

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes - Final

Wednesday, April 4, 2012

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

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

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

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

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

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:05 a.m. on Wednesday, April 4, 2012, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim R. Norton, with the following present: Chair Pro Tem James B. Skelton; Commissioner David M. Unruh; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Claudia Blackburn, Director, Health Department; Ms. Bev Baalman, Marketing Director, COMCARE; Mr. Troy Bruun, Deputy Chief Financial Officer; Ms. Sara Jantz, Director, Accounting; Ms. Dorsha Kirksey, Executive Director, Sedgwick County Housing Department; Ms. Bev Dunning, Director, Extension Office; Mr. Joe Thomas, Acting Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee, Deputy County Clerk.

GUESTS

*Dr. Evelyn Hume, Dean, Friends University Graduate School
Ms. Arneatha Martin, Recipient of the 2011 Doren Fredrickson Lifetime Commitment to Public Health Award
Dr. Edwards Dismuke, Recipient of the 2012 Doren Fredrickson Lifetime Commitment to Public Health Award
Ms. Cornelia Stevens, South Central Regional Director, Kansas Children's Service League
Mr. Dave Trabert, President, Kansas Policy Institute
Ms. Shelly Hammond, Vice President of Assurance Services, Allen Gibbs & Houlik, LC
Mr. John L. Schlegel, Director, Planning Department
Ms. Mary Kay Ricke, 104 North Tarabury, Wichita
Mr. Kent Winter, 7359 North 215th Street West, Wichita
Ms. Sandra Connary, 2340 South Pershing, Wichita
Mr. M.S. Mitchell, 1215 North Forest Avenue, Wichita
Mr. Charles Girrens, PO Box 51, Bentley
Ms. Sandy Hawk, 2159 South Park Wood, Wichita
Mr. Pat Bullock, 1809 South Cypress, Wichita
Ms. Helen Cochran, 9441 Bent Tree Circle, Wichita
Mr. James Kilpatrick, 2101 West MacArthur Road No. 719, Wichita
Mr. Ric Woolsey, 2241 South Upland Hills Court, Wichita
Ms. Shirley Koehn, 442 South Waverly Street, Wichita
Representative Dennis Hedke, Kansas Representative District No. 99
Mr. John Stevens, 3125 East Boston, Wichita
Representative Benny Bowman, Kansas Representative District No. 95
Mr. Dane Baxa, 1503 North Kentucky, Wichita
Representative Joseph Scapa, Kansas Representative District No. 87
Mr. John Todd, 1559 Payne, Wichita
Mr. John Axtell, 3154 North Ridge Port Street, Wichita
Mr. Tim Witsman, President, Wichita Independent Business Association
Mr. Bob Weeks, 2451 Regency Lakes Court, Wichita
Representative Mario Goico, Kansas Representative District No. 100
Ms. Susan Estes, 151 South Whittier, Wichita
Mr. Joe Yeager, Chief Executive Officer, Regional Economic Area Partnership*

INVOCATION

Led by Blake Langhofer, Pathway Church

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

12-0239

REGULAR MEETING OF MARCH 14, 2012.

All Commissioners were present.

Chairman Norton said, "Commissioners, the minutes are before you. What's the will of the Board?"

MOTION

Commissioner Skelton moved to approve the Regular Meeting minutes of March 14, 2012.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Norton said, "Next item."

A motion was made by Commissioner Skelton, seconded by Chairman Peterjohn, 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

PROCLAMATIONS

B [12-0237](#)

PROCLAMATION DECLARING FRIENDS UNIVERSITY GRADUATE EDUCATION MONTH.

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, Friends University was founded in 1898, and the first graduate programs at Friends University were offered in 1986; and

WHEREAS, through experienced faculty, cutting-edge learning techniques, and practical applications, Friends University now offers 12 graduate programs ranging from business to health care to teaching and beyond; and

WHEREAS, Friends University offers flexible scheduling so that adults can continue other responsibilities while furthering their education; and

WHEREAS, graduate education instills knowledge and integrity in our future business and community leaders.

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

'FRIENDS UNIVERSITY GRADUATE EDUCATION PROGRAMS'

and celebrate 25 years of graduate education contributions to our community.

"Commissioners, you've heard the proclamation. What's 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 we have Dr. Evelyn Hume, a Friends University Dean of Graduate School here to accept the proclamation."

Dr. Evelyn Hume, Dean, Friends University Graduate School, greeted the Commissioners and said, "Thank you very much. I also have one of our graduate instructors, Susan Erlenwein, who is with the county. She teaches for us on an adjunct basis. So I'm happy to have her with me here this morning, also. Thank you very much for this proclamation. Friends University is proud to be a part of Sedgwick County. We've provided graduate education for professionals for 25 years, and we've been providing undergraduate education for over 100 years.

"So Chairman Norton, thank you very much for this proclamation, councilmen, excuse me, wrong word, Commissioners, I'm sorry, Commissioners, thank you for approving this proclamation."

Chairman Norton said, "You're welcome. And we do have a comment. Don't run off. Commissioner Unruh."

Commissioner Unruh said, "Well, Dr. Hume I just wanted to express our appreciation for the good work that Friends University has done in our community and for the leadership of its staff. I know that you just recently installed a new President at the [Friends] University, so congratulations on that. But we have benefited here at Sedgwick County through the great programs you have, as Susan Erlenwein is a fine example of that. But, you're a valuable part of our community, and we just want to express our appreciation."

Dr. Hume said, "Thank you very much, Mr. Unruh. Appreciate those comments and thanks to all of you."

Chairman Norton said, "Thank you. Madam Clerk, 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

C [12-0211](#)

PROCLAMATION DECLARING NATIONAL PUBLIC HEALTH 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, the week of April 2nd-8th, is National Public Health Week, and the theme is 'A Healthier America Begins Today. Join the Movement'; and

WHEREAS, our health is affected by many things, including culture, environment, social influences, individual behaviors and access to health care; and

WHEREAS, individuals can help control their health by being aware of certain risks, choosing a healthy diet, avoiding tobacco, maintaining an active lifestyle and receiving annual preventive check-ups; and

WHEREAS, every day, public health heroes work tirelessly to reinforce these messages and do their part to influence change; and

WHEREAS, one of the Sedgwick County Health Department's public health heroes, Dr.

Doren Fredrickson, passed away in 2008 after dedicating his life to the health of the Sedgwick County community; and

WHEREAS, Dr. Frederickson's legacy and that of many other health heroes are commemorated through the annual Doren Fredrickson Lifetime Commitment to Public Health Award.

NOW, THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 2-8, 2012, as

'NATIONAL PUBLIC HEALTH WEEK'

"Commissioners, you've heard the proclamation. 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 Claudia Blackburn is here with other folks to accept the proclamation."

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "Thank you, Commissioners and Board of Health members, for the National Public Health Week Proclamation. My name is Claudia Blackburn. I'm the Health Director for Sedgwick County. And we appreciate this time to remember the mission of Sedgwick County Health Department, which is 'To improve the health of our residents through preventing disease, promoting wellness and protecting the public from health threats'. And that's a tall order, one that we cannot do alone. We need the entire community engaged in this process. We certainly appreciate your engagement. We also need the engagement of schools and businesses, the health care system, our providers and the Health Department staff, of course. So among the professionals that are devoted to public health are the Health Department staff, and I would like to thank those that organized this event today, Becky Tuttle, Kim Neufeld, Sonja Armbruster and Pamaline King-Burns, I think did the lion's share of the work, and I really want to extend my appreciation to them. They always make me look good.

"We celebrate this National Public Health Week by awarding the Doren Fredrickson Lifetime Commitment to Public Health Award to a member of our community who has demonstrated the type of passion for improving community health that Doren, Dr. Frederickson, brought to the residents of our community every single day. He was very passionate about what he did. We are thankful to have the two previous recipients here with us today, Pat McDonald and Arneatha Martin. And we are also delighted that Dr. Frederickson's parents, Pat and Ron Frederickson, could be here today, and his aunt and uncle, Dwayne and Nancy Frederickson.

"Today we honor Dr. Ed Dismuke with this award. Dr. Dismuke I first met when I interviewed for my job in 2005 and I remember he was sitting right to my right.

"He was very open and friendly and warm, and then out popped this really hard question, which is something that he's, about what I thought about access to health care and public health responsibility. And he's been posing thought provoking questions ever since. He always makes me think and always is willing to engage in critical dialogue. Dr. Dismuke's distinctive service to this community is far greater than we have time to share today, but a few key highlights to note include that Dr. Dismuke led the first Community Health Assessment and Community Health Improvement Plan from 1995 to 1997. From 1997 to 1998, he served as the Acting Medical Director for the Wichita/Sedgwick County Department of Community Health. That's when the Health Department was part of the city, completely part of the city.

"He's helped assure access to care, which is a core function of public health in two significant ways. He served on the founding board of directors for Project Access, and he currently serves as the Medical Director for the Center for Health and Wellness, one of our federally qualified health clinics. Assuring a competent public health workforce is one of the 10 essential standards of public health, and Dr. Dismuke has educated hundreds of medical students in public health, students over the years, and many of them have come back to do great things in our community, or never left our community. From 1998 to 2001, he was the Kansas Health Foundation Distinguished Professor in public health.

"He then served as the Dean of the KU (Kansas University) School of Medicine in

Wichita, and he founded the course that fourth year medical students are required to take called Health to the Public. And he is now teaching that course to medical students to strengthen their understanding of public health and what possible roles they may play in their future in their work. For these efforts and countless more that are too numerous to list here we thank you, Dr. Dismuke, for your service to the residents of Sedgwick County. And I'm going to call on Arneatha Martin, our last year's award recipient, to present him with his award."

Ms. Arneatha Martin, Recipient of the 2011 Doren Fredrickson Lifetime Commitment to Public Health Award, greeted the Commissioners and said, "Dr. Dismuke, please join me at the podium. Congratulations on your selection of the 2012 recipient of this award and I thank you so much for your service and commitment for improving the health of Wichita and the public community. I would also like to say that Dr. Dismuke was on the Center for Health and Wellness Board at the very, very beginning, helped us raise the \$2 million to help build a state of the art facility for the community for prevention and wellness, and we...I just adore him, because he's the greatest, and he loves the community, and he and Doren are, they could be brothers, actually, in the things that they do for the community."

Dr. Edwards Dismuke, Recipient of the 2012 Doren Fredrickson Lifetime Commitment to Public Health Award, greeted the Commissioners and said, "Thanks, so much. Who do I give this to?"

Chairman Norton said, "Well, after that little bit of love fest, we'll let you speak now."

Dr. Dismuke said, "I know you've got a full agenda, and it's very presumptuous of you, can I take..."

Chairman Norton said, "Take all the time you want."

Dr. Dismuke said, "Just a couple minutes. This is a great honor and privilege to receive local recognition for public health, but it's especially honoring and a privilege to do it in the name of my good friend Doren Frederickson. I would like to think that I recruited and hired Doren as one of my first faculty members in our brand new department of Public Health and Preventive Medicine in Wichita in 1993, but the truth is that Doren's parents, Ron and Pat, and his grandparents and their farm is what recruited Doren, and the school of medicine and Sedgwick County were the recipients of that recruitment.

"And this award is very special to me because Doren and I shared so many interests, passions and values related to health and health care and especially the value of social equality that Doren manifested as well as the fair distribution of public funds. And it's a privilege to follow Pat McDonald, who I walked in with, and Arneatha whom introduced me. It's privileged company, and it's very honoring that this would be Public Health Week appropriately, because public health is not about individuals and health champions and so forth. It's really about partnerships and collaborations and interdisciplinary teams. For me to be able to live and work in Wichita and Sedgwick County has just been a wonderful blessing for me, and I can't imagine living in a better place. So let me just do a couple of thanks, and I'll end.

"But I especially want to thank my two employers, University of Kansas School of Medicine and my many colleagues and friends who do so much good work there

educating doctors and public health professionals and contributing to the community, and the Center for Health and Wellness, and I know a lot of my good colleagues there are here, and especially our good neighbor, the Sedgwick County Health Department, which is next door, and Claudia and all of your wonderful staff. But other partners that I've had the privilege of working with, including our colleagues at Wichita State [University], United Way, the Medical Society and its Project Access, Wichita Business Coalition on Public Health, our partners at QHC (Queens Hospital Center), Grace Med and Hunter Health [Clinic], but especially I'd like to thank the Kansas Health Foundation that has always been there when we needed to do things with public health.

"And I wanted to thank Sedgwick County government, because the students I got here, we had a Kansas Health Foundation Conference, and we were starting this new department, and I wasn't sure what to do. So I went to this conference and Bill Buchanan stands up and starts telling me what I need to do and all the things that need to be done in public health, and so I had my job description and went to work, and then all of the sudden Sedgwick County decides that they think maybe they ought to be in the public health business and take overrunning the Health Department, and Doren, I think at the time, was the health officer, and so Doren and I organized a trip to Jacksonville, Florida to learn, because they were doing some interesting things. So it was a privilege to go down with Doren, Tim Norton and Dave Unruh and Chris Chronis. So I know Sedgwick County has been behind public health, and again really appreciate the Kansas Health Foundation and Ron Holt, one of yours, who has been the chair of their board, so I know that you're intimately involved.

"So all that said, I'm convinced that I probably live in one of the best public health communities in the country, maybe in the world. And it's been a true honor and pleasure to be part of that, because you know, that happens to be what I'm interested in and I think what Doren was interested in.

"But being public health week and just seeing in the paper today and a couple days ago about the county health ratings, there are 105 counties in Kansas or thereabouts, and so the hard challenge today is how on earth are we number 72 when Riley County and Johnson County are number one and number two? We've got a wonderful public health community, and yet we don't have nearly as much to brag about as we should, and I guess my final observation is that so much of public health has to do with the social determinants of health, jobs, income distribution, income for everybody, education for the citizenry, race and equality. I suspect that the group up here probably has as much or more to do with the quality of public health in this community and other communities as all of us providers and public health workers.

"It's a delight to work with you but I still have this vision of Doren, we have a picture of him when we walk into our office every morning, and he's got on his typical white shirt and tie, but in that picture, he has his sleeves buttoned, and I don't ever remember Doren having his sleeves buttoned. I always remember he had his white shirt and tie on, but his sleeves were already rolled up. I mean, it was 20 years ago that he came to me and said, Ed, did you know what the African American infant mortality rate is in Wichita? It's the highest in the country. I know recently there has been a lot of interest and work on that, and yet Doren was out ahead of everybody. So I'm here to continue working with you all as we together improve the health of Sedgwick County. Thank you so much."

Chairman Norton said, "Thank you, Doctor."

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

Chairman Norton said, "Dr. Dismuke, would you come back to the podium?"

Dr. Dismuke said, "I'd hoped I had escaped your scrutiny."

Chairman Norton said, "Well, as would have it, you've challenged us. I remember one of my first meetings with Doren Frederickson, and I certainly honor Doren. As I understood that I was part of the Board of Health, he pulled me aside one day and whispered into my ear a challenge. You're the Board of Health, are you going to take that serious? Are you going to figure out how to govern as a member of the Board of Health? And I've never forgotten those words, because he challenged me to understand public health at a deeper level, and you've taken up that mantle, and we appreciate that. Every community needs a gadfly buzzing around our heads to make us think about how we change the dynamics of so many things, and public health is one of them. So we honor you today.

"Doren Frederickson was a special friend of ours. I'm so glad that Ron and Pat are here today once again as we honor public health professionals. We're starting to fall in line with some people that really affected our community, Pat and Arneatha and yourself. And I'm very honored to be able to work with you, and we'll take up that challenge. Public health is important. We do take it seriously. I know I've worked at the Kansas Public Health Leadership Program. I went on to the National Public Health Leadership Program, and I probably wouldn't have done any of that if somebody at one time, Doren Frederickson, hadn't issued me a challenge. So we'll take that up. We honor your service. Don't quit talking about public health, because we need that exposure, that push, that help. And we honor you today. Thank you very much."

Dr. Dismuke said, "Thank you so much."

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

D [12-0212](#)

PROCLAMATION DECLARING CHILD ABUSE PREVENTION MONTH.

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, children are key to the state's future success, prosperity and quality of life and, while children are our most valuable resource, they are also our most vulnerable; and

WHEREAS, children have a right to be safe and have an opportunity to thrive, learn and grow; and

WHEREAS, child abuse and neglect can be prevented by supporting and strengthening Kansas' families, thus preventing the far-reaching effects of maltreatment, providing the opportunity for children to develop healthy, trusting family bonds, and consequently, building the foundations of communities; and

WHEREAS, we must come together as partners so that the voices of our children are heard by all and we are, as a community, extending a helping hand to children and families in need; and

WHEREAS, by providing a safe and nurturing environment for our children, free of violence, abuse and neglect, we can ensure that Kansas' children will grow to their full potential as the next generation of leaders, helping to secure the future of this state and nation;

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

'CHILD ABUSE PREVENTION MONTH'

"Commissioners, you've heard the proclamation. What's the will of the Board?"

MOTION

Commissioner Skelton moved to adopt the proclamation.

Chairman Norton 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 Cornelia Stevens is here from the South Central Regional Director of the Kansas Children's Service League."

Ms. Cornelia Stevens, South Central Regional Director, Kansas Children's Service League, greeted the Commissioners and said, "Thank you. Thank you. Good morning, Commissioners. I want to first start by thanking you all for recognizing April as Child Abuse Prevention Month. Kansas Children Service League is a state chapter for Prevent Child Abuse America. We are only able to do what we can in spreading the message of prevention by the help of you all and the work you do in supporting us. Critical brain development happens before the age of five. Adverse childhood experiences like child abuse and neglect often have a lifetime consequence for children."

"By making commitment to children, strengthening families during the years from birth to five, we help children during a critical point in their development. Programs and strategies like home visitation, parent education, mutual self-help support, mental health services, respite care, expanding affordable childcare and substance abuse treatment all play a role in strengthening families. By insuring that the parents have the knowledge and skills and resources they need to care for their children, we can strengthen families in the communities they live in. Pinwheels for Preventions, is the prevent Child Abuse America Campaign that is based around the message that children should all be raised in healthy and nurturing homes. Each of you have been given a pinwheel, and you have been given a pinwheel lapel and pinwheel cookies that, I actually did not eat one of them. I almost did this morning, but you have all of your pinwheel cookies, just in honor of child abuse prevention month."

"I would also like to let you know, and invite anybody that's here or in our listening or watching audience, that on April 16th, we have a family fun day at the Sedgwick County Zoo. This is an annual event that is held at the [Sedgwick County] Zoo from 12:00 [p.m.] to 4:00 [p.m.]. Regular Zoo admission applies, but we have moon walks and face painting and motorcycles there that the kids can take pictures on, and we have tae kwon do demonstrations. We've had a committee that's been working together for a couple of months, and I have a couple of members of the committee here with me, and thank you for coming today here to accept this proclamation, as well. And so I want to invite anybody to come out on April the 16th to help support family fun day and really promote just family involvement and engagement. So thank you very much."

Commissioner Skelton said, "Thank you. Are there any comments by Commissioners?"

Commissioner Unruh said, "Thank you, Mr. Chairman. I just want to express appreciation from the Commission along with a proclamation for your hard work and your productive work in this area that is certainly a problem in our communities, and so your efforts are sometimes not known by all, but we want you to know it's valuable, respected, and we appreciate everything you do."

Ms. Stevens said, "Thank you."

Chairman Norton said, "Well, I had to step out just a minute because I wanted to say hi to Ron and Pat Frederickson. I didn't get a chance to do that before the meeting, but Cornelia, my history of affecting child abuse goes back to the early [19]80s. When

I was at Target stores, on the Child Abuse Prevention Council, and that was kind of a forerunner for the [Kansas] Children's Service League to take over. We found out real quick that our little group of around eight people were dealing with an issue that was huge at that time, and today we find it still lingers and hangs on, it affects children and families and we have an obligation to protect that segment of our society. So thank you for what you do. We really appreciate it. We know that Diana Shunn wanted to be here today but couldn't make it either. So, thank you very much for everything you do."

Ms. Steven said, "Thank you. Thank you, Commissioners."

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

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

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

Present: 0

CITIZEN INQUIRIES

E [12-0234](#)

REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS
REGARDING KANSAS OPEN RECORDS ACT (KORA).

Presented by: Dave Trabert, President, Kansas Policy Institute.

RECOMMEND ACTION: Receive and file.

Mr. Dave Trabert, President, Kansas Policy Institute, greeted the Commissioners and said, "I'm President of Kansas Policy Institute. A few weeks ago, we submitted a request to the county for a list of employee earnings for 2011. We had requested this information in an excel spreadsheet, and even though that is required to be provided by state law, the county only wanted to provide it initially in a PDF (Portable Document Format) format. Fortunately, after a considerable back and forth, Commissioner Ranzau was able to convince the county to comply with state law and provide the information in the requested format. So, Commissioner Ranzau, I wanted to thank you for your willingness to stand up and protect citizens' rights to access to open public records.

"Now, while we finally did receive the data we requested, to my knowledge that policy still remains in place of only providing information in a PDF format, even though that is, the Attorney General says that it must be provided in the form requested, provided the government has the opportunity to do so. So I would respectfully ask the Commissioners to take quick and appropriate action to overturn that existing county policy, which is in violation of the Attorney General's recommendation and put a system in place that is in full compliance with open records laws. Thank you."

Chairman Norton said, "Okay. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. Dave, I want to thank you for coming today and bringing up this issue, and I do want to apologize for all the hassle that you had to go through to get this. I want to put on the record publicly that I think we need to amend our policy. There are a lot of issues brought up as to why we couldn't or shouldn't do this. I think that [inaudible] I can clean out all metadata out of an Excel spreadsheet using my own PC (personal computer).

"And it takes about two seconds to do it and I think we need to have a policy, and our motto is, 'Sedgwick County...working for you' and we need to accommodate these requests to the greatest extent possible, and I hope this Board will take up the issue and modify our policy. Thank you."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I appreciate you coming down and speaking with us this morning on this subject, because I agree that open records are very important, and I also agree that, you know, there are an awful lot of people I have asked in terms of the use of Excel spreadsheets here by the county, and we do it. If you had come in and said, gee, I would like this in a format of, I'm thinking of some of the obscure programming languages back in the dark ages of the 1960's when I was in college that I can recall, you know, I don't think that would be appropriate. But if there is a language that we can use and we all obviously have to handle security and privacy concerns that sadly are all too common in today's environment, but I frankly don't see any reason why we shouldn't have been able to get you that Excel information very promptly and readily and in full compliance with state law. Thank you, Mr. Chairman."

Chairman Norton said, "Commissioner Skelton."

Commissioner Skelton said, "Hey, thanks for bringing this to our attention. Richard, where are we at in our lineup to comply with state law on open records requests? Are we in line with state law? Is what this gentleman says correct? What action do we need to take, if any, to be in compliance with the law?"

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Commissioners, this is an issue that we talked about a little bit. I guess I would start off by saying that we handle, we give advice on scores of open records requests during the year, and the Manager has made it very clear to us that we are to promote openness and look at the law in that regard. But the fact is, in this case, there is no law. The Kansas Open Records Act (KORA) does not require us to provide information in a format that's conducive to somebody's business. We are required to produce information in a timely and accurate manner, and in this case, that's what we did. We provided it in a format that the requester did not like and hence the reason for this morning's public inquiry. But, I know of nothing in the Kansas Open Records Act or anything in the case law that requires the county to provide information in a format requested by a business, for business purposes. So our advice has been that our current policy complies with state law, and we believe it does."

Commissioner Skelton said, "Okay. That's great. Could you please bring us any appropriate text on this law and sit down, and we can discuss it, and you can show me?"

Mr. Euson said, "Sure."

Commissioner Skelton said, "Okay, and then we can talk about policy. I appreciate that. Thanks. Thank you, Mr. Chairman."

Chairman Norton said, "Okay. Thank you, Mr. Trabert."

Mr. Trabert said, "If I may, Mr. Chair...."

Chairman Norton said, "We're not going to get into a debate here today. We'll handle this issue. I'll give you 30 seconds."

Mr. Trabert said, "I would point out that the Kansas Open Records Act says that, it instructs in the text of the law that it is to be liberally interpreted to the benefit of the citizenry. And on the handout I provided, there is a link to a place on the Attorney General's website where it says, and I quote, 'Computerized information can meet the definition of a public record and must be provided in the form requested if the public agency has the capability of producing it in that form.' I'm not sure how long this current policy of only providing PDF's has been in place, but we have received Excel spreadsheets from county government as recently as 2009. Thank you."

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

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Skelton seconded the motion.

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

VOTE

<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, "Now call the next item, please."

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

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

Present: 0

NEW BUSINESS

F [12-0249](#)

SUICIDE PREVENTION COALITION ANNOUNCEMENT OF THE LINK 4 LIFE RUN 2012.

Presented by: Bev Baalman, Marketing Director, COMCARE.

RECOMMENDED ACTION: Receive and file.

Ms. Bev Baalman, Marketing Director, COMCARE, greeted the Commissioners and said, "I come to you today as a member of the Suicide Prevention Coalition to remind you of the ninth annual Link 4 Life Run to prevent suicide Friday, actually it's Saturday, April 14th at Old Cow Town Museum. You know, there is not another run event like this one in Sedgwick County. It doesn't matter if you're 3 years old or you're 83, there's something there for you to participate in. I do have a video of last year's run I would like for, also to thank John Peterson for putting it together for us. Excuse me."

VISUAL PRESENTATION

Ms. Baalman said, "That looked fun, didn't it? Well, I want to tell you, we start our morning off with a 5K run for anyone, any age of person who wants to run that, and it's followed by a one mile competitive youth run for kids ages 18 to on down. Those events are then followed by age specific runs for kids ages 3 through the age of 18, and then we conclude our events that morning with a one mile family and survivors of suicide walk. Once you go through the finish line, its party time, as a lot of you know, Commissioners. We'll have great music there, exhibitors. We also have good food from Papa John's Pizza, Lamar's Doughnuts, Highland Dairy will be handing out milk and then Starbucks Coffee is going to be there to wake the rest of us up. There is also an awards ceremony for the runners, that starts at 10:05 [a.m.]."

"We've got three new entertainment features this year. Some of you may know them. We have the balloon man. You ask this gentleman to make anything that you want, and he will make it out of balloons. So I think the kids are really going to enjoy him. We also have a magician. It's Magic for You by Bob Phillips, and then we have the Kansas native birds there this year by Eagle Valley [Raptor Center]. So it's going to be a great time. If you haven't registered yet, you can register in person at Go Run west and east locations. You can go right downtown here at First Gear at 111 North Mosley. You can also register online at [www.]active.com, and then if you just need more information about the event, you can go to www.sedgwickcounty.org. Thank you."

Chairman Norton said, "Thank you very much, Bev. Well, several of us participated and have certainly been there every year starting the races. Now I can't say that I've run on any of them, but I've certainly been there to support. You know, this is such an important issue in our community. Suicide rates continue to move up and down from year to year, and it is one of those kind of little secrets that we don't want to deal with but it's prevalent in society. We have to address it. It is part of our mission through mental health, and we'll work on it, and this really brings people together to talk about the issue, to understand it, support it and raise a little money for it. So we're so glad with what you do. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I was just going to add that one Commissioner has run the race, and one year since I've been a Commissioner, and I would add that the Manager beat me quite handily when I did run it, right, Bill?"

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "I don't recall, sir."

Ms. Baalman said, "I believe..."

Chairman Norton said, "He didn't note that there were only two people in that age group that ran."

Commissioner Peterjohn said, "They made us get out of our wheelchairs. But on a more serious note, Mr. Chairman, this is important, and it's for a good cause, an important challenge for the community in terms of this issue, and I know the years I haven't run, I've certainly helped with starting the races with all of my colleagues, and I think it's an important event and want to say a few kind words in support of it this morning."

Ms. Baalman said, "Thank you. And Commissioner Peterjohn, I want to remind you that the County Manager did come home with a medal for his participation."

Mr. Buchanan said, "There was one guy I had in my age group."

Chairman Norton said, "Thank you very much."

Ms. Baalman said, "Thank you very much."

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

Ms. Amanda Lee, Deputy County Clerk, greeted the Commissioners and said, "Item G, Presentation of 2011 Comprehensive Annual Financial Report."

Commissioner Peterjohn said, "Before we do that, don't we need to receive and file?"

Chairman Norton said, "We certainly can."

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Skelton seconded the motion.

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

VOTE

<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, "Troy, you're up."

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

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

Present: 0

G [12-0183](#)

PRESENTATION OF 2011 COMPREHENSIVE ANNUAL FINANCIAL REPORT.
Presented by: Chris Chronis, CFO.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Mr. Troy Bruun, Deputy Chief Financial Officer, greeted the Commissioners and said, "I'm pleased to be before you this morning to just go over some of the results, the audited results of the county finances. After watching the Link 4 Life video, maybe next year we can put together a video presentation instead of just a power point slide. I want to thank Sara Jantz, the Accounting Director, for all of her hard work. Sara and her staff put together this entire report. The Government Finance Officers Association encourages governments to have their report done 180 days after the end of the fiscal year. This report is dated March 29th, so it's 88 days after the end of the fiscal year. So I just want to thank Sara and her excellent work. After I go over the numbers, Sara is going to talk briefly about some operation indicators from some of the departments and then Shelly Hammond from Allen, Gibbs and Houlik [LC], our external auditors, she'll stand up and give you the results of the county's audit. "I'm usually pretty excited to give you this information, but we've been so focused on finances the past couple of years, so I'm sorry to say what you'll hear today there will be really nothing new, just a different basis of accounting.

"I'm going to walk through three different prospective for analysis. First the near term financing, it measures cash inflows and outflows, its traditional governmental fund statements. It's like an individual's checkbook. Can the county pay its bills? Are we prepared for budget shortfalls? And are we prepared for natural disasters. And then I'm going to transition into financial position with the entity wide statements. This is full accrual accounting. I'll include all of our assets, our debt, depreciation. This is the closest government comes to private sector accounting. And then I'll end with some long-term trends from 2002 through 2011. The primary goal of the public sector is to make a profit. Governments also have economic goals, but our principal objective is societal. We provide services to citizens. That service may be in the form of building or maintaining roads and bridges. It could be having a competent law enforcement agency, providing programs to seniors or children. The government's principal objective is to provide services.

"This is the county's near term financing, this is our checkbook. As you can see, at the end of 2011, just looking at governmental funds, we ended the year with \$171.4 million of fund balance. It's up \$8 million over last year, which you may be thinking, I thought we were spending our reserves, how did our fund balance grow? Well, just like a checkbook, if you go to the bank and borrow money and you deposit that money in your checkbook, your balance goes up. The top color on the slide is our debt proceeds. If I eliminate the debt proceeds from the county's fund balances, you can see we ended the year with \$139.7 million, which is down \$4.7 million from 2010. If you look at the bottom color on the graph, that's the general fund, the main operating fund of the county which is held relatively constant from 2007 through 2011, and the fund balance of the general fund dipped \$200,000 at the end of the 2011.

"Focusing just on the general fund, can we pay our bills? In 2011, the general fund again ended with \$66.2 million. In July of 2011, you approved a new policy, a new fund balance policy. The governmental accounting standards board changed the categories that we put our fund balance in. We now have unassigned, assigned, restricted,

committed and nonspendable. The gray portion of the bar, \$44.3 million for 2011, is unassigned. The very bottom, the nonspendable, that's money that is not in, that is fund balance that is not in cash form. The \$2.3 [million], the restricted, that is the amount of sales tax we've collected in the general fund that we're going to ship over to the highway fund and so on, but we have \$44.3 million in unassigned at the end of 2011, which increased from 2010.

"Our fund balance policy in the general fund requires us to have 20 percent of annual budget of expenditures and transfers out in the form of unrestricted fund balance. We ended 2011 with just over \$59 million in unrestricted fund balance in the general fund. The policy required us to have \$37.2 [million]. So, we exceeded our policy by \$21 million, and we ended the year with 31.6 percent of our fund balance in unrestricted.

"Now switching to the entity wide statements, this will show the net worth of the county. This includes all of our assets, roads and bridges, buildings, vehicles, also includes the debt that we owe on those assets and also the depreciation. And only an accountant would like this slide. On the left, we have total net assets showing the county's net worth. The county's net worth peaked in 2009, was \$658.6 million. We declined slowly since, ending 2011 with a total net worth of \$621.6 million. Mr. Bruun continued, "Most of our net worth is in the form of capital assets. That's \$455.6 [million]. That's our roads, bridges, the vehicles, net of our debt, and depreciation.

"The middle piece, the \$72.7 million, is restricted, and I'm showing a pie chart on the right showing what the restrictions are. Some of our net assets are restricted for future capital improvements, for debt service. We have some federal and state grants. We have restricted, and we have smaller pieces. The statement of activities in the annual report shows each function of government, and this slide shows that, and it also, the green portion is the program revenue for that function of government. For instance, if public safety receives money, like an ambulance run, that money is put into public safety on this slide. And the blue portion of the bar is the reliance on the general revenues of the county. The general revenues are property tax, sales tax and investment income.

"As you can see, no function of government pays for itself. Public safety is the largest function of Sedgwick County government, spent about \$136 million in 2011. That includes not only the Sheriff, the DA (District Attorney), the [18th Judicial District] Court, EMS (Emergency Medical Services), Forensic Science [Center], 9-1-1, Corrections. And \$94.2 million of the county's general revenues were spent on Public Safety. Public Safety relies 69 percent of their expenditures, the money to pay for those came from program revenue. You can see Health and Welfare comes the closets to paying for itself, they used 22.6 percent.

"In the back of our annual report is a statistical section. The next few slides are created using that information. On page G-2, it also shows the net worth of the county. The green portion is governmental funds, or governmental type. The blue is business type, and the blue is the Intrust Bank Arena. Back in 2002, the county's net worth was \$326.9 million. We ended 2011 at \$621.6 million. And most of that increase is from the Intrust Bank Arena, the one cent voter approved sales tax that is now the building downtown. And it's slowly dipping a little bit. We're using depreciation. That's why the blue is starting to get smaller. Annual depreciation on the [Intrust Bank] Arena is approximately \$5 million. And there is the Arena.

"Looking at governmental expenses, from 2002 to 2011. The green line at the bottom is general government. It's been relatively flat over those ten years. The red line is public safety. Public Safety has increased since 2002. We've done a lot of things in the public safety area. We built a Juvenile Detention Facility, Juvenile DA and Court building, we upgraded Forensics Science Center, we built a new Public Safety building. Recently you approved the new digital radio system for Public Safety. You have also approved numerous jail alternative programs.

"Governmental revenues, comparing the revenues that I previously talked about with property tax. In 2008, our program revenue peaked at \$139.6 million. It has declined since. We ended 2011 with program revenue county wide at \$128.3 million. Property tax peaked in 2009 at \$157.7 million, and at the end of 2011, we collected \$153.1 [million]. It's not just property tax on your real estate. It's the property tax also on your motor vehicles. It also includes the Fire District [No. 1] tax, this is county wide, so if that number seems a little high.

"Comparing revenues and expenses. In 2010, we had an end balance, and we've closed that imbalance, not eliminated it. In 2011, we ended the year spending \$315.7 million while taking in \$313 million, a difference of \$2.7 million.

"Last year I showed you this slide. There was some concern on the first year property tax collection rate that had been going down for a couple of years. It picked back up on the 2010 taxes collected in 2011. It may seem dramatic. This slide shows 95 percent collection rate at the bottom and a 97 percent collection rate at the top. So the difference between the 2009 levy and the 2010 levy, it increased .38 percent.

"Outstanding debt of Sedgwick County, in 2002, we had \$131 million in outstanding debt. It jumped in 2003. That's the year that we built the Juvenile Detention Facility. We had another little bump up in 2005. That was the new Public Safety building, and in 2008, the dramatic increase was the National Center for Aviation Training. It's been relatively flat since. And in 2011, the increase shown in orange on the slide was the digital radio system. The county, as you know, has a debt policy, we have five ratios measuring how much debt we have outstanding. We are currently, our policy allows us to issue debt until we exceed more than two of those ratios. We currently exceed one. With all of the projects we have in our CIP (Capital Improvement Plan) through 2016, the county still has the ability to issue up to \$90 million more in debt before we exceed the ratio. I'm going to ask Sara to come up and go over some operating indicators now that we're done with the dry finance part of the presentation. Sara."

Ms. Sara Jantz, Director, Accounting, greeted the Commissioners and said, "As Troy said, his part of the presentation is pretty boring and dry, so we thought we should add some excitement to it by talking about some of the services that the county provides with the dollars that have been spent. 2011 continued to be another busy year for Sedgwick County. Public Safety, one of our biggest functions, was very busy. 9-1-1 responded to approximately 37,000 calls a month in 2011. That was nearly one call per minute. Emergency Medical Services is the only ambulance services accredited by the Commission of Accreditation of Ambulance Services in the State of Kansas, and they responded to nearly 4,500 calls per month. Not only did the Fire Department respond to 52 residential fires last year, but they also provided many community outreach programs, such as Heart Reach, Fire Camp and Fire District No. 1 Fire Club Program. And the District Attorney's office saw just over 2,500 diversion cases in 2011.

"Another very important function of Sedgwick County and Health and Welfare. COMCARE provided an array of services last year, including mental health is

substance abuse treatment to approximately 12,000 clients last year, and Sedgwick County Developmental Disability Organization provided services for over 2,300 individuals in our community during last year. Aging was in contact with an average of 1,300 people per month providing information and assistance for various programs. The Health Department saw 164,000 patients in 2011 and gave out approximately 19,000 immunizations, which include such things as flu shots, pneumonia vaccinations as well as children immunizations, and you can see from this slide our own Commissioner Peterjohn receiving his flu shot. Culture and Recreation had a very big year last year. 2011 was the 40th anniversary of the Sedgwick County Zoo and they celebrated with an annual attendance of over 550,000 visitors.

"And as you also know, the Intrust Bank Arena hosted its millionth visitors last month. In 2011, they had nearly 392,000 people visit which attended 63 events. Sedgwick County Park had a million visitors last year. Another important function of Sedgwick County is Public Works. In 2011, Public Works maintained nearly 600 bridges and over 600 miles of road. That would be like driving from Wichita to Austin, Texas. And they also improved 121 miles of road. Sedgwick County citizens disposed of approximately 650 tons of old chemicals, cleaners, paints and other hazardous materials at the county's Household Hazardous Waste Facility.

"And a function that is very true to my heart, general government, in 2011, the estimated population of the county grew to over 500,000, of that 260,000 are registered voters. There were nearly 213,000 real estate parcels in 2011. Approximately 68,000 documents were filed with Register of Deeds and real estate records processed were nearly 54,000. Finance invested an average monthly portfolio of nearly \$300 million, and Sedgwick County continues to seek the best price for goods and services. In 2011, Purchasing received an average of 6.5 bids per purchase. These highlight just a few of the services that the county provides. I'm available to answer any questions that you have. If not, I would ask that Shelly Hammond come up and present the audit results."

Ms. Shelly Hammond, Vice President of Assurance Services, Allen, Gibbs and Houlik, LC, greeted the Commissioners and said, "I'm here today to give you a high level overview of the results of our audit for the fiscal year 2011. Within the comprehensive financial report itself, in the financial section tab, you will see our opinion from the audit and our opinion is what's called an unqualified opinion. That is the highest level of opinion you can achieve during an external audit process. In summary, what that opinion tells you is that we are providing reasonable assurance that your financial statements, as prepared by your management team, are free of any material misstatements. So again, that unqualified opinion is the highest level of opinion you can achieve from your audit.

"Additionally, we have provided you with some, what we call required communications. There are certain things under the audit standards we are required to communicate to the governing body, and I'll hit on a couple highlights of that this morning as well. Those required communications include discussion of things such as whether or not the county adopted any new accounting practices during the year, and if they did, if they were properly implemented by the management team. And Troy actually mentioned the one new accounting practice already, which related to the classifications of fund balance and how they're presented in the different category descriptions for fund balance within the financial statements. So Troy mentioned that previously and kind of went over some of the highlights of that.

"Additionally, we are required to talk to you about whether there are any significant estimates within the financial statement. As not every single number in your financial statements is a hard and fast number, some things do have to be estimated. And we did have a couple significant estimates that we evaluated. Our evaluation process is basically to obtain the information from management for how they developed the estimate, evaluate their assumptions, if they made assumptions during the estimation process and make sure those assumptions are reasonable and based on some historical data or some other data supporting those. And so we did have a couple estimates that we communicated in our letter to you and in both of those situations we did find that the information calculated by management was reasonable and appropriate under the audit and accounting standards.

"Another item we're required to communicate is whether or not there were any audit adjustments to the original books and records providing to us during, when we started the audit. And we did not have any adjusting entries to the original books and records, which tells me, and hopefully also tells you, that the information being prepared by management is accurately presented if we did not have to make any corrections to that during the audit process. And then finally, we are communicating that we didn't have any disagreements with management.

"I didn't have any issues during the audit process in terms of having access to data or access to information. All of our requests for information and inquiries, questions that we had back to the management team were answered timely, fully, completely. We never felt at any point that we didn't have the information we needed to conduct the audit or that management wasn't being completely transparent with us.

"And then finally, I guess I would also like to thank, as Troy did, as well, Sara Jantz, her team as well as the rest of the Finance and Accounting team. Without their hard work in putting this document together, that would make our job much more difficult. Their ability of putting this document together accurately without us having to come in and correct it is a testament to the quality of your team and also helps us during the audit process so I would thank to thank and recognize them this morning as well. And I would be glad to take any questions you might have on the audit report or the audit process."

Chairman Norton said, "I don't see any questions, Shelly. But we thank you for coming today. We all had an update that was much more intense than what you've given us today and gave us the opportunity to ask questions about the process and any other things that came up. Once again, it's a good audit. It looked like between what our staff has done and what you can find, it was pretty clean, and there was no unqualified opinions on anything. So, Commissioner Peterjohn."

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Skelton seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Peterjohn</i>	<i>Aye</i>

Commissioner Ranzau	Aye
Commissioner Skelton	Aye
Chairman Norton	Aye

Chairman Norton said, "Troy, is there anything else to come before us today? Thank you very much for the report. One question I would like to ask, and if you could come forward, obviously we've made some decisions on finances in the last couple of years. It's been a couple of tough economic years, and that rolls down to counties, too. What is our credit rating at this present time through all the things we've gone through? Where are we still at with our credit rating agencies?"

Ms. Bruun said, "Currently rated Triple-A by all three credit rating agencies."

Chairman Norton said, "Okay. In these tough times, to be able maintain that, and to keep our finances in shape and to keep our debt load down, to maintain those credit ratings is quite a feat. So we really thank you for that. I know it's the hard work of Finance, along with the policies we've set to make that happen. So I wanted to be sure that was on the record, because that didn't come up today."

Chairman Norton continued, "And I think it's important that the citizens know that financially we've kept ourselves in great shape for the taxpayer and that we've maintained our highest credit rating, even in these tough economic times. Thank you to you and your staff for what you did."

Mr. Bruun said, "Thank you."

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

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

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

Present: 0

H 12-0222

AGREEMENT BETWEEN SEDGWICK COUNTY AND SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DIVISION (SCKEDD) FOR PROGRAM ADMINISTRATION OF THE HOME INVESTMENT PARTNERSHIP PROGRAM GRANT.

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

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

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, or SCKEDD, to perform program administration duties for our Home Partnership Investment Program, which is a home rehab program for low income homeowners. This is a grant program, and the grant allows for up to five percent of the project costs to be paid for administration. I recommend you approve the agreement and authorize the Chair to sign and I'd be happy to answer any questions you may have at this time."

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

Commissioner Ranzau said, "Mr. Chairman, yesterday at staff meeting I asked for some information on this particular thing. It says that SCKEDD had the winning proposal. I would like to get information on all of the proposals that were put in here, not just a summary, but copies of all the proposal and explanation of the process behind it in determining that SCKEDD had a winning proposal. In light of the fact that I don't have information to be honest I'm not prepared to vote on this and I would like to defer Items H and I, because I do believe they are related to that, correct?"

Ms. Kirksey said, "That's correct. And I will add that SCKEDD was the only proposal submitted. So there are no other proposals."

Commissioner Ranzau said, "Interesting. Okay. Well then I'd like to see it before we proceed further, if that's at all possible."

MOTION

Commissioner Ranzau moved to defer Item H and Item I.

Commissioner Peterjohn seconded the motion.

Chairman Norton said, "We have a motion and a second. Any other discussion? Commissioner Unruh."

Commissioner Unruh said, "Does this present any problem should we defer this for, it would be two weeks?"

Ms. Kirksey said, "We do have about six projects that are waiting, but two weeks won't cause an insurmountable problem."

Commissioner Unruh said, "Okay, and then another question is, just for my information now, this is a similar agreement that we've had for several years? I mean, we just..."

Ms. Kirksey said, "That's correct. And SCKEDD is the only, there are certain licenses and qualifications that are required to be able to perform these duties according to the grant requirements. And SCKEDD is the only entity in this area that has the proper licensure and certifications and ability to perform these services. So normally that's the reason why we only get one proposal, and that's from SCKEDD."

Commissioner Unruh said, "All right. Thank you. Mr. Chairman, I will support the Commissioner's request for deferral, and I'm ready to go forward now, to kind of just do what we typically do in these situations, but if a request for deferral won't be harmful to us, well then I can be in support of that."

Chairman Norton said, "Well I concur. I have known SCKEDD, we've worked with them for years as I've been a Commissioner, I see no reason not to move forward, but I can honor Commissioner Ranzau's request to defer for a couple of weeks until he can get more information. So, we've got a motion on the floor, Madam Clerk call the vote."

VOTE

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

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "I would just like to say I'd like to have more information also on all of those departments that they're saying are necessary for this grant. I want to know what those are that allow them to do it, but prohibit other people from participating or doing this sort of work."

Ms. Kirksey said, "Okay. I'll get that to you."

Commissioner Ranzau said, "Thank you very much."

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

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

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

Present: 0

- I **12-0223** AGREEMENT BETWEEN SEDGWICK COUNTY AND SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DIVISION (SCKEDD) TO PERFORM HOUSING INSPECTIONS AND RISK ASSESSMENTS FOR HOME REHAB PROGRAM PROJECTS.

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

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

Action on Item H was taken with Item I.

rJ [12-0036](#)

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

RECOMMENDED ACTION: Receive and file.

Chairman Norton said, "Is..."

Commissioner Unruh said, "I think we deferred [Items] H and I."

Chairman Norton said, "Did we..."

Commissioner Peterjohn said, "We deferred H and I, I thought, Mr. Chairman."

Commissioner Ranzau said, "That was my intent."

Chairman Norton said, "Was that in the motion, H and I?"

Commissioner Peterjohn said, "Yes, I believe it was."

Chairman Norton said, "Okay. Thank you, Dorsha."

Ms. Kirksey said, "Thank you."

Chairman Norton said, "And we've called county extension quarterly report, so Bev, we'll let you come forward."

Ms. Bev Dunning, Director, Extension Office, greeted the Commissioners and said, "I appreciate being able to come today and give us our quarterly report. You've been given, excuse me, you've been given a newsletter. I hope that you can read it better than I, because it's done in Spanish. But I wanted to share with you about Liz Brunscheen-Cartagena. She's our extension agent in Family and Consumer Science. And as you know, I often tell you a story, so this is my story today about what Liz does. Her areas of expertise are in teaching parenting classes and in doing family finances, and she does an excellent job with this, but the newsletter that you have is a national newsletter because there are four universities that have gone together that put out this newsletter, and you can see that it's K[ansas]-State (University), Oklahoma State (University), the University of Georgia and [University of] Arizona. And those four agents, one from each of those states, write those newsletters, and then we use that and send it out to our Hispanic families, so it gives them a lot of educational information on parenting, on finances and other things, and we think it's a way of reaching an audience that we've never reached before.

"One of the things that Liz tells us is that studies show that the lack of support or rapport among families often is correlated with the direct, their ability to effectively deal with family issues. And so one of the ways that she works with different people, different clientele, she works with court ordered clients, those who have lost their children and need to know some parenting skills in order to get them back in the home. She works with several parents from USD (Unified School District) 259 schools, Haysville parent group, St. Patrick's Parish, several of these, she's working with, teaching them parenting skills. And she said that the feedback tells her that when they use the discipline techniques that she recommends, it helps a great deal in that home.

"One of the things you may have seen her advertise are board games, and you'll see that on our digital sign that we have out at the extension service, and she has those many times in the evening or on Saturday and invites families in, and those board games help families to work together, to not quarrel, they have to make decisions about the game. And many times families, you know, are so divided, and some are off watching TV, some are playing on the computer, some aren't even in the home. This is a good way of drawing the family together, and she said that agencies are now calling and having her do that for different agencies. She gets a lot of volunteers. And by the way, the Wichita Police Department is a good volunteer group, because her husband is one of those policemen, and so we've tapped in to them for some good volunteer help. Board games is a tool that's fun, it's face to face interaction and it's where the family can strengthen emotional needs when they work together in those games.

"More and more families are attending those events, and she's having more requests. And she's also having a lot of requests now for teaching parenting skills with Spanish families, and that's something that no one else in the county does, and so we help many agencies. And family resource management, you'll see that one of the areas, well, she tells us that in investing, 53 percent of women do investing and 82 percent of men do investing in families. I thought that was kind of an interesting thing. She teaches Women's Investment Educational Program (WIEP). Many times women are left with the family funds because the male might pass away first, and if they've not had that experience, they need that experience to learn how to handle that.

"She also is very active in community networking. One of the things she's doing is with 106.5 Radio. She does a radio program. I've listened to that a time or two, but I'll be honest with you, I cannot understand that either since it's in Spanish. She's working also with Channel 12 Univision and has a TV (television) program for the Spanish, and so we think that's a great way of her reaching out to the community. Just a few of the organizations, too, that she works with and is involved with in our community to help get this educational information out, Sedgwick County Early Childhood Council, the Hispanic Chamber of Commerce, the American Cancer Society, the Hispanic Outreach as well as the Asian Outreach, and she's working with the Wichita Down's Syndrome Society.

"She's bringing the families together and a community baby shower. If you've not heard about that, in order for people, well, we get volunteers to make things for babies, clothing, afghans, things of that type, but they have to attend parenting classes, and they get so many points for attending those parenting classes, and then they can go to the community baby shower and get free products for their family, free clothing for the babies and things of that type. I guess you would call it a hook to get them to be involved in parenting classes, and it seems to work very well. And she's helping with that. She also is involved with Wichita's Visionary Family Strengthening Program.

Ms. Dunning continued, "And then we have Rebecca McMahon, who is one of our horticulture agents, and she's working with the Hispanic community on community gardens. So I think that's one area that we've not worked in until maybe the last two years that we've had really outreach to help with that. And so you ought to be proud, I think, of the educational work that's being done in that area. Thank you for hearing my story today and for letting me come. Do you have questions?"

Chairman Norton said, "Well, that's just one of the many stories that you've told us over the years."

Ms. Dunning said, "Right."

Chairman Norton said, "You come with a new story every time with a different program or different area that you affect our community, and we appreciate that."

Ms. Dunning said, "Thank you."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. Bev, thank you for all the work you do and we're aware that you have a leak in your roof, and we're working on that issue."

Ms. Dunning said, "And I appreciate your support on that."

MOTION

Commissioner Ranzau moved to receive and file.

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>

Ms. Dunning said, "Thank you."

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

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

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

Present: 0

K [12-0246](#)

REAP CONSORTIUM AGREEMENT FOR SOUTH CENTRAL KANSAS
SUSTAINABLE COMMUNITIES.

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

RECOMMENDED ACTION: Approve the agreement, establish budget authority in the amount of the approved HUD Grant award of \$1,500,000, and authorize the Chairman to designate a primary point of contact at a later date.

Mr. John L. Schlegel, Director, Planning Department, greeted the Commissioners and said, "You'll recall on this item that in November of 2011 the U.S. Department of Housing and Urban Development (HUD) awarded the Regional Economic Area Partnership (REAP) a sustainable communities regional planning grant in the amount of \$1.5 million. The purpose of the grant is to develop a regional plan for sustainable communities in South Central Kansas, and the effort is intended to build regional capacity for our region to compete in a global economy. In order to qualify for the grant, REAP has created a regional consortium that includes five counties surrounding Sedgwick County. That would be including Sedgwick County, be Butler, Harvey, Reno and Sumner County and their respective county seats. In addition, other private and nonprofit entities have agreed to participate as members of this consortium. And in September of last year, this Board adopted a resolution authorizing the county to participate in the REAP consortium.

"Total budget for this three-year planned development process that REAP is about to engage in is just a little over \$2.3 million, and of that, \$1.5 million will be provided by HUD, and the remainder by the consortium members. Those local resources will be in the form of in-kind contributions with the exception of the Kansas Health Foundation, which is donating \$50,000 in cash to the consortium. The funds will be used for project management, for technical consultation and assistance, and for activities that will engage citizens in the development of the plan. REAP is charged with overseeing the grant award, and they will have three years in which to complete the regional plan.

"Sedgwick County is being asks to formalize its participation in this consortium through the agreement that's before you today. That agreement would pledge Sedgwick County to be a member of the consortium, also to serve as fiscal agent for the consortium during the development of the plan, and then also to supply staff support in the form of in-kind service contributions, and the total of those in-kind service contributions from the county would be just in excess of \$120,000 over the three-year time period of this, of the planned development. There would be no additional county staff added as the result of participating in the consortium.

"In addition, the agreement asked that the consortium members designate a primary point of contact for Sedgwick County. That does not have to be named today. The recommended action is simply to authorize the Chair to designate a primary point of contact at a future date. So with that, the recommended action would be to approve the agreement and authorize the Chair to sign the agreement, establish the budget authority in the amount of the approved HUD grant award of \$1.5 million and then to also authorize the Chair to designate a primary point of contact for the county at some future date. And with that, I'll be glad to take any questions."

Chairman Norton said, "Thank you, John. We've got this before us today. Commissioner Peterjohn, I know you want to speak. I wanted to kind of set out, we know that we have public that would like to speak today. It is our tradition, even though this is not a public hearing, to allow individuals to speak to this, either pro or con. We

do have a listing. Hopefully everybody knows in which order they will come forward. We'll do that after we have allowed the Commissioners to kind of weigh in on this. We would limit any speaker to three minutes, and would you state your name and address as you approach the bench so we have that for the record. But for right now, we'll have a conversation here with the Commissioners and then we'll open it up to the public when we get through that. So, Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I was going to defer my comments, because I do have questions for staff, but I think the public who has been patiently waiting for us to get to this point, I'd like to hear from them and would like to get the public input, especially since we have so many prominent people here today, as well as I noticed a number of elected officials here in the audience including several who have signed up to speak to us. Thank you, Mr. Chairman."

Chairman Norton said, "Commissioner Skelton."

Commissioner Skelton said, "Yes, I absolutely agree. I think if I'm able to listen to some of the public, that would help me formulate questions to ask on their behalf and on anybody's behalf, so I appreciate that order of business."

Chairman Norton said, "We can move directly to public input, that's certainly okay with me if it's okay with the rest of the Commission. Madam Clerk, did we hand out numbers to everyone, so they know their order? We'll start with number one and that's Mary Kay Ricke. And Mary Kay, we'll let you get it started, and then if everybody else will just know that they need to cue in so we move this along. I would also ask if you have new information that would be great. If you're really going to advocate for something you've heard before, try to limit your remarks so we can move through everyone and still get the right information to the Commissioners. So Mary Kay, you're up."

Ms. Mary Kay Ricke, 104 North Tarabury, Wichita, greeted the Commissioners and said, "You do realize our nation is in \$16 trillion in debt and forty cents of every dollar spent by the federal government is borrowed with accruing interest? Hence, if you accept \$1.5 million from the HUD grant, it is money that is not privately funded but from a federal, from federal money, which is 40 percent borrowed, 60 percent from the hard earned taxpayer dollars. You are increasing the national debt. You are enslaving us and our children and grandchildren to a future of high taxes and reduced lifestyle, loss of property and freedom and liberties. Any grant from the EPA (United States Environmental Protection Agency), HUD or DOT (United States Department of Transportation) are not here to help our communities but they're here to help themselves to controlling our communities. Make no mistake, the United Nations (U.N.) and many of our elected officials in high and low places want the demise of capitalism and the destruction of the United States."

"Our founding fathers warned us about preserving our republic. I quote James Madison from the federalist papers, 'It is essential to such a government, that it be derived from [the] a great body of society, not from an inconsiderable proportion, or a favored class of it; otherwise a handful of tyrannical nobles, exercising their oppressions by delegation of their powers, might aspire to the rank of republicans, and claim for the government the honorable title of republic.' These grants for sustainable community development are structured in such a way that a few, a handful of the elected officials are exercising oppressions by the delegation of their powers, appointed committees and stakeholders that are not elected by the great body of society."

"The consensus is drawn from a few select groups already on board and no valuable debate ever happens to challenge the agenda that the committee is proposing. You are part of the demise of the republic."

"We pledge our allegiance to you when you embrace these structured grants that promise you will be able to control the process and yet by their very structure, you are robbing the great body of the society from their right to protest by vote and publicly protest, limiting the progress to a chosen few on unelected committees, the favored class."

"Do not title yourself as a republic while embracing the very government programs that are part of the [United Nations] Agenda 21 and the demise of capitalism and the dismantling of the rights of the great body of our society of the United States of America. My husband and I have sent several e-mails to the Commissioners that contain videos, documented facts, maps, information on sustainable development in the communities across the nation and the world. I could find no positive endorsements but only restrictive freedom robbing destructive ends to implementation of sustainable development in the communities."

"Much like Judas who betrayed Jesus for 30 pieces of silver lived to regret his decision not knowing the ultimate cost was the death of his beloved Lord, will you sell us out to only regret your decision later like the other communities that have done so and regret the loss of God given freedoms and liberties? Do you think it will end differently here in the Midwest and with all the good intentions you may have? I prefer to learn from history and other people's mistakes. If we do not learn from history, we are doomed to repeat it and all the mistakes that come with it. So I ask you to vote no to the HUD grant for sustainable development and vote no to preserve our republic. Thank you."

Chairman Norton said, "I know you're excited about what people are saying, but please refrain from that, it's just going to slow us up today and we'd like to have everybody speak. Thank you."

Mr. Kent Winter, 7359 North 215 Street West, Mount Hope, greeted the Commissioners and said, "I'm also president of the Sedgwick County Farm Bureau [Agricultural] Association. Although we believe the public officials supporting this grant have good intentions and have worked diligently to promote vibrant economic development via REAP, the Sedgwick County Farm Bureau Agricultural Association Board of Directors is unanimously opposed to this planning grant program. There's strong evidence that sustainability in this context translates to an agenda that implements new local zoning codes and land use regulations that would threaten property rights. The Department of Housing and Urban Development administers the grant with the Department of Transportation and the Environmental Protection Agency. The grants purpose is to create incentives for communities to develop comprehensive local and regional housing and transportation plans. Why can't we accomplish a similar outcome with our existing Wichita/Sedgwick County MAPD (Metropolitan Area Planning Department)? This is a joint city-county agency with an annual budget of \$1.8 million and a competent staff of 19 people."

"Money is never free. And this federal planning grant comes with strings attached that stretch all the way back to Washington, D.C. These strings are identified under the heading titled HUD's Substantial Involvement detailed in Section 25 of HUD's [Office of

Sustainable Housing and Communities] Cooperative Agreement Provisions of the grant paperwork. This language gives HUD staff the power to review and approve not only the process, but also the key personnel, et cetera, along with authority to halt activity associated with the grant provisions. Local control would be surrendered to the HUD bureaucracy. It is also likely that EPA will weigh into this process with more regulations.

"Bear in mind this proposal is only a planning grant with a three year timeline. Next up is the implementation phase. From where will the funds be sourced for that? From our side of the fence, sustainable development is not about economic development, it is about higher taxes, more regulations, and centralized federal control over local issues with unacceptable implications that threaten property rights. A key component of the sustainable grant movement in other parts of the country seems to be the enhancement and implementation of public transportation. Unfortunately, there is a track record in several communities of funding shortfalls that develop with public transportation. Sound familiar?"

"This is addressed in many ways, but two commonly used are: Number one, raising taxes; Number two, raiding the funds of other departments, such as law enforcement and fire. We believe Sedgwick County would be best served by maintaining local control of the planning process. Sedgwick County has the resources and competent staff to be efficient with this process. Is it really in our best interest to have federal agencies such as EPA sitting at the table, intimately involved with the planning process? When among other things, they are wanting to regulate farm dust and sky glow, these things in Sedgwick County, Kansas. These types of concerns we believe strain credibility..."

Chairman Norton said, "Mr. Winter..."

Mr. Winter said, "...impede the process and drive up costs exponentially."

Chairman Norton said, "Mr. Winter, how much time, your time is up. How much more have you got?"

Mr. Winter said, "Okay. I encourage you to vote no on the planning grant. Thank you."

Chairman Norton said, "Thanks."

Ms. Sandra Connary, 2340 South Pershing, Wichita, greeted the Commissioners and said, "I live in Mr. Skelton's fifth district and I urge you to vote no to join this REAP and to take this government money, because you as elected representatives here in Sedgwick County, if we don't like how you handle local issues, we can vote you out. But this consortium with HUD, DOT, and EPA will be directed and led by unelected bureaucrats that we cannot un-elect. They will be making rules and regulations about where and how we can live our lives. I would like to remind you that the growth patterns in and around Sedgwick County have shown increases in such communities as Goddard, Maize, Derby, and Andover. People have chosen those communities because they wanted, for the most part, single-family homes with yards, the amenities and the school districts. I would like to see people the in the future have those same choices, and I would hate to see us go down a road where we would have restrictions on where families can choose to live, and where they can choose to work.

"One of the items in this item, this item, this deal, is to reduce the VTM, the Vehicular

Transportation Mileage. Okay, that means they want us to drive less, and live closer. Okay? Well our vehicles are our freedom, our freedom to live where we want, to work where we want, to play, and shop where we want. I would hope that you would respect the citizens to be able to make those choices. And as far as the EPA, I think they have made a lot of regulations this last year, far more than we need. And I would just leave you with one example. It is raining outside today.

"I understand that we have an April ban on burns, yet it's raining. We all came in to this meeting today, and it is raining. It has rained a lot in this last month. But some bureaucrat at EPA says ozone is a problem, and so people in Wichita cannot burn. Please vote no to join this REAP consortium. Please keep local control in local hands. Thank you."

Chairman Norton said, "Thank you."

Mr. M.S. Mitchell, 1215 North Forest Avenue, Wichita, greeted the Commissioners and said, "For well over 30 years I've worked with local, state, and national builder associations and members to try to stem the massive invasion by the federal agencies to dictate how cities should grow and prosper based on their vision, which would bring back cities to the walk to work, ride the bus or train, and confine your interests to those limits. Imagine that these federal agencies promote by saying that this is the only way that we can continue to live if we're not to destroy the planet, the environment, or green space. I do not agree that this community, county, or region has to spend \$1.37 million of federal tax money and \$771,000 in local city taxes to fund a three-year plan for a goal that can neither be defined now, nor measured after exploration of the grant."

"The local economy for the building industry cannot improve without the availability of credit for those employers and investors who have in the past demonstrated that they are reliable creditors, and I see no effort in the proposed plan to improve or accomplish that goal. In addition to seeing no improvement for our industry in the language of the plan, I see renewal of government restrictions to how our current practices that we have long opposed. Many of these such as requiring housing to be close to public transportation, to decrease house transportation costs, improve air quality by reducing greenhouse gases, and expand funding toward transit or mixed use development and land recycling."

"Walkable neighborhoods, et cetera, are now under a new title health, I'm sorry, health community design, which is designed to make the application stand out from the crowd and bring the Kansas Health Foundation into the partnership. None of the concepts listed above is a persuasive argument to an industry looking for solid support from governments to reduce their impact and restrictions on the ability of builders and the industries that depend on the building industry to prosper without government interference. For those and other reasons, I do not expect the grant to have any beneficial results for the building industry, and I oppose support of the application and its federal concepts. Thank you."

Chairman Norton said, "Thank you, Mr. Mitchell. Next."

Mr. Charles Girrens, PO Box 51, Bentley, greeted the Commissioners and said, "I think the main points have already been covered so I will be a little briefer. Just give a little overview here of the REAP program. It is part of the United Nations Agenda 21, sustainable development. Excuse me. This program is being implemented from, by every federal agency by an executive order from Bill Clinton, President Bill Clinton, and

it's kind of hidden from public scrutiny, and, you know, I think it's pretty much designed. So I think that in itself tells you that it might be a little questionable to partake in. I'll just say this, the Executive Director of ICLEI (International Council for Local Environmental Initiatives) sustainable development said, and this is Harvey Ruvin, 'Individual rights will have to take a back seat to the collective in the process of implementing sustainable development.'

Mr. Girrens continued, "In other words, your Bill of Rights are kind of going to disappear by even partaking in this, and it's through the whole country, so, it is just a really bad deal for everybody. I am a little nervous and stuff, so, but, you know, it's just a really bad deal."

"It takes away the rights of all of us. I don't see how anybody can actually be for this. If you're an American citizen, I mean, you want to give up your rights to some federal, I mean, not federal, but some foreign entity, basically, the United Nations that if you look at their charter, if you look at everything they stand for, it is totally un-American, and quite frankly, unacceptable. The fact that I am even up here having to talk about it is, you know, I don't even like it because the oath of office that all, you know, the people take, you know, in the government, is obviously not being very well respected. That speaks volumes, I think, in itself. It is just terrible."

"I shouldn't even be here having to say anything. I would encourage everybody to vote no on that because I think with all the presentations spelled out, it pretty much says it for itself. I'm kind of, excuse me for being nervous and stuff, man, but it's real important, and I really think you guys ought to consider just saying no. America is the way to go, and United Nations isn't. So I'll leave it at that. Thanks."

Ms. Sandy Hawk, 2159 South Park Wood, Wichita, greeted the Commissioners and said, "I am in Mr. Skelton's district. I am rising to speak, and I'm also nervous, but this is critically important. I am rising to speak as a citizen, a homeowner and a realtor who represents residential buyers and sellers. Undoubtedly, residents of any town, county or city treasure their freedom, liberty and property rights. In Carroll County, Maryland, a smart growth group called Pathways was drafted to plan a smart growth plan. The plan if enacted proposed taking, breathtaking reshuffling of land rights, rezoning of thousands of acres of agriculture land, protected residential conservation into office parks, down-zoning of agriculture land to prevent future subdivision, up-zoning of low density residential land around small towns to put in condos, which decreases your value in your homes."

"There are many communities leaving ICLEI and the smart growth plans. The same Carroll County, Maryland elected a new board of Commissioners and voted to cancel the county's membership in ICLEI and discontinue their smart growth plans. Next came Amador County, California; Montgomery County, PA (Pennsylvania); Edmond, Oklahoma; Las Cruces, New Mexico and many others. Reports indicate that in 2011, at least 54 communities have withdrawn from ICLEI and smart growth planning. Entire states including Florida, Wisconsin, New Hampshire, Tennessee have passed or are working on legislation to stop ICLEI and smart growth. Therefore I have to ask the question. If so many communities entered into ICLEI and smart growth planning and discovered for them that this was a disastrous mistake, why are we not investigating their experiences before taking this leap?"

"People have chosen to live in the Midwest because of the lifestyle it offers. It is more laid-back, and less expensive. John Adams said that 'Property must be secured or liberty cannot exist.' George Washington said 'Private property and freedom are

inseparable.' It is far more productive to focus on the protection of private property rights and free markets in the development and implementation of any land use plan. My research indicates that sustainable development through smart growth planning is antithetical to liberty and private property rights. Governments were instituted to protect our unalienable rights, not to restrict or withdraw those rights.

"In Portland, Oregon, smart growth restrictions changed it from one of the most affordable markets in single housing, family housing to one of the least affordable. In that town, their zeal to subsidize transit and high density developments took money away from schools, libraries, fire, police, leaving those programs starved and in disarray. They spent over \$3 billion, with a b, building light rail lines, and that did not solve the problem. So much for planning. Families moved out to the suburbs. They left the city with only singles and childless couples. It changed the complete complexion of the community. It is a mecca for tourists because they have a lot of restaurants where they eat out. It is a great place to visit, but nobody wants to live there unless you like a lot of noisy congestion and busy streets."

Chairman Norton said, "Ms. Hawk's, how much more do you have? Your time is up."

Ms. Hawk said, "I'll put it in a nutshell. I provided you with a copy of the report 'Smart Growth, Housing, Costs and Homeownership' [by Wendell Cox and Ronald Utt, Ph.D]. We have worked hard to build home ownership for all Americans. We reached that to 70 percent in America. These two researchers found that this success is jeopardized by poorly conceived smart growth strategies, they raise housing costs, diminish homeownership for opportunities among modest income households. I ask that you please vote against this. Thank you."

Chairman Norton said, "Thank you."

Mr. Pat Bullock, 1809 South Cypress, Wichita, greeted the Commissioners and said, "I want to thank you, Commissioners, for attempting to improve the city and plan ahead. Thank you for giving us citizens an opportunity to speak to this issue. You are considering a process that I believe will undercut and destroy what this city and great nation was built upon. It will attack the very foundation of our core values and belief system. That foundation is that we as individuals can better determine and plan our own future. The trite saying, the most terrifying words in America are 'I'm from the government and I'm here to help you' is still true. The 2011 sustainable communities grants are a load of sweet-smelling poison for the individual rights of the citizens of Sedgwick County. It is an antifreeze added to our iced tea of freedom.

"The goal of the creators of the U.N.'s (United Nations) Agenda 21 was revealed at the earth summit in 2011. It states, and this is very important, I think. It states that the current lifestyles and consumption patterns of the affluent middle class involving high meat intake, and I had a steak last night, use of fossil fuels, appliances, home and work air conditioning, and suburban housing are not sustainable. Whenever the term sustainable development is used in this context, it has the meaning there will be a limitation put on anything viewed as not sustainable by a few people determining what is sustainable. The ultimate result of this grant will be who controls the kind of property rights an individual is allowed to have. The loss of property rights is a giant step towards losing all of our individual rights.

"Someone said the right to property not only protects our freedom, it also limits government. Property rights protect us from others and dictate how the government

may interact with us. I see this grant offer as more government and local regulations, more local taxes, and an increase in our living expense. I am passionately opposed to this grant, and plead with the Commissioners to vote against being a part of the sustainable development grant. If it walks like socialism, and quacks like socialism and lays wooden eggs like socialism, it must be socialism.

Mr. Bullock continued, "And I oppose the process with every fiber of my being, and any government official who attempts to promote it in our community."

Chairman Norton said, "Thank you, Mr. Bullock."

Ms. Helen Cochran, 9441 Bent Tree Circle, Wichita, greeted the Commissioners and said, "Dreary morning. Where is Patrick Henry when I need him? I don't mean the give me liberty or give me death, Patrick Henry, I mean the great orator. My name is Helen Cochran, I live at 9441 Bent Tree Circle. I live there because I choose to live there, and nobody told me where I could live. It happens to be Commissioner Unruh's district. Last night as I was trying to fall asleep, I found myself tossing and turning, thinking about what passage of this, I mean, of receiving the REAP grant would do to our community.

"And as I lay there thinking about it and my mind was racing, I thought of the opening scene in Doctor Zhivago, where the children of Uri and Laura are standing up on top of a dam, dressed exactly like their comrades now after the Russian Revolution, and they are workers of the state, because they have no other choice where to work. They are told where they are going to work, where they are going to live and what they can and cannot be. It was a very sad scene. It was hopeless. They will never realize the lives that their parents led in Russia before the Russian Revolution. So that just kept coming to mind last night.

"I want to give you an example of what happens when you take money with strings attached. And the example is kind of personal. I grew up in Memphis, Tennessee. At one point in my life my father was President of the Rotary Club, and they were having their international convention in Japan. And he was looking forward to going. His best friend was secretary of rotary at that time, and the two couples were best friends, so they planned a wonderful couple's trip. But my grandmother, who continued to supplement my mother's spendable income, told her you are not leaving five children and flying with your husband to Japan. What will happen if the plane crashes? I'm not raising these five children. So the strings attached, my mother could not go. So that's just one personal example.

"With regards to the REAP grant, I ask each of you to show some moral courage, to stand up and say thanks, but no thanks to the federal government who will control our own community and our own destinies. We are Americans. Property rights are inalienable rights. We believe in market-driven development. If we take this money, what is next, no ice cream and cookies at Dillon's? No Krispy Kreme? No french fries at McDonald's? I'm serious. We start letting the government tell us what to do, and things change, you know, under the guise of what is best for society.

"Who knows what is best for us? Are you ready for your pop quiz? Mr. Skelton, have you played in the snow? Never? Well, then I don't think you're prepared to handle this snowball that's coming if we approve this. And that's exactly what it's going to be is a snowball. So I ask each of you to refuse to take this money and set an example for other communities who are kind of waiting to see what we are going to do. Thank you

for your time."

Chairman Norton said, "Thank you, Helen."

Mr. James Kilpatrick, 2101 West MacArthur Road No. 719, Wichita, greeted the Commissioners and said, "Want to thank you for listening to the public on this sustainable communities. I have researched this project of sustainable communities since I was made aware of it about two months ago. And my conclusion is the program is not in the public interest. In spite of the sweet verbal trappings, as I studied the program I was reminded from a verse from the word of God, says for we do not wrestle against flesh and blood, but against powers and principalities. This is so appropriate, because I found this program originates with the United Nations Agenda 21. I find the mirror image of the sustainability program in the Sedgwick County government documents. I find it amazing that we choose to follow a doctrine established by an organization filled with tyrannical governments that deprive their own people of basic rights, and especially the right to life. They control their nation. They do not bless their people. Now we want to use those policies here in the United States.

"I am reminded of another verse from the word of God, 'For they changed the truth of God into a lie and they worshiped and served the created thing more than the Creator, [who is blessed forever. Amen.] [Romans 1:25] Do you really believe this program addresses a need? Do you really think the world is being destroyed? Really? Where is the shortage of space? Are any of you going to move to an apartment from your home in town to alleviate a land shortage? Are you going to give up your car and ride a bicycle so you can save resources? Are you going to stop eating meat so you can save resources? This nation, and I will say the world, is setting on abundant resources. God has blessed us abundantly, but too many in government are believing in sustainable communities, because it sounds good and not on facts. I ask you not to support sustainable communities.

"Let me give you an example where you're going. My daughter, or, my granddaughter traveled to Rome to study for a semester. One of the first things that happened, she was told they couldn't have air conditioning except for two hours in the morning and two hours in the evening. She couldn't pick the time, the apartment picked the time. I have a feeling really it was a smart meter that picked the time. I don't think the apartment had any choice. Then she found out that she also couldn't have heat until November, because the government didn't allow heat until November. So the last thing I want is the government that can't control its spending to control the details of my life. And sustainable communities is not a good place to go. Thank you."

Chairman Norton said, "Thank you, Mr. Kilpatrick. Is this Ric?"

Mr. Ric Woolsey, 2241 South Upland Hills Court, Wichita, greeted the Commissioners and said, "Yes."

Chairman Norton said, "Okay. We were out of order, at least on our sheet. We're okay now."

Mr. Woolsey said, "Thank you. My name is Rick Woolsey. I live at 2241 South Upland Hills Court, West Wichita. I've been a, I've plumbed many houses in this town, I've built houses in this town and I now work for Sedgwick County. Best job I ever had,

alright. But as if private-public partnership are not enough burdens on Sedgwick County's taxpayers, there may be a number of this present County Commission that would see fit to transform our county into a soviet hamlet by giving aid and comfort to the United Nations via sustainable development. How is that, you ask? By trading our Declaration of Independence, paid for with blood for a measly anemic United Nations declaration that is compared to ours, void of merit.

"Our countrymen paid the ultimate price to keep this pandering threat away from our shores, and now it's here. There are three stated position policies I found in sustainable development. And I offer my rebuttal to them. By the way, I found this information in the United Nations [www.un.org website. First, did you know that the United Nations views the American way of life as a nightmare, not a dream. What with owning our single-family dwellings, duly one-ton pickups and privately owned farmland, their view is that America and Sedgwick County are destructive to their earth mother's environment and that it's time for their collective to have dominion over us through the back door.

"Second, their view of social justice is for all people. Not a bad idea, sounds like. But whether they possess a work ethic or not, they can have the right to benefit from their earth mother's resources, which shall be accomplished by the socialist and communistic redistribution of wealth. It appears that our education system has failed us and our children, to such a degree that we grow numb at the mention of any tenets of our constitution unless of course it's an election year. We all get warm and fuzzy with the prospect of winning the lottery, of redistribution of wealth, as in \$1.5 million grants. Has a sexy ring to it, doesn't it? So what if a collective communist seduces our congressmen or County Commissioners to sell out our proven constitution in order to buy into this lie? Instead of keeping their sworn oath to guard and protect our constitution.

"Is this American exceptionalism at work? Is this Kansas exceptionalism? No. According to the 14th Amendment, this is insurrection and rebellion. Commissioners, do not be party to this Agenda 21. Vote no against sustainable development. Some might say, 'Hey, Rick, what's the big deal, come on, we all got to take it for the team once in a while.' Really? Which team would that be, Commissioners? Would that be team U.N., where sustainable development has hatched? The third stated position policy is that the American citizen is guilty of gross injustice because of our built-in national sovereignty, and that it must be eradicated. Are these the kind of people Sedgwick County wants to do business with and be influenced by? Sorry, folks, I choose to be team constitution. How about you?

"Because of our sovereignty we have justice in America, and it is up to we the people to approve ourselves and take advantage of it. It is a big deal. Vote no against sustainable development and smart growth. It's dumb. Should the Sedgwick County Commissioners choose to vote yes, we and our children will become unsustainable. We will experience more onerous regulations, systematically losing our property rights of land and home because of crushing penalties laid upon our backs by wannabe elitist politicians doing the dirty work for nongovernment organizers who desire to leverage the once sovereign citizen, and that would be you and I..."

Chairman Norton said, "Mr. Woolsey, your time is up. Try to finish up."

Mr. Woolsey said, "All right. Very good. In closing, the agenda of the United Nations is stated on the website, preaches that the wealth of productive citizenry must be taken

away and awarded to non-producers. That same agenda states emphatically that being born into sovereignty is a myth unjust and a terrible mistake. This agenda espoused by the United Nations, the sustainable development then is the enemy of the state and thus an enemy of our country and our county. How do you spell diabolical? Sustainable development, that's how. Commissioners, of Sedgwick County, do not consent. Vote no against sustainable development."

Chairman Norton said, "Thank you, Mr. Woolsey."

Ms. Shirley Koehn, 442 South Waverly Street, Wichita, greeted the Commissioners and said, "I want to thank the council for listening to all of us today. I think it is extremely important, and as Helen Cochran said, I think this is probably the most important decision that you have made, or will make while you are Commissioners. I have made a few notes while others have been talking so I will try not to repeat anything they have said. Many have spoken of ICLEI, which is a NGO, which is a Non-Governmental Organization, working with the U.N. Their full name is the International Committee for Local Environmental Initiatives, I'm sorry, the International Committee for Local Environmental Initiatives. And they train other people as well.

"Now, Wichita has not, or Sedgwick County has not been involved with ICLEI to my knowledge, but Johnson County, Lawrence and a number of others are, and as someone else spoke of, many communities are beginning to kick out ICLEI and other organizations like them, because they are finding out this isn't working. But it is the international part I wanted to emphasize. Several have spoken of U.N. Agenda 21. What does that have to do with Sedgwick County? I think it has an awful lot to do with Sedgwick County, because in [United Nations] Agenda 21 in different parts, they make a point that property rights are really not important, and really shouldn't even be. That things should be owned by the collective, and be distributed by the government. They make reference that disputes would be settled by international law. And if you're really alert, this has been mentioned, discussed by our judicial system, that we should be making reference to international law and making decisions.

"Some have even said that our Supreme Court should be looking at international law. The U.N. Agenda 21 provides for what are called wilderness corridors, which means establishing, like where we have national parks and so on, making those bigger, and making them so that there would be no humans in there. It's going back to nature, to the ultimate. What is going to happen to people who currently own a ranch or farms or something like that in those areas? Are they going to be compensated? Are they going to be moved out of there? Are they going to be put into a high-density location in the city?

"Think about the kind of person who has a ranch in Wyoming or someplace like that. Is he going to enjoy living in a high density city like New York? And what is going to happen, somebody mentioned the smart meters. I don't want a smart meter, because at first, I am going to control that smart meter, but someday according to the U.N. plan, and it sounds like Rome is already there, we won't be able to control the smart meter, the smart meters going to control us. And it will tell you when you can have your lights on, your heater, your air conditioning, and probably eventually no air conditioning at all.

"There will be buffer zones around the high density areas and that's described in Randall O'Toole's book The Best Laid Plans: [How Government Planning Harms Your Quality of Life, Your Pocketbook, and Your Future], which is about Portland, that

someone mentioned. Those buffer zones are areas where the land use is not high density, but you can't build a single-family home unless it's on anywhere, it's varied from 30-40 acres to as much as 160 acres. There have been cases where the government has said, oh, you own this piece of land, you want to put, to want to tear down the old farmhouse you have there and build another farmhouse.

Ms. Koehn continued, "Well no, you can't do that. You can continue to live in your own farmhouse there, but once you build a new house, you fall under new restrictions and you can't do that. To change directions a little bit here, and there are lists of the many communities they are getting out of ICLEI...I'll just mention this about the RNC (Republican National Committee)."

Chairman Norton said, "Ms. Koehn, how much time?"

Ms. Koehn said, "Just one thing. I wanted to mention that the Republican National Committee has adopted a series of resolutions exposing United Nations Agenda 21, and you can read these for yourselves, you can get it online. And basically they are pushing to have this adopted into the republican platform. So us asking you to say no is not an isolated issue, it is all over the country. Thank you very much for listening."

Chairman Norton said, "Thank you."

Representative Dennis Hedke, Kansas Representative District No. 99, greeted the Commissioners and said, "Thank you, Chairman Norton and all of you Commissioners for being available to hear our comments, and as you can see by the range of suggestions so far, I think that the consensus would probably suggest a no vote is where you ought to seriously consider taking your own personal tally. I have a prepared statement here, but I am not going to read from that. I am just going to try to summarize things off the top of my head, and reiterate some of the suggestions that are coming from the audience. The U.N., although it's not specifically stated of course in the contract or the agreement that you're considering here, is certainly involved in the background, whether we like to admit that or not. And I think that it behooves us to give very, very serious pause for any such agreements and monetary exposure. It was mentioned early on that we have about \$120,000 committed from Sedgwick County by virtue of this agreement over the next three years. There are other state-related funding mechanisms are also connected to this.

"So, by the end of the day, you have about \$800,000 of taxpayer funds which would relate to this proposal and I think it is not in our best interests to go that direction. I think that, first of all, let me back up. I'm Dennis Hedke, sorry about that, residential address is 1669 North Sagebrush, here in Wichita. I'm a constituent of Dave Unruh's and appreciate the service he's provided our community and all the rest of you as well. Nothing about what I have to say or I think anybody else really here has to say is in opposition to you gentlemen trying to make a concerted decision. We respect your diligence and your desire to make a proper decision. And we hope you will make one that will probably line up with the generalized consensus you've heard from here today.

"But I would I like to read a quote from an Agenda 21 document, just so perhaps there's some additional context provided here. 'Effective execution of Agenda 21 will require a profound reorientation of all human society, unlike anything the world has ever experienced- a major shift in the priorities of both governments and individuals, and unprecedented redeployment of human and financial resources. This shift will demand that a concern for the environmental consequences of every human action be

integrated into individual and collective decision-making at every level.' [Agenda 21: Earth Summit: The United Nations Programme of Action]. Key word being collective. And I think that many of these suggestions you've heard earlier relate to that concept of collectivism and where it would head and why it would be, we believe, inappropriate for us to be involved with that.

"I would say that we, and I am going to read off a list of other state representatives and state senators who have co-signed the statement that I'm going to give you for the record. But we recommend that the Sedgwick County Commission steer entirely clear of anything to do with ICLEI, Agenda 21, or any other mechanism, including this document you have in front of you here by which personal property rights become targets of regional planning exercises and become replaced by the collective strategies that dominates the landscape of sustainability directives. Make no mistake about it, that's exactly where it's headed. So, free markets when allowed to function with unnecessary prohibitions and encumbrances perform very, very well indeed. We encourage you to return and adhere to those principles as you deliberate any and all issues of Sedgwick County. So we would pray that you would do that, and unhesitatingly recommend a very strong no vote against this item.

"The other representatives that have signed this document with me are Representative Benny Bowman in the audience, [Representative] Mario Goico in the audience, [Representative] Jim Howell, not here, Representative Gene Suellentrop, Representative Joseph Scapa, seated over here, Representative Pete DeGraaf who is not here today, and then finally Representative Steve Brunk, also seated in the audience; two senators, Senator Dick Kelsey and Senator Steve Abrams. The list would be a lot longer if I had more time to compile and converse with those individuals. I had a fairly short time frame available to me to begin preparation for this morning's session. So, I thank you for the time, and appreciate your consideration. Thank you very much."

Chairman Norton said, "Thank you."

Mr. Trabert said, "In addition to all the good policy reasons you've heard today to reject this consortium, or any participation in it, there is also many pragmatic reasons I would like to address. We have no doubt that the people entering into this or interested in doing so have very good intentions, but regulations and other outcomes that will come from this will only make a challenging economic situation in Sedgwick County even worse. The REAP website says that job creation and economic development are among the primary goals, but increased regulations would have very negative consequences in that regard. There was the U.S. Chamber of Commerce surveyed its members, 79 percent said that federal regulations of small businesses are at least somewhat unreasonable, over regulation is one of the top five concerns of small businesses and nearly half of all business owners surveyed by the Wichita Chamber of Commerce believe that the over-regulatory climate in Kansas is bad and hurting the economy.

"Another core purpose listed with this is to use limited public funds more efficiently by building partnerships and identifying best practices to address challenges. We applaud that effort to efficiently use and ultimately limit the use of public resources. But do we really need to spend taxpayer money to figure out how to save taxpayer money? It just boggles the mind. Surely government and the business community can get together and voluntarily, and I would imagine and hope certainly that many in government are already doing this, and I would imagine the business community and certainly Kansas

Policy Institute would be happy to volunteer to help figure out how we can do these things without spending taxpayer money in the process.

Mr. Trabert continued, "There's also a key element missing in this process. It starts with an assumption. There is no question, sustainable communities, cleaner air, housing, energy independence and other things may be important to the federal government, and may be important to some of the participants in this. But if the goal is to do job creation and economic development, the process starts with understanding why they aren't here now or why those who are here have been leaving. It does not start with wanting to give them what we want them to have, it starts with understanding what the problem is and addressing that. In today's competitive world, we cannot afford to have any negatives on our resume. We compete very well in infrastructure and having qualified workforce. Why should we spend any more resources on that? We cannot improve our competitive position by doing that. But we can improve our competitive position by looking at the negatives, looking at why we continue to lose, have net losses every year.

"We're very, very uncompetitive in taxes. The Sedgwick County not only has, or State of Kansas, but also Sedgwick County, in 2011 we were 16 percent, or 6.3 percent below our 1998 employment levels. Sedgwick County, for all the good intentions, Sedgwick County has had a net loss of jobs and adjusted gross income from domestic migration. Between 2005 and 2010, 3,377 people chose to move to other states. That's a net of in and out, and they took about a quarter of a billion dollars in adjusted gross income with them. That's detailed on this chart here. We think it is very encouraging that governments and others are willing to get together and talk about these things. And that's very positive, but we do not need federal government intervention, we do not need to spend federal taxpayer dollars and we should all work together on understanding what the customer wants so we can have a net gain instead of a net loss. Thank you."

Mr. John Stevens, 3125 East Boston, Wichita, greeted the Commissioners and said, "You will be glad to know that I have cut my remarks in half because of other things that have already been said. But there's a couple of points I would like to make, \$630,000 of the million and a half dollar grant will have to pay interest. And that's about a five percent figure. It goes on until the federal government pays it off, or the Federal Reserve prints money, whatever it is, that's an element in this package that you're dealing with. And the federal government must sell bonds or print money to cover this grant and all others while facing the current debt crisis. And you guys have got to be, besides, I forgot to say, Mr. Chairman, and members of the Board, I apologize for that, but in today's society we have developed the mentality that government money at the federal level is somehow free and we never need to pay it back.

"The reality for most responsible government officials is that at some point this funded grant will have to be repaid with additional taxes being sent to Washington. The idea that we could repudiate the national debt is catching on in the present democrat administration in Washington. Leaving bonds worth half or even worthless like Greece's bonds has not yet been an acceptable reality for conservative-thinking, I call it republican politicians. This is not necessarily republican, democrat, but it certainly is responsible parties that are elected. Spending this kind of money should be done only for necessary functions of government with restrained frugality. Sustainable spending

and borrowing, unlike the green model suggests, has turned out to be not so sustainable. Development projects need to be sustainable in terms of cash flow, business reality still needs to be applied to the decisions we make. Thank you."

A motion was made by Commissioner Skelton, seconded by Commissioner Unruh, that this Planning Department be Approved. 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

Chairman Norton said, "Thank you, John. Representative Bowman."

Representative Benny Bowman, Kansas Representative District No. 95, greeted the Commissioners and said, "I live here in Wichita, in Mr. Norton's district. You have my sympathies for having to sit and listen to all this testimony because I happen to be a state legislator, 95th District, and I have to sit for three, four hours and listen to similar type testimony. So after all these other people said about half, just like John said, about half of what I had planned to say, I will try to bore you as little as I can. So, for one thing, it came to my mind, they are talking about sustainability. And it makes it sound like this is an immediate crisis that has come up, but in reality, they make it look like, well, we're getting so much population we have to put everybody in a pig pen or, you know, a crate or something, you know, instead of letting them choose what they want, because we have so many people.

"I remember they tried to sell this idea when my children were in high school, and projected this thing, the whole earth is going to be covered with people. Well, today in America, if it weren't for the illegal immigration, we would be declining population rapidly, so this is not a crisis. And furthermore, it's being pushed, and as far as I'm concerned for the majority of the people, probably think this is a great new idea, all new something, very progressive. But really in reality, it has been around for over a hundred years, and you are going to say, well, now, how can that be when the U.N., it is a U.N. plan you understand, but the U.N. has not been around for over a hundred years. But its predecessor has, that's the League of Nations.

"They tried to sell the thing back then and people got onto it and they would not join it until they had this horrendous World War II and then they changed the name of it all of a sudden, they put a new stamp on it, and everything that the League of Nations stood for, then went into it, and the new label and they sold it to them because it was going to cut down on wars. And we've had ten times more wars since we joined in the United Nations than we did before. I ask you to vote against this thing. Thank you."

Mr. Dane Baxa, 1503 North Kentucky, Wichita, greeted the Commissioners and said, "I don't have a script, I didn't get the script of how to destroy government, or any kind of idea about how to destroy policy, but I wanted to come today and talk about a solution, a possibility of solutions and tool box that this region can participate in. A few years ago when I moved down to this region I joined a group called Visioneering [Wichita], and you know, looking out for the future of this community, I had a lot of concerns. I wasn't so concerned about, you know, particularly protecting the environment, but really creating a place for now my one-year-old child to grow up and have the same opportunities that I have.

"And today, you know, I helped write this grant, and all that this does is create a tool box of options for communities to adopt that will help sustain infrastructure investments, the same things the core critical things of government, roads, water supply, other transportation, affordable housing, these are things that our region is really good at. We have a great affordable housing stock, and to continue to have those options for the future generation is a big concern for me. So I ask that we look for those solutions to figure out how we can sustain our great economy and I would ask you to be supportive of this grant initiative today. Thank you."

Chairman Norton said, "I do not see Mr. Gables, so we'll move on to number 18, Representative Scapa."

Representative Joseph Scapa, Kansas Representative District No. 87, greeted the Commissioners and said, "I live in Commissioner Skelton's district, and my district encompasses Commissioner Unruh and Commissioner Skelton's district. I will not repeat a lot of what has already been said, but I agree with those comments that were said today in asking you to vote no on this sustainable grant. This sustainable grant, make no mistake, there are strings attached. Any type of thing like this may start out and look like it is a simple, friendly little grant, but there are strings attached. It may start out like this, but down the road, as things come along, more and more requirements will be made, more and more things will come into play, and this is a part of Agenda 21. It is made to start out like this.

"It is made to ease us into it, to kind of slowly put us into that direction. It's done that way on purpose, just to kind of get people used to it. It kind of goes back to, if you put a frog in the boiling water, it's going to jump out, but if you put him in there and turn the water on and he gets used to it, he's not going to jump out. As people get used to it, which is what they want you to do, then it is easier to throw more and more into it. More grants will come along, more requirements will come along. All of these go against our freedom, all of these go against our liberties.

"Not to mention what was already said, as far as a portion of this is borrowed money. It's not fiscally responsible to do this. A vote for this is a vote against private property rights, a vote against our freedom as we know it. As a realtor in the city I help a lot of people who want to experience the American dream. Buying the house that they want, where they want, drive the car that they want. As this is designed, those freedoms will slowly be starting to take away. You see right now we have a volunteer, a program you can volunteer for right now with watt saver with our energy.

"As time goes on, and as these sustainable Agenda 21 takes ground here, you will see that the programs like that will not be voluntary any longer. They will become the norm. They will turn your air conditioner on and off when they want it on and off. And that will be required, not voluntary. So, rather than repeat everything else, I just want to say I agree with things that were said. A vote for this is a vote against the will of the people. This is not what we want to have in our county or our state. When we get back to Topeka at the end of our spring break here, we are voting on a resolution against Agenda 21 that will likely pass as well. So this is going against the direction that we are trying to move the state, and against the will of the public. So, again, I ask you to vote no and thank you very much."

Chairman Norton said, "Representative."

Mr. John Todd, 1559 Payne, Wichita, greeted the Commissioners and said, "I am here today speaking as a citizen and a resident of Sedgwick County in opposition to the appointment of Sedgwick County as the physical agent for the Regional Economic Area Partnership consortium for sustainable communities. I also oppose Sedgwick County's \$120,707 in-kind participation as detailed in the consortium agreement you are considering today. In your packet, there is an article written by Randall O'Toole of Cato Institute, he says sustainable planning is not so sustainable. This was published, part of it was published in The Wichita Eagle recently. Also in your packet, I won't read it, but there is a resolution by the Republican National Committee, the Chief Sponsor was Helen Van Etten, the Republican National Committee woman for Kansas,

and in it they recommend that we reject the sustainable communities and that we not participate in any grant monies involved with it.

"In that packet also is a website for democrats against U.N. [Agenda] 21, and in a nutshell, they say the plan, sustainable development calls for governments to take control of all land use and not leave any of the decision-making in the hands of private property owners. It is assumed that people are not good stewards of their land and the government will do a better job if they are in control. Go on that website and it is real interesting to read.

"Over the last several months, I have attended several REAP meetings at the Wichita State University, the Hugo Wall School of Urban and Public Affairs. It's a rare occasion to see a non-elected or non-government staff citizen in attendance at these meetings. When listening to the discussion of REAP's participation in connection with the \$1.5 million HUD grant, I have heard talk of the need to hire two additional staff positions at Hugo Wall [School of Urban and Public Affairs] out of the grant money. A part of their staffing responsibility would be that of seeking additional federal grants from time to time in conjunction with the sustainable communities program. Does anyone believe that any additional federal grant money will be free of bureaucratic strings, or will acceptance of additional grant money would actually be the carrot used by our federal bureaucracy to lure local and regional groups like REAP in to programs that perpetuate the federal object of controlling local land use through regulatory mandates?

"We need to exercise local push back when we are tempted by grant money from non-elected federal bureaucrats. We don't need to surrender our private property rights and local sovereignty to the federal bureaucracy in Washington, D.C. This federal sustainable communities grant you would be funding today on behalf of the REAP consortium is bad public policy, and you as a County Commissioner have the opportunity to decouple our countries participation in the program by simply rejecting it. As John Locke, who influenced the founders of this country said, 'Government has no other end, but the preservation of property.' As a citizen, I ask you to vote no today. Thank you."

Chairman Norton said, "Thank you, John. I have come to the end of the list that I have. I understand that there's still a couple of people that would like to speak. We'll add them to the list. How many citizens are left that would like to speak? Okay, I see four hands. We'll take those four people. If you would..."

Commissioner Peterjohn said, "Five."

Chairman Norton said, "Oh, I'm sorry, five. If you would come forward, sir, and then, if everybody else would kind of queue yourself up to be in line. State your name and address."

Mr. John Axtell, 3154 North Ridge Port Street, Wichita, greeted the Commissioners and said, "You know, at first the word sustainability, it sounds like everybody is singing kumbaya. Who can object to that? But as I studied up, I learned that I did not want any part of this sustainability grant offered by the federal government. Here is just some of what I learned. The Heritage Foundation states that, 'Smart growth policies impose land use regulations that suppress housing supply, and drive up home prices in turn opposing unnecessary costs, especially on middle –and lower- income households.' and they, 'Impede economic growth, construction, consumer choice,

homeownership, job creation and flexible community development strategies.'

Mr. Axtell continued, "Now this sounds like a recipe for disaster to me. But in real life, how does this work? Randall O'Toole of the Cato Institute has studied the proposed grant here in Sedgwick County and found that in his former hometown of Portland, Oregon, 'In their zeal to subsidize transit and high-density developments, the region's officials have taken money from schools, libraries, fire, and police, leaving those programs starved and in disarray.' His recommendation, 'To protect livability...REAP members of South Central Kansas should reject the \$1.5 million grant offered by the federal government.'

"You know, I want the streets in my town to be dedicated, to be devoted to motor vehicles, not narrowed by bike paths or impeded by cutesy little circular intersections, simply because I want the police and the sheriffs, the fire protection and the ambulances all to get to my home and my neighbor's homes as quickly as possible. I like living in the suburbs just 12 to 15 minutes from my aerospace job by car, and less than two miles from our favorite little Thai restaurant in the northwest part of town and less than four miles from Dillon's. I like that.

"And I like harvesting flowers and fruits and vegetables and nuts from my third acre suburban lot. I really would like to harvest the little bunny that comes and steals lettuce from the garden as well. But I know I would be winding up in court over there and not talking to you here, right. But this is my idea of sustainability, and it doesn't need fixing. Not at all. We know how we want to live in Wichita and we already have a full stable of planners working at the local level. We have an opportunity today to say yes to private property, yes to local self determination, and yes to individual freedom. And to say no to the unsustainable future that comes with more federal bureaucracy and control. Please vote to reject the \$1.5 million grant offered by the federal government. Thank you."

Chairman Norton said, "Thank you, John."

Mr. Tim Witsman, President, Wichita Independent Business Association, greeted the Commissioners and said, "We have not had an opportunity, and this is not one where I think we could successfully survey our members, so we are going to express things that we already know from them. I did read some of the Agenda 21 stuff, and some of it is outrageous. Actually, the word that came to my mind was bozo on some of the comments. I am sure there are people in the Obama administration who frankly do want to leverage these grants to accomplish goals that we're not in agreement with. But we also don't see our local elected officials as part of some international conspiracy. We have much more confidence in you.

"We don't see anything wrong with people getting together in this region if we're talking about things like planning on water, air quality, those are things you really have to do regionally, because different people affect those things and you have to work together to solve them. I want to just paint a little picture of what our business attitudes are. We surveyed in the fall of this past year and ask our folks what matters most to you.

"First thing was decreasing business regulations and mandates. That's an interesting one. A couple months ago I had an accountant in my office, and I just, we were talking about that for a second, and this accountant said what they were noticing was that the small businesses were falling farther and farther behind in terms of their compliance

with paperwork of what was being thrown at them. The second thing in that survey was reduce the size of government. We can talk about that one another time. And the third was to repeal or challenge the federal healthcare system.

"That's interesting, too, because government by its nature has to be coercive. We give that power to government, it does have to be that way.

"One of the interesting elements of that was the requirement some years ago that hospitals serve people regardless of whether they can pay. That's an interesting concept, because it's a coercion without being willing to pay. Whatever we decide to do, whatever you decided or someone else, we ought to do that. Independent businesses are mostly small, they are the contributors of the bulk of new jobs and they are local, and their attitude tends to be tell me the rules, leave me alone. They are not able to compete in [Washington] D.C. for the amounts of money available in carving out special things in the tax code. You are really more important to them than any other level of government.

"There are those who use different slogans to propel additional restrictions on development. Smart growth, whatever it might be. In some parts of the country, well-meaning people layer on costs thinking that the private sector can bear any burden and keep going. I had an email this morning from one of our members who had been in development saying that their rule of thumb had been for the common areas, parks, water, drainage, all those sorts of things, about 20 percent was as much as this they could absorb and still make money or be able to sell the product. In grad school I read a paper by some people on the California housing market, and this is relevant, it was a brilliant analysis.

"These folks were just wonderful in terms of how they analyzed why it was so expensive, what was going wrong, why couldn't you have moderate and low-income housing. So I got to the end of it, and I wanted to see what their conclusion was. Their conclusion was the state ought to own all the property. And I went what? Because while I read that, I wrote down 11 things that you could do to improve the situation, to make that market work better. All 11 of those things were things that were done by the local government or the state government. So the conclusion they got was, well, the market was failed. No the market didn't fail, what was wrong was government had made a lot of mistakes. I have a personal concern for low and moderate income housing. I think that's very important. And if it sounds odd that the private sector cares about something like that, in El Paso, I was down there about 15 years ago, they were the large...the Chamber of Commerce was the largest builder of low and moderate income housing.

"Just a second? Okay. I'll finish as fast as I can. Bottom line is basically we believe in you, we like when you plan not to over control. U.S. is the most successful democracy and economic system in the world, and depends most fundamentally on a government that functions within reasonable limits. Sometimes I think the public dialogue is between people who hate the government and want to strangle it, and those who think there are no limits to what it should do. And one of the founders' most brilliant contributions was their understanding that government's job is to channel behavior, not to control it. And so we hope that as you consider this grant, you approach your thinking in that way, thank you very much."

Mr. Bob Weeks, 2451 Regency Lakes Court, Wichita, greeted the Commissioners and said, "You know, if we want to look and see what this planning process might look like in the future, we have a very good preview. Today in the Wichita Eagle, Mr. Joe

Yeager, who's an executive with REAP said that this planning process would follow along similar to what the planning process for the redevelopment of downtown Wichita has done over the past couple years.

Mr. Weeks continued, "And I might call attention that as the first major project that came about downtown after this planning process was the Ambassador Hotel, which required \$15 million of various forms of taxpayer subsidy grants, TIF (Tax Increment Financing) districts, et cetera, et cetera, and when the people were given a chance through almost a quirk of Kansas law to actually vote upon whether they wanted one of these provisions that plowed money into the Ambassador Hotel to take effect, the result was a resounding no, 62 percent of the people voting against that. This is the type of planning process we're thinking about adopting over the whole region of South Central Kansas now.

"And you might recall some of the attitudes of the Goody Clancy planners. There was one lady who came to Wichita in her presentation, she said, outside of Manhattan and Chicago, the traditional family household generally looks for a single-family detached house with yard where they think their kids might play and where they never do. In other words, this planner truly believed she knew what people in Wichita wanted more than the people actually themselves knew. And then David Dixon, who led the Goody Clancy planning team talked about in the future, we would be able to enjoy the kind of social and cultural richness that is found only at the core. And as I look at members of this Commission, I don't see anyone who lives in the core of Wichita. Are we to standstill for these types of insults? This is characteristic of the attitude of the planners that these grants support.

"I also remind you, a couple years ago I presented to this Commission when you were thinking about participating in the downtown planning process, that some of the data that these people use is totally bogus. I called attention to the walk score, which promoted that downtown Wichita is walkable, but some of the data there, they used the Pepsi bottling plant office as though it were a grocery store in determining the walkability of downtown Wichita. Mr. Scott Knebel of the City of Wichita eventually admitted that this was bogus, but yet that counts as the type of data these people use.

"And then finally, it is very important to realize that these plans are very much anti-personal automobile and in favor of public transit, and there have been studies that show that the automobile is a huge factor in allowing people to have the mobility necessary to increase their economic earnings and their ability to find a job. In fact, in a study that looked at different factors of what let people to find jobs, a personal automobile was more important than a high school equivalency diploma. So having a car opens up all sorts of opportunities to travel about, not only for pleasure and fun, but also to find jobs. This plan very much wants to, it's very much anti-automobile, that's the mindset of these people, they want more public transit, and I just note the state of the Wichita Transit system as an example of the failure of these things to really work for us. Thank you, Commissioners. I would be happy to answer questions now or later."

Chairman Norton said, "Thank you, Bob. Welcome, Representative."

Representative Mario Goico, Kansas Representative District No. 100, greeted the Commissioners and said, "I have been listening, and to be honest about it, I wasn't going to speak, I figured you guys have heard enough. But as I am sitting there, listening to the discourse, what is obvious is that the issue is never the issue. So it

made me think about my childhood. I remember I was born in Cuba, and of course everybody knows that Cuba became a communist country. But as I was a kid, I remember the United States was the admiration of the whole world; still is. "Everybody envies the quality of life, the hope for the future, the freedoms that we have, the whole world wants it. But they don't have the system to be able to get it.

"When I was a kid, my parents saw what was happening in Cuba. There was a revolution. The revolution was popular, because Batista was a dictator, he killed a lot of people. But what we saw was that after Castro got entrenched after a couple of years, what we saw was in the morning, instead of playing the national anthem, all radio stations played the communist international. Which a lot of people do not know what that is, but there was an international movement to bring the world to communism. They started saying things, and of course I was a kid, and my parents decided that they wanted to get me out of the country, so I came here by myself and wind up in an orphanage here in town, and from that orphanage I saw the hope for the future that our system gives. I knew that if I wanted to progress, I had to get an education. I did. And that changed my life.

"But this here I think is the issue not being the issue, the real issue here is that the consumption of energy, the standard of living, the things that the United States offers their citizens is such, and that is the envy of the world, is such that instead of trying to bring everybody else to the level and that standard, we are being asked to cut off the freedoms, the things that we have enjoyed our whole life, and basically if you read some of the details in this issue, you will find out that that is the real issue. I am getting the 30 seconds, I am not even going to use those 30 seconds. So, it is a pleasure that I could talk to you. If you have any questions, I would be glad to answer any questions that you might have. Thank you."

Ms. Susan Estes, 151 South Whittier, Wichita, greeted the Commissioners and said, "First of all, I would like to jump back to earlier on the agenda and congratulate you on the excellent fiscal report. It was a very rough year for you guys. You started off the year with a huge gap. You worked very hard. You made very conservative choices and you closed that gap, and I wanted to let you know that we noticed that and we appreciated the hard work that you've done on for the citizens. I am here speaking on behalf of the 6,000 approximate members that we have of Americans for Prosperity Kansas here in Sedgwick County. We have grown to over 2 million members nationwide, but we do have a strong membership here locally as well.

"This is an item that we received a lot of feedback from our membership on. You have heard a lot of comments today, and you kind of might think, well, this is getting a little far-fetched, how did we go from REAP to U.N. Agenda 21, because you know that you have no intention of stamping on people's freedom and adopting some of the crazy things that the U.N. has. I think it is a situation of when you start looking at the associations, you start looking at where some of the verbiage comes from, there is a trail to follow. But regardless of that, what I want to do is focus in on what do we know and what is in front of us today. When you look at the REAP materials, there is a reliance on regulations to accomplish some of the goals and planning, and that reliance on regulation is something that is real and it is in front of us and it is important.

"We have heard a lot from our members that they are very concerned that their property rights are going to be diminished through regulation, and they are also concerned that their cost of doing business, the cost of raising their families, the cost

of living here are going to go up because the regulations could possibly drive them into things like the \$30,000 septic tank systems you're hearing rural areas, that some communities are advocating as part of their sustainable growth planning.

Ms. Estes continued, "So there's a real concern here that we're going to have less choices and we're going to have a higher cost of doing business and living.

"And I want to also point out that none of us are saying that we're against conserving resources. If you look at the word conserve, it's the root of conservative. We believe that the market forces us to use our resources that we have effectively, and we are motivated to taking care of them. We don't want to be like the movie The Lorax where you run out, chop down every tree and you've got no way to survive. What we're telling you is, is that we don't want another unelected level of government or bureaucracy that is going to get in the way of that. We also want to let you know that we are not alone.

"When you think about what has been said here today, and I think this hasn't been mentioned, so I would like to add this as new, our current congressman has spoken publicly against the sustainable growth movement. He has not specifically mentioned our local situation, but globally he has spoken against this. Our former Congressman Tiaht spoken against this, voted on a resolution against this. We have our state reps here against this. We have the numerous cities who have withdrawn, but most importantly, I think the people that have struck me the most that have spoken to you today and are asking you to vote against this are the builders, the farmers, and two of the realtors who have been here today. Very, very critical industries to us, and they are telling them that this is going to hurt them. And I don't know what tradeoffs you make to find the money that you are going to need for that in-kind gift that you are going to give REAP if you vote for this. So, thank you very much. Be happy to take any questions."

Chairman Norton said, "Thank you, Susan. At this point, that expends our list. I am going to ask that we take a 10 minute recess, we've been at this for a while. We'll come back in 10 minutes, five minutes after 12:00 [p.m.]."

The Board of County Commissioners went in to recess at 11:55 a.m. and returned at 12:05 p.m.

Chairman Norton said, "I'll call us back to order, if everyone would please find their seats. We have had the public comment period that was open to the public. I hope that everyone that wanted to speak got to speak. We'll now move all the commentary and conversation to the bench. And I would offer it up to my Commissioners that might want to speak on this issue to start the conversation. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. If it would be in order, I would like to pose a question, and to one of the conferees, specifically Mr. Mitchell, to see if he would be willing to come to the podium for a question. I would very much appreciate it, Mr. Chairman."

Mr. Mitchell said, "Would you permit that, Mr. Chairman?"

Chairman Norton said, "I certainly will. I don't want to go back into the dialogue of the speech, but as long as we're answering questions and trying to understand, I think that's appropriate."

Mr. Mitchell said, "I wouldn't remember all of that if we started."

Chairman Norton said, "Okay."

Commissioner Peterjohn said, "Well, Mr. Chairman, the reason I'm asking Mr. Mitchell, while he's working his way here, I will going to preface the remarks, I had received, and I hope all my colleagues have received copies of the testimony that Mr. Wess Galyon, a friend of mine and also a friend of Mr. Mitchell, had provided to us concerning this grant initiative, and the position that Mr. Galyon as President and CEO (Chief Executive Officer) of Wichita Area Builders Association. I wanted to understand if Mr. Mitchell's testimony at all was connected directly to Mr. Galyon's in any way, shape, or form. And if your conclusions, because from frankly, Mr. Mitchell, your testimony was very straightforward and very direct, and I very much appreciate that fact, but I wasn't sure if you were speaking strictly for yourself, or also speaking because you have been involved with the [Wichita Area] Builders Association in the past, and I would appreciate any clarification that you could provide for us."

Mr. Mitchell said, "All right. I do not speak for the Builders Association. My work has been with members of all of those associations, and with builders and contractors and realtors in this area for years. So it's from my experience rather than being a representative of that organization. And I read his testimony last night, and as always, he's way too verbose, but he comes to the right conclusion."

Commissioner Peterjohn said, "Thank you for that clarification."

Chairman Norton said, "I see that he's not here to defend himself."

Commissioner Peterjohn said, "That was the main question I had for the conferees, thank you, Mr. Chairman."

Chairman Norton said, "Commissioner Skelton."

Commissioner Skelton said, "I just need to have planning come forward right now."

Mr. Schlegel said, "Yes, sir."

Commissioner Skelton said, "Mr. Schlegel, you hear a lot of things and I'm going to tell you a lot of them disturbed me. Okay. I've been involved in plans for, you know, pretty much since the start of my government services, and I just want to tell everybody when I was a Councilman, I looked at a South Wichita/Haysville [Area] Plan as a large part of what I did, and to understand what the needs of the community were, but in this case there's a lot of concern with the citizens. What is your general reaction to those who say that this is, you know, going to lead to things like higher costs, corrosion of rights, especially zoning in the county. I mean, you know, I've already talked to you about this. This is nothing I want to be a part of. What is your response to that?"

Mr. Schlegel said, "Well, this REAP grant is supposed to be paying for development of a plan, and the plan should be developed by the community with the participation of folks like that were here testifying today. And the plan should reflect the values of the community. Just like the Haysville South Wichita[Haysville Area] Plan that you just spoke of I hope reflected the values of that portion of the community. That's the goal of any plan, is to put together a set of recommendations and strategies that carry out

the values of that particular community."

Commissioner Skelton said, "Okay. Alright well then let me ask you some other questions here. Specifically, how long are we going to operate, and just over what period of time. This grant is going to cover three years of planning, correct?"

Mr. Schlegel said, "Correct."

Commissioner Skelton said, "Okay, what happens at the end of that time?"

Mr. Schlegel said, "Well, then hopefully there will be a consideration of the plan by the jurisdictions that are involved and all the consortium members and then hopefully then we would start an implementation phase."

Commissioner Skelton said, "Okay. Well, tell me why we need this grant."

Mr. Schlegel said, "Well, I think the REAP consortium members, and that's the local county and city government officials that participate in REAP, were intending, from everything that I have heard that this would start a process by which we would have community dialogue, and we started a community dialogue today, certainly I think everybody would agree with that, to find out what it is that this community wants to do to sustain itself as a community into the future, and what sustainability means to this, to South Central Kansas. I think we had a lot of people testify today as to what it means to them, but we also had a lot of people, I think that were presupposing the outcome of that planning process, and expressing their fears about what some of those outcomes might be."

Commissioner Skelton said, "Okay."

Mr. Schlegel said, "But I think what I would urge is that you give this process a chance to work. Certainly many of the ideas that were expressed at the mic today I think are worthy of consideration in developing recommendations and strategies for the future."

Commissioner Skelton said, "Okay, well, that's fine, I appreciate that. But what if we get started in this process and in my opinion I don't like what I'm seeing, for example. What recourse would I have?"

Mr. Schlegel said, "Well, I think..."

Commissioner Skelton said, "As a Commission."

Mr. Schlegel said, "As a Commission?"

Commissioner Skelton said, "Yes."

Mr. Schlegel said, "Well, in the end when REAP has completed the plan, if this Commission does not like what is contained within the plan, you certainly would not be obligated to endorse it or adopt it or carry out any of its recommendations."

Commissioner Skelton said, "Okay. What about mandates, a lot of folks are concerned about mandates coming from the feds like, you know, this is going to, you know, through our process of whatever it might be, that has not done yet, that will be

done, we're going to allow mechanisms for people like the EPA to come in and expand their already overregulation and environment is going to be more in tune to the EPA or people like that that want to come in and propose more federal regulations.

"Are we leaving the door open or create a door they can walk through by doing that?"

Mr. Schlegel said, "Well, I think a lot of the things that people have expressed their concerns about and their fears over are mandates that already exist in federal legislation. The EPA is charged with carrying out those mandates. You know, examples would be things like the Clean Air Act and the Clean Water Act and other federal legislation that has been adopted to deal with environmental issues. I think a lot of the fear that gets expressed within our community about that, about those particular mandates is that we have not been paid much attention by EPA in the past, and now we're starting to have EPA pay attention to South Central Kansas, and we're finding we don't like some of that. We don't like having that attention brought to bear on our activities. They've been, you know, EPA has been imposing these mandates throughout the country, carrying out the mandates that were created by the congress in passing those acts, and, you know, it is just now that they are getting around to paying attention to Wichita and South Central Kansas."

Commissioner Skelton said, "So..."

Mr. Schlegel said, "So it gives the appearance, I'm sorry, let me finish my thought there. So it gives the appearance that somehow these are new mandates that weren't in place before, but in fact place many of these laws have been on the books for decades, and they are just now being applied with some greater vigor in our area."

Commissioner Skelton said, "If we accept this grant, does that mean they are going to come down here and apply them with greater vigor?"

Mr. Schlegel said, "No, it doesn't mean any more or less attention than what we're already getting."

Commissioner Skelton said, "Okay. All right, I appreciate that. Why do you say that? What qualifies that statement, sir?"

Mr. Schlegel said, "I am not sure I understand the question."

Commissioner Skelton said, "Well, why? We got a grant here and you're saying it is not going to create greater avenues for the EPA to come here and regulate. Maybe the attorney can help me. Why do you say that? Obviously there is a concern of people here. They are claiming that it will, and I want to be assured that it won't. I don't know that it will either or won't. I'm trying to find the truth out. What does the attorney have to say about that? What authority does the EPA have and what avenues could this grant leave for the EPA, for example, to come in here and be of greater issue to this community?"

Mr. Euson said, "The grant does not give the EPA any more legal authority than it already has now."

Commissioner Skelton said, "Okay. So this is not going to enable the EPA."

Mr. Schlegel said, "No. The mandates that the EPA has are already established in federal law. It is through the acts like the Clean Air Act, the Clean Water Act, there is

an Endangered Species Act, you know, there's a whole list of environmental laws that have been passed by [United States] Congress over the many decades, and EPA is charged by congress, when they pass these laws to carry out that legislation.

Mr. Schlegel continued, "They are given the authority to develop rules and regulations by which that federal law then is to be implemented."

Commissioner Skelton said, "Okay."

Mr. Schlegel said, "That already exists in law..."

Commissioner Skelton said, "All right."

Mr. Schlegel said, "...and this grant doesn't do anything more or less. I think the opportunity that we would have is as the South Central Kansas community, would be to figure out how to work together regionally in addressing some of those mandates that are now starting to come to bare on our region."

Commissioner Skelton said, "Okay. Well, tell me about what you like best about this grant."

Mr. Schlegel said, "Well, I think I would agree with REAP's members that feel that this is an opportunity for us to engage in a plan, in the development of a plan that I think could help us to better work together as a region as we meet some of the challenges of the future, whether it's the economic development, fiscal constraints that we are facing as local governments, whether some of these environmental mandates that are coming down the road at us now. Could be things like people expressed a lot concerns about the impacts on property rights, so how do we sustain property rights into the future. I think that's very clearly a value that's held in high esteem by South Central Kansans and maybe we need to figure out ways in which we can better make sure that our property rights are protected."

Commissioner Skelton said, "Does an application or any other form that has to do with this issue address property rights? I mean, are there questions about property rights in the application. I mean, where is this coming from, sir?"

Mr. Schlegel said, "I don't know. You would have to ask the people that brought those types of concerns up. I understand that there's, people are making connections between this particular grant application and things that other communities have done, but it doesn't necessarily follow that we would make the same mistakes that other communities have done."

Commissioner Skelton said, "How is that possible? I mean, I of course I understand that, and I've been a member of the Board of Zoning Appeals and serve on WAMPO (Wichita Area Metropolitan Planning Organization). We as County Commissioners here, part of our authority is zoning and the same with the city council, so how could that happen out of our control? I mean, what could happen, you know, what is going on with that?"

Mr. Schlegel said, "As far as land use control?"

Commissioner Skelton said, "Yes, sir. How can this grant, in your opinion, you know, interfere with property rights?"

Mr. Schlegel said, "Well, I don't foresee that it would do that. All I'm trying to do is make a point that if people are concerned about protecting property rights, then this could be a mechanism, and a forum by which we reinforce that this community wants to protect property rights."

Commissioner Skelton said, "How can we, if we accept this grant, how can we assure people that? Do you have any recommendations that we can do to assure people of that? I know that we've worked on that in the south cities or the [Sedgwick County] Quad Cities [Joint Area] Plan, which we're doing, but what can we do in this case?"

Mr. Schlegel said, "In order to ensure the protection of property rights, I think people have to make known to their local government officials who are the ones that have authority to impose land use regulations that they want property rights protected."

Commissioner Skelton said, "So in other words, what you are saying is we as the Board of County Commissioners have regulatory authority over zoning in the county, is that right?"

Mr. Schlegel said, "That is correct."

Commissioner Skelton said, "So the only way that that could change is if we here decide to do something."

Mr. Schlegel said, "Correct."

Commissioner Skelton said, "Now, I apologize, but where is that in law? What law says that?"

Mr. Schlegel said, "State law."

Commissioner Skelton said, "State Law."

Mr. Schlegel said, "State statutes say that."

Commissioner Skelton said, "Okay. All right, what implications do we have here on the cost of government? I mean, there is a cost of government now, what implications does this sustainability plan have on the cost of government?"

Mr. Schlegel said, "Well, I don't have a lot of specific examples to cite right now, because I think that's something that could come out from having this type of dialogue amongst local governments, but there are opportunities for cost sharing amongst jurisdictions, consolidation of services, where there's excess duplication, even privatization of services where that is appropriate. There is a list of things that could be looked at and if local governments are working together, and talking about that type of thing, they could probably come up with some good ideas."

Commissioner Skelton said, "Okay. What could happen if we vote no today? If this county does not participate, what happens?"

Mr. Schlegel said, "Then the county would not be the fiscal agent and would not be a

partner at the table with the other members of the consortium. I don't know what's going to happen with the other consortium members, but REAP could continue on with this. They could find another fiscal agent that would be willing to serve in that role."

Commissioner Skelton said, "Hasn't this happened before?"

Mr. Schlegel said, "Has what happened before?"

Commissioner Skelton said, "That the county has declined to participate."

Mr. Schlegel said, "Yes. It happened two years ago. The first time that REAP went to apply for this grant, this Board declined to participate at that time."

Commissioner Skelton said, "So what happened after that?"

Mr. Schlegel said, "Then, well, REAP's application at that time, that was back in 2010, was not accepted by HUD. But they were invited, REAP was invited to apply again in 2011. They came back before this Board in September of last year. At that time the Board voted to be a participant."

Commissioner Skelton said, "So, what difference in circumstances exists now versus then?"

Mr. Schlegel said, "Why the different vote?"

Commissioner Skelton said, "Well, what is the reason, I mean, what happened then and what is going to happen now, if the county votes no today, what could happen? I mean, that's not the same set of circumstances."

Mr. Schlegel said, "Well, the grant has already been awarded to REAP, so this, it's not, the question before you today is not whether or not REAP should apply for the grant, they've applied for it, they've been awarded the grant. The question is whether or not this Board wants county government to participate as a member of the consortium that will work towards developing this regional plan."

Commissioner Skelton said, "All right. I appreciate that. My final question is, I want to know if REAP has had a chance to discuss this with some of the state legislatures or republicans that are signing this petition. Have there been any discussions?"

Mr. Schlegel said, "No."

Commissioner Skelton said, "That's unfortunate."

Mr. Joe Yeager, Chief Executive Officer, Regional Economic Area Partnership, greeted the Commissioners and said, "We have not had conversations with the local elected officials in regard to state legislators. None of those concerns were brought to us in our development of the grant application. We went for it, it was vetted through the process at REAP, came to each of our partners to build that original application, built the application, took it up there or sent it forward and were awarded, REAP chose to go forward and accept that grant and that's why we are now building on the consortium agreements."

Commissioner Skelton said, "How long have you known that the state was considering

some kind of proclamation against sustainable development?"

Mr. Yeager said, "The first that I heard of it was maybe a couple weeks ago, just that there was a resolution out there not knowing who or..."

Commissioner Skelton said, "Nobody ever approached you about this?"

Mr. Yeager said, "No."

Commissioner Skelton said, "All right. Mr. Chairman, I'll probably have more questions here. But that's all for now."

Chairman Norton said, "Okay. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I would like to follow up with Mr. Schlegel."

Mr. Schlegel said, "Yes, sir."

Commissioner Ranzau said, "All right. John, you've got how many employees in the MAPD?"

Mr. Schlegel said, "MAPD has 19 employees."

Commissioner Ranzau said, "A yearly budget of \$1.8 million."

Mr. Schlegel said, "That sounds about right."

Commissioner Ranzau said, "Now, if we don't participate in this grant, my fellow Commissioner talked about the South Wichita/[Haysville Area] Plan. When was that done?"

Mr. Schlegel said, "The South Wichita/Haysville [Area] Plan was done about early 2000's, 2001 or so, 2002."

Commissioner Ranzau said, "We didn't have sustainability then, correct? Were we involved in this grant, this sustainability movement then?"

Mr. Schlegel said, "No, we weren't involved in this..."

Commissioner Ranzau said, "If we don't participate now, nothing would stop us from creating these same sorts of plans in the future, is that correct?"

Mr. Schlegel said, "Correct."

Commissioner Ranzau said, "So we would retain our same capabilities to plan locally and to do what you do without this. And I presume that, with \$1.8 million worth of funding, you have access to phones and e-mails, and we can talk to all of our partners in the region, right? So talking about roads and water, we could continue to do if we needed to in the future, is that not correct?"

Mr. Schlegel said, "Yes."

Commissioner Ranzau said, "By not participating in this, really doesn't hurt our ability to plan at all."

Mr. Schlegel said, "It doesn't hurt you at Sedgwick County level, correct."

Commissioner Ranzau said, "I am not aware of any of us, that it would hurt us at any level. We have REAP. If we vote no, we will still be members of REAP. Still be members of Quad County. We'll still have the economic development, all the jobs planning that we have. But, once we make a plan, once we have a plan and create this mechanism to promote sustainable development, even if all of us decide that initially it is a bad plan and we vote no, that plan will still be there, will it not?"

Mr. Schlegel said, "It would be REAP's plan, correct."

Commissioner Ranzau said, "And there would continue to be pressure to adopt and it would still be possible that it could be adopted by future elected officials, and changed to make it even more problematic. That is a possibility."

Mr. Schlegel said, "That is a possibility."

Commissioner Ranzau said, "That's correct. Now, are you aware of the American Planners Association (APA)?"

Mr. Schlegel said, "Pardon?"

Commissioner Ranzau said, "Do you have knowledge of the American Planners Association?"

Mr. Schlegel said, "Yes, I do."

Commissioner Ranzau said, "Are you a member?"

Mr. Schlegel said, "I am a member."

Commissioner Ranzau said, "Isn't it true that the APA supports and promotes sustainable development?"

Mr. Schlegel said, "I don't know, you tell me. I have not..."

Commissioner Ranzau said, "You are a member."

Mr. Schlegel said, "I am a member."

Commissioner Ranzau said, "Honest answer, do they support and promote sustainable development?"

Mr. Schlegel said, "That may be true, I don't know."

Commissioner Ranzau said, "Okay, I believe it is true. Now, isn't it true that when, that last fall when you originally briefed me on this, I asked what problem were we trying to solve, why are we doing this, and you told me, well, REAP was struggling, this will help plot their course."

Mr. Schlegel said, "True."

Commissioner Ranzau said, "Okay, now, couple things. You talked a little bit about existing EPA regulations as far as storm water quality, and, yes, it's true they do exist and in fact, but I think there is a misconception about what we're talking about here. The concern that I am going to state and that I believe the people spoke here, isn't about existing, although we are concerned about it, we are concerned we're going to get additional regulations which will be self-imposed through this process, because I believe it is clear that's what EPA wants us to do. Isn't it also true that since 2009, first of all, REAP is located at the Hugo Wall School of Urban [and Public] Affairs. Is that correct?"

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

Commissioner Ranzau said, "And the people we hire with this grant will also be located at Hugo Wall School of Urban [and Public] Affairs. Is that correct?"

Mr. Schlegel said, "I believe that's true."

Commissioner Ranzau said, "And since 2009, there's been an EPA [Environmental] Finance Center [Network] located in the Hugo Wall School of Urban Affairs."

Mr. Schlegel said, "I believe that's true."

Commissioner Ranzau said, "And isn't it true that in the REAP application to HUD, they have listed here as one of the partners to be the director of the EPA Finance Center?"

Mr. Schlegel said, "Say that again."

Commissioner Ranzau said, "The Director of the EPA Finance Center is listed as one of the partners in developing this plan."

Mr. Schlegel said, "That's true."

Commissioner Ranzau said, "And this person will contribute over \$22,000 worth of research, planning and committee leadership. This is their document, this is REAP's document. So, when we talk about how EPA, it is true this grant in and of itself does not mandate or give them any more authority. But by participating in this grant, we have made the EPA, via the EPA Finance Center, a direct partner in this. Which will allow them to direct and influence how this plan is created. I find that very disconcerting for obvious reasons.

"And I think these are some of the details that haven't been told to us or anyone else unless you take the time to read the information. So we already have builders and developers worried about this Clean Water Act, and we are talking about push back, we're talking about all this ridiculous stuff coming from the EPA. Now we'll have a grant in which we're going to put the EPA, give them a seat at the table and help us, presumably to reduce the cost for our local community, I don't think that's reasonable. Now isn't it also true that Wichita has a [www.]greenwichita[.org] .com website?"

Mr. Schlegel said, "Yes. Wichita does."

Commissioner Ranzau said, "And I think it is important when we're talking about the EPA involvement, because the EPA is involved in smart growth and has been, they have a website on it. They are very much involved in the sustainable development. So if we want to understand how they might affect this, it is important to see what they say about sustainable development. When I went to the Green Wichita website, isn't it true there is a page on there that has an announcement about how EPA has created a document, it is a tool kit for local governments for sustainable design and green building. Isn't that true, I can access that through your website, or through the City of Wichita's website?"

Mr. Schlegel said, "I...."

Commissioner Ranzau said, "It is."

Mr. Schlegel said, "Okay."

Commissioner Ranzau said, "All right. And what they have here, is they want us to look at our code. Existing codes and ordinances, and implement things where you can either allow it, prohibit it, or require it. To get it green, to be really good, to be really sustainable, you have to require it by code and ordinance and you have to incentivize it. So the view of the EPA is do sustainable development, you want to require it by code and incentivize it. These are their words, not mine. Some of the things they recommend that we require and incentivize, is that we want to limit the amount of turf area. That's grass around a building's perimeter.

"So we want to limit grass here in Kansas, the Midwest. Even though isn't it true with respect to the Clean Water Act, they actually encourage more green spaces, because that helps the water quality and the drainage, et cetera? Are you aware of the water quality issues, they want the drainage ponds and they want more green spaces to absorb the water and slow the run-off, right? Isn't that what..."

Mr. Schlegel said, "You want me to respond? Because I am not sure I really understand what the question is."

Commissioner Ranzau said, "Isn't it true when it comes to the enforcement of the Clean Water Act, the EPA actually encourages more green spaces? So that will slow the run-off, stop the run-off, help absorb the water into, they don't like concrete because the water can't be absorbed. So if you can have more green area and surface area, that water will be absorbed."

Mr. Schlegel said, "I am not much of an expert on the Clean Water Act and what exactly they are promoting. So I don't know how to respond."

Commissioner Ranzau said, "Well, I have spoken, I can assure you once again that that is in fact the case. We all know that's the case, all right? So on the one hand, enforcement of the Clean Water Act they say we want more green area. But now when it comes to sustainable development we want to mandate less. This is the EPA that we are going to invite and put at the table and help us create this. Now some other interesting things they think we should require by code, ordinance and incentivize, is they want us to provide for reducing light pollution impact, such as reducing sky glow

and light trespass. They want us to control for the dust of, provide for the control of dust. I think farmers battle that with the EPA and Obama administration.

"So it is very clear what the view of sustainable development is, in the eyes of EPA one of the key partners in the sustainability grant and one of the key players. This is what they envision for sustainable development.

"And as far as property rights, I believe we talked about that. You know, you had said that citizens need to let their elective officials know that we, that they want their property rights protected. With all due respect, I don't believe that here in America constituents or citizens should have to tell elected officials that. We swear an oath to support and defend the constitution of the State of Kansas and United States and that should be our paramount concern. Protection of property rights is the essence of liberty. Now, while we're at it, I am going to talk more about the property rights and I'll let some of the other Commissioners...we need to understand what happens in other communities.

"Here is another document by the EPA that suggests essential smart growth fixes. Of course since it's a fix that implies there is a problem. And this is why some of the developers and realtors and builders are concerned about this, because they want to control where new developments are built and not built. They state here, the most, and they don't like, they want everything compact, and they don't like, as they say, the most difficult densities are those that are in the one-half acre to five-acre range. They have suggested that we mandate densities on the outskirts of the city to one unit per 80 acres. That means a minimum size you can build a house on is 80 acres. They want to create land trusts and get land from farmers so that will prohibit development.

"And they state this, they state that in the past, now take note, they say in the past and they infer that in the future we can't do this, they say in the past communities have zoned for economic development and property ownership interests. I believe that's a correct statement. We have zoned for it. I think property ownership interest would be first, but they are implying that we should no longer in the future zone for economic development and property ownership interest. Instead they want to zone it so that we can fit in their view of what sustainable development is. Now I understand that they cannot come down here just yet and mandate that we do this. But it is important for each of us to understand what they mean when they say sustainable development.

"We need to understand the mind set they are coming from, when the EPA Finance Center is a partner and helps us create this thing. And we need to understand that they are in it for the long haul. They know we are at 'a', they want to get us to 'b', and we may not go directly there, they may meander around. But they know once they create the mechanism, then they're on the road to success. Just like, and the whole discussion will be guided and manipulated just like a few months ago when I attended a REAP meeting, and we had a facilitator there, and it was very interesting, even my fellow Commissioners will acknowledge this, who showed up, there were people at each single table, every single table you could possibly sit at, there was already someone there, people I had never seen before, who helped facilitate that table and lead it in the direction they wanted it to go. In fact, when I expressed my opinions, I had to do it a couple times just to even get them included. Do not think that this agenda is not out there and there are not going to be people trying to shape this and force this down the road one way or another.

"They will not give up. You also need to understand that the EPA recently did a

\$700,000 study, and it is right here to see if they could impose sustainable development with their current existing regulatory authority. So they are coming at this at every single level of government that they can.

Commissioner Ranzau continued, "Now, if they do this, it will be harder for us to resist, but this is the voluntary participation by participating in this grant, we make it easier for them. We have people in this community, developers and builders, who tell us we need to start pushing back. This is our opportunity.

"So, you know, now that we know the rest of the story as far as the EPA is concerned, I think they have made it very clear what they view as sustainable development and what their end game is. The question is, are we going to be naive and gullible and think that they won't continue to fight and eventually get there and this won't make it easier? Even if we disagree, we won't always be here, Jim. Okay? We will not always be here. Let's not make it easier. We talk all the time about state and federal intervention, telling us what we got to do. And I'll talk more about this later, this is our time to push back. We need to acknowledge that they are in this, they have a reason. They are not giving us the money for free. They think they can accomplish their goal by doing this, and we are putting EPA on the table.

"Now, if we vote no, there are other, and I want to speak to the other counties and cities out there, because I know last fall there were some counties that had questions about this, and they waited to see what we did. And they followed our lead. Unfortunately some of them went ahead and voted because they wanted to be good neighbors. I will tell you something. If we vote this yes, I want to encourage the other cities, particularly the rural cities and other counties, to vote no. Do not follow our lead if we support this. You are not being a good neighbor if you vote yes on this. Listen to your constituents, read and learn this for yourself. We do not need this.

"Unfortunately, when you get into the bigger cities you have a different mentality sometimes, and there's often a general idea that you need more government than what we really do. But hopefully we have had a wide range of people out here, from farmers, to bikers, to real estate developers, to builders, and average citizens oppose this, and a lot of elected officials. So, I would encourage the other counties to vote no regardless of what we do.

"And keep in mind, even if we vote no, first of all one of two things could happen. Others would follow our suit, the whole thing could fall apart, and the money would be sent back to the federal government. That is my goal. That would be the best solution. Okay? But even if that doesn't happen, even if it doesn't happen and they go forward, we are still members of REAP. We will still have a seat at the table that we will still be able to guide this. It doesn't mean we won't have anything to say about this. So our best chance to stop this and stop the unintended consequences are to vote no. That's all I want to say right now, I'll let my other Commissioners speak. Thank you."

Chairman Norton said, "Commissioner Peterjohn."

Chairman Peterjohn said, "Thank you, Mr. Chairman. At this point I don't have any further questions. I will let John take a seat. But I do want to thank everyone who came out in terms of the testimony that was provided today. I also want to thank something that was unprecedented, at least in my time as a County Commissioner, because this is the largest presence of other elected officials speaking to this Commission that I can recall during the time I've had this privilege to hold this office, and I, whether they signed on to Representative Hedke's statement or if they were

actually here and spoke, I want to thank all of them, also. Because one of the challenges that I have is, you know, sometimes we have issues and sometimes a little bit hard to tell how important they are.

"There were some comments made to that effect.

"And in terms of bringing this out, I don't know if all my colleagues had the opportunity to see Mr. Galyon's comments. Even though they may not have been as concise as some folks had put out there, I think there were some comments that were very, very important, because...I am going to quote a little bit from Mr. Galyon's comments where he said, 'We are becoming more and more alarmed about efforts of our federal government developing programs and engaging in practices designed to steer future development in communities towards a very urban-oriented vision based on the old 'spokes in the wheel' planning model not widely utilized in our modern day development efforts.' And he goes on to point out that in the spring of 2009, shortly after I became a Commissioner, the Obama, and I'm quoting Mr. Galyon again, '[In the spring of 2009], the Obama administration announced an unprecedented new partnership involving three federal agencies: Department of Transportation; Department of Housing and Urban Development; and the Environmental Protection Agency. Known as the Sustainable Communities Initiative, this partnership is focused on implementing the Obama administration's livability principles through better integrating transportation, land use and housing.'

"Then goes on to talk about some of these, and I am going to pick on one of them, because it goes to the testimony from the Kansas Policy Institute, it says 'Improved economic competitiveness of neighborhoods by giving people reliable access to employment centers, educational opportunities, services and other basic needs.' What people really need in this economy are jobs, and employment centers don't create jobs except maybe for the handful of bureaucrats who work there. But they do create, we do need private employers and a striving private sector. Now, Mr. Galyon went on to say, quote, there are also indications that this urban-oriented vision, I'm paraphrasing from here, talking about this urban-oriented vision, 'There are also indications that it is being ideologically driven by the notion that the current economic downturn shows the market has failed and must be reengineered.'

"He goes on to say, 'As you struggle with your decision in this regard, please be mindful that concepts that may look sound in theory, but are not based in evidence can have long-lasting unintended consequences.' That is a cautionary message that I think is important for every elected official operating in every level today. The unintended consequences, or perhaps in this case some of the intended consequences, make me feel very uncomfortable because what we are facing today is an effort to broaden out where the responsibility is going to proceed on development and what role the federal government may get involved in.

"And I think there are very strong ties to Washington, maybe even beyond, and whether it's smart growth, sustainability or whatever other politically correct label gets tossed on it...I want to go back in a period of time because sustainability, you know, there used to be a word sustain, I don't remember when I was younger sustainability being a word, but, you know, words come into usage, come into fashion, but sustain, that is not growth. In fact, some sense it means kind of holding your position, not making progress. Perhaps in my view, it would be, it could be considered an antithesis to progress.

"And it might, sustainability and dumbing down the economy using this politically

correct, and I view, statist economics, through increased regulations and increased control.

Commissioner Peterjohn continued, "I very much want to take a moment here and thank, because before I talk about a little bit of the history, there is a lot of information that's come, and I appreciate the citizens who brought some of it to the table, but the biggest source that I've received has been from Commissioner Ranzau, who has just done an admirable effort in researching and compiling data. Because I am the only Commissioner left from that 2010 vote on this body who voted against going down this road at that time. At that point I was in the majority, but last year we voted on this again. I voted against it once again, but I was in the minority. I am not sure where we are going to end up today, but I want to point out the fact that this is a vote that's going on all over the country, not just here, not just in our four other counties, county seats and maybe some other cities that are in those other four counties as well as Sedgwick, but this important, because in the counties where they are going down this road, they are putting themselves in a regulatory bureaucratic hole. They have got a lemon on their hands.

"Well, my attitude is if you've got a lemon, you try and create a little lemonade. And if other communities are going to make this mistake, my lemonade solution is that we don't get in that hole and we use this as a comparative advantage for our community, and we've got a lot of other good advantages. Relatively low cost of housing, some of the shortest commute times of any of the surveys around the country. But if we go down this road, I think we're going to be losing those comparative advantages and we're going to fall down those roads, down those lists in terms of where we are at. Because the sustainability effort, all the research I've seen, basically we are either going to get on our bicycles, and don't get me wrong, I used to race on bicycles, I have nothing against bicycling, and I think it is a great form of exercise. But it's not something I want to do when it's January or July and the thermostat is either 110 [degrees] or 10 degrees. And the effort to push people into government transportation, and into downsize housing, moving us into multi-story small footprint in terms of development.

"You know, I have been in places in the world that are like this, and while I enjoy very much being able to visit Krasnoyarsk or in Siberia, I have no desire to live there or have to live in the almost rabbit warren type of environment that exists there. And when I look at the studies that have been done, looking at the expertise boards that come in, and especially the non-elected or non-governmental, and it seemed to have an excessive role, and whether it is in healthcare or on the issue in front of us today, I think of the cautionary words from the Nobel laureate economist, F.A. Hayek, who warned against trying to have, however these elites get selected who are going to make these decisions, an excellent work I would recommend also by the Hoover Institute scholar, Thomas Sowell, [The] Vision of the Anointed, as well as Randy O'Toole's excellent work on this, we are looking at a broader effort where we'll have an elite, who I will view will probably end up misallocating, because it is inherent in the process, which is what Hayek warned about over a quarter century ago.

"My goal, as Commissioner Ranzau pointed out, and as all elected officials, swore an oath to defend the Constitution of the State of Kansas and the Constitution of the United States, but I also view my role as trying to preserve, protect and defend. And in this day and environment, restore the American dream. And I want to create an environment where we have an economic freedom, whether we talk about it as a free market or property rights. But we are talking about economic freedom, where we have

a rule of law.

"These must be protected, and when we have an environment where the federal government can't even pass a budget for three years, and we are going to get tied in with a grant proposal that I don't believe will be wise expenditure of federal funds, if it was me and I was a federal official, I would eliminate this program. It would be one of the, it would be at or near the top of my list of budgetary reforms. But today I want to make it clear that with the information that's been presented to me, that I am not going to be willing to support this going forward, Mr. Chairman. Thank you."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I also would like to express appreciation for all the folks who committed nearly an entire day to be here and express their opinion and their understanding of this item that we have under consideration. I think it's been very professional and genteel expression of your opinions. I appreciate that. I reviewed a tape of the last [Wichita] Pachyderm [Club] meeting, and the speaker was less genteel, I think. He suggested tarring and feathering folks who are involved in some...he recommended high-quality tar and feather, so that was good. So I appreciate the fact that you are not calling for revolution, as he was, but we had a open conversation among citizens of our community."

"I just want to express a personal testimony, I suppose if it is, that I've got 69 years invested in this community. And I have raised my family here, and I have got parents and other relatives who are in this community, and I wouldn't do anything in my position as a County Commissioner that would detract from what I think is the livability or the quality of our community or reduce their freedoms or put them under some sort of heavy oppressive yoke. I love this community, and I am proud to be from here, so I am not going to do anything that in my judgment creates that sort of a situation."

"I would also tell you that I was a small businessman for 40 years. Small, I don't mean I'm short, which I am, but I just mean that my business wasn't real big. For 25 of those 40 years, I owned and operated the business and I bought property, and I built buildings, and I bought equipment, and I hired people, and I sold businesses, and sold equipment, and I'm familiar with regulation, and permits, and fees, and policies, and EPA, and OSHA (Occupational Safety & Health Administration), and FICA (Federal Insurance Contributions Act), and property taxes, and income taxes like many of you are. So I am not insensitive to that, I have experience with that, I know the burden that oppressive, in some cases, regulation imposes on someone just trying to make a living."

"I would also say that I take my oath as a County Commissioner seriously, and I will uphold the Constitution of the State of Kansas and the Constitution of the United States, and there was one implication that perhaps we were violating our oath should we go forward with this, and I want to tell you that from my perspective that would not be the case. So with all that said, I need to make one other confession, or that doesn't sound quite right, or one other statement. And that is, I am Vice Chairman of REAP. I have been involved with REAP for several years, and been involved with our conversation about this, and our efforts to finally bring this application to the point it is now, and throughout that time as a member of REAP I have been voting in favor of and have been supportive of this. So I don't want to try to conceal that fact from

anyone.

Commissioner Unruh continued, "I want to say a couple of things also. This has been on my mind as many people for quite some time and just recently, when three of the Commissioners, four of the Commissioners were in Washington D.C. at a National Association of Counties (NACo) meeting, we had the opportunity to visit with our congressional delegation. And we spoke with Senator Roberts, Senator Moran and Congressman Pompeo. And I brought up the sustainability grant because I knew that there was some question and some opposition to it. There was no negative comment made by any of those representatives at that time. They were essentially neutral. I don't want to put words in their mouth. I was going to say they were probably more pro than anti, but I'm not going to...I think I might be overstating it.

"Since that time, I have heard, I was forwarded an email that, or a voicemail that was received by Commissioner Ranzau from a staff member from [Congressman] Pompeo, I didn't talk to the Congressman [Pompeo], who said he was not in favor of it. But I think we also have to also consider that it probably wasn't specifically towards the sustainability grant in light of the fact that the Congressman made it clear that he would like to cut all kinds of federal subsidies and grants from the Economic Development Association to workforce investment funds, to this grant, and he's being consistent with that. He also said, as I understood the voicemail, that the Congressman doesn't want to stick his nose in our local decisions and affairs.

"I think it's worthy of note as we talk about our elected officials that are higher level than we are, Governor Brownback has been supportive of sustainability grant. As a matter of fact, the Flint Hills Regional Council, a year before us, received a sustainability grant for their activities, and in some conversations about this, it was stated that the concerns about the grant were vetted with Governor Brownback's office with the end result speaking for itself in that three state agencies, [U.S. Department of] Agriculture, [Chambers of] Commerce and [Kansas Department of] Wildlife, Parks and Tourism not only were partners in the application, but designated sizeable contributions towards the local match requirement for the benefit of Flint Hills [Regional Council]. So our governor and his cabinet and staff and some of our state money are already invested in this planning activity.

"I think we need to say that planning is neutral. It doesn't, planning in itself doesn't take one, make judgments. It is we who are doing that through the planning process. If we're afraid of making, being involved in planning activities of any kind, we'll never make decisions or progress in our responsibility as elected officials. What, this whole process when we do this, it is going to be transparent, it is going to be inclusive, the Wichita Area Builders Association, I personally invited them to be part of the conversation, and the realtors, and Mr. Winter will tell you that I've invited the [Sedgwick County] Farm Bureau [Agricultural Association] to be part of the conversation, so that everyone who has a stake in this planning process as we go forward, as we think about what is good for us, as a regional community, will have an opportunity to voice an opinion, to persuade the conversation, to influence it, and that's the way we want it to be.

"REAP does not have a preset agenda as to what we're trying to do to impose upon people. The Regional Economic Area Partnership is a group of 38 counties and cities in our South Central Kansas area are who have come together to continue conversation to talk about common problems. And there is not a preset agenda by

this partnership. As was indicated, I think, in some of Mr. Schlegel's comments, this is probably a great opportunity for us to look about issues that affect our sustainability as a community in a positive way.

"This, in my opinion, is a great way for us to say what we want, because it will be planning and conversation by our people from our area, for our future, and it is a great way to, in my opinion, it is an opportunity for us to express what we want before someone tries to impose it upon us. So, I appreciate all the comments that have been said today, but my understanding of what we are going to do with transparency and openness and inclusiveness of all stakeholders in our area makes to me this planning process reasonable, and the right thing to do. So I am going to be supportive of it and for right now, Mr. Chairman, that's all my comment."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. Yes, a couple housekeeping things, I have quite a few e-mails that I have been sent by people, some of which would be, Mr. Manager, I would like to have that as part of the record. Also, I want to make sure, I don't believe we've gotten a copy of Representative Hedke's testimony. I would like to make sure that we each get a copy of that as well. Okay. I, too, want to thank everyone for being here, I know we've been here a long time and we still have more time to go. It is clear from my remarks, from your remarks, that you've taken the time to research this on your own and come to your own conclusions and I applaud that.

"I also want to enter in part of the record and clarify some things here. I want to put in a copy of the Republican National Committee resolution opposing this, a copy of the state [Kansas] Republican Committee, both of which were passed unanimously and both of which former Congressman Tiahrt voted in support of. There's also, I have one here from the Texas Republican Party, just something I ran across. And I also recently met another Commissioner from Oklahoma, from Woodward, Oklahoma, they passed a similar resolution. There's also a copy of the [Kansas] House [of Representatives] Resolution No. 6018 which will be voted on, I believe in the veto section part by the Kansas House [of Representatives] and I think some of the information we got from the other presenters about all the other communities that are getting out of that is helpful, and I want to enter that into the record.

"Clarify a few things, with respect to Congressman Pompeo, I was at that meeting in Washington D.C., it was my impression that he misunderstood the question and thought we were talking about grants in general because then he proceeded to talk about this bill that he has introduced, allow us to deny grants and send them back up to the federal government and mandate that they be used for deficit reduction.

"Since then I've emailed his chief of staff and I spoke with him at his town hall meeting a couple weeks ago and encouraged him to find out about this issue and educate himself on this because the EPA is one of the organizations that's underneath one of his committees and I knew that would be something important for him to find out. Since that time he has taken the time to find out about it, and I did, not only did I receive a message but I called back Jim Richardson from his staff and he made it very clear that as a matter of policy, Congressman Pompeo opposes the sustainable development grants. He was very specific, and he was very clear and he said that's a public record. So I don't think there's any doubt where he stands on this.

"Yes, he's not going to tell us specifically on grants, what grants we should or should not accept or get into that debate, but of a matter of policy he does oppose the sustainable development grants.

Commissioner Ranzau continued, "So we have our current Congressman [Pompeo] and our former Congressman [Tiahrt] opposing this as well as a variety of other people. Also, I keep hearing people bring up Governor Brownback's name, I'm not aware of anything that supports the fact that he supports sustainable development as we understand it today.

"I understand that he supports Flint Hills Regional Council. I would find it very hard to believe that he has actually received the sort of information and briefing on this issue that you've heard today and I'm sure he hasn't seen all of this stuff. In order to vote for this agenda I will have to abandon every conservative principle known to man. And for Governor Brownback to support it he would also. But I'll say this now, and I would be willing to say it to his face, that if he supports this agenda, then he is wrong. Period. I don't care who it is.

"Now, but I can't believe that he does. If he has the understanding that I have of this issue, there is no way he would support this. Also, I want to clarify with respect to Mr. Galyon of the [Wichita Area] Builders [Association], I had a conversation with him and he made it very clear that he opposes this. I cannot use the exact colorful language that he used, it's inappropriate for this, but he made it very clear.

"Now I want to share a few things here because there's been a lot of things talked about the U.N. and all this sort of stuff, and some people are going to say it's not related or it is. I want you to know that when we first voted in this last August I voted no. Simply because I knew that it was a partnership created by President Obama in 2009 which united HUD, DOT, and the EPA to create this grant program to control local communities. For me that's enough. That's enough to vote no. But I had some people email me and say you need to look into this because this is related to something called U.N. Agenda 21. Which I'd never heard of, and of course I didn't have any proof of that.

"But a few weeks later I took the time and I did some research. And I want to share some information, because I think it's important to understand, in order to understand where this is headed you need to understand where it came from to being with. And you need to understand the facts, because there's a big marketing campaign out there going on to promote this and they won't tell you the full story. Like they won't tell you that the EPA Finance Center has a seat at the table to develop this plan. They won't tell you about greenwichita.com and all this other stuff.

"Here's a copy of the definition of sustainability that REAP used in a meeting that I attended in September of 2011, this is a copy of their slide. It is exactly the same definition word for word, found in the United Nations report which was published in 1987 called Our Common Future. This is a basic fact. I'm not making, there are representatives here from REAP, if this is incorrect let me know, but I've looked it up. And this is what first got me going and said well obviously there's got to be a connection.

"So, I cannot explain, this, in 1987 there was this report called Our Common Future which lead to the Earth Summit in Brazil in 1992, and it created something called Agenda 21. It's not a conspiracy, it's not conspiracy 21. No one's hiding it. It's an Agenda 21 created in order to implement this thought process. The basic premise

behind this, according to the Urban Affairs Association which supports it, as does the EPA, that this is based upon environmentalism of the [19]60's and [19]70's.

"And basically it says prosperous people like us, we're destroying the Earth, we're raping and pillaging the Earth, and people who are poor are poor because of us and we need to change. And as someone said, it's not about lifting others up, it's about lowering us down.

"This is the thought process of people who created this agenda. Eating meat is unsustainable. Car, electricity, suburban housing, where most of us live, is not, they don't like this. Whether we ascribe to those we need to understand where it's originated from. This has now been around for 20 years, though a variety of efforts to try and get this implemented has been going on, it's just been accelerated here recently. That's why it's become more of a prominent issue.

"They have made it clear that they want to institute this internationally, nationally, and locally. You can read the plan. You should know that in 1993 and [199]4, excuse me, 1992 and 1993, Nancy Pelosi tried to get this in to the, through the Congress and it failed. In 2009 Chris Dodd introduced a bill, of course that's not been passed. It's not uncommon to see the current administration to use this current regulatory authority to circumvent congress and the states to try and get this done and this is what they're doing, because in 2009, the current administration created this program between HUD, DOT, and EPA to push the idea of sustainable development. This is fact.

"In that effort they created six livability principles, which encompass the values of sustainable development, smart-growth, U.N. Agenda 21, livable communities, there's a variety of terms out there. And this is their way to get it implemented. It's their plan. Our question is, are we going to become part of that plan? I think we're being naive, I've been told that we'll just control it, but you need to understand that once we create the plan, that's just phase one. Phase two is implementation grants; you get grants to implement it. And they talk about aligning resources, and they'll have more grants along the way to do other things just to carry us along.

"We've already talked about some of the suggestions that their viewpoints, of what this will bring us. I think what the general plan is, first get us comfortable with the idea, just put this stuff out there, create a plan that is optional and then slowly implement it and mandate it and that's what's going to happen. Now, in my research, and I've probably spent at least a 100 hours doing this, not for my health but because my principles compel me to action. And when I started to find out that there was a connection, I had to find out the truth, to see if this was like people were telling me.

"And unfortunately, it's true. Anyone who I've talked to, who has taken the time to honestly look at this comes to the same conclusion. Now, four things I believe, to put it in a nutshell, will actually result, a result of implementing this plan, this agenda. We'll have higher taxes, higher housing cost, fewer property rights, and more regulation. The connection, the U.N. Agenda 21 is real and undeniable. The result of this agenda are real and undeniable. I have asked, I have put out a lot of information to my fellow colleagues, all around, everyone who's going to vote on this, if you can give me some information of the contrary, I'd be happy to see it. I have received none.

"We've talked about regulation, which they want it to be self imposed, they already have ideas. They made it very clear, you see, every grant has what's called a NOFA, Notice of Funding Availability. It tells them, tells you what the goals are and the

criteria. These are the strings attached, they made it very clear that they want to expedite implementation of the principles through local changes, excuse me, through changes, and local zoning, and land use laws and regulations.

Commissioner Ranzau continued, "Those are their words. They're going to implement this through local zoning and land use laws and regulations.

"We have agreed in the REAP application to accept all of those six livability principles, which of course originate around U.N. Agenda 21, sustainable development, smart-growth, whatever you want to call it. We've agreed...to say that this is just about local control is a myth, because we're doing what they tell us to do. Yeah, we get to, we have some little bit of judgment on how we hang ourselves, but they're just giving us the rope. Right? Alright. So the more regulation, I've talked about that. The fewer property rights, they want to limit where we can and cannot build. And when you do that, you decrease supply and you leave the housing cost, higher housing costs.

"Many of the communities, you've got to understand, these smart-growth techniques in many states and cities have been mandated and the housing costs have sky rocketed. And it's called growth management. And I have a paper here, and I've passed it out to everyone too, it says on average, in 2006 homeowners had to pay \$130,000 more for every home sold in the states with mandatory growth management. Okay? That's called the planning tax. It's not a true tax, there is cost. And this is being sold as reducing housing costs. It's not going to do that. These are the facts.

"Another thing this is going to lead to is higher taxes. At least that's the words of people who are going to be seated at the table. There's been two professors from the Hugo Wall School of Urban Affairs, write a paper called Citizen Attachment: Building Sustainable Communities. And they, there's a reason why they want citizens to be attached to their communities, because they say citizens who are committed to community are more willing to accept responsibility for the well being of their fellow citizens. Citizens who are committed to community are also more willing taxpayers. And citizens who are willing to pay increased taxes are an important component to building a sustainable community.

"Now, one of these people will have a seat at the table and is a partner in this. And she believes that increased taxes is a part of sustainable community. Have we been told that? Is that any part of the discussion? Was the Governor told that? These are their words, I didn't put these words in their mouth, they wrote the paper. I was asked, show connection between Hugo Wall and sustainable development and I found it, and it was dismissed. But nevertheless there it is. So I think it's another one. I want to get into two quick details, I want to clarify a couple things, and so I have a question for John Schlegel. Sorry to wake you up there."

Mr. Schlegel said, "Yes, sir."

Commissioner Ranzau said, "Just a, because I think this will illustrate where, some of the ways we might see ourselves paying higher taxes. And I want to clarify, John, which position, in your position or REAP's, I thought Dane said that we have affordable housing here. Is that correct? Do we have affordable housing?"

Mr. Schlegel said, "I think in comparison to the rest of the country, yes, housing here is pretty affordable."

Commissioner Ranzau said, "Well, I think that's what they said. I think what they really mean is we don't have enough subsidized housing, because they talk about in the REAP application that some of the, two, three of the top five employment centers in the region do not have any subsidized housing within two miles of the work site. So, that's a good thing. Subsidized housing doesn't decrease cost. It just transfers the cost. And if people are able to live in homes that aren't subsidized, I think that's a good thing. You see, this goes along with the ultimate goal of getting people more dependent on the government and the government more involved in things that they shouldn't be in like housing. We're already in a financial crisis as a result of government intervention of housing, and now they're going to help us fix something.

"Here's another thing, another interesting thing is the REAP application however says that there is a general lack of affordable and desirable housing options. There's a lack of affordable and desirable housing options...I don't believe that's an accurate statement. And I've shared this with some of my colleagues who've understood that there were some inconsistencies there, but I guess we're willing to dismiss that. John, isn't it true that Wichita has public transit system?"

Mr. Schlegel said, "Yes."

Commissioner Ranzau And it's losing money?"

Mr. Schlegel said, "It will never make money."

Commissioner Ranzau said, "It's subsidized..."

Mr. Schlegel said, "Right."

Commissioner Ranzau said, "And it's not even keeping up. That's true, that's true. Well, do we need a regional public transit system?"

Mr. Schlegel said, "I think there are people in the community that think we do need a regional transit system, there are some of the, suburban cities have been talking with Wichita Transit about extending service beyond the current boundaries of the City of Wichita."

Commissioner Ranzau said, "In order to solve the current budgetary problems of the Wichita Transit system, I know they're talking about taxes, and one of the goals for this REAP thing, it's clearly stated here, is they want to develop a regionalized coordinated public transit system. Let's get more people dependent on the public transit system. It is my position, that it's very clear, we already have a public transit system, they're called roads. We don't need, the premise is, we're going to decrease your transportation cost so that you don't have to drive or buy a car.

"But we're going to do that by replacing it with government transportation. The idea is absurd. We don't need it here. This is not the east coast. What they're taking is that vision of the east coast where everyone's crammed in, they've even said it's healthier to be in high density cities than sprawled out in your suburban areas. That's what the

government, that's what the HUD says. So you can see how if we get involved in more subsidized housing, more government transportation, and all the other things their talking about you're going to have to see an increase in taxes and I think that's a very real possibility. I think it provides an opportunity for Wichita to regionalize its problem and help everybody else pay for it.

"But there's a variety of other things, whether it's a direct tax or the tax on business because of all these regulations or the planning tax and the EPA getting involved. The connection, the evidence is clear, it's undeniable. It's just a matter of what you're going to do with it or not. And if anyone has any information contrary to what I found here, please let me know, but no one's been able to do it. You know, and I would ask my fellow Commissioners, listen, I understand that we've had some difference of opinion on lots of things, but this issue is too important. We've got to let that go, because all the other things that we discuss and disagree about, in my mind, pale in comparison to this. This is so much more important, and has the potential if carried through, to destroy all the positive benefits that we have in our community.

"We have a low cost of living. We're better than the rest of the country as far as that in our housing. It will destroy that competitive advantage. The evidence is undeniable; we just need to be willing to recognize it. I know we want to support REAP and the Flint Hills Regional Council, and I understand that, and we want to do some planning. But we already can do some planning, we just need to find different ways to support REAP, and be willing to say listen, the more we look at this there's more to it than what we thought. There is a clear agenda behind this, on behalf of the Obama administration and others, and we need to steer clear of this.

"This is our one opportunity to say no, to push back, because once we get this in our communities we're going to have to spend a lot of time and money, resources, fighting it, resisting it, trying to prevent it from turning into something that we don't want. It's easier to just say no now. We have planning mechanisms. We don't need this. John has 18 people, \$1.8 million, we can plan. You've had the South Wichita/Haysville] Plan. We can continue to do all that stuff. We don't need, this is too high of a risk. Now I've voted against all these grants in the past, but this is not about the money. This is not about giving us money to go buy a fire truck. There is a very clear and purposeful agenda attached to this and it's intended to accelerate the movement toward sustainable development. If this can be approved here, in Kansas, in the reddest of red, then that is a sorry indication of the route we're going on.

"We do not need this, we have the ability, we got to where we are today without this. And we'll do just fine without, in fact I propose that we'll do much better without it than if we adopt this. So I would ask my fellow Commissioners, consider everything we had, consider these people that are here and consider the long term consequences, because it's true that if we vote yes, nothing will change tomorrow. It's going to take three years to create the plan and the negative consequences will take a few years to have affect. But I tell you, I don't want to have a conversation with my children in the future when they say hey, dad, why didn't you do anything to stop this? Did you fight? Did you do anything? Couldn't you see this coming?

"Well I think it's very reasonable to understand where this could take us and how this could be bad for our communities, we need to have the courage to say yes, it's very real, and it's very clear what they want. It's going to be hard, it's always hard to control the federal government. We acknowledge that every day. We know where they want us to go, let's admit that we can't control it and let's just say no now while we have the

chance. Thank you, Mr. Chairman."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'm going to disagree with my colleague on one point. He said that he didn't think if we voted yes that anything would change tomorrow. I profoundly disagree and will cite the fact, as an economist, if this Board votes yes and the other local units follow and be good neighbors and follow in our footsteps, and if we do I hope they don't, we will create a significant amount of uncertainty, call an immeasurable risk, that will be inflicted upon anyone who wants to undertake a project in this environment. And I will cite, we've had some discussions about the Wichita/[Sedgwick County Metropolitan] Area Planning Department and its budget and the people who work for it, but that's just one entity.

"We have on top of that, we have the Wichita Area Metropolitan Planning Organization (WAMPO), it goes a little bit into Butler and Sumner Counties, and on top of that we have Quad Counties, and if we vote yes today we'll be getting ready to put another layer on this political bureaucratic cake that I think it's one layer too many and it's unstable. And I want to pass that along because I neglected to do so earlier. I also neglected, unfortunately, and I want to correct that point, one concern that I have is that the county is already spending money, albeit indirectly, in support of this program.

"I've got a letter from October 5, 2011, from Visioneering Wichita indicating that they're already signed on and planned to participate in this program. And since Sedgwick County helps fund Visioneering this increases the concerns that I've had about this organization and I've had a lot of discussions in terms of trying to get some accountability and understand exactly what they're planning to achieve. And I don't remember, and having participated in some of the original Visioneering efforts, I don't remember this being part of their original discussion and when this got added on.

"But I share it because since the Sedgwick County Commission does help fund Visioneering Wichita, this is a concern that I will be follow up in the future and I wanted to share that with my colleagues. And finally, the one last point is a good friend of mine, Rod Stewart, is a commercial realtor in town, I think all of you have received his email coming out in opposition of this, and I second his comments entirely. Thank you, Mr. Chairman."

Chairman Norton said, "Commissioner Skelton."

Commissioner Skelton said, "Hi, Manager, how you today?"

Mr. Buchanan said, "I'm very good, thank you."

Commissioner Skelton said, "Great. Hey, let me read a statement. I want to know if this, this is my understanding of what we're doing and I'd like to know if you think I have it right. Okay, and you too, Mr. Attorney. Here's this statement, it's not my statement, it's from a citizen, but I didn't get a chance to visit with him so I'm not going to mention his name, but it says the Regional Economic Area Partnership of South Central Kansas was formed to guide state and national actions that effect economic develop in the region and adopt joint actions among membered governments that enhance the regional economy. For 14 years, REAP has built partnerships with 36 city and county governments to speak with one voice on issues that impact our regional

economy.

Commissioner Skelton continued, "REAP was awarded a grant from the U.S. Department of Housing and Urban Development to create a tool box of options, policies, and resources that local communities can utilize to address housing, transportation, water resources, economic and workforce development issues that impact our regional economy. This opportunity engages citizens across jurisdictional boundaries to discuss infrastructure investments that will enhance the region's economic competitiveness in a global marketplace.

"This grant will identify options to, reduce the cost of doing business in South Central Kansas, providing efficient transportation infrastructure, adequate affordable housing options and clean and abundant drinking water. And options for training and retaining the next generation of workforce are also a part of the regional economy that every community in South Central Kansas can benefit from. This planning process will facilitate discussions for communities to maximize the benefits gained from infrastructure investments with the least amount of burden, financial burden on taxpayers. How's that sound? Is that right or wrong?"

Mr. Buchanan said, "There were lots of conclusions reached and speculations reached in that conversation, as we've heard with other conversations this morning. I don't know, we don't know the consequences of those plans. To do the planning under, it has been in effect for 14 years, to do planning on a regional basis to accomplish the stated goals, it seems to be, to be a reasonable thing."

Commissioner Skelton said, "Okay. Well, that's right. Mr. Manager, I have a set of nine items here that has to do with government, community engagements, need assessments, vision for healthy community design, regional water plan, regional transportation, regional housing, workforce business, and development. I mean, don't...doesn't the county do a lot of this right now?"

Mr. Buchanan said, "They do some of it in county wide."

Commissioner Skelton said, "Right."

Mr. Buchanan said, "Yes."

Commissioner Skelton said, "Okay, well, so what we're talking about is similar to something like, you know, in a loose perspective maybe, when we go out and do like the [Sedgwick County] Quad Cities [Joint Area] Plan or the Derby/Mulvane [Joint Area] Plan, and we look at certain factors similar to these. We're going to be doing this on a five county region."

Mr. Buchanan said, "Yes, sir."

Commissioner Skelton said, "Okay, that's the, you know, that's what I see. And you know, serving as an elected official for seven, eight years now and I've looked at these plans and it has given me guidance. Okay, and Chairman of Sedgwick County Association of Cities and talking to small communities, and you know, hey, I didn't invent it, but yeah they come to the table and say how do we get on Wichita's Transit?"

Okay, I didn't ask them, they come and tell me this. Alright? And I know that there's a desire for people to coordinate activities and when it comes to, now I want to tell you, I like that email that I just read because that's what I think this should be this.

"To reduce the cost of doing business in South Central Kansas, providing efficient infrastructure. We've got to plan this, I mean nothing in my opinion comes out of thin air and pops into place automatically. Okay?"

"Everything that I have done has been based on a plan. I got elected to City Council and I saw the city's fire plan did not include a south side station. So that was a red alert for me, and because of that plan I was able to take action and do the right thing. Alright, so why wouldn't this plan be able to provide guidance for the future Boards of County Commission, I mean, you're going to have to sell me harder on this aspect that we're going to lose property rights.

"I mean, I'm going to have to see it and you know, whether this is correlated to the U.N. or not, it may be, but I mean, the U.N. is for global clean drinking water. I mean, there's a lot of things, I mean, I may not necessarily agree with everything they say, but you know, are they wrong on all cases? No, objectively not. They're not. Okay, and I'm in a position now where I can't, you know, I'm to do what I believe is right for this community and I think planning is correct. It's a way to utilize and maximize your scarce taxpayer resources and put infrastructure in where it belongs. I mean, that's my take on this, Mr. Chairman. That's all the comments I have."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Just one quick thing. Jim, this agenda is not about planning. What you're talking about is planning. That we've been doing all along and we can continue to do. What John Schlegel does, he does planning. This is about control. They're selling it as planning. That's their marketing plan. Okay? Unfortunately, we're using one word to describe two completely different entities. And nothing, if we don't participate, nothing's going to stop you from getting fire station or doing all, nothing stopped you from doing it before.

"But what you're talking about is not what we're talking about here, regardless of what you're being told. I know you've read all that stuff I gave you. If you can't see the effects on personal property rights, I don't, I can't explain that. It's undeniable. They have made it very clear what their agenda is. This is control. You want to do local planning, that's fine. This is control. They control us with their money, and with their agenda, and they will continue to do it year after year long after you're gone. And we're going to create a mechanism to make it easier for them and make it harder for us to fight back. That's all, Mr. Chairman."

Chairman Norton said, "Well, I don't, I see no other lights on. That may give me a chance to say something finally. I've got a lot of notes and I'm going to try to keep them very brief, we've been here for a long time, I think people are starting to form up which way they move on this. I have to tell you when we talk about the REAP organization, and I don't want to vilify them, because I set in the very first meeting when REAP was formed, back in the days when Bob Knight was mayor and I was the Mayor of Haysville, Kansas, and we brought together folks from several counties, but it was mostly municipalities at the time.

"And we saw a need to come together and discuss our common interests, our abilities to get things done and what we thought the future of the large urban area and all the outlying small cities and rural areas would be, and how they work together to think through what their common future would be and how to increase the economic value of South Central Kansas.

Chairman Norton continued, "Today, we're even better partners because the county has joined at some point. I'm honored that Dave Unruh has been on REAP for several years, has served as their Legislative Chair, their Vice President, and next year will be the President of REAP...or is it the Chairman of REAP?"

Commissioner Unruh said, "Chairman."

Chairman Norton said, "Chairman of REAP. And I think his steady hand, as it has been on the Commission several times as Chairman, will make sure that the process works as we define it, whatever that may be. I don't particularly take the word sustainability and take it for more or less than what I believe it will be. And that's for the ability to look 20, and 30, and 40 years in the future and understand that the decisions we make today will set in motion the ability for my five kids and my seven grandkids to still enjoy living in Wichita, and Sedgwick County, and South Central Kansas. We have an obligation at this Board to understand that we need to make decisions and we need to plan for those things that will have a long term effect. Now, as this process moves forward, there will be plenty of citizen input. I can guarantee that. That's what it's about, is trying to engage the community and make sure we all come together, folks in this room and folks not in this room, to talk about it.

"And I understand that, years ago when we started working on Visioneering there were huge crowds of people that showed up and offered their voices to what our community should look like and be like in the future. I made it to every one of those town hall meeting. I didn't miss a one. I had my listening ears on, I didn't speak. So, the idea that we can't have planning at this level, with this support, is wrong. Now I don't connect all the dots, I'm a pretty simple guy. We went to a sponsored meeting by NACo when we were in Washington, it had EPA, HUD representatives and DOT representatives there. I think they gave a pretty level headed explanation of what the grant would do and not do.

"Commissioner Skelton asked some very pointed questions of the folks that were there, and I think he got some pretty good answers. Commissioner Unruh was there, as was I. We tried to understand completely what this grant was about and what it was not about. You know, I attended several of the Visioneering cities to cities visits. In Pittsburg, in Chattanooga, in Lewisville, have all pulled together regional thought processes to advance their regional economic environment. The Allegheny Conference in Pittsburg was part of that. Pittsburg has totally changed and revitalized their river front and their whole economy from a manufacturing steal economy, to a finance economy, to a technology economy, into an economy that is robust and is growing. And boy, that wasn't what they had 10 or 20 years ago.

"Now that doesn't make it Wichita, Kansas. But as I look around and try to observe other communities, that regional approach did make a difference. And I think us partnering in a regional environment is not a bad thing. Visioneering is a place that I have done work, GWEDC (Greater Wichita Economic Development Coalition), which has to do with economic development, which is out of the Chamber [of Commerce], I was a Chamber member for eight years as I managed a Target store and was in corporate life. I've been a small town mayor, so I understand small town values. And

by the way, I grew up in a farming community and my family was cotton farmers for years, so I understand farm values.

"In fact, I've often told the Farm Bureau that I was the youngest Farm Bureau member in Arkansas when I was 16. So I understand property rights, and farm values, and rural concerns. That is important. And that's going to be part of the conversation. How do we preserve family farms? I would ask you to let me have my time to speak, everybody else has had theirs, and I don't remember me jumping up and saying no, and that's not going to be the way it is, so please. I understand, Kent, where you come from when you talk about farm values and preserving farm land. I think that's part of the conversation we need to have. How does urban growth and farm values line up? And we can either think about it, or let it happen by serendipity.

"Because we know that much of our farm ground is being gobbled up by other interests. That doesn't make it right or wrong, that's just the way it is, and people have property rights to go both ways. To farm, and to have five acre tract homes in the middle of agriculture property. We've got to figure that out, or we get less than what we want in the future. How do we do that? We talk about it, we argue about it, we debate it, we think about it, we mull it over, and we come back as a community and try to make good decisions that will preserve that sixth generation farmer that I got an email from that wants his son to live on that farm, farm that ground, and not be impinged on by urban growth. I understand that. Believe me, I understand that.

"Because you know the policy changes, if they come, will have to be done by policy makers elected by the electorate in Sedgwick County or the other four counties that have elected to be part of this. If there's changes in the municipal areas, it will be done by city councils and mayors that are part of the representative democracy that most of you uphold, I believe. I believe that. We will look at the values and directions of our community to get this done.

"Jim is the Chairman of the Quad Cities Plan, which is Mulvane, Haysville, Wichita and Derby, to try to understand what their boundaries are. I've got to tell you the biggest issue we've got right now down there, it's not green space, it's not should there be growth, what do the communities look like in 30 years, but what are the zoning areas of influence out in the rural areas. And I can tell you how we'll solve it. Everybody's at the table, everybody's arguing about it, everybody's putting their two cents in and we'll try to figure out the best solution that makes that move forward in our community, and makes it sustainable down in that area. And I'm a small town guy, so to think that I don't want small towns to flourish and for them to have their identity, and for them have a downtown, is not right.

"But I also understand that we need a good core area in Wichita. Communities that have revitalized themselves make sure that they have a core downtown, but unfortunately downtowns are in many cases not going to look like they did back in the 1950's. We'd love for them too. I'm from that generation, I see some gray hair out there in the audience, I understand you probably have that same value. Wouldn't we all love to go back down and sit at a counter and eat at a lunch counter and then go over to Macy's or a big downtown retailer? But some of those days are gone and we're going to have to figure out what we want our community to look like. Wichita's embarked on the downtown plan. They're trying to understand it, they're trying to get community values, citizen input and what can be done, fused together.

"We have an obligation to think about all those things that may not be sustainable. Water supply, I've spoken since my very first days as a Commissioner about the water supply in South Central Kansas. If you don't think that it could be a problem, you're really in denial, because it could be.

Chairman Norton continued, "I've studied storm water, ground water, run-off, potable water, river alluvial plains, on and on and on, and all of that points to we need to be thinking about the future of water in the State of Kansas. And how do you do that? Well, we need to be talking about it, we need to be at the table.

"I guess my final thought is, all that this grant does is give us the platform and a little room to have that conversation in our community. I understand that there's a huge disconnect many times with what the federal government is doing. Sometimes there's a distant connect with what the state government is doing. And I understand there's a disconnect with what local government is doing. It is ugly business. It is not easy. There are competing interests. We have to debate it, worry about it, but the thing that most concerns me is that there are people that doubt my interest in this community and how much I care for it.

"I, as Commissioner Unruh, am just a little bit put off by the idea that we're not trying to understand this, trying to figure it out, trying to put our energies into it, reading veraciously about what is right and what is wrong with this grant. We've done all of those things and we'll vote on this in a minute and I would hope that as we move forward that people will still be part of the conversation, offer your voices to the final product, make sure that we don't go down the wrong path on any kind of thoughts that we have as a region, because that's going to be important. That's all I have right now, and Commissioners Skelton, I'll turn it over to you."

MOTION

Commissioner Skelton moved to approve the agreement, establish budget authority in the amount of the approved HUD Grant award of \$1,500,000, and authorize the Chairman to designate a primary point of contact at a later date.

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

Chairman Norton said, "Okay. We'll wait just a minute and let the room clear. Madam Clerk, call the next item."

L [12-0251](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON
MARCH 29, 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 29th results in
three items for consideration. Item 1;*

1. ONCALL ARCHITECTURAL & ENGINEERING SERVICES --
 FACILITIES DEPARTMENT
 FUNDING --VARIOUS

*"Recommendation is to accept the proposals from Hanney and Associates Architects
and Schaefer, Johnson, Cox, and Frey Architecture and establish contracted hourly
rates as identified for a period of one year with two one-year options to renew. Item 2;*

2. UPGRADE OF THE FIRING RANGE -SEDGWICK COUNTY SHERIFF'S
 OFFICE FUNDING -SEDGWICK COUNTY SHERIFF'S OFFICE AND
 CITY OF WICHITA POLICE DEPARTMENT

*"Recommendation is to accept the proposal for Items 2, 3 and 4 from Action Target in
the amount of \$89,000.00. Item 3;*

3. ARMORED CAR SERVICES --TREASURER'S OFFICE
 FUNDING -TREASURER'S OFFICE

*"Recommendation is to accept the proposal from Garda Cash Logistics at the rates
listed for three years with five one-year options to renew.*

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

*Chairman Norton said, "Commissioners, you've heard the report from the Board the
Bids and Contracts, Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Question on Item 1, two
firms are recommended, we had some discussion yesterday in terms of the low bidder,
looks like on some criteria one for Hanney and Associates [Architects] is lower than
Schaefer, Johnson, [Cox, and Frey Architecture] and then on others, it's the reverse.
Could you discuss why we've got two firms in front of us here today as opposed to just
one?"*

*Mr. Thomas said, "The Facilities staff wanted flexibility depending on the size of the
different projects, construction budgets of the projects. So they felt that having these
two choices, one that was smaller and with a smaller staff, and another, Schaefer,
Johnson, Cox, and Frey [Architecture] with a much larger staff, would allow them that
flexibility depending on the size of the projects."*

*Commissioner Peterjohn said, "Well, I share with my colleagues the interesting point in
terms of, in our discussion from last week, in terms of, the challenges we face in*

terms of finding the appropriate bid. Thank you."

Chairman Norton said, "Okay. Any more discussion..."

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

<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>

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

Chairman Norton said, "Thank you, Joe. 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

- | | | |
|----------|--------------------------------|--|
| M | <u>12-0230</u> | Agreement with the Wichita Radio Control Club for the use of a portion of Lake Afton Park for hosting a Jumbo-Fly-In Event. |
| N | <u>12-0229</u> | Agreement with Wichita State University for controlled access to certain portions of County roadways for Sunflower State Championship. |
| O | <u>12-0240</u> | Resolution to amend the policy to the Sedgwick County Personnel Policies and Procedures Manual. |
| P | 12-0233 | Order dated 03/22/2012 to correct tax roll for change of assessment. |
| Q | <u>11-1290</u> | General Bill Check Register. |

R

[11-1253](#)

Payroll Check Register.

Mr. Buchanan said, "Commissioners, you have the Consent Agenda before you and I would recommend your 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, "I will move onto 'other' now, we do have a fire agenda but I thought we'd take 'other' then close down the, adjourn and then come back to the fire. Commissioner Peterjohn."

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

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

Present: 0

OTHER

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'm going to provide an update in terms of numbers on the folks who are in detention at the Sedgwick County Jail under the Sheriff's custody. We had 1,044 this morning in the main facility; 119 in Work Release; and 272 out of county, for a total population of 1,435. Those were broken down into three categories, maximum security by the Sheriff's folks, 504 folks in the maximum category; in the medium security category 579; in the minimum security 316, the rest were unclassified.

"I'd also like to point out to my colleagues an article in today's newspaper, about the fact that there continues to be interest, in terms of oil and gas leasing and I strongly support the effort that if there's county property where this could be down where we might come up with another revenue source that I'm strongly in support of proceeding down that road. I know other governmental bodies have done so, and with some measure of success.

"I would also point out that we had a little bit of a discussion about Pittsburg and I would point out that back in 1980 the population of Pittsburg was a good deal larger than Wichita, Kansas and today the population of the City of Pittsburg, I believe is about 75,000 people fewer than Wichita. So, what we may be seeking we may be able to find. But I don't think that's a destination that I'd want to go there. If you really want to follow that model, the visioners should have gone to Detroit in my opinion. Mr. Chairman, I'll leave that as my contributions for 'other' as of today. Thank you."

Chairman Norton said, "I see no other lights, but before we get out of here, I'd like to introduce Admiral Windwagon Smith the 39th to our chambers, aka (also known as) Joe Johnson. Congratulation, Admiral. We look forward to a fine and dry [Wichita] River Festival for you. So, at this point I will adjourn the meeting of April 4, 2012."

ADJOURNMENT

*There being no other business to come before the Board, the Meeting was adjourned
at 1:51 p.m.*

*BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS*

*TIM R. NORTON, Chairman
Second District*

*DAVID M. UNRUH, Commissioner
First District*

*KARL PETERJOHN, Commissioner
Third District*

*RICHARD RANZAU, Commissioner
Fourth District*

*JAMES B. SKELTON, Commissioner
Fifth District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
