

Sedgwick County

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Wichita, KS 67203



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Meeting Minutes - Final

Wednesday, February 13, 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

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ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:04 a.m. on Wednesday, February 13, 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; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Dale Miller, Plans Manager, Planning; Mr. Ron Holt, Assistant County Manager; Ms. Claudia Blackburn, Director, Health Department; Mr. Joe Thomas, Acting Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Jill Bailey, Deputy County Clerk.

GUESTS

A.J. Boleski, General Manager, Intrust Bank Arena

INVOCATION

Observed by a moment of silence.

FLAG SALUTE

ROLL CALL

The Clerk reported, after calling roll, that Commissioner Ranzau was absent.

Absent 1 - Commissioner Richard Ranzau

Present 4 - Chairman Jim Skelton, Vice Chair Dave Unruh, Commissioner Tim Norton and Commissioner Karl Peterjohn

PLANNING DEPARTMENT

A [13-0060](#) ZON2012-00034 ZONE CHANGE FROM SF-20 SINGLE-FAMILY RESIDENTIAL ("SF-20") TO LI LIMITED INDUSTRIAL ("LI"), WITH PO PROTECTIVE OVERLAY("PO") #271 ON PROPERTY GENERALLY LOCATED NORTH OF 47TH STREET SOUTH AND EAST OF WEST STREET. (DISTRICT 2).

Presented by: John L. Schlegel, Director of Planning.

RECOMMENDED ACTION: Adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to LI Limited Industrial ("LI"), subject to the provisions of PO Protective Overlay ("PO") #271 and platting within one year, authorize the Chairman to sign the resolution once the plat is recorded and authorize the resolution to be published.

VISUAL PRESENTATION

Mr. Dale Miller, Plans Manager, Planning, greeted the Commissioners and said, "This is a request to rezone the property that the arrow is pointing to from SF 20, single family, to LI, limited industrial. The property is located east of Southwest Street and south of MacArthur [Road], approximately an eighth of a mile or so. And as you can see, to the north and the east, that property is still zoned SF 20. To the south, that property is zoned LI, and then to the west, the three blue lots are zoned LI, and then the one pink lot there, that's still zoned SF 20. Aerial of the site, the applicant owns the lots immediately to the west and has a machinery and equipment leasing and sales operation, mostly construction type equipment, and they would like to expand eastward on the subject tract. So that's the reason for the request.

"As you can see there to the immediate south, let me get the little arrow working there, this area, which is already zoned LI, is used for outside storage for shipping containers that I believe are used at storage facilities around town, and then further south is this subdivision, mostly with manufactured homes, and then these lots again are the ones that have the existing rental and leasing business on it. There are some residences to the north here that are on the east side of West Street. But then you can see the area to the north and east isn't developed. Planning Commission reviewed this, recommended approval unanimously. There was not anybody present to speak for or against the application. We did not receive any protests. There is a protective overlay which primarily deals with outside storage and building setbacks. And so with that, I'll try and answer questions."

Chairman Skelton said, "Yes, sir. Questions by Commissioners? Commissioner Norton."

Commissioner Norton said, "Not too many questions other than I didn't get any protests, any phone calls, any e-mails on this particular item from anyone. It is reasonable because of the nature of the businesses along West Street that this would be zoned into a new zoning configuration. I don't think it affects the housing to the south. There will screening, I'm going to be okay with. There is water or a pond on this, is there not, on the land?"

Mr. Miller said, "Yes. I believe that right there is a detention pond or just a pond of some kind. The agent is here. If you have specific questions about the property, he would be able to answer those maybe."

Commissioner Norton said, "Well, one of the questions I'd ask, is it going to be some kind of a surface to put the equipment on, and what's allowed on this particular zoning?"

Mr. Miller said, "The county allows rock, gravel, as a storage area, but the agent may be able to speak specifically to what their plans are."

Commissioner Norton said, "Obviously, this is in the county, but the boundaries there kind of are jagged as far as city-county boundaries; is that correct?"

Mr. Miller said, "Yes. The pink line along here and up and across and over, that would be, to the south is the City of Wichita, and then across the street there's a rectangle, it's the City of Wichita, and then the rest of the pink, up here, is also the City of Wichita."

Commissioner Norton said, "So this is really an area kind of where the county and city collide along West Street; is that correct?"

Mr. Miller said, "Correct."

Commissioner Norton said, "Okay. I don't have any other questions."

Chairman Skelton said, "Thank you. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Quick question, the parcel size is...?"

Mr. Miller said, "30 acres, 30.3 [acres]."

Commissioner Peterjohn said, "Okay. And is it inside or just on the edge of the city or is it outside the city?"

Mr. Miller said, "It is in the county. However, the city limits put it on the south side here where the arrow is pointing."

Commissioner Peterjohn said, "Okay. So the city is actually south of the property and it's in an, it's unincorporated at this point in time."

Mr. Miller said, "Correct."

Commissioner Peterjohn said, "Okay. I have not received any communications from anyone on this issue. I just wanted to state that for the record. Thank you, Mr. Chairman."

Chairman Skelton said, "Absolutely."

MOTION

Commissioner Norton moved to adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to LI Limited Industrial ("LI"), subject to the provisions of PO Protective Overlay ("PO") #271 and platting within one year, authorize the Chairman to sign the resolution once the plat is recorded and authorize the

resolution to be published.

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>Absent</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Skelton</i>	<i>Aye</i>

Chairman Skelton said, "All right, thank you."

Mr. Miller said, "Thank you."

Chairman Skelton said, "Okay, Madam Clerk, new business, please."

A motion was made by Commissioner Norton, seconded by Commissioner Peterjohn, that this Planning Department be Adopted. The motion carried by the following vote.

Absent: 1 - Commissioner Ranzau

Aye: 4 - Chairman Skelton, Vice Chair Unruh, Commissioner Norton and Commissioner Peterjohn

Present: 0

NEW BUSINESS

B [13-0069](#)

QUARTERLY INTRUST BANK ARENA REPORT.

Presented by: Ron Holt, Assistant County Manager.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "I'm here today to give you the quarterly status report for the Intrust Bank Arena. This is the fourth quarter, year over year 2012 report, and as such it's the end of year 2012 report. With me this morning is A.J. Boleski, the SMGs General Manager for the Intrust Bank Arena. And we're pleased to give you this report today. As our normal agenda items are outlined for the quarterly report, let's talk about the SMG agreement components and then our event parking, transit services and then the sales tax reserve.

"As you can see from this slide and the next slide, this one and finally this one that the fourth quarter had a number of events. There were 26 events, 28 performances. The average attendance out of those performances, 4,564, an overall attendance of 127,779. You see the tickets sold, 122,323 with gross ticket sales, in the fourth quarter 2012, \$3,550,629, and average ticket price of \$29.03. Fourth quarter 2012 versus fourth quarter 2011, we had 12 performances fourth quarter 2012 over fourth quarter 2011. The average difference in attendance was 5,273. The difference in tickets sold, 9,186; \$1,100,580 the difference in gross ticket sales and an average ticket price difference of \$7.37. 2012 year to date, so for the total year, ticket sales attendance was 384,608,084; 84 performances; tickets sold 349,612; \$9,650,653 [sic] gross ticket sales, and that does not include one event, which was the Winter Jam, and they sell tickets, or have at the door donations. So an average attendance per performance 2012, 4,579, and this is pretty standard over the last couple of years.

"You see the net employee wages and benefits for the fourth quarter 2012, \$683,361 there were 38 full time employees and a range of 361-371 of part time employees. Year-to-date, 2012 for net employee wages and benefits, \$2,605,162, and you see the range of full-time employees, 38-41, and part-time employees between 334-381. The total number of community groups volunteering in concession stands for the fourth quarter, 72. Again, remind you that those are not all separate groups. Some of those volunteer time and time again. The amount paid to those groups, \$143,488, spending with Sedgwick County or Kansas Companies in the fourth quarter 2012, \$770,034. We had five other arena presentations or arena tours and seven local events that the arena hosted.

"2012 year to date through December, 215 community groups receiving \$414,625, spending with Sedgwick County/Kansas Companies in 2012, \$2,176,665. The [Intrust Bank] Arena either made presentations or gave tours, totally 24 and hosted 22 local events or activities.

Mr. Holt continued, "Here are, on this page and the next couple of pages, you get a sense of some of the community service projects that the arena and staff were involved in, ticket donations to various groups in our community and in our region, as you note from these three slides.

"Moving onto the financial summary, fourth quarter 2012, we had 35 performances, 33 events in the fourth quarter. Going over to that last column then, the gross building

income for the quarter was \$1,273,081. We had other operating income of \$461,990 for a total building income in the fourth quarter \$1,735,071. The building operating expenses for the fourth quarter \$1,207,495, so a net building income for the fourth quarter \$527,576, a very good fourth quarter. Comparing that to the fourth quarter of 2011, going again over to the last column, the gross building income, we had a positive \$246,464 difference 2012 gross billing income compared to 2011.

"These are just some of the other comparisons from 2011 to 2012, operating income difference, total gross income difference, operating expense difference, net building income difference. So for the year, 2012, we had 106 performances, 92 events, 106 performances. Again going to that last column, gross building income for the year was \$3,711,557, other operating income, \$1,611,418, making a total building income, \$5,322,974 with building operating expenses for the year \$4,619,714. And so the net building income for 2012 was \$703,206. As we would, in my way of evaluating this, I would just say that this, the conclusion is we had a very good 2012. Last year, 2011, we, that number was just south of \$390,000 in 2011. In 2010, our first year of operation, you'll remember that that number was almost \$2 million, or a little over \$2 million. So 2010 was a spectacular year, one that we would love to but probably will never see again, and that's fine, but we're looking forward to very good, great years, and I would just say to you that 2012 was a very good year.

"Arena event parking and transit services, again you see the fourth quarter activity there. Those numbers are positive. That's what we're looking for, contract with the event parking on those four lots. Any time we are in contract to subsidize those up to \$220-some thousand, should we see a negative number, and we have not throughout the three years had any negative numbers there. You see the January to December, 31,673 is the positive numbers. Q-line rider ship, October through December, 2,245. October through December, actually that should be 2012 January through December, 12,166. We have given transit notice that unless, working with WDDC (Wichita Downtown Development Corporation) and the Arena, they can provide some compelling reasons why we should continue that 2013 would be the final year that we would be participating in the transit service. So they're working on what that compelling reason would be, and we would hopefully before, well, the plan is that before the summer, we would have an understanding of what that means and would be back to you with a recommendation one way or the other going forward.

"Arena sales tax reserves, you see how that, what the authorize usage of those reserves are. We ended the year with reserves of \$11,917,510, and what you see on the revenues and expenditures there is the activity for the fourth quarter, but the real number is \$11,917,510, which is, again, very, that fund continues to be very solid. Upcoming events. I would be happy to answer any questions that you might have. Otherwise, I would ask you to receive and file the report."

Chairman Skelton said, "Questions by Commissioners? Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Just walking through here and getting a figure, it looked like we had a good fourth quarter in 2012, but I'd be interested in A.J's take whether 2012 was as good as 2011 was for the fourth quarter and not overall, because I'm looking at these numbers and just trying to, it looks like, in terms of the gross, we took in more this year than last year, but, in terms of the net, it was down a bit and noticed on page 28 of your presentation, Ron, we had some reconciliation on encumbrances from prior years, and I know that's getting into the

accounting details, but I would be interested in A.J.'s take on the fourth quarter and this report."

Mr. A.J. Boleski, General Manager, Intrust Bank Arena, greeted the Commissioners and said, "It was a stronger fourth quarter this year for us event wise. We had Aerosmith come into town. We had the first time we had the NBA (National Basketball Association) Oklahoma City Exhibition game sold out event. We had two sold-out events, Eric Church in December as well was a sold-out event, one of the only ones on his tour, so we're really one of the better counts for that entire tour. And then in addition to that, we welcomed Wichita State [University] back for the third consecutive year, and there's a great partnership that continues, and we love having them in the building. It was a stronger year fourth quarter-wise, and then overall, our third quarter this past year was down a little bit as we reported last time, it was down from the year before. But our first quarter was very strong in 2012, which pretty much led the way for us. And then we had a really solid fourth quarter to finish up the year. So it was a good solid year. We're very happy with it."

Commissioner Peterjohn said, "I was really interested, in terms of the numbers and having been to several events there in the last three months. I was very much interested, in terms of how that went, and I was curious if the NBA preseason game had actually been a sellout or not, so I'm glad to hear that from your perspective it was sold out. I don't know if that's going to become an annual event or not, but just like having a college basketball game down there has become an annual event the last few years, and I don't know what the future may bring in that regard, but if you have any comments on that, I would certainly be interested, because I'm glad to see college basketball getting showcased at the Arena as well as obviously your most recent event. It wasn't mentioned here, because it's kind of in between, last month's Harlem Globetrotters, which they've had them, I believe they've been here every year since the arena was opened."

Mr. Boleski said, "They have, and actually this year they had the best attendance and number of paid tickets that they've ever had in our building. So it was a great year, a good way to start the year. And then Cirque du Soleil, a great number of that as well that started off this year, also. But as far as the college basketball, it's something that we definitely want to grow. We would hope to have Wichita State every year. That's our goal, but we're working with them and their schedules change year in, year out, but we hope for that. In addition to that, we'd love to have other schools in the state as well. So we're always pursuing that. And then in regards to NBA, our goal is to have it every year, but that will be up to the team. I know they were very excited last year, happy with it, loved the community, loved the turnout obviously, and I would expect them to be back sometime in the future."

Commissioner Peterjohn said, "I'm glad to hear that. Let me ask a question. The fourth quarter arena sales tax reserves had the figures for revenues and expenditures. Do you have an end of year figure for those? I'll address either A.J. or Ron, whomever, in terms of how we ended up, in terms of the reserve number for the calendar year?"

Mr. Holt said, "The sales tax reserves number, the O&M reserves, which is that \$11,917,510."

Commissioner Peterjohn said, "Now, that basically gives the fourth quarter and the aggregate amount. I was curious how that was different from what had been either the previous year or beginning of the quarter."

Mr. Holt said, "Those numbers below are the fourth quarter numbers. That \$11 million is the ending balance for 2012, and that's, I'll have to get you the number. I don't recall right off the top of my head what the number was ending 2011. But it was somewhere around \$11 million, but I don't have an exact number. I'll get that for you."

Commissioner Peterjohn said, "I appreciate it, because the other number that I remain interested in and I know it's in the annual financial report when they come out with it, is just depreciation we had on the building for last year. I know that's not included in these numbers. Do either of you have a ballpark figure for what that was for 2012?"

Mr. Holt said, "I'm sorry. I don't have that number off the top of my head either, but as you mentioned, it's in the annual financial report, but I'll get it and get it reported to you."

Commissioner Peterjohn said, "It's a number I'd just like to have included, even though it's not part of this financial statement. It is part of the annual financial report for the county, and it is a significant number. I don't want it to get forgotten in looking at revenues, the cash revenues and expenditures. Thank you, Mr. Chairman."

Chairman Skelton said, "Thank you. Commissioner Norton."

Commissioner Norton said, "Well congratulations, that's a really good report. I'm optimistic that after we got through the second year where the sophomore season is usually a little tougher than the grand opening year, that the business will grow, will continue to bring in the kinds of acts that you've been able to do. We're building a pretty good reputation here nationally and with promoters, and I think that's very important. A.J. may want to comment on that. But I think it's important to build a reputation so that when there are events out there, there are concerts, because a lot of the groups don't, they're not on the road all the time, that you get your best shot at it. So I think that's very important."

Mr. Boleski said, "We always want to be on the radar, we use that term a lot. Just got back from a conference in Los Angeles last week, we were out there an entire week meeting with agents and promoters. That's the kind of thing we're constantly doing to stay on their radar. So when they do go out, when they are going through the Midwest, we're the first ones on their mind. One thing we pay a lot of attention to internally is the Pollstar rankings. Pollstar is a magazine that ranks concerts and promoters and tours throughout the world. This year, we ended up, we're number 40 in the country and number 63, I'm sorry, number 77 in the world. So we strive to keep that number as high as we can. We're pretty happy with number 40. We want to improve it. We'd love to get up around 25. But 40 is a decent number, solid number, to be one of the top 40 buildings in the country. So, above places like Little Rock and Des Moines, Pepsi Center in Denver, both the buildings in St. Louis were all behind that number. So that's a great reflection of the community support and our events, and we appreciate that."

Commissioner Norton said, "How many event centers are there in that ranking?"

Mr. Boleski said, "There's 200 that are ranked."

Commissioner Norton said, "So 40 is not too bad."

Mr. Boleski said, "We're happy with 40, but we're not satisfied with 40, so we'll continue

to push that.”

Commissioner Norton said, “That’s great. That’s great. Thank you, A.J. That’s all I have, Mr. Chair.”

Chairman Skelton said, “Thank you. Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. Well I just want to express my appreciation to A.J. and SMG for what looks to me like a very outstanding year. We recovered very nicely from the way the year started. You know, a lot of us who are not in your business, we think that all you have to do is pick up the phone and call somebody and you can get an act. I’ve learned that it does not work that way, that it takes a lot of effort on your part to make us successful. So I’m just pleased with the relationship we have with SMG. I think it’s working well for your company and peers, and it looks like it’s working good for the citizens of Sedgwick County. Good job and congratulations. I do have a question, though, for Ron. On that Q-line report you gave me, what is our financial involvement in that piece of our whole program here?”

Mr. Holt said, “We are, our contract calls for up to \$93,000 per year, because they have some federal funding, the city transit has some federal funding, they’re able to reduce that to \$32,000 per year. And we’re looking at even less than that for this year, as we’ve talked to them about what the activity is. So we’re looking at about a \$26,000 cost for this year, which will be the third year of our agreement with them. So we’ve got \$32[,000], 32[,000], and this year, we’re looking at \$26[,000].”

Commissioner Unruh said, “And so our agreement doesn’t extend beyond next year, and so we’re reevaluating that is what you’re telling us?”

Mr. Holt said, “Our agreement says that we can give notice, and there are certain times in there to give notice, about if we intend to not continue that contract. And we have given that notice that at the end of this year we do not plan to continue that contract unless there are some compelling reasons why we should, and if there are, we’ll be bringing those to you to have an agreement to go forward. Otherwise, we will be ending that contract this year.”

Commissioner Unruh said, “Okay. Well, I’ll look forward to that analysis. Thank you. That’s all I have, Mr. Chair.”

Chairman Skelton said, “Thank you. Yes indeed it is a good, positive thing to see that number. The question I have is, how is that broken down between the county and SMG? Are the costs to SMG included in the operating expense already up there?”

Mr. Holt said, “Thank you. I was just getting ready to add that number, \$703,260 is unaudited. We get an audit report on or before April 1. We don’t expect that number to change, slightly if any at all. So we expect that to be the number.

Mr. Holt continued, “As you will recall, our contract calls for SMG to receive the first \$450,000, and then the county would receive the next up to \$450,000, and so that would give us the difference between \$450,000 and \$703[,000], \$253,000, I believe. I had that number solidly in mind until I was standing here.”

Chairman Skelton said, “So, that’s what we get. So how does that go on? How do we work that out next year, by quarter, annually?”

Mr. Holt said, "It's an annual payment based on the audited, financial audits for the close of the year."

Chairman Skelton said, "Okay, great. I appreciate that."

Mr. Holt said, "So we received \$1.1 million in 2010, in 2011 for 2010. We didn't receive anything in 2012 for 2011. The \$389,000 was under the \$450,000 threshold, so the Arena retained those funds. And then this year, 2013 for 2012, we'll be getting \$253,000."

Chairman Skelton said, "Sounds good."

Mr. Holt said, "I might just mention one other thing, Commissioners. Commissioner Peterjohn brought up depreciation, and as you know, depreciation is a noncash item, and so especially with a paid-for building, a fully paid-for building, it does not become a consideration at all for our report. However, our agreement with SMG is five years and can be, and we fully expect will be renewed."

"One of the things we're doing starting this year, because as depreciation talks about the age of the building and what's happening with the building, beginning this year, we will start talking to SMG about planning for when and what kinds of upgrades, renovations, refurbishing that's going to be needed. Now, we're not expecting anything in the next year or so, but we're going to be planning for that as we go forward, and we'll be having more conversations with you about that later this year and into next year as we start thinking about a five-year-old building here pretty quickly."

Chairman Skelton said, "Any other comments?"

MOTION

Commissioner Norton moved to receive and file.

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	Absent
Commissioner Unruh	Aye
Chairman Skelton	Aye

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

Chairman Skelton said, "Thank you. Please call the next item."

A motion was made by Commissioner Norton, seconded by Commissioner Peterjohn, that this Presentation(s) be Received and Filed. The motion carried by the following vote.

Absent: 1 - Commissioner Ranzau

Aye: 4 - Chairman Skelton, Vice Chair Unruh, Commissioner Norton and
Commissioner Peterjohn

Present: 0

C [13-0067](#) PRESENTATION TO THE SEDGWICK COUNTY BOARD OF HEALTH -
DISEASE PREVENTION AND CONTROL IN ACTION: IMMUNIZATION
AWARENESS IN SEDGWICK COUNTY.

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

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "Before I get started, this is kind of a shift in gears for you from the Arena, I would like to thank some, a couple of staff members who really helped to put this presentation together. JVonnah Maryman, who oversees the Immunization Program, and Chris Steward, our Surveillance Epidemiologist. Sedgwick County Health Department's mission is to improve the health of residents of Sedgwick County, and we do that by promoting wellness, preventing disease and protecting the public from health threats. One of the most powerful tools that we have in our toolbox is vaccinations. I want to share with you some information about that today.

"Vaccinations are something that I think we take for granted sometimes. We don't think about the need to get them unless we get a letter from the school or from our employer saying you need to get this now or our doctor says you need this today. For most of us, it's really not on our a-list. It's not something that we think about. So let's start at the beginning and talk just for a minute about what vaccinations are. They are substances used to help the immune system resist and respond to disease. They protect us against diseases, and they boost our natural immune response without illness or death from infection, and that's the most important thing.

"I mean, it gives us the same protection as if we had had the illness, but we don't actually get sick. And the good thing is that if we have a high enough level of vaccination among the population, we're all protected, because there are some people that can't be vaccinated because of medical reasons or when they are vaccinated, it doesn't work on them, and if the rest of us are vaccinated, that disease can't circulate and attack those people that are vulnerable.

"Immunizations are one of the ten great public health achievements. According to the CDC (Centers for Disease Control and Prevention), if you're vaccinated, it prevents you from spreading the disease to others, and if the community is vaccinated, it prevents others from spreading the disease to you. In a 2005 study on the economic impact of routine childhood immunizations in the United States, researchers estimated that for every dollar spent, more than \$5 in direct costs were saved and approximately \$11 in additional costs to society was saved. Vaccinations are proven to eliminate and decrease the disease burden. So vaccines are really a good news story.

"You can see from this slide and the next one that annual cases of vaccine preventable diseases declined in the 20th century. Among the most notable declines are measles, and these prevaccine numbers are for the four to five years prior to the vaccine being introduced. These are annual numbers.

Ms. Blackburn continued, "So before the measles vaccine, we had over a half million cases of measles a year, and in 2008, that was down to 55. We just don't see it much any longer. Diphtheria, smallpox has been eradicated from the world, and measles is

actually on the radar to be eradicated from the world. On this slide, you can see that polio, which was one of the worst childhood diseases in the 20th century, averaged 16,000 and sometimes up to 35,000 cases a year prior to vaccine. In 2008, with he had zero case, and again polio is on the radar to be eradicated from the world.

"It's only in three countries right now, Afghanistan, Pakistan and Nigeria. Vaccines are important throughout the lifespan. Influenza is recommended annually beginning at six months of age, and from birth to two years, the majority of vaccinations are given. It is really important that children stay on schedule with their vaccinations, because they need all of the doses to be fully protected, and when they're not vaccinated on schedule, they are vulnerable to disease. Booster doses of vaccines are required between 7 and 18, and there's also a human papillomavirus (HPV) that helps prevent cervical cancer and venereal warts, and then the meningitis vaccine is also recommended between 7 and 18. For ages 19 and older, again, there are boosters, and if other vaccines haven't been received that should have been received, it's the time to do it, and then when you hit 60, it's time for that shingles shot. Shingles is a skin rash that you can get if you ever had chicken pox, and that's at least 95 to 98 percent of us, even if you don't remember having it. It strikes one in three older people.

"So it really is an important vaccine. It may not prevent the shingles completely, but if you get shingles after you've been vaccinated, chances are you're going to have a shorter course and you won't have the complications and the long-term side effects from shingles. And then the pneumonia vaccine is recommended after 65, and even before for certain conditions. So you want to talk to your health care provider about what's recommended for you. So why do we care about these vaccines? One thing that I didn't say, let me go back here just for a minute, the other thing that you need to get in adolescence or as an adult is a tetanus (TD), diphtheria and acellular pertussis vaccine. We're used to getting a TD booster every 10 years, but at least one of those needs to be, to include pertussis in it. And the reason for that is because we have found that there is a waiting immunity associated with the pertussis vaccine.

"For the past 13 months, the nation, including Sedgwick County, has experienced an uptick in pertussis, or whooping cough, which is a vaccine preventable disease. In 2012, 49 states plus Washington, D.C. reported increases in pertussis cases compared to 2011. Kansas was one of 20 states recording an incidence of pertussis higher than the national baseline. In Sedgwick County, we investigated 98 cases, we had 98, well, actually we investigated more, but we had 98 reported cases of pertussis, and you can see that that's far more than we had each in 2009 when we had 56 cases. We contributed to 9.1 percent of all of the state cases for pertussis. In 2012, Johnson County had higher percentages than we did.

"And throughout the nation in 2012 there were 41,000 cases and 18 deaths. So we really are in the midst of a whooping cough epidemic, and of course, we've been trying to understand why this is happening. We know that reported cases of pertussis vary from year to year, and they tend to peak every three to five years. Nationally, the last peak was in 2010 when more than 27,000 cases were reported. The pattern is not completely understood, but we know the vaccination is very important. If people were not vaccinated, we would have far more cases than we have. In Sedgwick County, the percentage of two year old children that are up to date on their vaccinations is 52 percent, and that is compared to 57 percent for the state.

"The national rate is 73 percent, and the goal is actually 80 percent. So our rate could be a lot higher, and we have a long way to go. We know that if pertussis is circulating

in the community there is still a chance that a fully vaccinated person can get the disease, because not everybody is, the vaccine is not completely 100 percent effective on everybody. The current pertussis vaccine is not lasting as long in some people. As I said, there is a waning immunity with the acellular pertussis. What happened is several years ago we switched from a wholesale pertussis vaccine to this acellular vaccine. The new vaccine has less side effects. The other vaccine caused more crying and fever and seizures, and there were more side effects, so they found this vaccine, the acellular pertussis, that has less side effects, but as it turns out, it seems it doesn't last as long as the wholesale pertussis vaccine.

"So, I'm sure that's one of the things that's going to be looked at, studied and maybe we'll see new recommendations, maybe we'll have more frequent doses, maybe they'll change the vaccine. I really don't know the answers at this time. But it's a real problem, because as I said, infants need four doses before they're fully protected for pertussis, and they don't start that vaccination series until they are two months of age, and when they get pertussis, it's terrible. They cannot breathe, and they can die from it. They frequently end up in the hospital.

"So for children and adults with pertussis, they miss school and work. They have to deal with weeks of severe coughing, and sometimes vomiting after coughing. Infected people who are not treated with antibiotics can transmit the disease for three weeks after symptoms begin. When a diagnosis is made and antibiotics are started, people are still contagious for five days, so they have to miss work, they have to miss school, so it really does create an economic hardship, and this is an example of why vaccines save so much money. It's not just the medical costs, but its work lost and school lost and everything else. So everyone needs to be vaccinated against pertussis, because we need to make sure that our children are surrounded by immunized people, especially those babies, so that they don't contract it from somebody. So especially people who take care of infants and small children need to be vaccinated, and pregnant women who have not been vaccinated need to be vaccinated.

"One of the activities that we're engaged in to increase the immunization rate in school age children is our school located vaccination clinics. You might remember that we came to you maybe a year and a half ago asking if we could get a grant application approved, and we did get that grant. It was through the Kansas Department of Health and Environment (KDHE), it's a federal pass-through grant that allowed us to work with the schools to create a system where we could do vaccination clinics at the schools. So between August and November of last year, we worked with 15 different schools, and we helped them because they have an exclusion date, so they tell, if you have any children, you know, you get a letter saying, your child needs this vaccination, and if they don't get that vaccination by a certain date, then they're excluded from school.

"So we had a list of 2,000 children that were going to be excluded, and we have the ability to go into the immunization registry that's been created for the state and look up records, and what we found is that 43 percent of those kids really were up-to-date. We were able to pull those records, get them to the schools so that they didn't have to, they didn't need any vaccinations, and they didn't miss any school. The other 57 percent did need vaccinations.

Ms. Blackburn continued, "We were able to provide vaccinations for them at the schools, 20 percent of those children, and then the rest went either to their private doctor or maybe the health department or a pharmacy or a community clinic to get

their vaccinations. We don't really know exactly where they went. But we believe that it was really a nice partnership with the schools and saved a lot of time and money and just made things more convenient for parents.

"So where can you get vaccinated? Because I hope what you take from this is some awareness of the need for vaccinations. By appointments, you can go to your private provider, you can go to one of the community health clinics. Pharmacies now take walk-ins. They serve older children and adults. And then of course, we have a vaccination clinic at 2716 West Central. Our phone number is here and our hours. We have a sliding fee scale, and we take all kinds of insurance, and we have a special program for children who are uninsured or underinsured for vaccinations.

"So as my mother and Benjamin Franklin said, 'An ounce of prevention is worth a pound of cure'. That, of course, was the motto in my house, that's why I'm in public health. The need for immunizations continues over the lifespan. Vaccinations are just as important for adolescents and adults as they are for children. Vaccinations are important to disease prevention and decreases in vaccinations lead to an increase in vaccine preventable disease rates. We know that. Vaccines are safe and effective, and I think it's really important that people understand that they need to take charge of their health. They need to talk to their health care provider about their immunization status, because we don't have a perfect health care system, and sometimes health care providers don't bring it up, especially if you go in for something else and they're focused on that.

"So it's important to ask, is there anything I need? And take charge of your health. And we've got plenty of information on our website about the schedule. I didn't include it here, because it's really kind of overwhelming, but you can look it up. And remember, when it comes to thinking about whether vaccines are still important to health in this nation, those who forget history are doomed to repeat it, and we certainly don't want to see polio or measles or any of those horrible diseases come back. And I think sometimes with the younger generation, they haven't seen those diseases, and they don't understand how awful it was. And so we need to be sure that people remember and that we continue to promote vaccinations. This is just a report for you and for the public, and so I recommend that you receive and file. I would be happy to answer any questions."

Chairman Skelton said, "Thank you, Claudia. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Claudia, I want to second your comments, in terms of I believe in the importance of vaccination is overwhelming, and I remember as a young boy my mother telling my sisters to go over to a friend's house to play with the kids who had German measles, because even though German measles were the mildest form of measles, if a woman had not contracted that German measles and developed an immunity and then they became pregnant, it could lead to serious and major birth defects at that time.

"And that was in my lifetime, you know, that was the state-of-the-art before we had a measles vaccine. I've got several questions related to, you listed a whole bunch of diseases where we do have inoculations. I'd like you to talk for a minute, because you mentioned shingles.

"Isn't there a chicken pox vaccine out there, and I didn't see chicken pox listed, in terms of the number of cases in 2008 and how they ranked. Could you talk about chicken pox for a minute, please?"

Ms. Blackburn said, "Yes. There is a varicella vaccine for children, and it does prevent chicken pox. I'm not sure why. It's probably one of those diseases that hasn't been impacted maybe quite as much, but it definitely has reduced chicken pox. I can get you those numbers. I don't have that off the top of my head. And it will probably then mean that there won't be as many cases of shingles later on, because if you're not infected with chicken pox, you're not going to get shingles."

Commissioner Peterjohn said, "Let me, next on my list, there's different varieties of hepatitis, I know there are some inoculations for some. I believe there are not for others. Could you talk about that inoculation and where this community stands regarding hepatitis?"

Ms. Blackburn said, "Hepatitis A and [Hepatitis] B vaccines are available, and they're required for children in school. We do not have a vaccine for Hepatitis C, which is known for transmission through the blood supply. That was historically, not anymore, our blood supply is very safe now. But there was a time when it wasn't as safe and Hepatitis C was transmitted that way."

Commissioner Peterjohn said, "You said something about the health department offers, Hepatitis A and B vaccinations are they available at the health department like the others listed?"

Ms. Blackburn said, "Yes."

Commissioner Peterjohn said, "Appreciate that. In some parts of the world they have inoculations for tuberculosis. You didn't mention tuberculosis. Could you talk about that for a minute, please?"

Ms. Blackburn said, "That is not a vaccine that has ever really been used in this country. I know it's used in other countries. I don't know how effective that is. In a population where tuberculosis is fairly rare, it's not effective."

Commissioner Peterjohn said, "I know there are parts of the world where it was used, and obviously tuberculosis is a major disease. I'm glad the numbers here are so low. I hope they stay that way, and that's something that remains on my watch list. You talked about the increase in the number of whooping cough cases in Sedgwick County in 2012. Can you give any sort of an age breakdown, in terms of these increases in cases? Is it predominantly among young people, infants and children, is it among seniors or a little bit of everybody?"

Ms. Blackburn said, "Well, actually thanks to the foresight of our epidemiologist, I do have that. We had in the under 1 age group, 7 cases; in 1-4, 9 cases; 5-9 years of age, 11 cases; 10-14, 22 cases; 15-18, 3 cases; and over 18, 46 cases. So, and a number of those people were immunized. So, you know, what's happening is, if you've been immunized but for some reason it didn't work for you, it didn't take, and there is a lot of disease that's circulating, it's going to get to you. You can see that about half the cases were in people over 18 who maybe had not had pertussis vaccination in over 10 years."

Commissioner Peterjohn said, "Was there a recommendation to a point where young people or young adults or seniors should get re-inoculated for pertussis?"

Ms. Blackburn said, "Yes. Starting at adolescence and going forward, at least one of your diphtheria tetanus boosters should include pertussis. That is the standard now. So when you go for your inoculation, for your tetanus diphtheria booster, you should ask, or you should say, I've not had a pertussis and I need it. And you don't need to wait 10 years. If you're around small children, you could get one. You could go get one now."

Commissioner Peterjohn said, "I'm glad you mentioned the small children, because you used the phrase, there is a waiting immunity regarding infants and they need a four shot series. How old are the infants when they get that fourth shot, and what's their protection at that point after that fourth shot, and what do you do if the kids are younger than that and they don't have that full immunization?"

Ms. Blackburn said, "Okay. You're wanting this from memory, and I don't have the schedule memorized, but I believe that it's 2, 4, 6 months of age are the first three, and then 15 to 18 months for the fourth dose, and then they usually get the fifth dose around the time they enter school, 4 to 6 years of age."

Commissioner Peterjohn said, "You mentioned 98 cases of whooping cough in Sedgwick County. Were there any deaths, and were there any deaths in Kansas?"

Ms. Blackburn said, "There were no deaths in Sedgwick County. I am not sure about Kansas."

Commissioner Peterjohn said, "Well, obviously those are important numbers, and I very much appreciate this presentation. Thank you, Mr. Chairman."

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

Chairman Skelton said, "Absolutely. I believe Commissioner Unruh is next."

Commissioner Unruh said, "Thank you, Mr. Chair. Claudia, thank you for this presentation, it's a good reminder for us and, as you said, for the citizens of our community to hear this to be reminded how important this is. You mentioned in your report, though, that we had a lower inoculation rate than the state and nationally. What's the biggest hindrance to a better record here in Sedgwick County?"

Ms. Blackburn said, "Well, there are a number of things. First of all, people may not have access to healthcare, and we work with the pediatricians and the primary care providers in the community to give immunizations as part of their practice. It's not an easy business to be in. I mean, there is a lot of work involved with storing vaccines and keeping track of them and giving them. There's not a lot of money to be made from immunizations, but we do work with the pediatricians and the family physicians to promote this in their practice. We also try to incentivize people. Sometimes we have special grant money. We can enroll people in special programs and maybe give some incentives to get vaccinated, but I think its lack of awareness, and again, if it's not required, once children are school age, they're up-to-date, because they can't get into school if they're not up-to-date.

"But before then, if they're not in a daycare, there is no requirement for them to be up-to-date. If they're not in some kind of program that requires them to be up-to-date, it's something that parents put off because they're busy. I don't know that they're, that

they intentionally don't want their children vaccinated, but they get busy, and again, it's not on the a-list."

Commissioner Unruh said, "Okay. Well, that's helpful for me to understand it. In my children, you know, thankfully I have a wife who gets tuned into this. I didn't pay a lot of attention, but I guess if there are regulations and people know about it, you know, I think that's a good requirement in our community to control this disease. I was going to ask a question about, does our effort for accreditation of our health department, this would be helpful for us as we try to get information and statistical data and get the vaccines and provide this service to our citizens. I mean, is that a wrong assumption or correct assumption?"

Ms. Blackburn said, "I think the important part about that is that if you are following accreditation standards, you're looking at how you can always improve the quality of your work, improve your performance and do a better job. So if we identify that our vaccinated rate is too low for two year olds and we want to apply some quality improvement principles to that and set some goals related to that, I mean, that he the kind of thing that accreditation encourages."

Commissioner Unruh said, "All right. Well, I just bring that up because as you know, there's an effort maybe to disallow our ability to become accredited, and it seems like a wrong-headed move and we need to move forward with that, I think it would be helpful as we try to administer good public health in Sedgwick County. I hope that we can go forward with our accreditation and continue to do the great job we're doing."

Ms. Blackburn said, "I appreciate that. I heard an interview this morning. I think Commissioner Norton was involved with it, and I noticed the media person saying repeatedly that this was a federal accreditation, and it is not a federal accreditation. I think that there is a lot of misinformation out there. The Public Health Accreditation Board (PHAB) is a nonprofit board. It is not a federal agency of any kind, and accreditation is a voluntary process for health departments, so I am concerned about the misinformation that is circulating."

Commissioner Unruh said, "Well, thank you for that clarification, and forgive me for taking this off track a little bit here, but I think the subject is important and it's worthwhile that we at least acknowledge what our attempt to, be accredited and why we're doing it. Thank you. That's all I have, Mr. Chair."

Chairman Skelton said, "Thank you, Commissioner Norton, please."

Commissioner Norton said, "Thank you, Claudia, for the information. I think the presentation really talks to what public health is all about. It's a presentation and a sharing of information about a system that works on population health, not on individual's health, but that's very important, about what the population health looks like. And when you talk about chronic disease, infectious disease, those things that detract from the quality of life of our population, that's why it's so important to have a fully functional, multi-disciplinary, accredited public health system in our community."

Commissioner Norton continued, "This kind of surveillance, understanding what's happening in the population and being able to communicate that to the population, to individuals, to families, to people at risk is so critically important. So many of the

advances in quality of life and lifespan improvement in the United States and in the world has come from public health initiatives even though the medical community has grown and expanded and has better technologies, much of the lifespan change has come from things that public health has done; clean water, taking care of sewage, making sure that immunizations get done, and we understand infectious disease and how it spreads in our community.

“Education and communication is one of those core values of public health, and that's what you've done for us today, is put it out into the public. Let Commissioners as the Board of Health know what's happening, and let us spread the word in our community about population health and how it affects individuals, but how it is expanded in a population in Sedgwick County. There are 10 essential services that have been set as standards, and the first one is monitoring the health status of your community and then being able to communicate that to the population in general.

“I believe that having quality standards, being able to assess that and to have continuous improvement of how we deliver, communicate and look for those threats in our community is vitally important. I've often said that County Commissioners, because of the nature of their job, have three cornerstones of what they do: public safety, public works and public health. Whether you call it public health, public welfare or whatever, but those three cornerstones are so important, and public health is rising to that level in our community.

“I appreciate what you've done today. I'm going to continue to be fully supportive of being an accredited public health system here. The State of Kansas is going through it. Many other communities in our state are going through it. We were one of the early adopters. In fact, I know you've traveled and helped write some of the standards, helped use some of those standards to apply to some of the beta tests of what that looks like to be sure that people can feel comfortable with what we're doing as a public health system, as a public health department.

“I see no reason that baseline standards, best practices, the way we should do things is not codified, standardized and the bar continually raised so that as there is new technology, new learnings, new information that we always continuously improve to improve the population health in our community to know what the status is and to do something about it. So I appreciate you being here today, Claudia. Keep up the good work. Communicate to us what that status is, because we have the charge in the State of Kansas of being the Board of Health. Information is power for us, and I appreciate you being here today. Thank you, Mr. Chairman.”

Chairman Skelton said, “Thank you. And I do agree wholeheartedly that we need to continue to pursue accreditation. That's my comment. Commissioner Peterjohn.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. I neglected to ask a little bit about a couple of issues. You mentioned the flu vaccine, and there are different strains of flu out there. I've had some folks mention, I got a flu shot, but then I got sick anyway and had the flu and was off. Could you comment on that briefly, please?”

Ms. Blackburn said, “Unless they actually had a test done, they might not know if they really had the flu or what strain it was.

“Again, the influenza vaccine was a good match this year but not a perfect match. It had a very high match rate for the two circulating a-strains, but about a 60, maybe 2-6 percent, about a 60 percent match for the b-strain. So fortunately, a[-strain] was

circulating a lot more frequently than b[-strain], but if you happened to get b and you were vaccinated, it's possible it didn't work. But it's quite possible that they really had something else, like a [human] parainfluenza [viruses] (HPIVs), some other flu type virus that causes the symptoms but not one of the viruses that's covered with the vaccine."

Commissioner Peterjohn said, "I appreciate you bringing that out. Because there have been a lot of people who have gotten sick this year."

Ms. Blackburn said, "And one other point about that, if you did get a flu shot and you still got the real flu, one of the circulating strains that matches the vaccine, you probably weren't as sick for as long and you're less likely to develop complications and end up in the hospital or die. So, there's still benefits even if you do get sick."

Commissioner Peterjohn said, "Let me go to a slightly different question on inoculations that we haven't brought up this morning and it's sort of a broader question. I have seen some reports in the last decade or so that occasionally there have been vaccine shortages, and I know that that's been a problem when certain problems arise. Could you comment on that?"

Ms. Blackburn said, "I don't really know a lot about that other than I know that making vaccines is not a money-making business, and it's really a public service and a public good, and it's not controlled by the government, so we rely on the private sector to make sure that we have vaccine. And from time to time, there may be problems with production that create a shortage or I don't really know, but we do have shortages from time to time, yes."

Commissioner Peterjohn said, "Because I was thinking the federal government did get involved. I had seen some comments that they've had more of a response. Since we've had a broader dialogue on health department accreditation, my understanding is that the Robert Wood Johnson Foundation is involved in this effort for health accreditation and this independent group you mentioned does have some folks with federal government ties and also receives some federal grant funding; is that correct?"

Ms. Blackburn said, "Yes. The Public Health Accreditation Board right now as start-up funding has some funding from the CDC, the Centers for Disease Control [and Prevention], and from the Robert Wood Johnson Foundation, because they had to form their nonprofit, and they had to begin to accredit health departments in order to have a funding stream. So it's, you know, in order to be able to do this long-term, they needed some start-up money, and that's what this is. But they have a business plan, from my understanding, to be sustainable based on the fees that they collect from health departments that are going through the accreditation process."

Commissioner Peterjohn said, "Our health department operates under the authority granted us by Kansas statutes, correct?"

Ms. Blackburn said, "Correct."

Commissioner Peterjohn said, "So if we've got a mandate from the Robert Woods Johnson Foundation and this third party that in some way conflicted with state statute, who would be in control?"

Ms. Blackburn said, "Well, I don't know how that would be, could you give me a specific example? I'm not following."

Commissioner Peterjohn said, "Well we haven't gotten there yet. For those of us that have concerns about accreditation, I am...the concern I have is, if we operate under a state statute that sets out certain rules and we have a third party entity and the Robert Wood Johnson Foundation was a big supporter of HillaryCare and ObamaCare and we get more top down directives, edicts, in terms of how we operate, I would like to have clarity, in terms of, as part of the local Board of Health, which is an important function in this community, in terms of where the responsibility and accountability lies. And I would feel frankly more comfortable if, let's say, the Kansas Department of Health and Environment that oversees state statutes and we had clarity in the statutes, because my understanding is the statute that we operate under for our health department is an older statute and has been in place for many, many, not only many years, many decades, and so that's why I'm raising this question, in terms of who ultimately we, as the local Board of Health, would answer to."

Ms. Blackburn said, "So your concern is that if we were accredited, which is a voluntary process, so you would only go through accreditation if you want to. It's not mandated. So if we were accredited, your concern is that we would be required to do something because we're accredited that would conflict with the state statute, that, that's the...and I can't think of an instance where that would happen. I will tell you that the Kansas Department of Health and Environment is planning on getting accredited. They've already begun working on that process, and they are very encouraging for others to get accredited, as well, because for them, if we are all functioning at the highest level possible, it makes their job easy, or easier. It's never easy, but it makes it easier."

"What's difficult for them is when they have a health department that is not functioning the way it should be, and they may have to then step in and do the work of that health department, and they don't necessarily have the resources for that. So the point of accreditation is to bring us all up to a much higher level of performance, working together, working from the same playbook and so, I mean, in public health, it's generally seen as a good thing. I understand your concern, and I can certainly send that to PHAB and see if they have thought through that and what kinds of responses they have."

Commissioner Peterjohn said, "Well, because we've got 50 states out there, and I think each of the states may have, their statutes are going to vary to some degree, and if we put an accreditation process that oversees this whole thing, the question becomes, who is accountable and who decides? Since we are operating under the authority that the states granted us, I'd feel frankly much more comfortable from my colleagues if we avoided the problem where we might get different directions from different, whether it's KDHE operating on their own and they're overseeing the state statutes that we operate under, or from whatever entity in Washington or some foundation may step up and say, hey, these are, and it's not clear to me, you know, if you don't follow what we say we can pull your accreditation."

"And I think clarity, in terms of the accountability is something that's needed and frankly it's a concern I have in terms of where we're going when you've got some folks who want to see a top-down centralized Washington driven type of health care delivery"

system at all levels. I don't know that that's, I have a lot of problems with that, and if we're operating under the authority of the state, I'd like to see this worked out so there's no way we could get crossways between our, what comes down from Washington or whatever national standards are out there and what comes down from the state statutes, which are the controlling part of our health department's operations in this county."

Ms. Blackburn said, "Sure, okay."

Chairman Skelton said, "All right, are there any additional..."

MOTION

Commissioner Unruh moved to receive and file.

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>Absent</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Skelton</i>	<i>Aye</i>

Mr. Blackburn said, "Thank you."

Chairman Skelton said, "Thank you. Okay, next item, Madam Clerk."

A motion was made by Vice Chair Unruh, seconded by Commissioner Peterjohn, that this Presentation(s) be Received and Filed. The motion carried by the following vote.

Absent: 1 - Commissioner Ranzau

Aye: 4 - Chairman Skelton, Vice Chair Unruh, Commissioner Norton and Commissioner Peterjohn

Present: 0

D [13-0073](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON FEBRUARY 7, 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, "The Board of Bids and Contracts of February 7th results in two items for your consideration. Item 1;

1. PARKING MANAGEMENT, COURTHOUSE COMPLEX - SECURITY DEPARTMENT
FUNDING -- FACILITIES DEPARTMENT

Mr. Thomas continued, "Recommendation is to accept the low proposal from Parking Company of America, Option 1, in the amount of \$129,435.84 annually, and establish contract pricing for three years with two one-year options to renew. And our final item is;

2. COST ALLOCATION PLANS, INDIRECT RATE PROPOSAL, JAIL STUDY PLAN, and FULLY- LOADED HOURLY PERSONNEL RATES REPORT - DIVISION OF FINANCE, COMCARE and HEALTH DEPARTMENT
FUNDING - DIVISION OF FINANCE, COMCARE and HEALTH DEPARTMENT

"Recommendation is to accept the proposal from MGT of America, Inc. and execute a three year contract for a total cost of \$57,750.00 with two one year options to renew.

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

Chairman Skelton said, "Are there any questions by Commissioners? Yes, sir, Commissioner Peterjohn."

Commissioner Peterjohn said, "On Item 1, help me out here, because the backup information talks about, it says accept the low proposal from Parking Company of America, Option 1, in the amount of \$129,435.84 annually. If we've got a monthly administrative fee that comes out..."

Mr. Thomas said, "That monthly fee, sir, should figure out."

Commissioner Peterjohn said, "Should come up to the 12 months?"

Mr. Thomas said, "Yes, sir."

Commissioner Peterjohn said, "It was placed in a way that raised a question for me. Thank you very much, Mr. Chair."

Chairman Skelton said, "Yes, no problem."

MOTION

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

Commissioner Unruh seconded the motion.

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

VOTE

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

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

Chairman Skelton said, "Thank you. Okay, next item, please."

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

Absent: 1 - Commissioner Ranzau

Aye: 4 - Chairman Skelton, Vice Chair Unruh, Commissioner Norton and Commissioner Peterjohn

Present: 0

CONSENT

- E** [13-0057](#) Agreement with the City of Derby to Administer Special Liquor Tax Funds.
- F** [13-0052](#) New COMCARE employee hire above pay range minimum.
- G** [13-0058](#) A resolution to amend Policy 4.711, Family and Medical Leave, of the Sedgwick County Personnel Policy and Procedure Manual.
- H** [13-0062](#) A resolution adopting a revision to the Sedgwick County Health Care Reimbursement Plan. The revision will place a \$2,500 cap on the Flexible Spending Account for all ensuring plan years effective January 1, 2013.
- Deferred**

I [12-1020](#) General Bill Check Register.

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

Chairman Skelton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman, I'm going to move we approve the Consent Agenda except for Item H, and put that off for a week until all five Commissioners can vote on it. I'd like to have Item H have some discussion with all of us here."

Chairman Skelton said, "Okay. Manager, is there any issue endeavoring Item H for one week?"

Mr. Buchanan said, "No."

MOTION

Commissioner Peterjohn moved to approve the Consent Agenda with the deferral of Item H for one week.

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>Absent</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Skelton</i>	<i>Aye</i>

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

A motion was made by Commissioner Peterjohn, seconded by Vice Chair Unruh, that this Consent be Approved. The motion carried by the following vote.

Absent: 1 - Commissioner Ranzau

Aye: 4 - Chairman Skelton, Vice Chair Unruh, Commissioner Norton and Commissioner Peterjohn

Present: 0

OTHER

Chairman Skelton said, "Is there other items for discussion today? Do we have an Executive Session?"

Commissioner Unruh said, "We do."

Chairman Skelton said, "We do. And is there a Fire [District No. 1] agenda? No. Okay, what other items are there today? Okay. Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you, Mr. Chairman. I was going to make a comment just, in terms of the number of folks in detention in Sedgwick County Jail was under 1,400 again this morning. In fact, it was 1,388. I'm not going to give a breakdown at this point. As long as we're under 1,400, the Sheriff had mentioned at our retreat yesterday that these numbers are likely to fluctuate on a seasonal basis, and the Manager's reports to us have indicated that that fluctuation definitely does take place. So, I wanted to provide that information to the public because these numbers are well below what they've been in past years, and in fact, it's some of the lowest perhaps even in this decade, and I think it's kind of the hard work that's been done by this body and by our CJCC (Criminal Justice Coordinating Council) committee that's been working on it.

"Mr. Chairman, I would also like to mention, Monday I traveled up to Topeka, and Commissioner Ranzau and I both attended a street maintenance subcommittee hearing on House Bill 2051 and 2073, and the committee was working the bill, subcommittee was working that legislation that's part of our Sedgwick County platform, in terms of stream maintenance. There are additional subcommittee hearings that are planned, I believe, even in week. I wanted to provide a report on that.

"Also a report that I testified in support of Senate Bill 109, which is a bill to ban taxpayer funds being used for lobbying up at the statehouse, and I also provided testimony for a bill that was heard yesterday, House Bill 2188, which was a bill that involved disclosure when governmental bodies provide contracts with third parties for agreements, often those third parties say, hey, we shouldn't have disclosure, in terms of where and how we're spending the money and detail for various reasons. That's been an issue that we've had some public decision on in the past. I wanted to comment to my colleagues who happen to be on the Commission a couple of years ago when we were able to get the county's checkbook online.

"So detailed financial information on how the county spends money is available to the public, and the Sedgwick County staff that was involved in helping make that happen at that point in time and that continues right now. It's a great tool for the public, and I think it's an example for other governmental bodies, not only in the State of Kansas but all over the country, in terms of full disclosure, and I think we have a responsibility, in terms of how taxpayer funds get spent. I made clear during my testimony on Senate Bill 109 and 2188 that I was speaking for just myself and not for the Commission as a whole. So I'd like to provide that, too. Thank you, Mr. Chairman."

Chairman Skelton said, "Commissioner Norton."

Commissioner Norton said, "I just wanted to let the public know, and I know there was an article in the paper today, but we did have our yearly retreat yesterday. We talked about our financial condition, not only for the present year but in the out years, for the

next five years and what that looks like. We talked about projection of appraised values and what that might do to revenues. We talked about projections of what might happen with legislative actions coming out of Topeka, and we talked about issues, projects and decision points that will be before us either in capital improvements or budgetary items over the next five years.

"It was, I don't think we came to any firm decisions. A lot of that will be done in preparing the 2014 budget, but it was a good conversation about those things that are important to our community that we need to be wrestling with a little bit and how we will not only get them done but how we'll fund them. So we had that yesterday, and I'm sure there will be more information coming out as we go through the process and move into the budgetary system. That's all I have, Mr. Chair."

Commissioner Unruh said, "Thank you, Mr. Chair. I just wanted to acknowledge Commissioner Peterjohn's recognition that many times when he's testifying in Topeka he does not represent the will of the majority of the Board, but he clearly indicates that he's speaking on his own behalf, and I think Commissioner Ranzau also does that when he's up there. When they're speaking on behalf of the Commission or in speaking consistently with our legislative platform and they also are up testifying in that regard sometimes, they clearly identify that also. But I just wanted to commend the Commissioner for making it clear that when he's not speaking with the majority of the Board that he indicates he's speaking on his own. That's all I have, Mr. Chair."

Chairman Skelton said, "And I do concur with that. Commissioner Peterjohn and I had a discussion about that yesterday, and it was satisfactory to me that he also was speaking on his own. So I do appreciate you bringing that up this morning."

Commissioner Peterjohn said, "I would add that on the stream maintenance issue, we are in the majority."

Chairman Skelton said, "Oh, absolutely, okay."

Commissioner Peterjohn said, "On that issue."

Chairman Skelton said, "That's clear. Yes, sir. Thank you. Well, that is all the 'Other' we have, so I will entertain a motion for Executive Session at this time."

MOTION

Commissioner Unruh moved that the Board of County Commissioners recess into Executive Session for 20 minutes to consider consultation with Legal Counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation and legal advice and that the Board of County Commissioners return to this room from Executive Session no sooner than 10:45 a.m.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton Aye
Commissioner Peterjohn Aye

<i>Commissioner Ranzau</i>	<i>Absent</i>
<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Chairman Skelton</i>	<i>Aye</i>

Chairman Skelton said, "Okay. This committee stands in recess."

The Board of County Commissioners recessed into Executive Session at 10:45 a.m. and returned at 10:53 a.m.

EXECUTIVE SESSION

Chairman Skelton said, "Okay. This Meeting is called back to order. We have had our Executive Session. There's no action to be taken. Manager, is there any further business?"

Mr. Buchanan said, "No, sir."

Chairman Skelton said, "Is there any other business to come before this Board today? Seeing none, this meeting stands adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:53 a.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

*JAMES B. SKELTON, Chairman
Fifth District*

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

*TIM R. NORTON, Commissioner
Second District*

*KARL PETERJOHN, Commissioner
Third District*

*RICHARD RANZAU, Commissioner
Fourth District*

ATTEST:

Kelly B. Arnold, County Clerk