

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes - Final

Wednesday, March 14, 2012

7:00 PM

BOCC Meeting Room

### **Board of Sedgwick County Commissioners**

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

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

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

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

**ORDER OF BUSINESS**

**CALL MEETING TO ORDER**

*The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 7:02 p.m. on Wednesday, March 14, 2012, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim R. Norton, with the following present: Chair Pro Tem James B. Skelton; Commissioner David M. Unruh; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Mr. Ron Holt, Assistant County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Preston Goering, TB Control Program Supervisor, Health Department; Mr. Ms. Dorsha Kirksey, Executive Director, Sedgwick County Housing Department; Mr. Randy Bargdill, Director, Emergency Communications; Ms. Jodi Tronsgard, Grant Coordinator, Sedgwick County Department of Corrections; Ms. Marilyn Cook, Executive Director, COMCARE; Mr. Chris Chronis, Chief Financial Officer; Mr. Ron Holt, Assistant County Manager; Mr. David C. Spears, Director of Public Works; Mr. Joe Thomas, Acting Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee, Deputy County Clerk.*

**GUESTS**

*Mr. Kevin Fish, Executive Director, The Arc of Sedgwick County  
Mr. Marvin Patterson, advocate, The Arc of Sedgwick County  
Ms. Beth Patterson, advocate, The Arc of Sedgwick County  
Mr. Joe Norton, Gilmore and Bell, Bond Counsel*

**INVOCATION**

*Observed by a moment of silence.*

**FLAG SALUTE**

**ROLL CALL**

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

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

**CONSIDERATION OF MINUTES**

A [12-0128](#)

REGULAR MEETING OF FEBRUARY 1, 2012.  
All Commissioners were present.

*Chairman Norton said, "Commissioners, we have the meeting minutes of several Commission meetings. February 1st, 8th, 15th, and a Special Meeting of February 7th. All Commissioners were present. I know of no reason we can't take all of those at the same time. Is that a problem Mr. Counselor?"*

*Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "No, sir."*

*Chairman Norton said, "In that case, I'd entertain a motion for all four of those meetings."*

MOTION

*Commissioner Skelton moved to approve the Regular Meeting minutes of February 1st, 8th, 15th and the Special Meeting minutes of February 7, 2012.*

*Commissioner Unruh seconded the motion.*

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

VOTE

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

*Chairman Norton said, "Next item."*

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

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

**Present:** 0

B [12-0132](#)

REGULAR MEETING OF FEBRUARY 8, 2012.  
All Commissioners were present.

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

C [12-0158](#)

REGULAR MEETING OF FEBRUARY 15, 2012.  
All Commissioners were present.

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

- D     [12-0162](#)     SPECIAL MEETING OF FEBRUARY 7, 2012.  
All Commissioners were present.  
*Action on Item D was taken with Item A.*

**PROCLAMATIONS**

E [12-0149](#)

PROCLAMATION DECLARING WORLD TB AWARENESS DAY.  
Read by: Chairman Tim Norton.

RECOMMENDED ACTION: Adopt the Proclamation.

*Chairman Norton said, "Commissioners, I have the following proclamation to read into the record;*

PROCLAMATION

*WHEREAS, Sedgwick County is a growing part of the world community and joins the Center for Disease Control and the World Health Organization in calling attention to the global tuberculosis problem through the annual World TB Day, celebrated on the anniversary of the Nobel Peace Prize award to Robert Koch for his discovery of the tuberculosis bacteria; and*

*WHEREAS, one-third of the world's population is infected with tuberculosis, and almost 10 million people develop TB disease and 2 million die from TB annually; and,*

*WHEREAS, in the United States, 9 to 14 million people are infected with TB and the number of drug-resistant cases of TB is not decreasing; and*

*WHEREAS, diligent, cooperative, and ongoing TB control is critical to the health of the public.*

*NOW, THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim March 24, 2012 as*

*'WORLD TB AWARENESS DAY'*

*in Sedgwick County and encourage all citizens to educate themselves about tuberculosis, its prevention and treatment.*

*"Commissioners, what is the will of the Board?"*

MOTION

*Commissioner Skelton moved to adopt the proclamation.*

*Commissioner Unruh seconded the motion.*

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

VOTE

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

*Chairman Norton said, "And Preston Goering of the Health Department is here to*

*accept the proclamation and has some words.”*

*Mr. Preston Goering, TB Control Program Supervisor, Health Department, greeted the Commissioners and said, “On behalf of the Health Department and the TB (tuberculosis) Control Program I’d like to thank you for proclaiming March 24, 2012 World TB Awareness Day for Sedgwick County. And also, I’d like to thank you for the opportunity to address the public about TB.*

*“Just some basic facts here, there really are just two kinds of tuberculosis and it’s important to know the different between these two. Latent TB infection and active TB disease. TB as you mentioned is caused by a bacteria.*

*“With latent TB there are no symptoms. So people have a positive skin test, or a positive blood test and they have a normal chest x-ray and that skin or blood test is the only way we know they have latent TB infection. Their immune system is keeping the bacteria from spreading throughout their body. And people with latent TB cannot spread TB to other people. It’s important to keep that in mind.*

*“TB disease however, usually includes symptoms and a bad chest x-ray, because the bacteria has multiplied and spread in the body. Only people with TB disease can spread TB to others. And they do this by coughing, sneezing or shouting. People who get infected from them then have latent TB and not TB disease, and at that point the TB won’t spread any further than that individual, or unless it, except to other individuals from the original, the index case. TB disease eventually develops in about 10 percent of the people with latent TB. Both latent TB and infection and TB disease can be cured by taking medication.*

*“So before the 1940’s, TB was the top killer in the U.S. (United States) among infectious diseases. And it was the fourth largest killer overall. Today TB really is a relatively rare occurrence in the U.S., but it is important to pay attention to it when it shows up. Some people are at higher risk for TB. Those risks groups include certain foreign born individuals, prisoners, jail detainees, the homeless, substance abusers, people with poor immune systems such as those with HIV (human immunodeficiency virus), people in group living facilities like nursing homes, and health care workers or others who work with these high risks groups.*

*“The most common symptoms to watch for include fever, chills, constant tiredness, weight loss, a productive cough that won’t go away, extremely heavy night sweats, shortness of breath, and in extreme cases coughing up blood. People who have those symptoms should see their physicians especially if they are in one of those high risks groups. I’d like to mention that more information about tuberculosis is available on the Health Departments TB web page at [<http://www.sedgwickcounty.org>]. Can I answer any questions tonight?”*

*Chairman Norton said, “Well I don’t see any Commissioners wishing to speak. Isn’t it true that one of our public health responsibilities described by the state is to monitor tuberculosis and make sure we understand the spread of that disease in our jurisdiction?”*

*Mr. Goering said, “Yes, that’s exactly right. State statute requires that county’s take responsibility for controlling tuberculosis within their county.”*

*Chairman Norton said, “Preston, how many cases have we had over the last year?”*

Mr. Goering said, "In 2009 there were nine people who were treated for tuberculosis. Now whether the state actually determines that all of those are actually cases or not is still to be determined. Kansas had a total of 36 for last year, which is a decline as well. And we have yet to see which of those are actually going to be determined to be cases as well."

Chairman Norton said, "So while the cases are low, it hasn't disappeared and internationally it is still a problem."

Mr. Goering said, "Internationally it is a very big problem, yes."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Quick question, in parts of the world they inoculate for TB, we don't do that here at the moment, once upon a time we used to regularly in school perform skin tests and if people were positive ask them to go on and have a chest x-ray. I don't believe that occurs anymore. Could you kind of explain why we have different treatments then and now and in other place in the world and here?"

Mr. Goering said, "Other places of the world, as Commissioner Norton mentioned earlier, in all about a third of the world is infected with tuberculosis and some countries have far more cases of active disease than the United States and they also have much poorer health care systems. The Western world has been seeing significant decreases. We've had less than 12,000 cases last year, over the last couple of years, in the United States. So, it's just not cost effective for us to be testing and then inoculating everyone for tuberculosis because it's not common enough to make it cost effective. So, that's the main reason I think why we're not inoculating anymore. Was there another part to your question that I didn't answer?"

Commissioner Peterjohn said, "Well, I was curious in terms of the timing side of it as well as the, why parts of the world they do inoculate and to the best of my knowledge I'm not aware of any place in the United States anyway where they do."

Mr. Goering said, "Right, that's true. The BCG (Bacillus Calmette-Guerin) vaccine, which is what that's called, inoculates children generally up through the age of about 15 and sometimes a little bit later than that, mostly to protect the children from tuberculosis. My understanding is that that vaccine is not as effective for adults."

Chairman Norton said, "Okay, well I think that's all. I don't see any more lights. Thank you, Preston for coming. We appreciate it."

Mr. Goering said, "Okay, thank you."

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

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

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

**Present:** 0

F [12-0178](#)

PROCLAMATION DECLARING INTELLECTUAL AND DEVELOPMENTAL  
DISABILITIES AWARENESS WEEK.

Read by: Chairman Tim Norton.

RECOMMENDED ACTION: Adopt the Proclamation.

*Chairman Norton said, "Commissioners I have the following proclamation to read into the record;*

PROCLAMATION

*WHEREAS, intellectual and developmental disabilities affect more than 8,000 Sedgwick County children, adults and their families; and*

*WHEREAS, public awareness and education enhance a community's understanding of issues affecting people with intellectual and developmental disabilities; and*

*WHEREAS, the month of March has been designated National Intellectual and Developmental Disabilities Awareness Month, and thousands of social service agencies serving millions across our nation will be undertaking public and awareness initiatives; and*

*WHEREAS, specifically, the Arc and Advocates in Communities Team of South Central Kansas, along with dozens of other local agencies, is making a concerted effort in 2012 to bring awareness of the needs and abilities of individuals with intellectual and developmental disabilities to our cities, county and state.*

*NOW, THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the month of March 2012 as*

*'INTELLECTUAL AND DEVELOPMENTAL DISABILITIES  
AWARENESS MONTH'*

*in Sedgwick County and call upon all Sedgwick County citizens, government agencies, public and private institutions, businesses, and schools to recommit our community to increasing awareness and understanding of intellectual and developmental disabilities and the need for appropriate and accessible services for all people with disabilities to live full, productive lives within our community.*

*Chairman Norton said, "Commissioners, what is the will of the Board?"*

MOTION

*Commissioner Skelton moved to adopt the proclamation.*

*Commissioner Unruh seconded the motion.*

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

VOTE

Commissioner Unruh

Aye

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

Chairman Norton said, "And with us tonight is Kevin Fish, the Executive Director of The Arc of Sedgwick County and two other individuals that we'll let you introduce, Kevin."

Mr. Kevin Fish, Executive Director, The Arc of Sedgwick County, greeted the Commissioners and said, "Thank you very much, we greatly appreciate your time tonight. I have with me tonight Beth and Marvin Patterson. Who are going to thank you on behalf of those we serve."

Mr. Marvin Patterson, advocate, The Arc of Sedgwick County, greeted the Commissioners and said, "We would like to thank you for your proclamation on behalf of the thousands of us living with developmental disabilities in Sedgwick County. We are blessed to live in a community with so many supports and service that helps us to reach our goals."

Ms. Beth Patterson, advocate, The Arc of Sedgwick County, greeted the Commissioners and said, "Our parents were always told that we could never do. My mom was even told that I should be in an institution. But with the support of our family and agencies like The Arc [of Sedgwick County] we have been able to accomplish more than we ever thought we could. Marvin and I have been married for 25 years. We work, own our own home and own our own car. And when we're not working we play competitive tennis, horseback ride and volunteer at our church and at The Arc. For a couple who were told we could never do, we do an awful lot, I guarantee you."

Mr. Fish said, "Well, we definitely appreciate the opportunity as we're celebrating people with disabilities we really are celebrating their abilities, their gifts and what they bring to our community. Because these are people our family, our friends, our neighbors, our coworkers, and a real vital part of our community. As part of that, you know, we've got so many people like Beth and Marvin who are just waiting for their opportunities. They've had opportunities and they've taken those up. Right now we have thousands of people, as you know, who are still sitting on waiting lists. Right here in Sedgwick County we've got over nearly 1,000 people out of the 5,000 in the State of Kansas. And so again as we try and put that message out there of how successful our people can be given that opportunity and I think everybody has that intent that they want to see them to be as successful as possible.

"Right now we've got thousands who are in services who are concerned about what will happen with our new managed care system in the state. And I'm sure you've seen lots in our newspapers as our families are concerned as how this change is going to impact their lives. And we know the importance of controlling cost in the state but we also know how important it is that those services they have aren't interrupted and that they are continued at the same level that they have. We've been very blessed here in Sedgwick County with the relationship with our CDDO (Community Developmental Disability Organization). We've had a managed care system really for years, for the last 16 years we've had people who've made sure that the needs of our people are being met, the cost were being controlled, it was being done as effectively as possible. So we'd love to see what we have today continued as we look into the future.

*Again, we want to thank you for the proclamation and for your continue support of people with disabilities. Thank you."*

*Chairman Norton said, "Beth and Marvin, we're proud that you're here tonight, and I've got to tell you, you don't represent just that community, you represent the whole community with what you've said tonight. Because we value citizens that are involved and live a full, rich life in our community and it looks like you're doing that."*

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

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

*Chairman Norton said, "We worry just like everybody else does about managed care. We talk about it a lot.*

*"We know one of our key responsibilities is taking care of the agent, the folks with mental health issues and certainly people with developmental disabilities also. So, we take that very serious. Thanks for coming tonight, but we do have some other comments. Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. Well, Kevin, first of all thank you for being here today and continuing to remind us of needs in our community and we want to congratulate you and your advocates in communities team for the way that you respond to this particular need in our community. And to this couple who's come up and has spoken to us today, you've certainly demonstrated that folks with special challenges can live independent and productive lives and be very valuable members of our community so we want to express our appreciation for your willingness to be here.*

*"And Kevin, once again with you, we are sensitive to some of the potential legislation that might do some harm to the services organization we have in our county and we are doing our part and trying to make sure that we can continue providing services to folks who need them at the most efficient manner possible, which I believe we are doing, and have services uninterrupted. And hopefully we can have a system that will reduce or eliminate the waiting list. Thank you very much for being here. That's all I have Mr. Chairman."*

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

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

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

**Present:** 0

## **NEW BUSINESS**

G 12-0180

SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DISTRICT LIMITED AGREEMENT.

Presented by: Dorsha Kirksey, Executive Director, Sedgwick County Housing Department.

RECOMMENDED ACTION: Approve the agreement, and authorize the Chairman to sign the agreement and any related documents.

*Ms. Dorsha Kirksey, Executive Director, Sedgwick County Housing Department, greeted the Commissioners and said, "The item before you is an agreement with the South Central Kansas Economic Development Division [District], or SCKEDD, to provide services that are necessary for the disposition of the property located at 1731 North Lorraine under the provisions of the Neighborhood Stabilization Program (NSP). As I'm sure you'll recall, Sedgwick County has provided a total of 25 houses under this Neighborhood Stabilization Program to low and moderate income families in the area. This property is one of the last two that we have to sell and SCKEDD is taking over for one of our other affiliates that was unable to continue with the disposition of this home. I recommend that you approve the agreement and authorize the Chair to sign the agreement and any related documents, and I'd be happy to answer any questions at this time."*

*Chairman Norton said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Could you help me when you say affiliated organization, be more specific please?"*

*Ms. Kirksey said, "For the Neighborhood Stabilization Program we did this work through four different local nonprofit agencies who we referred to as affiliates. And so one of those affiliates was unable to continue and is no longer in business and so SCKEDD, as our administrator for the Neighborhood Stabilization Program, has agreed to step up and finish, you know, do upkeep and sell this property for us."*

*Commissioner Peterjohn said, "So, is the property currently on the market for sale or it will only go on the market once we approve this, what is before us today?"*

*Ms. Kirksey said, "It is currently on the market. We just need someone to be responsible for making sure that it stays in good shape, that upkeep costs are being taken care of and then to help get the buyer and the sale..."*

*Commissioner Peterjohn said, "So has that property been deeded to the county? If we're going to undertake this responsibility..."*

*Ms. Kirksey said, "It has not been deeded yet, that's part of what we will do with this item. We will then, it is still under deed with the original affiliate which is Community Housing Services. If this item is approved tonight, we will go ahead and go forward with the deed, deeding it over to SCKEDD and then they will be able to take care of getting the property sold."*

*Commissioner Peterjohn said, "Okay, so if we incur a cost, the backup information says we will be reimbursed. Do you know how?"*

*Ms. Kirksey said, "Actually, any cost related to this property, the upkeep of it, and the sale of it are covered under the grant funds and that's what we will pay those costs"*

from.”

Commissioner Peterjohn said, “Thank you.”

Chairman Norton said, “Commissioner Skelton.”

**MOTION**

Commissioner Skelton moved to approve the agreement, and authorize the Chairman to sign the agreement and any related documents.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

Chairman Norton said, “Thank you, Dorsha. Next item.”

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

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

**Present:** 0

H [12-0059](#)

AMENDMENT TO THE JOINT RESOLUTION AND CITY OF WICHITA ORDINANCE PERTAINING TO 911 ADVISORY BOARD.

Presented by: Randy Bargdill, Director, Emergency Communications.

RECOMMENDED ACTION: Adopt the amended resolution, and authorize the Chairman to sign.

*Mr. Randy Bargdill, Director, Emergency Communications, greeted the Commissioners and said, "I'm here this evening on behalf of the 911 Advisory Board requesting several revisions to the county side of our joint county resolution and City of Wichita ordinance which pertains to the Wichita-Sedgwick County Emergency Communications Advisory Board. This amendment was last updated 18 years ago in 1994. Purpose of the revision is to bring current the name, duties, membership and budget responsibilities of this existing 1994 document. We realize the changes, that we needed to make these changes when we began dispatching for Derby and Haysville when we brought them on board. One of the things that Haysville...or Derby requested was that we install three new positions for a five year period, voting members on the [Wichita-Sedgwick County Emergency Communications] Advisory Board to help oversee the transition from Derby dispatch to 911's system. Knowing that a change to the bylaws, the resolution, and the ordinance was needed, the [Wichita-Sedgwick County Emergency Communications Advisory] Board reviewed and made these current recommendations. With Derby and Haysville included in the membership the Board felt the current name sounded too proprietary so this is reflected in Section 1 under Section 2, 'Advisory Board Created' which changes the name from Wichita-Sedgwick County to just Sedgwick County.*

*"Regarding the membership, the Board agreed that Derby and Haysville should be involved in the oversight and unanimously agreed that the membership should include the Derby Police Chief, Derby Fire Chief, Haysville Police Chief for that period of five years. Additionally the Board recognize that 911 dispatches for 29 different agencies throughout Sedgwick County and decided that at the end of this five year period with Derby/Haysville that they would like to turn those three positions into two and invite other county/cities to be a part of the 911 Advisory Board to represent suburban law enforcement and the suburban fire agencies. This is reflected in Section 2 under Section 3 which speaks to the 'Membership and Term of Office'. Changes to this section are the addition of subsection A which installs the Derby and Haysville positions and defines the five year period. It also establishes the process of rotation for future voting members.*

*"In Section 3 the changes to Section 4 'Meetings, Officers, Recordkeeping', again the name change from Wichita-Sedgwick County to Sedgwick County. Looking at Section 4, there's two changes to Section 5 'Responsibilities Generally-Budget', this was modified again to change the name from Wichita-Sedgwick County to Sedgwick County and the second change removes the responsibility from the Advisory Board and the development of the 911 departments operating budget.*

*"Currently the existing resolution calls for the Advisory Board and the 911 Director to develop the budget and present it to the County Manager, but it seems as though that the Advisory Board's bailing out on me and going to have me face Mr. Chronis alone this year, so they kind of removed that.*

*Mr. Bargdill continued, "On Section 5 under Section 6 'Same—Organization,*

*Functions, Administrative Responsibility and Location of Operation', in this section we are merely changing the location from the [Sedgwick] County Courthouse in the basement over to 714 North Main.*

*"And the final revision is in Section 6 under Section 7 'Same—Budget Requirements', realizing that the Advisory Board has no budget authority to help build the budget, they're asking that that be removed completely. On March 6th, last Tuesday, this went before the City [of Wichita] Counsel and the ordinance piece of this passed. And I guess that's all the information I have to provide to you, it's recommendation of the 911 Advisory Board that you accept this and allow the Chair to sign and I'm happy to answer any questions you have."*

*Chairman Norton said, "Well Randy, I think you can take Mr. Chronis on, you have a badge, he doesn't."*

*Mr. Bargdill said, "I've got a good budget analyst too."*

*Chairman Norton said, "Okay. How many Advisory Board members are there total now with..."*

*Mr. Bargdill said, "Currently we have the Wichita Police Chief, the Sheriff, the two Fire Chiefs city and county, we have a representative from the City [of Wichita] Managers office and the County Managers office, along with the Director of Emergency Management and the Director of EMS (Emergency Medical Services)."*

*Chairman Norton said, "And then the new Haysville and the new Derby folks."*

*Mr. Bargdill said, "In addition to that, it allows, we've had some problems in the past establishing a quorum, so this also allows each one of these voting members to name an alternate."*

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

#### MOTION

*Commissioner Skelton moved to adopt the amended resolution, and authorize the Chairman to sign.*

*Commissioner Ranzau seconded the motion.*

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

#### VOTE

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

*Chairman Norton said, "Thank you, Randy. Clerk, next item."*

**A motion was made by Commissioner Skelton, seconded by Commissioner Ranzau, that this Resolution be Adopted. The motion carried by the following**

**vote:**

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

**Present:** 0

I [12-0110](#)

CONSIDERATION OF A GRANT IN THE AMOUNT OF \$26,867 FOR THE WEEKEND ALTERNATIVE DETENTION PROGRAM / JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG).

Presented by: Mark Masterson, Director, Sedgwick County Department of Corrections.

RECOMMENDED ACTION: Approve the application for the grant, and if awarded authorize acceptance of the grant and the establishment of budget authority as provided in the financial considerations section of this request.

*Ms. Jodi Tronsgard, Grant Coordinator, Sedgwick County Department of Corrections, greeted the Commissioners and said, "This evening I am here to present for your approval a Juvenile Accountability Block Grant (JABG) application to the State of Kansas Juvenile Justice Authority (JJA) for the Weekend Alternative Detention Program. The [Juvenile Accountability] Block Grant is a federally funded initiative to sign to provide assistance to units of local government in developing programs that promote accountability within the juvenile justice system.*

*"This Block Grant is federal funds passed through the State of Kansas, specifically the Kansas Juvenile Justice Authority. Grant funds in the amount of \$26,867 will be used to partially fund the Weekend Alternative Detention Program for the upcoming fiscal year. This includes a required 10 percent local cash match of \$2,687, which has been planned for in the county budget. County funds in the amount of \$24,097 are budgeted for the remainder, giving a total program budget of \$50,964. These grant funds offset personnel costs in the general fund budget for an existing position.*

*"The Weekend's Alternative Detention Program is a two day program, which is developed as an alternative to 24-hour secure detention for juveniles. The goals of the program is to hold the juveniles accountable to increase their skills, to avoid further court order violations and to reduce the use of detention beds by probation violators. Your Juvenile Corrections Advisory Board Team Justice approved this grant application on February 3rd. We request that you approve the grant application and authorize the Chairman to sign all necessary documents including the grant award agreement. I'll be happy to answer your questions."*

*Chairman Norton said, "Commissioners, you've heard the presentation. Commissioner Ranzau."*

*Commissioner Ranzau said, "I have a question for the Manager. I see that this grant, and we've got another one two down the road, [Item] K, are a couple pass through grants from federal government, about \$200,000 to address some local issues. Do we not have \$200,000 in a contingency fund somewhere that we could use for this?"*

*Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "That would be the, at the discretion of the Commission."*

*Commissioner Ranzau said, "Okay. Thank you, Mr. Manager. Well, these are some important issues, local issues, that I would really like to pay for using our local dollars to help.*

*Commissioner Ranzau continued, "As I've stated in the past and I stand ready to do so at any point that my fellow Commissioners feel compelled enough about these issues to use our local dollars and I would be more than willing to do that. But in the meantime I'll have to vote no on this at this time."*

Chairman Norton said, "Okay, we've heard the presentation. Any other discussion? At this point I'd entertain a motion."

**MOTION**

Commissioner Skelton moved to approve the application for the grant, and if awarded authorize acceptance of the grant and the establishment of budget authority as provided in the financial considerations section of this request.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

Chairman Norton said, "Okay, Jodi, are you up again?"

Ms. Tronsgard said, "I am."

Chairman Norton said, "Okay, well let me call the item. Madam Clerk, call the next item."

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

**No:** 1 - Commissioner Ranzau

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

**Present:** 0

J [12-0111](#)

CONSIDERATION OF A GRANT IN THE AMOUNT OF \$3,381,366 FOR THE KANSAS JUVENILE JUSTICE AUTHORITY (JJA) SFY13 FUNDING APPLICATION .

Presented by: Mark Masterson, Director, Sedgwick County Department of Corrections.

RECOMMENDED ACTION: Approve the application for the grant, and if awarded authorize acceptance of the grant and the establishment of budget authority as provided in the Financial Considerations section of this Request.

VISUAL PRESENTATION

*Ms. Tronsgard said, "I am here to present for your approval a state block grant application to the State of Kansas Juvenile Justice Authority for graduated sanctions and juvenile delinquency prevention programs for state fiscal year (SFY) [20]13, 2013. The application before you for consideration includes funding for two prevention programs, administrative structure and three mandatory graduated sanctions programs.*

*"I have three slides to show you that provides more detailed information on the grant application. On this first slide, you'll see that the total planning allocation for our district for state fiscal year 13 is \$3,381,366. This is approximately \$208,000 less than our current year, excuse me, our current award, and \$1.88 million less than the award three years ago.*

*"The planning allocation for prevention programs, you can see they're on the first row is, \$241,732. That is the same as our current year award for SFY [20]12, however, it is an 81 percent reduction from state fiscal year [20]10. Now the planning allocation for graduated sanctions is \$3,139,634, and this represents an overall reduction of approximately 15 percent from state fiscal year 10. Together that's nearly a 36 percent overall decrease in funding in three years. After the close of the legislative session we'll be notified of the final allocations.*

*"Moving on to the second slide, you see the specific funding recommendations for prevention, which includes two prevention programs and Administrative Structure. The District Attorney's (DA) Office Juvenile Intervention Program currently provides juvenile defender diversion. The recommended funding amount for SFY 13 is \$157,849. The second program is offered by Kansas Legal Services through their Detention Advocacy Service program and that is attorney services. The recommended funding amount for SFY 13 is \$59,710. The allocation for Administrative Structure is \$24,173 and that represents 10 percent of the planning allocation, which is the limit set by the Juvenile Justice Authority.*

*"The planning allocation for prevention for SFY 13 is at the same level as the current fiscal year as I previously mentioned, however, the amount requested by the DA's Office for the Juvenile Intervention Program exceeds the amount available by nearly \$76,000. This is not a request for a new position, for new staff or adding any other line item. Rather it is just a situation where reserves of the accumulated program income will be fully exhausted, fully expended and therefore not available for the next fiscal year.*

*"Therefore the recommendation for the Juvenile Intervention Program for SFY 13 is to fund three of four positions. This impacts one Juvenile Coordinator position, subsequently this will affect a number of clients to be served and will reduce that by probably 80 clients for the year. Our districts funding level has presented a very difficult challenge for our district. Prevention programming has been reduced to just*

*these two program components, and they represent the greatest opportunity to impact juvenile crime and they also have the greatest overall system impact.*

*“Moving on to the third slide for graduated sanctions programs, this area includes the Juvenile Intake and Assessment Center, the Juvenile Intensive Supervision Program, and Juvenile Case Management. All three programs submitted budgets based on need, so you see that amount there in the middle column which is over \$3.6 million, and so that leaves nearly \$479,000 to be covered by accumulated program income, vacancy savings, as well as carryover funds. As a funding award for graduated sanctions has reduced 15 percent over the last three years, case loads have also dropped, and juvenile field services, which includes the Juvenile Intensive Supervision Program and Juvenile Case Management, they have eliminated positions from their budgets by approximately 13 percent, so [inaudible] kind of a corresponding reduction.*

*“Additionally, Juvenile Intake and Assessment Center has also eliminated about five part-time intake worker positions over the three years.*

*Ms. Tronsgard continued, “On February 3rd, the Juvenile Corrections Advisory Board Team Justice gave their approval for the programs and the funding amounts in this application and recommends this for your approval. Therefore, we request that you approve the grant application and authorize the Chairman to sign all necessary documentation including the grant award agreement. I’ll be happy to answer your questions.”*

*Chairman Norton said, “Jodi, not too many years ago, we had juvenile justice reform at the state level. What year was that, do you remember?”*

*Ms. Tronsgard said, “I believe it was 1998.”*

*Chairman Norton said, “Okay. And since then in the last five years we’ve had a graduated reduction in funding for those programs that the state kind of propped up for us to administer at the local level. What has the population done in the juvenile detention area over that time? Do you have an idea of an estimate of that, off the top of your head?”*

*Ms. Tronsgard said, “I don’t have it off the top of my head, no. I’m sorry.”*

*Chairman Norton said, “Okay. Well, I know we invested in a new Juvenile Detention Center and it moved some of the court rooms around down there to give it a better campus feel and it gets harder and harder to run that campus and to deliver the services we need to when we continue to get less money every year...just a statement. Commissioner Skelton.”*

**MOTION**

*Commissioner Skelton moved to approve the application for the grant, and if awarded authorize acceptance of the grant and the establishment of budget authority as provided in the Financial Considerations section of this Request.*

*Commissioner Unruh seconded the motion.*

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

**VOTE**

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

Chairman Norton said, "Are you still up Jodi, or are you done?"

Ms. Tronsgard said, "I'm done."

Chairman Norton said, "Thank you, very much."

Ms. Tronsgard said, "Thank you."

Chairman Norton said, "Appreciate it."

Ms. Tronsgard said, "Thank you."

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

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

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

**Present:** 0

K [12-0153](#)

CONSIDERATION OF A GRANT IN THE AMOUNT OF \$176,818.00 FOR PROJECTS FOR ASSISTANCE IN TRANSITION FROM HOMELESSNESS (PATH).  
Presented by: Marilyn Cook, LSCSW, Executive Director, COMCARE.

RECOMMENDED ACTION: Approve the application for the grant, and if awarded authorize acceptance of the grant.

*Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioners and said, "This is an application to renew PATH (Projects for Assistance in Transition from Homelessness) grant funding for the next two years, starting in August of this year. PATH stands for Projects for Assistance in Transitions from Homelessness. COMCARE has utilized this funding for more than 15 years to pay for staff who provide various sort of outreach, case management, and engagement with homeless individuals who are mentally ill in our community. This is federal money that's awarded to states, in our case the federal government awards this money to our state SRS (Social and Rehabilitation Services) department who then fund various sites throughout the state.*

*"The grant amount that we are requesting is \$176,818. There is a match requirement on the federal portion of this money, and for us that would equal \$41,594, making the total application \$218,412. We, this is a little over \$54,000 less than we asked for last year and we asked for only what we needed to accomplish the outcomes in this RFP (request for proposal). The grant covers salaries and benefits of two case managers who do assertive outreach and this year instead of funding a part-time coordinator, we ask to have two half time peer support specialist be funded under this as well as a small amount for supplies. We anticipate providing outreach to approximately 950 individuals annually with this grant. Connecting them to treatment, and to housing, and to mainstream resources that they need to find and maintain safe and affordable housing. We're recommending that you approve the application for this grant and if awarded authorize acceptance of the grant."*

*Chairman Norton said, "Marilyn, I just saw a new, a note on a new grant pool from the Task Force on Homelessness on the national level. Did you see that?"*

*Ms. Cook said, "Very recently?"*

*Chairman Norton said, "Yes."*

*Ms. Cook said, "We've seen it. I don't know where we stand in terms of applying for that."*

*Chairman Norton said, "Okay. It seemed like it was a pool for a pretty significant amount of money, so, but this is not tied to that at all?"*

*Ms. Cook said, "No."*

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

MOTION

*Commissioner Skelton moved to approve the application for the grant, and if awarded authorize acceptance of the grant.*

*Commissioner Unruh seconded the motion.*

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

**VOTE**

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

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

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

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

**No:** 1 - Commissioner Ranzau

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

**Present:** 0

- L      [12-0145](#)      A RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT IMPROVEMENTS TO EXISTING ROADS IN SEDGWICK COUNTY, KANSAS, PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF; AND PROVIDING FOR PUBLICATION OF THIS RESOLUTION AS REQUIRED BY LAW. (2012 ROADS).

Presented by: Chris Chronis, CFO.

RECOMMENDED ACTION: Adopt the resolution.

*Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "The action that is before you is the first step in what you will know from prior years, is the first step of a series of steps that will culminate in the issuance of general obligation (GO) bonds to finance road projects that are contained in the county's adopted Capital Improvement Program (CIP). This resolution is intended to provide \$4 million of funding, or to initiate the process of providing \$4 million of funding for two projects contained in the CIP; 71st Street South from 135th West to K[ansas Highway]-42, and 183rd Street West from 71st Street South to K-42. Both of those roads are to be reconditioned and reconstructed according to the CIP. And once again \$4 million of general obligation bond proceeds are to be used to fund those projects.*

*"This resolution authorizes us to begin the steps that will culminate in the issuances of the bonds and it also declares the Commission's intent to finance the projects with the proceeds of bonds. That declaration of intent allows us to pay certain costs of the project with county cash in advance of the sale of the bonds and then replenish those cash accounts with the bond proceeds once the bonds are sold. The bonds have been in the county's financial plan and debt plans to be sold later this year.*

*"The bonds would be repaid either with sales taxes or with general property taxes of the county. The debt service on the bonds, based on current rates in the market place, are estimated to be \$273,000 per year for 20 years. If we were to have to levy new property taxes to repay that debt a mill levy of .0063 of a mill would be necessary to produce the sufficient revenue. We do not expect to have to increase property taxes to make those debt service payments however.*

*"The resolution that's before you authorizes the county's actions pertaining to these bonds under two distinct statutes. The first, K.S.A. (Kansas Statutes Annotated) 68-5,103 is a statute that authorizes the county to issue general obligation bonds subject to certain procedural requirements. Once the resolution is adopted, the county is required to publish that resolution once a week for two consecutive weeks and the final publication initiates a 90 day protest period. If within that 90 days a sufficient number of petitions protesting the issuance of the bonds are filed with the County Clerk, then the county cannot proceed with issuance of the bonds unless and until voters approve the issuance of the bonds at a referendum.*

*"The requisite number of signatures under this statutory authorization is a number equal to three percent of the votes cast within in Sedgwick County in the last gubernatorial election. The second statute under which these bonds are being authorized is K.S.A. 68-1103. That statute authorizes the issuances of general obligation bonds, again subject to certain procedural requirements. In this case, the resolution has to be published once each week for three consecutive weeks and the final publication initiates a 60 day protest period. And in this case, the number of signatures that are required to provide a valid protest is five percent of the qualified electors in the county.*

*"The significance of the two separate statutory authorizations has to do with the county's debt, statutory debt ceiling. The first of those authorizing resolutions, or authorizing statutes, provides that bonds that are issued pursuant to it do not count against the county's statutory debt limit. The second statute provides that bonds issued under it do count against the county's statutory debt limit. And so we are asking for the county to authorize, for the Commission to authorize us to proceed with these bonds pursuant to both statutes. That will allow us, once we've reached the end of the 60 day protest period, if no valid petitions are submitted, to be able to issue bonds that would be subject to the statutory debt ceiling. And then if we go another 30 days and no valid petitions are submitted, then we would be able to issue bonds that are not subject to the statutory debt ceiling.*

*"The county has a policy that, notwithstanding the statutes, restricts the county debt issuance pursuant to a series of ratios. And these bonds, along with the other bonds that are planned to be issued this year, and all outstanding county debt, fall within those thresholds. And so we are authorized to issue this debt pursuant to the county's debt policy. The resolution that's before you was drafted by Joe Norton of the firm of Gilmore and Bell, who is the county's bond counsel. He is in the room and is prepared to answer any questions that you might have about the technicalities surrounding this.*

*"I have visited with each of you to talk about this resolution and try and answer any questions that you might have and during the course of those discussions there have been, there has been some discussion about the county's alternatives to issuing bonds to pay for these roads. And we do have adequate cash balances with which we could fund these projects.*

*Mr. Chronis continued, "There always are tradeoffs involved in decisions to sell bonds or use cash to pay for capital projects, and I have explained some of those ramifications, some of those tradeoffs to you, but the point that I would make here tonight is that the decision whether or not to fund those projects with bond proceeds is not a decision that has to be made tonight. This resolution initiates the process, allows us to begin the process of putting together a bond issue, but it is not the final step in that process and over the next several months and extending through the summer we'll be having more discussions about this and the other bond issue that we have programmed in the county's CIP for this year. And you will have ample opportunity in the coming months to make a determination about whether or not you wish to fund either or both of those projects with bond proceeds as we have programmed or with cash. And so with that, I'd be happy to answer any questions that you might have about the action that's before you. Once again, Joe Norton is in the room and he would be happy to answer any questions as well. If you have no questions, then I would recommend that you would approve the resolution that's before you."*

*Chairman Norton said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Looking, doing a little calculating from these numbers, Chris, \$273,000 a year over 20 years by my calculation is \$5.46 million. So would that cost be just the interest cost, above the \$4 million, in other words..."*

*Mr. Chronis said, "No, the difference between that total and the \$4 million would be the interest."*

*Commissioner Peterjohn said, "Would be all interest and wouldn't include any*

*underwriting cost or would that include..."*

*Mr. Chronis said, "That would be embedded in it, yes."*

*Commissioner Peterjohn said, "That would be embedded in it?"*

*Mr. Chronis said, "The project costs that would be financed with these bonds are \$4 million. The actual size of the bond issue would be slightly greater with that to provide sufficient proceeds to cover the transaction cost as well. And the repayment of those bonds would include the repayment of the portion of the bonds that paid for those issuances costs."*

*Commissioner Peterjohn said, "Okay. Well I was just trying, for my own clarification and understanding because, excuse me, for trying to understand all the ramifications of what you brought before us this evening, Chris. I wanted to make sure I understood what the costs were in addition to this. This may be getting into the details a little bit on the legal end, and if the appropriate person with the legal background can provide this, I want to understand, because recently we had a protest petition, not for Sedgwick County, but in another jurisdiction here in the county and people went out and collected signatures."*

*"I believe three percent in a gubernatorial election would probably be a lot less than five percent of the entire electorate, but if there was a protest petition run against either one, would it be possible to proceed with this action? If either of the protest petitions occurred, and then there was a vote held, is it possible to proceed under the other statute or are you, I'm trying to find out if this is..."*

*Mr. Chronis said, "You have exhausted the limits of my legal..."*

*Commissioner Peterjohn said, "I'm sorry?"*

*Mr. Chronis said, "You have exhausted the limits of my legal expertise."*

*Commissioner Peterjohn said, "Okay, well, I'm trying to find out if this is, if you don't mind a little computer logic and NAND gate or NOR gate and any help that can be provided..."*

*Mr. Joe Norton, Gilmore and Bell, Bond Counsel, greeted the Commissioners and said, "The resolution authorizes approaching the authorization under the twofold method. So if, you know, a protest were to be done under one and not under the other you would have the ability to proceed under the statute that was not protested for example. If both were protested then you have to decide which one you want to pursue. I think the options would be if a protest was initiated you could either decide to have an election and submit it to the populous or you could decide to abandon bonding for these projects and just pay for them in some other way. So those decisions could be evaluated if and when that protest petition was filed."*

*Commissioner Peterjohn said, "Okay, so it's kind of an 'or' situation."*

*Mr. Norton said, "Correct."*

*Commissioner Peterjohn said, "And the only way that the voters would be able to say that they didn't want to do it, they'd have to do two petitions. I guess, and these would*

*be sequential? You'd have to have a protest for the first one?"*

*Mr. Norton said, "Right. They're two separate periods. We plan to publish the resolution for three consecutive weeks. The 60 day protest period, if it were to run, would start after the third publication. The 90 day statute protest period would start after the second publication, so you're picking up maybe a three week period in extension for the 90 day one."*

*Commissioner Peterjohn said, "Well, this is interesting idiosyncrasy within the..."*

*Mr. Norton said, "It wasn't designed to create complexity, it was designed that due to the construction season the 60 day time period would allow the engineering and the contracting people to get started knowing you had financing as a possibility. Where if you waited another 30 days that might put them under constraints in getting the project done in a timely fashion, so that's the reason why. Not to make it more complicated."*

*Commissioner Peterjohn said, "Well Joe, I appreciate the clarification. I'm going to make a couple of comments Mr. Chairman, just as a starting point for our discussion this evening, because in the past I've, when bond issues have come up I've kind of described it as the equivalent as putting another mortgage on your home and trying to make it understandable to the average citizen out there who has a concern. And frankly Kansas is one of, I think a very small minority of jurisdictions where a lot of bond issues don't automatically get referred to the voters for their approval. And interestingly enough, in my studies, most of the time the voters do end up approving them once they understand the project and the benefits that they receive."*

*Commissioner Peterjohn continued, "But having said that, it's a proviso in the Kansas Constitution that all political power is inherent in the people, I'm paraphrasing just a little bit from the Kansas Constitution. But I think it's important to keep in mind that sometimes the form doesn't seem to match the substance. And I appreciate the opportunity to get to make sure that these facts are brought forth in this discussion this evening. Thank you, Mr. Chairman."*

*Chairman Norton said, "Commissioner Skelton."*

*Commissioner Skelton said, "Mr. Chronis, hey we had a discussion in my office and you indicated that you had the same discussion with the other Commissioners, and you had indicated that there is a component of feasibility use cash for this project, is that correct?"*

*Mr. Chronis said, "Yes."*

*Commissioner Skelton said, "Well, I didn't bring my crystal ball with me but I know there's got to be other road projects coming up in the county's business, is that, would you say that's reasonable?"*

*Mr. Chronis said, "Yes."*

*Commissioner Skelton said, "Okay, so what would happen to the feasibility of using cash for future projects, in your opinion?"*

*Mr. Chronis said, "You can only spend cash one time."*

Commissioner Skelton said, "Right. Well, that's great and I appreciated that and I know that we're going to allocate this cash sometime or another, and we can't spend it twice, so my opinion today is I don't care what we do. If we spend cash or use the bonding. So I just, you know, throw that out there and listen to what other Commissioners have to say. Thank you."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I'll talk about this a little bit, I've opposed this bonding, I opposed it last year and I'll oppose it this year and I want to explain why and hopefully continue to have a discussion on this. We have for some number of years been routinely bonding \$4 million a year for roads and bridges. Now, I don't think that's good fiscal policy because I consider roads and bridges to be one of our top priorities here at the county, right behind Fire [District No. 1], EMS (Emergency Medical Services), and the Sheriff's. And we don't, on a yearly basis, bond out to pay for the services of the EMS, Fire and the Sheriff, and I don't think we should do the same thing here. This should be a priority and we need to pay for these funds with cash every year. Not just this year, but every year, either with the sales tax or property taxes or both.

"Now we have some alternatives here, we could eliminate this \$4 million we borrow a year and then return the \$1.6 million that we take from Public Works out of the sales fund to pay for the bond and interest, and that would just reduce the amount we spend by \$2.4 million a year.

"Now I've been told that that would be enough to do our maintenance and do some projects a year, some others would get pushed down the road, but if there's anything that important I would say we should use property taxes to pay for this and not borrow the money for a basic essential function of our government here. I don't think that's good fiscal policy and it's not necessary based on everything that I've gathered to borrow routinely \$4 million a year. Just because we can borrow it doesn't mean we should, and over time we spend more money in interest and that takes away from the services that we could have provided. So, as you know this has been a concern of mine, just in general, how much we borrow. I think we need to plan a little bit further ahead and try to avoid doing this as much as possible and I'm convinced that this is an area that we could do without bond funding. If we just reduced it a little bit, we would not have any deterioration of our roads in this county, Mr. Spears does a great job taking care of those, I just think that in the long run this is a more fiscally sound approach to take when you're talking about one of our essential functions over county government. Thank you."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman, I've got a question for Chris. In the back up material it says that an alternative is to repay the debt with the sales tax drawn down with the Sheriffs sales tax that are dedicated to road and bridge construction projects. At what point would that, is tonight the point of which we would be discussing this going forward or...I'm interested in terms of understanding all the ramifications, because sales tax, if it's dedicated for highway and property tax relief that the county receives, you know, if this is an alternative I want to understand if that's something that as policy makers, this would be the appropriate time to bring that up or is that more of something which would be part of our budget deliberations? Because

as I understand it, we're already talking about basically approving this within the 2012...for 2012."

Mr. Chronis said, "These bonds are scheduled to be sold in 2012 and the projects that they will finance are in the Capital Improvement Program to be constructed in 2012. The method of repayment of the bonds, should you decided to issue them, is something that we have plenty of time to discuss. That is not a decision that needs to be made tonight, or for that matter even discussed tonight if you choose not to. Most likely we would be deciding what funding source to use to repay this and other debt service that the county has during the annual budget adoption process."

Commissioner Peterjohn said, "Well, because if that \$273,000 in effect is basically part of the money that Commissioner Ranzau mentioned that is taken out of the Public Works budget, and as part of the, as part of that financing mechanism I'm just...I have an interest obviously in trying to see that we spend our funds as prudently and as responsibly as possible. And the more information I have on all our options certainly would be appreciated by this Commissioner."

Mr. Chronis said, "Okay."

Chairman Norton said, "Chris, what's the, excuse me, Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Chris, this process we've been using of bonding road construction projects, \$4 million a year, has been going on for...I mean, how long have we been in this type of a financing program?"

Mr. Chronis said, "A long time. I've worked here 13 years and we were doing it when I came here."

Commissioner Unruh said, "And it allows us the opportunity to complete our projects and make long range plans with this mechanism in place. It hasn't done harm to our financial strength of Sedgwick County."

Mr. Chronis said, "No."

Commissioner Unruh said, "I guess what I'm asking is, is this a successful strategy for funding our CIP road projects?"

Mr. Chronis said, "Yes. I would say it is."

Commissioner Unruh said, "And the reserves that we have right now, I guess I have two thoughts about those. One, we know that we are committed to a substantial project at I(nterstate)-235 and Kellogg in the future, which we could use these funds for when that very substantial expenditure is up for decision. At the same time I'm also thinking that the actual expense of financing this way is probably, in this environment, less than we have experienced. So, it seems to me that this is a reasonable way to proceed until we have an actual reason to deviate from this plan. And I think that we can make that decision as we go along and things are clear on one hand or on the other hand when we get faced with the problem of financing that large project on Kellogg and I-235. So, I'm going to be in support of the recommendation and to approve the authority to issue these bonds. That's all I have Mr. Chairman."

Chairman Norton said, "Maybe Joe knows this, what is the prevailing bonding rate right

*now? If we were to bid it and...*

*Mr. Chronis said, "These bonds sold as general obligation bonds by Sedgwick County with its credit rating for a 20 year maximum maturity would be sold at less than three percent in the current market."*

*Chairman Norton said, "And have I not heard that some of the rates are even lower than that?"*

*Mr. Chronis said, "Sure."*

*Chairman Norton said, "Below two percent, moving towards one percent. Is that a fair statement?"*

*Mr. Chronis said, "The shorter the term, the lower the interest rate will be."*

*Chairman Norton said, "Right. Is use of bonding part of what credit ratings look at? That your good use of money and sometimes paying cash, sometimes spreading it over a longer period of time and taking advantage of one of the tools that's in our tool box part of the credit rating that we so enjoy?"*

*Mr. Chronis said, "They look very closely at the management of the jurisdiction, at the decision making of the policy makers, and at the financial management plans and practices, yes."*

*Chairman Norton said, "Okay. How much cash do we have in that sales, in the Public Works account that's accumulated?"*

*Mr. Chronis said, "We started this year, if I remember right, I don't believe I have it with me, we started this year with approximately \$13 million I'm thinking, maybe a few million more or less either way. We expect to end this year with about \$7.7 million of sales tax dedicated to roads but not allocated to any road projects."*

*Chairman Norton said, "So that, that \$13 million is going to drop down a little bit over the course of the year."*

*Mr. Chronis said, "Yes, well during the course of the year we will receive additional sales tax revenue and we will spend money on previously approved projects. And so the net effect is that during the course of the year the balance will drop from where it started down to about \$7.7 million."*

*Chairman Norton said, "Okay, so we're already spending some of that cash..."*

*Mr. Chronis said, "Yes."*

*Chairman Norton said, "...to complete projects that we've had over the years. Is that correct?"*

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

*Chairman Norton said, "Having cash available gives us a little more fluidity and flexibility, does it not?"*

Mr. Chronis said, "Yes."

Chairman Norton said, "You pay little bit on debt service, but you keep that cash in case we would need it throughout the year. Not knowing what KDOTS (Kansas Department of Transportation) going to do, and what that money is going to do at the state level, having some cash available is probably a pretty good idea. Would that be a fair statement?"

Mr. Chronis said, "I wouldn't argue with that, with that view, no."

Chairman Norton said, "Well, I'm going to be supportive of bonding this in this year. The rates are as good as I've seen them in a long time. I can remember being Mayor of Haysville when we went from a seven percent down to a six percent one year and we thought we'd hit the lottery. And to get it down under three percent, maybe even under two percent with our credit rating, sounds like a good use of our money, our tool box, to make some things happen. So, I'm going to be in favor for at least one more year of bonding this, putting the \$4 million into a bonding and pay it off over some time. I think that's some good use of the tool box, it doesn't hurt our credit rating and it keeps us fluid and flexible with cash reserves, and I think that's really important. We had a good cash reserve going into this recession and it kept us from doing some really stupid things along, for the last couple three years. So I'm going to be supportive of that. Commissioner Skelton."

#### MOTION

Commissioner Skelton moved to adopt the resolution.

Commissioner Unruh seconded the motion.

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'm going to thank you for your question eliciting the fund balances because I've been kind of torn, I can see arguments made for doing this and for not doing this. But with the amount of cash balance that we're carrying and carrying over, one of our fiduciary responsibilities is not to take more than is necessary and frankly I'd feel more comfortable if the voters, when we do these bonding decisions, had an automatic say and not just an extraordinary say. If they literally collect, I think in this case they probably have to collect well into, well over 10,000 signatures if you combine the three percent of the gubernatorial and five percent of the total electorate to be here, so, I think these balances are high enough that this really isn't necessary and we have other options so my vote will reflect that fact. Thank you."

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

#### VOTE

Commissioner Unruh	Aye
Commissioner Peterjohn	No
Commissioner Ranzau	No
Commissioner Skelton	Aye

Chairman Norton                      Aye

Mr. Chronis said, "Thank you."

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

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

**No:** 2 - Chairman Peterjohn and Commissioner Ranzau

**Aye:** 3 - Commissioner Skelton, Commissioner Norton and Commissioner Unruh

**Present:** 0

M [12-0173](#)

AGREEMENT BETWEEN SEDGWICK COUNTY AND THE MIDWEST KARTING ASSOCIATION.

Presented by: Ron Holt, Assistant County Manager.

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

*Mr. Holt said, "This is an agreement for a five year period with the Midwest Karting Association for the exclusive use of a portion of Lake Afton Park for the purpose of sponsoring and holding up to two events per year, called the Lake Afton Enduro Kart Race. These would be two day events, on dates that would be mutually agreed upon between the [Midwest Karting] Association and the [Lake Afton] Park Superintendent. These events would need to be scheduled by April of each year, and the Association may be allowed a third event of up to two additional days. These events have taken place in the park for many years. Similar terms and conditions have been entered into in prior agreements. This is a new five year agreement for this event at Lake Afton Park. I would recommend that you approve the agreement, authorize the Chairman to sign and I'd be happy to answer any questions that you might have."*

*Chairman Norton said, "Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. Ron, we are securing all the insurance and indemnification papers we need to keep us from any liability?"*

*Mr. Holt said, "That would be correct. That would be a, that's a condition of the race that's happening, that we would have to have the proper insurance certificates and approved by the County Counselors office."*

*Commissioner Unruh said, "Thank you. That's all I have."*

*Chairman Norton said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you. And I wanted to clarify. You said that these events have been held for many years out at Lake Afton?"*

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

*Commissioner Peterjohn said, "Do you know how many years?"*

*Mr. Holt said, "I don't have a recollection of the exact number, but I've been here for 10 years and they were holding these events before I came. So, for a long time."*

*Commissioner Peterjohn said, "I know they've been out there. Thank you, Mr. Chairman."*

MOTION

*Commissioner Peterjohn moved to approve the agreement, and authorize the Chairman to sign.*

*Commissioner Skelton seconded the motion.*

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

VOTE

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

*Chairman Norton said, "Next item."*

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

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

**Present:** 0

N [12-0179](#)

APPROVAL OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND THE KANSAS HUMANE SOCIETY OF WICHITA, INC. FOR USE OF A PORTION OF SEDGWICK COUNTY PARK FOR THE PURPOSE OF SPONSORING AND HOSTING THE "WOOFSTOCK" EVENT FOR A PERIOD OF FIVE YEARS.

Presented by: Ron Holt, Assistant County Manager.

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

*Mr. Ron Holt said, "Again this is a five year request for a five year agreement. This agreement would be with the Kansas Humane Society of Wichita [Inc.] and it would allow them to continue to hold their annual Woofstock event at Sedgwick County Park. The event would be held annually on dates that would be mutually agreed upon and would be scheduled with the [Sedgwick County] Park Superintendent. Again, those dates would have to be determined no later than April 1 of each year. The term of this agreement is for five years, beginning on the date of the execution of the agreement. This event has been taken place in Sedgwick County Park, and I believe we've been doing this at Sedgwick County Park for about four or five years. We've been doing it on a year to year agreement and now we have enough background information that it looks like it makes more sense for us and for the planning of the events to do a five year agreement with them. A certificate of insurance, approved by the office of the County Counselor would be required, also, by the terms of this agreement, any closure of a controlled access to county roads would require a separate agreement and whether they have that closure or not, they would coordinate this event with the Sheriff's office with regard to traffic control upon the county roads. I would recommend you approve the agreement, authorize the Chairman to sign, I'd be happy to answer any questions."*

*Chairman Norton said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Is basically the insurance an indemnification of this agreement the same as the prior agreements?"*

*Mr. Holt said, "That would be correct. We have a standard requirement that the County Counselors office has responsibility for oversight if you will, making sure we have the correct amounts and the correct coverage's."*

*Commissioner Peterjohn said, "Okay, because, Mr. Chairman, as the Commissioner who's district surrounds Sedgwick County Park, and as the Commissioner who owns two dogs, and as the Commissioner who has taken those dogs to a prior Woofstock, I'm going to make the motion."*

MOTION

*Commissioner Peterjohn moved to approve the agreement, and authorize the Chairman to sign.*

*Commissioner Skelton seconded the motion.*

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

VOTE

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

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

*Chairman Norton said, "Thanks, Ron. Next item."*

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

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

**Present:** 0

- O [12-0165](#) APPROVAL OF AN AGREEMENT WITH PARSONS BRINCKERHOFF, INC. FOR THE DESIGN OF TWO BRIDGE PROJECTS IN SEDGWICK COUNTY: REPLACEMENT OF BRIDGE NO. 787-U-2640 ON 263RD ST. WEST BETWEEN MACARTHUR AND 47TH ST. SOUTH, B-453 LOCATED IN DISTRICT 3 AND REPLACEMENT OF BRIDGE NO. 807-Y-3005 ON 103RD ST. WEST BETWEEN 71ST AND 79TH STREETS SOUTH, B-456 LOCATED IN DISTRICT 2.  
Presented by: David C. Spears, P.E., Director of Public Works/County Engineer.

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

*Mr. David C. Spears, Director of Public Works, greeted the Commissioners and said, "In this item we are requesting your approval of an agreement for professional services with Parsons Brinckerhoff [Inc.] for design of two bridge replacement projects; B-453 is located on 263rd Street West between MacArthur [Road] and 47th Street South, and B-456 is located on 103rd Street West, which is Maize Road, between 71st Street South and 79th Street South. The 2012 Capital Improvement [Plan] program includes funding for the design of these bridges in anticipation of construction in 2014.*

*"Public Works received proposals from five professional engineering firms and reviewed them using quality based selection criteria. Parsons Brinckerhoff was selected for these projects based on their understanding of the projects, unique approach to the project design and ability to complete the work in a timely manner. As part of their submittal package, each firm was asked to provide an estimated cost to complete the work, and actual fees are negotiated after selection of the firm is made. The total cost to design these projects is \$59,300 each for a total contract amount of \$118,600. The project design work will be funded with local sales tax and we request your approval of the recommended action."*

*Chairman Norton said, "What is the will of the Board? You've heard the presentation."*

**MOTION**

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

*Commissioner Ranzau seconded the motion.*

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

**VOTE**

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

*Chairman Norton said, "Next item."*

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

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

**Present:** 0

**P**      [12-0166](#)

APPROVAL OF AN AGREEMENT WITH MKEC ENGINEERING CONSULTANTS, INC. FOR THE DESIGN OF A BRIDGE PROJECT IN SEDGWICK COUNTY: REPLACEMENT OF BRIDGE NO. 624-6-455 ON PAWNEE BETWEEN 311TH AND 327TH STREETS WEST, B-454 IN DISTRICT 3.

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

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

*Mr. Spears said, "In this item we are requesting your approval of an agreement for professional services with MKEC Engineering Consultants [Inc.] for design of a bridge replacement project; B-454 is located on Pawnee between 311th [Street West] and 327th Street West. The 2012 Capital Improvement program includes funding for the design of this bridge in anticipation of construction in 2014.*

*"Public Works received, once again, proposals from five professional engineering firms and reviewed them using quality based selection criteria. MKEC was selected for this project based on their understanding of the project, unique approach to it, and ability to complete the work in a timely manner. The total cost to design the project is \$48,000. The project design will be funded with local sales tax and I recommend your approval."*

**MOTION**

*Commissioner Peterjohn moved to approve the agreement, and authorize the Chairman to sign.*

*Commissioner Skelton seconded the motion.*

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

**VOTE**

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

*Chairman Norton said, "Next item."*

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

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

**Present:** 0

Q [12-0175](#)

A RESOLUTION PERTAINING TO STATE TRANSPORTATION FUNDING.  
Presented by: David C. Spears, P.E., Director of Public Works/County Engineer.

RECOMMENDED ACTION: Adopt the resolution.

*Mr. Spears said, "I would like to read the resolution into the record;*

RESOLUTION

*WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, is in full support of the Governor's and Legislature's common goal of improving the economy of our state and creating more jobs for its citizens; and*

*WHEREAS, the Kansas House of Representatives has proposed a \$350 million diversion of state transportation funding to finance the tax reform package in House Bill 2747; and*

*WHEREAS, several Wichita area transportation projects, including critical improvements on US 54 on the west and east sides of Wichita, could be delayed by the diversion of transportation funds; and*

*WHEREAS, a national site selection study ranks highway accessibility as the top criterion for businesses as they evaluate relocation opportunities; and*

*WHEREAS, diversion of state transportation funds would result in project delays, cost increases and the loss of economic development locally and statewide.*

*NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, THAT:*

*The Kansas House of Representatives be encouraged to reject the proposed diversion of transportation funding as it continues its search for meaningful tax reform.*

*"The City of Wichita passed a similar resolution last week. WAMPO (Wichita Area Metropolitan Planning Organization) sent a letter to both the Kansas House [of Representatives] and [Kansas State] Senate requesting that money not be diverted from the state transportation funding and I recommend that you adopt the resolution."*

*Commissioner Unruh said, "I move we adopt the resolution, Mr. Chairman."*

*Commissioner Skelton said, "Second."*

*Chairman Norton said, "Okay, we have a motion and a second, Commissioner Skelton."*

*Commissioner Skelton said, "Disregard, Mr. Chairman."*

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

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'm going to suggest that we defer this item and specifically because it seems like events have superseded while this resolution has been in place. It talks about a tax bill, [House Bill] 2747, but I've got the bill index [March 8 edition/publication, 2012 Senate and House Actions Report*

and Subject Index Report] for today, I was up in Topeka, along with several of you all, and this bill is still in committee, it's not gone anywhere. However, another bill actually had final passage voted upon on tax issues, and is off to the Kansas Senate. It's a different bill number, and I was trying to get some information, and the information I've gotten isn't completely clear on where we are with this piece of legislation.

Commissioner Peterjohn continued, "But I recommend to my colleagues that if we're going to mention a resolution with a specific bill in it, it might be a good idea to have the right bill number.

"And I don't know if you would entertain postponing it and maybe doing a little redrafting, I have put together a more general resolution, because I do know that tax reform is an important aspect of Governor Brownback's proposals. And I think this resolution in its current form is very misleading, because I don't think House Bill 2747 is going to be on the floor of the House [of Representatives], let alone getting to the Governor's desk any time in the foreseeable future. But that's just my suggestion, we've got a recommendation here, and I would be interested in hearing my colleague's thoughts on this."

Chairman Norton said, "Okay, Commissioner Ranzau."

Commissioner Ranzau said, "Thank you Mr. Chairman. Yes, you know, I checked my email before I came in here, and I think there was just a recent vote to put that transportation money back in. That may have just happened today, so once again, I think it may be a mute point. I think we need to follow up and check on that."

Chairman Norton said, "Okay, Commissioner Skelton."

Commissioner Skelton said, "Well, it's my understanding that yeah, there was a vote today, but it's still not a mute point because this can go forward. Something technical, like a bill number, is really in my opinion no reason to delay this important and urgently needed action. I'm supporting moving forward. If I could just ask the legal department if we adopt this resolution, can we have the appropriate bill number, or other language, to be inserted by you to meet the relevant circumstance?"

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Yes, we can. But, I don't know that this is the wrong bill number."

Commissioner Skelton said, "Okay, I appreciate that."

Mr. Euson said, "Commissioner Peterjohn, as far as I know this is the correct one. Isn't this the bill that's in committee now?"

Commissioner Peterjohn said, "I'm sorry, did you say Senate Committee?"

Mr. Euson said, "Isn't this the House Bill that's gone to committee?"

Commissioner Peterjohn said, "It's gone to the Senate?"

Mr. Euson said, "Another substitute bill, or another bill, which..."

Commissioner Peterjohn said, "Actually, the bill, there's an entirely different bill that, the tax bill that they passed on final action today has an entirely different number. But, um..."

*Mr. Euson said, "But this bill..."*

*Commissioner Peterjohn said, "This bill is still in committee, and it's still in the House Tax Committee."*

*Mr. Euson said, "Well, it could certainly come out of that committee, couldn't it?"*

*Commissioner Peterjohn said, "Well, any bill can come out at any time. My point is that the package of tax reform that the Legislature was considering actually went over to the Senate, and it passed, I believe, on a 68 to 56 vote, but it was a different bill number. And the clarity, in terms of the issue at hand concerning transportation funds, I struggled to find that information when I was up there. Maybe one of my colleagues who was also up there today had more success in getting the information. I would be interested in hearing if they were successful in doing so. I was not."*

*Mr. Euson said, "Okay, well, I think the bill number is correct. And if another bill is passed out of the House today, with a different bill number that restores the transportation funding, it still doesn't mean that this one couldn't come out of committee and conflict with that. And then there would have to be a conference committee to work that out between the House and the Senate. But, I don't know that it's inappropriate to go ahead and pass this."*

*Chairman Norton said, "Commissioner Unruh...is that all Commissioner Peterjohn? Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. I would concur with the Counselors advice and that in light of the fact that this is essentially identical language to the resolution approved and passed by the [Wichita] City Council. In light of the fact that it clearly states our intention, the spirit and intent of what we want to accomplish, that we want the transportation funding restored or left alone in its original allocation for doing highway projects in our area."*

*"I am going to continue to be supportive of adopting this resolution and moving it forward. I don't think it will cause any confusion to our colleagues. I don't think that even if it is totally restored statutorily that this would create any harm by approving this and sending it forward. So I'm still going to be supportive. That's all I have, Mr. Chair."*

*Chairman Norton said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Well, sound like we want to go ahead and proceed, regardless if have the right number or not. I'm going suggest an alternative, and make a substitute motion for the resolution to say;*

#### **RESOLUTION**

*WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas is in full support of the Governor's and the Legislators common goal of improving the economy, creating more jobs for its citizens, and improving our tax code; and*

*WHEREAS, several Wichita area transportation projects, including improvements on US 54 on the west and east sides of Wichita, could be delayed depending upon proposed legislative actions; and*

*WHEREAS, Kansas currently ranks high on almost every study for highway accessibility and this is an important criterion for business expansion and relocation; and*

*WHEREAS, creating a positive fiscal and tax climate for this state is important in making Kansas economically competitive; and*

*NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT:*

*The Kansas legislature should be encouraged to create meaningful tax reform that does not harm critical transportation needs and keep US 54 improvements in Sedgwick County at the top of KDOT's priority list.*

*"That's my substitute resolution motion."*

**SUBSTITUTE MOTION**

*Commissioner Peterjohn moved to make the Substitute Resolution.*

*Commissioner Ranzau seconded the motion.*

*Chairman Norton said, "Okay, we'll have to vote on that first. So, we do have a motion on the floor. So, we'll take the substitute motion first. Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. Well, I just wanted to state that I appreciate Commissioner Peterjohn's hard work on creating a substitute resolution, but to me I think it clearly does not state the intent of the original resolution. There is considerable difference in language. It says that we want to keep this at the top of KDOT's priority, and the definitive statement we had was that we do not want them diverting \$350 million worth of funds.*

*"The Commissioners resolution, to me, if I was a state legislator, would imply that, well, just keep repairs and improvements on US 54 high on the priority, but if you want to divert the money that's okay, because you're keeping it high on the priority. And that's not what I want to do. I think that we worked hard to get approval of this from the Governor's office through our WAMPO organization, and we had a hard discussion about this from this bench. That we think that [US] 54 and [Interstate] 235 is a high priority intersection that needs to be repaired.*

*"We are also working in partnership with the City of Wichita in making sure that the turnpike Webb Road intersection is rebuilt, and that the Greenwich [Road] and 54 intersections rebuilt. And so, language in the proposed substitute resolution, I think, just totally takes the edge off of what we want to accomplish down here. And that has been promised, and verified with great pomp, circumstance and fanfare by the Governor's office, and all the folks in this area when we celebrated that decision several months ago out by the old K-Mart store. I think, I mean, it has been clearly stated to me that to divert that \$350 million would set those projects all back many, many years. And that is not what I want to do. And so I want to clearly give the message to our [Kansas State] Representatives in Topeka that we do not want to divert the \$350 million.*

*"And so I'm going to stand in my support of the original resolution. And I know that interchange rebuilding on the west side of town was not, Commissioner Peterjohn was not favorably disposed to support that, so I understand a lot of that motivation. But, I think it's important to our community, and I want to do all I can to make the funding stays in place. That's all I have Mr. Chairman."*

*Chairman Norton said, "Commissioner Skelton."*

*Commissioner Skelton said, "Thank you Mr. Chairman. I also think those...Dave that was very well said and I would just concur with his statements."*

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

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Well, while I'm not surprised, I am disappointed in hearing the comments, because we face a real challenge, and the challenge is not only having good transportation, but also having tax reform. It's on the top of the Governor's priority list. I've seen national editorials from nation publications, and I shared those with my colleagues in terms of what we're trying to do to try and make Kansas more competitive at a time when our economy is in really, really poor shape."*

*"And my alternate transportation resolution that I'm providing here tonight doesn't include any bad bill numbers, it doesn't include, it hasn't been superseded by events, it doesn't pick on one House of the Legislature, and I wonder about the motives of it. Because, this resolution that the city signed into seemed to have problems with the way transportation money has been shifted back and forth. Sadly, in my observation as an advocate for taxpayers for a decade and a half up in Topeka, that was almost an annual occurrence. And suddenly, all of a sudden, in the middle of our legislative session we picked out one obscure bill that hasn't even made it out of a committee, let alone voted on the floor of either House of the Legislature."*

*"So, my alternate resolution tried to provide broad general language that I thought would be agreeable for everyone here. It would be supportive of the priorities in terms of improving transportation, but also trying to work with our colleagues in Topeka. And whether they are in the Kansas House, whether they are in the Kansas Senate, or whether it Governor Brownback and his staff, I think the resolution that I proposed here is far superior to the one that was put into our agenda today. And I guess we can rubber stamp a city council resolution, but I think we can do better. And this resolution that I've proposed I believe is better. And so I will supporting it tonight even though I'm afraid the outcome will not be what I would like to see. Thank you Mr. Chairman."*

*Chairman Norton said, "Commissioner Skelton."*

*Commissioner Skelton said, "Well, Mr. Chairman, my motives for this are quite simple. I become very disappointed when I drive far east Kellogg on a regular basis, and I look at the long line of cars, I look at the frustrated drivers, I see the expressions on their face, I see police cars, I see accidents, I see tow trucks, and yes, I've seen ambulances and fire trucks, and it's not a good situation. And I think it's unreasonable that citizens of Wichita should tolerate this very deficient piece of infrastructure that's just not complete. It's important that we continue that project, and the real issue here is the state, the leaders in the state, do not need to rob the KDOT fund of \$350 million."*

*"You know, our resolution here today according to our attorney, can be amended if there is a discrepancy. But I trust Richard's judgment and the way that he put the resolution together. Certainly, I think the bill number is a fact, a petty consideration, because the real issue is \$350 million dollars out of KDOT fund.*

*Commissioner Skelton continued, "Okay, and if you want to look at the cost that having this incomplete piece of infrastructure on the east side is to the citizens, I bet you it's pretty high. Okay, so, Richard, who wrote this resolution? Did you copy this per verbatim off the city's, or what?"*

*Mr. Euson said, "It's pretty, yes we prepared it. And it's pretty close to what the City of Wichita did."*

*Commissioner Skelton said, "Well, I do appreciate that. Because, I think it's important that the city and the county work together for common interests. And certainly I do not view this as rubber stamping a city agenda. I think that's divisive language. I prefer to use the language as I am happy that we have developed language that is similar so that we can send a clear message. Thank you Mr. Chairman."*

*Chairman Norton said, "Certainly, as we had early discussions, and I sat down on the discussions as WAMPO chair, early on we knew that we would be full partners with the state, the city, and the county. Now, not every Commissioner had that opinion. We took it through a rigorous process. We voted and we moved forward to put money into at least one project. And I am of the opinion, as WAMPO chair, and as Chair of the Commission, that this is a legitimate way to communicate to our legislators, much like we did today as we went to Topeka, what are issues are. And transportation is important. And we find ourselves with several transportation infrastructures that are controlled by the state. And this is the 235 and Kellogg interchange, and the turnpike interchange at 54, all because state funding is very important to us. So, I'm going to be supportive of sending a message to our colleagues at the state and to let them know that this is important to us.*

*"I'm okay with this resolution, the truth is in the last week, I don't know that you'll ever get all the bill numbers right because it is a fluid process right now at the state. They come and go at great will, and can be attached to other bills in the blink of an eye. So, I think the essence, and I believe the intent in spirit as Commissioner Unruh said, is right on. It is the message I want to communicate, and I don't have a problem with moving forward. Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you, Mr. Chairman. I want to make sure my colleagues don't misunderstand the motivation, at least the way I see it. This alternative language has nothing to do with the fact that we disagreed on a previous vote. At least that was never discussed that I heard of. It's just, there's a few issues here that Commissioner Peterjohn feels like could be better to state it another way, and be in more general terms. Although when you talk about US 54 improvements, in my mind that includes all them. Even the ones we disagreed on.*

*"So, I want, whether we agree on this particular vote or not, for my colleagues to understand that this is not motivated by that previous vote. I think it's maybe just a better way to do the wording. I think, in general, we are in agreement that we don't want them to take the money away. It's just a different wording, and I'll be honest I do prefer the one that Commissioner Peterjohn has recommended. But, I think in the end we still have the same intent. And there's no other motivation here. So, thank you."*

Chairman Norton said, "Okay, I so no other lights, so I will call second motion, the substitute motion, the vote on that."

VOTE

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

Chairman Norton said, "At this point I will call the original motion that we have a second on. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I appreciate Commissioner Ranzau's comments, and although there was a divided vote on this Commission concerning the diversion of county funds, albeit way out in the future, in fact it was so far out it couldn't even be included in our CIP plan, and so I don't know how that's relevant to legislation that's supposed to be imminent and right in front of us today. I do agree with his intent, I was hoping that my more general language we could avoid the problem of rapid legislative changes. And whether it's bill numbers, dollar amounts, and which house it's in, I would certainly feel more comfortable if we had our i's dotted and t's crossed in a way that would not make this resolution, perhaps, inaccurate the moment after we passed it, and put pressure on our staff to have to try and figure out where the legislative ball is bouncing exactly at the state house at this point in time.

"And while I'm disappointed in the previous legislation, and I think we could work to generate a language that would be helpful here. And I don't think working on language is divisive. I find it frustrating when we get a situation where we're all supposed to jump in, and we can't...we had an opportunity to talk to our legislators in Topeka on this, and there were a lot of other issues that we had to talk while we were up in Topeka today. And so, I think that this resolution could have had more discussion during our Topeka visit. And I wish we had been in position when we were all in that room together with the South Central Delegation, and maybe they could have clarified exactly the dollar amount.

"Now, I had to step out briefly with a discussion with one legislator, so I didn't catch everything that was discussed, and perhaps one my colleagues who was in for that meeting, the exact dollar amount on the diversion was discussed, and we do have a more accurate figure as of this afternoon. But, I didn't hear it in my subsequent discussion, and I think it would be helpful if we're going to be this specific, I mean that's the first time since I've been on the Commission we've mentioned a specific, that I can recall, a specific bill number for a resolution as part of a basically, I guess, a supplement to our legislative agenda. So, I provide these comments because I thought there would be a way to make a more effective intention of this Commission, but I'm not going to go along with having a resolution in place where there are i's remaining to be dotted, and t's remaining to be crossed. And so my vote will reflect that fact this evening. Thank you, Mr. Chairman."

Chairman Norton said, "Madam Clerk, call the vote."

MOTION

*Commissioner Unruh moved to adopt the Resolution.*

*Commissioner Skelton seconded the motion.*

**VOTE**

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

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

*Chairman Norton said, "Thank you, Dave. Next item."*

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

**No:** 2 - Chairman Peterjohn and Commissioner Ranzau

**Aye:** 3 - Commissioner Skelton, Commissioner Norton and Commissioner Unruh

**Present:** 0

R [12-0190](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON MARCH 8, 2012.

Presented by Joe Thomas, Acting Director, Purchasing Department.

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

*Mr. Joe Thomas, Acting Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the Board of Bids and Contracts of March 8th results in five items for your consideration. Item 1;*

1. 2012 ASPHALT SURFACE REJUVENATION (R-175A) -PUBLIC WORKS FUNDING -R175 PREVENTIVE MAINTENANCE -SELECTED RDS.

*"The recommendation is to accept the bid from Cutler Repaving, Inc. in the amount of \$1,103,715.65. Item 2;*

2. 2012 CHEVROLET TAHOE POLICE PACKAGE -- FLEET MANAGEMENT FUNDING -- FLEET MANAGEMENT

*"The recommendation is to accept the low bid from Don Hattan Chevrolet in the amount of \$78,088.50. Item 3;*

3. TIME & LABOR MANAGEMENT SYSTEM -FINANCE DEPARTMENT FUNDING -TIME MANAGEMENT SYSTEM

*"The recommendation is to accept the proposal from Kronos, Inc. for the Time & Labor Management System in the amount of \$590,251.00 and establish contract pricing for time clocks and biometric recorders as stated above for two years. Item 4;*

4. SPECIAL PROCESS SERVER—18th JUDICIAL DISTRICT COURT, OFFICE OF THE COURT TRUSTEE FUNDING --18th JUDICIAL DISTRICT COURT, OFFICE OF THE COURT TRUSTEE

*"The recommendation is to accept the proposal from HPS Process Service and Investigations, Inc. and establish contract pricing for one year with two one-year options to renew. Item 5;*

5. 2011 CHEVROLET CAPRICE PATROL VEHICLE --FLEET MANAGEMENT FUNDING --FLEET MANAGEMENT

*"The recommendation is to accept the low bid from Perkins Chevrolet for the amount of \$55,982.00.*

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

*Chairman Norton said, "You've heard the report of Bids and Contracts. What's the will of the Board?"*

MOTION

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

Commissioner Skelton seconded the motion.

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

VOTE

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

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

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

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

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

**Present:** 0

**CONSENT**

- S**     [12-0167](#)     Approval of an updated Memorandum of Understanding regarding the Wichita/Sedgwick County Exploited and Missing Child Unit (EMCU).
- T**     [12-0159](#)     Contract Renewal with Kansas Department of Social and Rehabilitation for shared Exploited and Missing Childrens Unit (EMCU) funding.
- U**     [12-0170](#)     One (1) Permanent Easement for Drainage for Drainage Maintenance Project 825-V; Clifton & 55th Street South, D-20. District 5.
- V**     [12-0163](#)     Plat  
Approved by Public Works. The County Treasurer has certified that taxes in 2011 and all prior years have been paid for the following plat:  
  
Camp Hyde Addition.
- W**     [12-0164](#)     Plat  
Approved by Public Works. The County Treasurer has certified that taxes in 2011 and all prior years have been paid for the following plat:  
  
Resource Recovery Management Addition.

- X     [11-1251](#)     Payroll Check Register.
  
- Y     [11-1286](#)     General Bill Check Register.
  
- Z     [11-1287](#)     General Bill Check Register.
  
- AA    12-0161     Order dated 02/24/2012 to correct tax roll for change of assessment.
  
- AB    12-0171     Order dated 03/01/2012 to correct tax roll for change of assessment.

*Mr. Holt said, "You have the Consent Agenda before you, I'd recommend approval."*

**MOTION**

*Commissioner Skelton moved to approve the Consent Agenda.*

*Commissioner Unruh seconded the motion.*

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

**VOTE**

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

*Chairman Norton said, "We're at that time for 'other' in our agenda, are there other items to come before us?"*

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

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

**Present:** 0

OTHER

Commissioner Skelton said, "I have an appointment [inaudible]..."

Chairman Norton said, "Can we take that as an off agenda item or do we need to have that..."

Commissioner Skelton said, "Yes, that's appropriate, I want to get it on in next weeks agenda."

Chairman Norton said, "Okay."

Commissioner Skelton said, "That's good."

Chairman Norton said, "I would say you just need to get with Richard and he can get it on the agenda."

Commissioner Skelton said, "Here's the..."

Mr. Euson said, "Are you trying to..."

Commissioner Skelton said, "I will to appoint somebody next week to the MAPC (Metropolitan Area Planning Commission) and that's the information you need to know who it is."

Mr. Euson said, "Okay, are you needing to do this before the 28th?"

Commissioner Skelton said, "Um..."

Mr. Euson said, "Because you won't meet again until the 28th."

Commissioner Skelton said, "I don't know that, I have a..."

Mr. Euson said, "Let's see, MAPC met today, so they probably don't meet...no, I'm sorry, they meet tomorrow so they probably don't meet again until the 29th."

Commissioner Skelton said, "Okay, so I think that will work."

Mr. Euson said, "Okay."

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

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I've got a couple things I want to talk about. I've got some good news and bad news, we'll talk about the bad news first. The bad news is our national debt is up to \$15.5 trillion. That's \$136,966 per taxpayer. Now, the good news is our Congressman Pompeo has introduced a bill called HR 3994. This is called the Grant Return for Deficit Reduction Act and it is intended to give states and localities the option to return unused federal grant funds to the federal fund or treasury for the purpose of deficit reduction. Now to some this may not seem important or may seem like a small gesture, but I think it's very important because at some point states and local municipalities have got to make the decision

*to become part of the solution rather than part of the problem with respect to our national debt, and this is one way that would allow us to do that. And I appreciate the efforts of Congressman Pompeo and wanted to get that out there for the citizens to know and I urge them to contact his office and thank him for his efforts. He is optimistic this will get worked at least in the House, but we don't know what will happen in the Senate. Once again, that's HR 3994. Thank you, Mr. Chairman."*

*Chairman Norton said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'll agree with Commissioner Ranzau and commend Congressman Pompeo for House Resolution 3994 and wish him well in getting it through legislation in the United States Congress. I wanted to provide a brief report today, because Sedgwick County helped sponsor the South Central Legislative Delegation luncheon in Topeka today and I, we had presentations the Chairman provided, I think the priority list that the majority of this Commission has agreed to and has expressed concerns. I would hasten to add that I continue to have a concern about the fact that the state has placed, under state law, convicted felons instead of putting in the Department of Corrections in the State Penal System have placed them in the Sedgwick County Jail. And I believe that is an issue of significance and importance. I'd like to see more attention and discussion in that item, in that area. And also want to recognize my county colleagues who were also on the trip because obviously the county's lobbyist up there, Marv Duncan, was present and our head of Communications, Kristi Zukovich, and our County Manager, Bill Buchanan, were there as well as Commissioners Ranzau, Unruh and Chairman Norton and myself. So, there was a lot of useful information and a lot of opportunities to visit one on one with individual state representatives and state senators that I found very helpful and informative. So, I wanted to provide a report to constituents in terms of the discussions we had both there and also getting an opportunity to watch the House in action when they passed a tax package, I believe it was a 68 to 56 vote, Senate to the Senate, concerning their latest tax bill and the effort to provide real tax reform in Kansas and undertake the challenge that Governor Brownback had with them earlier today. So I did have that opportunity and did want to provide a report. Thank you, Mr. Chairman."*

*Chairman Norton said, "Okay, well I think we're about done. I have one final thing and that's go [Jay]hawks, go Wildcats and go Shocks!"*

*Commissioner Peterjohn said, "I think we're in complete agreement on that."*

*Mr. Spears said, "In that order."*

*Chairman Norton said, "Do what?"*

*Mr. Spears said, "In that order. You said go hawks first."*

*Chairman Norton said, "We will strike the record from what Dave Spears gave us, but I think everybody is proud to be a Kansan right now and certainly we're proud of our local team Wichita State [University] as they're in the NCAA (National Collegiate Athletic Association) and we hope they all move forward, because it's a fun time during March Madness. And with that, we are now adjourned."*

**ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 8:47 p.m.*

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

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

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

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*KARL PETERJOHN, Commissioner  
Third District*

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

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*JAMES B. SKELTON, Commissioner  
Fifth District*

ATTEST:

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

APPROVED:

\_\_\_\_\_