

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes - Final

Wednesday, February 8, 2012

9:00 AM

BOCC Meeting Room

### Board of Sedgwick County Commissioners

*Pursuant to Resolution #131-2010, adopted by the Board of County Commissioners on August 11, 2010, members of the public are allowed to address the County Commission for a period of time limited to not more than five minutes.*

*Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Sedgwick County, should contact the office of Lindsey Mahoney, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203*

*Phone: (316) 660-7052, TDD: Kansas Relay at 711 or 800-766-3777*

*Email: [Lmahoney@sedgwick.gov](mailto:Lmahoney@sedgwick.gov), as soon as possible but no later than 48 hours before the scheduled event. Please include the name, location, date and time of the service or program, your contact information and the type of aid, service, or policy modification needed.*

**ORDER OF BUSINESS**

**CALL MEETING TO ORDER**

*The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:03 a.m. on Wednesday, February 8, 2012, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim R. Norton, with the following present: Chair Pro Tem James B. Skelton; Commissioner David M. Unruh; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. John L. Schlegel, Director, Planning; Mr. Ron Holt, Assistant County Manager; Mr. Joe Thomas, Acting Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee, Deputy County Clerk.*

**GUESTS**

*Mr. Kelly Wendeln, PO Box 1817, Wichita  
Ms. AJ Boleski, General Manager, Intrust Bank Arena*

**INVOCATION**

*Observed by a moment of silence.*

**FLAG SALUTE**

**ROLL CALL**

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

**Present** 5 - Chairman Karl Peterjohn, Commissioner Richard Ranzau, Commissioner Jim Skelton, Commissioner Tim Norton and Commissioner Dave Unruh

**CONSIDERATION OF MINUTES**

**A**      [12-0060](#)

REGULAR MEETING OF DECEMBER 14, 2011.  
All Commissioners were present.

*Chairman Norton said, "We have the meeting minutes of December 14th and 21st in front of us. All Commissioners were present. I think we can probably take those together."*

*MOTION*

*Commissioner Skelton moved to approve the Regular Meeting minutes of December 14th and December 21st.*

*Commissioner Ranzau seconded the motion.*

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

*VOTE*

|                               |            |
|-------------------------------|------------|
| <i>Commissioner Unruh</i>     | <i>Aye</i> |
| <i>Commissioner Peterjohn</i> | <i>Aye</i> |
| <i>Commissioner Ranzau</i>    | <i>Aye</i> |
| <i>Commissioner Skelton</i>   | <i>Aye</i> |
| <i>Chairman Norton</i>        | <i>Aye</i> |

*Chairman Norton said, "Madam Clerk, call the next item."*

**A motion was made by Commissioner Skelton, seconded by Commissioner Ranzau, that this Minutes be Approved. The motion carried by the following vote:**

**Aye:** 5 - Chairman Peterjohn, Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

**Present:** 0

**B**      [12-0055](#)

REGULAR MEETING OF DECEMBER 21, 2011.  
All Commissioners were present.

*Action on Item B was taken with Item A.*

**PROCLAMATIONS**

C [12-0043](#)

PROCLAMATION DECLARING RONALD REAGAN'S 101ST BIRTHDAY ANNIVERSARY.

Read by: Chairman Tim Norton.

RECOMMENDED ACTION: Adopt the proclamation.

*Chairman Norton said, "We have a proclamation that will be read into the record today and I believe Commissioner Peterjohn is going to read that proclamation. So Karl, I turn it over to you."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I certainly will. I'd like to preface my remarks, because part of the reason for this proclamation...I'll make it a little bit personal. Nine years ago today, I was in Siberia in the process of finalizing an adoption of my two children. And both of my kids would not be American citizens today and living here in Sedgwick County, in Wichita if it hadn't been for the work that former President Ronald Reagan and at that time Soviet President Mikhail Gorbachev had managed to achieve. So it's a great privilege and honor for me today to read this proclamation. It states;*

PROCLAMATION

*WHEREAS, former president, Ronald Reagan was successful in peacefully ending the Cold War that had divided the world since 1945 during his second term as President of the United States; and*

*WHEREAS, Ronald Reagan's policies created the groundwork that ultimately resulted in the removal of the Berlin Wall and the Iron Curtain that had divided Europe since the end of World War II; and*

*WHEREAS, Ronald Reagan's stirring speech calling for "...Mr. Gorbachev, tear down this wall," outside the Brandenburg Gate created the environment that led to the peaceful reunification of Germany; and*

*WHEREAS, Ronald Reagan signed the first agreements with the Soviet Union that not only reduced the number of ballistic nuclear missiles that were possessed by both the United States and the Soviet Union but also eliminated entire classes of these terrible weapons; and*

*WHEREAS, Ronald Reagan's economic policies created the largest economic turnaround in United States history after World War II while ending the economic stagflation and malaise that had afflicted this country in the 1970s and early 1980s when he became president; and*

*WHEREAS, Ronald Reagan's recovery from an attempted assassination gave hope and inspiration to an entire country at the beginning of his first term.*

*NOW, THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby recognize*

*'RONALD REAGAN'S 101st BIRTHDAY ANNIVERSARY'*

on February 11th and urge Sedgwick County citizens to honor and commemorate his legacy.

"Thank you for the privilege of being able to read the proclamation, Mr. Chairman."

Chairman Norton said, "Not a problem. We have a proclamation in front of us. What is the will of the Board?"

**MOTION**

Commissioner Skelton moved to adopt the proclamation.

Commissioner Ranzau seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Peterjohn | Aye |
| Commissioner Ranzau    | Aye |
| Commissioner Skelton   | Aye |
| Chairman Norton        | Aye |

Chairman Norton said, "Clerk, call the next item."

**A motion was made by Commissioner Skelton, seconded by Commissioner Ranzau, that this Proclamation(s) be Adopted. The motion carried by the following vote:**

**Aye:** 5 - Chairman Peterjohn, Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

**Present:** 0

**CITIZEN INQUIRIES**

D [12-0108](#)

REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE "TEMPORARY" WITHHOLDING FEDERAL INCOME TAX.  
Presented by: Kelly Wendeln, Wichita.

*Mr. Kelly Wendeln, PO Box 1817, Wichita, greeted the Commissioners and said, "Government gave us the current federal income tax in two stages. Thirty years apart, starting 99 years ago.*

*"The first stage was the short one sentence long 16th Amendment to the U.S. (United States) Constitution that was passed one year before the start of World War I in 1913, by the U.S. Congress and the state legislators. It levied a one percent tax on people who made over \$20,000. Most people made only \$500 to \$1,000 per year back then. Promoters said they wanted to tax the rich. Some people asked what would happen if the tax was raised to 10 percent. The stock answer was that people would revolt. Some revolt.*

*"The second stage started during World War II to fight Hitler and [Hideki] Tojo when the U.S. Congress passed a 20 percent federal income victory tax effective January 1, 1943. All covered employers were required to temporarily withhold money from their workers paychecks. Some temporary. Lesson, there is no such thing as a temporary or a little tax. There are lots of examples of this. What one politician says today is not binding on tomorrow's politicians. During a perceived or claimed crisis, the majority of politicians are more willing to raise taxes rather than cut spending. Why would you want to trade a temporary withholding federal income tax for a permanent flat tax, fair tax or a 999 tax? The more money you give government, the more government you will get. Thomas Jefferson said 'The best government [is best which] governs the least...' Thank you."*

*Chairman Norton said, "Thank you, Mr. Wendeln. We have a comment from Commissioner Ranzau."*

*Commissioner Ranzau said, "I'll just say thank you, Mr. Wendeln for coming today."*

MOTION

*Commissioner Ranzau moved to receive and file.*

*Commissioner Peterjohn seconded the motion.*

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

VOTE

|                               |            |
|-------------------------------|------------|
| <i>Commissioner Unruh</i>     | <i>Aye</i> |
| <i>Commissioner Peterjohn</i> | <i>Aye</i> |
| <i>Commissioner Ranzau</i>    | <i>Aye</i> |
| <i>Commissioner Skelton</i>   | <i>Aye</i> |
| <i>Chairman Norton</i>        | <i>Aye</i> |

*Chairman Norton said, "Okay. Clerk, call the next item."*

**A motion was made by Commissioner Ranzau, seconded by Chairman Peterjohn, that this Receive and File be Received and Filed. The motion carried by the following vote:**

**Aye:** 5 - Chairman Peterjohn, Commissioner Ranzau, Commissioner Skelton,  
Commissioner Norton and Commissioner Unruh

**Present:** 0

**NEW BUSINESS**

- E      [12-0092](#)      PUD2011-00005 - PLANNED UNIT DEVELOPMENT (PUD #36); FOR THE CONTINUED EXPANSION OF CAMP HYDE, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 71st STREET SOUTH AND 263rd STREET WEST (26201 W. 71st STREET SOUTH). (DISTRICT 3).  
Presented by: John L. Schlegel, Planning Director.

RECOMMENDED ACTION: Approve the zone change to PUD #36 Camp Hyde Planned Unit Development, subject to conditions and platting within one year, adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been recorded and conditions have been met, and authorize the Chairman to sign the resolution.

*VISUAL PRESENTATION*

*Mr. John L. Schlegel, Director, Planning, greeted the Commissioners and said, "For some reason, I can't get this to work. There we go. This is an application by the YMCA (Young Men's Christian Association) to create a plan unit development (PUD) district for Camp Hyde. You can see the location of the property, which is about 120 acres in size, at the corner of 263rd Street West and 71st Street South. Current zoning is RR (rural residential). You can see that on the zoning map that I have up before you, and it's completely surrounded by rural residential zoning. The aerial photo that I've put up in front of you now shows the current camp configuration and the surrounding land uses, and you can see from that it's predominantly agricultural with a few home sites in the near vicinity of Camp Hyde.*

*"What they're proposing to do, you can see on the site plan that they have submitted, north is off to the right, in this case 71st Street is off on the right-hand side of that graphic. That's the main entrance to Camp Hyde. What they're planning is a variety of new facilities, upgrading, and upgrading of current facilities. I won't read through all the list of permitted uses that they're proposing for the planned unit development. They're all listed in your backup report. This item was heard by the Metropolitan Area Planning Commission (MAPC) at its meeting January 5th. There was no one from the neighborhood present to testify at the public hearing. We have received no phone calls, no letters, no e-mails, no indication of any concerns from any of the neighbors. The [Metropolitan Area] Planning Commission voted unanimously to approve the request for this rezoning subject to the conditions that are listed in your agenda backup report. And with that, I'll take any questions that you might have."*

*Chairman Norton said, "Thank you, John. Commissioners, are there any questions or discussion on this particular item? I see no lights, so I would entertain a motion."*

*MOTION*

*Commissioner Unruh moved to approve the zone change to PUD #36 Camp Hyde Planned Unit Development, subject to conditions and platting within one year, adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been recorded and conditions have been met, and authorize the Chairman to sign the resolution.*

*Commissioner Skelton seconded the motion.*

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

VOTE

Commissioner Unruh           Aye  
Commissioner Peterjohn       Aye  
Commissioner Ranzau         Aye  
Commissioner Skelton        Aye  
Chairman Norton             Aye

Chairman Norton said, "Thank you, John."

Mr. William P. Buchanan said, "Good morning Commissioners."

Chairman Norton said, "Let's get the next item up first. I know you're anxious."

Mr. Buchanan said, "Sorry, I'm very anxious. Ron Holt may be on the way."

Chairman Norton said, "Next item."

**A motion was made by Commissioner Unruh, seconded by Commissioner Skelton, that this Zone Change be Approved. The motion carried by the following vote:**

**Aye:** 5 - Chairman Peterjohn, Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

**Present:** 0

rF [10-0713](#)

QUARTERLY INTRUST BANK ARENA REPORT.  
Presented by: Ron Holt, Assistant County Manager.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

*Chairman Norton said, "Okay, now you're on Bill."*

*Mr. Buchanan said, "Thank you. This is a quarterly report that we have done, and this is the year end for 2012. We have discussion points that we do every time we do this report, SMG agreement, the City of Wichita area parking and parking event transit service and sales tax reserves. You'll see that the quarterly report has ticket sales, community fares and financial summary. The fourth quarter ticket sales, you can see here that there are three pages of ticket sales, and there were, you'll see hockey on here, there are 17 different hockey games. You'll see that Reba McEntire, three quarters of the way down, did a nice concert. You'll see that also the Wichita State [University] (WSU) basketball game and Kansas State [University] (KSU) basketball game were huge successes for the [Intrust Bank] Arena. Tran-Siberian Orchestra (TSO) also had a wonderful concert, and then the [Wichita] Thunder, again, had 17 games. You can see average attendance performance was 5,300 folks, which was what we would expect.*

*"On the ticket sales, on October 2011 to December 2011, you'll see we had gross ticket sales of \$2.4 million, and that October through December 10th, we had \$3.5 [million], it was \$1.1 million less than what we had last year. And we know that 2011 was going to be a difficult year. Year to date, December report, January to September, there was 63 performances. October through December, there were 23 performances for a total for the year of 86 performances, and an average of 4,500 folks. So the average over the year was less than the fourth quarter.*

*"You see that the community affairs is an important part of what SMG does. The employment for this quarter was 38-40 full-time employees, and some people left and came, and part-time was anywhere from 375-395. The quarterly report again met payroll for wages and benefits from the arena, \$2.6 million.*

*Mr. Buchanan continued, "The total community groups, and remember SMG is part of their contract and part of their relationship with us is the relationship with volunteer organizations to help run the concession stands, they paid \$128,000 for those. We spent \$436,000 on Kansas companies. I see AJ is here. I'm glad you're here. If there are any technical questions, he's the guy to ask.*

*"We had Arena presentations and tours and local events and activities. Two hundred and twelve groups were in the concession stands, and you see the dollars that we spent on Kansas companies year-to-date. That's not just a quarterly, that's for the whole year. And then community service projects for the year, and you can see what SMG employees, a number of things that they've done through the arena. Here is a list of those: Dress for Success, [Kansas] Food Bank, [Wichita River] Festival, Junior Olympics [Track and Field], March of Dimes [Blue Jeans for Babies], Habitat for Humanity, United Way event, March of Dimes [Chef Auction], Kansas Food Bank and Salvation Army [Angel Tree].*

*"We recall that every quarter we go through the definitions and the net direct event income, rental income. The net food beverage merchandise is the stuff that they sell at the concession stands and merchandise. This is for premium seating and the merchandise sales is less the cost of the goods. Other net income includes luxury box, you see this other net income, luxury box ticket sales and ticket service fees, other operating income includes Selected-A-Seat fees, loge box, club seat agreements and advertising. And that plays an important number in the year end figure. Gross building income is all the net income, event income plus net food, beverage, merchandise plus other net plus other operating. And so you see those definitions.*

*"The quarterly report for the fourth quarter of 2011, concerts and sporting events, Thunder 17 hockey games, we talked about before. Other events in the quarterly was \$1 million. Other operating income was \$600,000. Total gross income was \$1.6 [million]. Building expenses was a little less than a million. So for the fourth quarter, there was a net building income of \$600,000, which compared to the last couple quarters, was way better. The fourth quarter comparison to last year to this year, fourth quarter of 2011, we saw a gross income of \$1 million. In 2010, it was \$1.2 million. So we didn't do as well, but we did pretty well compared to the other quarters. The fourth quarter versus the fourth quarter 2010, you can see the difference in gross income, and you can see those numbers. And then fourth quarter 2011 to fourth quarter 2010, of expenses, operating expenses, net building income, difference in net building income.*

*"Year-to-date through December. And here is the one that we were most concerned about not only from our point of view but from SMG's point of view, that the year to date through December, you can see there were 99 total activities there, or 76 events, 99 performances. You'll see that other operating, that the year-to-date gross was \$3.2 million. That the other operator was \$1.5 [million], and we've talked about the other operating, how important that was. Total gross building income was \$4.8 million, and the operating expense for the year was \$4.4 [million], which turned a profit of \$389,659. That's better than a poke in the eye.*

*"The numbers are in the black, not as well as SMG would have liked, not as well as we would have liked, but we're looking forward to next year. Area event parking and transit service, again, all good numbers year-to-date. Quarter to date total is 13,500 folks parked in the four parking lots.*

*"The Arena event parking, December activity...January to December, 33,000 people parked in those lots. Q-Line ridership in the fourth quarter was 4,800 people. Year-to-date was almost 19,000 folks. The Arena sales tax reserves includes remaining sales tax funds as well as naming rights revenues, reimbursements of signage, infrastructure costs as appropriate, needs for the sale, and proceeds for the sale required for the project but subsequently determined to be unnecessary.*

*"So we have major capital for the Arena, up to \$93,000 annually for the city, for Q-Line services, to up \$225[,000] annually for provide parking, which hasn't been used, major repairs for Kansas Pavilions and operating deficit for the [Kansas] Pavilions. We had naming right reserves of, naming rights, \$415,000, Cisco Access Points equipment reimbursement. We bought some telephones for them, didn't need them all, got reimbursed when we returned them. Here's the expenditures. This is the reserves as of December 31st. You will see the Pavilions rest room, Coleman [Company] parking lot naming rights, carryover encumbrances, and what that was.*

*"And then the upcoming events we have is pretty exciting. You see a bunch of hockey games. They continue to play well and do well for the Arena and for themselves. George Strait is coming. Jeff Dunham will be here in this month. We have Freestyle Motocross, which brings in lots of folks. Sesame Street [Live] and Elmo Makes Music, that will be cool. And you can see these, and the exciting part is Tom Petty and the Heartbreakers at the end of April and Nickelback in June. So, if there's any questions, Ron Holt is here to answer them."*

*Chairman Norton said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Bill, on slide 26, I'm just doing some quick math here, looking at the numbers. Does it say from, just looking at this slide that our reserves, if you're just looking at the Arena portion and not looking at the total figure, we had a drop of a little over \$800,000 in the reserve, in the Arena sales tax reserves for 2011?"*

*Mr. Buchanan said, "Yes, \$800,000, the difference compared to September 2011 to December 2011. December 31st."*

*Commissioner Peterjohn said, "Well, okay. The \$813,511 figure that's up on the slide on this, is there is a figure available for the whole year?"*

*Mr. Buchanan said, "Yes, and we'll get that to you."*

*Commissioner Peterjohn said, "I can see Ron working on that and while he is, let me jump to a slightly different question. This may be more one for AJ than for Ron or Bill. The question I'd like to throw out is, are we at a point going forward that we can kind of compare quarter to quarter or year over year numbers going forward, even though I realize the facility only opened right at the beginning of 2010. So right at the very beginning in January, the first quarter of 2010 was not a full quarter for event purposes the way the first quarter of 2011 would have been."*

*Mr. AJ Boleski, General Manager, Intrust Bank Arena, greeted the Commissioners and said, "Yeah, I think now that we have two years under our belt, almost two years, complete years, as far as a season goes for us, comparing quarter versus quarter, we now have, we all talked about the first year being somewhat of a honeymoon period. Therefore, now we've come down a bit in [20]12, expect to go back up this year. Mr. Boleski continued, "I think it will be somewhere in between, a good solid number in [20]12. But I think, you know, the more history that we gather, the easier it is, and the better it is to compare against quarter against quarter."*

*Commissioner Peterjohn said, "AJ, since you're up there, can you give me a quick overview in terms of how the general concert market and events markets, whether it's sports or any other categories, doing nationally as opposed to just, we have a tendency to just kind of look at our facility. But, I'm kind of curious if you were looking at similar facilities in our region and around the country, who is the overall market doing in these challenging economic times?"*

*Mr. Boleski said, "We actually just went to a Pollstar [Live!] conference. This is the big annual conference for our industry it was out in LA (Los Angeles) last week and had a lot of good conversations with agents and promoters there, and that's something that we do every year. We go to three of them, and this is the big one. And you know, what we're hearing as far as 2012, it looks like a good solid year as far as concerts out on*

*the road. So that's what we're anticipating, too, and I think if you compare our first quarter of this year versus last, I believe we have six concerts versus two last year. I think you can already tell that, and you're going to see that trend through the remainder of the year, as well.*

*"As far as the sports side of things, Wichita Thunder hockey continues to be a great success this year. We've enjoyed working with the Steven brothers, they've done a tremendous job of advertising, getting the word out on the team, and it's been very successful and we expect that to continue. And hopefully, hoping for playoff games this year in April and they could go very late this year if they continue to play very well. And then on the sports end of things, we continue to pursue college basketball games. That's something we want to do a lot more of. A lot of the success that we had in the fourth quarter is a result of the Wichita State game and the K[ansas]-State game, in addition to hockey and the concerts that we had. But, those are things we want to grow, and we want to do as many of those as we can. So every year, we're going to be focused on building up more momentum as far as college sports."*

*Commissioner Peterjohn said, "Delighted to hear that, and I'd love to see more college basketball games there. The one I attended was very, very exciting, especially for WSU fans, which I consider myself one. Let me jump back to either Mr. Buchanan or Mr. Holt. Do we have an answer to my earlier question?"*

*Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "At the beginning of 2011, the Arena operating reserve fund stood at \$14,614,463. At the end of the year, you see there it was at \$11,737,376. That's a difference of \$2,877,087. That's a net difference. We did receive, of course, naming rights income during the year, but more important than that is what we spent during the year for the Pavilions operating support, which was \$750,000 plus thousand dollars. We also had, of course, the Coleman project. We also had the Pavilion rest room and shower project there. When you put all of those in play, the net was \$2,877,087 less at the end of the year than at the beginning of the year."*

*Commissioner Peterjohn said, "Thank you, Mr. Chair."*

*Chairman Norton said, "Ron, those would not be recurring expenses. We've jettisoned off the Pavilions now, so that subsidy we've had to take out of the operating reserve fund and throw into that is gone now.*

*"The [Coleman] parking lot is finished and complete, so those are nonrecurring. That fund should start to build back up with a really good year at the Arena; is that correct?"*

*Mr. Holt said, "It should begin to build back up. We have an obligation ongoing of around, part of the SMG contract, around \$250,000 a year for capital improvements equipment at the Arena. We also have obligations that some of our naming rights funds flow through to the premium seat ticketing and to, as you see on this slide here and onto advertising, that's a part of that. We would also have from time to time some emergency repair kinds of things for the Arena, but yes, the parking lot, for Coleman parking lot, the Pavilion operations and the shower buildings, all of those were onetime, since we sold the facility, all of those would have been ending for the Pavilions this year, 2011."*

*Chairman Norton said, "It seems like to me that as we grow that back we'll be healthy for running the Arena, and having some reserve money to put back into the Arena for facility upgrades, equipment or whatever is going to be very important. One criticism I*

*heard of the [Kansas] Coliseum, as it's started to get old, we didn't put as much money into it to keep it up, and we have an obligation now and the money reserved to make sure that the Intrust Bank Arena always stays fresh and updated either in facilities or equipment. I just got a note from one of our vendors, that AJ and his crew work with, that were very complimentary of what they've done to try to keep it as fresh and as clean and as updated as they possibly could, and I think that's part of why I think people will enjoy the Arena for many, many years. Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. I don't know if AJ or Ron can answer me. We had...the statistic we had, I think, 99 performances in 2011. I didn't recall seeing, how does that compare to the total number of performances for 2010? And if you said that, I didn't catch it."*

*Mr. Buchanan said, "I don't know that I said that."*

*Chairman Norton said, "It was 75 performances with 99, or 75 events with 99 performances."*

*Mr. Buchanan said, "Yes."*

*Commissioner Unruh said, "It says 99 during 2011."*

*Mr. Buchanan said, "Right."*

*Commissioner Unruh said, "I just wondered how that compared to that honeymoon year of 2010."*

*Mr. Holt said, "109."*

*Mr. Buchanan said, "109."*

*Commissioner Unruh said, "Okay, so the number of performances are only 10 fewer."*

*Mr. Buchanan said, "Right."*

*Commissioner Unruh said, "Well, I think maybe that indicates the hard work that our management team did getting events and performances in here in what nationally was a down year. So once again, I think it should give us confidence that we've got a good partner managing for us, and we appreciate that. And it appears that the fourth quarter is what really kind of made up for the bad first three quarters as far as of profit."*

*Mr. Holt said, "That would be correct."*

*Commissioner Unruh said, "I'm certainly glad that we had a profit in what was, we were afraid was going to be a very poor year. I don't know, I forget the formula on if or how we get to participate in that, but I'm just glad that we had a profit. So, many of these municipal facilities around the country just require huge subsidies every year. The fact that ours is paid for and we've got a great operator, that's what results in a profit for us, so I'm really pleased about that. And the comment I think has already been made about the operating and maintenance reserve, that a lot of the reduction in that is due to onetime expenses that we will not be faced with again, so that ought to keep that*

*fund very stable for us. And then lastly, I'd echo what the Chairman said, that we have received unsolicited comments from vendors and other folks that indicate that our management team and AJ specifically is doing a great job, and they just wanted to express their appreciation. So thanks for another good year, actually. That's all I have, Mr. Chair."*

*Chairman Norton said, "Okay, I don't see any other lights. I have one last question. Last year we kind of got jilted on the NBA (National Basketball Association) that was supposed to come here. Does that look like next year we, you know, with the NBA canceling part of their season, we lost out on that, and that could have been a very good event, too."*

*Mr. Boleski said, "I think everybody got a little jilted by the NBA. But, no we obviously were working on a game, and we had announced a game, and were hoping they were able to get things worked out, and they weren't able to get them worked out in time for preseason. But we do anticipate, along with college basketball, we want to host an NBA game as often as we can, NBA preseason game as often as we can, and we hope to do that in 2012."*

*Chairman Norton said, "There's a lot of holiday tournaments and preseason basketball, NCAA (National Collegiate Athletic Association) tournaments. Has there ever been any thought of trying to host some kind of a national tournament at the Arena?"*

*Mr. Boleski said, "Well, we have the opportunity to work with two tremendous promoters this past year that promoted the Wichita State game and also the K-State game. So I would say that both these promoters do a lot of business with college athletics throughout the country, whether it's basketball or football games. They're very well connected, and I think that as we continue to do more of these games, more and more of those types of opportunities will come up."*

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

*Commissioner Skelton said, "Well, I appreciate that. I know we're all looking forward to new opportunities, so why don't we consider a hot dog eating contest sometime. That's my comment."*

*Chairman Norton said, "[Takeru] Kobayashi against Jim Skelton, I'd pay to see that probably. Thank you, AJ. I don't see any other lights. Madam clerk, call the next item. Wait, we need a motion to receive and file."*

**MOTION**

*Commissioner Peterjohn moved to receive and file.*

*Commissioner Skelton seconded the motion.*

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

**VOTE**

*Commissioner Unruh                   Aye*  
*Commissioner Peterjohn           Aye*

Commissioner Ranzau           Aye  
Commissioner Skelton        Aye  
Chairman Norton             Aye

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

*Chairman Norton said, "Thank you. Madam Clerk, call the next item."*

**A motion was made by Chairman Peterjohn, seconded by Commissioner Skelton, that this Receive and File be Received and Filed. The motion carried by the following vote:**

**Aye:** 5 - Chairman Peterjohn, Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

**Present:** 0

G [12-0112](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON FEBRUARY 2, 2012.

Presented by: Joe Thomas, Acting Director, Purchasing Department.

RECOMMENDED ACTION: Approve the recommendations of the Board of Bids and Contracts.

*Mr. Joe Thomas, Acting Director, Purchasing Department, greeted the Commissioners and said, "The meeting of Boards of Bids of Contracts of February 2nd results in three items for your consideration. Item 1;*

1. LAKE AFTON MUSHROOM RESTROOM RENOVATION -FACILITIES DEPARTMENT  
FUNDING --FACILITIES DEPARTMENT

*"The recommendation is to accept the low overall bid from Compton Construction in the amount of \$145,090.00. Item 2;*

2. UTILITY BILL AUDIT --FACILITIES DEPARTMENT  
FUNDING --NOT APPLICABLE

*"The recommendation is to accept the proposal from ConEdison Solutions and establish a contract for a period of one year at the cost sharing rates as indicated above. And Item 3;*

3. RENEWAL OF ANNUAL MAINTENANCE AND SUPPORT -DIVISION OF INFORMATION AND OPERATIONS  
FUNDING-NETWORKING AND TELECOM

*"The recommendation is to accept the quotes from Xiotech in the amount of \$31,959.32.*

*"I'll be happy to answer questions and I do recommend approval of these items."*

*Chairman Norton said, "You have the report of Bids and Contracts in front of you. What is the will of the Board?"*

MOTION

*Commissioner Skelton moved to approve the recommendation of the Board of Bids and Contracts.*

*Commissioner Unruh seconded the motion.*

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

VOTE

|                               |            |
|-------------------------------|------------|
| <i>Commissioner Unruh</i>     | <i>Aye</i> |
| <i>Commissioner Peterjohn</i> | <i>Aye</i> |
| <i>Commissioner Ranzau</i>    | <i>Aye</i> |

Commissioner Skelton           Aye  
Chairman Norton                Aye

Mr. Thomas said, "Thank you."

Chairman Norton said, "Thanks Joe. Madam Clerk, next item."

**A motion was made by Commissioner Skelton, seconded by Commissioner Unruh, that this Board of Bids and Contracts be Approved. The motion carried by the following vote:**

**Aye:** 5 - Chairman Peterjohn, Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

**Present:** 0

**CONSENT**

- H     [12-0069](#)       One (1) Easement Agreement for Sedgwick County Project 801-DD-5280; Bridge project on 151st Street West between 103rd & 119th Streets South. CIP# B-443. District 3.
- I     12-0091       Order dated 01/26/2012 to correct tax roll for change of assessment.
- J     [11-1249](#)       Payroll Check Register.
- K     [11-1281](#)       General Bill Check Register.

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

**MOTION**

Commissioner Skelton moved to approve the Consent Agenda.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh           Aye  
Commissioner Peterjohn       Aye  
Commissioner Ranzau         Aye  
Commissioner Skelton         Aye  
Chairman Norton               Aye

Chairman Norton said, "Next item."

**A motion was made by Commissioner Skelton, seconded by Commissioner Unruh, that this Consent be Approved on the Consent Agenda. The motion carried by the following vote:**

**Aye:** 5 - Chairman Peterjohn, Commissioner Ranzau, Commissioner Skelton,  
Commissioner Norton and Commissioner Unruh

**Present:** 0

**OTHER**

*Chairman Norton said, "Is there, we have a Fire District [No. 1] meeting today, but I thought we would dispense with any 'other' that anybody might have before we did that. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'll just give a quick update on the population in the Sedgwick County Jail and related facilities. As of this morning, there were 1,466 people in custody. Of those 1,121 were in the main detention facility; there were 112 on Work Release; 233 out of county. When you break those folks up into their classification as the Sheriff's rank them, maximum security, there were 468; medium security, 578; and minimum security, 360, and the rest were unclassified. So this number has popped up a bit since the first of the year, but it's well below where it's been in the past, but it's something obviously we need to continue to monitor and work on going forward. Thank you, Mr. Chairman."*

*Chairman Norton said, "Commissioner Skelton."*

*Commissioner Skelton said, "Mr. Chairman, I haven't done this before, but I wanted to take the time to acknowledge a City of Wichita employee for her fine service to the citizens named Janet Johnson. She's been in a position to work directly with the citizens and neighborhoods for years. When I was Councilman, she served in a capacity of my assistant and neighborhood assistant, and she continues that job today, and I just wanted to say that the City of Wichita is very fortunate to have a person of that character and caliber in that position. Thanks, Janet."*

*Chairman Norton said, "Okay, shout out. Anyone else? Okay, I see nothing else. We'll recess the Board of...well I'll go ahead and adjourn the meeting of the Board of County Commissioners."*

**ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 9:40 a.m.*

*BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS*

\_\_\_\_\_  
*TIM R. NORTON, Chairman  
Second District*

\_\_\_\_\_  
*DAVID M. UNRUH, Commissioner  
First District*

\_\_\_\_\_  
*KARL PETERJOHN, Commissioner  
Third District*

\_\_\_\_\_  
*RICHARD RANZAU, Commissioner  
Fourth District*

\_\_\_\_\_  
*JAMES B. SKELTON, Commissioner  
Fifth District*

ATTEST:

\_\_\_\_\_  
*Kelly B. Arnold, County Clerk*

APPROVED:

\_\_\_\_\_