”

**Ms. Hart** said, “And it would be a REAP employee, not a county employee.”

**Commissioner Parks** said, “Okay. Thank you.”

**Chairman Peterjohn** said, “Well I very much appreciate staff's briefing for me on this and the discussion. I have many of the same questions that Commissioner Parks mentioned. And frankly, I think if this was focused strictly on air quality as the primary issue, I'd be much more sympathetic to it than I am. But, A, the federal government is out of money. And they keep spending like they've got lots of money, but I guess the printing presses keep operating in Washington so they can bring it out. But this looks like a program that if it was covering our MSA (metropolitan statistical area), that is the area where we're really focused for the nonattainment, we'd be there. But this is a five counties, not the four counties in our MSA that would be covered for that issue. And we've had some challenges with consultants in the past. I think bringing on another part-time consultant, or manager, or however we describe this person, continues to raise questions, and I'm not sure exactly how we're going to coordinate or spend the money since we're talking about an entity that's going to cover five counties and the five major cities in those counties.”

## Regular Meeting, August 11, 2010

“And when I combine that with the fact that we've got an overlay with REAP, which covers an entirely broader geographic area, if we look at quad counties or WAMPO, we've got smaller areas than what we have here. I've got more questions than answers at this point, despite the best efforts of staff. So my bottom line is, is I'm very skeptical of a new grant proposal from the federal government for another planning entity. And I am very apprehensive about creating another planning bureaucracy, and so my vote's going to be reflecting that. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you, Mr. Chairman. I'm going to be supportive of this item. It has gone through discussion at the executive committee, the Regional Economic Area Partnership, who will be given the responsibility to provide the administrative function for this consortium. And this does not require or imply a new employee for Sedgwick County. It's a consortium of our regional partners who we work with on a variety of different levels, and this just allows us to take advantage of funding to make a planning that keeps us all coordinated on these primary infrastructure issues. To not support this or to not receive the grant, I'm hopeful that we receive it, just means that we will not have that coordinated planning effort, or if we do it, it's going to fall on our local budgets, which does create a burden for local governments.

“So I think that if this grant is going to be granted by the federal government and someone is going to get it, I think that our area ought to take advantage of the opportunity, apply for the grant. If we get it, we can go ahead with coordinated regional analysis of what we need to go forward in sustaining the economic and cultural vitality and the infrastructure of our entire region. So, you know, we're at the point where no one governmental entity can do everything that supports a regional area, and so partnerships are the way to move that forward. We have great relationships. These are partnerships among people that we trust. We'd have a great administrative function provided by REAP. Sedgwick County will be the fiscal agent. I don't see any downside of doing, moving forward with this grant application. So I'm going to be supportive.”

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

**Commissioner Parks** said, “Well, I'm going back to the words that are in the in the third paragraph down, and I'm going to repeat them again. It's not the money that I have a concern with; it's what may produce from the planning: integrate housing, land use, empowering jurisdictions, social equity, energy use. Are they going to tell us how many miles we're going to be able to drive our cars? We don't know what the planner is going to say and they're going to be representing us. So that's what makes me a little bit nervous about this. Thank you.”

## Regular Meeting, August 11, 2010

**Chairman Peterjohn** said, “Well, I'm going to segue briefly off of Commissioner Parks' comments, because when included in here climate change, anything that moves us towards what I view as the cap and tax policy from Washington would be an economic disaster, not only for our community, but for our country. And it's another reason why I'm skeptical about this proposal. Commissioner Norton.”

**Commissioner Norton** said, “Well, you know, I think to say that a consultant is going to tell us everything, I think they're going to compile what we already think about ourselves, and what we think we should do and put it in a coordinated effort. For me, it's about the idea that I think all of us have the value that we enjoy our quality of life, we like living in this area and somehow we're all challenged as citizens and elected officials to sustain this quality of life and economic vitality. And, you know, if you don't know where you're going, you may just get there. And I think this gives us a chance to understand and compile the information of how all these ingredients affect our community, and our ability to maintain our way of life and sustain Wichita and their surrounding area. Not only economically, but culturally and with a way of life and a quality of life, with an infrastructure and the ability to ensure that we have quality water, quality air, quality infrastructure, all of those things that make a community viable and a place where you want to live. So where I understand some of the angst that my colleagues have, I believe that we'll have our fingers all over this with our partners to make sure that it's something, once it's in a plan that we can live with, and we understand and that we want to have happen in our community. I agree with Commissioner Unruh. If the money is out there, it doesn't make sense for us not to apply for it and try to do something good for our community. And I think we'll have a lot more control over that than maybe just letting a consultant tell us what to do. So I'm going to be supportive.”

### **MOTION**

Commissioner Norton moved to approve the grant application to be submitted by REAP and adopt the related Resolution and authorize the Chairman to sign and approve the Memorandum of Agreement and authorize the Chairman to sign and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Unruh seconded the motion.

**Chairman Peterjohn** said, “Okay. We have the motion and second on the floor, Commissioner Parks.”

**Regular Meeting, August 11, 2010**

**Commissioner Parks** said, “Just a little more discussion. If it's just merely the money, you know, it's all the taxpayers' money, whether it's federal tax dollars or local tax dollars, it's taxpayer money. But the thing that I guess I'm responding to here that has always tripped my trigger in my quality of life may not be what somebody else's quality of life is. Thank you.”

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

**Commissioner Unruh** said, “Thank you, Mr. Chair. Well the principles that are part of the mandate and part of our application is listed in our backup material is to do planning such that we provide more transportation choices, promote equitable affordable housing, enhance economic competitiveness, support existing communities, coordinate policies and leverage investment, and value communities and neighborhoods. In my way of thinking, that can be, it's another definition of establishing a foundation for economic development. And if we can have our tax money come to us to advance that planning, rather than having our tax money go to Massachusetts to advance their planning, I'm in favor of getting it here so we can do this. It's my dollar. I'd rather have it here. And we may not get the grant. We just make the application. So I want to apply for my dollar for my constituents. That's all I have.”

**Chairman Peterjohn** said, “Thank you. We've got a motion and a second. Seeing no further discussion, please call the vote.”

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**G. SELECTION OF A VOTING DELEGATE AND ALTERNATES FOR THE KANSAS ASSOCIATION OF COUNTIES 35<sup>TH</sup> ANNUAL CONFERENCE.**

**Chairman Peterjohn** said, “I am interested in attending the conference in November. It's going to be up in Johnson County. And as the person presenting this and Chair, I'd like to recommend to my colleagues that I be appointed the delegate and Commissioner Norton be appointed as the alternate for our delegation to the 35th annual Kansas Association of Counties Conference.”

**Regular Meeting, August 11, 2010**

**Commissioner Welshimer** said, “Is that a motion?”

**Chairman Peterjohn** said, “Yes.”

**MOTION**

Chairman Peterjohn moved to select Chairman Karl Peterjohn as a delegate and Commissioner Tim Norton as an alternate.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Before we proceed to the next item, I’m going to call a recess for five minutes, and we’ll come back at 10:40 a.m.”

**The Board of County Commissioners recessed at 10:35 a.m. and returned at 10:45 a.m.**

**Chairman Peterjohn** said, “I’m going to call the meeting back to order. Next item.”

**H. ADOPTION OF THE 2011 SEDGWICK COUNTY BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM.**

## Regular Meeting, August 11, 2010

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, “You have before you the recommended budget for 2011 that includes \$398,166,317 of operating budget. It includes an equivalent mill levies of 29.868 mills. You'll remember that in February we began talking about priorities for the Commission and we met in February to determine your priorities. Base budgets were developed on March 12th, and in April, departments submitted their request. In June, you met from June 10th through the 18th to discuss details of the budget. There were hours and hours of those meetings, you'll recall. And on July 21st we had a public hearing and yesterday we had a public hearing to take ideas and suggestions from the public. Our mission continues to be to assure the public that quality public services will be provided for the present and the future well-being of citizens of Sedgwick County. We know that we are in an economic downturn. We've felt that. We also know that Sedgwick County is, because of good management and good financial planning, have planned and managed well, and we have a rainy day fund so that we can weather the storm. We can weather the storm for several years if we do nothing, but we've already started taking action. We've delayed capital projects, improvement projects. We are reviewing our hiring process and the speed by which we hire folks. We've reduced overtime, to name a few. And we know that we share values of transparent, open, deliberate decision making government. And we will continue to examine the services that we deliver in September, and examine every one of those to make sure that they are essential and as productive as we can be.

“I want to remind you what is in this budget. We have two additional 911 dispatchers. We can fund those through overtime, reduction of overtime, so there's no direct cost to do that and we think that's a smart way to do business. We've increased the EMS (Emergency Medical Services) budget by \$75,000, almost \$76,000, to pay for supplies for the fire service. You know that the fire service is often the first on the scene and they use medical materials to check patients, and we are the beneficiaries of their service and we pay for those medical supplies. We're adding four full-time employees to EMS. It's an addition of one ambulance, \$459,000, almost \$460,000. That's a result of careful measurement, of benchmarking that service, of making sure that the key performance indicators that EMS uses are done so in a deliberate fashion. And we've done that and have come to the conclusion that without this, additional ambulance service would be diminished considerably in the western part of the county around the new hospital. Project Access is increased by \$68,000. That's providing monies for those people in a financial difficult situation that have produced millions and millions of dollars in volunteer physician times to help folks. We're increasing the aging budget by \$35,000 to fund the Derby senior citizens center [Derby Senior Center] at a different level.”

**Mr. Buchanan** continued, “There's a \$120,000 addition to the Child Advocacy Center. This is same money that was used last year, but this year, rather than grant money, we are using county tax dollars; we cannot use those grant funds again. In the public safety area, we have \$3.2 million of

## Regular Meeting, August 11, 2010

contingency and \$1.2 million of that is earmarked; \$500,000 for Community Corrections and \$700,000 for a mental health solution in the jail. I'm not suggesting we're talking about a pod, but we have a couple suggestions in front of us, including a plan by Commissioner Welshimer. This provides the funds for us to begin that process. The Capital Improvement Program (CIP) includes \$625,000 of ADA (Americans with Disabilities Act) projects that helps get in compliance with that act. We have \$2 million of EMS replacement of three EMS facilities on St. Francis, on Caddy Lane and on 143rd Street East, the relocation. We have \$225 million of radio repairs in this budget. We have a Capital Improvement Program for the parks of \$525,000 for the south restroom and maintenance building. We have \$10 million worth of road improvements, bridge, and roads and right-of-way for the Northwest Bypass. We have \$500,000 for construction of Clifton Channel improvements, south of 47th Street, and \$250,000 for design of the adult Master Control.

“We also have in the budget a four percent pool for employees. This is to be used later. I'm suggesting that we don't have information about the economy to make an informed decision about how to distribute those funds. But I think it's necessary to put those funds aside. Now you heard lots of discussion yesterday about not paying county employees' wages. We all heard some discussion about the City of Wichita, and I want to make it real clear what our neighbors are doing. For the 2011 budget, they have put aside 1 percent pool, performance pool, for middle managers and upper managers. So upper and middle managers could get up to 1.5 - 2 percent out of this 1 percent pool. I want to go back to...for the other employees. In 2010, all employees received a step increase, 2010, employees received a step increase in the City of Wichita for 2.5 percent. You'll recall that some of our employees here received 2 percent and some of them received none.

“Now let me tell you about step increases. Step increases is a method of paying municipal workers for the last hundred years. You're hired-in in a position and one year later, because you're in that position, if you have a satisfactory rating, you'd get a step increase, and in the City of Wichita, that's 2.5 percent. So in the second year, you get another 2.5 percent, then the third, and fourth and furthermore. By year 8 or 10, it may change rather than to 12 months to 18 months, and as you get approach 20 years, it may turn into 24 months. But every year, or every 18 months, or every two years, you'd get an increase because you get a satisfactory rating. I would remind you that we got rid of that system. Satisfactory is not good enough.”

“Based on the free market concepts that performance matters, we want to pay for performance. And that we...only thing that matters is performance. So that our employees, when we pay them, when we need to reward them, when we need to assure that they're doing what they need to do, we want to make sure there's a performance pay pool so that we can pay on a performance basis. So I wanted

## Regular Meeting, August 11, 2010

to make sure we understood that we understood that what may have been said yesterday about our comparables are not accurate. So if there are no questions for me, Mr. Chairman, I think it's appropriate for you and your colleagues to approve this budget.”

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

**Commissioner Welshimer** said, “I guess.”

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

**Commissioner Welshimer** said, “You say set aside this four percent increase, for how long? When?”

**Mr. Buchanan** said, “I think we would need to examine that in November, no sooner than November 15th. And if there's no indication of a turnaround of economy, that's one series of choices. If there's a turnaround in the economy, that may be another series of choices. But I don't think we need to lock ourselves into an inflexible position at this point.”

**Commissioner Welshimer** said, “And that includes Commissioners?”

**Mr. Buchanan** said, “It can include it; it could include anybody or exclude anybody that you wanted to exclude.”

**Chairman Peterjohn** said, “Let me ask, Mr. Manager, some questions before I go into some very specific comments. I was interested that the ADA figure was literally down to, it was \$625,000 and I can't remember the last three digits, but it was down to exactly a dollar amount. Is that determined by... is that locked in concrete by some mechanism that I didn't see mentioned in the budget or how did that figure get derived at?”

**Mr. Buchanan** said, “We had hired a consultant two or three years ago to review our ADA compliance. And we have hired an ADA [Coordinator] compliance officer, Lindsey Mahoney, who I don't think she's here, but who is charged with implementing that plan. And we have a 10 year plan of items that we believe need to be repaired and fixed over the next 10 years to come into compliance with the ADA. We know that doing nothing is not acceptable. We know that we need to

## Regular Meeting, August 11, 2010

follow the law. The law gives us the latitude of developing a plan and implementing that plan in a thoughtful, deliberate process and that's what our intent is. Those specific projects are small ramps, parking ramps, parking spaces, restrooms, Kansas African American Museum that we own that cannot be accessed by wheelchair and some work at Lake Afton.”

**Chairman Peterjohn** said, “Okay. Let me ask you, in the budget, in the bond and interest section, we have \$4,060,000 concerning that we’d bond for road and bridges, how did that \$4,060,000 figure get derived? Because it seems that that's the same number we had last year, and from what I've seen with the economy, it isn't changed. But I was wondering, in terms of we had some discussion yesterday about bond funding and having an ongoing rolling bond in effect is what we're doing. You know, we're paying it off and putting more on. And I know we're cash funding some of these items, and I was trying to understand how we're prioritizing between cash funding certain items, and especially since we've got the local sales tax money, how that amount came out?”

**Mr. Buchanan** said, “The \$4 million was a negotiated settlement between David Spears, the Budget Department and the Commission several years ago. It used to be \$7 million. Is that right, David?”

**Mr. David Spears**, Director, Public Works, greeted the Commissioners and said, “That's correct.”

**Mr. Buchanan** said, “And Mr. Spears is not happy with the \$4 million. It's not enough to do the kinds of work that he wants to do. And you're right, Commissioner Peterjohn, it is a rolling debt that we have, over the last several years, issued \$4 million. Now there have been years when, because bids have come in lower than estimates, that we've built up some cash, that we haven't bonded in some years, but are rare times when that occurs. But it has happened and we hope it happens again.”

**Chairman Peterjohn** said, “Well that segues very nicely for me into, I notice one of the items on the CIP was some repairs on the roadway that's just below the spillway at the Lake Afton. And I was looking at the figure inside the budget, CIP plan, and I was thinking it was in the neighborhood of almost \$2.8 million. And I had seen some engineering estimates that were significantly lower with options and I thought that was something that we might be able to cull back a bit, in terms of the number and even with some of the options, I was thinking closer in the neighborhood instead of,

## Regular Meeting, August 11, 2010

closer to 2.8, bring that down to closer to 2.5. I'd be interested in either your comments, Mr. Buchanan, or the Director of Public Works, Mr. Spears' comments on that, concerning that specific project.”

**Mr. Buchanan** said, “That specific project is early in the...”

**Chairman Peterjohn** said, “And that's in my district, too, by the way.”

**Mr. Buchanan** said, “It is early in design. There is a considerable amount of contingency in that project. The reason that a considerable amount of contingency, there's wetlands involved, there's some engineer...significant amounts of unknown engineering issues that we just don't know about, until you get into further design, you're not going to know about those. And so, what we try to do early on in project is have enough contingency built into a project so that we can assure you that the job can be accomplished without coming back. And as we get more information, as the engineers do the work, as we get more detailed information, we can get more specific about that project costs. And that's what we had hoped to do here, but at this point, there's just too many unknowns.”

**Chairman Peterjohn** said, “Okay.”

**Mr. Spears** said, “Could I add on to that, Mr. Manager?”

**Mr. Buchanan** said, “Sure.”

**Mr. Spears** said, “That's exactly right. I did do a little bit of checking, I've talked to Steve Claassen at Commissioner Peterjohn's request. The spillway is going to be relocated a slight distance and we could use sales tax money. I've talked to Mr. Euson, we could use a portion of sales tax money for the part that's the road where the spillway's going to be relocated to and you could reduce the amount of bond money then. But, like Mr. Buchanan says, we don't know the details of that yet; we don't know how much money we're talking about. But you could do that and I'd be happy to assist with that.”

**Chairman Peterjohn** said, “Well, I mentioned it because, A, I was out there and taking a look at the issue just last Friday and was very much interested, in terms of the project and the dimensions of it. But without going into each of the items that I have, I've got several other lights from colleagues up here. I'd like to, from a budget point of view, talk holistically about the whole budget for a minute before I turn it over to my colleagues. We face a huge challenge here, and I agree very much with the Manager's comments, in terms of the challenging economic times we have. The economy is in trouble, not only in our community and our county; it's in trouble nationally, too. And

## Regular Meeting, August 11, 2010

we have had some discussions, and one of my colleagues used the phrase that we need to sustain our quality of life. I'm going to set our benchmark, in my view, a little bit higher. I think we need to enhance the quality of life, and to do that, we've got to get our private sector moving. We've got to get it growing. We've got to strengthen our local economy, and not only behave in a fiscally responsible way with the budget, however it gets approved today, but we need to create some incentives and an example for the community, for the county, for our colleagues in the public sector and our colleagues, friends, and neighbors and relatives who are working in the private sector.

“Here's part of the challenge, I think that this was an excellent budget that the Manager's Office prepared if we were in an environment like we had in a year or two in the past, where we had 8, 9, maybe even a 10 percent increase in taxable assessed valuation. If we were at the average that we've had for the last few years, where it was 5 percent, well, this would be okay. But we're looking at a budget where we've got assessed valuation growth countywide with a small decrease. And we've got several challenges that we need to address if we're going to be responsible in budgeting. We've got this 27th pay period coming up, that comes up every decade or so. We've got this unfunded mandate from the federal government concerning the Emergency Communications changing the frequency and we're going to have to buy all new equipment. That's a huge problem. Last year, this Commission approved a pay freeze for the Commissioners, and all the elected officials and everyone who was a county employee making \$75,000 or more a year. Didn't get much attention at the time; much attention to some other subsequent freezes put in place. We did have an increase for county employees who made less than \$75,000. And I think we're going to need to address that this year. I am interested, in terms of what we can do in hearing some of the comments at yesterday's public hearing, you know, to try to avoid bonding.”

“And I'm reminded, and I'm going to go back, a little bit of history here, George Washington's farewell address, section 30, he said, ‘As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible...’ Washington went on to say, ‘...avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertion in time of peace to discharge the debts...’ Of course, he was thinking of debts that were mainly occurred in a war type situation. And he went on to say, ‘...it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; but [that] to have revenue there must be taxes; but [that] no taxes can be devised which are

## Regular Meeting, August 11, 2010

not more or less inconvenient and unpleasant...’

“I provide that as a benchmark, because of one of the challenges I think all levels of government face when it comes to debt and using it. And we’re very fortunate that here at Sedgwick County we have a debt level that is significantly higher...debt level, credit rating, I misspoke there, please excuse me. We have a credit, or the county's credit rating is much higher, one of the highest, we're at the highest by two of the three rating agencies, I believe. And we've got another, a number of spending proposals through here. One of the things that we approved last year; and I think I would like to pull my vote back on it, according to the budget material; we have increased spending for fleet vehicles. And I think we do need to increase that some, but the increase that's put in front of us, based on the proposal we have, would increase that to \$5.6 million, and that’s much bigger than we had last year. And I think that that number needs to come down at least to \$5 million.

“And I also believe that the idea that the Manager’s put together on the pay concerning the contingency, that's going to have...if the four percent pay increase would go into effect, my understanding, and Mr. Miller is here someplace, I'm sure he'll correct me if I've got these numbers wrong, but I think the total cost if that's implemented would be \$6.4 million. And I don't think we can afford it at this point in time. That’s about \$1.6 million per citizen. Now, this budget has no property tax [increase], no change in the mill levy. And I know a lot of hard work went into this and there’s some efficiencies in here that I want to credit the County Manager and staff for, but I cannot support a four percent payroll increase. I think we need to bring that number down. I would recommend to my colleagues that we bring it down to one percent and use the differential from some of the savings I've just outlined to roll back the mill levy countywide by half a mill. And we’re at 29.86 mills, I believe, and this would bring it down to 29.38 mills. And, I am going to, I have more specific budget items that are smaller that I have some questions and concerns about, but I've had some colleagues who have been very patient up here while I've spoken. I'm going to turn it over and I'm not sure whose light’s first. I'm going to go with Commissioner Parks.”

**Commissioner Parks** said, “Well, I look out my last budget time over the crowd out here, I've been where you've been sitting during these tough times. Sitting out there wondering, is my budget going to get cut, am I going to get a raise, are my people going to get a raise? They're deserving, but I also know that in two different cities at two different times we had budget freezes, and in fact, one city I had worked for had a one percent rollback. Now granted, we made up for it the next year when the economy was better. In my being around government for some 33 years, I've seen tough times and not so tough times, but this is one of the toughest, and with some of the figures, the sales tax figures that came out from the state just recently, makes me very nervous. I see people from our Public Safety [Department] here and dispatch. You know, for 12 years they've been telling us, reforming,

## Regular Meeting, August 11, 2010

rebanding, reallocating frequencies; Nextel took care of part of that. But we have to have these radios. We have to do the radio project. It's a safety issue. I know some counties in western Kansas are saying no, we're not going to do it; we're going to defy the FCC (Federal Communications Commission). I would hate to put them out there with a trooper that has a different frequency and not be able to talk to them. You know, that's not good. There are things we have to do, and I'm for leaving that in the capital outlay.

“Bond funding; the Manager will tell you and Mr. Chronis will tell you, the first year that I was here, I said, when does this fall off? And they said, well, it never really falls off. The cities that I worked before, we had, if you have a voter referendum or voter approval of a bond issue, it will say right on the ballot, 20 years. It's going to be gone in 20 years. You can kind of plan for that. And that's a challenge, I guess, that over the next 20 years that this body needs to look at. Are we going to keep throwing that back in to, even though it may be cheaper, are we going to be continuing to put that money back into funds and lengthen them out longer for more debt?”

**Commissioner Parks** continued, “It's kind of like the credit card bill you get now. If you just pay the minimum on this for the next how many years, I think that was a good deal that they put on there, because people can really see what they're paying. But we need to look at that, too, as a government. How long are we going to keep putting those debts out there on this long-term idea? You know, I thought when they were talking about the first jail expansion, that that would be long since paid for, but that's been rolled into other debt. The new bonds end at a lower interest rate, I realize that. But we're setting up our future generation for assuming a lot of this and I think that we're going to have to take some steps that we don't like, in terms of salaries, in terms of some of the other capital outlay items. If Mr. Spears doesn't have anything to clean out a bridge with, he's just going to have to tell the people, hey, we're not going to clean out the bridge and your quality of life may be that you're wading knee deep in water because the bridge is plugged up. That's where I get back to the quality of life issue. How do you define quality of life? That quality of life's going to be pretty low for that person. And, as in other issues, there are different definitions of quality of life.”

“So sometimes there has to be plateaus in those, and hopefully the economy will turn around, we can try to be positive on it. But from what we've seen in the last two months, with aircraft and the state telling us their revenues, the federal government, heard on the radio this morning, our national debt's larger than it's ever been. I'm going to be supporting even further reduction in some of these items that will be brought up. And I don't think this meeting's going to be a short one.”

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

**Commissioner Welshimer** said, “Would you repeat for us the...what you've been telling us for quite a while. Is it 20,000 properties where the taxes have not been paid?”

## Regular Meeting, August 11, 2010

**Mr. Buchanan** said, "That's what I read in the newspaper."

**Commissioner Welshimer** said, "Okay. That didn't come from the County Treasurer?"

**Mr. Buchanan** said, "I assume that information came from the County Treasurer."

**Commissioner Welshimer** said, "Okay. So we don't know if that has improved since the due date? Half a mill would be about \$2 million?"

**Mr. Buchanan** said, "Yes."

**Commissioner Welshimer** said, "One percent raise, what would that come to?"

**Mr. David Miller**, Budget Director, Finance, greeted the Commissioners and said, "It depends how you look at it by fund. And so for all county operating funds, a one percent compensation pool is equal to \$1.5 million. For just the county tax supported funds, a one percent pool is equal to \$1.1 million."

**Commissioner Welshimer** said, "Okay."

**Commissioner Parks** said, "Can I..."

**Commissioner Welshimer** said, "What about the..."

**Commissioner Parks** said, "Can I ask David to repeat that?"

**Chairman Peterjohn** said, "Excuse me..."

**Commissioner Welshimer** said, "Repeat that."

**Chairman Peterjohn** said, "...David, could you please repeat those numbers?"

**Mr. Miller** said, "A one percent pool, compensation pool, for county tax supported funds only is \$1.1 million. If the intent was to reduce the mill levy by \$2 million and offset that with a reduction in the compensation pool, you would be essentially setting the compensation pool instead of four percent at two percent in order to equal the \$2 million reduction in the mill levy."

**Commissioner Welshimer** said, "What is the cost of the healthcare cost increase?"

## Regular Meeting, August 11, 2010

**Mr. Miller** said, "The overall increase is 5.9 percent from the original estimate from the vendor, which was 11.9 percent. That is a reduction in the overall plan from the original 11.9 [percent] to the 5.9 [percent] of \$1.5 million in the total plan. That's not just the county's contribution, but in the total plan, both the employees' and the county's contribution."

**Commissioner Welshimer** said, "What's the employees'?"

**Mr. Miller** said, "I don't have that number with me, ma'am."

**Commissioner Welshimer** said, "What percentage do they pay? What percentage do they pay? Employees of their health benefits?"

**Mr. Miller** said, "About 10 percent."

**Commissioner Welshimer** said, "Okay. Alright. Thank you."

**Chairman Peterjohn** said, "Commissioner Norton, I believe."

**Commissioner Norton** said, "David, stay up here for a while."

**Mr. Miller** said, "Yes, sir."

**Commissioner Norton** said, "Page 160, County Appraiser, there's a 34 percent and 44 percent on contractals and commodities, what is that?"

**Mr. Miller** said, "As you look at that sheet on page 160, if you look in the summary, the budget summary by fund, you see both a budgeted expenditure for the general fund, you also see a budgeted expenditure from the Register of Deeds' technology fund. In 2011, the Appraiser's Office needs to have a project done that's called oblique imagery, which is basically a flyover by an airplane that takes 360 degree pictures of properties and the Appraiser's Office uses that for appraisal purposes. You may recall that the Register of Deeds allocated to the county \$500,000 earlier this year for the county's use for projects from whose Register of Deed funds for technology purposes related to land and that type of thing. And we've planned on using \$250,000 of that \$500,000 that he allocated to us for the purpose of the digital oblique imagery."

**Commissioner Norton** said, "Okay."

## Regular Meeting, August 11, 2010

**Mr. Miller** said, "It's a one-time thing, or it's a project that occurs about every five years in order to update the pictures."

**Commissioner Norton** said, "And some of that's new technology that requires that, is that correct? We hadn't always had oblique technology, have we?"

**Mr. Miller** said, "I believe the first time we did it was five years ago..."

**Commissioner Norton** said, "Okay."

**Mr. Miller** said, "...this would be the second time that we've done it."

**Commissioner Norton** said, "And commodities, that's a pretty significant increase, too."

**Mr. Miller** said, "They set aside about \$40,000 for enhancements to the new Orion state system. So they're setting that money aside to do those enhancements hopefully in 2011, to make that software system work a little bit better for them."

**Commissioner Norton** said, "Okay. The expenditures on oblique images have also given us the ability to trim town the personnel that have to do that in the Appraiser's Office, is that correct?"

**Mr. Miller** said, "That's correct. It certainly allowed us, as more and more parcels get added to the tax system, to essentially hold their staffing flat. The benefit is that the appraisers don't have to get out and do actual..."

**Commissioner Norton** said, "Windshield."

**Mr. Miller** said, "...measurement of the buildings..."

**Commissioner Norton** said, "Okay."

**Mr. Miller** said, "...they can use the software to do that."

**Commissioner Norton** said, "Will this flyover take in all of the rest of the county or will there still be parcels that are left out of this flyover, do you know that?"

**Mr. Miller** said, "I do not know that, Commissioner."

**Commissioner Norton** said, "Okay. I'll get that answer from Mike, but that expenditure's explained. Okay, page 168. Significant increase on commodities for the County Treasurer, if you

## Regular Meeting, August 11, 2010

look back at 2009, it's 101 and it goes to 258,000, what is that?"

**Mr. Miller** said, "That increase occurs in the auto license fund, and there's two items that are contributing to it. First, the administrative fees, the fee that we charge the auto license fund to recoup costs related to services provided by administrative staff in the general fund has increased by about \$42,000. The other item within the auto license fund is that the state is updating the software system that they utilize and the Treasurer's Office, through the auto license fund, has set aside additional funds for updating their computers and some other upgrades related to that new software system. But those increases are not related to the general fund, but they are related to the auto license fund."

**Commissioner Norton** said, "Now, for total government spending, it's a county expense but it comes out of the auto license fund, so it's not out of property taxes, it's out of a..."

**Mr. Miller** said, "That's correct."

**Commissioner Norton** said, "...different funding mechanism..."

**Mr. Miller** said, "Yes, sir."

**Commissioner Norton** said, "...is that correct?"

**Mr. Miller** said, "Yes, sir."

**Commissioner Norton** said, "Okay. Not going to worry about that one then. Okay, page 180. Facilities line; interfund transfers, explain what that is. I mean, that's a huge dollar amount; \$838,000?"

**Mr. Miller** said, "In 2010, we budgeted for two cash-funded CIP projects within the facilities department. The first one was to replace roofs on county-owned buildings. That was \$400,000. The second one was to replace the HVAC (heating, ventilating and air conditioning) system at the Sedgwick County Extension Office. Both of those projects have been drawn back, if you will, and delayed as we've tried to look at some of our capital projects in 2010. So those are not occurring in 2010, however, you see it as a budgeted transfer because what we do is we actually transfer those funds in the very beginning of the year, so that transfer has already occurred. However, we've transferred them back to the general fund in 2010. For 2011, there are no cash-funded CIP projects within the Facilities Department and that's why you see the drop-off."

## Regular Meeting, August 11, 2010

**Commissioner Norton** said, "Okay. Page 202, and I think this is maybe one of the issues that the Chairman has brought forward, but I want to discuss that. Fleet overall has gone to \$12 million from \$8 million a couple years ago, and that's some policy action that we took this year and some different mechanisms for replacement of vehicles. So kind of walk through that and explain that one more time, so that..."

**Mr. Miller** said, "Sure."

**Commissioner Norton** said, "...because I think we're going to have to have some discussion about that and what that looks like."

**Mr. Miller** said, "Earlier this year, you adopted a new policy for Fleet Management. And that policy essentially outlined how vehicles would be replaced and set certain thresholds for the replacement of those vehicles and apparatus. The expectation when that policy was adopted was that it would accelerate the replacement of those vehicles based on those new thresholds. What you see in this budget is related to that new policy and an acceleration, if you will, over the next two years of replacement of those vehicles in order to meet those thresholds in the policy. For 2011, the increase in the acquisition costs for vehicles is about a \$1.6 million increase to \$5.6 million. Traditionally, each year, we have a \$4 million vehicle acquisition, but that additional \$1.6 million is related to the acceleration and the replacements. The other thing I might point out, and I think the Chairman might have mentioned it too, within the Fleet Management budget we also budget a vehicle contingency for acquisition purchases of \$1.5 million each year. That's in case a large, heavy piece of equipment should break down, these are very expensive pieces of equipment, and if it's not programmed in, we want to make sure that we have the budget authority to make those purchases if need be."

**Commissioner Norton** said, "And that's \$1.5 million?"

**Mr. Miller** said, "Yes, sir. The one other thing I might add, if I might, Commissioner..."

**Commissioner Norton** said, "That's fine."

**Mr. Miller** said, "...I apologize. But within these vehicle acquisitions, these are all being purchased with fleet charges that have been charged in the past of set aside collections. So essentially what we're doing is we're drawing down our cash that's been collected in previous years for these replacements."

**Commissioner Norton** said, "Absolutely. Do we have a firm, hard list of those items we're going to purchase, or is that just a dollar amount that we think we'll expend, and Kevin may answer that better. Do we have a listing of those items that we anticipate we're going to replace?"

## Regular Meeting, August 11, 2010

**Mr. Kevin Myles**, Director, Fleet Management, greeted the Commissioners and said, “Yes, we do. We have an actual buy list by vehicles of the ones that we're going to replace this year, and that's how we arrived at the total.”

**Commissioner Norton** said, “To that dollar. I guess, for me, other than if we're going to worry with this, it's not a matter of saying we're going to lop off a million dollars or two million dollars, it's taking that list that you've got and quickly analyzing it and saying, here's five items that we could move until the next year and that's going to be \$800,000 and that could be our savings. You know, if you really build a budget up, you build it by what you need and what you think you have to have, and that's where it comes to. But just to clandestinely lop off a million dollars or two million dollars doesn't make sense to me. So I'd rather, if we have a number that we'd like to think about, I'd rather have that built up with Kevin and our department heads saying, here's the have to haves and here's some that are coming up in the cycle that maybe we could do without, and that's three-quarters of a million dollars that we can save if we put it off. I'd rather have that philosophy as opposed to just saying here's a number you got to come to.”

“I think we still have to do business, and truthfully, I supported the policy to move forward because historically, and David Spears can talk to this, it wasn't too many years ago that we went out and spent a lot of money replacing almost all of the fleet in some places, and now that rat's gone through the snake and we've got a lot of equipment that's all the same age. And at some point, we've got to get on a measured, integrated cycle that replaces a little bit every year so that we keep our fleet up to date, it's workable, it's usable, particularly in key areas like Public Safety and Public Works, so that we don't have that rat going through the snake again of a huge expenditure that we really can't swallow very easily. And I know that happened a couple of years before I got here, Dave, is that correct?”

**Mr. Spears** said, “That's correct. Back in the '90s we replaced, I think, wasn't it like seven or eight motor graders all at one time. Since the new policy has been adopted by the Commission, Kevin has done a great job of now scheduling this stuff to be replaced, this equipment, and I can tell you that, and David Miller made a good point, that when we have something, we pay set aside to them and so, a loader, 1999, we have four of them purchased in '99, we paid in over \$125,000 for those. I

## Regular Meeting, August 11, 2010

mean, the money's already there that we've paid over the last 10 years to replace that equipment. Now what we're trying to do is just replace these things that are breaking down and it causes us a problem to get the work done and it causes Kevin a problem to try to maintain the equipment."

**Commissioner Norton** said, "Okay. Well, I think that would be the challenge as we go through, try to analyze the budget today, to give Kevin some kind of guidance on to what he is going to have and if we have some pieces of equipment we think we can push for at least one year, that would be okay with me. But I don't want to get into that cycle of pushing it year after year after year and then waking up one day with a bunch of old equipment that our employees can't use, and you know, we found ourselves last year doing some emergency equipment buys because we had two or three pieces of equipment that were critical to Public Works going out at the same time, and then we could do no work on drainage and some other things. So I don't want to get into that problem again."

**Mr. Myles** said, "And Commissioner..."

**Commissioner Norton** said, "Yeah."

**Mr. Myles** said, "...if I could, I just wanted to mention that the previous policy was not very well aligned with the actual usage of the equipment, and because it was not well-aligned, our practice had been to go through and assemble a list based on what you could keep using and what we could defer for a year. But the effect of pushing those purchases back year after year really did cause some angst to some of the departments, Public Works being one of them, and the policy change was an attempt to try to get away from that and to move to a more measured plan of moving forward. But certainly, you know, I would appreciate whatever guidance you guys have. And I have my list here, so I can make any changes if you guys see fit."

**Commissioner Norton** said, "Kevin, how long did you work on the new policy?"

**Mr. Myles** said, "Approximately one year."

**Commissioner Norton** said, "Okay. So that wasn't anything that we did just serendipitously, all of a sudden. We had a lot of people engaging, trying to figure it out."

## Regular Meeting, August 11, 2010

**Mr. Myles** said, "Yes, sir."

**Commissioner Norton** said, "Thank you, Kevin, and I guess we'll have more discussion here in a minute. Dave, page 236. I'll let you get there. The total expenditures \$17 million, it was \$15 million in '09. I have a suspicion what that is, but I'd like for you to explain it. That's a pretty big jump, 10 percent from year to year, but much more from two years out."

**Mr. Miller** said, "Yes, sir. There's a variety of things are going on within the EMS fund for 2011. One of the first items is the new crew that the Manager outlined for you during his discussion within EMS, which is four positions, and that's an addition in the personnel budget of about \$200,000. The other issue that we have is correcting the budget deficit from past years to properly budget for all the paramedic positions in the EMS fund. For 2011, that's an increase of about \$360,000 to align that properly. The KP&F (Kansas Police and Firemen's Retirement System) rate for EMS is increasing, per the state's allocation, from 13.25 percent to 14.93 percent. Again, that's an additional cost of about \$160,000 to the EMS fund. Their workers' comp rate increased. That's a \$40,000 increase. Their unemployment rate from the state increased, that's a smaller amount, about \$20,000. And then their overtime increased by a bit of about \$70,000 as we look back at how they've used it in the past. And then the last item, their health benefits, as new employees come in and employees select new health benefits each year, they have an opportunity to switch from single to family to two-person, and their increase above what we would normally expect was about \$60,000. So, cumulatively, when you add all those items up, that's primarily what's making up the difference."

**Commissioner Norton** said, "Okay."

**Mr. Miller** said, "But the two biggest items are the new crew and then the correction of the salary calculations."

**Commissioner Norton** said, "Okay. I guess this question could be for Bob Lamkey. Where will the new crew be stationed?"

**Mr. Bob Lamkey**, Director, Public Safety, greeted the Commissioners and said, "It's my understanding it will be out west. As you know, we have a post that will be opening a little bit later in this process. But, Scott, do you have a specific posting at this point? Yeah, but we've seen a couple of things going on with EMS as we look at next year. We tend to have somewhere between a four and five percent increase in uses as it naturally occurs. And as most of you know, Via Christi has opened up a new emergency room, hospital, I guess, they're really getting off the ground today operationally, and we're starting to see some of that manifestation. So we actually anticipate about

## Regular Meeting, August 11, 2010

an eight percent increase in EMS demand next year. And principally we would see that demand increasing out west.”

**Commissioner Norton** said, “Will new fire stations that we put out west mitigate part of that need because of the first responder being closer?”

**Mr. Lamkey** said, “Well, what you have is you have a combatable growth in that process. The fire departments have seen that same level of growth because of the first response capacity. The issue for EMS is the percentage of transports in this process. And we’ve seen a small but albeit noticeable increase in the percentage of calls of which we respond that we’re actually transporting patients. So EMS’s principal role is the transportation role. So I think they’re both going to see growth in that process. And as we customarily do, they’ll get out there first, they’ll work that process, but if a patient needs transportation or a higher level of care, they wait for EMS.”

**Commissioner Norton** said, “Will transport go to the new hospital out there or will it come downtown?”

**Mr. Lamkey** said, “No. What we anticipate is that, again, we just had some discussions with that, and the Medical Society [of Sedgwick County] worked on it through the night last night in developing the transport protocols for that particular center. No, we will transport patients there. Patients will arrive in different forms. I think the place we actually will make a difference, because either we’ll transport them there or we’ll transport them downtown. I think the place where we will see a measurable difference for us, that we don’t see now, is in re-transport. Somebody shows up at the hospital, either by us or by other means and may need, because of the care that they need to have, is to go downtown. And we estimate three or five calls a day, is that about right? That will be added to our call volume that’s already there. So it’s not just the substitute location. It’s the, okay, now we have to take you to another location and now we’re going to move you downtown. And we saw that same phenomena when Wesley opened up their facility as well.”

**Commissioner Norton** said, “Is there a capital expenditure to adding a new crew?”

**Mr. Lamkey** said, “The ambulance. We’ve added a crew and that’s the...”

## Regular Meeting, August 11, 2010

**Commissioner Norton** said, "There won't be a station, it will just be a..."

**Mr. Lamkey** said, "No, we will not have a station..."

**Commissioner Norton** said, "...floating group?"

**Mr. Lamkey** said, "That's correct. And again, we will open up, in conjunction with Station 35, an EMS opportunity when that gets developed out west, or we will deploy this in the meantime to one of our stations that supports that area."

**Commissioner Norton** said, "What's the total upfront cost to initiate this?"

**Mr. Lamkey** said, "David, would remind me of that?"

**Commissioner Norton** said, "Capital, payroll, all."

**Mr. Buchanan** said, "\$460,000; \$459,406."

**Commissioner Norton** said, "Implications if we don't implement it this year, Bill?"

**Mr. Buchanan** said, "The implication is that during the, when Steve Cotter was here, he used several matrixes, methodologies and benchmarking to make sure we knew when the downtimes, when we were exceeding our goals. And we were exceeding our goals about four days a week where the time it took for us to get to a call was longer than our standards. That indicated to him that a minimum of one crew would be needed. Now, we cannot do the \$460,000 deal, just citizens, we won't get there as quick as our standards are. Our standards are..."

**Commissioner Norton** said, "Was there empirical evidence that the calls in that region, that area, would sustain a hit or the whole system would?"

**Mr. Buchanan** said, "The whole system will, because if you don't have that crew, and someone needs to be transported and needs to be transported now, that becomes a priority. So if the ambulance is someplace else, we're going to get it there and get that person from the hospital downtown."

**Commissioner Norton** said, "Okay."

## Regular Meeting, August 11, 2010

**Chairman Peterjohn** said, "Before you go on, Commissioner Norton, if you don't mind, you've had several items that I would've, that are on my list of ones to do, and if there are other Commissioners who would like to discuss this item, in particular on EMS, I'd like to continue the discussion as opposed to going through your entire list and going back. So if anyone else has comments, Commissioner Unruh had his light on, but it may have been for other things than EMS. You want to follow-up Commissioner Norton? Okay, go ahead."

**Commissioner Unruh** said, "I will follow when he's complete..."

**Chairman Peterjohn** said, "Oh, when he's finished with his list? Okay. Okay. Well I meant did anyone want to talk about EMS, because I do, and Commissioner Parks is giving me..."

**Commissioner Parks** said, "Well, I think the issue has been brought up and kind of answered there, because when you're looking at it, and I think while we're discussing this we need to discuss [inaudible] time. I could go back and discuss it later, but we have the people here now and we're discussing it. We have to look at the whole when you're dealing with the EMS, and if they're out on a call, it's not, when Commissioner Norton says, what area is this going in, it's going in the whole county."

**Commissioner Parks** continued, "But, I guess Mr. Lamkey could probably explain it a little bit better than I can, but when that ambulance is out somewhere, then the other ambulance has to be called from another area to come in and cover that area, so it's kind of a round robin thing that it maybe that it affects the people in my district, I could see that helping the west station helping the people in my district have an ambulance available more of the time, just in a nutshell."

**Chairman Peterjohn** said, "Well the question I'd like to bring up, and just for the record, Mr. Bob Lamkey, Director of Public Safety was up there a minute ago, just get you on there. I noticed, and one of the reasons, the question I had was I noticed we had a significant increase in the revenues, almost 11 percent projected next year for charge for service, and I was curious of the \$459,000 for the additional ambulance crew, how much of that would be property tax funded versus coming in from either charge for service as an alternative to property tax? If we have that broken out at all."

**Mr. Miller** said, "If I could, Commissioner, one of the reasons we increased the charges for service is with the new crew and with the new calls coming on-line with the west hospital, we expected to collect about \$290,000 in additional revenues as a result of that increase in the call volume."

**Chairman Peterjohn** said, "In charges, so the property tax portion of that \$460,000 would be about

## Regular Meeting, August 11, 2010

\$170,000?”

**Mr. Miller** said, “Roughly, yes.”

**Chairman Peterjohn** said, “Okay. Thank you. Commissioner Norton, back to...”

**Commissioner Norton** said, “Well, I guess the, I mean, part of the question is, I've heard the word hiring freeze and this is four new people. So, you know, if you have that conversation, where do you use hiring freezes? And say I'm supportive of this and was before, but if you start talking about hiring freeze, is that in the hiring freeze or not in the hiring freeze?”

**Mr. Buchanan** said, “We're not using the term hiring freeze. We're using the term we're reviewing requests to fill positions. And we have exempted, the current policy, we believe, the current operating procedures, we have exempted EMS, we've exempted the fire, we've exempted the Sheriff, and Corrections, 911, those 24 hour operations. We've also exempted the elected officials, because once their budget's created, we cannot really affect their decision-making process. They get to affect that. So we are reviewing, in some cases we've delayed hirings for months, and we continue to do that.”

**Commissioner Norton** said, “That's okay. I bring it up because we're talking about everything across the board, and that's \$460,000 we're getting ready to spend that's additional, what's never ever been in a budget, so is it on the table or not? I happen to believe public safety is something you don't want to play with, but there's \$460,000 we could vote to not do and save pretty quickly. I'm ready to move on. Page 403, Dave. Stormwater drainage in 2009 was \$6,600,000...”

**Mr. Miller** said, “Yes, sir.”

**Commissioner Norton** said, “...last year it was 33. This year it's \$2.2 million, almost \$2.3 [million]. To me, that flies in the face of one of my core values, which is drainage that's getting to be a problem in our community. It used to be just my district that had the problem, but I think most of the Commissioners would say, maybe other than Commissioner Unruh, that they've all got some significant future problems on drainage, yet we're putting less money into stormwater management, drainage projects, and this may be one of those places where I think we need to take a hard look at funneling some money into and remove some of these projects forward as opposed to pushing them back in the out years. So just a thought process as I analyzed it, I don't know that you need to comment on it, but that's a huge pushback in an area where we continue to have citizens that are affected, and I know it may not get any better this fall if we have a rainy fall. Page 462.”

## Regular Meeting, August 11, 2010

**Mr. Miller** said, "Sorry, almost there."

**Commissioner Norton** said, "No, that's fine. We've had significant growth from 2009 to 2010 on SCOAP (Sedgwick County Offender Assessment Program) and crisis intervention, but we're almost flat going into next year. Do we not anticipate with all the problems that we've identified with mental health in our jail, mental health in the homeless community, mental health from people struggling from the economy, that we're not going to need more service there as opposed to less?"

**Mr. Miller** said, "SCOAP, or the Sedgwick County Offender Assessment Program, as Commissioner Welshimer has certainly communicated, is one of our premiere adult alternative programs to the jail. One of the reasons the budget is flat is primarily related to a realignment on their contractual expenditures. What you see in 2008 was actual expenses of about \$228,000 and the budget is based on, for '11, based on an expense of about \$232,000. One place in this budget where do you see increases, though, is in the personnel costs. As this program ratchets up, as more and more of the personnel are being utilized full-time, we expect those personnel costs to be increasing, but we don't expect large increases in the contractual costs."

**Commissioner Norton** said, "Well, personnel is what drives this; it's the communication of a caseworker and a person to the offender or the person who has the issue, so I suspect maybe that growth is still not good enough to cover what we're trying to do in the jail and out in the community. But it's just a place I thought we needed to have some discussion because I think it's important, and as we continue to talk about jail programs, SCOAP has done a pretty good job and it probably does need to be expanded, and the expansion is people. It's probably not going to be commodities or contractals."

**Chairman Peterjohn** said, "Well, Commissioner Norton, if I can jump in here, on that page, because that is a good point and it's a program I support and continue to support, but I disagree with the assessment I've heard here. We're looking at a budget proposed for next year of \$1,457,000. And in 2009, our actual was \$1,061,000. So this program has grown, it's grown since I joined the Commission, and that's an increase of over 37 percent over the two years, so I'll grant you year to year, from 2010, both the adopted and revised, you're right, it is pretty flat, a little over \$20,000 increase. But if you go back and look at the expansion that we did, you know, there was a bigger increase, so I think that's something that needs to be kept in mind, too."

**Commissioner Parks** said, "Could I add [inaudible]."

**Chairman Peterjohn** said, "Yeah, go ahead."

## Regular Meeting, August 11, 2010

**Commissioner Parks** said, “On SCOAP, I think you’ll find that the CIT (Crisis Intervention Teams) teams are better trained and more efficient. As this program goes along, I think that that will make the efficiency of that program, and if somebody wants to disagree with me, they can, but I think you’ll see a better efficiencies with SCOAP due to the entry level people coming in, or the people coming in to see that, through the CIT training.”

**Chairman Peterjohn** said, “I’d throw out a small quibble in the sense that I am concerned that the charge for service portion does seem to be down a bit, and although it’s by a relatively small amount, but hopefully that’s going to continue to be a significant revenue source showing the participation from the folks who are using the program. Anyone else want to comment on that page? Commissioner Unruh.”

**Commissioner Unruh** said, “I would just say that as SCOAP has been initiated and gone through its initial stages, as it’s matured as a program, that accounts for a substantial part of that growth from 2009 to now, because it was just getting started, and we were beginning to staff it fully, and see how successful and how we wanted to invest in that program, so that accounts for some of that. We are now, you know, getting close to the capacity of our physical resources, and so we may, in the future, may have to consider increasing that budget, but I don’t think that the budget we have here indicates any uncontrolled growth. It’s a natural progress of the success of the program.”

**Chairman Peterjohn** said, “Any other comments concerning SCOAP and that part of COMCARE? I’m going to turn it back to Commissioner Norton. He’s on a roll.”

**Commissioner Norton** said, “Okay. Page 573. I know we’ve got, at Lake Afton, we’ve got some capital projects and everything, but I’m looking at personnel from 2009 to 2011. And even over the revised last year we’re at \$343,000. Where is the growth in personnel? Because it doesn’t look like there’s particularly more FTEs (full-time equivalents).”

**Mr. Miller** said, “It’s not in personnel, Commissioner...”

**Commissioner Norton** said, “Okay.”

**Mr. Miller** said, “...in the sense of actual positions. There’s a couple of things that we did in this

## Regular Meeting, August 11, 2010

budget. The first thing was that we lowered the salary savings calculation. The idea that they won't be utilizing the positions 100 percent of the time. That was a reduction from last year from \$29,000 to \$18,000. Their overtime has been realigned based on what their actual expenditures have been from \$1,000 to \$6,000. Then we had one employee that switched from single coverage to family coverage, and that was an increase in the budget of about \$5,000. Those all sound like very small amounts, but the personnel budget for Lake Afton is also fairly small, and so those small adjustments accumulate to kind of a large percentage change, if you will."

**Commissioner Norton** said, "Okay. There's a significant increase in the personnel line from 2011 from 2009..."

**Mr. Miller** said, "Right."

**Commissioner Norton** said, "...did we add people at some point in there?"

**Mr. Miller** said, "No. I think what part of it is, is Lake Afton is very effective at using their part-time positions during the summer when they need them and they don't fill them in the winter when they don't need them. So it usually causes a fairly large variance in the budgeted costs in comparison to their actual experience of utilizing those part-time positions. I think one opportunity for the Commission today is that they could increase the salary savings calculation to essentially kind of draw down that personnel budget a little bit if you chose to do so, and kind of align it a little bit better with the actual, but to Lake Afton's credit, they do an exceptional job of managing those part-time positions."

**Commissioner Norton** said, "It just looked like an anomaly to me and I wanted..."

**Mr. Miller** said, "Yes, sir."

**Commissioner Norton** said, "...a little explanation on it. Okay. That's really..."

**Chairman Peterjohn** said, "Did anyone else have a comment on that? Proceed."

**Commissioner Norton** said, "Okay. That's really all I've got going through the book today. I do have some comments. Mental health, I'm supportive of keeping the money in there to do something with mental health. Truthfully, I've been on the record that I'm okay with the mental health pod that's been suggested by the Sheriff, but there may be some other alternatives. I know Commissioner Welshimer's thinking may be differently about that, or strategically about that, but I

## Regular Meeting, August 11, 2010

think we should keep that money in there because we're going to have to do something. So I'm okay with that. I'm okay with the money for the Child Advocacy Center. In fact, if it were me, we would put more money in there and move that along quicker as opposed to slower in our community. I think it's time has come, and we should be supportive of that and move forward. I think we should relook at drainage and drainage projects because I think they're going to have a profound negative effect on large segments of our community in the next couple of years. And we need to get ahead of the curve on fixing some of that, so I'm willing to be talking about that. EMS, I say we move forward on that, although if we're looking for savings, there's \$460,000, if we move it a year that we could carve out of the budget. And it is, you know, if we're talking about personnel, it is more increase in personnel than it is on contractuals. I think we're going to have to move forward on the radio purchase and the time is getting short, so we have to do it, we have to pull the trigger sometime. And even in a bad economic year, as bad as we hate it and as distasteful as it is, we have to take care of that."

**Commissioner Norton** continued, "The next thing I put down was the bonding question. I think we'd all like to pay cash, but there is a mechanism with good financial management that some bonding and not exceeding your limits, not pushing the envelope, not over-bonding, it makes good physical sense because there's some large things that you could deplete your whole cash reserve in one year if you try to do it in cash. A good example would be the radio purchase. I mean, it's just going to be almost impossible, unless the state gives us \$22 million to do it, that we're going to be able to afford to do it in cash. So bonding is okay as long as our financial folks keep an eye on it and we keep it under our limits. I think our credit rating talks to the use of bonding and why we've done a pretty good job, why we have the high rating we do is a lot because of our debt load. So I think we've been pretty prudent with that. We haven't exceeded it. We haven't gone out of the parameters that keep us a good bond rating. So I think that's important.

"The spillway issue, we've canceled that project year after year after year, or moved it to another year, so I'm okay with moving it another year. I guess one issue I have is that even though it's in your district, Mr. Chair, I consider Lake Afton my constituents' property too. It is a countywide thing and we all need to be thinking about how important that project is or how unimportant it is. So I'm okay with, if the price tag, moving it for a year, but we all know that we can put it off for so long and then eventually we're going to have to do it. And I would hate to think that it washes out and somebody gets swept away in an event out there because we didn't fix the spillway. So I want to be sure that we take that in consideration.

"On fleet purchase, truthfully, I'm okay with taking the contingency down from \$1.5 million to \$1

## Regular Meeting, August 11, 2010

million, still gives us a little money in there, a little wiggle room and saves us a half million dollars, so I don't have a problem with that. Before I would want to change the whole fleet policy, I'd rather keep it in place and challenge Kevin quickly, before we adjourn today, to come up with a new number of exactly the vehicles that he thinks he has to have with the department heads, and what that number is and what the savings could be. I think that's a more prudent way to do business. And then finally, on the salary pool, I'm okay with going down to two percent, but I don't want to go further than that on employees' salaries. You know, part of the reason that Sedgwick County runs so well, and we've had savings and we've had fund balances, it's not just because of the five people that sit up here, it's because of a lot of dedicated employees that work pretty hard to make their budgets work, to deliver services, even in tough times, and to keep an eye on their budgets. And I'm afraid that if we push it back too far that we'll start to have compression in our salary bases and you end up paying for that later. So a small pool, and I call it a pool, I don't think it's a guarantee that we'll give that to every employee. I think it's a pool of money that we have in our hands later in the year to describe what that's going to look like. And that will keep us on pay for performance, which I believe in, and I don't have a problem with that.”

“I don't have a problem with continuing to freeze the Commission's salaries. I think that's prudent and sends a message. I would advocate for a one percent pool for those that are at \$75,000 and above. And I could go along with the freeze again. But I think there's a...you get into that problem that you're going to start having compression of salaries, and if you look at the free market value of that, when I was with Target and I've observed that over the years, eventually you pay for that. Because when you have to hire new people, you're going to pay very large salaries to get them because you've compressed the salaries for so long. So I think we need to have discussion about that, but I'm a little more maybe liberal on that than my colleagues. But I think it's prudent to have that conversation right now to talk about salaries and how we move forward. So that was my last item. Thanks for indulging me.”

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

**Commissioner Unruh** said, “Thank you, Mr. Chairman. Well I want to give my perspective on this. I won't repeat much of what's been said. You know, I don't know if I'll change anybody's mind on the one hand and it doesn't need to be repeated on the other. But in general, I would say that I have been supportive of the Manager's recommended budget for several reasons. One of which is the adjustments had to have been made already this year and some adjustments have been made going into next year to try to control our spending. I understand what has been done and I think that those are the right decisions. It seems to me that as we consider the budget, every question that I have had of any of the staff members has been substantial, and had reason and logic behind it, and the answers that I've heard from questions by the other Commissioners have all had, I think, substantial and reasonable analysis to them and rationale as to why we've arrived at the place that

## Regular Meeting, August 11, 2010

we have.

“I would want to just point out the fact that in 2011, we will be collecting less mill levy money than we did in 2010, and we collected less in 2010 than we did in 2009, and I believe that 2009 is essentially flat with 2008. So I think that we've been working within our resources, which I believe, what the citizens of Sedgwick County want us to do. In all tax supported funds, in the document we have in our budget, shows that we will receive less revenue in all tax supported funds than we did in the year 2007. And I think this needs to be said as the public's listening to our discussion, so that they'll realize that we are living within our means and we've made adjustments both this year, proposed adjustments next year to accomplish that goal of living within our means.”

**Commissioner Unruh** continued, “So in general, I'm supportive of the Manager's budget with one exception and it was one of the last things that Commissioner Norton talked about, and that is the compensation pool, or the compensation contingency. I think that should be established at a two percent level rather than a four percent for a variety of reasons. One obviously is the savings that's incurred for our budget. But I think we need to establish some pool to at least make an attempt to keep our employees level with some of the other benefit costs you're going to incur. The 5.8 or 9 percent, whatever number it is for healthcare benefit that the county's experiencing, each individual person who is in the plan also incurs an increase, is that right or am I wrong?”

**Mr. Miller** said, “That's correct.”

**Commissioner Unruh** said, “And it's approximately 5, 6 or 7 percent?”

**Mr. Miller** said, “Yes.”

**Commissioner Unruh** said, “And at the same time, deductibles for some of the prescription drugs are going up. Many people, especially people in my age category, seem to take more pills and so that is an increased annual expense for us. So I think if we're going to increase the cost of those benefits, at the same time, we need to kind of keep that level with a salary adjustment. And I believe that if we're going to do that, that two percent intendancy for salary that we can decide later on should be for all our employees without exception. I do think it's appropriate for us County Commissioners to exempt ourselves from it. I'm in favor of that. And if other electeds want to, that's up to them, but for everyone else, as a matter of equity, I believe the two percent should be,

## Regular Meeting, August 11, 2010

that pool, should include all our employees. So I'm going to be trying to advance that and be supportive of that salary pool of two percent.

“As far as the issue with the fleet, I know that since I've been here, we've been trying to go according to our plan. But that plan, I think, had the net result of leaving our Public Works Department with some outmoded and overused equipment, so I'm supportive of bringing that back up to speed and that's included in the plan. I'm also supportive of including in our budget public safety contingencies so that if we decide we can include a mental health pod, if that's what all study and research indicates we should do as we go forward, and now I'm getting, starting to do what I said I wasn't going to do is repeat everybody else's words, but I'm supportive, I think we've done a good job of living within our means. I think that I'm supportive of the Manager's budget with the exception of a two percent salary pool.”

“And then one other thing I would say, it's been touched on, however, is that on the issue of roads, yesterday in the discussion and mentioned several times today, is about our bonded indebtedness. I think we've done a good job of maintaining a high bond rating. And I don't know that we need to have a tutorial here by Mr. Chronis, but we have a half a dozen internal limits that regulate that bonded indebtedness policy, and so we're measuring what we do with that as a tool to manage our finances and what we're doing in Sedgwick County each time we put out for bond. They're measured against these internal. And a few years ago, we actually did not bond the \$4 million for Public Works because we thought we were going to exceed our internal limits. So I wouldn't want the public or anyone else to come to the conclusion that, well those Commissioners are just borrowing money like crazy and letting it get out of control, because that simply is not the case. So anyway, I think that's my remarks and I hope I've been clear on where I stand on this budget consideration.”

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

**Commissioner Welshimer** said, “I'm searching through here, what did we allow for a Commissioners' contingency fund?”

**Mr. Miller** said, “If I recall, Commissioners, it is \$250,000, but let me verify that, please.”

**Chairman Peterjohn** said, “David, what page? Help us out...”

**Mr. Miller** said, “It would be page 150 within the summary by program. It was established at the same level as last year of \$200,000. I spoke incorrectly.”

## Regular Meeting, August 11, 2010

**Commissioner Welshimer** said, "How much of that did we use?"

**Mr. Miller** said, "So far this year, it looks like we've used about \$50,000."

**Commissioner Welshimer** said, "We had a group in here that they were a multiple sclerosis group, they provide a lot of jobs. Did we include them in this? Did we create any more money for them?"

**Mr. Miller** said, "Not within the recommended budget. Their presentation was during one of the budget hearings."

**Commissioner Welshimer** said, "What did they ask for, do you know?"

**Mr. Miller** said, "I don't believe they requested a specific dollar amount. I believe what was reduced out of last year's budget for them, and hopefully someone will correct me if I quote this incorrectly, but I believe it was \$60,000."

**Commissioner Welshimer** said, "They asked for \$60,000?"

**Mr. Miller** said, "\$60,206, I stand corrected."

**Commissioner Welshimer** said, "Okay. And that's not in this budget?"

**Mr. Miller** said, "Not in the recommended, no, ma'am."

**Commissioner Welshimer** said, "Well, they train people and put them into over 300 jobs. I was quite impressed with their program. I think the more we invest in them, the more jobs they're going to provide to people that ordinarily wouldn't have that opportunity. I'd like to see that put back in the budget. What they've requested, \$60,000 then plus."

**Commissioner Parks** said, "Can I segue off of that? Don't we have a pretty healthy balance in this year's fund for that? And I don't know that they were really requesting that for next year, instead of a more of immediate need or their center industries program and..."

**Ms. Deborah Donaldson**, Director, Human Services, greeted the Commissioners and said, "This is part of a physical disabilities fund. They were never directly funded. They have to apply for the funds like everyone else for physical disabilities, and so they are awarded funds based on, you

## Regular Meeting, August 11, 2010

know, their performance, the needs of the community. So we don't have a line item that says this particular organization gets this amount. They have to apply and justify those funds and a committee reviews and recommends those. There were fewer funds in that pool of funds. And some groups were not funded at all. And most groups lost some funds. I think one group was fully funded. And so that's how that works. That isn't anything that's allocated specifically to them."

**Mr. Buchanan** said, "The funds are allocated to the Physical [and Developmental] Disability Advisory Board, and the advisory board is the ones who come with recommendations of how that should be spent. And it was their recommendation that this group not be funded."

**Commissioner Norton** said, "Is that property tax funds or grant and state flow through funds?"

**Ms. Donaldson** said, "It's all state funds. I mean, I'm sorry. It's all county mill levy funds. I'm sorry. So it's 100 percent mill levy."

**Commissioner Parks** said, "I guess..."

**Commissioner Welshimer** said, "So there's not anything we can do at this point?"

**Commissioner Norton** said, "You can raise the mill levy funds."

**Mr. Buchanan** said, "If you want to allocate money to this group, you can do that; that flies outside of the policy that was established to let the advisory board make those decisions on your behalf."

**Commissioner Welshimer** said, "Okay. Alright. Thank you. The \$20,000 unpaid property tax bills, what does that amount to in dollars?"

**Mr. Miller** said, "I don't know, Commissioner. That information was not put together by my office."

**Chairman Peterjohn** said, "Commissioner Welshimer, if I could jump in and segue off that. Didn't we include in the budget, and I had some discussions with staff that because of the fact we've had increased delinquencies on property tax, wasn't there a factor put in reflecting the fact that we had a contingency for that? And if you could review that for us, Mr. Miller, I'd sure appreciate it."

**Mr. Miller** said, "Yes, Chairman."

**Chairman Peterjohn** said, "It might help us in this discussion."

**Mr. Miller** said, "Each year when you adopt the budget, you adopt a property tax levy. However,

## **Regular Meeting, August 11, 2010**

we know that not everyone is capable or does pay their taxes, so we never collect that full property tax levy in any given year. So we budget for a delinquency, if you will. Last year, we budgeted in the county's budget a four percent delinquency in the Fire District, a four percent delinquency. As you've seen in the past, you know, collections of property taxes are a little bit slower than what they have been in the past. So for the 2011 budget, we've increased that calculated delinquency from four percent to five percent for the county budget. So we have tried to address the fact that delinquencies are a little bit higher than what they have been in the past.”

**Commissioner Welshimer** said, “To this extent?”

**Mr. Miller** said, “Yes, ma'am.”

**Commissioner Welshimer** said, “Okay. Well, I'm in favor of the mill levy rollback. Half a mill would be \$2 million?”

**Mr. Miller** said, “Yes, ma'am.”

**Commissioner Welshimer** said, “And a two percent raise would be \$3 million. The four percent raise would be \$6 million. I certainly would like to see the mill levy roll back and I think I could go along with either the two percent or the one percent raise, and put that into a contingency until November. Okay.”

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

**Commissioner Parks** said, “Since we're at the high noon hour, I have about probably 20 minutes worth of things, and I don't know that other Commissioners have any more things also, but we've also asked, there's been three different occasions when the Treasurer's Office has, we've requested questions from them. Maybe we could get them after lunch if we're going to break. I don't know.”

**Chairman Peterjohn** said, “Is there a consensus to recess for lunch?”

**Mr. Buchanan** said, “If I may interrupt for one moment, and I've always...”

**Chairman Peterjohn** said, “Any suggestions are welcome, Mr. Manager.”

**Mr. Buchanan** said, “...I always like to eat lunch, and I haven't missed a meal, as you can tell. We're on television until 1:00 p.m., and then we're off on taping, so...”

## Regular Meeting, August 11, 2010

**Commissioner Parks** said, "Okay."

**Mr. Buchanan** said, "...if that factors into your decision, fine. If not, that's fine too."

**Chairman Peterjohn** said, "I think that's a good point. Is there any...my desire would be to prod through until 1:00, especially since we've got on the air, but whatever my colleagues want to do."

**Commissioner Norton** said, "I would suggest a five minute break, come back and go to 1:00 p.m."

**Commissioner Parks** said, "Yeah."

**Chairman Peterjohn** said, "Seeing no objection, so ordered. We'll be back at 12:15 p.m."

**The Board of County Commissioners recessed at 12:12 p.m. and returned at 12:20 p.m.**

**Chairman Peterjohn** said, "I call this meeting back to order from recess. And we were discussing the budget and budget related issues. Appreciate everyone's patience and for the viewing audience out there, we're going to continue to 1:00 p.m., at least, so, for the kids out there, sorry. You're going to have the County Commission until 1:00 p.m. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chairman. I would just like to make a motion that we approve the Manager's recommended budget with the exception of the salary compensation pool and that we reduce that to two percent rather than the recommended four percent, and that we ask our Budget Director to come back with the appropriate official motion. And I'd like to make that motion."

**Chairman Peterjohn** said, "Would you like to include, before we get too far, and we have a second, would you like to clarify, for at least this Commissioner, how you would handle the pay for Commissioners and other elected officials in your motion?"

**Commissioner Unruh** said, "I can make it official and I can include it in the motion that Commissioners exempt themselves from the salary increase and that the other elected officials, it would be to their discretion if they wanted to do so. I don't know how to make that in a brief motion, but that's my intent. But that the salary pool be available, as we discuss it in 90 days or so, that we can then make the determination how we're going to administrate that, but it would be for all employees."

**Chairman Peterjohn** said, "And it would be a 29.868 mills?"

**Commissioner Unruh** said, "I will let the..."

## Regular Meeting, August 11, 2010

**Chairman Peterjohn** said, "It is recommended..."

**Commissioner Unruh** said, "...mill reduction be calculated by Mr. Miller, because I don't..."

**Chairman Peterjohn** said, "Oh, it would include the mill reduction or not include the mill reduction?"

**Commissioner Unruh** said, "If we reduce the Manager's budget by two percent, as near as I can tell by the conversation, that's about \$2.2 million, so whatever that translates into in mill levy equivalency, that's the amount we would reduce the budget, which would probably be, I don't know, somewhere around four-tenths of a mill I suppose. I don't know. I'll let him calculate that. That would be my, if you can filter my motion out from that."

**Chairman Peterjohn** said, "Well I'm just trying to make sure we've clarity because then I'm going to ask our other Commissioners for a second and then see where we go for discussion purposes if we have one. Is there a..."

**Commissioner Welshimer** said, "I have a question on that."

**Chairman Peterjohn** said, "Oh, if you'd like to ask a question before we get to that point..."

**Commissioner Welshimer** said, "So are you suggesting the half mill rollback?"

**Commissioner Unruh** said, "I'm suggesting we reduce the Manager's recommended budget from a four percent salary compensation pool to a two percent compensation pool, that Commissioners exempt themselves from any pay increase and that whatever that two percent reduction from the Manager's recommended budget amounts to in mill levy equivalency, then that's what would be established as our mill levy. As I say, just doing this in my head, that's close to..."

**Commissioner Welshimer** said, "Okay. I think that would be more than..."

**Commissioner Unruh** said, "...four-tenths of a mill."

**Commissioner Welshimer** said, "...a half a mill."

## Regular Meeting, August 11, 2010

**Mr. Buchanan** said, "If the motion, excuse me, if the motion passes, we will do the calculations and be back to you in 10 minutes."

**Commissioner Unruh** said, "And I would suggest, Mr. Manager, that then if there's something different in the official motion, then the Commissioners could do something about that. I just think I would like to make that motion."

**Chairman Peterjohn** said, "And if everyone has a clear, full clarity of Commissioner Unruh's motion, I'm going to turn around and say is there a second?"

**Commissioner Norton** said, "I will second that so that we can get the calculation and then if it doesn't quite fit everybody, then we'll deal with it again. Because, as long as we haven't adjourned, we can continue to make another motion. But I think that's agreeable with me. Two places I'm still, have a little bit of angst is the drainage project. I'd like to see a little money put in there. And I don't have a problem with reducing the fleet contingency a little bit. I know the fleet has been an issue for some, and if we take a little money out of there, that would be okay with me. So if we play around with the numbers a little bit, that's okay. But I'll second Commissioner Unruh's motion so we can move forward."

### MOTION

Commissioner Unruh moved to reduce the Manager's recommended budget from a four percent salary compensation pool to a two percent compensation pool, that Commissioners exempt themselves from any pay increase and that whatever that two percent reduction from the Manager's recommended budget amounts to in mill levy equivalency (0.555 mills), then establish that as the mill levy.

Commissioner Norton seconded the motion.

**Commissioner Welshimer** said, "I have another question, too."

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

**Commissioner Welshimer** said, "Do you, is your motion to put all of this into the contingency so that we address both, and both the mill levy reduction and the salary increase reduction in November..."

**Mr. Buchanan** said, "No."

## Regular Meeting, August 11, 2010

**Commissioner Welshimer** said, "...or not?"

**Commissioner Unruh** said, "No..."

**Mr. Buchanan** said, "No."

**Commissioner Unruh** said, "...whatever the calculation of the mill levy reduction is, that would be set by today's activities. The money that...the two percent compensation pool, we talk about that in November to see if we want to do it and how we want that administered. But the reduction of the mill levy from that two percent reduction is just a mathematical number that we can come up with here in a few minutes, and you can see what that mill levy will be."

**Chairman Peterjohn** said, "Well, we've got a motion and we've got a second. I'd like to proceed with some more discussion on not only the motion, but also some of the underlying budgets. And Commissioner Norton was kind enough to pick several items that were out of my question list of things, but I had one that I was particularly interested in. I've been following our population in the jail and the budgeted...my understanding our projected budget for out-of-county housing is just a shade under, well, it's right \$3,450,000 projected for next year. The number we've got projected for this year, for this year is 290. That's interestingly enough, the exact population we have in the jail today, but it's a good deal. I think this is one of the few times today that we've actually reached that. My thinking is that we may actually have a more larger number in here than I think is necessary and I was interested in how it was calculated and if we'd have the, if it might make sense to reduce that out-of-county housing number a little bit. So if Mr. Miller wouldn't mind taking a swat at that question, I'd sure appreciate it."

**Mr. Miller** said, "Sure, Chairman. Like any budget, it is based on an estimate of what we expect our operations to be, so the out-of-county housing budget that you see for 2011, which has been estimated by the Budget Office at \$3.5 million is an estimate. Certainly, our actual result can differ from that, and most likely definitely will differ from that. What we did for the calculation was that we track the average daily population out-of-county housing each month and we track the actual cost of out-of-county housing each month. And so we did a cumulative comparison between what our experience has been so far this year to July of 2010 and looked at the trends in the past. What we came up with was that for 2010 we estimated that we would have an average daily population in out-of-county housing for the entire year of about 290. That's a reduction from the actual average daily population in 2009 which was 357. And cost wise, that correlates to actual expenditures of about \$3.1 million. Last year we spent \$3.9 million. From there, then we try to look at what the

## Regular Meeting, August 11, 2010

historical trends are to create our calculation for 2011, knowing that the population is traditionally a little bit lower after Christmas, it grows a little bit during the summer and spring, and then it falls off again a little bit in the fall. What we came up with within that calculation was an average daily population for 2011 of 315 individuals each day, which correlated to a cost of \$3.4 million.”

“Again, it is certainly subject to interpretation, and if the Commission chose, you certainly could lower the budget for out-of-county housing. The only caveat that I might add is because it is an estimate, if additional funds are required in 2011 to meet the Sheriff’s needs, if the population should grow faster than what we think it will, or whatever changes we might need, we may need to do like we did in 2009 and allocate additional funds from the public safety contingency to out-of-county housing in order to meet those population needs. But that would certainly be a deliberation for the Commission to make at that time.”

**Chairman Peterjohn** said, “Well the reason I mention it was on page 150 of the budget, the public safety contingency was at the same level as what we adopted last year. The figure has been revised slightly, but it's still at that high a level. And I very much...we've got the contingencies and when you look at...if you'd said in 2008, and we've been looking here and you said, okay, in 2008 you have 241 people, or you're on track to have...if you look at the first six months, we averaged between 200 and 200 and I think the highest was in the 220s, and then said, okay, you know, we're going to have an increase of basically almost 75 percent for the next year and that's what happened in 2009. With the effort that was made here, we did have that number roll back so that it dropped down, on average, 67 people, at least for the projection for 2010, for the first seven months, and the projection for the five months that are remaining, if those numbers hold, we're down 67. We're projecting an increase of about 25. I think with the contingency funds, if we had that, this might be an area where there might be some other room in latitude where we have some budget space.

“In this Commissioner's opinion and I bring it up from my colleagues, because I'm going to segue off this on to the idea of whether our fellow elected officials, whose salaries are in our hands, whether we should just say, okay, as County Commissioners, we should freeze our salaries, or continue the freeze like we put in place with them last year, or give them the option of whether they want to take the two percent or not. One of the powers that the Commission has as a board is the power of the purse; it's probably our primary, our most important power. And when it comes to other salaries, we've got a lot of people in this community who are hurting and hurting badly. The unemployment numbers, while we are better than the national average, unemployment for our community is much higher than the state average. And I really think, and I'd be much more comfortable with and more sympathetic to a motion that included all the elected officials, and I,

## Regular Meeting, August 11, 2010

frankly, think for the higher paid county employees, I'd be willing to look at modifying it if we had a good way of maybe saying management, elected officials and management personnel versus non-management. That would be something that might make sense or continuing the freeze that we had last year.”

**Chairman Peterjohn** continued, “I find myself in agreement with Commissioner Norton’s comments on the, in terms of how we manage salary increases. I think that's how it's handled generally in the private sector, and moving us in that direction works out if we were in a situation where we had real growth in the tax levies and we had more leeway. I am uncomfortable with the notion of a two percent across the board, having that contingency available to use depending upon the economy. It would be nice if the economy does improves, but unfortunately it hasn't, but I think the prospects that it will...the news I heard this morning were increasingly grim, particularly from the Federal Reserve Board meeting that occurred yesterday and the comments from Chairman Bernanke about how the recovery, such as it was, the recovery summer that's been referred to, is losing steam, according to the Federal Reserve officials who end up watching the economic data an awful lot more closely than any of us can do up here. So my thoughts on the motion are tied to that.

“I'd also like to comment a little bit on some of the comments concerning drainage issues, that we do have problems with it. I've got some problems in my district. The reason we've got a drop in that this year is primarily because we've put a lot of money in past years in this concerning the floodway and the \$5 million that's been put in in the last two years, there is an appropriation for that in 2011. Our Public Works Department, I think those folks there do a, the drainage group there do a yeoman's service on behalf of us Commissioners and constituents who are in areas where we've got some drainage problems, and that's going to be an ongoing concern for the future. But I think we're looking at the 2011 budget and we've got constituents out there that need, even if it's a modest form of property tax relief, anything we can do as an improvement, and if we're looking at trying to, not only retain business but also attract business, we'd put out and saying, hey, in Sedgwick County, the mill levy's going down, that sends a signal where on you've got the recession bear chasing all of the communities around the country. And we don't have to outrun the bear; we just have to outrun these other communities. And I'm strongly wanting to make sure that we move in that direction.

“In terms of taking some contingency money out of Fleet Management versus actually going through items line by line, I have no problems with that. I think \$1.5 million's a bit rich for the contingency there, but where we are on this, I'm willing to be flexible, in terms of addressing that. And Commissioner Unruh didn't mention that in his motion, so I have some concerns and that, I think, may play a role in influencing my vote on his motion. On the bonding, I would hasten to point out that we've got major expenditures that come up every few years, and probably the largest

## Regular Meeting, August 11, 2010

one with the [National Center for] Aviation Training center; NCAT and with WATC (Wichita Area Technical College), we've got a huge amount that was bonded there. And that's on top of; we've had other significant bonded proposals. And some of that occurred before I joined this Commission, at least the NCAT side of it did. And Exploration Place was bonded. Our juvenile facilities were bonded."

"We've got in the budget book a whole list here, and I haven't memorized it, but it is a useful tool, it is a valuable tool, but is it a tool, that like any other tool it can be abused and if it is abused, it can do significant damage. And so it's one that has to be used very carefully. And I bring it up because if we're in a position to cash fund some absolutely necessary projects, we can. But if we're in a position to make sure that our community is going to be able to move ahead, and become more competitive and step up to the next level, I think we need to take some action to provide some incentive, incentivize our private sector and say, hey, we not only appreciate what you've been doing in the past, but we want you to try and strengthen you a little bit in the future. And I'm sorry. I've got two lights up here and I'm not sure who turned them on first. Commissioner Parks."

**Commissioner Parks** said, "Well I don't have any discussion about the motion, but I can't support the motion without telling what I was going to go through, so I'll try to, I guess it's kind of a awkward procedure, but fleet, we're the ones that wanted the fleet schedule changed. We're the ones that told Kevin, and the Public Works, and the Sheriff and everybody to get together and do that. So I think that's something that, that needs to stay in place. The drainage issue was a good example of that. If they don't have a badger to go down and clean out the bridge, you're going to get your feet wet. I did want the Manager, if I could have him just reiterate what he said about exempted 24 hour positions for the hiring freeze, and that's a bad word, I know, the hiring freeze. It's for the hiring, re-hire, replace situation. So if, Mr. Buchanan, if you could just repeat what you said about the re-hire, replace policy that you plan to implement."

**Mr. Buchanan** said, "We have been doing this for a month or so. Every position that becomes vacant is reviewed by a committee that recommends either holding it up for a month, or two, or three or four, or recommending to me to fill that position. Now, we have exempted law enforcement, EMS, 911, and Corrections and the Sheriff's Deputies; the Sheriff's people in the jail; the 24 hour operations that really over time would increase significantly. We've also exempted the elected officials. A Supreme Court case indicated once you pass a budget for the elected officials, they pretty much can spend it anyway that they choose to, and so there would seem to be no point in going through that process with them. We've had some success, some people; we've delayed some hiring for several, a month or two. Another one is for three or four months. And so, although the savings aren't significant, it is a step in the right direction."

**Chairman Peterjohn** said, "Mr. Manager, could I clarify, out of the roughly 3,000 full-time county

## Regular Meeting, August 11, 2010

employees, my recollection is if you add up those public safety categories that you've got, excluding like Code Enforcement and building inspection type folks who are in the Public Safety Department, we're talking about roughly some between 1,600 and 1,700 of the 3,000 county employees would be in that ballpark roughly?"

**Mr. Buchanan** said, "I would guess about half, yes."

**Chairman Peterjohn** said, "About half? Okay. So the hiring provision we have in place is impacting about half of county positions..."

**Mr. Buchanan** said, "Right."

**Chairman Peterjohn** said, "...and if I could follow-up with that. We've got turnover, last year, I think about one out of five positions turned over in Sedgwick County last year. I believe personnel gave those numbers..."

**Mr. Buchanan** said, "Traditionally..."

**Chairman Peterjohn** said, "...does that sound about right?"

**Mr. Buchanan** said, "Traditionally it's been around 20 percent, a little less than 18, 19 percent, yes."

**Chairman Peterjohn** said, "Okay. I'm sorry, Commissioner Parks."

**Commissioner Parks** said, "Drainage problems, in talking with the several of my township elected officials, they, in looking at the mile of cold mix that we get every year, a couple of them had suggested maybe we have a second mowing of all county roads to help with the drainage. And I don't know that that is something that can be done with that that same money or not, but it is roadway. From right-of-way to right-of-way is called roadway, so I don't know about the legal ramifications of that and what that sales tax money can be used for. The CAC, Child Advocacy Center, is private. The name in itself gets me in trouble with the headlines. Parks is against children. I'm not against children. I'm for funding government-run investigative agencies; Sheriff's Department, the SRS coordination with that, with the center that we have for Exploited and Missing Children's Unit, I think that is the place for that money. However, that wouldn't change my vote on something. I'm not going to throw myself under the bus for that, but I do think that that needs to be monitored carefully and that the privatization, the private people out there making some of those decisions to charge people and take their liberty away is important in my estimation."

## Regular Meeting, August 11, 2010

“The mental health pod, we've discussed that a little bit. Before you know it, the state's going to have us holding convicted rapists and murderers, if we keep letting them push that down our throat. I don't want to see the jail become an insane asylum. The public safety, talking about bonding, the public safety center, the safety center near 29th and the interstate, is rolling along and my calculations that should be, that should fall off in about 2101, about 90 years. And just an overview, I heard from my constituents. I heard from one in particular that said he was calling from the Park City [Public] Library, or e-mailing me from the Park City Library because he no longer had e-mail service. He had been laid off by the state and he rode his bicycle to the Park City Library to e-mail me, to tell me that he doesn't have, isn't going to have a phone anymore. These are tough times and require tough decisions. And when the mean wage is \$46,000 for Sedgwick County, and for us to be not trying to cut the taxes for those people that are out of a job and get their tax statement next year, I think is not good policy.

“What I was thinking, along the lines of, since we did change the health insurance, was two percent for those people under \$75,000 and on percent over. That would be a compromise, in my light, of what I'd started out with, but did want to ask if somebody from the Treasurer's Office is here now? Ron, we've had several questions, Mr. Estes, excuse me, we've had several questions about who's paid their property tax and who hasn't, and we just wanted to make sure that we were in alignment with what some of the, I guess the news media's been saying something about that. And just wanted to have an overview of what's your assessment is and what we can expect percentage-wise, or dollar wise, in people that are going to foreclosure.”

**Mr. Ron Estes**, Treasurer, greeted the Commissioners and said, “Well, let's break that down into who's paid current year taxes and who is going to tax foreclosure, because there is a three-year waiting period. So what happens this year runs three years into the future, and so the people that are going to the tax foreclosure sales this summer are individuals who did not pay their taxes from at least three years ago, so those numbers are slightly a little bit different. In the newspaper article, over the weekend, there was a story and it focused primarily on current year taxpayers. The ones whose 2009 taxes were, the second half would have been due May 10th of this year, and the numbers for that are kind of send a little bit of a mixed message. Part of that is there was a little over a million dollars more unpaid, as of the end of June of this year, than compared to last year, in terms of the same time period last year; roughly in the \$23 million versus \$22 million a year ago. However, there were fewer number of parcels that were unpaid, so that the headline highlighted that there were 16,690 parcels that were unpaid. Last year there were over 17,000 parcels that were unpaid. So the conflicting message there is that there are fewer property owners that are unpaid

## Regular Meeting, August 11, 2010

even though the dollars are up, so the dollar value of those properties are a little bit higher than they were last year, in terms of the ones unpaid. So that's how it relates to current year taxes.”

**Mr. Estes** continued, “The other piece of the story, in relating to the tax foreclosure process is, this year we are having four tax foreclosure sales, there were two of them in July and there will be two of them in August. One of them is on the 16th of August and of them is on the 30th of August. This year was a little bit different than any of my five prior years where we had a tax foreclosure sale. We had a slightly larger number of parcels, and the predominant driver of that number was there were two large developments that were both going through the foreclosure process. So that increased the number of parcels, the parcel count, which is what we generally use to go through the tax sale and try to schedule that. One of those developments was sold in the first July sale, the properties in that. The other development, which was scheduled to go into the sales this month, has been redeemed. So the owner has worked out some arrangement to sell the property, and I'm not sure that I know all the details but that property has been redeemed, taxes have been paid and it's not, those properties are not going to sale.

“So those are the stories that we like to hear and we never really know until the morning of a tax sale how many properties are redeemed because some people, just through whatever reasons, either put it off, they have timing issues, they have other priorities or they're just waiting until the last minute to bring closure to that process. As I said, the number started a little bit higher, primarily because of those two large developments of undeveloped land. And so those numbers probably at the end of the year will end up slightly higher, in terms of the number of properties sold and the number of taxes that were related to those properties. I, personally, I mean, I don't like the tax foreclosure sale process because we never recover enough money to pay the taxes, and specials and interest on that, and therefore, the cities and the schools don't, and the county, don't collect the money that they have billed through that process. So we try to work with people and come up with ways to encourage them to sell, we try to work through when the fees go on and that to get them to pay their taxes before our sale process. So I kind of talked a little bit about both current and the tax foreclosure sale, from at least three years old property, I don't know if there's some other particular questions you wanted to ask.”

**Commissioner Parks** said, “Well, you used a figure a million dollars, was that just for the county's portion?”

**Mr. Estes** said, “That is the total...”

**Commissioner Parks** said, “That's the total.”

**Mr. Estes** said, “...unpaid dollar amount.”

## Regular Meeting, August 11, 2010

**Commissioner Parks** said, "So that includes all the, what, nine school districts and everything [inaudible]."

**Mr. Estes** said, "It actually, there's 20 school districts..."

**Commissioner Parks** said, "Twenty school..."

**Mr. Estes** said, "...that we collect taxes for. Most of them, you know, some of them are inside entirely but there's a lot that are on the edge of the border of the county, so for the 20 school districts and as well as the 20 cities in the county, and townships, and cemetery districts and everything else."

**Commissioner Parks** said, "So translating that into a total for the county, that could be relatively small amount?"

**Mr. Estes** said, "Well, it's, I always am cautious when I talk through these numbers because they change every day. Somebody could come in this morning and paid some taxes, and I know as of the end of the second quarter financial report that was prepared for you, the number that was talked about was focusing on nearly a million dollars for the county piece of that property tax, is what I believe I remember from that discussion. Now, something that's happened since then is that we've mailed out foreclosure letters to everybody and we've seen an increase in people who have paid their taxes, and we've also mailed out letters saying, okay, your property's now three years old, if you don't pay it, we're going to start the foreclosure process this September, which is when the three-year clock ends by statute. So there have been a rash of people starting to pay, which happens every year. This year is no exception to that. Also, starting Monday, we will be publishing once a week, for the next three weeks, the names of all the real estate property owners and the amount of taxes that are unpaid for last current year. We always see a flurry of activity of people coming in, oh, I forgot, I had my bill and I set it aside. And some of that happens because people are busy. Some of it happens sometimes because your mother, or your aunt, or whatever reads your name in the paper and calls you and tells you that you didn't pay your taxes. So those numbers change literally on a daily basis of how much is paid and how much that impacts maybe the county as well as the schools and the city."

## Regular Meeting, August 11, 2010

**Mr. Estes** continued, "I will, one general number is that we always see roughly 96.5 percent delinquency rate, as of the end of May, which is our traditional timeframe of when we prepare our Treasurer's annual report, primarily in preparation for the budget discussion for the Commissioners. And as the years go on, the next three years go on, that delinquency rate, or actually a paid rate of 96.5 percent increases. Because people do pay over time, over that three-year period before it does gets to tax foreclosure sale. This year the number was slightly a little bit lower, about 0.4 percent lower, in terms of the amount paid, which is why there's roughly, it wasn't a little over a million dollars. I believe it's now under a million dollars difference, in terms of this year versus last year, in terms of unpaid amounts."

**Commissioner Parks** said, "Well I thank you for explaining that, and certainly, I think that does have an impact on our budget. And I would hate to see it, November 1st comes up and we have to change the mill levy to adjust to those people that didn't pay their taxes. And that doesn't seem like that's going to be that large a number that that would impact that."

**Mr. Estes** said, "Well, and I think, as I mentioned before, it's an ongoing process. It kind of changes every day as people pay their taxes. Between now and November 1st, when the tax rolls actually officially set for this tax year, which is what drives next year's budget and the money available for next year's budget, I think a bigger impact on that will be the valuation across the county as opposed to what we may see in fluctuations between today and the 1st of November on payment amounts."

**Chairman Peterjohn** said, "Mr. Estes, I'd be delinquent if having you up here, and while we've got an audience, because I've had several constituents ask about the process for delinquent payments and their concerns about it. You're strictly operating under state law and state law sets the parameters and guidelines for your operation for all these properties, is that correct?"

**Mr. Estes** said, "Yes. There are particular state statutes which drive the timing on, obviously is the process you go through on the budget, but also on collections, and December 20th is the first half and May 10th is the second half. When we have to start that three-year clock, which is in September, it's on or after the first Tuesday of September, and that three-year clock then timeframe starts and then the process that we go through, in terms of providing notice for property owners that their property is going to foreclosure, and what their impact are and the issues are. So a lot of that's defined by statute, in terms of what we do."

**Chairman Peterjohn** said, "Thank you. Seeing no further questions, oh..."

## Regular Meeting, August 11, 2010

**Commissioner Parks** said, "I would hope that for efficiency in future years, we might put this item, or the Commission would put this item at the end, so we don't have to tie up so much of our staff, and the Air Force and everybody here. I apologize, I guess, for that, being a long morning. Thanks."

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

**Commissioner Unruh** said, "Thank you, Mr. Chairman. I just want to make a couple of comments that hopefully will clarify the motion that's on the table. The motion contemplates that we continue the cuts, and the savings and the reductions that we have established in 2010 and continue through 2011. The motion does not call for any increase in any of the spending levels that was recommended to us. The motion calls, rather, for a two percent compensation contingency rather than a four percent, and that compensation contingency will be decided by this Commission when we've had ample time, by November, to see what tax collections are like, see what the economy is like, see what perhaps happens with Hawker Beechcraft. I think it provides a way to carry on all the services of Sedgwick County, give our employees some compensation, and with that, and would include a mill levy reduction, which is yet to be calculated. So I hope that clarifies the intent of my motion more than my rambling earlier. That's all I had to say."

**Chairman Peterjohn** said, "Thank you. I'm going to recognize the Manager, because I think he might have some information for us."

**Mr. Buchanan** said, "Despite the lack of passing this motion, we calculated the mill levy impact, and the mill levy reduction would be 0.555 mills."

**Chairman Peterjohn** said, "Okay. At this point, I'd like to bring Mr. Miller back up to the podium, because I think he's got a tool that this Commission has used in the past and some discussions about having that available, that we can kind of do this in real time. And I very much appreciate the Manager's information with the mill levy because I think that moves our discussion forward."

## Regular Meeting, August 11, 2010

**Mr. Miller** said, “Commissioners, to assist you, we used last year and the Budget Office created last year, an application in Excel where we could summarize and track your budget changes when you have your deliberations on adoption day, and that's essentially what you see on the screen right now. The tool basically outlines some summary information at the top, what are outlined as rows A through H. Row A outlining the property tax collections that are included within the recommended budget and then BOCC (Board of County Commissioners) deliberations; that would be a summary of whatever changes you might make. And then B, all other revenues, C being total budgeted revenues, D being total budgeted expenditures, again, the recommended budget compared to your deliberations and changes that you might make, E outlines what is included in our current financial plan estimates as either an operating income or an operating deficit, based on the recommended budget and then whatever changes you might make, F outlines the total property tax levy as a dollar amount, G the property tax rate and then H, what the estimated assessed valuation is at that property tax rate and levy is based on for the calculation. Then below that, there is an itemized listing in which we can enter your adjustments and see real time what the impact is on each of those summary categories. And what we're going to do right now is go ahead and enter what the impact is from a salary pool set at two percent for our property tax funds to see what the impact is on the mill levy, and then we're going to enter what the impact is on non property tax supported funds, also.”

**Chairman Peterjohn** said, “Let me ask you a technical question, if I could, David.”

**Mr. Miller** said, “Yes, sir.”

**Chairman Peterjohn** said, “Will the impact on the mill levy, if reducing the mill levy has an impact on the sales tax, does that automatically adjust on the revenue side, too, or just for the property tax?”

**Mr. Miller** said, “No, but it would be a minor, it wouldn't be a large adjustment, if I...I'm afraid this tool isn't that sophisticated, but it wouldn't be as significant [inaudible]. And so what you see on your screen, Commissioners, is for property tax collections. We would expect to collect, essentially less, the same amount as the reduction in the salary pool of \$2,243,662. That correlates, because of the five percent delinquency calculation, an actual reduction in the tax levy of \$2,355,845. For county property tax supported funds, that equates to a reduction in the mill levy of 0.555 mills, and then we also have a reduction in non property tax supported funds equal to the reduction of bringing the four percent contingency pool to two percent, which is \$849,676.”

**Chairman Peterjohn** said, “So, let's say, let me throw this out, just on the table, if we removed,

## Regular Meeting, August 11, 2010

say, \$10,000 from the Board of County Commissioners contingency fund, and you added that into the calculation, that would be how many thousandths of a mill? And I realize that's not part of the motion that we have on the table at this point, but I just want to see how..."

**Mr. Miller** said, "0.002 mills."

**Chairman Peterjohn** said, "So we're down to two ten-thousandths, okay. Well, we better remove that, unless somebody wants to...at this point, the controlling motion and the controlling second is Commissioner Unruh's motion and Commissioner Norton's second, and any modification we'd make at this point would have to be agreeable to both the person who made it and the person who seconded it. So we can proceed from this point, I just, I appreciate you for bearing with me, and so if we did the reverse, obviously you'd have a 10,000 in the black and they'd reduce, the mill levy reduction would increase instead of decrease. And so, I asked you to put that up there just as an example for my benefit. And for those who are in the audience, those from KPTS (Kansas Public Telecommunications Service) who now are watching us via streaming video who are still with us. Are there any other suggestions that people would like to make while we're in this point? Commissioner Norton."

**Commissioner Norton** said, "Well, I'm okay with the motion as it is, it gets us the, I think, about a half mill reduction. If I had my best scenario, though, what I'd take a half million out of Fleet contingency, a half million out of the jail out-of-county fees and put an extra million dollars in the drainage contingency. I just think that we're, there are some projects that are going to come face us this next spring that we better be ready for, and having a little money extra for drainage projects would make sense. And I don't think that hurts Fleet, because of our new policy that puts a lot of money into replacing, and I don't think that's going to denigrate the jail out-of-county abilities because we do have a public service, public safety contingency that we could always fall back on. And that would put some money into drainage where I have, I certainly have issues, and, Chairman, I think you've got some that we're going to have to deal with, and we better have some money available for that. So, if I had my druthers, that's what I would do; keep us where we're at on the two percent, which gives us the mill levy savings that we think we would like to have, and then a little bit of chipping away at Fleet contingency, jail out-of-county to get us some drainage money. And then I'm good with the rest of it, the budget."

**Chairman Peterjohn** said, "Well, that, I, we're in a position where parliamentary wise, the person who made the motion would have to agree with that, too, so we're just kind of discussing ideas here..."

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "You can actually..."

## Regular Meeting, August 11, 2010

**Commissioner Welshimer** said, “[inaudible] that motion, we could make another one.”

**Chairman Peterjohn** said, “You could make a motion to amend, I guess.”

**Mr. Euson** said, “You can make a substitute motion.”

**Chairman Peterjohn** said, “A substitute motion? Would include Dave’s motion with these changes?”

**Commissioner Norton** said, “I’ll defer to Commissioner Unruh as to how he might think about this, I mean, it really depends on whether there’s a hard line that my ideas don’t mean anything, and I go along with just the motion and move on. But I suggest that as a couple of things that I’m interested in.”

**Mr. Buchanan** said, “He can do that later, too.”

**Commissioner Welshimer** said, “Well, I have a question for [inaudible].”

**Chairman Peterjohn** said, “Commissioner Welshimer. I mean, this is kind of a dialogue, so...”

**Commissioner Welshimer** said, “Yeah.”

**Chairman Peterjohn** said, “...in terms of lights, I’m not sure what people, and I’m kind of willing to let everybody talk.”

**Commissioner Welshimer** said, “I support the drainage idea of Commissioner Norton, however, my first priority is the, what I had in my mind is to keep the money in the jail for continuously improving the reduction of the jail population. And we haven’t gotten very far with...we’re having a meeting this next week on the proposal that I introduced, and should we want to spend some money in that category, or on the, let’s say expanding SCOAP or a facility for handling more of the mentally ill people in the jail who need treatment, how, I haven’t heard yet anything about a financial plan for that. So what I’m saying is, taking the money from the jail savings and putting it over in drainage, how’s that working for me? Because I’ve been calculating all the savings in the jail going into more reductions, more programs. Mr. Manager?”

**Mr. Buchanan** said, “That proposal doesn’t work for you.”

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

**Chairman Peterjohn** said, “I would segue off of Commissioner Norton’s suggestion. We’ve got a

## Regular Meeting, August 11, 2010

contingency for a whole variety of things, and we relied upon it on the jail, I would prefer to, as opposed to appropriating the money up front, I have no problem with the idea of pulling some of the money out, I think half a million may be a little bit rich. I was thinking of a smaller figure when I raised the question with Mr. Miller, but the idea I thought was that we might have too much there, and we do have a public safety contingency that does give us some leeway. In terms of providing some funding on the flooding, the possibility we may have it, I hate to throw in that large a increase, although I do believe that I am very agreeable to his comment, in terms of taking the money out of Fleet Management's contingency, as opposed to taking it out of a line item itself. But, you know, we can sit up here and argue about vehicles if we wanted to go down that route, but with a contingency that large, I don't, I think we could bring that down some. But to basically throw it in for the...we're going to have to do some additional funding in future years for flood control, but I think we can get by with what the Manager recommended in this budget. So, Commissioner Unruh."

**Commissioner Unruh** said, "Thank you. I just...we can, during the year, move money from a contingency to another contingency as we see a plan that we think is necessary, is that correct?"

**Mr. Buchanan** said, "Yes."

**Mr. Miller** said, "That's correct. There is one caveat to this, and that is that the Fleet contingency that we're discussing is in a completely separate fund, it's in the Fleet Management fund. The contingency that might be utilized for storm drainage purposes would be in the general fund. So what you would be looking at doing is an allocation of the general fund's contingency for the purposes of storm drainage."

**Commissioner Unruh** said, "Okay. But we have some flexibility?"

**Mr. Miller** said, "Yes."

**Mr. Buchanan** said, "Yes."

**Commissioner Unruh** said, "Alright. I would rather wait and see on a planned proposal for drainage in the future, or in the spring, whenever it is, rather than just put the money there. On the out-of-county housing, it seems to me that that's a calculation based on experience and what we

## **Regular Meeting, August 11, 2010**

actually anticipate, and so I hate to reduce that. And as far as the fleet, I'm pretty jealous about keeping that there. I think we've got equipment that we're going to need to replace. We've got some old stuff and we can't maintain services without equipment. So I would rather, Commissioner Norton, I appreciate your very distinct concern about flooding in your district, and also Chairman Peterjohn, but if we have a program that we need to do, then I think we ought to consider that and ask our Budget Director, and our finance officer and our Manager to figure out how we get that financed. And I would probably be supportive of it, but..."

**Commissioner Norton** said, "Okay."

**Commissioner Unruh** said, "...I hate robbing these other funds."

**Commissioner Norton** said, "Well I guess my final comment is, I'm okay with that. I'd just would prevail on my colleagues to have a long memory when I come to you because, you know, we've had this conversation and I like to encumber it and plan for it, I already know that I've got two more projects that are going to cost some money down south, that are going to be important. And one of them will have to do with economic development and housing growth south of Haysville, and if we don't clean up some of the drainage problems, and, Dave, how long have we worked on that? Three years? I mean it's getting pretty close to us having to do something. Yeah. And the something will cost a little money, and I just wanted to be sure we had some money encumbered and available, and not have to have this movement later and have to remind everybody that I've talked about this for several years, that it was coming."

**Chairman Peterjohn** said, "Well, Commissioner Norton, I know that we've had some discussions on this, in fact, I was thinking we had handled this in the past with I think it was 103rd Street, and what's, just a quick update, was that project completed or what's the status of that in this budget, Mr. Spears?"

**Mr. Spears** said, "103rd and Hillside?"

**Chairman Peterjohn** said, "Yeah."

**Commissioner Norton** said, "Yeah."

**Mr. Spears** said, "Still in the process of trying to acquire the right-of-way and we actually have changed the design of it now to help, so that we're not hurting the landowners so much now."

**Commissioner Norton** said, "Yeah so we're not condemning properties."

## Regular Meeting, August 11, 2010

**Chairman Peterjohn** said, "Okay."

**Commissioner Norton** said, "But the money's encumbered for that, that was..."

**Chairman Peterjohn** said, "Okay."

**Commissioner Norton** said, "...we've already got that in a budget, ready to go, but I've got, you know, a couple more and..."

**Chairman Peterjohn** said, "Well..."

**Commissioner Norton** said, "...I just want to be sure that we have a long, institutional memory about some things that I've worked on for a long time, and I'd rather have it in a budget as not."

**Chairman Peterjohn** said, "Well I'm sitting here looking, and with the Fleet side of things having been \$3.6 million roughly in 2009 and we raised it to \$4 million for this year, and we've got a budget before us that takes it to \$5.6 million, and we've still got \$1.5 million contingency reserve, I realize that it's been in. Now I understand that's all property tax funds, even though it's been encumbered through the internal transfer process from the user department, is that correct, Mr. Miller?"

**Mr. Miller** said, "Off the top of my head, I would say about 80 percent of the fleet and 80 percent of the fleet charges come from probably tax supported funds, probably about the other 20 percent come from vehicles that are assigned to grant programs."

**Chairman Peterjohn** said, "Okay. Well I'm sitting here looking at the budget with the growth, when we made that policy change, the spending increase that was entitled here, I knew there would be some, but I did not realize it would be that large an increase, so that's given me some heartburn, in which was leading me behind this motion. And I can certainly agree with the idea of pulling \$0.5 million out of the \$1.5 million contingency reserve for...to put elsewhere. But we are back on Commissioner Unruh's motion and having general discussion. So I'm...anyone else?"

**Commissioner Parks** said, "Could the Clerk read the motion back to me?"

**Chairman Peterjohn** said, "Sure. Either that or I'll put..."

**Commissioner Welshimer** said, "Did Commissioner Parks complete his list of..."

**Commissioner Parks** said, "Yeah, I'm good."

**Regular Meeting, August 11, 2010**

**Chairman Peterjohn** said, “And Commissioner Norton, as I understand, made some suggestions but...”

**Commissioner Norton** said, “I did not make a substitute motion, I just...”

**Chairman Peterjohn** said, “Did not make a substitute motion, and...”

**Commissioner Norton** said, “At this point, I’ll call question, let’s vote on it and see where we go.”

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

**Ms. Angela Lovelace**, Deputy County Clerk, greeted the Commissioners and said, “Just for clarification, I would like to read back the motion, if that’s okay?”

**Chairman Peterjohn** said, “Yes, please.”

**Ms. Lovelace** said, “Commissioner Unruh moved to approve the Manager’s recommended budget with a reduction to the salary pool from a four percent increase to a two percent increase, and that Commissioners exempt themselves from a salary increase.”

**Chairman Peterjohn** said, “I’m seeing two nods from the motion and the seconder, so I think we’re good to go.”

**Ms. Lovelace** said, “Thank you.”

**VOTE**

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

**Chairman Peterjohn** said, “I think we’re going to...”

**Commissioner Welshimer** said, “We didn’t have anything in that motion about that going into the contingency in November.”

**Commissioner Unruh** said, “That’s the plan for the budget that we will consider that...”

## Regular Meeting, August 11, 2010

**Commissioner Welshimer** said, “So that’s covered?”

**Commissioner Norton** said, “Yeah, it’s a pool, it’s not an automatic increase until we deal with that later.”

**Commissioner Welshimer** said, “Okay.”

**Commissioner Unruh** said, “We don’t have to give it, it said what we’d give and who we’d give it to.”

**Chairman Peterjohn** said, “Okay. Okay, because with the motion we just passed, I’m going to throw out, based on the previous motion, I’ll tell you what, I’ll let Commissioner Norton make the motion, or Commissioner Unruh...”

**Commissioner Norton** said, “Let’s keep it in the same order...”

**Chairman Peterjohn** said, “Keep it in the same order? Okay.”

### MOTION

Commissioner Unruh moved to adopt the Resolution for the 2011 Sedgwick County budget that includes an operating budget of \$395,072,980, and the 2001 Capital Improvement Program of \$46,375,670, the total operating budget is partially funded with a property tax levy of \$124,424,441, which is approximately equivalent to 29.313 mills, based on the estimated assessed valuation, subject to review and technical adjustments.

Commissioner Norton seconded the motion.

**Chairman Peterjohn** said, “Okay. So we’ve got a motion and a second, any discussion?”

**Commissioner Parks** said, “Give me that mill number again. 29...”

**Mr. Buchanan** said, “29.313”

**Chairman Peterjohn** said, “Any comments? I’m open for discussion, and I’m going to throw out my comments. I voted against the previous motion, because I think there’s more we can do, and I think there’s more we should do. This budget was a start, and it’s an improvement over what the Manager presented, I think it’s a step in the right direction, but I think we need freeze the salaries for all elected officials, although if any of them want to come in here and request

## Regular Meeting, August 11, 2010

personally to the Commission, I'm all ears. And I think there's other areas in this budget where we could come up with some savings and help taxpayers. I'm glad that we're on track to have a reduction of over half a mill, and I think it's a step in the right direction for the community, but I think we can do better, so I'm going to be voting against this motion like I did the earlier motion. Commissioner Welshimer."

**Commissioner Welshimer** said, "In the previous motion we just passed, however, what we passed is the property tax reduction, we didn't pass a raise? Okay. I wanted to make sure that that's understood. Thank you."

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

### VOTE

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

**Mr. Buchanan** said, "Thank you very much, Commissioners."

**Chairman Peterjohn** said, "I think we were well after the lunch hour, and I think we're going to recess for..."

**Commissioner Norton** said, "Why don't we see if there's any items we could move up? We've got a couple of people who have sat here, other than staff, do we have an item for the military? It might be..."

**Chairman Peterjohn** said, "Okay."

**Commissioner Norton** said, "...maybe just a couple items to get out of the way before we...a lot of our staff will leave after budget, but we have some citizens that would just sit here and wait for us. Are there some suggestions?"

**Mr. Buchanan** said, "Item L-5."

### MOTION

**Regular Meeting, August 11, 2010**

Commissioner Norton moved to take Item 5 after Item H.

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, “And I appreciate the suggestions on the part of my colleagues and staff. We are now on Item L-5. And welcome to the County Commission.”

**L. DIVISION OF HUMAN SERVICES.**

**5. AGREEMENT BETWEEN MCCONNELL AIR FORCE BASE (MAFB) AND THE SEDGWICK COUNTY HEALTH DEPARTMENT (SCHD) TO ASSIST WITH THE DISTRIBUTION OF STRATEGIC NATIONAL STOCKPILE (SNS) SUPPLIES IN THE EVENT OF A BIOLOGICAL INCIDENT.**

**Ms. Cindy Burbach**, Division Director, Health Department, greeted the Commissioners and said, “Thank you. Good afternoon. Standing in for Health Director, Claudia Blackburn. And the

## Regular Meeting, August 11, 2010

agreement that we bring to you, at this time, very glad to have our partners with us from McConnell Air Force Base, it's a memorandum of agreement for the use of signed plans, in terms of their accessing the Strategic National Stockpile, which is medical supplies and medications through the federal government, that we can receive in the Health Department, then we can further distribute to other locations in the county. It's kind of like what we did with the flu vaccine; giving it to other entities so that they can then serve their folks. And the directive that McConnell has gotten is that this has to be in writing. We've been doing it, we've been planning it, we've been exercising it, now they want it in writing, and we're pleased to have Major Fletes with us representing McConnell, he sat with us this morning. And we'd like for you to sign this agreement so that this plan is official. Do you have questions?"

**Chairman Peterjohn** said, "Any questions or comments? Commissioner Welshimer."

**Commissioner Welshimer** said, "Well, Mr. Chairman, the McConnell's in my district, they're a wonderful community partner."

### MOTION

Commissioner Welshimer moved to approve the amendment and authorize the Chair 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
Chairman Peterjohn	Aye

**Mr. Buchanan** said, "Mr. Chairman, I understand we have someone else here, also, it would be Agenda Item L-3. I don't see Susan Wilson, but who's substituting for Susan?"

**Regular Meeting, August 11, 2010**

**Commissioner Norton** said, “Marty Hughes.”

**Ms. Burbach** said, “Marty Hughes. Thank you very much.”

**MOTION**

Commissioner Norton moved to take Item L-3 before recess.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**3. AGREEMENT EXTENSION BETWEEN THE KANSAS HEALTH POLICY AUTHORITY (KHPA) AND THE SEDGWICK COUNTY HEALTH DEPARTMENT TO PROVIDE OUTREACH, PREVENTION AND EARLY INTERVENTION SERVICES TO AT-RISK FAMILIES IN SEDGWICK COUNTY.**

**Mr. Marty Hughes**, Revenue Manager, Finance, greeted the Commissioners and said, “The Healthy Babies Program is a prenatal and parenting group education home and office visit program designed to improve birth outcomes, prematurity, low birth weight and infant mortality, improve parenting skills and reduce child abuse and neglect. This program is receiving funding from the Kansas Health Policy Authority in the amount of \$824,000, so \$124,000 of it going to the county

## Regular Meeting, August 11, 2010

Health Department, and the other \$100,000 flowing through the Health Department to the Kansas Children's Service League. This item is for approval of the agreement extension with the Kansas Health Policy Authority for Sedgwick County Health Department to receive those fundings to continue the program for another year. The grant period is from July 2010 through June 2011. And the item following this is the agreement with the Kansas Children Service League, so if you approve this, perhaps we could go to the second item, too, shortly. But anyway, we recommend your approval of the agreement and authorize the Chairman to sign, and would like to stand for any questions."

**Commissioner Norton** said, "Mr. Chair, I move we take the recommended action and also follow-up on signing the agreement on the next item, so that we can package them together, if that's legal."

**Chairman Peterjohn** said, "Well I don't, Agenda wise, I'm going to turn to our County Counselor, because we just made a motion to take up [Item] L-3, not L-3 and L-4."

**Mr. Euson** said, "You're on Item L-3, so..."

**Commissioner Norton** said, "So we can only take one action? Okay."

### MOTION

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

Commissioner seconded the motion.

**Chairman Peterjohn** said, "Seeing no further discussion, my reading is this, this is a renewal on the grant?"

**Mr. Hughes** said, "It's a renewal of the grant for another year."

**Chairman Peterjohn** said, "Okay. Please call the vote."

### VOTE

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

**Regular Meeting, August 11, 2010**

**Mr. Huhges** said, "Can we do [Item] L-4?"

**Commissioner Norton** said, "Mr. Chairman, I..."

**Chairman Peterjohn** said, "Let me ask for a question for Mr. Norton, how many more of these do we have?"

**Commissioner Norton** said, "I hope there's none."

**Mr. Buchanan** said, "There's no more."

**Commissioner Norton** said, "I didn't mean to run us down a rat hole."

**Mr. Buchanan** said, "The outside guest was here for Item L-3 and L-4."

**Mr. Huhges** said, "Right."

**Commissioner Norton** said, "Yeah, okay."

**Chairman Peterjohn** said, "Okay."

**MOTION**

Commissioner Norton moved to take Item L-4.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, "We're now on Item L-4."

**Mr. Huhges** said, "Good afternoon, Commissioners."

## Regular Meeting, August 11, 2010

**Chairman Peterjohn** said, "The Chair recognizes Mr. Hughes, welcome back."

**4. AGREEMENT BETWEEN THE KANSAS CHILDREN'S SERVICE LEAGUE (KCSL) AND THE SEDGWICK COUNTY HEALTH DEPARTMENT TO PROVIDE OUTREACH, PREVENTION AND EARLY INTERVENTION SERVICES TO AT-RISK FAMILIES IN SEDGWICK COUNTY.**

**Mr. Hughes** said, "Thank you. Again, this is an agreement with the Kansas Children's Service League to provide their portion of the Healthy Families America program that they operate in conjunction with the Healthy Babies program with the Health Department; \$100,000 of the \$824,000 in the previous Agenda item contract with Kansas Health Policy Authority would be transferred to the Kansas Children's Service League. And Cornelia Stevens from the Kansas Children's Service League, the program manager for the Healthy Families America program, is here in the audience today. I don't know if she has any comments or would be available for questions, I guess, if you have any questions on that program. But, anyway, we request your approval of the agreement with the Kansas Children's Service League and authorize the Chairman to sign on that one too."

### MOTION

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

Commissioner Unruh seconded the motion.

**Chairman Peterjohn** said, "We've got a motion and several seconds, a quick question, is this a renewal too?"

**Mr. Hughes** said, "This was a new, the state awarded an additional \$100,000 specifically for this to be transferred to the Kansas Children's Service League, but it had to be done through a government agency, so Sedgwick County stepped up to handle that financing for them."

**Chairman Peterjohn** said, "So we're strictly just a conduit in effect?"

**Commissioner Norton** said, "Flow through."

**Mr. Hughes** said, "For the Kansas Children's Service League part we are..."

**Regular Meeting, August 11, 2010**

**Chairman Peterjohn** said, “For the Kansas Children’s Service League?”

**Mr. Hughes** said, “Right. And they provide, there’s a 100 percent match requirement and they provide that match, so they’re actually putting \$200,000 worth of services together for the \$100,000 that we transfer.”

**Chairman Peterjohn** said, “I appreciate the additional information for the record. 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. Hughes** said, “Lunch time.”

**Chairman Peterjohn** said, “Well I’m going to entertain a motion that we recess until 2:30 p.m. for lunch.”

**Commissioner Welshimer** said, “So moved.”

**Commissioner Norton** said, “Second.”

**Chairman Peterjohn** said, “Motion and a second, seeing no objection, I’m going to say we’re in recess until 2:30 p.m.”

**The Board of County Commissioners recessed for lunch at 1:28 p.m. and returned at 2:35 p.m.**

**Chairman Peterjohn** said, “I’m going to call this meeting back from recess. Next item.”

**I. ADOPTION OF AN AMENDMENT TO THE 2010 BUDGET FOR THE EMERGENCY MEDICAL SERVICES FUND.**

**Mr. Miller** said, “Yesterday a public hearing was held regarding an amendment to the EMS Budget to increase the personnel category by \$370,000 and increase the total budget to \$15,940,050 to

**Regular Meeting, August 11, 2010**

correct an incorrect calculation from SAP staffing table report of employees salaries, and I'd recommend you approve the amended budget."

**Chairman Peterjohn** said, "Any questions or comments from Mr. Miller? What is the will of the Commission?"

**MOTION**

Commissioner Norton moved to adopt the budget resolution to amend the 2010 budget for the Emergency Medical Services Fund.

Chairman Peterjohn seconded the motion.

**Chairman Peterjohn** said, "I'll just briefly add that I appreciate the discussion and the clarification, and the fact that we're in a position to get this corrected and I'm glad to be able to report that the information I've got that this has no long term impact on the county's credit rating or any of the other concerns that I know I had, so I plan to be supportive of this issue. Seeing no further comments, please call the vote."

**VOTE**

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

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

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

## Regular Meeting, August 11, 2010

### **J. RESOLUTION AUTHORIZING AN AMENDMENT TO THE *SEDGWICK COUNTY CODE* RELATED TO THE BOARD OF COUNTY COMMISSIONERS MEETING AGENDA.**

**Ms. Charlene Stevens**, Assistant County Manager, greeted the Commissioners and said, “You have before you a resolution asking you to amend the Sedgwick County Code related to the Board of County Commissioners Meeting Agenda. This relates to our recent purchase in March of an electronic agenda software; we are moving from the paper agenda system to an electronic agenda system, and the changes that are proposed in the resolution will simply bring the current paper process into concurrence with our new electronic agenda process. We purchased the software in March of this year. We’ve been doing some training and installation of the software, and we do project that our go-live date will be August 25th. And I’d be happy to answer any questions and I recommend you approve the resolution.”

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

**Commissioner Norton** said, “Charlene, electronic implies that sitting at the bench we’ll have an electronic agenda.”

**Ms. Stevens** said, “The software and everything would be capable of doing that. We are not proposing to do that at this time. What this will do, what we are using in the software, is right now the agenda process that we utilize is each department prepares a paper agenda, and they prepare it in multiple copies, and they literally kind of bring it down to the courthouse and bring it down to the County Manger’s Office, and then all of those items are compiled into the agenda and then we print out these large agendas.”

“The new software that we have purchased will allow departments to submit their items electronically, and so if I were to, for instance, submit an item from the Health Department, the Health Department would submit that item and it would electronically go to the Finance Department. The Finance Department has the opportunity to review it, approve it, comment on it and then move it on to the County Counselor’s Office who will do the same thing, and then that comes back to the County Manager’s Office and an agenda is developed. This will allow us, we will still print agendas, but it also will allow us to have kind of greater transparency in our agenda processes, in that this new software will allow us to put the backup materials and make those available electronically on our website, as well as just the agenda, which is what we currently do now. So we think it will improve some of our efficiencies, it will end some of this kind of folks that are not in the courthouse complex really just driving down here for moving paper around, and then also improve kind of the public’s access to information.”

## Regular Meeting, August 11, 2010

**Commissioner Norton** said, “How far are we away from the generation where we have our agenda electronic in front of us?”

**Ms. Stevens** said, “We, again, we can do that with this software if that becomes kind of the desire of the County Commission. IT (Information Technology) would require us to purchase some notebooks and some things like that, but this software would allow us to do that at any time, really.”

**Commissioner Norton** said, “Well, I guess if we’re going to be paperless in some case I don’t like the dual system; I’d just as soon go electronic all the way, and I think we need to have a conversation about that. And maybe not today is the day to have that, but I’d just as soon not have a booklet anymore, that we have it electronically, and...”

**Ms. Stevens** said, “We can certainly bring back some information to a staff meeting to discuss what the options are and what additional we would need to do, but the software is capable of allowing us to do it that way.”

**Commissioner Norton** said, “Well, I’ll leave it to my colleagues to further the conversation, but as far as I’m concerned, if we’ve got that software capability now, that we maybe move into the 21st century.”

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

**Commissioner Parks** said, “Do you have a program where you could doodle along the edge of your...”

**Ms. Stevens** said, “That is not in the program, no. But you would be able to print off the pages you’d like and doodle on those.”

**Commissioner Parks** said, “Yeah. I think we could probably buy our own; when we get ready to do that, buy our own laptops, also.”

**Chairman Peterjohn** said, “Well, let me ask, I’ve had some constituent communications asking about getting the backup material that we have for each of the agendas. Going down this road, will this backup material be available online so...”

**Ms. Stevens** said, “Yes, it will be. Yes.”

**Regular Meeting, August 11, 2010**

**Chairman Peterjohn** said, "...that the public can access it as opposed to, currently they've got to come down here to the courthouse, visit the Communications Office and kind of know how our process works to be able to get that now."

**Ms. Stevens** said, "Correct. This will allow that information to be out and available."

**Chairman Peterjohn** said, "I'm very appreciative of that, and glad to see we're moving forward. As for this commissioner, when we get to that point of having that discussion, I'm comfortable moving towards the 21st century. Commissioner Parks."

**Commissioner Parks** said, "I just had another question of Legal. Are you confident that this will meet all the KORA (Kansas Open Records Act) requirements?"

**Mr. Euson** said, "Yes, sir, I am."

**Commissioner Parks** said, "Kansas Open Records Act? Thank you."

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

**Commissioner Norton** said, "I'm good."

**Chairman Peterjohn** said, "Oh, you're good? Okay, I'm sorry."

**MOTION**

Commissioner Norton 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

## Regular Meeting, August 11, 2010

Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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

### **K. APPROVAL TO EXPEND FUNDS FOR HEARTLAND READINESS CENTER INFRASTRUCTURE.**

**Mr. Lamkey** said, "As a reminder, since 2002 the county and the City of Wichita have engaged in a partnership effort to locate a joint military training center in Wichita, The county and city developed an understanding agreement to equally fund the design, development and construction of necessary infrastructure to make the site usable. Previously, the county has allocated a maximum of \$1,911,562 to the project. Approval to expend county funds for two items is now pending. Full cost for each are \$370,048 for installation of storm water sewer infrastructure, and \$346,533.50 for water and sanitary sewer. That totals the \$716,581.50, and the county's agreed upon 50 percent share of the total would be \$358,290.75, payable to the City of Wichita within 30 days upon invoice. We've reviewed the proposed bid awards. W. B. Carter Construction was low bid for the storm water infrastructure, and Nowak Construction was low bid for the water lines and sanitary sewer portion. And as you may know, Wichita, as lead agency, is the responsible party for soliciting bids. As an additional piece of information to you, we have either paid, or inclusive of this have obligated, or will have obligated, \$589,939.25 of that \$1.9 million and so I'm standing before you to approve the expenditure so that we can get on with that portion of the project."

### **MOTION**

Commissioner Norton moved to approve the expenditure.

Commissioner Unruh seconded the motion.

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

**Commissioner Parks** said, "I might as well be consistent in my voting on this, and I did state this during the budget hearing, and I think the amount of money we're spending here today would have gone a long way if that had been put on an existing structure that we had called Britt Brown. Thanks."

## Regular Meeting, August 11, 2010

**Chairman Peterjohn** said, "I'm going to throw out the fact that this is an area where I've been looking very closely, because we're heading down the road for a major capital expenditure in the out years; it wasn't part of our discussion for the 2011 or I believe even the 2012, but this starts us down that road for some spending that leads to the discussions we had about bonding and usage of bonds, and where long-term bonds of debt can create a situation because of the amount of spending. This is just a tiny fraction of what this overall facility will cost if you're looking at it strictly as a taxpayer. And if you're looking at it just as a city and county taxpayer it's a good deal smaller, but obviously we'd like to make sure that we don't have a repetition of any of the atrocities that have occurred, like in lower Manhattan at the World Trade Center, or at Fort Hood, or any place else. And this is one of the interesting...it's the only time I can think of since I've been a County Commissioner where we've been involved in what would be a federal type of public safety, as opposed to a police powers, but the potential is for training and upgrading and everything for keeping our nation, not only our community safe but our nation safe, too. SO my vote is going to reflect the fact that I'm sympathetic to public safety in general, and the problems we have with safety in particular, but this is a long term bond of indebtedness project when you look at the whole, all of the spending and it's one that has given me some difficulties. So, Commissioner Unruh."

**Commissioner Unruh** said, "Thank you Mr. Chairman. Bob, how long have we been involved in the planning and conversation for this project?"

**Mr. Lamkey** said, "Well the initial conversations, let's see, we started this partnership in 2002, but the initial conversations happened probably in 2000 with General Gardner when he was the Adjutant General, with I know that Mr. Norton was involved in that process, and the Mayor, when he was a council person, so it's been a decade really that the discussion has been happening. The expenditure for infrastructure is important because this is principally a National Guard consolidation project that we're partnering with and at some point you'll have to have some dialogue about a law enforcement training center to replace the current one we have, but the importance of the infrastructure to this project is that federal funds can't be used to make the site ready. Once the site is ready, then the design and all the things that make it work happen. And so that's the piece of the partnership that we have firmly committed to at this point is that \$1.9 million. I do know that the Sheriff and the Chief of Police, as we get through this process, because the National Guard project should start turning dirt in the spring. They are going to get their dollars to do this. They'll finish out their design and planning process. The funds for the construction becomes available to them at the beginning of the federal fiscal year, or the continuing resolution, whichever occurs first or occurs in that process, and so we're committed to getting this

## **Regular Meeting, August 11, 2010**

infrastructure done. There are a couple of smaller things, but of course the last big thing that needs to be done is the roads and those kinds of things that play in the process. But we've been working this together for about a decade."

**Commissioner Unruh** said, "Well you used the words that we have explicitly committed to..."

**Mr. Lamkey** said, "Yes."

**Commissioner Unruh** said, "So we have said plainly that we're partners up to that level?"

**Mr. Lamkey** said, "That's correct. To this particular point we've explicitly, and this was part of the initial agreement, in the CIP is, in the out years, is a project, I think, as the Chairman alluded to, which is a law enforcement training center, which is a joint project that was part of the original, is part of the vision of this site, because of co-use of facilities, the synergy of training, it will also serve as our back up 911 site. It would be our training center, because our current 911 training center is co-located with the Law Enforcement Training Center, as you know, that's now in a City of Wichita school, and so it has served a need but it certainly does not meet the need in the long term."

**Commissioner Unruh** said, "But this expenditure is planned for..."

**Mr. Lamkey** said, "Yes."

**Commissioner Unruh** said, "...in our financial plan and it is part of that amount that..."

**Mr. Lamkey** said, "Correct."

**Commissioner Unruh** said, "...committed to."

**Mr. Lamkey** said, "Absolutely correct."

**Commissioner Unruh** said, "Alright. Thank you."

**Chairman Peterjohn** said, "Let me, just for the record, clarify because you said it's located in a school. It is located in what had been a school building, but not a currently active school?"

**Mr. Lamkey** said, "Correct. That is correct. I'm sorry, that is correct."

**Regular Meeting, August 11, 2010**

**Chairman Peterjohn** said, "Other than for training classes for, like, the Sheriff's and other law enforcement officers?"

**Mr. Lamkey** said, "Right, yes, that's correct."

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

**Commissioner Parks** said, "Mr. Lamkey, when you referred to Chief of Police, you were talking about the City of Wichita, is that correct?"

**Mr. Lamkey** said, "That's correct. That's who the current partnership is, is with the City of Wichita and the Sedgwick County Sheriff's Office for the Law Enforcement Training [Center] operation that operates here."

**Commissioner Parks** said, "And those other cities in the county send their officers to KLETC (Kansas Law Enforcement Training Center) at Hutchinson?"

**Mr. Lamkey** said, "I believe that's true."

**Commissioner Parks** said, "At no charge. Thank you."

**Mr. Lamkey** said, "I believe that's true."

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

**Chairman Peterjohn** said, "Well, I understand the commitment we've made and my vote's going to reflect that fact and my earlier comments. Seeing no further discussion, please call the vote."

**VOTE**

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

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

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

**Regular Meeting, August 11, 2010**

**L. DIVISION OF HUMAN SERVICES.**

**1. APPROVAL OF ONE AGREEMENT FOR THE SENIOR HEALTH INSURANCE COUNSELING FOR KANSAS (SHICK) PROGRAM FUNDED BY KANSAS DEPARTMENT ON AGING.**

**Ms. Annette Graham**, Executive Director, Department on Aging, greeted the Commissioners and said, “Central Plains Area Agency on Aging became an official SHICK program, which is the Senior Health Insurance Counseling for Seniors Program in February 2006, and since then has been receiving funds from the Kansas Department on Aging to provide education and support to older adults and caregivers with insurance needs and questions. This contract will continue funding for our agency to oversee this program for our April 1st, 2010, through March 31st, 2010. The SHICK coordinator and trained volunteers assist individuals daily with Medicare issues; they talk about the Medicare benefits, they help those that are planning to retire to learn more about Medicare options, they assist individuals in determining their needs for supplemental insurance, they discuss Medicare Part D plans and comparisons and help caregivers understand the Medicare benefits that their care receivers might be in need of and to help to better assist them. Central Plains Area Agency on Aging will receive \$1,477 from the Kansas Department on Aging to do this service. This is to provide information, counseling and assistance related to the procurement of adequate and appropriate insurance coverage for Medicare eligible individuals.”

“There is no financial obligation for Sedgwick County and through this program we really work with seniors and we also use volunteers and train volunteers to go out and do this, and it really is to extend the availability of this insurance. And it really is very important for seniors and caregivers to learn more about this. It can be a rather complex and difficult to understand system, and we really see the need for this with the people we serve. So I would request that you approve the SHICK program agreement and authorize the Chairperson to sign, and would be glad to answer any questions.”

**MOTION**

Commissioner Norton moved to approve the Senior Health Insurance Counseling for Kansas (SHICK) Program Agreement and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, “We’ve got a motion and a second. Commissioner Parks.”

**Regular Meeting, August 11, 2010**

**Commissioner Parks** said, “Do you know if this acronym has been used for other programs for something?”

**Ms. Graham** said, “Not that I’m aware of. This is in Kansas; it’s called the SHICK program.”

**Commissioner Parks** said, “Okay.”

**Ms. Graham** said, “Nationally it’s also referred to as the SHIP (Senior Health Insurance Program) program.”

**Commissioner Parks** said, “Okay, thank you.”

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

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**2. AGREEMENT WITH THE WICHITA CENTER FOR GRADUATE MEDICAL EDUCATION AND UNIVERSITY OF KANSAS SCHOOL OF MEDICINE – WICHITA FOR A PSYCHIATRY RESIDENT PROGRAM AT COMCARE.**

**Mr. Tom Pletcher**, Clinical Director, COMCARE, greeted the Commissioners and said, “Before you is a renewal of a long standing agreement among three entities including the Wichita Center for Graduate Education, or WCGME, COMCARE and the University of Kansas (KU), School of Medicine. This enables their third year, or selects third year psychiatry residents who are with the KU School of Medicine students to work and learn in the community mental health center setting. The residents are actually employed by WCGME and COMCARE reimburses WCGME for one full-time equivalent, or 40 hours per week, split among four to five different residents that are placed within our organization. This is beneficial, both to the residents and COMCARE. It provides additional outpatient medical coverage for us at a relatively low cost, and the residents experience

**Regular Meeting, August 11, 2010**

the community mental health center and get to know our staff and the patients who come to us for services.

“I would also want to point out that there’s another indirect entity that’s involved in this under a separate agreement, and that is Kansas Health Solutions, or KHS. KHS is the Kansas Medicaid managed care entity who reimburses COMCARE for a portion of the contract. COMCARE actually only pays the first \$16,000 of the contract amount that is capped at about \$65,000 and KHS pays the balance of that. KHS does this to ensure that the agreement continues, because they recognize that so many of the residents that come through this program end up practicing in the local community and in the CMHC (Community Mental Health Care) system. There are no local tax dollars that are used in this agreement and we would recommend that you approve the agreement and authorize the Chairman to sign it.”

**MOTION**

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

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

- 3. AGREEMENT EXTENSION BETWEEN THE KANSAS HEALTH POLICY AUTHORITY (KHPA) AND THE SEDGWICK COUNTY HEALTH DEPARTMENT TO PROVIDE OUTREACH, PREVENTION AND EARLY INTERVENTION SERVICES TO AT-RISK FAMILIES IN SEDGWICK COUNTY.**

**Item L-3 was taken after Item L-5**

**Regular Meeting, August 11, 2010**

- 4. AGREEMENT BETWEEN THE KANSAS CHILDREN'S SERVICE LEAGUE (KCSL) AND THE SEDGWICK COUNTY HEALTH DEPARTMENT TO PROVIDE OUTREACH, PREVENTION AND EARLY INTERVENTION SERVICES TO AT-RISK FAMILIES IN SEDGWICK COUNTY.**

**Item L-4 was taken after Item L-3**

- 5. AGREEMENT BETWEEN MCCONNELL AIR FORCE BASE (MAFB) AND THE SEDGWICK COUNTY HEALTH DEPARTMENT (SCHD) TO ASSIST WITH THE DISTRIBUTION OF STRATEGIC NATIONAL STOCKPILE (SNS) SUPPLIES IN THE EVENT OF A BIOLOGICAL INCIDENT.**

**Item L-5 was taken after Item H**

- 6. STAFFING TABLE REQUEST TO CREATE FISCAL ASSOCIATE POSITION TO SUPPORT STD CONTROL SERVICES IN SEDGWICK COUNTY.**

**Ms. Cindy Burbach**, Division Director, Health Department, greeted the Commissioners and said, "We have one request to adjust the staffing table to create a fiscal associate position to support the STD (sexually transmitted disease) control services. We had not really a windfall, but an addition to one of our grants for STD; 75 percent of all the STD control support is through grants, the other 25 percent is though local general fund money, but KDHE gave us an extra \$34,000 almost \$35,000 and wanted us to add an investigator position. Well, that wasn't enough to add a whole position; they wanted us to match it and basically we negotiated a little bit and said that wasn't going to happen, because we couldn't come up with the money, but we talked about it and decided that a fiscal associate position could help the other investigative staff a lot with their tasks and their work time, because they spend a lot of time data entry, and paperwork and so forth. So that's what we're asking for with this first recommend, would like for you to approve the request; it would be for one fiscal associate position full-time to support our STD investigator positions."

**Chairman Peterjohn** said, "Questions or comments? Commissioner Norton."

**Regular Meeting, August 11, 2010**

**Commissioner Norton** said, “Cindy, is sexually transmitted disease on the rise in the community? I know Tuberculosis is kind of gotten back on the radar screen, and for years some of the sexually transmitted disease were in decline, has that changed?”

**Ms. Burbach** said, “We have seen a surprising increase in syphilis, of all things, over the last three years. If you can look at the screen in your head, in 2007 we had three cases of syphilis and that was pretty regular; three, five, four per year. In the next year we had 24, the next year 32 and this year, year to date, is 23, so it could well be up to 40 by the time the year is over. Syphilis alone has kept our investigators working pretty much around the clock to track the contacts and the cases and get them diagnosed and treated. We’ve also had increases in gonorrhea and HIV (Human Immunodeficiency Virus), but not nearly as drastic as the syphilis. And of course the worry with syphilis is if it were to occur and infect a newborn, congenital syphilis is major problems, but to get out there and chase it and treat it is very labor intensive.”

**MOTION**

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

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

- 7. AMEND THE AID TO LOCAL AGREEMENT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) AND THE SEDGWICK COUNTY HEALTH DEPARTMENT (SCHD) TO RECEIVE SUPPLEMENTAL FUNDING OF \$34,694 FOR THE STD/DIS GRANT AND AUTHORIZE THE COMMENSURATE ADJUSTMENT BUDGET AUTHORITY.**

**Regular Meeting, August 11, 2010**

**Ms. Burbach** said, “Actually this is a little bit in reverse, this is actually the money to pay for the last motion that you just made. It is amending the agreement that we get for the STD grant and it’s just adding \$34,694 to the total amount, and that will then fund the added position. We’d like for you to accept this amended agreement.”

**MOTION**

Commissioner Norton moved to amend the Aid-to-Local agreement and authorize the Chair to sign the amended document and the additional budget authority.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**8. AMEND AND EXTEND THE AGREEMENT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE AND THE SEDGWICK COUNTY HEALTH DEPARTMENT.**

**Ms. Jancie McCoy**, Health Protection Coordinator, Health Department, greeted the Commissioners and said, “Before you, you have the amendment for the Public Health Emergency Preparedness Response to amend the 2010 contract. Generally this time of year you would see a new contract, but because of the H1N1 response, many of the health departments across the nation were unable to meet the contractual agreements of the grant, therefore the Centers for Disease Control and

## Regular Meeting, August 11, 2010

Prevention (CDC) instead decided to extend the contract for another year and amend it with additional funds to fund that for an additional year as well. We are asking that you allow the Chair to sign the amendment allowing us to extend this for another year. These funds again, will allow us to maintain and expand our competencies in community wide surveillance, test eight SNS related target capabilities associated with critical tasks through HSEEP (Homeland Security Exercise and Evaluation Program) compliant exercises and will update three SOGs (standard operating groups), including risk communications, community communicable disease containment and all hazards plan, so right now we recommend that you approve the amendment and authorize the chair to sign the amendment and any other related documentation. If you have any questions I'd be happy to answer them."

**Chairman Peterjohn** said, "Questions or comments?"

### **MOTION**

Commissioner Parks moved to approve the amendment and authorize the Chair to sign.

Commissioner Welshimer seconded the motion.

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

### **VOTE**

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

## **M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON AUGUST 5, 2010.**

**Ms. Iris Baker**, Director, Purchasing, greeted the Commissioners and said, "The meeting of August 5th results in seven items for consideration today. First item;

### **1. REMODEL MAIN COURTHOUSE ELEVATOR LOBBIES AND LOBBY RESTROOMS- FACILITIES DEPARTMENT FUNDING – ELEVATOR LOBBIES AND RESTROOMS**

**Regular Meeting, August 11, 2010**

“Recommendation is to accept the responsive bid from Walz Harman Huffman Construction, Inc. in the amount of \$895,000 and establish unit pricing. Item 2;

**2. CHANGE ORDER # 1 – MODULAR FURNITURE ELECTRICAL RETROFITTING  
– FACILITIES DEPARTMENT  
FUNDING – NCAT FURNITURE FIXTURES AND EQUIPMENT**

“Recommendation is to accept the change order with John A. Marshall in the amount of \$1,055.19. Item 3;

**3. CHANGE ORDER # 4, A&E SERVICES TO CONSTRUCT 5 NEW FIRE STATIONS – FACILITIES DEPARTMENT  
FUNDING – DESIGN NEW FIRE STATIONS**

“Recommendation is to accept the proposal change order with Richard B. Kraybill, Architect in the amount of \$10,620 and acknowledge contract completion date will be extended 18 months to May 18, 2011. Item 4;

**4. DECALS FOR EMERGENCY SERVICE VEHICLES – FLEET MANAGEMENT  
FUNDING – FLEET MANAGEMENT**

“Recommendation is to accept the low proposal from Wall Dog Graphics, LLC., DBA Sign Pro for an initial purchase of \$10,046.96, including option and establish contract pricing for one year with two one-year options to renew. Item 5;

**5. MOBILE INCIDENT COMMAND POST – SEDGWICK COUNTY HEALTH DEPARTMENT  
FUNDING – MMRS KANSAS HIGHWAY PATROL**

“Recommendation is to accept the bid from DHS Systems in the amount of \$45,000. Item 6;

**6. DESKTOP COMPUTERS – EMERGENCY MANAGEMENT  
FUNDING – PUBLIC HEALTH EMERGENCY RESPONSE FOCUS #2**

“Recommendation is to accept the low quote from Dell in the amount of \$26,581.20. And Item 7;

**7. RADIO SYSTEM OPTIMIZATION WORK – PUBLIC SAFETY  
FUNDING – COMMISSIONER EQUIP/COMMISSIONER EQUIP WIRELESS**

## Regular Meeting, August 11, 2010

“And the recommendation is to accept the low bid from Mobile Radio Service in the amount of \$42,000. Would be happy to answer any questions and I recommend approval of these items.”

### MOTION

Commissioner Parks moved to approve the recommendations of the Board of Bids and Contracts for Items 2 to 7.

Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, “Okay, we have a motion two through seven. I’ve got questions about items number five and six. In item number five, I was interested, there was only one bidder for this command post, and I wanted to get some more information on this. Is it, as a mobile command post, would you describe this kind of more like a van, or a semi, or a truck, or how would you, what would you call it, Iris?”

**Ms. Baker** said, “Seth Konkol would be happy to speak to what it is and how it would be used, but it is a trailer with a tent on it.”

**Chairman Peterjohn** said, “A trailer with a tent on it?”

**Ms. Baker** said, “Correct.”

**Mr. Seth Konkol**, MMRS Director, Health Department, greeted the Commissioners and said, “Part of our grant is working with all of the response agencies, so this is actually something that is going to be used by EMS (Emergency Medical Services) for their response to disasters. It is a pop-up trailer, is kind of the best way to describe it; the sides and the back open up, a tent that attaches to it, and inside of that trailer are computer monitors, TV screens, it allows them to just have a more coordinated response, either during actual disasters or planned events such as the River Fest[ival], air shows and things like that.”

**Chairman Peterjohn** said, “Does it have the capability of, well how many electrical outlets would it be able to provide power for? Do you have any idea, in terms of how much power people could hook into with this? Does it...”

**Mr. Konkol** said, “It does come with its own generator and an HVAC (Heating, Ventilation, and Air Conditioning) unit. I do not know the number of power supply, but I know it would be enough for them to run their operation. It would generally not be more for additional, or I would guess it

## Regular Meeting, August 11, 2010

would not have additional power supply to it. It's just enough to run this unit."

**Chairman Peterjohn** said, "I've also got some questions on item number six. On the desktop computers for Emergency Management, I noticed there were only two bidders and I was curious. I know there's some, I see ads for some locally made computers at all. Do we send this, I noticed on some of the items out that you mentioned, like for instance on the mobile incident command post, was sent out to 20 vendors. How many vendors was the desktop computer sent out to? Was it just the two listed, or was there more? And anyone local?"

**Ms. Baker** said, "No, the computers are generally through the WSCA (Western States Contracting Alliance) contracts, they're industrial business type computers, not off the shelf use at home type computers. WSCA contract, in the past, and it's, WSCA contract is the Western States Alliance contract, and it's a consortium of 13 states that negotiate pricing and in a variety of technology, it's not just computers. And historically the Dell and HP are the most competitive, so we have not solicited hundreds of computer companies that are out there. The purchase on the WSCA is primarily the desktop computers. Laptops, we do solicit the entire industry because of the various configurations that we have and the needs that we have for them, particularly those heavy duty units."

**Commissioner Parks** said, "I was going to ask Mr. Konkel on the incident command post, is this kind of like a pared down version of the COW (Communications on Wheels)?"

**Mr. Konkel** said, "The Communications on Wheels from KDOT? Actually I would consider it not really even the same. That's all just basic communications equipment. This has devices, like I said, computer screens, monitors and it allows them to do better tracking. And we do have EMS personnel here that could speak probably better to that. I'm sure it's got the radio capability would be stuff that we would add to it. It simply would provide them a tent or a facility to stay out of the elements."

**Commissioner Parks** said, "Well I guess for brevity I can tour it when it comes in."

**Mr. Gary Tolle**, Director, Emergency Medical Services, greeted the Commissioners and said,

## Regular Meeting, August 11, 2010

“What this particular device is, is a small low boy trailer that can be attached to vehicles that we already have that is deployed, it’s used in the military considerably. It is now transferring over into the public sector. It has a heater, it has an air conditioner, it opens, and a generator. It does not generate enough electricity to provide a large area, but for the area for the lights, the lights inside the tent, it has a pop-up tent that attaches to the back of this small trailer. And what you can do inside of that is establish your computers, your printers, all of the things that we now use to mitigate incidents under incident command structure. Absent that, we’re literally working out in the element and at night in a storm, during the River Festival, I don’t know if any of you saw us when we were set up with this device; we had a loaner here.”

**Mr. Tolle** continued, “We’ve used it for the River Festival, we’ve used it for Midwest Rockfest as a loaner, we used it, also, for the Sheriff’s LAW Camp out at Lake Afton. And again, it’s a place for us to come in to have some privacy, it gives us a place to be sheltered from the elements and it is a cheaper solution than a \$400,000 prime mover apparatus. Plus it’s got 18 inch clearance and it’s designed to go into rugged areas, so from my perspective, albeit it seems like a lot of money, it is a cheaper solution than one particular device that could cost as much as 10 times and I couldn’t get close enough to the scene. When we’re delivering care we need to be proximal to where the patients are, and often times it’s difficult to get in there. A device like this will get us closer.”

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

**Mr. Tolle** said, “You’re welcome, sir.”

**Chairman Peterjohn** said, “What sort of a lifetime can you expect for a vehicle like this since, really, the only thing you’ve got in it from what you’re describing, is a trailer that basically hooks up to another vehicle and you’ve just got the generator in it, and the fold out tent, however that works?”

**Mr. Tolle** said, “Right. It’s much more robust than you would see in an RV (recreational vehicle). It’s built to mil-spec (military specification) standards and they’re using them in the gulf a lot. Ten years plus. You may have to go in and do some maintenance on AC, and heater and genset, but outside of that, I don’t think it’s a single use item at all; it’s very rugged.”

**Chairman Peterjohn** said, “Thank you. Seeing no further discussion on Items 2 through 7 on the

**Regular Meeting, August 11, 2010**

Bid Board, please call the vote.”

**VOTE**

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

**Chairman Peterjohn** said, “We’re back to Item 1 on the Bid Board. What’s the will of the Commission? Do we want to have some questions or discussions first?”

**Commissioner Parks** said, “I just want to be consistent on this, too.”

**MOTION**

Commissioner Unruh moved to approve the recommendation of the Board of Bids and Contracts for item 1.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**N. CONSENT AGENDA**

- 1. ZON2007-38 (DP-306 Associated with CUP2007-39) – Extension of time to complete platting requirement for a zone change from SF-20 Single-family Residential and OW Office Warehouse to LC Limited Commercial and CUP**

**Regular Meeting, August 11, 2010**

**DP-306; generally located north of 53<sup>rd</sup> Street North and west of Meridian. (District 4).**

- 2. ZON2008-25 – Extension of time to complete platting requirement for a zone change from SF-20 Single-family Residential to LC Limited Commercial; generally located south of 21<sup>st</sup> Street North and west of 159<sup>th</sup> Street East (15621 East 21<sup>st</sup> Street North). (District 1).**
- 3. A resolution to authorize destruction of Division of Information and Operations Records (DISP 2010-106, DIO-Admin, Mail Room, Records Management, and Security Services) 1996-2007.**
- 4. A resolution to authorize destruction of Emergency Medical Services Records (DISP 2010-100 PS-EMS 1975-2003).**
- 5. A resolution to authorize destruction of COMCARE Records (DISP 2010-105 HS-COMCARE 1972-2006).**
  - i. Amendment to contract with Wichita State University to transfer grant-based funds received from the United States Department of Education for the Advanced Education in General Dentistry program.**
  - ii. Professional Service Agreement with Family Prescription Shop, Inc.**
  - iii. Cooperative agreement with USD 259 to provide school-based mental health services.**
  - iv. Amend the 2010 Capital Improvement Program (CIP) to increase Replace Carpet 905 N. Main.**
- 10. Addition of a skid steer loader to the fleet inventory.**
- 11. One (1) Permanent Easement for Drainage for Sedgwick County Project 801-DD-5280; Bridge project on 151<sup>st</sup> Street West between 103<sup>rd</sup> Street South and 119<sup>th</sup> Street South; CIP# B-443. District 3.**
- 12. One (1) Floodway Reserve Easement for drainage project at Imbler Estates – Phase 3. District 3.**
- 13. Payroll Check Register of July 17, 2010**

**Regular Meeting, August 11, 2010**

**14. General Bill Check Register of July 21, 2010 – July 27, 2010.**

**15. General Bill Check Register of July 28, 2010 – August 3, 2010.**

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

**MOTION**

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**O. OTHER**

**Chairman Peterjohn** said, “Well, KPTS will not be broadcasting us at this point in time, so we’ve got items for streaming video at this point and the record. I would give a quick report on the number of folks that are under the Sheriff’s custody at this point, and I stand corrected. I had someone point out the fact that I’ve been saying the number of people in the jail and then giving a figure, like today at the moment 1,590, and that’s not a correct figure for the number of people in the jail, it’s actually a good deal smaller because, according to the figures this morning, we had 274 that were out of county, and also we had a significant number of folks over at the Work Release facility, too. We had 486 maximum security, 502 medium and 548 minimum, and so to give folks an idea of kind of where we are, these detention numbers are growing, but they are below where we had projected where they would be at this time. I think that’s good; that’s a sign that our programs are working, but there’s certainly more progress, in my view, that continues to be made and should be made. But

## Regular Meeting, August 11, 2010

that additional information I'll report at a later meeting. Anyone else have an item under 'other' before we recess? Commissioner Norton."

**Commissioner Norton** said, "I won't go into detail, but I, last week, attended the National Association of Local Boards of Health Annual Conference in Omaha, and I spent an inordinate amount of time in sessions on accreditation, and what that might look like. I've got a lot of information on it, and I won't try to go over that today, but at some point in a staff meeting I'd like to partner with Claudia Blackburn and a couple of her staff to outline to the Commission what we'll be dealing with as a local board of health when accreditation ramps up in 2011. The full meal deal will start to happen in 2011. There are beta tests of 10 communities around the nation being done right now."

**Commissioner Norton** continued, "I happened to have a chance to proctor two PHAB sessions, which is Public Health Accreditation Board sessions, that talked about all the site visits and all the paperwork you have to go through to be accredited. So, just wanted to give my colleagues a heads up that at some point I'd like to make a presentation on what that's going to look like, what our responsibilities will be as a local board of health, and what the time line looks like for being accredited through this national certification process."

**Chairman Peterjohn** said, "Can you, this Commissioner would be interested in knowing, are certain boards of health already accredited, and if so, who's actually doing the accreditation and how is the criteria being put together? And if there are some communities that are being accredited are any of them in Kansas? Sorry to throw so many questions at you there all of a sudden."

**Commissioner Norton** said, "Yes. No. No. Yes. There are 10 beta sites. There are no accredited health departments. This is a new accreditation based on the 10 essential services that are national standards. The criteria is probably 90 percent set in concrete, but some of it, as they are out doing site visits, in fact, Claudia Blackburn is a site visitor and she's in New York State at one of the beta test sites doing a site visit for the early accreditations, and she'll have a leg up on most health department directors because she's actually a certified site visitor that helps with the accreditation. There are none accredited now and it's still early in the process. This is all sponsored by NALBOH and NACCHO and APHA..."

**Chairman Peterjohn** said, "Boy, you're going to..."

**Commissioner Norton** said, "...and I'll tell you what they are because I know that's your deal. National Association of Local Boards of Health, National Association of City [and] County Health Officers, American Public Health Association; all of those have to do with public health, and HRSA, and that's Health Resources for Administration out of the [Department of] Health and Human Services, HHS. I've learned a lot of acronyms recently. But it is a national certification; it's

## **Regular Meeting, August 11, 2010**

been about a 10 year process to come to the conclusion that if you've seen one health department, you've seen one health department in the United States, and that there needed to be a standardization so that quality improvement could happen in a systematic way and that health departments could talk to each other in a language that meant I'm working on this and it meant the same to someone else, so that's what happening. Standards are being developed, accreditation standards. Now, there's an out flow of this, why I think we should take it serious. I think there's a day, maybe not tomorrow, but in the next five years, where federal funding will be tied to whether you're accredited or not, so I think we need to be a leader in this, we need to understand the implications, and I think it's the right thing to do for our citizens to make sure that we're a high performing health department."

**Chairman Peterjohn** said, "I appreciate the additional information and sorting out the alphabet soup, Commissioner Norton."

**Commissioner Norton** said, "Not a problem."

**Chairman Peterjohn** said, "There was quite a few letters in there. Commissioner Welshimer."

**Commissioner Welshimer** said, "Well, as you know, McConnell is in my district, and their 931st Tanker Maintenance Division has granted me the honor of being their Honorary Commander, so all this week I've visited McConnell and their buildings and met the officers and this weekend I'll be attending an event. Very proud of that."

**Chairman Peterjohn** said, "Well, make up for a missed flight, I think..."

**Commissioner Welshimer** said, "Well I think yes."

**Chairman Peterjohn** said, "...back in 2009, I do remember that."

**Commissioner Welshimer** said, "I think I might get one."

**Chairman Peterjohn** said, "You might get one? Okay. Seeing no other lights lit up here, I'm going to move that we recess this meeting of the Board of County Commissioners and call the meeting of the Fire District #1 here in Sedgwick County, if there's a second."

### **MOTION**

Chairman Peterjohn moved to recess the meeting of the Board of County Commissioners.

Commissioner Parks seconded the motion.

**Regular Meeting, August 11, 2010**

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

**VOTE**

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

**The Board of County Commissioners recessed into the meeting of the Fire District #1 at 3:20 p.m. and returned at 3:47 p.m.**

**Chairman Peterjohn** said, “We’re back at the County Commission meeting, the Fire District meeting is adjourned and we’re back at the County Commission meeting.”

**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

**Regular Meeting, August 11, 2010**

**P. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 3:47 p.m.

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

\_\_\_\_\_  
**KARL PETERJOHN**, Chairman  
Third District

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

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

\_\_\_\_\_  
**KELLY PARKS**, Commissioner  
Fourth District

\_\_\_\_\_  
**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

\_\_\_\_\_  
**Kelly B. Arnold**, County Clerk

**Regular Meeting, August 11, 2010**

APPROVED:

\_\_\_\_\_, 2010