

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, February 3, 2016

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 Robbie Berry, Sedgwick County Interim ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203

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ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:03 a.m. on February 3, 2016 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman James M. Howell, with the following present: Chair Pro-Tem Commissioner Richard Ranzau; Commissioner David Unruh; Commissioner Karl Peterjohn; Mr. Michael Scholes, County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Kelly B. Arnold, County Clerk; Mr. Dale Miller, Director, Planning Staff; Mr. Rick Durham, Deputy Chief Financial Officer; Mr. Thomas Stoltz, Metropolitan Area Building and Construction Department; Mr. Joe Thomas, Director, Purchasing Department; Mr. Chris Chronis, Chief Financial Officer; Mr. Justin Waggoner, Assistant County Counselor; Ms. Kristi Zukovich, Communications; Ms. Angela Lovelace, Deputy County Clerk; and Ms. Laura Billups, Deputy County Clerk.

Guests

*Ms. Andrea Scarpelli, President, Simmons First National Bank, Go Red for Women, Wichita, Kansas
Mr. Robert Baker, Appointee
Mr. Joe Brown, Appointee
Ms. Angela Jones, Director, Sedgwick County Extension
Mr. Jeff Fluhr, President, Greater Wichita Partnership, Wichita, Kansas
Mr. Charles Peaster, 9453 N. 135th St. West, Wichita, Kansas*

INVOCATION: Moment of Silence.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES

- A [16-0020](#) REGULAR MEETING MINUTES OF NOVEMBER 4, 2015.
All Commissioners were present.

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

MOTION

Commissioner Peterjohn moved to approve the regular meetings of November 4, and November 18, 2015.

Commissioner Ranzau seconded the motion.

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

VOTE

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

Chairman Howell said, "Madam Clerk next item please"

- B** [16-0021](#) REGULAR MEETING MINUTES OF NOVEMBER 18, 2015.
All Commissioners were present.
Action for Item B was taken with Item A.

PROCLAMATIONS

- C** [16-0019](#) PROCLAMATION DECLARING NATIONAL WEAR RED DAY.
Read by: Chairman Jim Howell.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Howell said, "Commissioners, I do have a Proclamation I would like to read this morning. It says,

WHEREAS, Heart disease and stroke kill one in three women in the U.S., yet eighty percent of cardiac events may be prevented; and

WHEREAS cardiovascular diseases and stroke kill one woman every 80 seconds in the U.S., and

WHEREAS, ninety percent of women have one or more risk factors for developing heart disease, yet only one in five American women believe heart disease is her greatest health threat; and

WHEREAS, women are less likely to call 911 for themselves when experiencing symptoms of heart attack than they are if someone else were having a heart attack; and

WHEREAS Go Red For Women is asking for all Americans to Go Red by wearing red and speaking red.

Get your numbers: Ask your doctor to check your blood pressure, cholesterol and glucose.

Own your lifestyle: Stop smoking, lose weight and be physically active and eat healthy.

Raise your voice: Advocate for more women-related research and education.

Educate your family: Make healthy food choices for you and your family. Teach your kids the importance of staying active.

Donate: Show your support with a donation of time or money.

NOW, THEREFORE BE IT RESOLVED that I, Jim Howell, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Friday, February 5th, 2016 to be

NATIONAL WEAR RED DAY

"In Sedgwick County and urge all citizens to show their support for women and fight against heart disease by commemorating this day by the wearing the color of red. By increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

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

MOTION

Commissioner Unruh moved to approve the Proclamation.

Commissioner Peterjohn seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Peterjohn</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Chairman Howell</i>	<i>Aye</i>

Chairman Howell said, "Today we do have Andrea Scarpelli, is that correct?"

Ms. Andrea Scarpelli, Market President, Simmons First National Bank, Go Red for Women, greeted the Commissioners and said, "That's correct."

Chairman Howell said, "Thank you for coming today to receive this Proclamation. We invite you to say something today."

Ms. Scarpelli said, "Thank you for the County on behalf of the American Heart Association. As we already know, the first Friday in February is national Wear Red Day.

"It is to bring awareness to cardiovascular and heart disease, and stroke across the entire nation. One in three women die from heart disease. The best news about that is eighty percent of all heart disease deaths are preventable. I would ask you again to wear red. Wear red. It's the color of empowerment and passion, and I ask you to wear red for you, and someone that you love. Thank you."

Chairman Howell said, "Thank you for your comments. I'm not sure I read this correctly. The first line I was supposed to say, heart disease and stroke kill one in three women in the U.S. Yet 80 percent of cardiac events may be prevented."

Ms. Scarpelli said, "That is correct statement."

Chairman Howell said, "I'm not sure I said it correctly the first time so I'd like you to

clarify that if I missed a word there.”

Ms. Scarpelli said, “You cannot say that enough, because it is a huge number.”

Chairman Howell said, “We certainly would like to see people engage in things to help themselves. I appreciate you raising awareness to this today.”

Ms. Scarpelli said, “Thank you very much.”

Chairman Howell said, “Thank you so much for being here. Madam Clerk, Next item, please.”

D [16-0046](#)

**PROCLAMATION DECLARING RONALD REAGAN'S 105TH
BIRTHDAY ANNIVERSARY.**

Read by: Chairman Jim Howell.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Howell said, “Commissioners, I'm going to ask Commissioner Peterjohn to read this Proclamation.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. I appreciate the privilege being able to do so today.

“Back in the 1970's, I had the privilege, as a fresh out of college graduate working for then Governor Reagan in California, this is particularly poignant for me, in light of the fact that this led to a series of events that were momentous for me. February 3rd, I'm particularly pleased to read this proclamation.

WHEREAS, former President Reagan's vision of 'peace through strength' led to the end of the Cold War and the eventual demise of the Soviet Union, guaranteeing basic human rights for millions of people as well as ushering in an era of peace and diplomacy between the United States and Russia: and

WHEREAS, Ronald Reagan's policies created the groundwork that ultimately resulted in the removal of the Berlin Wall and the Iron Curtain that had divided Europe since the end of World War II; and

WHEREAS, Ronald Reagan's stirring speech calling for “...Mr. Gorbachev, tear down this wall.” Outside the Brandenburg Gate created the environment that led to the peaceful reunification of Germany; and

WHEREAS, Ronald Reagan provided the framework for the strategic arms Reduction Treaty that led to a significant reduction in nuclear weapons in the world and helped prevent the spread of nuclear weapons to additional nations creating a safer world for future generations; and

WHEREAS, Ronald Reagan's diligent and thoughtful efforts working with members of both political parties helped bring the county out of recession and led to an era of economic expansion and opportunity.

NOW, THEREFORE BE IT RESOLVED that I Jim Howell, Chairman of the Board of Sedgwick County Commissioners, do hereby recognize February 6, 2016 as

‘RONALD REAGAN'S 105th BIRTHDAY ANNIVERSARY’

And urge Sedgwick County citizens to honor and commemorate his legacy.

Chairman Howell said, "Thank you, Commissioner."

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

MOTION

Commissioner Peterjohn moved to approve the Proclamation.

Commissioner Ranzau seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Peterjohn</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Chairman Howell</i>	<i>Aye</i>

Chairman Howell said, "Commissioner Peterjohn, any further comments today? Would you like to talk about this a little bit more?"

Commissioner Peterjohn said, "We have done this on a number of occasions, Mr. Chairman, but I would point out the fact that while we named a major airport in the Washington D.C. area after Ronald Reagan, unfortunately, nothing here in the State of Kansas has been named after our 40th President, and I think it's an oversight that ought to be corrected at some point in the future, because as a boy growing up in the 1950's and 60's and trying to understand what was happening when everybody was talking about Sputnik in 1957, and folks have seen the movie, Bridge of Spies, they have some idea of some of the events going on at that time.

"But even more poignant was watching the tanks, American tanks, at checkpoint Charlie in Berlin eye to eye with their Soviet counterparts in the early 1960's as the Berlin wall went up and Churchill's warning about a wall separating Europe became a reality, separating between parts of Germany, and then, of course, a little bit later, 1962, the Cuban missile crisis. I think this resolution is particularly timely, especially in light of how we look at challenges we focusing on keeping our county safe, but obviously there are other elected officials responsible, and I wish them well for keeping our state and our country and our nation safe. I very much appreciate my colleague's support for this resolution this morning."

Chairman Howell said, "Thank you Commissioner Peterjohn, and just for the record, I think Commissioner Peterjohn you did request this Proclamation today."

Commissioner Peterjohn said, "That's correct."

Chairman Howell said, "You are also receiving it. People might like to know who is receiving it."

Commissioner Peterjohn said, "I keep it displayed in my office."

Chairman Howell said, "Thank you for that, appreciate the good reminders this

morning of our history. "Madam Clerk, next item, please."

APPOINTMENTS

E [16-0030](#) APPROVE THE RESIGNATION OF ANDREE' SISCO
(COMMISSIONER JIM HOWELL'S APPOINTMENT) FROM THE
SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Approve the Resignation.

Mr. Eric Yost, County Counselor greeted the Commissioners and said, "Item E is the resignation of Andree' Sisco from the Advisory Council on Aging, she is Commissioner Howell's appointment, and the paperwork appears to be in order, I would approve adoption of this resignation."

Chairman Howell said, "Very good, I would like to consider Item F and E going together they are very similar, that would be okay. Item F is the same idea but for a different person James Gulick."

Mr. Yost said, "Item F is a resignation of James Gulick from that same Advisory Council on Aging, is also one of your appointments Mr. Chairman, and the paperwork appears to be in order and I would urge adoption of that."

Chairman Howell said, "Very good, Commissioner Ranzau."

MOTION

Commissioner Ranzau moved to approve the resignations of Andree' Sisco and James Gulick.

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 Norton</i>	<i>Absent</i>
<i>Commissioner Peterjohn</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Chairman Howell</i>	<i>Aye</i>

Chairman Howell said, "All right. Madam Clerk, next item, please."

F [16-0042](#) APPROVE THE RESIGNATION OF JAMES L. GULICK, SR.,
(COMMISSIONER HOWELL'S APPOINTMENT) FROM THE
SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Approve the Resignation.

Action on this item was taken with Item E.

G [16-0035](#) RESOLUTION REAPPOINTING KENYA COX (BOARD OF COUNTY COMMISSION REAPPOINTMENT) TO THE SEDGWICK COUNTY COMMUNITY CORRECTIONS ADVISORY BOARD.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Chairman Howell said, "Commissioners, what's the will of the Board?"

MOTION

Commissioner Ranzau moved to approve the resignation.

Commissioner Peterjohn seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Peterjohn</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Chairman Howell</i>	<i>Aye</i>

Chairman Howell said, "The next three items are also very similar. Madam Clerk, please call the next item, and as we discuss them, I would like to consider doing H, I and J together."

H [16-0036](#) RESOLUTION APPOINTING JOE BROWN (COMMISSIONER KARL PETERJOHN'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

MOTION

Commissioner Ranzau moved to take recommended actions on Items H, I & J.

Commissioner Peterjohn seconded the motion.

Chairman Howell said, "We have a motion to accept the appointments of Joe Brown, Robert Baker and Clifford Helms. We have a motion and a second. Any further discussion?"

Commissioner Ranzau said, "Just one clarification. The first one appoints Joe Brown, all of these appoint them."

Chairman Howell said, "All three of these are appointing to the same board, so three different people to the same board. All right. If we're clear, no further discussion, Madam Clerk, please call the vote."

VOTE

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

Chairman Howell said, "I do see at least one of those members here today, so we do have our County Clerk here to swear you in. Robert Baker, please come up, and Joe Brown as well."

Mr. Yost said, "We've got two."

Chairman Howell said, "Two."

Mr. Kelly Arnold, County Clerk, greeted the Commissioners and said, "I'll be swearing these in individually.

I do solemnly swear that I will support the constitution of the United States, the constitution of the State of Kansas and faithfully discharge the duties of the office as Sedgwick County Advisory Council on Aging, so help me God."

Mr. Robert (Bob) Baker, Sedgwick County, greeted the Commissioners and said, "I do."

Mr. Kelly Arnold said, "Congratulations. If you'd like to say anything more you can."

Mr. Baker said, "No, thank you."

Chairman Howell said, "I would like to just say for Bob Baker, since he's walking away here, I've known him for a very long time, and he cares greatly about this topic. I sure appreciate him stepping up to take the responsibility and service the County on this board. Thank you, Bob Baker."

Mr. Kelly Arnold said, "I do solemnly swear that I will support the constitution of the United States, the constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Advisory Council on Aging so help me God."

Mr. Joe Brown, Sedgwick County, greeted the Commissioners and said, "I do. Thank you, sir."

Mr. Kelly Arnold said, "If you say anything now, you may as well."

Mr. Joe Brown said, "I want to thank the Commissioners, Commissioner Peterjohn, it is an honor. I respect the appointment. I'll do my best to be a good servant. Thank you, sir."

Chairman Howell said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "I was just going to thank Mr. Brown for his willingness to serve and appreciate you coming down so we could get you sworn in this morning. Thank you."

Chairman Howell said, "Thanks to both of you very much for coming out today and for stepping up to serve. I really appreciate you doing that. Madam Clerk, next item, please."

I [16-0037](#) RESOLUTION APPOINTING ROBERT BAKER (COMMISSIONER JIM HOWELL'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt Resolution.
Action on this item was taken with Item H.

J [16-0041](#) RESOLUTION APPOINTING CLIFFORD HELMS (COMMISSIONER JIM HOWELL'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.
Action on this item was taken with Item H.

K [16-0048](#) RESOLUTION REAPPOINTING CHUCK WARREN (JIM HOWELL'S APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.
Chairman Howell said, "Commissioners, this is my appointment."

MOTION

Chairman Howell moved to approve the resignation.

Commissioner Peterjohn seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Peterjohn</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Chairman Howell</i>	<i>Aye</i>

Chairman Howell said, "Madam Clerk, next item please."

L [16-0050](#) NOTICE OF APPOINTMENTS AND RESOLUTIONS APPOINTING COMMISSIONERS TO VARIOUS BOARDS/COMMITTEES.
Presented by: Chairman Jim Howell.

RECOMMENDED ACTION: Approve the appointments and adopt the resolutions.

Chairman Howell said, "This is related to a number of reassignments to different boards by the chairmen. Some of these are board appointments. Some of these are by me personally."

MOTION

Chairman Howell moved to approve the resignation.

Commissioner Ranzau seconded the motion.

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

VOTE

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

Chairman Howell said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "I realize this is a bit late, but we've got on the agenda, and if people are working off the agenda, the appointment that I have, it says here that I'm appointed to Lake Afton, but it's Lake Afton Observatory. We're working to try and get that facility reopened. There is an effort to reconstitute the board. For some reason it just says Lake Afton. We really don't have an Advisory Board just for that County Park. I wanted to get the clarification on the record, Mr. Chairman. Thank you."

Chairman Howell said, "Thank you, Commissioner. We're ready for the next item."

PLANNING DEPARTMENT

M [16-0033](#) DER2015-00009: PROPOSED AMENDMENTS TO SECTION IV-E.7. OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE REGARDING MINIMUM LOT SIZE AND SEPARATION REQUIREMENTS FOR RURAL HOME OCCUPATIONS (ALL DISTRICTS)
Presented by: Dale Miller, Director, Metropolitan Area Planning Department.

RECOMMENDED ACTION: Adopt the findings of the Metropolitan Area Planning Commission, approve the proposed amendments to the Unified Zoning Code, authorize the Chairman to sign the resolution and authorize the resolution to be published.

Mr. Dale Miller, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "As indicated, this is an amendment to the Unified Zoning Code to change some of the provisions dealing with rural home occupations. Very briefly, a rural home occupation is a specific set of uses. There are 19 listed in the zoning code. Some of the types of uses that are considered to be rural home occupations including animal care, repair of equipment and vehicles, machine shop,

household dining subject to a maximum size, lawn care, and sale of firewood.

"Again, there are 19 specifically listed uses and then other uses that would be similar to those would be considered as rural home occupations. Currently by right, if you have five acres, can locate the rural home occupation 120 feet away from another residence that is off-site that does not have a home occupation, and it is no larger than the floor area of the principal structure, or 3,000 square feet, whichever is larger, you can run a rural home occupation by right. The proposal before you today is to reduce the standards dealing with the minimum lot size and separation from an off-site residence from the five acres and 120 feet, to 2 acres and 75 feet. This has been reviewed by the Planning Commission. They recommend approval. I'll try and answer any questions."

Chairman Howell said, "Thank you for that presentation. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. A few years ago, this commission helped establish a group to address home occupations in rural area. They made several recommendations, which were approved, to decrease the regulatory burden to make it easier. This particular part of it didn't get passed at the time. This just tidies that up, and finishes it off. I'm appreciative of all the work that everyone's done on this."

MOTION

Commissioner Ranzau moved to adopt the findings of the Metropolitan Area Planning Commission, approve the proposed amendments to the Unified Zoning Code, authorize the Chairman to sign the resolution and authorize the resolution to be published.

Commissioner Peterjohn seconded the motion.

Chairman Howell said, "I'm going to recognize Commissioner Unruh next, please."

Commissioner Unruh said, "Thank you, Mr. Chair. Dale, this is quite, is the word more intense zoning or use of the property? Is that the right word? Because it really allows for a stronger use of the property. I don't know exactly the right word."

Mr. Miller said, "It certainly allows for these uses that could be considered to be more intense on a smaller acreage. The purpose of the minimum lot size and operation is trying to maintain that buffer and protection that people might expect from these kinds of uses."

Commissioner Unruh said, "Do you think this will create problems for a lot of suburban residential areas that are two acre lots that have tried to get out of the city, you've got a group of folks on 2 acre lots with relatively nice homes. Does this expose them to, something that will be detrimental to their property value?"

Mr. Miller said, "It has the potential, the issue is, it depends on when people move out there. If they're thinking they moved out to the country to get away from anything and they just want the noise or no noise and wildlife and that sort of thing, but if they're people that grew up in the country and are still living there, they're used to farm machinery and the activity that goes on, and so I think it just depends on the individual perception of the property owner."

Commissioner Unruh said, "I didn't want to try to find, well here's one exception that will make it unpleasant for neighbors who have already invested in their property. I

don't want to look for the one thing, but the way this is written, they can have an accessory building as large as their home?"

Mr. Miller said, "Yes. The principal structure or 3,000 square feet, whichever is larger."

Commissioner Unruh said, "Somebody went out, and built a nice 5,000 square foot home, they could build a 5,000 square foot shop and open up a body shop?"

Mr. Miller said, "Yes."

Commissioner Unruh said, "75 feet, not from the property line, but from another."

Mr. Miller said, "Off-site residence."

Commissioner Unruh said, "Okay. I'm really concerned about how that might impact someone that's already a property owner there and their ability to enjoy their property, but the Planning Commission are more experienced in this than I am, and they approved it eight to one. Is that what you said?"

Mr. Miller said, "Correct."

Commissioner Unruh said, "The objector, what was his objection? Do you recall?"

Mr. Miller said, "As I recall, his concern had to do with communities that would be potentially annexing this land, then those uses would have to be taken in as nonconforming uses, and his concern dealt with the notion that each community ought to be able to review these things instead of having them as de facto, already in place."

Commissioner Unruh said, "Okay, I'm uncomfortable about this, but I'll listen to the other discussion. That's all I have."

Chairman Howell said, "Commissioner Peterjohn, do you have further comments?"

Commissioner Peterjohn said, "Yes, please. I would like to weigh in, because I know this is something that's been worked on quite diligently at several different levels. I'd like to express my public appreciation to not only some citizens I know who have worked to try and make this community more competitive and provide more clarity in this process, but also to the folks on the MAPC (Metropolitan Area Planning Council) who I know have put in some serious work. Mr. Miller referred to the nine folks who voted on it, but I think there were more folks involved in working that issue. I'm not sure why there were only nine at that point in time. Although a lot of folks I know, it's a challenge going forward, but I want to express my appreciation to the commission members for their work in bringing this before us this morning and also members from the public, too."

Chairman Howell said, "I'd like to go ahead and just interject a couple of comments." Thank you, Commissioner Peterjohn. A couple comments for myself. I think this is the step in the right direction. I really do believe private property rights ought to allow people to use their property to the fullest extent possible. There are still some reasonable limitations, even in this proposal. It was recommended to it by MAPC. Many of those are city appointments.

"I appreciate the fact that they did a good job and have given us a good solid recommendation. It wasn't really a close vote. It was a pretty big vote in one direction.

I think that gives me confidence this is the right thing to do today. I'll certainly be supportive of the motion today. Commissioner Ranzau, did you have further comments?"

Commissioner Ranzau said, "Yes, as a reminder, the original committee put this forward was a combination of citizens as well as one representative from the business community from WIBA (Wichita Independent Business Association) that made this and a series of other recommendations and supported this. I think it's important to know that the business community also had input in this, as well as citizens who live in the unincorporated area. Thank you."

Chairman Howell said, "I'd like to ask the public that's here today, if anybody here would like to speak on this topic."

Mr. Charles Peaster, 9453 N. 135th Street. West, Wichita, Kansas, greeted the Commissioners and said, "Several years ago, there were some ad hoc committees set up to change the Unified Zoning Codes in Wichita, Sedgwick County. One of the proposals we made was this very proposal to change it from the 5 acres and the 175 feet, because at that time, it was property line to property line, not house to house. We felt like that was too confining, didn't allow people to do what we thought they ought to be allowed to do even on two acres. The 75 feet is house to house, not property line to property line. We made this recommendation back then, and it didn't get approved.

"Since then, it has gone to the MAPC. The MAPC discussed it. I was there, discussed it. I'm glad to see that this has finally come forward, and the only one question I have is, to Dale, has the city approved this yet? Because this is a Unified Zoning Code book. The city has to agree to it also. Do they not, Dale?"

Mr. Miller said, "It is a Unified Zoning Code, but there is a clause that says that only one governing body approves a particular section, then it only applies in the jurisdiction for that governing body. Since this wouldn't impact the City of Wichita, we didn't really plan on taking it to the City of Wichita, since they don't, rural home occupations probably wouldn't be appropriate inside the City of Wichita, given the lot sizes. It would be effective if you approve it, and you're the only governing body that does."

Chairman Howell said, "Thank you for that explanation. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chair. Dale, another question people on less than five acres now have the opportunity to apply for conditional use for these sort of activities or not?"

Mr. Miller said, "On less than five acres, the minimum was, let's see five or two. Two, yes. If they have two acres, they can apply for a conditional use and have these standards waived if they can't comply with all the standards, but the lowest that you could get by conditional use is two acres. Five acres by-right. The way it is now."

Commissioner Unruh said, "This just expands the by-right opportunities?"

Mr. Miller said, "Correct."

Commissioner Unruh said, "However, now the conditional use can be applied to down to less than half an acre, is that correct?"

Mr. Miller said, "To 20,000 square feet, yes."

Commissioner Unruh said, "That would be subject to the approval by the MAPC?"

Mr. Miller said, "Yes."

Commissioner Unruh said, "Because less than half an acre to put a commercial activity on it seems pretty small in a rural setting to me, or suburban setting. I guess I will, although I'm uncomfortable about this, I'll yield to the work of the MAPC, but I have lots of questions. Thank you."

Chairman Howell said, "Anybody else from the public want to speak to this issue today? Seeing none, any other further comments from the Commissioners? I want to say as a final comment, I see this as an economic development initiative by the Commission to try to reduce regulatory burdens. Some people would see these size limits and not even consider a conditional use application. It just discourages them and they won't even move forward at all. By making this change to a by right, they don't actually have to apply for exemptions to our standards it encourages people to think about how they can develop a home business. The more people who develop home business the more this economy will thrive. Any business has a chance of growing and doing good things for this economy. By making this change today we're actually encouraging business growth in our community. This is a smart move for Sedgwick County today."

"Any other comments from the Commissioners? Madam Clerk, do we have a motion and a second today? I see no other comments. Please call the vote."

VOTE

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

Chairman Howell said, "Normally we would go down to the next item, which is item N, but I'd like to make a motion we reorder this today."

MOTION

Chairman Howell moved to take item N after item P

Commissioner Ranzau seconded the motion.

Chairman Howell said, "The reason I want to do that is so we can understand our financial status before we discuss economic development topic this morning. We have a motion and a second. Any discussion? Seeing none, Madam Clerk, please call the vote."

VOTE

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

NEW BUSINESS

- N [16-0056](#) FUNDING AGREEMENT WITH GREATER WICHITA
PARTNERSHIP, INC.
Presented by: Eric Yost, County Counselor.

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

Item N was taken after Item P.

- O [14-1933](#) COUNTY EXTENSION QUARTERLY REPORT.
Presented by: Angela Jones, Extension Director.

RECOMMENDED ACTION: Receive and file.

Ms. Angela Jones, Director, Sedgwick County Extension, greeted the Commissioners and said, "I serve as the director of the K-State Research and Extension, Sedgwick County office. Thank you so much for the opportunity to come down this morning and visit with you briefly about some things that are happening at the County Extension Office.

"I am happy to report that I have served there as director for 20 months, as of this month, which seems like it's gone really fast. My main objective over the past six months has been to dramatically increase the visibility of what we do at the extension center to the community. Our office has overhauled our website completely. Added all of our events that are offered to county citizens online now. They can register and get more information. That website is www.sedgwick.ksu.edu. We've also created a new Facebook page, and have added some additional social media, developed an electronic newsletter that is e-mailed out every other week, and in the events card that you all are looking at, there is something that we've added. One event that just took place this last Saturday, was our design and grow workshop. We had a record number of people in attendance.

"Certainly, the weather could have helped with that. But we had 350 individuals come and learn about different programs. That event was also put on by volunteers that are Master Gardeners. Completely volunteer ran event.

"I also share with you today the K-State Research and Extension Annual Report that you have in front of you. This was created and developed and given to the Kansas Legislature last week. In addition, Dean, who is the College of Agriculture Dean, had asked for county offices to provide them with a number of presentations that they had given in 2015, and I wanted to let you know that Sedgwick County had given 3,200 presentations last year. We feel like that was very impactful and important to citizens within Sedgwick County. One other program that I just wanted to highlight with you briefly is our Medicare enrollment program. This program is offered for eight weeks in October through December. This year, we served a record number of people.

"Last year we thought we had a lot. This year, even more; 3,337 individuals came in for one-on-one counseling. An increase of 450 people from last year, saving beneficiaries of Sedgwick County \$1.5 million.

"You may be aware, or may not, but every day more than 10,000 baby-boomers turn

65. This trend is expected until 2030. Many do not understand Medicare, don't understand their retirement benefits, so we believe this is an important component of what we offers citizens. That's my report today."

Chairman Howell said, "Thank you. You are Angela Jones, is that correct?"

Ms. Jones said, "Yes."

Chairman Howell said, "Thank you, Director Jones, for being here today. A good report. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, I was curious and I appreciate the numbers. I know the importance in terms of folks turning 65. Federal law basically says you've got to enroll within I think a six month window before and after your 65th birthday to be in compliance with that federal mandate. A lot of people chronologically gifted folks like myself, have gone through it.

"Can you give us a number in terms of folks last year who participated in Sedgwick County here in the Master Gardener or the 4-H programs in terms of the participant numbers, because it's always good to have measurement numbers as we talk about these programs and sometimes it gets overlooked, but if you've got some additional information, I would sure like to hear it."

Ms. Jones said, "Sure. In our 4-H program, we currently have 550 kids participating in that. We run about 600 volunteers with that program. That's anywhere from assisting at the fair to doing clubs, leaders and so forth. In our master gardener program, we have 275 active Master Gardeners, a total of about 350 with emeritus status."

Commissioner Peterjohn said, "I very much appreciate that. I noticed from looking at the list here you've got a program on tractor safety."

Ms. Jones said, "We do."

Commissioner Peterjohn said, "I know that that's a major concern for us because whether it's our public safety folks who are involved in EMS or Sedgwick County District No. 1 and obviously Emergency Communications.

"A lot of people don't realize that agriculture can be one of the more dangerous occupations out there. If people have problems out in their south 40 it sometimes is not easy to be able to get help to them if they have a problem. I see you have a class coming up next month in that area."

Ms. Jones said, "Yes. We try to offer that a couple times a year."

Commissioner Peterjohn said, "Thank you."

Chairman Howell said, "Director Jones, I'm going to put you on the spot here. If you don't know the answer, you don't have to answer. Can you remind us what our budget was for this for 2015?"

Ms. Jones said, "I believe it was \$825,000."

Chairman Howell said, "That was for 2015?"

Ms. Jones said, "Yes."

Chairman Howell said, "Do you know what it is for 2016?"

Ms. Jones said, "Same."

Chairman Howell said, "Very good. I am curious about some of the numbers you gave us today. Was the Commission in any way involved in the development of the things we're interested in having you report on? We do ask you to report on specific things."

Ms. Jones said, "No, but I'm glad to take that, if you would like."

Chairman Howell said, "It's good to hear that. I think you gave us some really good things to think about. Obviously, I think you're very active in the community. The community is benefiting from the extension office and what they do for this community. I do appreciate your report. Let me ask the Commissioners, anything else? Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chair. Angela, I just wanted to say thanks for the report and appreciate your hard work out there and congratulations on your term."

Ms. Jones said, "Thank you."

Commissioner Unruh said, "Doing a lot of good things. Your reports have always been a variety of different things, not always the same thing. I appreciate that. But my main reason for wanting to thank you is that I get phone calls and e-mails from folks who have taken advantage of that Medicare training and that transition period, and they're very effusive in their thanks for the help you've given them. We don't get a lot of calls that people call up and say, oh, thanks, they're just really wonderful. But they've said that about you, so appreciate that."

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

Chairman Howell said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Like Commissioner Unruh, I've also gotten communications like that. I wanted to get that on record. Also, the 825,000 was strictly the County's contribution. That's not your total budget, but you do get other funding from other sources, correct?"

Ms. Jones said, "We get a funding source from Kansas State. They give us 15 percent, so it's approximately another \$200,000, I believe, 250."

Commissioner Peterjohn said, "That is coming from the state of Kansas through K-State so it's from state taxpayers."

Ms. Jones said, "Yes."

Commissioner Peterjohn said, "I wanted to get the clarification between the county contribution and other revenue for the extension. Thank you Mr. Chairman."

Chairman Howell said, "Any further comments from Commissioners?"

MOTION

Chairman Howell moved to receive and file.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Howell said, "Thank you, Director Jones, for coming today. Madam Clerk, next item."

P [16-0039](#)

PRESENTATION OF THE QUARTERLY FINANCIAL REPORT.

Presented by: Rick Durham, Deputy Chief Financial Officer.

RECOMMENDED ACTION: Receive and file.

Mr. Rick Durham, Deputy Chief Financial Officer, greeted the Commissioners and said, "I'll be giving you your quarterly financial report for the fiscal year, or for the fourth quarter fiscal year 2015, which would be the end of 2015 calendar year also. As you know, at the end of each quarter, the Finance Division reports on the County's financial position, and you've received that report. I see Commissioner Peterjohn holding it there. It will also be posted on the county's website. I'm going to take some time this morning and give you some highlights of the report, and again, I'm just the guy that gets to give the report.

"The report is actually prepared by the Budget staff led by Lindsey Poe-Rousseau and the accounting staff led by Sara Jantz. Those are the people who do the hard work. I'm just the guy that stands up here and gives the report. With that, we begin with the end, if you will. What I mean by the end is the ending fund balances. This chart shows you the ending fund balances for governmental funds, and we'll break those down starting, first column the general fund. In the general fund, an ending fund balance of \$63 million. It goes down, revenues, expenditures, net income, net transfers, and then our net change in fund balance in the general fund was \$1.497 million as you can see.

"Moving over to the next column, then we have the dead service fund. That has an ending fund balance of \$3.11 million, and the net change in the fund balance in that fund was \$1.469 million. In our next column is our other tax funds, other County tax funds, and then the County has seven other property tax-supported funds that fall into that category. That's Bond and Interest, EMS, COMCARE, Aging, Highway, Noxious Weeds and Wichita State. Each of those funds are for a specific purpose. The ending fund balance of that was \$7.7 million, and the net change in fund balance in those funds was \$657,000. Those first three columns make up what we call the tax funds. Those are tax supported funds.

"Then as we move to the right, we get into other County non tax funds or non tax-supported funds. Those are special revenue funds that are not supported by property tax. There are 31 operating funds that fall under that. The ending fund balance in those funds was \$26.6 million. The net change in fund balance in that was a deficit of \$2.97 million. Then we move into the Fire District fund, which is its own fund. It had an ending fund balance of \$3.2 million, and then we total those for the

total governmental funds, and that's the far right column.

"We have an ending fund balance of \$103,693,000. I make the distinction of those first three columns, because those are the tax-supported funds. Those are county tax-supported funds. And as we move forward through the presentation, we're going to highlight county tax-supported funds when we look at revenues and expenditures, so it encompasses those three columns, and not just the general fund. For County property tax-supported funds on a budgetary basis, our net revenues were \$232.6 million. You can see the increase there. And there were increases. We'll get into the specifics of what those revenues are, as we move through the briefing. County property tax supported funds, net expenditures were \$232 million, and again, I have a chart that shows specifics of what goes into those expenditures.

"What we show here is the percentage change on the overall. We see revenues increased 1.2 percent while expenditures increased 2.1 percent, and then the next chart also there is a wrap-up that shows a net income of \$600,000. If you go back to that first chart I showed you, those first three columns who had net change fund balances 1.497 a deficit, then we had a positive number that was almost equal to that. Then the \$657,000 of net change fund balance or the other property tax-supported funds. We come to property tax- supported funds that have an ending fund balance of about \$600,000.

"Here are the top 10 revenues of those property tax supported funds. The first four items there represent a 4.18 million dollar increase alone, and of course those are offset by some of the reductions in Medicaid fees, mortgage registration fees, and prisoner housing fees. Sales and use taxes, the receipts in 10 of 12 months of 2015 exceeded those in the same months last year, and the large percentage increase you see in insurance fees is attributed to the rate change in EMS. Moving to key personnel, expenditures. Of course, personnel is your largest single category of expense that we incur at the County.

"The most significant increase has occurred in the retirement contributions and overtime. A 9.9 percent increase, and that's a function of what Kansas Public Employees Retirement System, is the changes that they're making. Then the other is 9.7 percent increase in overtime, and that's largely due to a staffing at the adult facility, the overtime and the staffing there. Here we have key non personnel expenditures. The largest increase there would be the 25.2 percent in grant awards, and that is due to the \$5.3 million for the zoo payment.

"We move now to those non tax-supported funds. The revenues there were \$74.4 million, and as you can see, that's a significant decrease from what we had in 2014. And I will explain that as we move along. Here we have net expenditures, which were essentially flat from the last year. There's the percentage breakdown of the revenues decreasing by 7.7 percent and expenditures increasing only 2 percent. Let me get to the reason for that. As you can see, if you will, the third line on that chart, the state revenue for Affordable Airfares, we're still dealing with the way the state funds us, the state fiscal year differences. It's an agreement that we receive 90 percent of the funds in in July, which is the first quarter of the state fiscal year, and then ten percent later, and we have not received the ninety percent payment for the first quarter of the state fiscal year, so that accounts for that huge decrease in revenue that you see, the 7.7 percent. That accounts for \$8.48 million of that. Key expenditures, a breakdown of those. Again, there are some large percentage changes, but they don't represent large dollar amounts necessarily.

"We move away from a budgetary basis, and we're going to look now at just the General Fund on a GAAP, (Generally Accepted Accounting Principles) basis. Now

we're talking about a different way of accounting for funds. The General Fund quarterly comparisons on a GAAP basis, you can see that this shows the ending fund balance for just the general fund is at \$64 million. You can see the trend as we go as we collect our property taxes in. That goes up, and then we spend it down as we move through the quarters of the fiscal year. This chart also, just the general fund, is a policy slide, and that policy is that we have a fund balance policy stating that the unrestricted general fund balance be at least 20 percent of budgeted expenditures, and that 20 percent line is identified by those brown diamonds at the bottom, and you can see we ended 2015 at 28 eight percent. Again, the clear pattern there as we take our taxes in and then spend it down through the fiscal year. We move now to our investment portfolio.

"As you can see here by this chart, our yield significantly dropped off in December of '15, and our benchmark for the first time in the history actually out performed our yield. Two reasons for that. One is that in December, when we are bringing in tax dollars, the bank doesn't like to have us have a large balance, so we invest those in short-term, and then the Fed (Federal Reserve) also raised the rate in December as you recall so it caused that flip. That explains how we are at the end of December. However, if we look forward and look at the report for January, it's already back to where it normally is. But again, there is a clear pattern there if you look at the December marks. That decrease is a pattern over the years, so there's no concern there.

"Brandy Baily actually manages our investment portfolio and she puts out a really good quarterly report and also monthly report, she does a really good job managing that portfolio. We move now to some significant capital projects. I've listed here, these are new ones, different from the last quarter that you saw, so we try to keep it lively and keep it new. First one is a new main tag office. Most of the demolition has been completed. HVAC and plumbing works have begun and framing is currently being installed. Scheduled for open in April of '16.

"The second one is a salt storage building for Public Works. It's under construction, footings and walls complete, and anticipate of '16. The third item is a bridge on 93rd North between Meridian and Seneca. It was completed before school started in August of '15. Next is the bike/pedestrian bridge on the Meridian bridge over control center. Let' see, that project is going to be split into two packages. The contractor is currently waiting for fabrications on the new expansion joints, and the site work is to be completed in the fall, and the pedestrian bridge will utilize federal funding and lead by Kansas Department of Transportation.

"The last or the aviation pathway Derby to Wichita is, pre-construction is this week, and the construction is supposed to start in the spring. Then the final there, the re-deck Macarthur Bridge. That project was let last year, and construction starts this month. And that's, let me read this, the four lane crossing uses pair bridges. One bridge will be closed at a time and traffic will be directed to the other one.

"Okay, so we've moved back now to, we look at fiscal stress or Sedgwick County trends and some of the metrics that we measure liquidity is the day's cash that we have on hand in the general fund. We're trending down a little bit, 133 days of cash. Flexibility is that same measure that you saw on the general fund chart, that 28 percent at the end of the year. That measures our flexibility. Our property values, that's taxable value per capita. Slightly up over the previous two, our debt per capita is essentially flat. Debt burden, also essentially flat. Effective property tax rate, essentially the same and flat. Our property tax reliance as of 2015 is at 36 percent."

Chairman Howell said, "Rick, that debt burden of '14 going down two percent, you

don't believe is significant?"

Mr. Durham said, "Arrow down? Is that what you're trying to."

Chairman Howell said, "Yes, some think two percent doesn't matter, but my estimation, in this particular issue, I would say that that's a good trend. I just want to point that out. Thank you."

Mr. Durham said, "Same measurement but against our benchmark counties, and again those are counties that have a similar in population and have the Government Finance Officers Association award. We know they're measuring their finances the same way we do. If we look at our liquidity as compared to those benchmark counties you can see most arrows are trending upward or were better than our benchmark counties with the exception of two; properties values which has been stated quarter after quarter, we know that's an existing measure that we are below our peers, our benchmark counties. Then again, debt burden a one percent difference, same goes."

Commissioner Ranzau said, "There again, it was '14, but it's going down. I think we're headed in the right direction, and I would argue that the property value is an indication of affordability in our community. While some may view that as not good, I mean, one of the things we have here in general, a more affordable cost of living here. Thank you."

Mr. Durham said, "This is a chart that we received from the Center for Economic Development and Business Research from Wichita State University, and it just shows the leading economic indicators index in the city of Wichita. I circled the last 20 months to kind of give you an idea that if we were to take this chart and only focus on those 20 months that are circled, that the margin of change is very, very small. It would almost be flat if we take out what happened between 2003 and 2008 and then the fall there. I try to draw attention to it."

"The economy is essentially flat over the last 20 months. Staying with the economy, here are just some key metrics long-term that we look at. Again, trends up in all but one category and that's new homes permits, mortgages registered is up. Sales and use tax dollars up. And underemployment rate, the trend is up, but that unemployment number is down. These are short-term trends, so we measure quarter by quarter. Again, same arrows that you're going to see."

"The new permits down. But all other trends are up. And that's a quarter by quarter comparison. Move on to some of the potential threats that we see when we look at is the United States Department of Labor's action for the classification, if you're familiar with that. Right now, that is on hold, there is no action being taken at this time, but we see that as a potential threat in the way that overtime is paid and figured. State programs, obviously looking to it fill fund gaps. The state budget continues to be a concern for us, and again the local economy, as you saw by that leading indicator slide, is relatively flat."

"Any growth we see is very sluggish. Then key points, expenditures continue to outpace revenue by 2.8 percent in the property tax-supported funds. Largely that's due to the one-time payment to the Zoo. General fund deficit for 2015 fiscal year, but it was less than we originally forecasted. Sedgwick County continues to be smaller focused. The local economy continues to recover slowly. In conclusion, generally, our 2015 financial performance was consistent with what we expected."

"We did use fund balance in tax and nontax funds, but our fundamentals continue to reflect a strong financial position. With that, I would stand for any questions that are"

forthcoming.”

Chairman Howell said, “I’m sure we’ll have some questions probably. Commissioner Ranzau.”

Commissioner Ranzau said, “In respect to our fund balances, I know we have restricted and unrestricted.”

Mr. Durham said, “That’s correct.”

Commissioner Ranzau said, “If someone could send me an update on that, on how much is in unrestricted and what all is in the restricted and how much, just so I can get an update on that. Thank you.”

Chairman Howell said, “Commissioner Peterjohn.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. A couple different points in terms of going through here. In your presentation Rick, you mentioned and showed a pretty significant increase in KPERS payments that the County was having to make and the challenges KPERS has had overall, and I think it was close to 10 percent, maybe just a shade under that for last year. I was looking back over several years, this has been kind of an annual event that’s put significant financial pressure on the County, since we’ve got a larger number of over 2,600 full-time employees.

“I’m thinking in terms of KPERS, you go back several years, and you’re looking at 30, 40, 50 percent increases, and that’s got to be one of the larger, certainly on a percentage basis, one of the larger expenditure growth areas that we have here. I don’t know if we’ve gotten any sort of an update from KPERS in terms of what we can expect going forward, if there is anything that you might be able to give us prospectively looking forward, because I anticipated a bigger increase for 2016 than when he got. I’m not sure when we get those requests. That is one of the cost drivers in the County budget.”

Mr. Durham said, “We will get you a KPERS update.”

Commissioner Peterjohn said, “Well, I appreciate it. You mentioned one time, and obviously the elephant barn expenditure of \$5.3 million that was approved in 2014, but actually paid last year, the largest single item we had. I was thinking we sold off some County property. I think that was about a little over a million dollars. Would that be a fair statement?”

Mr. Durham said, “Yes.”

Commissioner Peterjohn said, “Those were two largest items on it. You had mentioned in terms of potential threats going forward. I mentioned this in staff meeting, and there is a push on with new mandates from the Feds that would significantly increase electric utility rates there’s going to be a public meeting that the Kansas Department of Health and Environment has scheduled from March 7th from 2:00 to 4:00 at the Extension Office. For folks who are concerned about increasing utility costs and new mandates from Washington D.C. on to the electric utilities here in Kansas, of course, they’ll try and pass through, and they may have some stranded cost, because there have been efforts to mandate other, primarily pollution control related costs, but they’re just going to have to shut down plants, and there could be some significant costs, I think that could have a potential impact a couple different ways, because, one, obviously, if we shut down facilities, electric utility companies, that’s going to impact

the tax base.

"Utility property is the highest assessed in Kansas. I would certainly add that as a potential challenge going forward. Looking at the information here in terms of the local economy, we'll see what the appraiser has to say when he gives us a presentation here sometime in the next few weeks and the new appraisal notices begin to go out in March. At this point in time, we really don't have any idea what direction that may be going; is that correct, Rick?"

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

Commissioner Peterjohn said, "I wanted to add that potential threat to the record. I think this report demonstrates a way of indicating that we had some significant challenges that predicated a lot of the difficult decisions that we had for our 2016 budget discussions earlier this year. These showed up on it. Let me jump in to. I've got my proverbial green eye shade here. On page 35 of the report itself, we've got the Intrust Bank Arena sub fund, from looking at this page, and related documents and where we are, it looked to me like we're, our reserve funds, our ending balance dropped about \$600,000 even further back, I believe we had over \$4 million in accumulated depreciation for the arena for last year, that would indicate when you included that depreciation into the equation. That had a significant impact on their yearend numbers. If you wouldn't mind commenting on the enterprise fund, because that's the big part of the County enterprise fund budget, Rick, I would appreciate it."

Mr. Durham said, "What kind of comment would you like me to make regarding the Enterprise Fund?"

Commissioner Peterjohn said, "Well, when you factor in depreciation where do we stand?"

Mr. Durham said, "Well, when you factor in depreciation, which is on page 60 and 61 of the report, if that goes back there, that annual depreciation is \$4.4 million. So if you take that into account, then that amount, their ending position would be \$164 million for that business type."

Commissioner Peterjohn said, "And that's a significant drop. The County overall assets are going to drop about \$4.5 million dollars if this is the only factor that's changed?"

Mr. Durham said, "If that's the only factor. Again, we're talking about different basis of accounting.

That needs to be taken into account. One is on a GAAP basis, and one is on a budgetary basis, so that needs into account."

Commissioner Peterjohn said, "Thank you very much."

Chairman Howell said, "I have a couple of questions as well. Can we go back to slide six, please? I want to make sure, does that correspond in the report to page two? There is a comment in there about \$.6 million, the balance is increased by 0.6 million. Considering where we could have ended up, although it's trending downward, that's actually a positive number? I mean that's actually good news, I would say? It looks bad on the slide, but that's actually a good number; is that correct?"

Mr. Dunham said, "When you take into account the property tax-supported funds, if you remember the first three columns of my first slide the general fund, the debt service fund, and then the seven funds that make up the other property tax supported

funds. This is all three of those funds combined. This is not just the general fund. This is all three of those tax-supported funds or all of those three columns combined. Is that clear?"

Chairman Howell said, "Yes, I think it is. Looking at page six in the report, those are the same three columns that you talked about on the slide, correct?"

Mr. Durham said, "Correct and I can go to that slide if that would be helpful."

Chairman Howell said, "That would be helpful."

Mr. Dunham said, "Going the wrong direction. Sorry, so the \$600,000 that you're referencing on that slide, if you will draw your eyes to the line that says net change in fund balance, the first column is general fund, so the net change in fund balance of the general fund was a deficit of \$1.497 million.

"Then the next column is the debt service fund, which had a net change in fund balance of a number of a positive, right, of essentially the same number, a \$1.469 million. Then the next column, the other tax funds, which are those seven funds I identified when I showed this slide, have a net change in fund balance of \$657,000. That \$600,000 you're identifying is the sum of those three columns. Now, when we talked about positive signs, yes, it's positive, but each of those need to also be looked at in their silo, if you will."

Chairman Howell said, "Right."

Mr. Durham said, "Because those things identified in the other tax County funds are for a specific purpose. Now, we can move authority out of there for a specific purpose to the general fund if it wants to be used there, but again it's for a specific purpose. If you're going to move it out of there, it needs to be identified for a specific purpose and used for that. I just want to make sure that there is understanding of the difference of the general fund and the other tax-supported funds."

Chairman Howell said, "I think I understand, I got it. When we adopted the budget in 2015, we had forecast any new balances for 2015, is there a slide that compares where we actually ended up in 2015 compared to what we thought we would be at when we adopted our budget."

Mr. Durham said, "There is not a slide that compares it, but I can tell you from the first quarter report for 2015, I believe that we forecasted a net change in fund balance of something to the order of \$5 million. Sound right? In the general fund. We ended up at \$1.497."

Chairman Howell said, "Right, that was probably primarily due to the commitment to the Zoo for the \$5.3 million, I would assume?"

Mr. Durham said, "The initial forecast?"

Chairman Howell said, "Yes. Compared to that, we actually ended up in pretty good shape?"

Mr. Durham said, "Yes, we did."

Chairman Howell said, "Looking at a couple more slides real quickly. On slide 17, I'm sorry for jumping around here, but slide 17, there is a lot of concern by people who are private investors trying to figure out where to put their money. They perceive

there is a lot of risk right now in the markets. Could you remind me once again, I'm not sure what I'm looking at on the slide here, what is our investment performance right now? Is that somewhere?"

Mr. Durham said, "On this slide, right now versus this slide is different. Because at the end of January we're much better than we were at the end of December because of what the Fed (Federal Reserve System) raised the rate. Our bank wants us to invest those funds, but those funds are also going to be turned around and distributed January 20th or so, we put it in the short-term. Anything that you invest in short term right now you're not going to get any return."

Chairman Howell said, "It's also low risk so if the market drops right then, you're also protected; is that true?"

Mr. Durham said, "That's correct, what you're looking at as far as this slide goes, is that our benchmark, which is the one-year treasuries, increased, we see that increase, we see that for the first time in the history of this chart, as you see, the benchmark shows that it outperformed for one month our actual return. But then in January, it goes right back to where it was, and you can see the trend there in December, every December our rate goes down, because of that function of investing those in short-terms."

Chairman Howell said, "Very good. Thank you. Backing up to slide 13. Sorry to make you go back the other way."

Mr. Durham said, "You're all right."

Chairman Howell said, "The Affordable Airfares topic, when we have these one-time changes in what we do here, we're not going to see Affordable Airfare money funneling through the Sedgwick County government from this point forward as far as we know. It would be nice to recreate that chart with that in mind. Could you do that for me? I would sure appreciate seeing this recalculated with that line subtracted off the chart entirely, because it kind of distorts the end there, 7.7 percent of negative performance. I think it would probably be a positive number if the airfare was taken into account, but I'm not sure if I'm seeing that correctly. Any thoughts to that?"

Mr. Durham said, "I can take that out of there. That's easy enough to do."

Chairman Howell said, "In fact, there's a couple of other charts where we see some negative numbers, but again, the explanation, of course, is the elephant barn in the answer."

Mr. Dunham said, "We can, the charts can be recreated taking those out, but maybe it's a supplemental chart, because I think it's important to show the true picture of what happened, because you can't just eliminate the things that were big swings, or else you're not showing a true picture."

Chairman Howell said, "I totally agree. I appreciate that clarification. I want to see this chart as it is but I would like to see what it would look like if that wasn't on the chart. If we could just add an extra chart to the mix here."

"I think there are actually a couple of other charts, the explanation is of course the \$5.3 million decision for the elephant barn, I guess, understanding that one time position was paid for in '15. It would be interesting to look at some of those charts with maybe supplemental charts as well taking that into account understanding that was the decision made by the Board of County Commissioners. What does the

performance look like taking that one item off to make supplemental charts? I hate to add to your burden, but it would be very helpful to see those because that kind of distorts the end numbers in so many different ways and is hard for us to understand where we are with those things mixed in the way they are. I think that's all my questions for just the moment. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Let me jump back and go through a little bit of history here. Page seven of your presentation, Rick, you're showing one of the bigger decreases, both in percentage and the largest in dollar change, the decline in mortgage registration fees caused by the State of Kansas.

"However, as I recall, this is not as big a percentage or as significant as we initially anticipated. Do you have any feel in terms of whether we'll probably be looking at a sort of similar reduction for 2016 in these mortgage registration fees? Obviously it's partially dependent on how much activity there is in the housing market too, but changes coming down from Topeka on that. That is one area we do have a State mandate that's impacting County revenue negatively."

Mr. Durham said, "We discuss in the report that number is going to be hard to pinpoint as moving forward as the mortgage registration fee goes away, and as we go forward, fiscal year to fiscal year, it goes to zero, but then the per page filing fee changes. We don't know what the balance of that is yet. I think to answer your question is, do we have a good feel for what that is?"

Commissioner Peterjohn said, "Another case of uncertainty?"

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

Commissioner Peterjohn said, "Page 19 in the quarterly book is the bond and interest. I noticed we had anticipated for '15 having an ending fund balance of a little less than \$1.4 million. We ended up at \$3.1 million, and that's the big difference in your second column as far as your presentation. I'm not going to get us tied up if you can look at it. Is there some sort of a timing issue why we've got that larger balance or is there some other factor at work?"

Mr. Durham said, "You know, I'm not sure, but let me get the details on that and get that to you."

Commissioner Peterjohn said, "Thank you. That's all I have, Mr. Chair."

Chairman Howell said, "Can you please go back to slide number nine. I think it's eight and nine actually. Maybe slide eight would be more interesting to start off on personnel costs. I'd like to review that real quickly with you. Insurance premiums is down 1.6 percent. That's relevant to our beginning of the year forecast, where we thought we would be at?"

Mr. Durham said, "That 1.6 percent decrease is actually comparing 2014 to 2015, and that's because we switched going to a self-funded model in 2015. That began in January 2015."

Chairman Howell said, "There's a lot of increases along that. That is very concerning to me. It might be interesting to go back to 2013 and see if this is trends we ought to be, I'm sure we'll talk about this during the financial retreat. I would like to know if these are trends we are going to expect to continue to see change as it is between now going forward. Are these stabilizing or is this a step change or something that's trending? It might be interesting to go back another year and maybe talk about this

more deeply at the financial retreat that comes up in February.

"Can you go to the next slide please? This is one that went by pretty quickly. I missed the data. I just wanted to see it again. Non-personnel expenditures. Can you talk about the Fleet Management charges? Why it's such a big number there?"

Mr. Durham said, "The reduction of eight percent?"

Chairman Howell said, "Yes."

Mr. Durham said, "Fuel charges."

Chairman Howell said, "That's actually a good number for us?"

Mr. Durham said, "Sure. Any time an expenditure goes down."

Chairman Howell said, "Okay. Reduction in expenditures. I was seeing that the other way."

Mr. Dunham said, "Correct."

Chairman Howell said, "That's all my questions. Commissioners, any other questions for the report? Any other comments? Commissioner Ranzau."

Commissioner Ranzau said, "I'll ask to get this sent to us electronically, please."

Mr. Durham said, "You should have it. I sent this to you last night."

Commissioner Ranzau said, "Ok I haven't have a chance to check."

Mr. Durham said, "Fair enough."

MOTION

Chairman Howell moved to receive and file.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Howell said, "Thank you very much, good job today by the way. Madam Clerk please, next item."

N 16 0056 FUNDING AGREEMENT WITH GREATER WICHITA PARTNERSHIP,

Item N

Mr. Yost said, "The Item N is the agreement between Sedgwick County and the

Greater Wichita Partnership. The Commission a couple weeks ago had voted to authorize \$300,000 for this entity for reasons that are well known to the Commission. We were asked to draw a contract up subject to approval by the Commission. That's what this is. I think it does what the Commission asked us to do. It provides four quarterly payments of \$75,000 apiece. It has a clause in there for termination. It establishes an ombudsman in paragraph six.

"It requires GWP to create measurable outcomes that will be subject to a review by the BOCC [Board of County Commissioners]. Implicit in that, of course, is if we're unhappy with their outcomes or whether or not they're meeting those outcomes, additional payments, third quarter, fourth quarter, would be withheld, and paragraph 10, it's very important to the commission confidentiality clause, which states that GWP 'understands that by entering into this agreement that all records, documents and other information related to these activities, derived from the funding, are going to be subject to the Kansas Open records Act (KORA) and any citizen can request that information.' I would recommend adoption of this agreement."

Chairman Howell said, "Very good. Commissioners, what's the will of the Board?"

MOTION

Commissioner Unruh moved to approve the Funding Agreement with Greater Wichita Partnership Inc., and authorize the chair to sign it.

Chairman Howell seconded the motion.

Chairman Howell said, "I'm waiting for any comments from the Commissioners, and while I'm waiting, if anybody from the community would like to come & provide comments I would surely entertain that from the audience at this time. Seeing none, Commissioner Ranzau."

Commissioner Ranzau said, "Mr. Chairman. Yes, I appreciate some of the changes that have been made on this document. I'm the one that made the motion last week to try and do these, and we're getting closer. However, I'm disappointed that we still don't have any measurable outcomes, that's very important.

"I would like us to table this at the very least until we get some measurable outcomes. I did make that motion last time. It simply says the [Greater] Wichita Partnership will be subject to measurable outcomes as it shall determine, subject to review. There actually needs to be measurable outcomes in here. That was the intent. At this point it doesn't really meet what was intended with the motion last week. I think we owe it to our citizens to make sure we have the measurable outcomes in there.

"I guess I would ask my colleagues to be open to at least make, additionally, I'd like to change some language on the ombudsman and make it real clear exactly what they're doing for us as we move forward. I think would be important. I guess I'm willing to hear any feedback from my fellow Commissioners."

Chairman Howell said, "Are there comments from Commissioners? Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. We've had this issue come up in our last meeting in January. I want to express appreciation to the [County] Counselor's office to get the agreement that's before us today, and we can talk about the details. I think this is a significant improvement in the right direction in terms of how this will operate. It's a big improvement over prior agreements.

"We could get into trying to micro manage more specific items. I looked through items 6, 7, and 8 in the agreement in terms of specific provisions, but I'm going to jump to item 10. We've had a lot of discussions about the County providing money to third parties, whether the openness and transparency of the expenditure of public funds, which is important to me. This agreement is a big step in the right direction in that regard. My vote today is going to reflect those facts. I wanted to express my accommodation to getting an agreement in place in an expeditious manner for this. I look forward to strengthening this agreement as time goes on as we hopefully can expand some comparative advantages for this community, and that, I know, raises a broader topic. But as this, I view it as mainly a marketing agreement for trying to market our community and South Central Kansas. It's part of a larger effort with our colleagues across the street with the City of Wichita. Also with a much larger portion of funding that's going to come out of the private sector. My vote today is going to reflect those facts. Thank you, Mr. Chairman."

Chairman Howell said, "Thank you, Commissioner. I would like to reflect on what happened a couple weeks ago. I want to, first off, start off by saying this a new organization. This is not the Greater Wichita Economic Development Coalition (GWEDC). This is the Greater Wichita Partnership. It's a different organization.

"Their number one goal, I think, is to market our community to the world. I think we need to be involved in doing that. There were some comments made a couple of weeks ago about incentives and subsidies and updating the free market. That's not what this is. This is all about marketing. Trying to make sure that people out there understand what we have to offer in terms of a community, workforce, our supply lines, our machine shops and other things that we have to offer. I think this is a very positive move. The glass is certainly half full.

"This is a good thing. We ought to be at the table. Some people think we should not be involved in marketing our community. That's a fundamental difference between, I guess, my position and the position of some other folks in our community. But I do believe we ought to be at the table in trying to market what we have to the best we possibly can. I can't think of a better organization right now available in our community to do this besides the GWP. So I'm going to be very supportive of adopting this resolution today. I would like to say that one of Commissioners created a list of five items that he wanted to see in the agreement. Although the leader of the GWP committed at the microphone to doing these five things, it was important these actually ended up in the agreement signed by us and them. We took two weeks to go ahead and do that, and the Counselor's office did a good job. Let me just remind everyone what those five things were.

"The first item was attendance at MRO America's meeting, and items seven and eight says the GWP shall initiate, engage and participate in two to four supplier meetings with non-aircraft manufacturers, and they shall initiate and engage in at least two maintenance repair overhaul events. Let me go on. Provide at least four supplier meetings with non-aircraft manufacturers. I read that a minute ago. Create an ombudsman position that will work with the ETF (Entrepreneur Task Force) to work through regulatory problems and recommend changes to policy makers. In the contract it says GWP shall designate an ombudsman to work with the Entrepreneur task force to work through regulatory issues and problems.

"Number four was support transparency by requiring full public disclosure of how the money is being spent. By the way, we talked about this for years and years and years. This has been an item of contention by people in the community that want to see what's going on their tax dollars. I mentioned this to people and these

organizations when I was a legislator in Topeka a number of years, this came up as we had opportunities to interact. This is one of the issues we talked about in Topeka.

"I'm very glad to see item number ten in this contract which says very clearly GWP will create a separate accounting fund pursuant to its fund accounting practices to separately account for the amounts paid to the County under the agreement. GWP agrees and understanding that by entering into this funding agreement any and all of its records, documents, other information related to the fund and activities financed thereby shall be open and made available to the public upon request. I won't read the rest of it, but that's a very, very strong statement. This is a significant change to what we have done in the past.

"Then finally, the fifth item was require measurable outcomes. On the contract it says measurable outcomes GWP shall be subject to measurable outcomes as it shall be determined subject to review by the Board of County Commissioners. They shall present an annual report to the BOCC at regularly scheduled meeting no later than December 31, 2016.

"In addition to that there are four quarterly payments, that should they not meet the requirements of this contract, we have the right to terminate or withhold funds under the agreement. There's a lot of things that were put into this. This contract was drafted by the Counselor. It was reviewed by the Commissioners. It was signed by the GWP.

"All we have left right now is to approve its final format, and allow the Chairman to sign the contract. I think we have, it has been a long process to get to this point. Normally, this would have been done in 2015, but here we are in February of 2016. I would like to move forward. I think this ought to be a measure of good faith to this community. We are interested in doing everything we can, to move this economy forward, and let the world know what we have to offer. This is an image building effort.

"I like to let our friends know across the street that we're with them trying to promote and do things that allow this economy to thrive. Our business' need help getting the message out. This is a solid investment in them to let them know we are doing everything we can to get their message out to the world. They are here and ready to do business. I would love to see this move forward and see us support this in current status. It's moved the needle tremendously in the direction I think the Commissioners asked for, and to change it at this point would be essentially moving the goal post.

"Further delays in my opinion are not necessary. We had a tremendous amount of requirements and obligations and clarity to this contract that was never in this before. In 2015, we funded this to \$300,000. None of these requirements in that contract in 2015. We have moved the needle tremendously in the direction of transparency, accountability, and it shows a measure of good faith to the community we've got to be invested. We've got to do what we can to let the world know that what we have to offer. It has nothing to do with incentives or subsidies. Nothing to do with upstream the free market. It has to do with getting our message out. It is a marketing effort, by us. I think this is the right thing to do. I would certainly be supportive of this. I encourage the Commissioners to also support it. Commissioner Ranzau?"

Commissioner Ranzau said, "I appreciate the gentleman's comments. I do want to clarify a few factual inaccuracies, however. Let's be clear, while the name has changed many of the people and the things they're doing are exactly the same. To say this has nothing to do with incentives is factually inaccurate.

"The same organization is going to do a lot of the same things. It's the exact same amount as we've been giving them throughout the years. That's no coincidence. They were doing marketing in the past, now we can spin it to say, we're not doing incentives anymore, but we are. But if we're not, then we don't need to give them as much to begin with because they were doing marketing before. The fact is, yes, it's a new organization with a new name, but it's the same people and the same things going on.

"So yes it does have to do with incentives. I think it is important to be straightforward with the citizens. I think they understand what's going on here. Now, to say this document was reviewed by Commissioners, the impression I've been given is take it or leave it. Even if it doesn't meet what I intended it to meet. In my estimation, it doesn't. In the past, GWDC has goals and standards to bring in jobs, bring in investments do all the sorts of stuff. There should be something like in here.

"I have a question, been told that there are measurable outcomes on here. Can anyone tell me from GWP, Wichita Partnership, what are the measurable outcomes? What can I tell the community members? What are the measurable outcomes?"

Mr. Jeff Fluhr, President, Greater Wichita Partnership, greeted the Commissioners and said, "Thank you for the opportunity to address that. Actually the measurable outcomes, we have several. There are things we work on, in fact, part of it is that the board, you have representation on that board. The chair or his designee from this board participates in that. You have active participation. Not only at the beginning, but throughout the whole process on what we're doing as far as economic development is concerned. Whether it's the marketing, whether it's working with supplier events, whether it's actually working with NBAA [National Business Aviation Association], or International. All those things you have active participation in. We monitor and work aggressively on job creation, so we look at how are the jobs coming in coming into our city, our community, so we know what those numbers are.

"We monitor continually and push to have continued, more private sector engagement, which I think is important. We do that continually. One of the things with the partnership is that we have six areas that we work on. That encompasses economic development, grow primary jobs, diversification through entrepreneurship, advance education attainment and workforce development, attain and retain talent, downtown vitality, internal and external perceptions and underneath all of those six areas, we have a number of initiatives, both operationally, that we look at as far as providing resources. Whether it be economic data, one of the things that we work on continually is to understand truly what our market opportunities are say in the urban core. If we are working with urban housing residential, we know what the market potential is. How do we do that? We take the resources and make sure we have great data to do that.

"That's one of the things that we have been seeing with tremendous investment in the downtown vitality area, a part of what we are doing with the GWP. Right now, looking at how we update our commercial markets, hospitality markets, as far as understanding what is the market potential there. All those are goals and objectives, as we continue to move forward. I think it's very important as we look, the private sector, to make (inaudible) or you look at that, it is good to have great data that you can rely upon. All those things are part of what we do. Growing primary jobs, that's a huge area and certainly one of great focus. How are we going to grow locally is jobs. Its how do we create jobs, how do we retain jobs. Working with work force development, working with young professionals, there is a lot of things that act as goals and measures. I am personally also responsible for as far as how do we move the needle in economic development.

“So the Chairman or his designee has an active part in this organization as we go forward. This is in line with focusing on our economic development initiatives the partnership is a different chapter than what we’ve seen with GWEDC. One of the things that we are embarking upon this year that we haven’t had in the past is BREG. You have got a 10-county initiative now that is complementing what we’ve done in other initiatives. It’s building upon those, if you will. We actually have two individuals on staff that we did not have until midyear that every day is working on how do we grow regionalism, how do we work together. If counties surrounding us are prospering, so do we as a county, and vice versa. How do we look at that comprehensively?”

“We have action items coming out of BREG (South Central Kansas Blueprint for Regional Economic Growth) that again, several of the public sector was involved in that process the private sector involved with it daily. We continue to push that forward. As far as measures, we have a lot of those. That’s one of those things that certainly the engagement of your representation on that, the partnership board is engaged in that continually as we go forward. Those are things that are available. We can make those available. One of the things we are through right now with the partnership board, is how is it we continue to refine those. I will tell you that it is a work in progress. There are dynamics that become apparent that weren’t here yesterday that we had to pay attention to. How do we move those things forward? We have a tremendous amount of measures we look at, both in the downtown development, but also as we are looking at BREG and also looking at the partnership with economic development.”

Commissioner Ranzau said, “Jeff, I appreciate you coming, and what you had to say. I want to get back to my original question, with respect to this document, and the money that we are investing. We are spending, taxpayer money, what are the measurable outcomes we can expect?”

Mr. Fluhr said, “What we will present back to you, sir, is not unlike what we do right now, we just had actually, and the Manager was able to be there, we did a recap of what transpired in 2015. We have looked at the job creation. We looked at the job retention. How did that happen this year? How was the measures with that? What is the pipeline, if you will. One of the deals we’re working on as far as interest, there are updates to that. We also looked at NBAA participation. We were able to report that we had 60 percent increase in private sector participation NBAA over the previous year, which means we had 19 companies that were engage with NBAA that we partnered with so again that was a 60 percent increase over the previous year. Those are the benchmarks.

“We report those benchmarks back. This year with NBAA, we are looking to increase that still. We are already looking at a larger booth in NBAA. Be the private sector increase in coming into that show. Which is really important with our aviation industry. The other part of it is BREG with healthcare. We’ve set the mark we want to have one of the events as far as the supplier things that you have asked us to do, that healthcare would be one of those. That would be brand new this year. So all those are outcomes, and also initiatives that we will be reporting back, and annual document. The other thing that we do annually with the downtown vitality part, we have a stated downtown report, which goes back and reports.

“We have been doing that the last three and a half years, where it measures what is the private sector investment in our down town area. What is the increase in residential? That we can come back to you and say, when we did the market analysis for housing, the initial document that was done in '09 and '10 stated we could build

about 1,100 units in our city center over the next five to seven years. That was back in '10. We hit almost right now, over 400 units completed. Today we have 812 units under construction. We updated that analysis last summer, which indicated at that point we actually would see another 1,750 units built in other downtown. Those are all measures. What we do, is how is it that we continue to build economic development, as far as understanding what the opportunities are, and then we go after how we meet those opportunities.

"Those are the types of measures we have. We also work with commercial development, part of it is we want to be able to report back measures to you. One of the things we know since the master plan development with downtown, is a part of the partnership, we have seen at the end of 2014, \$323 million completed in new construction in the urban center, 84 percent of that has been private sector investment. Thirteen percent has been public investment; about three percent has been arena investment. That funding you were talking about previously, where you have a fund balance or an operational balance to make improvements, that's the type of information we report back on an annual basis. You have benchmarks of are we making progress.

"This last year in 2015, we had over \$180 million started on Douglas avenue alone, going from Union Station, Biting, Exchange, filling in the hole on Douglas avenue, investments by some of our corporate headquarters on Douglas, to River Vista, to now the library that was approved yesterday. Those are the type of benchmarks we report back. We want to be able to report back to our investors. This is what you're investing in. Here are the marks that we are making, here's the progress we are seeing.

"The other side of that is, what are the challenges? I think it's important that, as we identify challenges, and we've seen those, that we come to you, or we come to the city and say, what is it in policy that we could further develop that would take that away, that would open up opportunities. The great thing is, we are seeing other cities come in to see how we are doing things. Jackson, Tennessee was in here last week, or in the last ten days. Two economic development people in from [The City of] Jackson to say we want to learn more about what's going on in Wichita. At the end of their conversation they are going to bring other people back. We have had investment groups come in from outside of [The City of] Seattle. To look at how we're working with the private sector to help them be able to realize what they would like to see happen. The city of Anchorage came in last year as well.

"New administration there. They garnered from some of our touchpoints in the nation what was happening in Wichita. They also came in to see what was going on. The great thing is we're seeing movement. We need your partnership. I mean, we want to be a partner with the county, as we are with the city. I think as we are with the surrounding counties. All those things are important, your engagement, you know, as far as representation on that board, you are actively engaged and part of that.

"Again, our commitment to you all is, you will have a report that shows where are we seeing progress, where do we see opportunities as we go forward in the future. Maybe even what some of the challenges have been. That's something we should bring back to investors. We do that. One of the things we are looking at doing mid-year is an event that will begin to look at economic development comprehensively. Whereas in the past, we have had something maybe for downtown something for GWEDC. We are looking at something holistic.

"When somebody comes in, they say the total economic picture about what's going on in our community. Commissioner, I would be glad to personally get to you what

are some of these initiatives that we have underneath some of these six areas I have already mentioned be glad to provide that to you. Those are things we can make available to anyone that would like to say where is the partnership today, where is it going, and what's been some of the progress even in the past six months, eight months since it's been on the ground."

Commissioner Ranzau said, "Jeff, I still didn't hear an answer to my question. Maybe I did. Maybe I am hearing there aren't specific measurable outcomes related to this document. We are doing these sorts of things, I want to know how many leads are we going to get, how many businesses will relocate, how many local business will get new business, how many jobs will be created.

"That's the problem I have with it. You can give me all kinds of reports, but I want some numbers. I want a goal of what we are going to get out of this. I have to be able to tell the people why we are spending this money. I don't see that. I appreciate everything you are saying, and you can give me reports about what happened in the past and all that other stuff, but we need to have some meaningful, measurable outcomes. We don't have that here.

"Unless someone in the room can tell me what they are. I don't see any. I think we are putting the cart before the horse. If we say we are going to make a commitment to the community and be accountable, which is important, when we have no measurable outcomes. That's all I ask for. Now, as an alternative, I have some suggestions for changing language. I will pass this out, maybe even give one to Jeff. Commissioners have already seen this.

"In addition to modifying the language on ombudsman, I think we should have measurable outcomes. Right now it just says the Board of Commission's will review this. I don't know when they will be reviewed and what manner will they be reviewed, anything like that. I think it should be approved by this Board in an open meeting. Is there a reason you would object to that?

Mr. Fluhr said, "Sir, we have measurable outcomes. That's part of what we, I mean, right now we know how many jobs were created last year.

"There's a lot of dynamics in that. What we do is work to figure out what is it that's been benchmarked each year, the progress we've made. We do have measurable outcomes that we work with already. That's where the investors."

Commissioner Ranzau said, "I'm just asking to see them. I've asked everybody, relating to this document, what can we expect to get out of it? I'm sorry I know I'm being a tough negotiator on behalf of the tax-payers, but I think that's my job."

Mr. Fluhr said, "I can definitely go over..."

Commissioner Ranzau said, "I don't remember the last time we got a report on jobs from the GWEDC, like from last year."

Mr. Fluhr said, "Actually, there was one given just a few weeks ago, the Manager was there."

Commissioner Ranzau said, "I've not been given anything."

Mr. Fluhr said, "Be glad to give that to you. In fact I've got it right here and be glad to give that to you right as I leave today. But, again what we had as far as outcomes. I will go through this. 2015, in BREG, we have got 12 goals and action items defined

through 8 different cluster industries. Part of that goes perfectly in what you want to do, with the MRO's and also the supplier events. That's a measurable right there on what you all would like to see happen. BREG addresses that. There are a larger list of all the different action items that are coming out that are tangible, action items that we are going to be working on this year with BREG staff. We also have reports that outlines that in 2015. We had nine companies that we saw expansions or new employment. Jobs, we had 1,284 jobs that were active, in 2015. 1,051 were new jobs, 233 were retained jobs.

"Estimated capital investment was \$120 million. Payroll, \$41.7 million. Those companies included Hamilton Relay, (inaudible) Desert Steel, Cargill, StarTech, Aero Tech, Foley, R & R, and others. Recap, we had nine wins, pending offers are four, we had 11 site visits, seven local expansions. Also even in the pipeline I have got information that goes into 2016. Right now, we are looking at 70 active projects, 61 of those have been rolled over from last year we are working on currently. We have nine new projects already coming in for '16. We have three pending wins that we will be announcing in the next few weeks that will be over, we believe, little bit over 300 jobs. Those are all the debt. We've got those type of statistics that give you good information about what's going on."

Commissioner Ranzau said, "I have a questions, how do those numbers last year compare to what the goals were?"

Mr. Fluhr said, "I will tell you what we did, part of this was..."

Commissioner Ranzau said, "Did you meet the goals?"

Mr. Fluhr said, "We've been making progress."

Commissioner Ranzau said, "Did you meet the goals?"

Mr. Fluhr said, "With me coming in April, I am not sure what GWEDC has as far as specific number goals. A large part of what we do is cultivate the environment to see progress. You are going to see different measures of progress each year, based upon what's going on in the economy. I know that very well from [Wichita] Downtown Development [Corporation]. I can tell you that certain years we will see tremendous investment. The reason we are seeing \$180 million in 2015 is there was a cultivation of some of those projects that took multiple years to get to that place.

"One in particular took ten years to get it to where it broke ground. It's a \$68 million project It took a period of time to get it to that place. The other is some of those come along, you can pull them together and you will see the realization of those. Our job is, how is it that we cultivate the environment so that we see result's, so there's going to be cyclical times, just as development happens, on what, you know, what our goal, not our goals, but what will see actually in economic development. It is just like what I was relaying to you about the residential markets. Right now the market downtown, is almost 100 percent occupied. We are seeing a lot of activity. What are we doing to cultivate that?"

"In that regard, what we do with that board of directors, and with your representation on it, is that we continue to look at that. What I have committed to the Chairman is this is not going to be a year-end report. We plan to come back to the Chairman and to the Manager on a quarterly basis. If it wants to be more than that, you can say, here's where we are seeing the progress, here's where we are seeing the activity. It gets into us cultivating the environment to be able to see positive results. I think with economic development, there's so many variables in economic development. There

can be things that happen tomorrow you cannot anticipate. But what you do is that you try to anticipate those things, so that you still see progress. A big part of what we do is how we cultivate that to see opportunity."

Commissioner Ranzau said, "One last quick question. You said you have 70 projects in the works. This is about bringing businesses here and expanding."

Mr. Fluhr said, "These are interests that have been indicated for Wichita and we are working those interests to see if we have real estate solutions, if we have the workforce to be able to do those things."

Commissioner Ranzau said, "Right, and those projects can and often do involve incentives; is that correct?"

Mr. Fluhr said, "Not always."

Commissioner Ranzau said, "I said, they can and often do involve incentives."

Mr. Fluhr said, "They can put forth the request. But, then that request is brought to you. That's part of."

Commissioner Ranzau said, "But incentives are involved in this."

Mr. Fluhr said, "We don't issue the incentives."

Commissioner Ranzau said, "I understand that. Please, the fact of the matter is, they do involve incentives. I am just trying to clarify for the public that to say the incentives aren't involved in part of the overall thing, because that's important to some people. I will say, I agree when you said that economic development is very complicated. I absolutely agree.

"That's why I am trying to push to get measurable outcomes, because it's not real easy. We want to make it sound easy, we can spend \$300,000, we can have certain people manipulate the economy and all of a sudden, poof, we have prosperity. It doesn't happen that way. I believe many of our efforts in the past have failed, and so as we move forward, I simply want to have measurable outcomes we can be accountable to so taxpayers know this is our goal. It is not about giving me data retrospectively and saying this is what we did.

"That's enough, let's just keep going. Let's have some goals, let's have something to strive for so we can tell the taxpayers, this is what we are going to do. Then if it doesn't work, we can change directions. Because haven't done that. I'm disappointed basically to hear that there are really no measurable outcomes. I think there need to be measurable outcomes that are approved by this Commission in a public meeting.

"That's what this language does. I would hope that my Commissioners would support this, so we can be accountable to the tax-payers. That's all I am saying. We're going to give them \$300,000, that's a significant amount more than what I would personally like to give.

"I am willing to give a little, and to compromise and work with those who want to give them \$300,000. I am just asking for some accountability. That really is meaningful. Not something that says, they can figure out their own measurable outcomes and we will review it. We need to have something in writing that we approve in a public meeting. Now, I know I am likely going to be unsuccessful, but I have to try on behalf of the taxpayers and make an honest effort. I will make the motion, substitute motion

that we adopt or approve a contract with the exception that we make these written changes, here's one for the clerk, to that contract. And I can read these into the record so people know.

"With respect to the ombudsman, it will say that the GWP will designate an ombudsman to work with all businesses within County and the Entrepreneur Task Force to work with regulatory, to work through regulatory Sedgwick issues and problems and recommend policy/regulatory changes to municipalities that would reduce impediments to business development and job creation. That's to clarify what's going on. I don't really think anyone would actually object to that. Measurable outcomes, I am going to change one word. Where it says GWP shall be subject to measurable outcomes as it shall determine subject to approval by the Board of Sedgwick County Commissioners. Now, let me point out again, I have already compromised on the amount of money that we are giving. With respect to measurable outcomes they should be listed in this document.

"Once again, I am willing to give even more and say at the very least, if they are not in this document, they need to be brought forth to us in the future for our approval in a public forum. That's what I am asking for. I have made that motion."

Chairman Howell said, "I have a lot of comments, I will respond with. Before I do that, out of respect, I am going to allow Commissioner Unruh to make some comments and I will move this forward a little. Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. First of all, Mr. Chair, as a matter of procedure, does the motion die for lack of a second?"

Chairman Howell said, "We haven't allowed Commissioners to second just yet. It is not dead yet, we'll have to see what happens."

Commissioner Unruh said, "First of all, I want to say thanks to Jeff and some of the members of the Partnership for coming down here and explaining again to us what the mission is and how you accomplish it. As having been up to this time where we establish the partnership and getting the structure established, I have remained on that Board as a County representative. I understand the evolution of how this has happened, and I think that this is definitely a new iteration of our efforts in marketing and economic, development I think it has great potential for us as we move forward in the future.

"I am pleased by the committed and dedicated involvement, especially on the executive board level by all the leaders in our community. Industry and business leaders who have come and committed their time and energy to establish this in such a way it has the potential to be very successful. I want to be complimentary of the board and complimentary of the initiative, and the structure, the way it's rolling out. I think one of the things as far as the measurable outcomes go, this effort is somewhat of an art as much as it is a science.

"You can have a lot of lofty goals that perhaps are not real meaningful, but you can have initiatives and ideas, and momentum towards areas as have been delineated by the partnership that says this is where we are going to work, this is what we want to achieve. This is how we want to create jobs and economic development in our community. A lot of those measurements almost have to be done in hindsight. I understand that and realize that's the way economic development works.

"As far as some of the specifics of this contract the Commission asked to be included at your last presentation, it appears to me that the stipulations and requirements that we as a Board are particularly concerned about, you have included in the contract. I am satisfied the partnership has yielded to the desire of the BOCC, included these in a contract, it is more specific, more definite, and it includes a couple things that hadn't previously been there. For example, the ombudsman. That's a new element that is going to be helpful as you try to work through that. The specifics of working with MRO's and other non-aviation manufacturing companies is a reasonable quantifiable element of the contract and I think has there been a time when we, where the partnership has not, or GWEDC has not complied with the KORA rules? We have always as the GWEDC organization have tried to be open with the public money, not with the private money, and comply with those rules. This is a good compromise, a good contract, and I might ask the Manager, he is the one that presented this contract to the partnership, and you did it with the confidence this is what the BOCC's asked. Is that a true statement?"

Mr. Mike Scholes, County Manager greeted the Commissioners and said, "Yes. Putting together an agreement, in terms of what I believe the Greater Wichita Partnership stands for it as, [Inaudible] those are objectives and those are measurable outcomes.

"The fact you delineate MRO events if you're wanting to have two, that's a measurable outcome. Did you do two or four? Okay, I did two, that's a measurable outcome. There are those in there, this is a detail as close to the 100 percent solution that was requested from us, we can get. The fact that really intrigued me about this is one of the Commissioners is on the Board. Once a month, you sit in front of them, look at the data they are supplying, ask the same questions and actually help them strategize and develop those measures and outcomes in the future. It's about a partnership, that's the most intriguing thing about this and that our kind reps got really excited about was the fact we are a part of the partnership looking at what our economy will be and development that for the next five years or so, and that to me is huge. It's going to be about a partnership that helps turn the economic development around, in this county and surrounding counties. To be on the team is better than not being on the team. This contract agreement gets us there."

Commissioner Unruh said, "Thank you for that explanation, Mr. Manager. My point was, and you clearly explained it, you went with the confidence you were representing the BOCC, negotiated these particular changes. I think the way any business deal works, or especially partnerships between friends and community members, if you make a request and say, okay, we got stipulations, we come back with a document, and we say to you, this is what we want will you sign it, and you say yes we'll sign it.

"It is not being a good partner now if we try to change it. We have in-house here, been talking about our image and the way we are thought of in the community. My fellow Commissioners, I tell you, if we offer a contract, this is what we want, you will sign it, and then we want to change it. That is not good for our image.

"This is the last step in making a deal with partners. I was in business 40 years, I tell you my banker would kick me out if I tried to do a thing like that. That's not the way you make a deal. That's my editorial comment. We need to support it. We need to go forward. One last comment. It is a little curious we just had from our podium somebody telling us that we give them \$825,000 a year for extension.

"We did not demand this sort of rigorous inspection and outcomes and all that stuff. I

am not suggesting we do. Please don't take me wrong. I think there's a contrast there. Mr. Chairman, I am ready to move on with the original motion. I yield the floor. Thank you."

Chairman Howell said, "Thank you, Commissioner Unruh. Commissioner Peterjohn."

Commissioner Peterjohn said, "I was just going to expand my earlier remarks when I said some kind words about the Counselor's office and their work on this, to include County Manager and his folks on this, too. I know there was a lot of work by different departments on the County on this. I wanted to get that on the record, too. Thank you."

Chairman Howell said, "Thank you, Commissioner. I would like to make a few comments. This is a conversion of what used to be called the GWEDC (Greater Wichita Economic Development Coalition) to what we now call the GWP."

"As such, the board definition is not completely defined yet. I think they are still in transition. We typically had two appointments on the board at the Greater Wichita Economic Development Coalition, and I assume we will probably have two seats at the table. Give me a nod. Jeff says he's working on that. I believe we will still have a seat at the table. Having said that, it has been my intent if there's two seats at the table, I would want to serve in one of those seats."

"I would ask Commissioner Ranzau to serve in the other seat, so he will have a place at the table to help define these outcomes, these measurements. Certainly that's something the board needs to work on. I believe Commissioner Ranzau has served on the board in the past. I don't know if he attends the meetings or not, but he has been on the board in the past, he has an opportunity there."

"Let me also say, although some of the opportunities may come back to us in terms of consideration of incentives and subsidies, Sedgwick County Commissioners have not approved any new incentives or subsidies the entire last year. Actually since I have been elected to this Board. They may approach us and ask us to support these items, we have not done so, so far."

"Doesn't mean we never will. I think the conservative folks may be opposing this, haven't supported some incentives and subsidies rarely, but sometimes in the past it has been done. Doesn't mean we will never do that. It just means so far since I've been in this position on the Board of County Commissioners, we have not adopted any of those as of this time. Commissioner Unruh did speak to this. I would like to extend those remarks on the County Extension Office."

"We gave them nearly three times as much money as we are talking about for this partnership with the GWP. Although we have received a very nice report, had a lot of numbers in it, we never asked for specific details of what they would report on. I am sure we could ask for some, if we had an interest in other things. They would be glad to oblige and provide other data analysis, should we ask for that. Having said that, I believe if we find the measurements GWP is recommending to us, as we review those, if we don't like them I'm sure we can provide comments back and help them evolve into a direction we like better."

"I'm sure they are going to be listening to us, and as we work together to develop these initiatives, these measurements, I have no doubt that we'll have opportunities to direct what those things need to look like. If we have an interest in what those measurements will be, I have no doubt we'll have the opportunity to help define those. As a data analyst in my previous job to this, I worked in flight test. I looked at a

lot of data. I like to let the data speak to me. You look for things that are of interest.

"You may not even know what you are going to report on until you take a look at the data, and let the data develop things of interest. As a new organization, they are going to have some things "they are obviously going to be interested in and want to report on. Very obvious measurements. There may be other things as they collect data and look at data, things might bubble up and say these are of interest. We want to talk about these things we didn't even know about.

"On the front end of this thing, it is hard to know exactly what we are going to want to see data on until the data begins to speak to those looking at the analysis. It's a reasonable thing to allow that data to be analyzed and let those items of interest bubble up, so we can talk about those when the time is right.

"That's what I have done in the past. A lot of people who do data analysis are in that line. Let me be very clear, this out of respect to my colleague, Commissioner Ranzau, I will go ahead and second this motion. However, I will be voting no. I do want to have a vote on this out of respect to him. I will second the motion for the purpose of voting. With that, if there are no other comments at this time, Commissioner Peterjohn."

SUBSTITUTE MOTION

Commissioner Unruh moved to make an effort to lobby Legislature to present suggest changes to Senate Bill 316, and authorize chair or his designee, to represent Sedgwick County in this matter.

Commissioner Peterjohn seconded the motion.

Commissioner Peterjohn said, "I would just add briefly for the record, I think the ombudsman provision that we have is reasonable. In the future we can work to enhance it or strengthen it, and ditto for measurable outcomes. My vote today will reflect the fact we made a lot of progress. I will stand by my earlier remarks. Thank you."

Chairman Howell said, "There was some discussion this morning of goals, and again, even in the amendment by Commissioner Ranzau it talks about us approving measurable outcomes, it never talks about us approving or defining any goals. I anticipate that may be, again maybe it was an oversight, maybe it was intended, I don't know. But continuing to move this goal post is not beneficial right now. We can do this again at the next available opportunity. We'll have the discussion again in 2017 budget.

"We can continue to let this evolve and move forward, find better ways to do this contract as we move forward. It is time to move forward. Commissioner Ranzau has some other comments."

Commissioner Ranzau said, "Thank you. First of all, I appreciate the Chairman's second. I want to clarify some with respect to the measurable outcomes. My preference would be that the measurable outcomes be specifically stated in this document.

"However, it is my understanding that the majority of the Commission doesn't want to do that. I was trying to work out a compromise that would say we would approve the measurable outcomes, and then we would have to work on those, they would have to bring those forth. That's why that language is in there. As the one who made the motion last week, I will tell you this document does not meet the stated intent. Just because the words measurable outcome is in the document doesn't mean we

actually have measurable outcomes. The fact that they are going to go to two supplier meetings, or two MRO events, that's not a measurable outcome. That's a means to an end. That's not the end.

"The question is what are we getting out of participating in those events? How many jobs are we getting, how many leads are we going to get. How many businesses will get new business that they didn't have before? How many businesses will move into our community? That's the end that we are looking for. From my perspective, this doesn't achieve that.

"I do appreciate the opportunity for a vote on this. As far as image goes, I am not sure whose image we are concerned about, but I am concerned about the image with the taxpayers, the people that we work for, and the people who give us the money that we are spending. Can we look them in the eye and say we have measurable outcomes and make us accountable. At this point, we cannot. I am disappointed by that. My position on that will be reflected and, I suspect subsequent votes. Thank you."

Chairman Howell said, "As a final comment before we vote, I would like to just say, we have moved this bar tremendously in the direction of transparency and accountability. It's very late in the process, in the calendar, I would like to move this forward and we can continue working on this in the next opportunity when we start the fiscal 2017 budget process. Madam Clerk, I see no other comments. On the substitute motion to adopt these amendments by Commissioner Ranzau, please call the vote."

VOTE

Commissioner Unruh	No
Commissioner Norton	Absent
Commissioner Peterjohn	No
Chairman Ranzau	Aye
Chairman Howell	No

Chairman Howell said, "All right. On the base motion, Madam Clerk, a motion and second on the original to approve the agreement and offer the Chairman to sign? I think we talked a long time. Is there any further comments by Commissioners? Is there anybody from the public that wants to speak? I will ask one more time. Anybody? No other comments by Commissioners, Madam Clerk, call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Absent
Commissioner Peterjohn	Aye
Commissioner Ranzau	No
Chairman Howell	Aye

Q [16-0055](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON JANUARY 28, 2016.

Presented by: Joe Thomas, Director, Purchasing Department.

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

Mr. Joe Thomas, Director, Purchasing, greeted the Commissioners and said, "The meeting of the Board and bids of contracts of January 28th resulted in four items that we bring to you this morning.

1. CAREER DEVELOPMENT TRAINING COURSES FOR HUMAN RESOURCES.

"Recommendation is to accept the best proposals from Dr. Audrey Curtis Hane for item number 2; Butler community County Community College for item number 7. Cross Cultural Institute LLC for item 13; Jim Maddox for items number 3, 6, 8, 9, and 11; Wichita State University for items 1 and 5; Leaders Systems INC for items 4, 10 and 12. We are going to establish contract pricing for two years with two one-year options to renew.

2. THE ON BASE INTEGRATION FOR THE HANSON PERMIT SOFTWARE METROPOLITAN AREA BUILDING AND CONSTRUCTION DEPARTMENT.

"This recommendation is to accept the quote from Konica Minolta Business Solutions USA INC, in the amount of \$58,051.34.

3. FIRE ALARM TESTING AND INSPECTION FOR THE FACILITIES DEPARTMENT.

"This recommendation is to accept the lowest and best bid from Marmick Fire and Safety at the rates listed and to establish contract pricing for one year with three one-year options to renew.

4. SAP MAINTENANCE RENEWAL FOR ENTERPRISE RESOURCE PLANNING.

"Recommendation is to accept the quote from SAP Public Services Incorporated in the amount of \$460,516.17.

"I will be happy to answer any questions you may have, and I recommend approval of these items."

Chairman Howell said, "Commissioners, any questions or comments from any of you Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes. On item number 2, which is a single bid, this agreement I know is tied into the MABCD arrangements. Is this a one-year agreement or for a different period of time?"

Mr. Thomas, said "It is for an event and not so much a duration. The event is to integrate that Hansen software. What they're doing is, they are linking the ability to move documents from the City of Wichita, which is in one format, to documents on OnBase. The reason we have only one bid, Commissioner, is that this Konica-Minolta is a proprietary software. They're the only authorized value reseller, that has the authority to perform this integration."

Commissioner Peterjohn said, "I understand that. On software, we get into these proprietary sole source situations. I always like it when there's multiple bidders, like we had on some of the other items. With that recommendation, I will be supportive of the items for the bid Board today. Thank you."

MOTION

Commissioner Peterjohn moved to approve the recommendations of the board of

bids and contracts

Commissioner Unruh seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Peterjohn</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Chairman Howell</i>	<i>Aye</i>

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

CONSENT

- R [16-0012](#) One (1) Easement for Right of Way for Sedgwick County Project 636-10-3750; Bridge replacement on 71st Street South between 247th Street West and 263rd Street West. CIP# B-466. District #3.

- S [16-0013](#) One (1) Temporary Construction Easement for Sedgwick County Project 608-27-1270; Bridge replacement on 45th Street North between Broadway & Hydraulic. CIP# B-460. District 4.

- T [16-0014](#) Two (2) Temporary Construction Easements for Sedgwick County Bike/Pedestrian Path on Clifton between 47th Street South & Oliver. CIP# R-330. District 5.

- U [16-0031](#) One (1) Right of Way Easement for Sedgwick County Project 785-U-1500; Miscellaneous Drainage Project on 279th Street West between MacArthur & 47th Street South. CIP# R-264-30. District 3.

- V [16-0032](#) Two (2) Temporary Construction Easements for a Bridge Replacement Project on 135th Street West Between 21st and 29th Streets North. CIP# B-474. District 3.

- W [16-0022](#) Promotion of attorney from District Attorney's Office to County Counselor's Office.

- X [16-0026](#) Signature authority to sign applications, reports, plans and other documents for submission to the U.S. Department of Housing and Urban Development (HUD), Region 7, Kansas City, Kansas.

- Y [16-0027](#) Signature authority to sign applications, reports, plans and other documents for submission to the Kansas Department for Aging and Disability Services (KDADS).

- Z 16-0040 Order dated 1/15/2016 to correct tax roll for change of assessment.
- AA [16-0052](#) General Bill Check Register for January 20, 2016 - January 26, 2016.
- AB [16-0053](#) General Bill Check Register for January 27, 2016 - February 2, 2016.
- AC 16-0054 Payroll Check Register for the January 23, 2016 payroll certification.

Mr. Scholes said, "I recommend you approve Consent Agenda items Romeo through Alpha Charlie."

MOTION

Commissioner Ranzau moved to approve the Consent Agenda

Commissioner Peterjohn seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Peterjohn</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Chairman Howell</i>	<i>Aye</i>

LEGISLATIVE ISSUES

Chairman Howell said "I do have one item I want to address. I've asked our counselor to prepare a document. Would you be willing to go through that with us as a way of introduction?"

Mr. Jon Von Achen, Assistant County Counselor, greeted the Commissioners and said, "Thank you Chairman. Yesterday I met with you, Mr. Chairman, with the Finance Department, with the County Clerk, with the County treasurer, with the appraiser, Manager's office, the election Commissioner. This is regarding Senate Bill 316 (SB316) commonly referred to as the tax lid.

"The bill was passed last year, put an election into place if a City or county was to vote, or vote to have an increase in their budget above CPI., and it would go to that resolution, would go to the electors. The mechanics weren't very well addressed last year, and the current Senate Bill 316 has been presented this year to address some of those mechanical issues. However, we went around the room and looked at it and said there were more issues it created rather than addressed.

"Through that process, we had a good long discussion as to what we would need to do to potentially address those election issues to make it easier for the budgeting authorities to get the information they need to be able to present a budget in a timely fashion, to get an election done prior to the October 1st deadline to certify to the clerk if an election is held. The statute only extends the August 25th deadline for certified budget, if an election has to be held. Out of that meeting yesterday morning, there

was a meeting in our office yesterday afternoon about the specifics as to which statutes would need to be changed, which deadlines needed to be moved in order to create at least on a temporary basis a workable solution for a mail ballot election.

"The consensus was in order to be able to accommodate something in an August election, which beginning next year all municipalities will have their elections in the fall and their primaries in August. In order to do that, we would have to look at moving a lot of deadlines. We decided it was a good idea to present the solution in a mailed ballot form, that would allow the election officer, in our case election commissioner, but in other counties the election officer, to conduct a mail ballot election, comply with federal law, comply with state law, and be able to meet all the deadlines.

"We were able to do this in a manner that didn't change any of our treasurer's deadlines. We didn't have to move when tax payments were due, when tax payments were collected, after that meeting yesterday afternoon, I drafted what is before you. Which is what is referred to as a balloon amendment for Senate Bill 316 that addresses those issues. I know generally there's been some discussion about opposition in total to the tax lid. To my knowledge, there's not in tracking legislation, there's not anything really at this point as an alternative to opposition.

"What is before you is an alternative to total opposition, and a way to potentially get to the table and negotiate with our Legislature if they intend to go ahead and continue with this tax lid and continue with requiring the vote to make it work. There is one potential change that was brought to my attention after this meeting started today, and will be addressed, we need to ensure if an election is to be held, it is a special election and the cost of that election be taxed to the governing body requesting that election. These elections only apply to cities and counties. All other municipalities as defined merely have to publish their vote in order to raise their taxes above CPI (consumer price index). I stand for any questions."

Chairman Howell said, "Commissioners, I have some comments, but I would like to recognize first any comments from the Commissioners. Commissioner Ranzau."

Commissioner Ranzau said, "For this document, we have some items that are green."

Mr. Von Achen said, "That's correct, the changes from the original Senate Bill 316 are in green so you can see where the changes were made. Also if it is the will of the Commission to support this, if it goes up to the Reviser's Offices (Kansas Office of Reviser of Statutes) they can identify the changes between what's proposed in the original Senate Bill 316, and what these amendments would then change."

Commissioner Ranzau said, "Is all this green text, like on page four new stuff, or no?"

Mr. Von Achen said, "There's only one new proposed statute change, but these are all statutory changes regarding on page four & page five are all statutorily to change deadlines related to the Appraiser, the County Clerk, and there's one state deadline that's changed, Director of Property Valuation has to move his valuation deadline from June 15th to June 1st. This is all to accommodate an earlier reporting from the County Clerk to the County and to the cities regarding what their valuations will be for budgetary purposes. Right now that deadline is July 1st."

Commissioner Ranzau said, "On page three, currently they can have an election, a normal type, show up election, or mail ballot election. That's the current law?"

Mr. Von Achen said, "That's what's contemplated in the current law. The mechanics

of it, based upon the deadlines.”

Commissioner Ranzau said, “That’s not an option with this change then.”

Mr. Von Achen said, “With the changes as drafted, it would simply be a mail ballot. What I would anticipate is, this would be a solution to present this year, and then what was discussed is possibly there would be more cleanup to do to move some of those other deadlines to accommodate an actual polling place election that would be brought up next session, 2017. I did learn this morning we had some discussion there’s the potential this could move very quickly. It hadn’t been scheduled for hearing, and it still hasn’t been schedule, but what I am hearing, it will be early next week, when [SB] 316 will be heard by the Senate.”

Chairman Howell said, “Do you know when the turn-around is for the Legislature? Next Friday?”

Mr. Von Achen said, “I think that’s correct. The last day for committees to get something to the reviser is Monday. Then turn-around day is shortly after that.”

Chairman Howell said, “For the listeners, that means the body of origin on those bills has to pass at least the first body and be passed to the second body unless it’s an exempt bill. I think that’s the definition of turn around.” Commissioner Ranzau, any comment? Commissioner Peterjohn.”

Commissioner Peterjohn said, “Going off your comment in the sense my understanding, this is in front of the tax committee in the Senate. Is that correct?”

Chairman Howell said, “Yes.”

Commissioner Peterjohn said, “That’s an exempt committee, those deadlines would be as compelling as if it was in a non-exempt committee. Let me make sure I understand, was this language kind of developed? I know the staff had a meeting following our staff meeting yesterday to follow up on the Chairman’s request to try and get some language to make the process workable, and this is the result of that input from at least four or five different County departments. Is this the work product from that?”

Chairman Howell said, “This is the work product from that. We had the two elected, the Clerk and Treasurer appointed being the election Commissioner, and then the County Manager’s department, our office was involved, Finance involved. Appraiser’s Office involved in these discussions. That we could craft something that made an election workable.”

Commissioner Peterjohn said, “I am strongly supportive of the idea of making the election process workable. If we are going to be competitive in the 21st century and we spent a lot of this meeting talking about the challenges in terms of how we market the community, and what are you marketing. We are competing against three of our neighboring states, have empowered voters, if you try to raise property taxes, you are going to get voter approval. This doesn’t go nearly as far as what’s in place in Missouri, Oklahoma, or Colorado today, but it’s a step in the right direction. This commission has been very, it’s a positive, dare I say the word progressive step in making our tax climate more competitive. It’s not totally sufficient. I know one person I respect very highly said wait a minute, this doesn’t apply to the state. I agree it does not.

“But it should. This doesn’t apply it to the state, unfortunately, but we are moving in

that direction, and like a lot of things in public policy realm, you take your slice and move in the right direction, other battles can be fought on other days. I appreciate the hard work, I know a lot of different folks and elected department heads have put into get us to this point. This is a positive step in the right direction. Thank you Mr. Chairman."

Chairman Howell said, "Thank you, Commissioners. It is my intention we would get consensus on this Board today to provide an official opinion of Sedgwick County to the Legislature. Let us be clear, the Kansas Association of Counties (KAC) and League of Kansas Municipalities (LKM) are really wanting to see repeal. That is the position I think, of both organizations. There are other organizations I heard yesterday, I believe the Appraisers, the Clerks, and the Treasurers, all would prefer to see repeal.

"Maybe I am wrong saying that, but I believe that's what I heard yesterday. Generally, those organizations, Kansas associations of those organizations, I think that's their official position. Maybe I am wrong. But this has been called a tax lid. I talked Nathen Eberline, the counselor for the Kansas Association of Counties and the League of Kansas Municipalities, he uses the term de facto lid, because it is impossible to do an election for the next fiscal year with the current statute passed last year. Many of the folks that have spoken about this are upset about the process used to put this into law. Let me just visit that for just a minute.

"The Legislature of course does have an opportunity to amend bills on the floor. Sometimes those are significant amendments. As this was a very significant amendment. It did not have a hearing. It did not get vetted by the committee. As such, there are probably a lot of problems created by this language that was adopted by the Legislature last year. I would like to focus on the spirit of what they are intending, which I think is in agreement with our legislative platform from Sedgwick County. However, I don't think they intended this to be a natural lid.

"We would like there to be an opportunity for governing bodies to send this to voters for approval. There are some exemptions built into last year's law. The implementation date is January 1st of 2018. The Governor at the State of the State address said he would like to see that shortened to be less time for implementation, whether it be 2016 or 2017, I am not certain. He would also like to remove some of the exemptions. It continues to make it more difficult for us to work with. More likely with those changes, the Legislature may make this year, it doesn't really solve the mechanics or the logistics of the election itself. For us to comply with this right now, the most we could do would be an election for the following fiscal year, more than a year in advance. I don't think that's spirit of the law.

"In order to make that work where we could in fact put this to the voters, and actually impact our next fiscal year something that happens immediately, we have got to have dates moved to make it workable. Now, although I think the repeal maybe the best choice by many folks in this discussion, reality, this is already state law. We are already there. We've got an opportunity with Senate Bill 316 to adjust that to make it workable rather than bury our head in the sand or simply think about utopian or be in denial. Utopian goals, it's better for us to be pragmatic and understand where we are and try to make this work. With robust discussion with our Election Commissioner Tabitha Lehman, our Appraiser Mike Borchard, the Sedgwick County Clerk Kelly Arnold, the Treasurer Linda Kizzire, the folks from the Finance office, our County Counselors, our County Manager, we worked around and found what would be minimum changes to enable an election to happen. Doesn't mean we actually love this language, simply enables an election to happen, is all this does.

"There are going to be other problems as a result of this, there's already problems right now though. We are not really fixing all the problems we're just simply creating an opportunity for an election to happen, that's all this is. I'd like to speak to the Wichita Eagle, they wrote a very interesting editorial that came out in this morning's paper, they don't talk about the de facto lid, they don't talk about voter empowerment. They simply state basically that repeal is the right answer. I would challenge that perspective, because I asked at the Kansas Association of Counties meeting who in the room believes that appeal is even possible this year. Not one hand, out of hundreds of people in attendance, went up. Nobody believes that repeal is really possible. I believe the Legislature is spoken, the Governor has actually put fuel on this and moving forward at a faster pace than we thought we would.

"We are not going backwards, we are going forwards as a state. Rather than focus on the process and how this happened or focus on the fact they shouldn't be able to do this under home rule, my goal is to simply say ok, this is where we are at let's make it so we can actually have an election. There may be some hypocrisy in the fact the state doesn't have to have voter approval for themselves. But they have the statutory authority to do what they are doing. They have the statutory authority to amend the bills on the floor. They've done everything according to state laws and those laws can be changed but those are things they are allowed to do right now. It's my hope we would adopt this spirit of this to create the balloon we could offer to the Legislature.

"Nobody else is doing this, as far as I know. I asked the KAC to develop this solution, they didn't want to talk about it. Right now, the only solution on the table is what is in Senate law 316, which does not solve the problem. If this passes, you still can't have an election to effect the following fiscal year. It doesn't create the opportunity. It doesn't really fix the problem. I don't like where we're at in terms having this issue before us, but nevertheless it is current state law. I would like to deal with it in a pragmatic way.

"Let me state clearly, for us to do the more comprehensive solution, which would enable an August primary ballot question, we could do this with the regular elections already going to happen anyway. We would have to touch at least 40 different statutes and probably a lot more. Forty different statutes have been listed in a nice report from the clerk's office.

"Forty statutes, in order to change those to enable an August election will require a very comprehensive solution. That's not what this is. This is simply a very minimum number of changes. We know it is going to create problems, but there's already problems out there. There is going to have to be a trailer built to deal with these problems in the 2017 session. This is still much better than what's offered in Senate Bill 316 as currently worded. We have got to be at the table. I ask my Commissioners for support for this to be at the table in Topeka, advocate for a real solution. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. This document, I got it at quarter to nine this morning, for a meeting at 9:00. I have not had time to review it. I don't think my Commissioners are telling me anything that's not true. I don't mean to imply that, but I don't think I can support legislation I really am not sure what's in it number one, number two I'm fundamentally opposed to it to begin with. It would be a hard time convincing me to choose to collaborate and try to help somebody work out a problem in applying a law that's actually going to restrict me that I am not in favor of.

"I am not going to work to help a guy that is going to do something that I am not in favor of. It doesn't make sense. I am not going to be supportive of it anyway, but I

would like to understand what we've got here. As we've said in our discussion in staff meeting the other day, 104 county commissions are not in favor of this. Rather than giving in and say shoot me on the right side instead of the left side, it doesn't make any sense. I am going to continue to say don't shoot me at all. So are the other county commissioners.

"So is the League of Kansas Municipalities. I have a document from the Johnson Wyandotte Council of Mayors, 20 Mayors in the North East part say we are opposed to this. Doesn't make sense, they don't understand the reasoning. I am not going to support this document. One, I am not sure how it reads. Number two, I think it's fundamentally against my position. I am not going to do that. I think it's interesting this commission has kept our mill levy level for, I don't know how many years.

"We have had about the same level tax revenue for the last six years or so. There is one percent change or whatever we saw today. We've had about the same level of expenditures in our tax funds in the last five six years. One or two percent change, but essentially the same. I wonder, what is the issue as far as Sedgwick County's concern that this legislation is supposed to solve?

"I go back to the point I think my constituents elected me to make decisions about the county budget. I am supposed to make that decision, and if it has a variance in the tax revenue we receive and my constituents aren't happy, they will clearly let me know. At this point, Mr. Chairman, I can't support it for all those reasons. Thank you."

Chairman Howell said "Commissioner Unruh, it sounds like you would agree with my earlier comment that your preference is plain out repeal. That's what you want, repeal."

Commissioner Unruh said, "I stand with all the other commissioners in the state on that same position."

Chairman Howell said, "I completely understand that. I am thinking about Obamacare [Patient Protection and Affordable Care Act], I would like to see repeal. We have a band aid in place called Medicaid expansion. That simply deals with the aftermath of a very bad law. I would prefer to see repeal. Many folks are advocating for Medicaid expansion. They see this is necessary in light of the defaults of the law passed. I understand that sentiment. I like to face reality.

"I don't think Obamacare is going to be repealed. It doesn't sound like it's going to. We are down that road pretty far. I hope it does. In the meantime, we have to advocate for solutions. For the record, I am not in favor of Medicaid expansion. I'm still hoping for the repeal. But there is no deadline on that, it's not impacting us. It won't affect us with the ability to run our government the way this bill does. Those are separate subjects, but I see the point of desiring repeal over Band-Aids.

"I would also point out in 2014, the Legislature did pass after a number of years of work, that I actually helped carry the spirit of the law that said should a governing body grow faster than certain factors that it requires a separate vote, a clear vote by the governing body. They are aware that they are raising taxes faster than these thresholds. I was very supportive of that at the time. This is simply taking it from that idea to the actual electorate to make sure they are aware that the governing body is growing faster than those factors, I think this is something in concept and spirit, I embrace the idea.

"I want to make sure it's workable. I think transparency and accountability, this is something our constituents really want. Government accountability. That's where I

see this as. We have to explain it to people, and if it's justified, they will support it. If not, they won't. To allow people to have that opportunity, I think, is exactly what I would support. I love the idea of voter empowerment. We have to have the ability to do an election, and that's what the current language in Senate Bill 316 does not solve that problem.

"It is a mechanical, logistical problem. What we are advocating for in spirit of this balloon is trying to create the opportunity for an election. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. I strongly want to make a system that's workable. I would point out the fact that the last time this commission looked at a significant property tax hike, there aren't a lot of people in the room right at the moment, but at that time the room was packed, wall to wall. I was on the other side, I was at the public podium and brought several thousand signatures on petitions from citizens saying please don't raise property tax mill levy. We provided them, gave them to the clerk, but we couldn't force the public vote, couldn't force a public referendum. If it had been a sales tax hike, it would have been automatic.

"I don't understand why for sales tax cities and counties get voter approval and they can proceed, albeit under state law, and at the moment, there are challenges in terms of what lids the state has in place there.

I don't see a huge outcry. Let me tell you, from talking to constituents, property tax in my view is by far the most unpopular tax in the State of Kansas. I think that's true in Sedgwick County and true from the folks I talk to.

"To try and make this language workable, I would like to see an election where we have a high turnout election. I have some concerns about having a special mail ballot. I don't have any in principle opposition to having a mail ballot feature as well as letting it, trying to make this workable within the context of our August primaries and November general elections. Make this process more transparent for the public.

"This is a step and language to go in that direction. I agree with Commissioner Unruh, in terms, I got this shortly before and I haven't been able to go through all the details, but I am willing to. I know the direction staff was given, and albeit it was at Monday's staff meeting in this room about 8:30, we were looking for a quick turn around, and I appreciate staff's effort to provide that accommodation to us. There may be details that have to be worked out and we can tweak this. I am going to be supportive of this going forward. Because we want to be serious about getting more economic growth in our community and our county and our state.

"We need to reduce the uncertainty that exists and with the ability of a simple majority of elected bodies where we're talking about counties, municipalities, school districts, townships, even majority of the Legislature with the statewide mill levy, they can all tap into the property tax, and it creates significant disparities, I've heard disparities on other topics. Property tax in Kansas generally higher than in all the surrounding states, except the other state adjacent to us doesn't have any sort of protection like we have here.

"That begs the whole question, the Kansas Constitution has a provision that says 'all political power in the state is inherent in the people.' If we don't trust the people to be able to vote on raising taxes, except for the sales tax, and certain bond issues, I think we've made a mockery of our Kansas Constitution on that provision. This is a step in the right direction to create real empowerment of voters. I am going to be supportive, Mr. Chairman, thank you."

Chairman Howell said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Chairman. You know, it's not surprising that the KAC and the League and the [Wichita Eagle] Editorial Board want repeal and oppose this voter approval of tax increase. The fact of the matter is they are out of touch with the vast majority of taxpayers out there. Last year during the elections I went to thousands of people's homes and the number one thing I heard was don't raise my property taxes. I already pay too much.

"People are struggling. Many people are on fixed incomes. They want us to live within our means. The vast majority of citizens support voter approval for tax increases of this nature. I am supportive of the policy, the idea in general. While it is true in the last few years we have maintained our mill levy, I believe there was a 2.5 mill levy increase in 2006, was the largest mill levy increase, in the history of Sedgwick County.

"I don't believe was actually necessary, and much of it has been repealed since then. We still have more work to do. That's a particular instance in which people would have had an opportunity to vote. I think they should have, much like the Intrust [Bank] arena. Regardless of what you think about Intrust Arena, pro or con, the fact of the matter is people got to vote on the tax, on the temporary sales tax. I think people appreciate that.

"I am supportive, and this morning I am a little concerned that it takes out language. It requires a mail ballot only and doesn't allow for anything else, it would be nicer to at least leave that language in, to leave the options in as we move forward.

"With that being said, that's just feedback, somebody needs to provide a solution we think would work for us. Repeal is not going to happen, nor is it desirable, in my estimation. We just need to fix the law, and make it work for the taxpayer and the people we represent. I will be supportive of this as we move forward."

Chairman Howell said, "Thank you, Commissioner. Your last comment somebody needs to lead on this issue, I think that's what's missing. No governing body has stepped up and provided a solution that actually creates an opportunity for an election. I am disappointed that the KAC and LKM have not thought that through. To simply demand repeal, and not accept the fact this is already state law and the direction the Legislature is moving, there is an opportunity for us to step up and provide a workable solution and unfortunately, no one has done that yet.

"I see a sense of urgency here, knowing they are likely to have a hearing between now and our next Wednesday meeting potentially. We don't have a lot of time, I am asking for the spirit of what this is trying to accomplish. I would like to give some latitude to our counselors to work out any bugs they might find in the language, but the spirit of this is to move some dates for the treasurer's office, the clerk's office, the appraiser's office, and the election office to enable an election.

Let me speak to one of the other Commissioners in the meeting, Commissioner Ranzau, it is our intentions that we would have a choice of a mail ballot versus a poll site election. Unfortunately in order to get there is a much more comprehensive effort to do that in. We don't have time to touch 40 statutes and to develop what that would look like. In fact, there probably are more than 40 statutes.

"I can think of some things that should be listed in that list of things that have to happen to have deadlines that are not listed in the document I got from the Clerk's office. It would be a very comprehensive and difficult proposal to change this in the way it needs to be changed. Having said that I would agree with you, I would like to

see the option for the governing body to have a mail ballot or a poll site election.

"That's just not do-able in the short-term, that's the reason it is limited to mail ballot only, that is the only one that works. Monday, when I spoke about this at the staff meeting, it was my intent to find and suggest changes that would allow an August poll site election, but after discussions with our experts, that's just not going to happen, there is no way to get there with a four-page balloon. Counselor Yost, do we need a motion to do this? Can we do it by consensus?"

Mr. Yost said, "I think to the extent that we need a consensus of the Commission, I think probably ought to be in the form of a motion so we can take a vote on it. I don't think it has to be a formal resolution. It is your legislative package that you are in effect amending."

Chairman Howell said, "Let me point out, thank you very much, Counselor Yost. With respect to moving the implementation date to something earlier than January 1st, 2018, personally I would rather see this be done right. We need 2017 to see fix some of the other issues. I would rather not see the implementation date change as an item of testimony to the Legislature, I would like to make that point, with respect to the exemptions, that's something we can adjust as we move forward."

"I think initially it would be nice to see this, the largest step change in statutes happen without us messing with the exemptions at the same time. I would like to offer testimony that says leave the exemptions alone and please leave the implementation date alone if I have consensus and support from my colleagues on those, would like to include that in the testimony of the suggested changes to Senate Bill 316. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. I will be supportive of this effort going forward. I do want to quibble with one point of the Chairman. He keeps referring to balloons, and this is actually, legislative speak for fancy words for amendment, for the public out there that understands what we are talking about, we are going to throw out a draft to the Legislature and say we think this would be a way of making the original bill that was passed last year workable. There is an old engineering line of don't let the perfect be the enemy of the good. This is a good effort, it's a good faith effort to try and improve the language and move in the direction of voter empowerment. I will be supportive today. Thank you, Mr. Chairman."

Chairman Howell said, "Commissioner Ranzau."

Commissioner Ranzau said, "I don't want to get too far in the weeds in the details. Whatever the motion is, offer our support for this in general. Allow the Chairman to get feedback and provide that to legislators on more specific details, would be okay."

Chairman Howell said, "Would it be acceptable to you, Commissioner Ranzau, that I would make a motion, in the spirit of change, try to accomplish the goal of moving these minimum items, the deadlines within these statutes, and encourage the Legislature to adopt those changes, as well as to leave the implementation date and the exemptions as current law. Would that be acceptable to you Commissioner?"

Commissioner Ranzau said, "I would like to think about that. It was just brought up. In general, I support it may get there. I have not had time to process some of these other things. You're suggesting making changes to this and we're getting into evolutions we can discuss about that. You can solicit input and then put that together, and be the lead on it and get us to the same point."

Chairman Howell said, "I will continue to solicit input from all the Commissioners, I would like to speak to those two points at some point. I would like consensus on those items. For right now, I would make a motion we would make an effort to lobby the Legislature to these suggested changes in Senate Bill 316. I ask for your support. Any further comments?"

Commissioner Ranzau said, "I would feel better if we could authorize a couple people to speak on our behalf. There will be all sorts of changes coming up."

Mr. Yost said, "There were suggestions I had, of course, I don't have a position on one way or another, but if someone from the commission, or the County Manager intends to go to Topeka and address the committee, you might want to include in your motion in fact you are speaking for the Commission, not for an individual. If you support the legislation, you are being supportive by trying to help it with amendments rather than oppose it. I would ask, you make that clearer."

Chairman Howell said, "Let me amend my motion to add, we would authorize the Chair and our counselors and our lobbyists to represent Sedgwick County in this matter, either personally or through written testimony in Topeka."

Commissioner Peterjohn said, "Since it is my second I will go along with it, but I would much prefer to have it to be the Chairman or his designee."

Chairman Howell said, "Can I amend my amendment? I do think that's right. To confuse things further, let me add the word or his designee to that complicated motion. Is that acceptable to Madam Clerk?"

Mr. Yost said, "Does your motion anticipate this would become part of the legislative program, then?"

Chairman Howell said, "We might need to consider amendments to the legislative platform in light of this."

Commissioner Ranzau said, "I think already we have a platform. That addresses this maybe not this specifically, but we have one in general that has to do, do we not?"

Mr. Yost said, "I don't know if that would, we have living breathing documents that changes from week to week."

Chairman Howell said, "Sure."

Mr. Yost said, "Whatever you want to do."

Chairman Howell said, "There's actually a lot of legislative issues impacting the County right now. We need to spend some time in a future staff meeting to work through some of these very quickly. There is a lot of issues that were not spoken to by our platform and we don't have any direction to our lobby on what they should do on our behalf. We need to spend some time on this soon. I hope to have a more robust longer discussion about that soon in staff meeting. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. It is the difference between what we have had in our platform for years, and this is going back at least three or four, position in support of voter empowerment on property taxes when it came to raising property tax rates, but its general language, it doesn't get into the details and the nuances of these specific bills. I think we have this challenge with all the items in our platform between when you talk about a general concept, which is basically what

we approve in our legislative platform, saying we are for this or against that, the specific detail language of a piece of legislation in the committee in the Kansas House [of Representatives] or the Kansas Senate, we can throw out the old statement that the devil is in the details, but I think the intent here is clear. We are well within the boundaries.

"It's not like we are trying to change our platform. I really am hesitant, because of the way the Legislature works, because if we said, okay, we are supportive of Senate Bill 316 as we've proposed happens when they do a gut and go as it is termed in Topeka, and we now have a house substitute for Senate Bill 316 that's completely unrelated within the legislative process. I don't want to get our platform tied into specific legislative bill numbers, because I think that would be a mistake."

Chairman Howell said, "Commissioner Unruh."

Commissioner Unruh said "Thank you, Mr. Chairman. I just want to offer my services as a spokesman."

Chairman Howell said, "Thank you for your generous support." If I could restate we would support the concept of the amendments to Senate Bill 316, as drafted by our counsel, giving them latitude to make adjustments if needed, to enable an election to happen. We would allow the Chairman or his designee to speak on behalf of the Sedgwick County government and this Board either in person or written format. We would also enable our Counselor and our Manager and/or our lobbyist to speak on our behalf. I think that's it. Sounds right."

MOTION

Chairman Howell moved to support the concept of the amendments to Senate Bill 316 as drafted by our counsel, giving them latitude to make adjustments if needed, to enable an election to happen that would allow designee to speak on behalf of the Sedgwick County government and this Board either in person or written format, also enable The County Counselor, County Manager and/or lobbyist to speak on behalf of the Sedgwick County Government.

Commissioner Peterjohn seconded the motion.

Chairman Howell said, "Recorded for clarity, we have a motion and second. Any further comments? Madam Clerk, please call the vote."

VOTE

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

Chairman Howell said, "Are there any other legislative issues from the Commissioners? We are down to the "other" part of our agenda. Anybody have any comments? Commissioner Peterjohn."

OTHER

Commissioner Peterjohn said, "One of the things that we often mention that doesn't

get as much attention depending upon the weather forecast, and we have had some very nice days, Sedgwick County Zoo, which I have had the privilege of serving on the Zoo Board, and this may be my swan song for that, since Commissioner Howell will take my place based on our action today. We do have winter Wednesdays for February, and you can get in for is \$2.50 a person. Which is a great value, and the weather is accommodating, or you are willing to venture outside to go indoor, to their indoor facilities, it is a great value.

"Mr. Chairman, I mentioned earlier in the meeting, new unfunded mandates coming out of Washington on the public and private sector have determined that carbon dioxide is now going to be treated as a pollutant nationally, and there are new mandates coming out. The Kansas Department of Health and Environment will be holding on March 7th at the Sedgwick County extension, getting public comments on this. I would hope the public would have an interest on this, because it has the potential to dramatically raise your electric rates. Also raise the cost of doing business here, which is likely to raise other costs.

"I am going to put out a challenge to our masters in Washington, because they believe carbon dioxide is a pollutant. I think if they want to address this problem, they need to address it on their own offices. It is a biological fact that every mammal, every cow, we expand the number of cows in Kansas and they exhale, they will be increasing the amount of carbon dioxide they produce. People do it, too. Living people anyway. The Environmental Protection Agency (EPA) believes carbon dioxide is a pollutant.

"I request they begin their mandates to reduce the amount of carbon dioxide emissions with their own staff. I would like to see how, before they increase the cost of electricity, make us more uncompetitive in international markets, and hurt our economy. War on American low cost energy is underway, coming out of Washington, and I do not believe that basic part of photosynthesis, which carbon dioxide is part of, is a pollutant. I would cite the fact that original Clean Air Act passed over 40 years ago specifically excluded carbon dioxide as a pollutant at that time.

"Now, I'm going to switch topics, one other item here. There was one of the news organizations made a comment about Commissioner Ranzau, who was kind enough to publicly state his support and comments I made concerning trying to keep this community safe in light of, some of the atrocities that occurred both overseas and here concerning ethnic cleansing and genocide against Christians by Islamists, Islamic State and other parties. I wanted to publicly commend Commissioner Ranzau. I appreciated his comments and support.

"My last item that I will bring up, Mr. Chairman, is February 3rd is an important day in American history for a number of reasons. There are a lot of unfortunate events that occurred on February 3rd in both American and even world history. I would like to get them into the record today. For folks who are big on rock and roll, 1959, on February 3rd, Buddy Holly, Richie Valens and J.P. The Big Bopper Richardson, were killed when their charter plane flight crashed in Iowa.

"That was a tragedy for American music, but a much bigger tragedy occurred, that doesn't get the attention fans of rock and roll would have. On February 3rd, 1943, the U.S. Army troop ship Dorchester steaming through the icy waters of torpedo alley, about 100 miles off the coast of Greenland. There were over 900 men on Board. It was just horrible conditions. 12:55 A.M., a torpedo from a German u boat hit the Dorchester. Immediately the ship started to sink.

"Amid the confusion, four army chaplains worked quietly and methodically calming

the soldiers and tried to get them to the life boats. The good news was of those over 900 men, they were able to rescue 230. But 672 died on the freezing Atlantic on February 3rd. There were four chaplains on that vessel, a Jewish Rabbi, Alexander Goode, Catholic Priest, John Washington, Methodist Minister, George Fox and Dutch Reform Minister, Clark Poling. As the ship slid beneath the surface, the soldiers in the life boats who managed to get on, took one look at the Dorchester. The four chaplains were standing on the deck, arms linked, praying. None of the chaplains survived. They were part of the 672.

"February 3rd, also had a negative event occur. A fellow by the name of Johannes Gutenberg died in 1468. His significance is he was unsuccessful publisher, but he did succeed in producing the Gutenberg Bible and begin a revolution of publishing that's with us to this day. Mr. Chairman, February 3rd is an important day in American and world history. I wanted to get it on the record this morning. Thank you."

Chairman Howell said, "Thank you, Commissioner Peterjohn. I don't see any other comments from other Commissioners. I think the last meeting we had in January, I am not sure we talked about this or not, I don't remember that we did. We did get final approval for the elephants to come to the Zoo.

"That's pretty noteworthy accomplishment for our community. Elephants are coming. They will be here in May. We'll have a grand opening in May. That's the plan, right now. If everything comes together, I think as currently planned, it looks like it will, we have a lot of things to celebrate in the community, including the elephants, elephant exhibit opening to the public. Wanted to make that one point. Manager Scholes or Counselor Yost, anything else? We don't have a need for Executive Session or a Fire District meeting today. I think we are adjourned. Thank you, everybody."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:08 p.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

*JAMES HOWELL, Chairman
Fifth District*

*RICHARD RANZAU, Chair Pro Tem
Fourth District*

*DAVID M. UNRUH, Commissioner
First District*

*TIM R. NORTON, Commissioner
Second District*

*KARL PETERJOHN, Commissioner
Third District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
