

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



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Meeting Minutes - Final

Wednesday, January 9, 2013

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, 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 9:05 a.m. on Wednesday, January 9, 2013, 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. Larry Ternes, Youth Services Administrator; Ms. Marilyn Cook, Executive Director, COMCARE; Ms. Ann Elifrits, Director of Center City/Homeless Program, COMCARE; Mr. John L. Schlegel, Director of Planning; Ms. Annette Graham, Director, Sedgwick County Department on Aging; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee, Deputy County Clerk.

CALL MEETING TO ORDER

Ms. Paula Downs, Project Director, Hugo Wall School of Urban and Public Affairs

INVOCATION

Led by Sister Joan Burger, Sisters of St. Joseph

FLAG SALUTE

ROLL CALL

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

DONATIONS

- A [12-1004](#) DONATION OF MISCELLANEOUS ITEMS TO JUDGE RIDDEL BOYS RANCH (JRBR) FROM THE ORCHARD PARK SENIOR CENTER.
Presented by: Larry Ternes, Youth Services Administrator.

RECOMMENDED ACTION: Accept the donation and authorize the Chairman to sign a letter of appreciation.

Mr. Larry Ternes, Youth Services Administrator, greeted the Commissioner and said, "The Orchard Park Senior Center has donated miscellaneous items to the Judge Riddel Boys Ranch valued somewhere between \$1,000 and \$1,500. The donation included a variety of items such as board games, a CD player, basketballs, footballs, socks, stocking hats, gloves and various toiletry items.

"These items will be used for residents that enter the facility with deficits in hygiene products or clothing areas and will also enhance programming activities for the youth at the Judge Riddel Boys Ranch. I recommend that you would accept this donation this morning and authorize the Chair to sign a letter of appreciation and I'd be happy to answer any questions you have this morning."

Chairman Norton said, "Commissioner Skelton."

MOTION

Commissioner Skelton moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

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, "Take it easy Larry, thanks."

Mr. Ternes said, "Thank you very much."

Chairman Norton said, "Next item."

B 12-0998

ACCEPTANCE OF A MEMORIAL DONATION TO COMCARE OF
SEDGWICK COUNTY.

Presented by: Marilyn Cook, LSCSW, Executive Director, COMCARE.

RECOMMENDED ACTION: Accept the donation and authorize the
Chairman to sign a letter of appreciation.

Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioner and said, "This item involves a \$100 donation as a memorial for one of COMCARE's clients who was with us for a while who died last year. He had a severe and persistent mental illness and received services in our community support services program. While we don't mention the name of consumers in these kinds of situations due to being able to maintain their confidentiality, I can say that this individual was one that our staff felt very connected to.

"He was an individual who loved oldies music and an individual who routinely got injectable medications, which are not easy to get. But they would play oldies music for him and he'd sometimes sing along while he was getting his injection. The staff described him as an individual who was very giving and very appreciative of the services that he got, and staff said they really will miss him. We recommend that you accept the donation and authorize the Chairman to sign a letter of appreciation."

Chairman Norton said, "Thank you, Marilyn. Commissioners, what's the will of the Board?"

MOTION

Commissioner Skelton moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

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>
<i>Commissioner Skelton</i>	<i>Aye</i>
<i>Chairman Norton</i>	<i>Aye</i>

Ms. Cook said, "Thank you."

Chairman Norton said, "Thank you, Marilyn. Next item."

PLANNING DEPARTMENT

- C [12-1007](#) ZON2012-00030 ZONE CHANGE FROM SF-20 SINGLE-FAMILY RESIDENTIAL ("SF-20") TO GC GENERAL COMMERCIAL ("GC") ON PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF SOUTH BROADWAY, 340 FEET SOUTH OF WEST 79TH STREET SOUTH. (DISTRICT 2)
Presented by: John L. Schlegel, Director of Planning.

RECOMMENDED ACTION: Adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to GC General Commercial ("GC"), subject to platting within one year, authorize the Chairman to sign the resolution once the plat is recorded and authorize the resolution to be published.

VISUAL PRESENTATION

Mr. John L. Schlegel, Director of Planning, greeted the Commissioner and said, "This application area, you can see on the graphic before you, is along south Broadway just to the south of 79th Street South. The application area is just a little over .6 acres in size, currently zoned SF-20, single family residential. The applicant is seeking this general commercial rezoning in order to be able to expand his existing electric contractor business, which is located immediately to the north. As you can see, on the zoning map before you now, neighboring properties to the north are, excuse me, are all zoned general commercial, and other zonings adjacent to this application area are SF-20 and RR, rural residential, across the street.

"As you know, south Broadway is U.S. (United States) Highway 81 in this area and carries a significant amount of traffic connecting Haysville to points south, including a casino and Wellington to the south.

"The property is, well, let me go to the aerial photo. You can see the nature of surrounding land uses, a lot of residential development in the vicinity of the application area. You can see the existing general, not general contractor, electrical contractor business just to the north. And here's a photograph of the building under construction with the existing business just off to the right in that photograph. The property is located within Haysville's subdivision jurisdiction, so platting for this property will be subject to Haysville subdivision regulations. Haysville is located about a quarter mile to the northwest of the application property.

"If the request is approved today, then the site will be subject to the zoning code screening and compatibility requirements, which would require some type of screening between this commercial property and the nearby, the adjoining residential properties. The property is also within the Haysville zoning area of influence, so it went to the Haysville Planning Commission on November 15th, at which time that [Haysville] Planning Commission recommended by a vote of seven to one to approve this request subject to platting within one year. No one was present at that meeting in regards to this application.

"The Metropolitan Area Planning Commission (MAPC) heard the case on December 6th, and they, that group voted unanimously to recommend approval, again, subject to plotting within a year. So that's the recommendation that's before you today, is that you adopt the findings of the MAPC and approve this zone change subject to platting within one year. I'll be glad to take any questions.

Chairman Norton said, "Commissioners, this is, I'm very familiar with this property. They just recently cleaned off an abandoned house that had been there for quite a few years to clean up the property. The existing business on the corner was originally an adult entertainment unit, and it's upgraded to a commercial business that has reach all over the United States. I think it's a good plan, and with the screening, I don't see that it will affect any of the residential areas. Once again, I have been involved for about a year with the expansion here, so I'm going to be supportive, and I would entertain a motion to move this forward. I won't make it, but if somebody else would, that would be great."

MOTION

Commissioner Skelton moved to adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to GC General Commercial ("GC"), subject to platting within one year, authorize the Chairman to sign the resolution once the plat is recorded and authorize the resolution to be published.

Commissioner Unruh seconded the motion.

Chairman Norton said, "We have a motion and a second. Any other discussion? Madam Clerk, call the vote. I'm sorry. I do have a question. Richard."

Commissioner Ranzau said, "Just one question. What's the difference from that building you showed in the picture to the house next door?"

Mr. Schlegel said, "Well, I think this photograph shows you that the house just to the south, is that the one you're referring to?"

Commissioner Ranzau said, "Right."

Mr. Schlegel said, "I don't, let's see, I don't really have the dimensions. But you can see how it is relatively close, and I guess that shows up on the aerial, too. That house on the lot to the south is pretty close to the lot line, so I would hate to venture a guess on what the distance is. It's just close."

Commissioner Ranzau said, "Okay."

Chairman Norton said, "Any other questions? Okay, Madam Clerk, call the vote. Did you have another question, Jim?"

Commissioner Skelton said, "No, sir."

VOTE

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

Chairman Norton said, "Next item."

NEW BUSINESS

D [12-0989](#)

CONSIDERATION OF A GRANT IN THE AMOUNT OF \$321,479.00 FOR RENEWAL OF COMCARE'S HOMELESS PROGRAM TRANSITIONAL HOUSING PROJECT.

Presented by: Marilyn Cook, Executive Director, LSCSW, COMCARE.

RECOMMENDED ACTION: Approve the application for the grant, and authorize the Chairman to sign all necessary documents, including the grant award agreement containing substantially the same terms and conditions as this application, and approve establishment of the budget authority at the time the grant award documents are executed.

Ms. Cook said, "This item involves renewal application for two grants that provide partial funding for a (United States) HUD (Department of Housing and Urban Development) housing program called the Transitional Housing Program, or we call it THP.

"The main THP grant has been in place since 2003 and provides lease costs for 16 scattered site apartments located on Hunter and Cottonwood Streets in Wichita. The Enhancement Grant was awarded to COMCARE in 2006 and added four apartments, making both grants support a total of 20 apartments.

"The target population for these grants are individuals who are really hard to stabilize, and they're individuals who have co-occurring disorders, meaning they have severe and persistence mental illness along with a substance abuse disorder that's significant. The program has two main goals. The first is to secure and maintain permanent housing for this population, and the second is to help these individuals to secure and maintain work that enables them to maintain or increase the incomes that they have. Last year, 32 individuals were served through this program, 21 males, 11 females. Individuals are allowed to stay, according to HUD, in these apartments for up to two years. However, the average length of stay is 298 days or between 9 and 10 months. A total of 12 individuals exited the program in 2012. Five of them exited to permanent housing, which, of course, is the ultimate goal. Three exited to temporary housing. One exited due to a psychiatric hospitalization. Two exited to jail, and one exited to a location that they categorized as a location not meant for human habitation, which could be something like an abandoned building or car or park.

"Eleven of the 12 maintained or improved their annual income. The combined grants essentially the same this year in dollar amount that we're asking for, which is \$321,479. A little over \$21,000 of this grant goes into contracting with Episcopal Social Services to service a payee for residents who often also struggle with money management problems. The grant pays for the fair market value for these lease costs, we're leasing these just a little bit below the fair market value of the 20 apartments as well as one apartment that serves as an office for the program staff. It also provides 75 percent of the cost of the salary and benefits of the staff, and that staff includes a full-time therapist, 1.4 case manager positions in the full THP grant, and then the enhancement grant provided salary and benefits for .6 of one FTE (full time employee) of another case manager. It also provides support for a support staff who is at the site, does inspections and keeps things going there, and a halftime addiction counselor.

"The program cash match requirement total for both of these is \$52,195, and that comes from revenue that's generated from the services provided. Interesting this year, 25 percent of the individuals living in this housing have obtained a medical card, and that's due to the tenacity and perseverance of our staff, who use this new SOAR

(Social Security Income/Social Security Disability Income, Outreach, Access and Recovery) model to make sure people are eligible for benefits whenever possible as quickly as possible. These two grants are part of a larger continuum of care community grant submitted to HUD to the United Way. We're recommending that you approve the recommendation for the grant and authorize the Chairman to sign all necessary documents, including the grant award agreement containing substantially the same terms and conditions as this application and approve the establishment of the budget authority at the time the grant award documents are executed. I'd be happy to answer any questions."

Chairman Norton said, "Commissioners, you've heard the presentations. What's the will of the Board?"

MOTION

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

Commissioner Unruh seconded the motion.

Chairman Norton said, "I have a motion and a second. Commissioner Ranzau."

Commissioner Ranzau said, "Marilyn, I have a question for you, on page 41 of the grant application."

Ms. Cook said, "Okay, got it."

Commissioner Ranzau said, "It talks about we've got a nine bedroom unit that we're going to rent out. Can you tell me where that's located?"

Ms. Cook said, "You know, I don't have that page. My page 41 is not the same as yours, but I know what you're referring to."

Commissioner Ranzau said, "It's page 66 in the..."

Ms. Cook said, "In the application. Okay. We don't have a one, nine bedroom apartment, and what has happened this year is HUD had a formula problem with this grant in past years, and when we sought to seek the same amount of money that we got last year in a grant, we received advice from HUD to, as a place keeper for them to know that they're going to have to do something to fix their formula, asked us to list that apartment in this grant and another one in the enhancement grant and assign to it a rent of a dollar a month. That's their way of saying, when this application comes to them, they know that they have a formula issue that they have to deal with."

Commissioner Ranzau said, "I see. So the federal government has instructed you to put some information down that's not actually, factually correct?"

Ms. Cook said, "The federal government instructed us on how to fix this with this, and we complied."

Commissioner Ranzau said, "I got it. Well, my criticism is not with you. You understand that. I have problems with federal intervention into local affairs to begin with. I understand this program. I think it's a good program, it does good things. I think we could fund this ourselves, but it's particularly troubling in this day and age that the federal government is so committed to spending money that they don't actually have that they're instructing you to, essentially, submit a fraudulent application. That's what I would consider it when you put information that's incorrect, there again, I'm not criticizing you or your staff."

Ms. Cook said, "I understand."

Commissioner Ranzau said, "But it's the federal government and how dysfunctional they are, and it's an indication of the times that we live in and I think the severity of the situation that we face as a country. So, I'm more than prepared to help find some money within our budget to support this and pay for this.
"I think we can and should, and my vote will reflect that. Thank you."

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

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Marilyn can you kind of go through the time duration for each of these grants?"

Ms. Cook said, "Okay, if I can remember this correctly, Ann is in the audience in case I don't get this right. Is it the main grant that's...okay, so the main one is effective August 1st through July 31st, and then the Enhancement Grant, which we got at a different time, goes from February onward, and we're hoping next year that they will agree to combine these two grants, because it's been difficult to apply for these separately."

Commissioner Peterjohn said, "I would agree with you, in terms of having different time frames, but you said in February, is it February 1st or February 28th?"

Ms. Cook said, "The first."

Commissioner Peterjohn said, "February 21st."

Ms. Cook said, "No, the first."

Commissioner Peterjohn said, "February 1st, I'm sorry. So we've got grant duration here. Any idea why this doesn't match either, I mean, normally when we have these, I mean, obviously in our perfect world, it would be a lot easier for us if it fit into the county budget year, which is January 1st through December 31st. The feds (federal government) are on an October 1st to September 30th calendar year. Do you have any idea why we've got two grants here in front of us that are operating on their own separate, different time frame?"

Ms. Cook said, "I don't know the justification for it, but I know it happens all the time depending on when monies are released, when RFP's (request for proposals) are released. We have a number of grants that operate that way."

Commissioner Peterjohn said, "I understand. We run into this. This is not the first time, and I'm sure it won't be the last time that we run into it. I noticed, and I'd be interested in any comments you might have to follow up a little bit on Commissioner Ranzau's question. On page 41, which in our sheets for the backup is page 66, it talks about this nine bedroom unit, that the rent would be \$1. Can you talk about that \$1 amount and why we, I mean, it's just, 14 one bedroom units; two 2 bedroom units, zero for 3-8 bedroom units and one 9 bedroom unit with a \$1 rent amount. Any clarity you could provide on this I would appreciate it."

Ms. Cook said, "Yeah. I'm going to say we're not in love with this approach either. One of the problems that HUD found in their formula is that they do not follow the rules of math and round up only after it's above 50 cents on the dollar. They round up any cent above the dollar. And so in order for us to submit an amount that was as close as possible, this was \$10 higher, which is as close as we could do it to get the math to worked out, they issued these instructions saying, put it on this line.

Ms Cook continued, "This will be a place keeper for us to say that much more money needs to be infused in this in order to come as close as possible to the dollar amount that we received last year."

Commissioner Peterjohn said, "Okay. Well, I understood it. Some of the backup information you provided to us, you said that 12 individuals exited the program last year. Five managed to find permanent housing, which I think is the goal. Could you talk a little bit about the three that exited the temporary housing situation. What does that really mean when it says temporary housing?"

Ms. Cook said, "I'm going to ask Ann to come up since she is programming manager of that program. Ann Elifrits."

Ms. Ann Elifrits, Director of Center City/Homeless Program, COMCARE, greeted the Commissioners and said, "HUD has definitions of what they consider permanent and temporary housing. So temporary housing includes locations such as living with families but only on a temporary basis, living with friends on a temporary basis. So, you know, HUD would consider temporary anything less than being able to stay 90 days or more."

Commissioner Peterjohn said, "Okay. Well, let me ask you this then, because we had 12 individuals that exited program and five went to the permanent housing we wanted. We had one who ended up in psychiatric hospitalization, two ended up in jail, and one went to a location not meant for human habitation, which obviously that doesn't sound like a good outcome."

Ms. Elifrits said, "No, sir."

Commissioner Peterjohn said, "Is it fair to say that 7 out of the 12 that left basically left for less than optimal outcomes?"

Ms. Elifrits said, "That would be correct. This is a tremendously difficult population to work with."

Commissioner Peterjohn said, "Well, I would agree with you, I would very much agree with you on that, in terms of the outcome. I'm just trying to understand if we're meeting our goals, in terms of successful outcomes or not with less than half the people

getting to where we would hope they would be. With the turnover, and that some are able to stay up to two years but the average is about nine months, if we're, do the feds provide us with any targets or goals that they want us to try and meet with these grants?"

Ms. Elifrits said, "They do."

Commissioner Peterjohn said, "Are we meeting them?"

Ms. Elifrits said, "Year to year, we do have variance, in terms of the individuals that we enter into the program. So there's quite a bit of variability, in terms of the individual differences of the consumers themselves. The national average is 67 percent of people leaving transitional housing will be able to obtain permanent housing. So this year, we were below the national average. The year prior, we had 78 percent go to permanent housing. Unfortunately, it is variable and does depend on the individual differences of the clientele."

Commissioner Peterjohn said, "I understand you've got individual variability from year to year. I'm just looking to try and understand to what degree the program appears to be working, as well as obviously the process problems Commissioner Ranzau identified and Marilyn and Commissioner Ranzau were discussing, because it's a concern I have, in terms of whether this is working very well or not. Thank you."

Ms. Elifrits said, "Thank you."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Let me clarify. On this formula here, I have both of them here where we're putting in the nine bedroom units, we're talking about \$12 and \$36. Is that the month, though, or is that overall?"

Ms. Elifrits said, "That is a total."

Commissioner Ranzau said, "That's a total. So why are we even...I understand we want to get as close. I guess that's my next question. Why are we even concerned about \$12 and \$36?"

Ms. Elifrits said, "HUD required that we submit an application this year that was exactly the amount we had been awarded last year."

Commissioner Ranzau said, "I see."

Ms. Elifrits said, "Except the formula in the table in the leasing budget would not allow us to get to that exact amount. It was not possible with that rounding error that was in the table, in the leasing budget."

Commissioner Ranzau said, "So from our point of view, the \$12 and \$36, we wouldn't have cared, but they wanted it to be as close, I mean, I'll give you \$48 bucks."

Ms. Elifrits said, "They not only make us match the total grant award, but they want each sub, the leasing budget, the supportive service budget, they want that to match exactly, and it was not possible in the leasing budget because of the rounding errors, so this was their fix."

Commissioner Ranzau said, "They're fixed with the own problems that they created I would say. But nevertheless, okay, that clarifies it. Thank you."

Chairman Norton said, "I see no other lights. We have a motion and second on the floor. Madam Clerk, call the vote."

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Peterjohn</i>	<i>No</i>
<i>Commissioner Ranzau</i>	<i>No</i>
<i>Commissioner Skelton</i>	<i>Aye</i>
<i>Chairman Norton</i>	<i>Aye</i>

Ms. Cook said, "Thank you."

Chairman Norton said, "Thank you, Marilyn. Next item."

E [12-1005](#)

AGREEMENT WITH THE CITY OF WICHITA FOR SEDGWICK COUNTY TO PROVIDE, THROUGH THE DEPARTMENT ON AGING'S TRANSPORTATION PROGRAM, SPECIALIZED TRANSIT SERVICES TO THE GENERAL PUBLIC RESIDING IN GODDARD, HAYSVILLE, MULVANE, DERBY, BEL AIRE, PARK CITY, KECHI, MAIZE AND VALLEY CENTER.

Presented by: Annette Graham, LSCSW, Director, Sedgwick County Department on Aging.

RECOMMENDED ACTION: Approve the agreement and authorize the Chairman to sign.

Ms. Annette Graham, Director, Sedgwick County Department on Aging, greeted the Commissioner and said, "The Department on Aging has been providing transportation services to these cities since 1995. We did that originally under the general rural transportation through the federal government funding. Then as a result of the 2000 Census process the Federal Transit Administration (FTA) recognized these cities formerly designated as rural as part of the Wichita urbanized area, and in 2004 that declaration was made. Services to these areas have become the responsibilities of the City of Wichita and they now receive the funding for the urban public transportation through the FTA.

"Since 2004, the City of Wichita has entered into agreements with Sedgwick County to continue to provide services to these areas with funding being passed from FTA through the Wichita Transit to [Department on] Aging's transportation program. Transportation services are provided by Aging's program both directly and through contracted vendors. FTA requires that services be offered to the general public with their transportation dollars. The total program budget is \$221,374.90. It's to be managed in this fund.

"Of that funding, 80 percent is the federal share of \$177,100. Twenty percent local match money of \$44,274.90. The local match portion was approved in the mill levy budget fund in the physical disabilities programming. This contract is January 1, 2013 through December 31, 2013. I would request that you authorize the Chairman to sign, and I would be happy to answer any questions."

Chairman Norton said, "Commissioners, you've heard the presentation. What's the will of the Board?"

MOTION

Commissioner Skelton moved to approve the agreement and authorize the Chairman to sign.

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."

F [12-1006](#)

EIGHT VENDOR AGREEMENTS TO PROVIDE SPECIALIZED
TRANSPORTATION.

Presented by: Annette Graham, LSCSW, Director, Sedgwick County
Department on Aging.

RECOMMENDED ACTION: Approve the agreements and authorize the
Chairman to sign.

Ms. Graham said, "Door to door accessible transportation is provided to transit dependent individuals to access medical appointments, social services and work in order to remain independent and in the community. These are renewals with the first agreements initiated by the county with transit contractors in 1998. A total of 26,991 rides were provided in 2011. We utilize a variety of funding sources, including the general Rural [5311 General] Public Transportation dollars, Aging Transportation [Administration], Newly Urbanized [5307], which I just presented, Older American's Act (OAA) Caregiver and Physical Disability. So we have a total of \$325,000 that we put towards transportation. We do provide some of that internally. We have two van drivers. We also coordinate all of these rides. We have a dispatcher, and we do coordination of all of these rides.

"In order to meet the needs in the community, we also contract with vendors to help us provide these services. These are eight agreements and they are with American Cab, ABC Taxi, Cerebral Palsy Research Foundation Timber's Lines Program, Tornado Transit, Wisdom Travels, Kansas Elks Training Center for the Handicap, Rita's Rides and First Class. This is a contract with each of these vendors for January 1, 2013 through December 31, 2013. We reimburse them based on a formula per mile, and it's broke up in different mile segments. I would request that you approve these agreements, authorize the Chairman to sign and would be happy to answer any questions."

Chairman Norton said, "Commissioners, you have the presentation in front of you. What's the will of the Board?"

MOTION

Commissioner Unruh moved to approve the agreements and authorize the Chairman to sign.

Commissioner Skelton seconded the motion.

Chairman Norton said, "We have a motion and a second. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. With the eight agreements, are they with the same companies we've had in the past?"

Ms. Graham said, "We've had one replacement. We had one provider that went out of business towards the end of last year, and so we have a new one, Tornado Transit, which is a new provider. That got established last year and we worked with them kind of in their development stage and knew about their existence. So, we do have that one new one."

Commissioner Peterjohn said, "On page three of the agreement, there is a mileage

rate contract. Is that the same as last year?"

Ms. Graham said, "The reimbursement amount?"

Commissioner Peterjohn said, "Yes, reimbursement."

Ms. Graham said, "Yes, it is, sir."

Commissioner Peterjohn said, "I was curious, in terms of any changes related, because obviously we've had a fluctuation in the prices of fuel, whether you're talking gasoline or diesel."

Ms. Graham said, "No changes."

Commissioner Peterjohn said, "No changes. Thank you."

Chairman Norton said, "We have a motion and a second on the floor. Madam Clerk, call the item."

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, "Thank you, Annette. Next item."

G [12-0039](#) COUNTY EXTENSION QUARTERLY REPORT.
Presented by: Bev Dunning, Extension Director.

RECOMMENDED ACTION: Receive and file.

Mr. William P. Buchanan, County Manager, greeted the Commissioner and said, "Mr. Chairman, Bev Dunning is unable to attend this meeting, so we need to defer this."

MOTION

Commissioner Peterjohn moved to defer Item G.

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, "Next item."

H [12-1105](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON JANUARY 3, 2013.

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 Commissioner and said, "The meeting of the Board of Bids and Contracts for January 3rd results in two items for your consideration this morning. Item 1;

1. PLANNING SERVICES for the REGIONAL ECONOMIC AREA PARTNERSHIPS (REAP) - DIVISION OF FINANCE/REAP
FUNDING - HUD SUSTAINABILITY PLANNING GRANT – REAP

"The recommendation is to accept the proposal from AECOM Technical Services, Inc. in the amount of \$400,000.00 and establish contract hourly rates as shown.

2. MEDICAL OXYGEN, CYLINDERS AND STORAGE CABINETS - SEDGWICK COUNTY EMERGENCY MEDICAL SERVICES
FUNDING - SEDGWICK COUNTY EMERGENCY MEDICAL SERVICES

"The recommendation is to accept the bid from Wichita Welding Supply, Inc for one year with four additional one year options to renew.

"I'll be happy to answer questions and I recommend approval of both items."

Chairman Norton said, "We do have a couple of questions. Commissioner Ranzau."

MOTION

Commissioner Ranzau moved to approve the recommendations of the Board of Bids and Contracts for Item 2.

Commissioner Skelton seconded the motion.

Chairman Norton said, "We have a motion and a second to approve the Item 2 on the Board of Bids and Contracts' regular agenda. Any other discussion? Commissioner Peterjohn, your light is on. We can move on? Okay, Madam Clerk, call the vote."

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>

MOTION

Commissioner Unruh moved to approve the recommendations of the Board of Bids and Contracts for Item 1.

Commissioner Skelton seconded the motion.

Chairman Norton said, "We have a motion and a second to approve bid board Item 1. Commissioner Peterjohn, did you want to speak?"

Commissioner Peterjohn said, "Yeah, if I could ask some questions. Let me ask, the backup information we've been provided on this, the winning bidder in this case, it's \$400,000, and one of the provisions that they talk about here is the principal and director would be receiving compensation in the amount of somewhere between \$193.75 per hour and as much as \$265.65 per hour. Do we have any amount in terms of how much we expect the number of hours that this person would be compensated at those levels?"

Mr. Thomas said, "The RFP (Request For Proposal) scope of work is encompassed in the \$400,000. The contracted hourly rates are in case something comes up during that period of time that requires us to contract their services, but what is in the original scope and the budget is the \$400,000."

Commissioner Peterjohn said, "So in other words, as long as it doesn't go over \$400,000, they could put, all of that could be with the principal and director as opposed to the other positions, which the lowest amount I see here is \$69.19, which is still very generous compensation, but obviously if you can go get \$265 an hour, that's pretty good for indoor work. I don't know too many people outside of maybe professional sports who do quite that well on an hourly basis. But I wanted to clarify if there was any sort of a breakdown, in terms of how many hours they were anticipating for, it looks like a half dozen different positions."

Mr. Thomas said, "There really wasn't a breakdown in the number of hours for each one, just the, there was an itemized budget created for the services and each of the vendors, as you notice, have the \$400,000 because of the size of the, the amount of work, felt that they would be utilizing that entire amount in order to accomplish each of the individual items in that."

Commissioner Peterjohn said, "Okay. I've had major problems with the sustainability grant prior to this, and I voted against it previously. This bid board items, I'm not sure what we're getting here, but I have a lot of problems when we're looking at compensating people, whether it's between \$70 an hour, almost \$70 an hour, or over \$265 an hour. Thank you."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. This whole sustainable development ideology is something that's being pushed nationally and internationally for a couple decades now, and I think we can see the disastrous effect that it's having in places like California with their taxes skyrocketing, prices of homes going up, they have a lot of regulations and real property rights and as a result the census shows us people are leaving that state, so are businesses. By adopting the same ideology, we'll essentially be involved in a race to the bottom."

"I don't think this is good for our community and our state. This is the sort of thing that the federal government likes to push so that they can control us and that's exactly what they're doing. They offered us \$1.5 million if we create a sustainable

developmental plan, and we said yes. And so we're doing exactly as we're instructed by our masters in Washington D.C., one of which is the EPA (Environmental Protection Agency). And at this time when we talk about economic development and jobs, et cetera, and competitiveness, adopting this ideology is not going to help us in any way, shape or form. In fact, it will hurt us in the long run.

"It will take a while to manifest all the problems, just like it has in California, but I once read a proverb somewhere that a wise man learns from the mistakes of others but a fool insists on making his own. I would suggest to my colleagues that they look at California and think for ourselves, is that what we want Kansas to be in the future? I'd say no. But if we continue down this track that is exactly what will happen. Thank you."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chair. Joe, I think you've answered a question already that I was going to comment on, is that this bid here has to do with the entire scope of the work. It's not broken down on an hourly basis, and that's because if the scope of the work is larger than they thought they would consume all of the available funds, but they were willing to take this on, and it's kind of get the entire job done within this dollar amount so the per dollar billing price suggested here is really not totally relevant in this particular contract."

Mr. Thomas said, "That is correct."

Commissioner Unruh said, "The funding for this is not county funding? This comes from the Sustainable Communities [Regional] Planning Grant?"

Mr. Thomas said, "Correct."

Commissioner Unruh said, "I just wanted to make sure that folks understood this is not a county budget or county mill levy. We're just serving as the fiscal agent for the [Sustainable Communities Regional] Planning grant."

Mr. Thomas said, "That is correct. As a fiscal agent, we're responsible for filing for reimbursements and so forth. As you mentioned, there is no expense to the county from our funding."

Commissioner Unruh said, "Well, I'd like to make a couple of editorial comments. You know, the whole issue of ideological domination by some foreign master is getting to the point where it demands a response. I find that offensive and repulsive that someone would suggest that elected officials in South Central Kansas have some foreign master hidden behind somewhere that is telling us what to do, is controlling our thoughts, controlling our actions. It's absolutely absurd to make that claim. We don't know anything about some foreign ideology."

"The Regional Economic Area Partnership (REAP) is a council of governments, presently 34 different governments in South Central Kansas. Not a single elected member of the Regional Economic Area Partnership knows anything about [United States] Agenda 21 and its plan for Sedgwick County and the surrounding area. I personally am amazed that anybody would think that somebody in Rio de Janeiro or wherever this thing started has got a plan for Sedgwick County. I mean, it's just absurd on its face."

"I will tell you on the positive side of this that the 34 governments that are involved in the regional economic planning for this area and the Sustainability Communities Planning Grant, which REAP has endorsed and is wanting to see effectuated in this area, we do not intend to yield one iota of authority, one iota of responsibility, one iota of our sovereignty. That's one of the reasons that REAP has decided we want to go ahead and try to implement this planning grant, so that we can provide and plan and make conceptual ideas for our communities in South Central Kansas and this plan and idea will be made by our people, not by some master, as it's been referred to.

"I don't even know who master is, as a matter of fact, in this particular instance. So it's just, to imply that REAP, and I'm Chairman of REAP, that I'm somehow kneeling to or yielding to some other force in government somewhere is just absolutely absurd. And so Commissioner Ranzau, I know that you're passionate about this, but I hope that you would tone down the rhetoric, because this it's getting ridiculous. That's all I have, Mr. Chair."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you, Mr. Chairman. I will state for the record that I hope Commissioner Unruh is absolutely correct in his statement when it comes to foreign master. I hadn't heard foreign master, but Mr. Thomas, as I understand it, and maybe Ms. Downs might want to confirm this, this is indeed a HUD, combined HUD, EPA and DOT (Department of Transportation) map [grant] and might be, federal master might be a more appropriate comment in that regard than foreign, but it is a HUD grant, primarily a HUD grant with involvement by the EPA and other federal agencies too, I believe, correct?"

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

Commissioner Peterjohn said, "Thank you. In the backup information we have here, the RFP says required responding firms to create a written graphic comprehensive regional sustainability community plan and also develop an implementation plan. My understanding was that this was supposed to be a planning grant and not an implementation grant. Can I get some clarification on that point?"

Mr. Thomas said, "I'll let Paula Downs, Executive Director at Hugo Wall [School of Urban and Public Affairs]."

Ms. Paula Downs, Project Director, Hugo Wall School of Urban and Public Affairs, greeted the Commissioners and said, "This is not implementation grant funded, but there will be some opportunity to put words together if you so choose to move forward with any portion of the planning, how those could be implemented, if you so choose."

Commissioner Peterjohn said, "Well, let me ask you, in the backup information I have here, it also describes developing models for each topic as part of a regional scenario planning process. Can you go into more details, in terms of what type of models would be developed and how many are there and what topics these plans would be covering?"

Ms. Downs said, "The grant itself is going to cover several topics, transportation, housing, workforce and business development, natural resources, water. From the work team work, data, research and the clarification of what topics are relevant to our region, then it will build scenarios about how that could look. If we decided to do what we were doing now, this is what it would look like. If we decided to make this change or

that change in any of those areas, this is maybe what the community or the region would look like. That's what the scenario development will be. We probably will have, typically, it's about three or four, maybe five different ways to look at the region is what the scenario development will cover."

Commissioner Peterjohn said, "When you say three or four or five ways, are these models, as it's called out back here, and are we talking, what type of models are we talking about? I mean, are we looking at, like...I'm trying to understand exactly what this \$400,000 will generate."

Ms. Downs said, "Let me see if I can clarify it just a little bit. They are going to help us actually physically prepare the planned document. All of the information that will be gathered through the work teams, through consortium leadership team, through our community engagement pieces will have to be represented both graphically and written into a plan that you all can read. So they're going to help us develop that and put that stuff together, help us direct us towards what kind of data is relevant to our region and what kind of research and what kind of topics, what portions of the topics.

"As you know, there's lots of topics and moving parts related to either one of these topics, transportation, and we're not going to be able to tackle every single potential area of every single topic. So we're going to have to narrow our priorities about what's relevant for our region. From that then, how can they develop what we could possibly look like if we're making some of these choices related to housing or transportation, how could that change, how would it look physically? That's sort of the model that we'll develop. I wish I could give you more specific information, but we are just now getting work in, so I don't know what it's going to look like. We're going to develop it together."

Commissioner Peterjohn said, "Well, you mentioned housing, transportation, water, among other topics. Is there any sort of a list, in terms of what's number one, what's number two?"

Ms. Downs said, "They're all being worked on equally. They're all topics that will be covered equally in the plan."

Commissioner Peterjohn said, "We've recently approved, the Commission recently approved appointing a couple Commissioners to join with the task force on the comprehensive plan here in this community. Are you involved in any way with the comprehensive plan process or any other groups, like, for instance Visioneering [Wichita] as part of this process? I'm trying to understand how we avoid duplication of effort and overlap. Can you provide me with any clarification?"

Ms. Downs said, "We are in the process of making sure we're aware of any efforts in this region so we aren't duplicative of any effort. So as we talked about in our consortium leadership team, there is not one plan that is better than the other, or there is a difference between the plan. So, we have people that are going to be involved in our planning process from Visioneering, MAPD (Metropolitan Area Planning Department) is going to be involved. So we have staff and other representation that will help keep us on track to make sure we are not overlapping or being duplicative of any other planning efforts that are currently happening."

Commissioner Peterjohn said, "Let me ask you. We've got WAMPO (Wichita Area Metropolitan Planning Organization), which is very involved in transportation issues in

this region. Now, it's not as broad a region as REAP has, but it does extend a little beyond Sedgwick County borders. Has your group met at all with WAMPO or provided any interface on transportation issues with them?"

Ms. Downs said, "They're going to be one of those involved in our work team. They'll be involved with understanding what actions they're taking and where we need to, where we can help compliment, not overstate."

Commissioner Peterjohn said, "Thank you."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. You know, I have to agree with my colleague in that some of this is getting somewhat absurd in that there is an attempt to deny reality and some basic historical facts. Now we can certainly have a difference of opinion, and everyone is entitled to their own opinion about whether or not this is a good idea, but we're not each entitled to our own facts, and there are some basic facts. This grant is given to us by the federal government, specifically HUD, DOT and EPA to do a specific thing. We have agreed to do it, we are following their instructions. We have some leeway in how we implement it, but nevertheless, we're doing what they told us to do, create a sustainability development plan for our community.

"Secondly, if you review the history of where the concept of sustainable development comes from, it is an absolute undeniable fact that it came from the United Nations. It was created by a group of socialists, for socialists. It contains a lot of their ideology. Now, Agenda 21 I've never said is some dark behind the scenes conspiracy, but others like to use those terms.

"Why, I don't understand. Agenda 21 simply their business plan to implement their ideology. It's a business plan. It's been in place for 20 years. 20 years ago, the United States committed to that business plan. And then about six months ago in June of 2002 in Rio de Janeiro, Secretary Hillary Clinton and EPA Administrator Lisa Jackson went down there, and I provided you the outcome document that says we recommitted to the idea of sustainable development and the business plan that they call Agenda 21. That's basic historical facts.

"I challenge anyone, anyone, to show me evidence that that's not true. And that's the disconcerting part. I understand that part of the plan for REAP and the social leadership team is to deny, deny, deny, deny reality in situations. If this is such a good concept, then embrace it in its entirety and at least be honest about the historical basis for this concept, because I believe it will have, well it's already having severe negative consequences for other places and the same will happen here. So let's be honest about the historical basis for this.

"It may not even matter that it came from the United Nations. You know, the federal government has embraced it through a variety of grant programs. This is not the only way they're trying to do this. You need to understand that the bureaucrats in Washington D.C. that are pushing this have a very different view than we do. For example, when they say that they want sustainable production and consumption patterns for agriculture, what they really mean is they want things like 'Meatless Mondays', which would be instructed to our local and state economy. The business plan called Agenda 21 has 40 chapters. Chapter 28 says they want local governments to implement a sustainable development plan.

"That's what we're doing. That's part of their business plan. Whether we intend to or not, we must face the basic historical facts and understand why this originated, who originated it so we can understand what the end game is truly in trawled in and where we are headed. As I said before, look to California you'll get a good idea. Now, that being said, I'll say this, as I always told the citizens, the reason I have to continue to say this, I'm not going to sit here and allow people to deny basic historical facts which I know are incorrect. But I challenge the citizens out there to educate themselves and come to their own conclusions. If you think I'm wrong, fine, but there is plenty of information out there on the internet. It's not a secret hidden conspiracy like some people want to think. It's a business plan. But it's very real, and this is the consequence of that business plan. Thank you."

Chairman Norton said, "I have, I don't see any other lights. I have just a couple of comments, and I'm going to be supportive of this. I've been a, I was a founding member of REAP many, many years ago. I've watched it grow and challenge itself to be an entity that brings council of governments and entities together to think the best thoughts of our regional community in an economic sense, and I think that's important. Paula will tell you that I came to the last consortium meeting and I sit on that and I voiced the concern that we've got other entities working on planning, and I happened to sit on the comprehensive plan committee, the Visioneering committee, I'm the Chairman of WAMPO and on the consortium leadership team. I guarantee I'll be the bird dog of making sure that we don't duplicate efforts in any of this."

"It is important that we come up with a plan that is comprehensive, that understands our region, that brings all these entities together that have the good of our community at heart, and I think we'll do that good work. I'm not scared about this at all."

Chairman Norton continued, "I think failing to plan is planning to fail, and we need to make sure that smart people, people dedicated in our community, people that are local and understand this region, come together, think through what we want our future to look like 30, 40, 50 years from now for our kids and our grandkids and the next generation, and you don't do that by sitting on your hands and not talking about where we want our community to go."

"And these issues that are coming out of this REAP planning group are going to talk to some issues that I think are critical. And Visioneering won't talk about all of them. WAMPO won't talk about all of them. The comprehensive plan which deals with zoning and lands use is not going to talk about them. Where people live and what strain does that put on our infrastructure for 30 years from now? Now I know people don't like the idea of sprawl and growth rings and all of that, but the truth is, there is a balance between where people live and preserving our good agricultural lands and how do you make that work, and that's being able to sustain part of our economy. Agri[culture] -business is the third largest economic driver in our community, in our region. And to say that we're okay with every five acre tract being taken up by somebody's rural residence sounds really good if you're talking only property rights."

"But if you're talking about preserving and sustaining agri-business, you've got to have land, and it's got to be set aside for that enterprise. Water, you know, that is such a critical issue in our region. You only have to look at the picture on the front page a couple of days ago that showed the dock at Cheney with no water even close to it, and that's a water resource here that has dried up by of drought. Now, we can argue all day long, and people do, about whether it's climate change that's caused this drought, if it's

just a natural cycle, what it is, but the truth is, the water is gone. It's less proficient to drive our economy than it was. So we need to figure that out. We need to be talking about.

"We need to talk about how we'll sustain our economy, our region, with that natural resource. Transportation is critical to this region. You know, Kansas is spread out to get to and from different parts of this region, the infrastructure of transportation, whether it is highways arterials, transit, rail, whatever it is, is going to be critical for the next 30 or 40 years. Maybe not today, but we're not talking about today. We're talking about 30, 40 years away. And I have to tell you, every decision, I've said it many times that I've made for this community, is in mind of the future. It's not about my generation. It's about my grandkids and the kids that come after that.

"And it is my responsibility to leave this community better than I got it, and I don't think you can do that without thinking of these critical areas that are embraced in this regional planning and sustainability grant. Now, I'm not real warm to anybody else telling me what to do. You can ask my wife that. It starts at home, and I don't like it there, and I don't like it here, but the truth is, this is going to work out well. We're going to come together. We're going to talk about it. Yes, we may agree to disagree, but this will be a local plan, a local plan, and I've got to tell you, I would challenge anyone and everyone to come to the meetings. Be a voice. It's okay to be a declining voice, but be at the table, be down in the weeds, be boots on the ground, because this whole issue is too critical for our community and the future of it.

"We can sit by and let many, many other communities do much better work than we do because I guarantee you they're planning. I mean, when you talk about our competition in Kansas City, they have a program, the MARC (Mid-America Regional Council) program, the [Mid America] Regional Council, which is a council of governments that comes together and plans, is very active. The MAPS (Metropolitan Area Projects) program in Oklahoma City is just that. It's a planning document that attaches money to it and gets things done. Over and over and over, we've seen communities that do that, and remember remiss as local officials, elected to be stewards of this to not be engaged in it, so, I'm going to be supportive of it. I guarantee you I'll be engaged and all of those things, and I take comfort that my colleague, Commissioner Dave Unruh, has his hand on the throttle of REAP to make sure that this grant is taken care of properly, it's administered and watched to make sure that it brings the best good for our regional community. Commissioner Skelton."

Chairman Skelton said, "Thank you, Mr. Chairman. I think it was, I think what I remember from hearing from our attorney is that we have powers granted us through the state constitution and part of that is zoning regulation. It is this Board that protects the rights of citizens, and we have the constitution that protects the rights of citizens. We have a United States Constitution that protects the rights of citizens, and I have faith. I have courage. I have no fear either, and I think that was mentioned. You know, I've been involved in government for a little over eight years now, and I know we have a planning function and a planning department, and it is required.

"We can see the results of bad planning. There's communities right around here. You don't have to look too far for examples of bad planning. So bad planning costs money.

That's a fact. Look into the situation. So at this time I'm going to be supportive, but there's certainly more research to be done here as we provide, as we go forward. It's not something that I'm going to forget about the concerns of my colleague, Commissioner Ranzau. So those are my comments. Thank you."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I appreciate all my colleagues' comments on our dialogue and discussion on this issue today. I hope Chairman Norton is able to be able to provide a voice in roll. My concerns are more organic, because as a person who, with a background in economics, you know, we each have, in our own spheres and our own worlds, we each get to participate economically every day when we buy or sell goods and services in whatever type of field or occupation we've gone into. And the planning process that I'm uncomfortable with is the fact that since I've become a Commissioner, I've noticed that often we have grants, we have, whether it's a federal program or a state program, there is kind of an outline or template that we're operating under.

"And we talk about local control. We talk about the fact that we want more of it as opposed to less of it. But when you get into the situation where the grants come down, and whether it comes from Topeka or whether it comes from Washington or anywhere else, he who pays the piper calls the tune. And I have some very serious concerns about where this grant is going. I hope my colleagues are going to be able to prevent this from infringing on people's ability to control their lives and control what they're able to do. But I'm a Commissioner who is frustrated with the fact that the federal government is telling me what type of light bulbs I may or may not purchase. I'm fortunate enough that my home is a little bit old enough that I have a toilet that actually works and doesn't have to be flushed more than once.

"These edicts are coming down through different ways and through different channels. And, it may not be possible for us as locally elected officials to be able to head off, or change, or modify where we're going. So, the fact in front of us is that we are moving in just the planning portion of the grant, but I see implementation, discussion and implementation language. We're going to have this facing us in the not too distance future, and I will not be supportive of this motion today. I have not been supportive of it in the past, and I will continue to oppose it as long as I have the privilege of occupying this chair on the County Commission. Thank you, Mr. Chairman."

Chairman Norton said, "Commissioner Skelton."

Commissioner Skelton said, "I just wanted to say that I bought a toilet at a local store lately, and I'm telling you, you probably want to get off that thing before you flush it, but it sucks anything down."

Chairman Norton said, "Okay. With that, Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I appreciate the Chair's comments, especially the fact that we have got people who are elected by our citizens who are committed to the good of this region and who will make every effort that in every step of this planning process we will have the good of our citizens in mind, which does not include a bunch of irrational restrictions on our citizens, and we will not yield that authority or ability as long as we have the power or that responsibility. That's all I have, Mr. Chair."

Chairman Norton said, "Okay, I believe we have a motion on the floor. I see no other lights. Madam Clerk, call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Peterjohn	No
Commissioner Ranzau	No
Commissioner Skelton	Aye
Chairman Norton	Aye

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

Chairman Norton said, "Thank you, Joe. Madam Clerk, next item."

CONSENT

- I [12-1103](#) A resolution repealing section 6 of the Sedgwick County Code, including resolutions for the Building and Residential, Electrical, Mechanical, Plumbing, Sign, Manufactured Housing Installation, Manufactured Home Park Store Shelter, Rental Housing and Structure Moving Codes (Resolutions 261-07, 262-07, 263-07, 182-2008, 171-2008, 231-98, 199-03, 104-2007, 218-2004, 104-2009, 13-2003, 206-2004, 102-2000, 74-2002).
- J [12-1092](#) Increase to the County Treasurer's Staffing Table.
- K [12-1093](#) Fourth Quarter-2012 Range Reallocation.
- L [12-1089](#) Plat
Approved by Public Works. The County Treasurer has certified that taxes in 2012 and all prior years have been paid for the following plat:

SEDGWICK COUNTY FIRE STATION NO. 36 ADDITION, SEDGWICK COUNTY, KS.
- M [12-1094](#) Plat
Approved by Public Works. The County Treasurer has certified that taxes in 2012 and all prior years have been paid for the following plat:

NORTH FORTY ESTATES.
- N [12-1050](#) Payroll Check Register.

O [12-1014](#) General Bill Check Register.

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

MOTION

Commissioner Unruh moved to approve the Consent Agenda.

Commissioner Skelton 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, "We are to the point of 'Other', but we do have a Fire District [No. 1] agenda."

The Board of County Commissioners recessed at 10:10 a.m. and returned at 10:11 a.m.

Chairman Norton said, "We're now to 'Other'. Commissioner Skelton."

OTHER

Commissioner Skelton said, "Thank you. You know, one thing that's been a concern of mine over the years, I keep hearing it, is the level of mercury in the Arkansas River. I've asked our staff to look into that and find out what the source of this is. And in addition to that level of mercury, a lot of these other disgusting chemicals in the water. You know, I just get a big gag factor, huge gag factor when I think of eating a fish, one meal a month. What on earth is that all about? I mean, that's gross.

"So I just wanted to share my concern here. I don't know that, I don't know the nature of the problem yet, and I'm researching it, but maybe the county and the city and maybe REAP or whoever regionally can start addressing this problem, because you know what, that's just, that's terrible. I just don't...it just amazes me. Because you know what, if all the deer had mercury in them like that, man, I don't know how I could live right. So those are my comments."

Chairman Norton said, "Well, make sure the deer don't drink the water. Okay. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Just a quick update on the detention population in the Sheriff's custody. We had 1,289 people in detention, broken down with 1,062 in the main jail facility, 115 in Work Release and 112 that were out of county. The Sheriff has classified them into the following categories: 356, maximum security; 503, medium security; 33 in protective custody; 51 in special housing units; and 301 that were minimum custody, and the rest were unclassified. Thank you, Mr. Chairman."

Chairman Norton said, "I see nothing else. The only thing I've got is that last night we did meet with our south central delegation before they had their forum. We had a nice evening meal and had some camaraderie and some discussion. We will deliver our platform and our agenda to them on Thursday afternoon out at the [Wichita State University] Metroplex, but we are, but they are getting ready to head to Topeka and work on the legislation for this year. And Sedgwick County is totally engaged with our partners to be sure that the items that they work on at the state level, that have ramifications at the local level, they know what our position is, and I think we had a really good meeting with them last night. I see nothing else to come before us here today, so we are adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:14 a.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

*JAMES B. SKELTON, Chairman
Fifth District*

*DAVID M. UNRUH, Chair Pro Tem
First District*

*TIM R. NORTON, Commissioner
Second District*

*KARL PETERJOHN, Commissioner
Third District*

*RICHARD RANZAU, Commissioner
Fourth District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
