

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes - Final

Wednesday, January 23, 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](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**

**Present** 3 - Commissioner Richard Ranzau, Chairman Jim Skelton and Vice Chair Dave Unruh

**Present** 0

**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 23, 2013, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman James B. Skelton, with the following present: Chair Pro Tem Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Mr. William P. Buchanan, County Manager; Ms. Jennifer Magana, Deputy County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Kelly B. Arnold, County Clerk; Mr. John Schlegel, Director, Planning; Sheriff Jeff Easter, Sedgwick County Sheriff; Ms. Diana Mansouri, Safety Coordinator, Risk Management; Mr. Nathan Powers, ISO/Juvenile Field Services, Department of Corrections; Mr. Preston Goering, Tuberculosis Control Program Manager, Sedgwick County Health Department; Ms. Claudia Blackburn, Health Director, Sedgwick County Health Department; Mr. David Miller, Director, Budget; Ms. Bev Dunning, Director, Extension; Mr. Joe Thomas, Acting Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee, Deputy County Clerk.*

**GUESTS**

*Mr. Kelly Wendeln, Wichita  
Mr. Charles Peaster, Appointee, Sedgwick County Animal Care Advisory Board  
Chief Norman D. Williams, Chief of Police, City of Wichita*

**INVOCATION**

*Led by Pastor Dave Fulton, St. Paul's Lutheran Church*

**FLAG SALUTE**

**ROLL CALL**

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

**Present** 3 - Commissioner Richard Ranzau, Chairman Jim Skelton and Vice Chair Dave Unruh

**Present** 0

**CITIZEN INQUIRIES**

A [13-0024](#) REQUEST TO ADDRESS THE BOARD OF COUNTY  
COMMISSIONERS REGARDING INCOME TAX.

Presented by: Kelly Wendeln, Wichita.

RECOMMEND ACTION: Receive and file.

*Chairman Skelton said, "We have a citizen inquiry this morning. Is Kelly Wendeln present, please, thank you, sir, you have five minutes."*

*Mr. Kelly Wendeln, Wichita, greeted the Commissioners and said, "Thank you. I'm Kelly Wendeln. You lucky people. Next month is the 100th anniversary of the federal income tax passed on February 3, 1913. The U.S. (United States) Supreme court had declared a federal income tax unconstitutional in 1895. Eighteen years later, men who wanted more money for the federal government in effect said we'll fix you. We'll pass supreme law that you can't declare unconstitutional. Government gave us the current federal income tax in two stages 30 years apart starting 100 years ago. The first stage was the short one sentence long 16th amendment to the U.S. Constitution that was passed in 1913 one year before the start of World War I by the U.S. Congress and the state legislatures.*

*"It led to a one percent tax on people who made over \$20,000. Most people only made \$500 to \$1,000 per year back then. Promoters said they wanted to tax the rich. Sound familiar? This is a favorite ploy of some politicians. Some people asked what would happen if the tax was raised to 10 percent. The stock answer was that people would revolt; some revolt. Since the huge injection of money during World War II, the number of federal bureaucracies have exploded.*

*"Guess how many federal bureaucracies there are now? Almost 500. Most are called departments, agencies, administrations, authorities and commissions. I have a list of 496. Most are funded by their largest source of money, your federal income tax, and now they want more money. They call it different names, national sales tax, consumption tax, carbon tax, cap and trade tax and ObamaCare tax. The more you buy, the more taxes you pay. Someone in government is always after more of our money.*

*"Federal bureaucracies pass rules and regulations with the force and effect of laws. A good example is the Environmental Protection Agency (EPA), which is itching to ram vehicle emissions testing down our throats or fine Wichita \$10 million per year. Why should we believe in global warming, carbon dioxide pollution and ozone pollution when we have been lied to so much? I want to thank those of you who are cutting wasteful spending. Thank you."*

*Chairman Skelton said, "Thank you, Kelly. Okay. Madam Clerk, call the next item, please. Excuse me. I do apologize, I'm in error. Are there any questions of this speaker?"*

*Commissioner Peterjohn said, "Not a question."*

*Chairman Skelton said, "Yes, sir."*

MOTION

*Commissioner Peterjohn moved to receive and file.*

*Commissioner Ranzau seconded the motion.*

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

VOTE

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

*Chairman Skelton said, "Okay. Thank you. I appreciate that. Okay, Madam Clerk, call the next item. Thank you."*

## **APPOINTMENTS**

B [13-0020](#)

RESOLUTION APPOINTING CHARLES H. PEASTER  
(COMMISSIONER KARL PETERJOHN'S APPOINTMENT) TO THE  
SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the resolution.

*Ms. Jennifer Magana, Deputy County Counselor, greeted the Commissioners and said, "The terms of the appointment to the Animal Care Advisory Board are four year terms, there exists a vacancy. This appointment would fill Commissioner Peterjohn's appointment, and it would run until January 22, 2017. I recommend you adopt the resolution."*

*Chairman Skelton said, "Okay, Commissioners. You've heard the recommendation. Is there a motion to adopt the resolution?"*

MOTION

*Commissioner Peterjohn moved to adopt the resolution.*

*Commissioner Ranzau seconded the motion.*

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

VOTE

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

*Chairman Skelton said, "Okay, Madam Clerk..."*

*Commissioner Peterjohn said, "Mr. Chair, I would make a note that, of Mr. Peaster's presence and so is the County Clerk and if we could get him sworn in, I think that would be..."*

*Chairman Skelton said, "Yeah, of course, that was my next thing I was going to say."*

*Commissioner Peterjohn said, "Just a suggestion, Mr. Chairman."*

*Chairman Skelton said, "Mr. Clerk, could you please bring Mr. Peaster forward and swear him in, please."*

*Mr. Kelly B. Arnold, County Clerk, greeted the Commissioners and said, "Absolutely, thank you."*

*Chairman Skelton said, "I'll get there. I'm getting the hang of it."*

*Mr. Arnold said, "It's still the morning."*

*Chairman Skelton said, "Still morning."*

*Mr. Arnold said, "I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Animal Care Advisory Board so help me God."*

*Mr. Charles Peaster, Appointee, Sedgwick County Animal Care Advisory Board, greeted the Commissioners and said, "I do."*

*Mr. Arnold said, "Congratulations."*

*Mr. Peaster said, "Good morning, Commissioners, I'd like to thank Commissioner Karl Peterjohn for nominating me for this office. I've attended a couple of the meetings as a citizen, and the two meetings that I attended, there hadn't even been a quorum of these board members. Hopefully this will change. I know that Tom Stoltz, who is in charge of this now, is looking for a complete board of 10 members and 10 members that are willing to be active in this, and I appreciate Commissioner Peterjohn appointing me to this committee. Like other committees I've served on for different Commissioners, I intend to do my best job at this one, also. Thank you, Mr. Peterjohn and Commissioners for appointing me to this committee."*

*Chairman Skelton said, "Yes, sir. Thank you. Mr. Peaster does make a great point. We all need to make sure our appointees are active on this board. So I appreciate you doing that without delay there, Commissioner Peterjohn. Yes, sir."*

*Commissioner Peterjohn said, "I appreciate the opportunity to come and would like to thank Mr. Peaster for offering to serve an interest in this committee. It has some important work, in terms of advising the Commission since we do have a very large agricultural population here in the county and animal issues do come up from time to time. I would also hasten to add that I'd like to thank all my appointees who volunteer their time and service to the county not only my two appointees on this board, which Mr. Peaster is one, but also a host of other appointees to a variety of other boards here in Sedgwick County. Thank you."*

*Chairman Skelton said, "Yes, sir, thank you."*

*Mr. Peaster said, "Thank you very much. Madam Clerk, call the next item."*

## **PLANNING DEPARTMENT**

- C      [13-0015](#)      ZON2012-00032 and CON2012-00049 - SEDGWICK COUNTY ZONE CHANGE FROM SF-20 SINGLE-FAMILY RESIDENTIAL TO LI LIMITED INDUSTRIAL WITH A CONDITIONAL USE FOR MINING AND QUARRYING (SOIL EXTRACTION) GENERALLY LOCATED ON THE NORTHEAST CORNER OF 31ST STREET SOUTH AND 119TH STREET WEST. (DISTRICT 2)  
Presented by: John Schlegel, Planning Director.

RECOMMENDED ACTION: Approve the zone change to LI, subject to platting within one year and the conditions of CON2012-00049; adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been approved and authorize the Chairman to sign the resolution.

VISUAL PRESENTATION

*Mr. John Schlegel, Director, Planning, greeted the Commissioners and said, "The subject property is before you on the zoning map that I put up on the display outlined in the bold black line. The applicant is requesting that this SF (single family)-20 property be rezoned to LI, limited industrial. In addition, he's requesting a conditional use for soil extraction. The parcel is 78 acres in size, located on the northeast corner of 31st Street South and 119th Street West. And you can see the nature of the land use in the vicinity of this parcel. It's predominantly agricultural fields. There is a residence on the property, and you can see on some of the surrounding properties some other homesteads plus a residential subdivision up to the northeast and Redmond Estates [Addition] just off to the southwest of this property.*

*Going back to the zoning map, you can see the surrounding zoning to the south, although it shows on this map as SF-5, the Wichita City Council has approved industrial park zoning for those two parcels as well as the parcel immediately to the east. The reason why it doesn't show up as industrial park zoning on the zoning map yet is that that zoning approval was pending platting of the parcel, and that has not, of those parcels, and that has not occurred yet. The predominant surrounding zoning classification is the same as the current zoning on this property, SF 20.*

*"The applicant also owns the properties just to the south of 31st Street South, and the parcel immediately to the east, which have the industrial park zoning already in place or already approved for those parcels. The purpose of, in the applicant seeking this rezoning, is that he wants to continue developing industrial zoning in this area. He anticipates that this area will develop for manufacturing and industrial purposes in the future, and he is preparing a great deal of land then for that purpose. Because of its proximity both to [Wichita] Mid-Continent Airport and K[ansas Highway]-42 off to the south and Kellogg up to the north. The item was heard by the Metropolitan Area Planning Commission (MAPC) at its meeting on December 20th, and that body voted unanimously to approve this request for the LI zoning subject to platting within one year and some additional conditions that relate both to the types of uses that would be allowed.*

*"One of the conditions would be, the uses would be restricted to those allowed by the industrial park zoning, and then also there were a number of conditions regarding the operation of a soil extraction, limiting it to Monday through Friday, dawn to dusk, and to*

five years. The reason why the applicant is seeking the limited industrial zoning is because the conditional use for soil extraction would not be allowed in the industrial park zone, so it meets the limited industrial classification, but he's very willingly is accepting the restriction on uses to the industrial park uses only. There was no one present at the MAPC meeting to speak against the case.

"However, staff has been contacted about the neighbor immediately to the north on this property and also that property owner has filed a protest petition, which will affect your vote today. This will require a super majority vote in order for you to approve it. The reason the property owner to the north is concerned, as expressed in two phone call conversations I've had with that individual and also in an e-mail that we received from other family members, is they're worried about the impact that this rezoning might have on future sales price, if they choose to sell this property in the future.

"We're not able to assure them one way or the other. We just don't have data to support whether or not it would increase or decrease the value of that property. And so with that, you have a recommendation from the Metropolitan Area Planning Commission with approval with conditions, and I'll be glad to take any questions."

Chairman Skelton said, "Commissioners questions, please. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. John, could you talk a little bit about, as part of the, would it be part of the platting process or part of this zoning, in terms of any sort of boundary berms or protection for neighboring properties when you've got industrial property, and there may be other uses that are adjacent to it."

Mr. Schlegel said, "Because this property is being zoned, or is being requested to be rezoned for industrial purposes, upon development of the property, screening of that development from the adjoining residential zones would be required. Oops. I went the wrong way. And that screening could occur, in terms of a wall, a fence or vegetation. But it would, that would occur upon development of the property."

Commissioner Peterjohn said, "Thank you."

Chairman Skelton said, "Additional questions? Yes, sir, Commissioner Norton."

Commissioner Norton said, "John, what does the comp[rehensive] plan say about this area as far as land use and long-term planning of the area?"

Mr. Schlegel said, "I've just put the comp plan, the land use guide from the comp plan up there, and as you can see, that hashed area is the Wichita 2030 Urban Growth Area, and this is an area of mixed land uses, and that's why no specific, one specific land use is identified for this property. And we did that in the comprehensive plan the last time we did a revision on it simply because it's too hard to predict at which corners there will be commercial development, residential or industrial development."

Commissioner Norton said, "Okay. What is the typical zoning in the area? Obviously there's some residential zoning to the north. What is the typical zoning in the area?"

Mr. Schlegel said, "Well, right now, you can see its predominantly SF-20, that's just the single family residential development of lot sizes of 20,000 square feet or more. I guess that answers your question."

*Commissioner Norton said, "Okay, and the white, the different white properties are already zoned industrial; is that correct?"*

*Mr. Schlegel said, "Yes. Although they're showing on this map as SF-5. When they were annexed into the city, they were brought in as SF-5. The zoning that was approved for, the industrial park zoning that was approved has not gone into effect yet because the applicant hasn't perfected the zoning because he hasn't platted the land yet."*

*Commissioner Norton said, "Generally when land is annexed, it goes in as SF-5 or SF-20; is that correct?"*

*Mr. Schlegel said, "SF-5 when it's annexed by the city, yeah."*

*Commissioner Norton said, "Okay. I think we're always going to have a little bit of consternation in that area around the airport that some of it is developing as residential, but there are some large areas that might have industrial commercial uses, and I think that's what we're starting to see in this area. There are, excuse me, to the east some industrial areas; is that correct?"*

*Mr. Schlegel said, "Yes. Yeah, Tyler Road is just off this map. It's a mile east of Maize Road. You can see Maize Road on the eastern edge of this graphic, and there's some industrial development in the Tyler Road vicinity, and this applicant is expecting that that will continue to grow westward from the airport."*

*Commissioner Norton said, "In fact, there is a pretty big commercial area along north Macarthur just east of K-42; is that correct, coming down Maize road? I don't know if you have all of that on that map."*

*Mr. Schlegel said, "I think you're right. I was just trying to think if I had it on a map, but I don't."*

*Commissioner Norton said, "What uses are designated under the zoning that's being asked for, the industrial zoning? What uses, what kinds of businesses can go in there?"*

*Mr. Schlegel said, "Well, the types of manufacturing and industrial uses that you would typically find in an industrial park. It would exclude the real heavy industrial uses, extraction industry, and it would exclude commercial development on that parcel. I think what he's envisioning for this is the type of industrial park development that you see around Mid-Continent Airport now."*

*Commissioner Norton said, "Okay. The idea that it's going to be five years of extraction lends to that they're digging out dirt to use somewhere else on another piece of property or on that property."*

*Mr. Schlegel said, "Correct."*

*Commissioner Norton said, "Is that correct?"*

*Mr. Schlegel said, "That is correct."*

Commissioner Norton said, "Okay. What happens in five years? Can they reapply to make this whole thing an extraction business?"

Mr. Schlegel said, "Yeah, they can apply for an extension of time on the conditional use at that time."

Commissioner Norton said, "And at that time, what kind of vote is required to let that move forward?"

Mr. Schlegel said, "That would just be a simple majority to extend the time on that condition."

Commissioner Norton said, "What is the acreage of this piece of property?"

Mr. Schlegel said, "Seventy-eight acres."

Commissioner Norton said, "And all of the white and that together, how much acreage is that? Do you know?"

Mr. Schlegel said, "Yes. I think it's in the report. There is another 216 acres located south of 31st Street, and that also includes the property that is shown as SF-5 immediately to the east of this property."

Commissioner Norton said, "So well over 300 acres could go industrial. It makes a pretty big complex altogether."

Mr. Schlegel said, "Right. It's another 130 acres, which is in that kind of, I guess that's a purple-ish color, to the east of the SF-5 zoned properties. So it's got very large holdings."

Commissioner Norton said, "And we already have Redmond Estates to the west and some growth to the south in residential, and it appears that coming down 119th Street is going into subdivisions; is that correct?"

Mr. Schlegel said, "Correct."

Commissioner Norton said, "Do you think this is out of character for what it looks like the growth potential is for that area in residential?"

Mr. Schlegel said, "No. I think this type of industrial park zoning I think is compatible with the residential development that is occurring in that area, and the compatibility would come about because of the screening and buffering that's required by the zoning code. I think that this property owner can provide adequate screening and buffering so that it's, it does not create an incompatible industrial use for these residential developments."

Commissioner Norton said, "How big will this excavation be? What's the size and depth?"

Mr. Schlegel said, "Well, you can see the dotted area, oval, kind of rectangular area off on the western portion of the site plan is a proposed dry detention basin. That's the main area where the soil extraction will occur. And you know, it's between 5 and 10

*acres would be my guess. I haven't, there's no dimensions on here, so it's difficult to give you an exact size, but somewhere in that neighborhood."*

*Commissioner Norton said, "At some point, if this gets moved back to SF, can that become a wet detention pond for subdivision drainage and use?"*

*Mr. Schlegel said, "Well, the intention is not to have it be wet, a wet detention basin or permanent water body because of the proximity to the airport. This applicant, I think, is pretty sensitive to the needs of the airport. His future development plans, I think, relate to a lot of the activities taking place around the airport, and the intention is to keep it a dry detention basin so that we don't run into any waterfowl problems with the airport."*

*Commissioner Norton said, "Okay. That's all the questions I have."*

*Chairman Skelton said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Let me just test, and maybe I'm going a little further. I'm looking at your overall map of all of these parcels together. It looks to me we're talking at least 400, there we go, you add in the purple and then the white areas that have been also, that they're still listed as single family but have gotten this limited industrial, put them all together, and we're talking, it looks to me, somewhere between or maybe each close to a full section or over 600 acres, John. Does that seem like a reasonable assumption from looking at this map?"*

*Mr. Schlegel said, "It would be more on the order of about 420-430 [acres]. So almost a section."*

*Commissioner Peterjohn said, "So a little smaller."*

*Mr. Schlegel said, "Yeah, about two-thirds of a section."*

*Commissioner Peterjohn said, "Two-thirds of a full section?"*

*Mr. Schlegel said, "Yeah."*

*Commissioner Peterjohn said, "A little to the south and east there, the city has their skyways industrial park. I'm trying to remember, is that, my recollection, that originally was somewhere in the neighborhood of about 100 acres, wasn't it, John?"*

*Mr. Schlegel said, "It's fairly big. I couldn't tell you exactly how many acres."*

*Commissioner Peterjohn said, "They sold off a portion of it, the city sold off a portion. I think FedEx has a facility there taken up by about 30 acres or so. So we do have some other industrial properties that are not too far away, in fact fairly close. So that fits into the usage. I just wanted to clarify, in terms of that, because it looks like to the southeast on this map you've got LI, I presume that stands for light industrial? Help me out on that."*

*Mr. Schlegel said, "Yes. You're talking about kind of down in the corner there?"*

*Commissioner Peterjohn said, "On the corner, east of Maize Road and south of 31st Street."*

*Mr. Schlegel said, "Yes, that's limited industrial zone."*

*Commissioner Peterjohn said, "Limited industrial zoning already there. Okay. So when we put that in, can you kind of give me a quick summary, in terms of the difference between limited industrial and the industrial park?"*

*Mr. Schlegel said, "The quick summary would be that limited industrial would allow a lot of other types of uses, for example, heavy industrial or extractive industry type uses, plus a lot of different commercial uses, and that's the difference between industrial park zoning and limited industrial. You just have a much broader array of uses that are allowed in limited industrial than in industrial park."*

*Chairman Skelton said, "Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. John, I think in your remarks you said that this had staff recommendation and unanimous approval by the MAPC?"*

*Mr. Schlegel said, "That is correct."*

*Commissioner Unruh said, "Thank you."*

*Chairman Skelton said, "John, you know, this whole, the diagram here says the entire parcel is subject to soil excavation."*

*Mr. Schlegel said, "Yeah. They may be doing just some other scraping of soil for..."*

*Chairman Skelton said, "They're not going to build a big ditch out there?"*

*Mr. Schlegel said, "No."*

*Chairman Skelton said, "I mean, this is not going to become a swamp, is it?"*

*Mr. Schlegel said, "No. This is the site plan they submitted."*

*Chairman Skelton said, "And that dotted line all the way around the perimeter is an area of excavation, the whole thing, the whole parcel area?"*

*Mr. Schlegel said, "Correct. They do, they may be doing some other scraping of soil to sell off-site."*

*Chairman Skelton said, "Okay. I understand that, and certainly their right to do that. But, I mean, I don't think, should I be concerned about this? You know, is there going to be a drop off there? At the end of the day, is it going to be a gradual slope? Is this going to be 15 feet deep all the way around the place? Can you speak to that?"*

*Mr. Schlegel said, "At the end of the five years or whatever the time period is, he's still going to want a developable site. So it may be that he's doing this in order to level the site a little better. We don't have a lot of details about what his intentions are, but it's not that he's going to create a big hole in the ground here."*

*Chairman Skelton said, "Okay. So any time a developer would create a subdivision area, they go through and rework all the dirt work, so to speak, and that's what that is meant by here?"*

*Mr. Schlegel said, "Right."*

*Chairman Skelton said, "I understand. Those are my questions. Are there any further questions by the Board? Normally, in a zoning case, we do not allow public comment, but is there anybody present that wishes to make any comments on this matter? Okay, seeing no one, the public hearing is closed. Commissioners, I will entertain further discussion or a motion."*

*Commissioner Norton said, "Mr. Chairman, it's in my district. I have heard from no one. I'm surprised there was a protest. I learned about that yesterday, but that's okay, that's the procedure."*

**MOTION**

*Chairman Norton moved to approve the zone change to LI, subject to platting within one year and the conditions of CON2012-00049; adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been approved and authorize the Chairman to sign the resolution.*

*Commissioner Unruh seconded the motion.*

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

**VOTE**

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

*Chairman Skelton said, "Madam Clerk, Next item."*

**NEW BUSINESS**

D [13-0021](#)

PRESENTATION OF A PLAQUE TO THE BOARD OF SEDGWICK COUNTY COMMISSIONERS ON BEHALF OF THE LAW ENFORCEMENT MEMORIAL COMMITTEE.

Presented by: Sheriff Jeff Easter, Sedgwick County Sheriff.

RECOMMENDED ACTION: Allow the Chairman to receive the plaque on behalf of the Board of County Commissioners.

*Chairman Skelton said, "I would just like to recognize Wichita's top law enforcement officer, Chief Williams. I don't know if he's been in this chamber since I've been here, but good to see you, sir."*

*Chief Norman D. Williams, Chief of Police, City of Wichita, greeted the Commissioners and said, "Good morning, Mr. Skeleton."*

*Chairman Skelton said, "Thank you. That's Chairman to you."*

*Sheriff Jeff Easter, Sedgwick County Sheriff, greeted the Commissioners and said, "Good morning, Commissioners. We are here today to present you a plaque of the memorial that you supported with the police department and the Sheriff's office, and so we're here to present that to you and appreciate the help that you have given us on that particular item."*

*Chief Williams said, "Chairman Skeleton and County Commissioners, I learn very well, you see, on behalf of the Wichita Police Department members as well as the Law Enforcement [Memorial] Committee, thank you for your leadership, thank you for your support, thank you for your generosity in making this memorial a reality. As we all know, this has been a ten year effort to build a memorial that recognizes the 29 police officers and Sheriff's deputies that have made the supreme sacrifice in our community, and without your leadership and your assistance, the memorial would not be where it is today, and we just wanted to officially say thank you as well as present you with a token of our gratitude, because like I said, you are leaders, you are supporters, and you made a generous donation."*

*Chairman Skelton said, "Hi, Chief. How are you?"*

*Chief Williams said, "Chairman, I've got to get used to that, Chairman Skeleton, on behalf of the Wichita Police Department as well as the Law Enforcement Memorial Committee and the Sedgwick County Sheriff's Deputy, Sheriff's Office, it gives me great honor to present you with a photograph of the law enforcement memorial that sits around the corner of Main Street."*

*Chairman Skelton said, "Thank you, sir. Appreciate that. I just would like to recognize law enforcement for their everyday duty. They've got to deal with scenes that are unconscionable to the average person. They're there day and night to protect us. And of course, that duty, it is a dangerous duty, and officers do lose their lives sometimes, so I think this memorial is a great tribute to those officers, and I would like to thank you for the plaque, sir, so thank you."*

*Commissioner Unruh said, "Before you two get away, there are a couple of comments from Commissioners. First of all, I'd like to say that I appreciate Sheriff Easter and*

*Chief Williams for coming over and recognizing our participation with you and what is important and significant activity as we recognize fallen officers, but I also think that this is always a good time to mention the fact of the great cooperation we have between our agencies here at the county and at the City of Wichita and appreciate the leadership that you two give to your respective law enforcement departments."*

*Chief Williams said, "Thank you."*

*Chairman Skelton said, "Commissioner Peterjohn, yes, please."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I also want to second Commissioner Unruh's comments as well as expressing my particular appreciation to both Chief Williams and Sheriff Easter."*

*Commissioner Peterjohn continued, "We've been working very hard to try and keep this community safe, and the fact that we've had the terrible tragedies that have resulted in having those names and having this memorial in the first place put up is an important sign, in terms of the commitment that the law enforcement community and those folks who put on a badge every day have made in keeping this community safe."*

*"But on an individual level, I very much appreciate Chief Williams, having had the opportunity to work with him on the Criminal Justice Coordinating Council during my time on that, during my first term, and I believe it's a great example of cooperation between both the city and county, and the bottom line remains, we want to keep this community safe, and I want everyone with a badge to come home safe at night, and very much appreciate you recognizing the role that this Commission has helped played both with the memorial and those broader objectives. Thank you, both."*

*Chief Williams said, "Thank you."*

*Chairman Skelton said, "Commissioner Norton."*

*Commissioner Norton said, "Well, we were certainly glad to participate in that, but Chief, you may want to give just a little history. It was not an easy process to get this built. It went on, drug on for a little while. You had some great citizen participation, a wonderful committee, but give just a little history of the memorial, because it is at the corner of Central and Main Street, a wonderful memorial to those that have given all to protect the City of Wichita and Sedgwick County."*

*Chief Williams said, "Well, thank you, Commissioner Norton. When you look at the history, this endeavor started in 2002. At that time, myself, then Sheriff Gary Steed, and Mary Gavin, the wife of Lieutenant John Gavin, and she approached us about the importance, because that was one of Lieutenant Gavin's dreams, was to have a memorial that can continue to recognize the sacrifice of our fallen deputies and officers, because he had a chance to travel the country and look at other memorials and say, why can't we do something in Wichita?"*

*"From that, Captain Randy Landen, who is here with me today, as well as Captain Mike Stover who is here, if you guys would like to stand, they were part of the original committee that spent almost a decade, 10 years working as far as making this reality, fundraisers, working with community, working with different architects to come up with the right design, because we wanted something that's unique that says thank you to the family members for the sacrifice that you continue to endure as a result of your*

*lost loved ones. So these gentlemen, as well as so many others, and it was a community project.*

*"It wasn't about law enforcement. We're not fundraisers, but because of the leadership that these gentleman that are here today and others come together, and pull together community members, we now have this beautiful memorial that is envied by quite a few throughout the country. That's a quick overview of the history that started back in 2002. And right now, as I said, there are 29 names that are on that law enforcement memorial. We have the name of an officer from Derby as well as an officer from Clearwater as part of those 29 names."*

*Commissioner Norton said, "Well, it's a beautiful memorial, and on a wonderful spring day, if you want a place of peace and reflection, there's benches there to sit and think about the world in general, but how tough it can be out there for law enforcement to do their job every day, and what they do when they put on the uniform for our community. So, thank you for being here today. We really appreciate it."*

*Chief Williams said, "Thank you."*

*Sheriff Easter said, "Thank you."*

*Chairman Skelton said, "Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you, both, for coming here today. (Inaudible)."*

*Chairman Skelton said, "Seeing no other comments, Madam Clerk, call the next item."*

E [13-0018](#)

ADOPTION OF THE 2013 SAFETY SLOGAN FOR SEDGWICK COUNTY EMPLOYEES: "MAKE SAFETY ROUTINE IN 2013."

Presented by: Mick McBride, Risk Manager, and Diana Mansouri, Safety Coordinator.

RECOMMENDED ACTION: Adopt the safety slogan and allow presentation of a framed poster and other safety related items to Nathan Powers, Sedgwick County Department of Corrections - Juvenile Field Services, winner of the 2013 Safety Slogan Contest.

*Ms. Diana Mansouri, Safety Coordinator, Risk Management, greeted the Commissioners and said, "I do appreciate your opportunity this morning to share Sedgwick County's commitment to safety. This is an exciting year for us as we celebrate 20 years of sponsoring the Sedgwick County employees' safety slogan contest for the purpose of promoting safety awareness among employees. Since 1994, Risk Management, with your support, has sponsored this contest, which encourages individual employees and departmental safety committees to submit a safety slogan for possible adoption. Management commitment to safety is essential, but true safety excellence requires the engagement from employees throughout the organization. This year, we received over 100 safety slogans submitted by employees from almost all divisions of Sedgwick County. We wish to thank all employees who participated in this year's and past safety slogan contests. Each year we asked selected county employees to volunteer to serve on the committee that selects the contest winner. This year, the committee was comprised of 20 employees representing 18 different departments.*

*"So we have all kinds of involvement. Simple majority determines a contest winner. The winner receives an award, which includes a basket of safety-related items, a framed copy of the safety slogan poster and your recognition. The winning safety slogan for 2013 is right before you. It is 'Make Safety Routine in 2013'. Congratulations to Nathan Powers for submitting this year's winning slogan. Nathan is an employee in Sedgwick County Department of Corrections (DOC) Juvenile Field Services. This is the seventh year the poster features photographs of our very own county employees engaged in the safe performance of their job duties.*

*"The departments featured on this year's poster are Sedgwick County Department of Correction, Juvenile Field Services, Public Works, Sedgwick County Zoo, and Sedgwick County Fire District [No.] 1. Copies of this poster will be distributed for display in every department. The poster serves to remind employees to perform their job tasks in a manner that could result, in a manner that will help prevent them from being involved in accidents that could result in injury to themselves, their coworkers and citizens. This poster would not be possible without the dedication of Tony Guiliano in Communications and Lori Westphal in the Division of Information and Operations Data Processing Printing Services. They did a fantastic job on the photography and the poster design, and we very much appreciate their efforts. At this time, I recommend that you adopt, 'Make Safety Routine in 2013' as the 2013 employee safety slogan and allow me to present the contest award. After adoption, I would like to invite Mr. Powers up to the podium."*

*Chairman Skelton said, "Okay, Commissioners, you've heard staff's presentation. What is the will of the Board?"*

MOTION

Commissioner Unruh moved to adopt the safety slogan and allow presentation of a framed poster and other safety related items to Nathan Powers, Sedgwick County Department of Corrections - Juvenile Field Services, winner of the 2013 Safety Slogan Contest.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Ms. Mansouri said, "Thank you, Commissioners. This year's contest award includes a fire extinguisher, a carbon monoxide alarm, a smoke alarm and a weather alert radio. Nathan, would you please come forward. Congratulations."

Mr. Nathan Powers, ISO/Juvenile Field Services, Department of Corrections, greeted the Commissioners and said, "I work for the Department of Corrections at Juvenile Field Services. I want to thank you for supporting the safety slogan contest. I appreciate it that we, the employees of Sedgwick County, have the opportunity to participate in something that is so important to everyone, safety. I've submitted a safety slogan every year since I started with the county, so this year when I found out I had won, I was pretty excited. I received a flood of e-mails congratulating me. I received one from Mark Masterson that I would like to share a part of with you. He said, 'I believe it is the 20th year for the slogan contest, and you are the second winner from DOC, congrats.'

"When I read that, I was taken back to the year 2000 when we had a safety slogan framed in our house that read 'Safety All the Way in Y2K'.

"My stepfather who worked for the county for many years had submitted it and was picked that year. Safety is not only important at work but in all aspects of our lives. I want to thank you for adopting 'Make Safety Routine in 2013' as the winning slogan this year. It's an honor to share the importance of safety with you and the county. Keeping ourselves and our clients safe is something we have to think about constantly at the Juvenile Field Services. I hope the message and images of this slogan and poster motivate all who encounter it and a reminder that we should all be practicing safety and making it routine in 2013. Again, thank you very much for the opportunity for participating in this contest and for adopting the safety slogan."

Chairman Skelton said, "Commissioner Unruh. We have a couple comments."

Commissioner Unruh said, "Nathan, I would, first of all, your remarks were very well spoken and meaningful. It's obvious that safety is a high priority in all of your activities. So I want to thank you for your participation in the contest and congratulate you on winning and thank you for your daily activity and focus on safety in your area of responsibility."

*Mr. Powers said "Thank you."*

*Commissioner Unruh said, "Congratulations."*

*Chairman Skelton said, "Commissioner Norton."*

*Commissioner Norton said, "Well, Nathan, safety is not just the right thing to do for our clients and our employees, but Mick will probably tell you it's good business. It costs a lot of money to run general liability and work comp[ensation] programs in large organizations like this. So having something that inspires us to think about safety every day and keep our workplace safe is not only good for employee morale and just the employees in general, but it's good business, so thank you for the inspiring message that you have given us and the congratulations."*

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

*Chairman Skelton said, "Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chair, and Nathan thank you, but I also want to think Diana for, once again, another year. You run a great contest, and I appreciate this particular technique in getting our whole organization, all our employees, thanking about safety. Thank you."*

*Ms. Mansouri said, "Thank you, Commissioners."*

*Chairman Skelton said, "Yeah, congratulations. Any other comments? Okay, thank you very much. Madam Clerk, call the next item."*

F      [12-1010](#)      CONSIDERATION OF AN AWARD IN THE AMOUNT OF \$46,932 FROM THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) TO SUPPORT THE CONTROL OF TUBERCULOSIS (TB) IN SEDGWICK COUNTY AT THE HEALTH DEPARTMENT.

Presented by: Preston Goering, Tuberculosis Control Program Manager, Sedgwick County Health Department.

RECOMMENDED ACTION: Accept the award and authorize the Chairman to sign the grant award agreement; and establish budget authority as provided in the financial considerations section of this request.

*Mr. Preston Goering, Tuberculosis Control Program Manager, Sedgwick County Health Department, greeted the Commissioners and said, "I would like to thank you for consideration of the TB (Tuberculosis) Control Grant from the Kansas Department of Health and Environment (KDHE) to assist us in TB control. For the last two years, report of TB in Sedgwick County has been at its lowest, and KDHE has been an important partner and supporter for Sedgwick County TB control in that ongoing local public health led control of TB remains vital, particularly evaluation of those who have TB disease or infection and education and surveillance. I just wanted to share with you a couple of items.*

*"One recent step towards better TB control, which we are implementing, is the new CDC (Center for Disease Control and Prevention) approved treatment regimen for latent TB infection known as 3HP (Training Announcement 12-Dose) Regimen. The standard treatment for latent TB infection has been daily self-administered isoniazid for nine months. The 3HP Regimen consists of two drugs, isoniazid and rifapentine. That's given once a week for 12 weeks under a nurse's direct observation. And studies show that patients are much more likely to complete treatment with the 3HP Regimen, and it is just as effective in preventing active TB disease. It's currently reserved for those at higher risk of developing TB disease. At this time, about 11 percent of the clients of the TB clinic in Sedgwick County are eligible for that treatment regimen, and it is anticipated that that regimen will be expanded as rifapentine becomes more available in the market.*

*"I would also like to share with you that KDHE's funding is helping Sedgwick County to have an excellent TB control program. And as an example of that important work that the clinic is doing, I wanted to share some excerpts with you from a letter we received from a patient who recently completed treatment for active TB disease. Often one of the things that I notice is that often when a patient comes in with active disease, they look extremely ill. They've lost a lot of weight. They just don't look like themselves. Six months later or however long they need, when I see them I just about don't recognize them because they look like a completely new person, back to their old selves and in good health. And so I wanted to share this letter that this person sent to us.*

*'Mr. Goering, I would like you and the administration of the Sedgwick County TB Clinic to know of the excellent staff of ladies you have in your employment. Ms. Tronda, Ms. Gina, Ms. Shari and Ms. Peggy came into my life when I wasn't sure what was going on or that I would be around to write this letter to you, as I was so very sick and not understanding how this happened. From the first day of meeting with me, they were*

*encouraging, uplift, reassuring and committed.*

*"Each one let me know that each day after I would get a little better until one day I wouldn't need to see them anymore. They had to make a believer out of me, and they did so with their hearts in it.*

*"These ladies are some awesome health care providers who know their job. In addition, they have that caring, loving and concern that speaks without saying that makes my recovery possible. I would like to say thank you to each one of them through you and praise them and the TB administration for having such a wonderful staff.' So I think that is a combination of both the TB clinic, the Health Department and Sedgwick County for the work that we're doing in the clinic. Are there any comments or questions this morning?"*

*Chairman Skelton said, "Commissioner Ranzau."*

*Commissioner Ranzau said, "Yes, Preston, a couple questions. The backup material says that this is mandated by the state, correct?"*

*Mr. Goering said, "TB control, yes."*

*Commissioner Ranzau said, "TB control, (Inaudible) mandated by the state. Now, this money, is actually coming from the federal government?"*

*Mr. Goering said, "It's state money from KDHE, from Kansas Department of Health and Environment."*

*Commissioner Ranzau said, "(Inaudible)."*

*Mr. Goering said, "Yes."*

*Commissioner Ranzau said, "Okay. How much money does the state give for this particular (Inaudible)?"*

*Mr. Goering said, "What portion of it is state funding and what portion is federal, I do not know."*

*Commissioner Ranzau said, "Do we get state funding?"*

*Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "I am not sure, I think it's primarily federal. We will check."*

*Commissioner Ranzau said, "Let me know. Because if this a state campaign, I would expect the state to pay for that. Okay, that's all I have."*

*Chairman Skelton said, "Commissioners, I see no other comments. The Chair will entertain a motion. Commissioner Norton."*

*Commissioner Norton said, "Well, I think this is good work. You know, it wasn't too many years ago that TB was back on the rise again a little bit, so it's nice to know that we've kind of leveled that off are and pushing the numbers down. I think as the world gets a little more fluid and transparent and people move around a little more than maybe they have in past generations, we're always going to have ebbs and flows of TB, and it's not going to go away until the world takes care of the problem.*

*“Certainly, the United States back in the [19]40s, [19]50s, [19]60s, [19]70s, started the move toward eradicating TB within the continental United States, but that's is not the case globally, globally, and as people move back and forth, we'll always be faced with having to test and make sure this doesn't spike.*

*Commissioner Norton continued, "So it's good news to know that it's on the decline right now, but a couple years ago, it was, the numbers were rising.”*

**MOTION**

*Chairman Norton moved to accept the award and authorize the Chairman to sign the grant award agreement; and establish budget authority as provided in the financial considerations section of this request.*

*Commissioner Unruh seconded the motion.*

*Chairman Skelton said, “Motion has been moved and seconded. Discussion of the motion? Commissioner Peterjohn.”*

*Commissioner Peterjohn said, “Thank you, Mr. Chairman. I would just make the comment that I'm delighted to hear that there is now a treatment regimen that seems to be as successful in basically a little less than three months as a nine month regime, because that is absolutely huge in treatment of this. I'm quite optimistic that maybe we can get lucky, if it's possible, to shorten it even further. This is a worldwide scourge and even though it seems to be under control here to a significant degree, it's not going to go away worldwide until we reach a point where you can get a treatment regimen that didn't require quite as long and lengthy treatment forms. And hopefully, I guess a question for Dr., or...Dr. Goering?”*

*Mr. Goering said, “Mr. Goering, not doctor.”*

*Commissioner Peterjohn said, “Mr., okay. In terms of, how susceptible is this new regime to a bacterial response like you get with antibiotics where the bacteria becomes able to handle the antibiotic and then the treatment regimen no longer works?”*

*Mr. Goering said, “You're asking about drug resistance.”*

*Commissioner Peterjohn said, “Yes.”*

*Mr. Goering said, “One of the main concerns about this treatment regimen is that it's done through direct observation. So every time they take the medication each week, well, once a week when they take it, they need to be watched to make sure they're taking the right amount and to make sure they're taking it. We are also, we also need to monitor them through lab work, but that direct observation, that close monitoring for that three month period is the way that we assure that the person doesn't take just enough rifapentine or isoniazid to develop a resistance. So that's the purpose of the close observation, to make sure that that does not happen.”*

*Commissioner Peterjohn said, “And that resistance problem doesn't show up. Thank you very much.”*

*Chairman Skelton said, “Additional questions? We do have a motion and a second on*

*the table.  
Madam Clerk, call the vote."*

**VOTE**

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

*Chairman Skelton said, "Thank you very much, sir."*

*Mr. Goering said, "Thank you, Commissioners."*

*Chairman Skelton said, "Next item, Madam Clerk."*

**G**      [12-1099](#)      PRESENTATION TO THE SEDGWICK COUNTY BOARD OF HEALTH -  
EPIDEMIOLOGY IN ACTION: INFLUENZA SURVEILLANCE IN  
SEDGWICK COUNTY.

Presented by: Claudia Blackburn, Health Director, Sedgwick County  
Health Department.

RECOMMENDED ACTION: Receive and file.

*VISUAL PRESENTATION*

*Ms. Claudia Blackburn, Health Director, Sedgwick County Health Department, greeted the Commissioners and said, "I am going to give you an update this morning on influenza activity in Sedgwick County and also include some information on how we monitor disease in Sedgwick County, how we monitor influenza on a daily basis. I would like to start by thanking Chris Stewart, our surveillance epidemiologists for preparing this presentation and responding to my numerous questions on a daily basis so that I always feel like I know what's going on when it comes to different diseases that are circulating. So what is influenza? Well, influenza is a virus that spreads through contact with droplets from the nose and throat of an infected individual during coughing, sneezing or talking. It is highly contagious, and people within one to two days of becoming infected start to exhibit signs and symptoms of influenza.*

*"That includes fever 101 to 103 degrees, cough, sore throat, chills, headache, body aches, and it can be kind of an abrupt onset. It can last for five to seven days. It's usually much more severe than a common cold. Usually there's diarrhea and vomiting, are not a major feature of influenza. You can see. We see it more in children, more with H1N1 (Influenza A), but it's not the primary feature that you see with influenza. There are a lot of other viruses that can cause similar symptoms, and it's really hard to know what you're infected with.*

*"There is a virus called respiratory syncytial virus, or RSV, that is particularly hard on children. It can cause pneumonia, land them in the hospital, and we see a lot of that around flu season; Para influenza and other viruses as well. So there are two types of influenza that are circulating, [Influenza] A and [Influenza] B. With influenza A, there are two strains circulating right now. The predominant strain is H3N2, that's the predominant strain in the United States and in Sedgwick County. The other strain is the 2009 H1N1, you know, we had the pandemic 2009 to 2010, and then we had the predominant strain for [20]10-[20]11 and [20]11-[20]12 was H1N1.*

*Ms. Blackburn continued, "We had pretty mild flu seasons after the pandemic, probably because people had either been immunized or had had the disease, and so we had a high degree of immunity. So we didn't see a lot of, it was a fairly mild flu season the last two years. This year, though, the strain that we're seeing mostly is the H3N2, and it's making people pretty sick.*

*"There is also Influenza B that's circulating, and there are two strains of that, but the major one is one that is covered in the vaccine. So the vaccine is a good match this year. In general, it's about 60 percent effective, because it doesn't have the same effectiveness for all age groups. In older people, it's less effective. So this is kind of a busy slide, but I wanted to show it to you. It's from the CDC (Center for Disease*

*Prevention and Control), it's one of the pieces of information that we look at to kind of see what's going on. If you could pay attention to the red line, that is this year's flu season, flu activity, and you can see that it's a lot like the 2003-2004 flu season, and the reason for that is because both flu seasons H3N2 was the predominant strain of circulating virus.*

*"And it started a little bit earlier. It's peaking a little bit earlier. We hope we're on the downward slope. Nobody likes to predict, because flu can be unpredictable. This is another piece of information that is important for us to look at, and that is, who is ending up in the hospital from flu complications. And 90 percent of people that end up in the hospital from flu complications are over 65. It is really a problem for older people. Now, with H1N1, we also saw quite a bit of hospitalization with children, but this year it's older people and we've had 500 deaths from pneumonia and flu in Kansas since September already.*

*"And then this slide shows the progression of flu activities. Kansas is red. We do have a high level of influenza-like illness activity. My understanding is that it's moving west and the west coast is going to begin to experience what we've been experiencing. So what's going on here, in Sedgwick County? Well, the hospitals are near capacity. Many patients have respiratory viruses such as influenza. We know this from the infection control practitioners at the hospital who call our surveillance epidemiologists. They talk on a regular basis. That's how we have that information. Emergency rooms, there is an increase in visits for influenza-like symptoms. We get that piece of information through our first watch monitoring system that feeds us data from both emergency departments. We also get information from the school nurses.*

*"This is all voluntary. They report students with influenza-like illness and confirmed cases to us. We have an online program that allows them to report, and we also have tools for them so that they can share information with parents and staff when they find out that they have some kind of disease that's circulating, and right now it's influenza. And then the microbiology labs report to us. Their information is very, very helpful to know what's going on. I'll show you a slide that really helped us to understand what was going on when we saw dramatic increase in positive specimens.*

*"Again, that's all voluntary and we appreciate the partnership with the schools, hospitals, labs, because without them, we wouldn't have the kind of data that we have. So this is the slide that I was talking about. This is a graph that we got from the county lab a couple weeks ago. You can see that huge spike. The green line is, I mean, the yellow line is Influenza A. The green line is respiratory syncytial virus. We also had an increase in Influenza B. That was a huge surge that told us that what we were getting from the other data sources was true. We saw a big spike around that time.*

*"So just to summarize, influenza is widespread in Sedgwick County. The vaccination is still the best prevention tool. I know a lot of people were having difficulty finding the vaccine last week, but a lot of the pharmacies have ordered, and they have vaccine in now. I would still recommend that people check to be sure that it's there before they go to get a shot, but there are 200 doses at the Health Department for uninsured individuals, and we do have influenza vaccine for, our Vaccine for Children (VFC) Program those are for children who are uninsured or underinsured. It is recommended for people 6 months and older, including pregnant women, and we really recommend this is still the best tool for disease prevention. Even if you get the flu after you've been vaccinated, you'll have a milder case and you're less likely to get complications,*

so it's really important to do. And if you're afraid of needles, there is flu mist for people that are ages 2 to 49 who don't have asthma or other contraindications. So, there are options.

*"If you do develop the flu, if you can contact your health care provider within the first 24 to 48 hours, there is an anti-viral called TAMIFLU that really helps to stop the flu in its tracks or at least to lessen the course of the disease. So I do recommend that people call their health care provider instead of showing up in the office or at immediate care unless you know that you're really, really sick and you need to go to the emergency room. Otherwise, you're going to sit for a long time, because the health care system is very busy right now, and you're also going to be spreading your disease or maybe picking something up, and most health care providers have a system set up so that you can call them and get advice over the phone. So stay home if you're sick. Stay home until you are fever-free for 24 hours without medicine, especially if you're a child. You cannot go back to school with a fever. Wash your hands frequently, 20 seconds, and a new recommendation this year is, since elderly people are greatly affected this year, we're seeing so many hospitalizations, don't have grandparents take care of sick kids, because it puts them at risk.*

*"So how we know what we know, I've shared with you some of that already, but just as you get up in the morning and have a cup of coffee and maybe read a few newspapers, our surveillance epidemiologist signs in and looks at the KDHE website and looks at any diseases that have been reported to us, calls the local hospitals, labs, checks the school surveillance data, and checks our first watch data and also checks the CDC and some other resources that we have to know what's going on in the community. I hope this kind of gives you an idea of how we do business to monitor disease activity. I'm giving you the example of flu, but we do this with other diseases as well. So that's my presentation. I hope that whoever, if the public is listening that they will still think about getting a flu vaccination, and I'd be happy to answer any questions."*

Chairman Skelton said, "Commissioner Ranzau."

Commissioner Ranzau said, "How effective is the shot, the flu vaccine?"

Ms. Blackburn said, "I don't know exactly. You know, it really varies. It depends on the person. But it does tend to be less effective, from what I understand, in the elderly. What I know is overall, it's about 60 percent effective in preventing flu."

Commissioner Ranzau said, "Thank you."

Ms. Blackburn said, "You're welcome. Any other questions?"

Chairman Skelton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. If we can jump back to slide five, my, I'd like to make sure I understand this chart completely. You could first help me out, because it looks to me like the very youngest, zero to four, and the very oldest, 55, or 65 and older, are the two green lines. Do you know if the largest green line is the elderly or the youngest? And can you help me also, in terms of the vertical axis on this chart, it says 100,000 population, I'm trying to understand if that's a percentage or absolute number or what the vertical axis is on this chart, if you can help me out."

Ms. Blackburn said, "I believe that's per hundred thousand population, and these are

*laboratory confirmed influenza hospitalizations, so the largest number is 65 plus."*

*Commissioner Peterjohn said, "In 65 and older. Okay. So the youngest would be second, and then the 50 to 64 category would be the third group, right?"*

*Ms. Blackburn said, "It looks like the 5 to 17 year age group is the least amount."*

*Commissioner Peterjohn said, "If people went out and got a flu shot today, how long would it take before they would start to develop an immunity that would help them if they are exposed to the disease?"*

*Ms. Blackburn said, "About two weeks."*

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

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

*Commissioner Unruh said, "Thank you, Mr. Chairman. Claudia, thanks for being here today. I think it's important that we have this information for the Commissioners, but I think it's important that as citizens are watching our meeting this morning that they can take confidence that our Health Department is active in their primary responsibilities of surveillance and prevention. To know that our Health Department is on top of this measuring the effects of this in our community and making recommendations, I think, is really helpful, so I appreciate your being here, what you've done and what your staff has done."*

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

*Chairman Skelton said, "Commissioner Norton."*

*Commissioner Norton said, "Well, the medical community ministers to one person at a time, one client at a time, and public health ministers to everybody at the same time to try to deal with these kinds of things with information, surveillance and communication out to the public. So, thank you for doing that today. We hope that the season passes and we don't have a borderline pandemic, but you never know how it starts to ramp up as the season goes along, and we're just now moving into that season, at least the peak of the season, so thanks for being here today, Claudia."*

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

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

**MOTION**

*Commissioner Peterjohn moved to receive and file.*

*Commissioner Ranzau seconded the motion.*

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

**VOTE**

*Commissioner Norton                      Aye*

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

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

*Chairman Skelton said, "There is an additional comment by Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. While Claudia is here making that report, I just want to make the comment that several Commissioners were visiting the Health Department location on east 9th [Street] yesterday for an open house to show the activities there and how they've organized to kind of consolidate some of our efforts. We moved several departments and programs from a location down on south Oliver [Street] into the east 9th location, and it was, the reason for doing that was to be more efficient and to hopefully reduce some of our costs, overhead costs.*

*"Claudia, I just want to, first of all, thank you for putting together the open house and inviting us there and allowing us to be reminded of all of the activities that go on at the Health Department and the important benefit it has for our community, and as I mentioned yesterday, you know, as County Commissioners, we appreciate the fact that we're always doing things to be more efficient and save money and still be able to provide these services for our community. So, thanks to you for your leadership and to all your staff leadership. My impression from my tour is that we've got a great health clinic. We've got a lot of people who are really dedicated to what they're doing and provide great services for our community. Thank you very much."*

*Ms. Blackburn said, "And thank you all for coming. I appreciated it."*

*Chairman Skelton said, "You bet. Thank you, Claudia. Madam Clerk, call the next item."*

H [13-0023](#)

RESOLUTIONS FOR THE ALLOCATION AND INTERFUND  
TRANSFER OF UNEXPENDED 2012 BUDGET AUTHORITY TO THE  
EQUIPMENT RESERVE AND CAPITAL IMPROVEMENT FUNDS.

Presented by: David Miller, Budget Director.

RECOMMENDED ACTION: Adopt the resolutions.

*Mr. David Miller, Director, Budget, greeted the Commissioners and said, "Before you today are two resolutions to transfer funding to the Capital Improvement Fund and the Equipment Reserve Fund for four projects. Those four projects include \$350,030 to the Capital Improvement Fund for two watershed studies at Spring Creek and the West Branch Chisholm Creek; \$803,581 to the Capital Improvement Fund for parking improvements and a sewer connection at the youth soccer and softball fields adjacent to the Sedgwick County Park; \$107,475 to the Equipment Reserve Fund for the purchase of equipment and the telephone interface related to the Kronos electronic time keeping project; and finally \$600,000 to the Equipment Reserve Fund dedicated to the replacement of health monitors and defibrillators used by EMS (Emergency Management Services). These medical devices are scheduled for replacement in 2014, and this transfer will allow us to set aside half of that funding requirement for the replacement in that year. I would recommend you approve the resolutions and I'd be happy to answer any questions."*

*Chairman Skelton said, "Okay. Questions by Commissioners? Comments? Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chair. I just want to make a comment, and David, thank you for your clear description of what we're planning to do. I just want to make the comment so that our citizens that are watching this will know we're not just trying to look for places to spend money that we happen to have excess revenue from last year, but these are important responsibilities of Sedgwick County Commission and we had these not on our highest priorities but since we have the availability to take care of these responsibilities it seems appropriate to do so. The parking improvements and sewer connection at the soccer fields is on property that is owned by Sedgwick County, and we have in our agreements responsibility to provide for those improvements."*

*"So we're doing that, and the watershed studies, as you've heard the Commissioners talk about incessantly are a big problem in Sedgwick County. This is a way for us to try to address that without making it a hindrance to other priorities. We have the ability to do this, and so now we're going to go forward with it. So it's good money management. I thank you for your part in that, but I just kind of wanted to say this is a necessary thing, and we have the ability, and we're going to get it done. That's all I have, Mr. Chair."*

*Chairman Skelton said, "Thank you, Commissioner. Any other comments by Commissioners? Is there a motion on the table, please?"*

MOTION

*Commissioner Unruh moved to adopt the resolutions.*

*Commissioner Peterjohn seconded the motion.*

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

*VOTE*

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

*Chairman Skelton said, "Okay. Madam Clerk, next item."*

I [12-0039](#)

COUNTY EXTENSION QUARTERLY REPORT.  
Presented by: Bev Dunning, Extension Director.

RECOMMENDED ACTION: Receive and file.

*Ms. Bev Dunning, Director, Extension, greeted the Commissioners and said, "As you know, in my quarterly reports, I like to tell a story so that you understand some of the educational programs that we're doing, and I'm giving out a story that you've already heard about military 4-H programs, and this is flyer that I thought was very well done by the state to show the work that we're doing. And any time you see and hear McConnell Air Force Base, that's your Sedgwick County 4-H agents that are working on those programs. And I think that the 4-H youth programs on the military sites are a very good thing, because as you know, many of those military families move from place to place, and so if they're familiar with the 4-H youth program, when they move to a new site, that's kind of encouraging to them that it's not all new, and that they have something that they can relate to.*

*"So, I think our staff has done a very good job helping on McConnell Air Force Base training their leaders to help with the youth programs there. So I wanted to share that report with you, and you can have that to read at your leisure. There are comments on the back as well as in the center part of it. And in Kansas, we have those 4-H programs, as you know, at Fort Leavenworth, Fort Riley and McConnell [Air Force Base]. So other states are having that, too. Now, my story today that I want to talk to you about is agriculture (ag), and I know that you don't deal with a lot of agriculture, although you know we have a lot of agricultural land in Sedgwick County, and we always talk about how we're a little different than Johnson County, for example, because they're so urban. We're urban and rural. And so agriculture is an important area that we deal with and that we teach in. And you know, it's second only to the aircraft business in Sedgwick County, the income from agriculture.*

*"Many times we talk about the volunteers that we use in the extension service because we know we have limited funds, limited staff, and in agriculture, it's not always evident to see those men and women come in and do things for us at the office. But the thing that they do is let us use some of their land to do demonstration plots, and we do demonstration plots in several things. That's to show what grows best where, and the primary technique is to use a hybrid variety in the field demonstration plots and where the farmers can then examine those varieties as they're grown to see what selections might be best for them to use. Each year, with the assistance of those farmer volunteers that give us their land, many times they help with the planting, and they help with the harvest of it, too. Those demonstrations are then used for wheat, corn, whey, sorghum and soybeans.*

*"Sometimes you might like to go on a plot tour. The demonstrations that are out there and the plantings done, I'll have to talk to our ag agent and make sure you're invited because I think you'd find it interesting.*

*Ms. Dunning, "The plot tours are then conducted so that the farmers then can walk through the plots and see each hybrid variety, learn about the plant's resistance to disease and insects and how the crop responds to fertilizer and other cultural practices we have going on in Sedgwick County. Yield data then are collected and presented to the farmers at the annual educational event. They like to look at what's producing where. They can then use that information to make an informed decision about what hybrid variety that they need to plant. So let's just show an example of how this might*

help.

*"If a grower uses a local yield data collected from the last six years, say, of a wheat variety that performs 50 percent, in the higher 50 percent area, beyond that the variety, another variety might perform in the lower 50 percent or maybe not perform as well in the higher 50 percent. So let's say in 2012 a farmer had elected to grow a variety called fuller, f-u-l-l-e-r, which yielded about 59 bushel per acre in the demonstration plots and yielded in the top 50 percent 80 percent of the time, then if they had selected art, a-r-t, another variety, which didn't yield as much, it only yielded 50 bushel per acre and was in 37 percent in the upper 50. Well, the farmer would have a greater yield, of course, if he chose fuller over art. And that 9 bushel excess that he would have if he chose the right one, let's say it sells for \$8 a bushel, you're talking about \$72 per acre. And if a farmer is growing 1,000 acres of wheat, you know that adds up pretty fast. And so it's very important to them that they can see those yields and see the different varieties and know what works here.*

*"You can read about many of the different kinds from different sources, but I think the demonstration plots that we do really do show the story of what the farmers need to do here in this county, and they've expressed many times their appreciation for those plots, and that's a lot of hard work to plant those and to harvest them and then to do all the data entry work that has to be done. They incorporate the plot tours. They go to the educational events, and then they often call our ag agent of course and talk to them. And, you know, this past year, one of the big issues is no moisture. What grows well when there isn't any moisture? Not very much. But they have to imagine that, too. So I just wanted to share with you how we use that educational demonstrate plot process to help our ag people in this county. Do you have any questions?"*

*Chairman Skelton said, "Questions for Ms. Dunning. Karl Peterjohn, Commissioner, sir."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I would just throw out the comment that even though we are the second most populous county in the state, we are also one of the top wheat producing counties in the state."*

*Ms. Dunning said, "That's right."*

*Commissioner Peterjohn said, "As the Commissioner with more ag land, and I've got close to 500 square miles in my County Commission district as well as eight communities that are entirely in my district and a big chunk of West Wichita, the most populous part of my district, the ag part is very, very important."*

*Ms. Dunning said, "And wheat is important."*

*Commissioner Peterjohn said, "And I regularly participated and watched, I should say observed, probably might be a better, more accurate description, some of the ag safety efforts that have been underway that Farm Bureau, as well as Extension [Office] helps promote, so I do appreciate very much getting the report and discussing and seeing what the Extension is providing, because the ag community is absolutely crucial, and I sure hope we get some rain soon."*

*Ms. Dunning said, "We do, too."*

*Chairman Skelton said, "Thank you, sir. Commissioner Ranzau."*

*Commissioner Ranzau said, "Bev, thank you for coming today. (Inaudible)."*

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

*Commissioner Ranzau said, "Actually I've had two kids attend the... at McConnell [Air Force Base], I didn't realize it was 4-H, so I am encouraged to see that."*

*Ms. Dunning said, "Good."*

*Commissioner Ranzau said, "The question I've been wondering is what's the status on the roof? (Inaudible)"*

*Ms. Dunning said, "I just know that Ron Holt told me the other day that there was procedure going on and that they are doing some design work, I believe. Is that, Mr. Buchanan perhaps knows, but when I saw Ron he came to our board meeting a week ago, and he told me there was progress being made on that, and I appreciate that. If we get rain, we'll need it."*

*Chairman Skelton said, "Commissioner Peterjohn, please."*

**MOTION**

*Commissioner Peterjohn moved to receive and file.*

*Commissioner Ranzau seconded the motion.*

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

**VOTE**

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

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

*Chairman Skelton said, "Madam Clerk, please call the next item. Dave looked like he knew what he was doing, so I just was watching him. Sorry, I apologize. Go ahead, please."*

J      [12-1112](#)      RESOLUTION OF SUPPORT FOR AN APPLICATION TO USE FEDERAL TRANSPORTATION ENHANCEMENT FUNDS TO CONSTRUCT THE AVIATION PATHWAY FROM WICHITA TO DERBY. DISTRICT 5.

Presented by: David C. Spears, P.E., Director of Public Works/County Engineer.

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

VISUAL PRESENTATION

*Mr. David C. Spears, Director, Public Works, greeted the Commissioners and said, "In Item J, we are requesting your approval of a resolution for support for the Aviation Pathway. This 3.6 mile long bike pedestrian path would begin on the Wichita path system at MacArthur [Road] and Englewood [Street] and follow Englewood and Clifton [Road] southward to 47th Street South and then east to Oliver [Road] and south to the Derby path system at Buckner and Commerce. Kristi has put up the map on the wall and shows the proposed bike path. The project includes an extension along Clifton from 47th South to the complex and includes Oaklawn Activity Center, Oaklawn Elementary School and the future site of the Grace Med Clinic.*

*"If selected by KDOT (Kansas Department of Transportation), we estimate that the project will cost \$1,270,000. The local share would be 20 percent or \$254,000. There is no formal agreement in place, but the City of Derby has indicated that they will split the local share with Sedgwick County, so our share of the costs would be \$127,000. The remaining \$1,016,000 would come from federal funds. This resolution will be included in our application for transportation enhancement funding. The primary purpose of the resolution is to express your official support for the project and willingness to move forward with it if selected by KDOT. Specific funding sources for the local share of the project would be identified and approved in our CIP (Capital Improvement Plan) after project selection and prior to your approval of the final project agreement.*

*"An application for a similar project was submitted in 2010. That project is in the CIP as R-330 for construction in 2017 at a cost of \$2 million. That project was planned to go through the middle of the spirit complex to make the connection to MacArthur. This new application alters the route to avoid the space limitations within the spirit complex and make critical connections in the Oaklawn and Sunview neighborhoods. Construction of this project would also eliminate the need to construct CIP project R-327, which is a 1,700 foot extension of sidewalk along Clifton that is planned for 2015 at a cost of \$70,000. In other words, we have two projects in the CIP that can be eliminated if this one is selected by KDOT, and if selected, our cost would be \$127,000 versus this would be \$2,070,000.*

*"The project was recommended in a WAMPO (Wichita Area Metropolitan Planning Organization) pathways plan and closes a critical gap in the regional pathway system. The City of Derby has been working with our staff to prepare the application package. So far, we have received letters of support from the following, Derby Recreation Commission, Derby Public Schools, Oaklawn Improvement District, Sunview Improvement District, Derby Community Foundation, and we expect letters of support from the City of Derby and the City of Wichita in the near future.*

*"We request that you adopt the resolution of support and authorize the Chairman to*

*sign.”*

*Chairman Skelton said, “Thank you, David. And yes, I do recognize this as a critical route, I believe this would be the first path to a noncontiguous city in Sedgwick County. Derby has been building their path system to the north of their city in preparation in conjunction with this path. And, you know, as kind of my neighborhood I know there’s a paths that’s needed down there. I think that additionally that this path going through one of our major employment sectors would encourage people to ride to work. We find people that do ride to work. I can tell you in southeast Wichita where this, is the bike paths are busy. They’re busy with walkers, they’re busy with joggers, they’re busy with families out strolling around, and busy with guys going 50 million miles an hour on 10 speeds with helmets; and then there’s me. I definitely support this project. I’m an advocate. I wish to...I’ll tell you what, I’ll just take comments at this time, Commissioner Ranzau.”*

*Commissioner Ranzau said, “Yes. I did have a question. I know the state has some money set aside for bike paths, is this a part of that project?”*

*Mr. Spears said, “Yes, the state has money set aside for bike paths, specifically for bike-pedestrian paths.”*

*Commissioner Ranzau said, “Was that a decision by the state to set aside that money, do you know, or are the feds mandating...”*

*Mr. Spears said, “I would say that the feds are mandating that to the state to do that. And then it is federal money that comes down. So then the state allocates so much throughout the state for bike-pedestrian paths, yes.*

*Commissioner Ranzau said, “You are sure about that?”*

*Mr. Spears said, “Ninty-nine percent sure.”*

*Commissioner Ranzau said, “Okay.”*

*Chairman Skelton said, “Commissioner Peterjohn, please.”*

*Commissioner Peterjohn said, “Thank you. Dave, let me segue off that question, and follow it up. Are you saying part of our federal gasoline tax money is in effect being directed by Washington tock used for non-motor vehicle type projects?”*

*Mr. Spears said, “Yes, sir.”*

*Commissioner Peterjohn said, “Okay. So we have another case where our future is helping to be planned for us from abroad. Let me, you mentioned if we approve this today, this will supersede some projects that already exist in the CIP; correct?”*

*Mr. Spears said, “Correct.”*

*Commissioner Peterjohn said, “Now help me understand, can you walk me through, in terms of what the net effect, in terms of the cash will be if we eliminate these projects and adopt this project today. Help me understand the total cost and the local tax participation cost separate from the state and federal component.”*

*Mr. Spears said, "Okay. The projects in the CIP now add up to \$2,070,000."*

*Commissioner Peterjohn said, "Okay."*

*Mr. Spears said, "If this project is selected by KDOT, our cost will be \$127,000. To do virtually the same thing as the two projects in the CIP now. But it all hinges on being selected."*

*Commissioner Peterjohn said, "But the background information that we have on this project was total cost, including state million, at \$1,270,000."*

*Mr. Spears said, "Eighty percent."*

*Commissioner Peterjohn said, "So 80 percent of that would be \$254,000. If we back that out, you say it will be \$127,000."*

*Mr. Spears said, "Correct."*

*Commissioner Peterjohn said, "Okay."*

*Mr. Spears said, "\$127,000 for us and \$127,000 for Derby."*

*Commissioner Peterjohn said, "Okay, but would this, if we approved this today, would this approval be contingent upon Derby contributing their portion?"*

*Mr. Spears said, "No. It is not. That will come back before you later. We have to see if we're even selected. This is the preliminary state, and if selected, there would be an agreement with KDOT and an agreement with Derby. So there are other opportunities to..."*

*Commissioner Peterjohn said, "Help me understand, then, because WAMPO has been mentioned as well as [Kansas] Department of Transportation. Would this go to WAMPO, they would be in a position to say go or no go?"*

*Mr. Spears said, "Yes, it will go to WAMPO."*

*Commissioner Peterjohn said, "Okay. If they say yes, what happens then? If they say no, what happens then?"*

*Mr. Spears said, "If they say yes, the project will go, but they will, its after KDOT selects first."*

*Commissioner Peterjohn said, "So KDOT has to act first."*

*Mr. Spears said, "In this case KDOT is acting first and then WAMPO."*

*Commissioner Peterjohn said, "Okay. I don't imagine there would be any problems from the WAMPO end, but if there's any insight from the WAMPO piece of equation, I would be interested in hearing from my colleagues who serve on the WAMPO and understanding where this may fall into their priority list."*

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

Commissioner Norton said, "Thank you, Mr. Chairman. As WAMPO dealt with this, obviously it was included in our 2035 plan. It is called a connecting link, and that's when you start to look at connecting major areas of infrastructure together. I am going to be supportive of this. I think the idea that we're bringing federal, state, municipal and county entities to bear on a project like this makes good sense. I know we have to apply for it, it needs to go through the filter of KDOT and WAMPO, but the idea that it's going to get a connecting link, a major piece of infrastructure done, it doesn't put a burden on the taxpayer of Sedgwick County, other than in Derby and here at the county, and it saves approximately a million nine [\$1.9 million] in money we would encumber locally. I think we should apply and move it through the process and then hopefully we get this connecting link done. I hope there's many more of these in the future. I know as Mayor of Haysville I worked hard to create a system there that could be linked to Derby and South Wichita.

"I know other areas, Bel Aire, Park City, Valley Center would all like to be hooked to the paths system to have that connectivity. So, hopefully we move this ahead today. I know there's some consternation about it being federal money, but it does enhance our local area, and an area that needs some infrastructure help. You know, we've seen what's happened in Oaklawn and Sunview last year, and this will be a nice enhancement for that area, and serve the population in Derby also, to be connected in our county, so I'm going to be supportive."

#### MOTION

Chairman Norton moved to approve the resolution and authorize the Chairman to sign.

Commissioner Unruh seconded the motion.

Commissioner Skelton said, "Moved and seconded to accept the staff's recommended action. You know, I've got one more comment here by Commissioner Peterjohn, but before that I would just like to say the offer Derby made to participate in this project is real significant to me and its indicative of their desires to ride up to South Wichita, by golly. Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you, Mr. Chairman. Earlier in this meeting Commissioner Norton made the comment about how this fits into the comprehensive plan for the community. I was curious if there were any insights that Mr. Spears could provide, in terms of if this has gone before any of those discussions or bodies or within it, I assume it would, but if there's any insight on that point, I would like to hear it."

Mr. Spears said, "Our staff is not personally involved in that, that comes from the planning department. I know they will be talking about the bike paths and the community and how they connect regionally. In fact, there was an article in The [Wichita] Eagle on the front page a few days ago about it. So I know it is important to the community. A lot of people, and, yes, they are going to be discussing it, as they go around to the different localities with these meetings."

Commissioner Peterjohn said, "This gets a little bit of the chicken or the egg, in terms of discussions about planning, because we are going to proceed with the project, and fitting in various paradigms, and I want my colleagues to think about it. I'm going to be supportive of the motion today, but I do have one other question.

Commissioner Peterjohn continued, "One of the things that Public Works has drilled

*into this Commissioner is, when you pave something, you also have to maintain it. It is not like it is permanent. Maybe the Roman Aqueducts were permanent, or as close to man-made structures could be, but I would appreciate your comments, in terms of what needs to be done, in terms of maintenance on these types of projects based upon the type of usage they get."*

*Mr. Spears said, "Right."*

*Commissioner Peterjohn said, "You know, whether they will be sustainable."*

*Mr. Spears said, "We have a few pieces we maintain now. Now, the ones we're maintaining are, and you know that at the park, the Sedgwick County Park, I think there were 11 miles of paths out there around and in the interior. We treat those like we do our roads, we do something with those every five years. Now, we have to be a little more careful because you have the roller bladers and you need something a little smoother than some of our roads are a little coarser material.*

*"So we put finer material there and something where it's smoother for people to walk and roller blade and that sort of thing, bicycle. Now, this path is going to be concrete. Derby uses concrete. They requested that for this, so we, this price is based upon concrete. That's a little bit different and requires less maintenance over time."*

*Commissioner Peterjohn said, "Less maintenance, 7 years, 10 years, 15 years?"*

*Mr. Spears said, "Well, when they start to crack, you fill in the cracks, that sort of thing. You don't put any overlays on top of them."*

*Commissioner Peterjohn said, "Do you have any time estimate?"*

*Mr. Spears said, "For?"*

*Commissioner Peterjohn said, "For this type of concrete paving."*

*Mr. Spears said, "The length that it will last? Well, you know, I am going to say a concrete path could last at least 25 years, easily."*

*Commissioner Peterjohn said, "Thank you."*

*Chairman Skelton said, "I would just comment that concrete paths put in Cessna Park years ago are still in very good shape. I mean, not to say there's some maintenance that needs to be done, but I find it superior than asphalt. Of course, naturally."*

*Mr. Spears said, "That argument goes on forever and ever."*

*Chairman Skelton said, "Concrete is harder, okay. Any other, Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. I mean, I am going to be supportive of this. It seems to me if we have cooperation between several levels of government, we are going to be able to provide a piece of infrastructure that is, the burden on our constituency is considerably less financially than what we had at least conceptually approved previously, so it is a great savings. We've got great cooperation.*

*"To me it seems like bike and walking paths are clearly a desire of this metropolitan*

area. I mean, people have spoken through a variety of meetings and surveys saying, you know, biking and walking paths are important, and probably we have all been in communities where they have extensive bike and walking paths and we say, boy, it would be great to have it in our area.

“So for all these reasons, I think that it is a good plan, saving us money, good work to build these relationships. I will be supportive, and just on an editorial note, I would say that I'm very pleased to hear Commissioner Peterjohn talk about the fact that he's concerned about the sustainability of infrastructure into the future. I think it is a high priority for our community. That's all I have, Mr. Chair.”

Chairman Skelton said, “Okay. Any other additional comments by Commissioners? Okay. That was pretty funny, Dave. That's my comment. Okay. I believe a motion and second is on the table to approve staff recommended action. Madam Clerk, call the vote, please.”

VOTE

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

Chairman Skelton said, “Okay, Madam Clerk, call the next item.”

K [13-0033](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS REGULAR  
MEETING ON JANUARY 17, 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  
Commissioners and said, "Meeting of Board of Bids and Contracts of January 17th  
results in two items for your consideration. Item 1;*

1. SAP MAINTENANCE RENEWAL - ENTERPRISE RESOURCE PLANNING  
FUNDING - ENTERPRISE RESOURCE PLANNING

*"Recommendation is to accept the renewal quote from SAP Public Services Inc. in the  
amount of \$448,983.91. Item 2;*

2. NINNESCAH RIVER STREAMBANK STABILIZATION - PUBLIC WORKS  
FUNDING - B443 11100 SOUTH 151st ST W

*"Recommendation is to accept the low bid from Bridges Inc. in the amount of  
\$235,200.00.*

*"Be happy to answer any questions and I recommend approval of both of these items."*

*Chairman Skelton said, "Any questions regarding the Consent Agenda for staff? Or Bid  
Board, excuse me. That was Freudian, okay."*

MOTION

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

*Chairman Norton seconded the motion.*

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

VOTE

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

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

*Chairman Skelton said, "Okay. Madam Clerk, Consent Agenda, please."*

**CONSENT**

- L     [12-1108](#)     Facility Rental Agreement with the Old Cowtown Museum for the 10th Annual Link 4 Life Run to Prevent Suicide.
- M     [12-1113](#)     Renewal Agreements with Behavioral Link, DCCCA, Inc., and Urban League of Kansas.
- N     [13-0000](#)     Employment Agreement with Dr. Katherine Girrens, M.D.
- O     [13-0001](#)     Renewal Agreement with the Breakthrough Club of Sedgwick County.
- P     [13-0009](#)     Tower Lease Access Agreement - KDOT.
- Q     [13-0031](#)     911 Radio Tower Leases (Highland House Building Site).
- R     [13-0008](#)     Amendment to the agreement with the Kansas Department of Transportation for Sedgwick County Project 624-6-455; bridge replacement on 23rd Street South between 311th and 327th Street West. CIP# B-454. District 3.
- S     [13-0010](#)     Two (2) Temporary Construction Easements for Sedgwick County Project 632-24-3962; Bridge on 55th Street South between Meridian and West Street. CIP# B-447. District 2.
- T     [13-0011](#)     One (1) Right of Way Easement for Sedgwick County Project 646-21-1595; Bridge project on 111th Street South between Ridge Road and Tyler. CIP# B-450. District 2.
- U     [13-0013](#)     One (1) Temporary Construction Easement for Sedgwick County Drainage Project near 167th Street West and Dry Creek. CIP# R-264. District 3.
- V     [13-0014](#)     Eight (8) Easements for Riparian Maintenance and One (1) Temporary Construction Easement for Sedgwick County Project near 135th Street West & Dry Creek. District 3.
- W     [12-1051](#)     Payroll Check Register.
- X     [12-1016](#)     General Bill Check Register.

Y      13-0017      Order dated 1/10/2013 to correct tax roll for change of assessment.

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

*MOTION*

*Chairman Norton moved to approve the Consent Agenda*

*Commissioner Unruh seconded the motion.*

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

*VOTE*

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

*Chairman Skelton said, "Okay, we do have a fire agenda today..."*

*Mr. Buchanan said, "No."*

*Chairman Skelton said, "No?"*

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

*Chairman Skelton said, "No, sir. No executive session?"*

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

*Chairman Skelton said, "Okay. All right, before we go to Executive Session, I will go to 'Other'. Does anybody have any 'Other'? Any other business to take care of today? Commissioner Peterjohn."*

**OTHER**

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I am going to mention casually in passing we have fewer than 1,400 people in Sheriff's custody as of today. Continuing trend, I think it is positive. People talk about universities and how well they are doing in basketball, but for those who like a more comedic version, Globetrotters will be a lot of fun at the Intrust [Bank] Arena. For kids, it's a basketball game for kids of all ages."*

*Chairman Skelton said, "Absolutely is. Even ones that are over 40, or 60, sorry, sir, 70 for you, I'm kidding. All right, Commissioner Norton."*

*Commissioner Norton said, "Some of us are heading to Topeka this week for county days. We'll be meeting with our legislators and talking about our agenda, making sure we're connected with the bodies that make state policy and that they understand county issues. I know I'll be going up for a Kansas Association of Counties board meeting earlier in the day and there will be part of the reception that evening, and we will carry the message that Marv Duncan works on to connect with our legislators and other legislators to talk about county issues. Just want to make sure that people knew that we are connecting with Topeka."*

*Commissioner Skelton said, "Yes, sir. Thank you very much. Additional comments by Commissioners, please? Seeing none, Chairman Pro tem, can you call for Executive Session, please?"*

**MOTION**

*Commissioner Unruh moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with Legal Counsel on matters privileged in the attorney-client relationship relating to potential litigation and legal advice and that the Board of County Commissioners return to this room no sooner than 11:00 a.m.*

*Chairman Norton seconded the motion.*

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

**VOTE**

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

*The Board of County Commissioners recessed into Executive Session at 10:50 a.m. and returned at 11:15 a.m.*

**EXECUTIVE SESSION**

*Chairman Skelton said, "Okay. The Commission has returned from Executive Session. No action was taken. Manager, is there any additional business we need to discuss?"*

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

*Chairman Skelton said, "Okay. With that being said, this meeting stands adjourned."*

**ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 11:15 a.m.*

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

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*JAMES B. SKELTON, Chairman  
Fifth District*

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

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*TIM R. NORTON, Commissioner  
Second District*

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*KARL PETERJOHN, Commissioner  
Third District*

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*RICHARD RANZAU, Commissioner  
Fourth District*

ATTEST:

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*Kelly B. Arnold, County Clerk*

APPROVED:

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