

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
working for you*

Meeting Minutes - Final

Wednesday, April 18, 2012

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

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

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

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

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

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:05 a.m. on Wednesday, April 18, 2012, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim R. Norton, with the following present: Chair Pro Tem James B. Skelton; Commissioner David M. Unruh; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Chief Gary Curmode, Fire Chief; Mr. Kelly B. Arnold, County Clerk; Mr. Randall Duncan, Director, Emergency Management; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Sherdeill Breathett, Sr., Economic Developer; Mr. Dorsha Kirksey, Executive Director, Sedgwick County Housing Department; Mr. Kelly Dixon, Floodplain Technician, Department of Code Enforcement; Mr. Larry Ternes, Youth Services Administrator, Sedgwick County Department of Corrections; Mr. Robert Lamkey, Director, Public Safety; Mr. Bill Meek, Register of Deeds; Mr. Joe Thomas, Acting Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Jill Bailey, Deputy County Clerk.

GUESTS

*Ms. Abby Brungardt, Development Director, American Lung Association
Mr. James Kilpatrick, 2101 West MacArthur Road No. 719, Wichita
Dr. Preston Hickman, Appointee, Sedgwick County Animal Care Advisory Board
Ms. Linda Wiley, Appointee, Salem Township Treasurer
Dr. Nancy McCarthy Snyder, Director, Hugo Wall School of Urban and Public Affairs
Mr. Joe Norton, Gilmore and Bell, P.C., Bond Council*

INVOCATION: Jan Higgins, Pathway Church.

FLAG SALUTE

ROLL CALL

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

Chairman Norton said, "And before we get started, Commissioners, our community has had some adversity, a crisis situation with the tornado, and I'd like to have just a little conversation about that, and I'd like to turn it over to Commissioner Skelton. Much of the damage was in his district, and we've been working on that, but Commissioner Skelton."

Commissioner Skelton said, "Thank you, Mr. Chairman. I have a few prepared comments about how I feel and what I have observed. And I'd like to say that April 14th has become a date in our community that will stay in our memories for a long time. Fortunately, no lives were lost and we sustained no serious injuries. But the destruction of the EF3 [Enhanced Fujita Scale] tornado in Sedgwick County communities is evident for our neighbors who live in Oakawn and other areas of Southeast Sedgwick County. I feel their pain in the loss of their homes, their personal belongings and the normalcy of their lives.

"I've toured the area and talked with residents, and I can tell you the devastation, when thinking of a word to describe it, I had to look up the word devastation, and what I found was severe destruction or state of severe grief or sadness, and I think that pretty much sums it up, what I see. We never expect it will happen to us, but I can't express how pleased I am that the citizens in our community heeded early warnings. Watched what was happening in other parts of the states and prepared to take shelter, it takes all of us. It takes our Emergency Management and public safety officials to prepare for these types of disasters and respond. Our media partners, helping to get the warnings out to the community, and our citizens who make a plan of what they will do in the event of severe weather. They listened to the warnings and took shelter. Every step is critical in assuring we were as safe as we could be that evening. In addition to the homes and personal effects, we know that businesses were damaged in our community. Some of our largest employers, Spirit (AeroSystems) and Hawker Beech[craft] suffered significant damage, which affected their operations, as well as organizations, large and small businesses, along the small storm path were damaged from Oaklawn to the northeast part of Sedgwick County.

"Now these businesses depend on being opened and fully operational, so when they are closed here because of this damage or even because the roads are closed near their locations, they suffer tremendously. And of course, there is a negative impact to their employees and to the greater community while they are waiting to resume normal operations. I have said frequently that city/county collaboration is very important to me, and I am very proud of all the work of our agencies who work together in response to this disaster. The First Responders and our Emergency Management spotters, the law enforcement, firefighters, EMS (Emergency Medical Services) paramedics are critical to helping us identify dangerous situations. They are also first on scene to provide aid, care and protection. We rely on them for immediate search and rescue. We rely on them through the recovery period to secure the parameters and provide assistance to those residents who are affected.

"In addition to the residents and businesses, a great deal of infrastructure was damaged, including power lines, traffic signals and numerous reports of trees downed or uprooted. Much of this causing our roads to become impassible. I am proud of our utilities companies, because they have been working diligently since the storm hit to minimize dangerous situations, but I also am understanding that to help restore power

in this area will take some time. I know if you are the ones affected, it never seems like it's soon enough to get power restored, but with the extent of the path of this storm and the damage they have done, I want to say they have done a really great job in our community. As well, our Public Works officials have been working diligently to help clear roadways and restore traffic signals, especially in the high traffic areas to ease traffic congestion. And unfortunately, this means there will be some inconvenience for people that have to take different routes. But be assured the Public Works officials are working to get things back to normal as soon as possible. So over the next few days and few weeks, we'll be working to continue cleanup efforts to help direct citizens affected to any aid that might help them get back on their feet. And I want to extend my severe sympathy for the losses that they have suffered. Mr. Chairman, those are my comments."

Chairman Norton said, "Thank you, Commissioner Skelton. We'll have a declaration and report from Randall Duncan later, and I would hope that we'll have some time to discuss that, but I wanted to make some kind of an effort to talk about the tornado and its affects to our community. Thank you, Commissioner Skelton. I appreciate that. Clerk, call the next item."

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

PROCLAMATIONS

A [12-0254](#)

PROCLAMATION DECLARING FIGHT FOR AIR MONTH.

Read by: Chairman Tim Norton.

RECOMMENDED ACTION: Adopt the proclamation.

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

PROCLAMATION

WHEREAS, the foremost defender of clean air is the American Lung Association of Kansas with a vision of a world free of lung disease; and

WHEREAS, by utilizing the main approaches of research, advocacy, education and prevention, the American Lung Association strives to mitigate the ill effects of poor air quality to protect those with asthma, emphysema, lung cancer and other chronic lung disease so that everyone can breathe easier; and

WHEREAS, to educate the public and to generate significant funding in a fun and healthy way, the popular Fight for Air Climb was established by the American Lung Association at Cessna Stadium where participants walk with friends and family, thereby raising funds with support from sponsors to fight for those who can't breathe on their own; and

WHEREAS, Sedgwick County commends the American Lung Association of Kansas, the participants and sponsors for the Fight for Air Climb, for organizing an event that seeks to support the vision of a world free from lung disease by climbing for those who can't breathe on their own, because if we can't breathe, nothing else matters.

NOW, THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Sedgwick County to be an official 'Fight for Air Climb County' and further proclaim that the month of April be designated as

'FIGHT FOR AIR MONTH'

in Sedgwick County as we join the American Lung Association in the fight against lung disease.

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

MOTION

Commissioner Skelton moved to adopt the proclamation.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh Aye
Commissioner Peterjohn Aye

Commissioner Ranzau Aye
Commissioner Skelton Aye
Chairman Norton Aye

Chairman Norton said, "And Abby Brungardt, the Development [Director] officer of the American Lung Association is here to accept the proclamation, and I see the Chief hovering behind her there. We'll start with you, Abby."

Ms. Abby Brungardt, Development Director, American Lung Association, greeted the Commissioners and said, "We do have a local office. This weekend is our event, the Fight For Air Climb at Cessna Stadium, and it's going to be a great event. We're excited about it at Cessna this year, and we're looking for several people to come out. If you don't want to participate, just come out and check it out, see what all the participants are doing, climbing the stairs, and then we're also have a 5K [Kilometer]. And I just encourage everybody to support the American Lung Association. It's a great cause for everybody in our community. And I'll have Chief Curmode say a few words."

Chief Gary Curmode, Fire Chief, greeted the Commissioners and said, "It's a privilege and honor as my third year as Co-Chair with the Coleman Company to be supporting this event. It's pretty exciting where we've come from in the last three years. The first year, we had a 20-story climb. The second year, we had a 40-story climb. This year, you can do in between 20, 40, or as much as 110-story in memory of the World Trade Center, and then again the 5K is after that. So, it's pretty exciting to see this, and again, the ultimate winner is the people that have lung disease. I've put out a challenge to all the firefighters in Kansas to join us. We have 10 Sedgwick County Firefighters that are raising funds to do this event. And I really appreciate all the support from the Commission and the Manager in having this come to fruition. Thank you very much."

Chairman Norton said, "Thank you, Chief. Thank you, Abby. I see no comments. I have to tell you, as an asthmatic as a young child, the American Lung Association does great work to help people that have lung problems and breathing problems to move to that place in their lives where they aren't affected by that and to cure those diseases and mitigate them as much as they can. We thank you for your work on that. Thank you. Madam Clerk, call the next item."

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

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

Present: 0

CITIZEN INQUIRIES

B [12-0274](#)

REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING COMMISSIONERS NOT BEING APPOINTED TO, OR SERVING ON, BOARDS THAT THEY MAY HAVE TO MAKE A DECISION ABOUT AS A COUNTY COMMISSIONER.

Presented by: James Kilpatrick, Wichita.

RECOMMEND ACTION: Receive and file.

Mr. James Kilpatrick, 2101 West MacArthur Road No. 719, Wichita. greeted the Commissioners and said, "I came to speak to you today to request that you have a policy whereby if you're serving on boards, et cetera, or if you're even the staff of the county that if in the future you might have to make a ruling decision about that board, that you not be allowed to do it. Because of the simple fact that I was here on the April 4th meeting, and that's what inspired me to come before you today. The April 4th, we discussed the REAP (Regional Economic Area Partnership) Consortium Agreement, and when I listened to what all went on and came to the conclusions, I have, it clearly indicated to me that serving on boards affects the decision-making process whenever you have to make that decision, and that was pretty apparent with Commissioner Unruh. Now, I want an understanding that nothing about this is a personal reflection on the Board. I'm not trying to insinuate any one of you, don't worry about it Commissioner Skelton, it really doesn't."

Commissioner Skelton said, "Okay good, I feel better."

Mr. Kilpatrick said, "I think I could go and enjoy a cup of coffee with any one of you, have a good conversation. All I'm talking about is enhancing the integrity of the Commission. So I want to see you avoid the appearance of tainted decisions. Now, like I said, I think that this county, this policy, would just enhance your integrity. I know that with Commissioner Unruh, who is the main reason why I came here today, is the fact that you're serving diligently, you're volunteering on that REAP Board, I understand the time it takes to volunteer and to give that stuff up. So with that in mind, I'm not saying you're trying to get anything out of this personally. I do appreciate your service. I don't want to cover the testimony, but I do think you have to understand where I'm coming from, my perception, about why I'm asking for this policy. On the testimony on April 4th, it was pretty clear about the situation to me because there were only three paid staffers who were testifying for this agreement. And there were 24 others who were testifying against the agreement.

"Now, that shows that we had three who had a self-interest in getting the agreement promoted, and 24 who had nothing to gain but lesser taxes. So with that in mind, we had also a wide range of people testifying before the Commission, all the way from just general persons to people from the legislative body of Kansas, one of which who had escaped from communism and who had testified in opposition to the REAP agreement. So it seemed overwhelming to me to have testimony from credible sources in opposition to this agreement. While the major went to the Commission for judgment, the only questions that I can remember, and that I've watched the meeting again, were directed toward the three paid staffers and nothing to the people who spoke in opposition. And it may be that you just have a reliability toward their testimony. We heard the comments from the Commissioners, and I'm not going to address the merit of those comments, except for the reason why I'm here today.

"And Commissioner Unruh, you were honest in your remarks. You told up front that you were Vice President of REAP. That you had years of working with them, that you had an ultimate goal there of preventing regulations from coming into effect, or at least having a voice to the regulations. The exact wording was an opportunity to express what we want before somebody tries to impose it on us. And I appreciate that, I just as soon not have them to start with.

"But anyway, REAP is financed by the federal government, so I assume you were talking about federal regulations being imposed upon us. And you went into depth about how much you supported REAP, and the work that you had done on it. Well, in listening to your statements, I just don't believe you could have made an impartial judgment on the matter, because of your connection to the board. Commissioner Skeleton was talking about planning being his main consideration, and I understand that, and we all plan. But unfortunately, we've got everybody that has a planning body and a lot of planning bodies are already in agreement with one another, and then Chairman Norton talked about his family concerns and about the people raising up in the community. And I understand that, too. But it didn't address any of the negative impacts that we saw with the REAP agreement. So it kind of made me question the depth that you went into studying the agreement.

"So now the problem is how much did Commissioner Unruh's testimony impact the two yes votes. I mean, did you just rely on a man who has been setting on the Commission, or on the board, and therefore it impacted your vote to go with yes? Or what was the impact he might have had with regard to that? That's the reason why I think it's a good policy that if you know that you're going to be making judgments on future rulings, contracts, et cetera, that you shouldn't be serving on those boards. Because we obviously know by Commissioner Unruh's testimony, that it does impact your decision.

"It's based on the same premise, this policy that I'm asking for, is exactly the same premise that we use for police officers, they're not allowed to serve, or I don't know any police officer that serves on a criminal jury just because of the simple fact that by looking at it, they're on one side or the other. The other thing are judges. They will recuse themselves from sitting on a bench if they're going to be facing a court case that involves something that they're too close to, and they want to avoid having that tainted decision. Now, in this situation, it would be the same thing as you voting on a contract that you had an interest in, and I think you can see how that skews, and especially in this situation with REAP. What I would like to do is, REAP to me has stacked the deck because they do have elected officials on their boards, so you can see by being on that, it can impact."

Chairman Norton said, "Mr. Kilpatrick, how much more do you have? Because your five minutes is well up."

Mr. Kilpatrick said, "Okay. Let me finish this last part here, and then it won't take long. I do consider a local elected official extremely important in affecting the lives of the county. If the people are wrong about issues, then we've lost nothing. If you people are wrong, then the county stands to lose a great deal. So I ask for as much as possible an impartial decision on matters, and that's why I'd like to see a policy where

Commissioners or staff are going to have to make a decision on the future judgments and not be allowed to serve on boards. Thank you."

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

Commissioner Skelton said, "Oh, I just wanted to tell you thanks for coming by. I've received your comments, received well by me, sir, so absolutely no hard feelings. There may be a case, I might consider your comments, definitely, but one thing I'm considering is where certain boards, I mean there's numerous boards, numerous boards, you know, and the county is involved in many numerous boards where we're serving in an oversight capacity, okay, and I think that's what happens here sometimes. So I mean, that's one thing I'm considering. So, those are my comments."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "I just wanted to thank Mr. Kilpatrick for coming today and offering his comments and thoughts on this."

MOTION

Commissioner Ranzau moved to receive and file.

Commissioner Skelton seconded the motion.

Chairman Norton said, "We have a motion to receive and file. We do have other comments. Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you, Mr. Chairman, I was going to make the motion, but Commissioner Ranzau beat me to the punch in that regard. I'd just say two years ago in 2010 I had the honor and privilege of being the Chairman of the Sedgwick County Commission, and one of the responsibilities of the Chairmanship is being in a position to make a number of appointments. At that time, Commissioner Unruh had been serving on the REAP board, and during my time as Chairman he continued in that service. And I think Dave has done a good job, he's very knowledgeable about it. But I'd like to put this, your comments into a broader perspective, because the Chairman also gets to make appointments not only to the REAP board, but the operations at the National Center for Aviation Training (NCAT), Wichita Area Technical College (WATC) facility, which the county helps fund and we're paying for the facilities out there out on Webb Road. But we've also got appointments that the Chairman gets to make that are budgeted to the [Sedgwick County] Zoo board and Exploration Place.

"Plus there are other county employees besides some of the Commissioners. The County Manager, for instance, has served on both the Zoo and Exploration Place boards. I've served on the K-96 (Kansas Highway) board when we were involved with that group, and I also served on the Greater Wichita Economic Development Coalition (GWEDC), their board and WDDC (Wichita Downtown Development Corporation), that

the Chairman gets to make appointments to all these organizations. So, there is a whole variety, that the issue that you're raising is a lot broader than just REAP, and I would, in terms of the broader contest, I think as long as we have openness and disclosure, and I know REAP has been very open and has been disclosing information, and I think it's important to have that openness and transparency available, because whenever the Chairman makes an appointment, the county person who is represented, whether they're an elected official, like a Commissioner, or they're a staff person, like the Manager, or one of the other county staff, their representative of the county and all the obligations that come with that. So the issue you raised is a lot broader than REAP, and I appreciate you coming down and sharing your thoughts this morning. Thank you, Mr. Kilpatrick."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I think, Mr. Kilpatrick, you may take a seat. I'm not going to..."

Mr. Kilpatrick said, "You're not going to ask me any questions?"

Commissioner Unruh said, "No, sir."

Mr. Kilpatrick said, "Well, just let me, rest assured..."

Commissioner Unruh said, "No sir..."

Mr. Kilpatrick said, "This was not a personal reflection on you."

Commissioner Unruh said, "I didn't ask you a question, so...I just want to say, since the speaker's comments in large part were directed at me and my service on the Regional Economic Area Partnership, I just want to say that I don't know of any of the members of the Regional Economic Area Partnership who need to be challenged to have enhanced integrity. I think that the members that are appointed to that board are for probably 90 percent of the voting membership are elected officials, and any sort of indication that there's a lack of integrity on those I think is just simply not fair."

"However, as Commissioner Peterjohn had indicated, Commissioners serve on many different boards. Some they serve on voluntarily, which is a great opportunity for elected officials to be involved in the community, to know what's going on with constituents and to have a greater understanding of what issues are and what different nonprofits and different boards are involved in trying to improve the quality of life for our citizens. So I think that it's good that, just as active citizens, Commissioners and other citizens are involved on a variety of boards. As Commissioner Peterjohn said, some of ours are appointed as a matter of our everyday business, and since Sedgwick County is a member of REAP and a funder of REAP, we have both a voting member and an alternate member that serves on that board. I would just take a moment here and perhaps just list some of the boards that I'm involved in so that our citizens will know this isn't just focused on Regional Economic Area Partnership."

"But I do serve on the Sedgwick County Technical Education and Training Authority, which is appointed by the Board and the Manager. I'm on the Sedgwick County Zoological Society, which is a major responsibility and asset of Sedgwick County. I serve on the REAP board and executive committee. I serve on the Workforce Alliance, Local Area IV, that helps provide services both to folks seeking jobs and to employers"

who are looking for employees. A great service to citizens of South Central Kansas. I serve on the board for the Center of Innovation for Enterprise Engagement, a new initiative out at WSU (Wichita State University). I'm on the Envision, Inc. Board and also the Envision Foundation Board. I serve on the Greater Wichita Economic Development Coalition Board. I'm on the Goodwill Board of Directors, have been a past member of the Wichita Art Association. So those are not things that I, services that I am in any way apologizing for. I'm proud of those boards. I think it's good work for public officials to be involved throughout the community. I appreciate the speaker's admonitions, but I believe that I will continue to do the service that I think is appropriate. That's all I have, Mr. Chair."

Chairman Norton said, "Thank you, Commissioner Unruh. I'll keep my remarks brief. But, I have to tell you I'm just a little bit insulted that I've dedicated my life fully to being engaged and dedicated to public service and community service. I'm not going to list all the boards I've been on since my days with Target and my effects and learning efforts in the community, but I think to understand what this job is really all about you have to know at a deep level what the community is all about. And my service to United Way and Salvation Army, and Goodwill, and YMCA (Young Men's Christian Association), and Boys and Girls Club and community and schools over the years teaches me what it's really all about in our community.

"And I can listen to citizens, obviously, that's important. But in the broad based context of what happens in our community, those efforts of those boards are critical in our thinking about how we serve the public, because they do it every day, and they know population based information that you may never get from one citizen at a time. So I have to tell you I will probably not stop my community service. I will continue it. And it flies in the face of everything I've ever believed about public service that anybody would doubt that I make my decisions based on what board I'm on and who I represent, because I represent everybody in this county at some point in time, and I take that responsibility very seriously. So, I'm a little taken back by anyone that would even elicit that public service and community service cannot mix. Madam Clerk, call the question."

VOTE

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

Chairman Norton said, "Please call the next item

C [12-0275](#)

REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING TIME IN STATE CUSTODY.

Presented by: Dominic Booze, Wichita.

RECOMMEND ACTION: Receive and file.

Chairman Norton said, "And I understand, Mr. Booze is not here today, so we'll move on from that item. Please call the next item."

APPOINTMENTS

D [12-0266](#)

RESOLUTION APPOINTING DR. PRESTON HICKMAN (COMMISSIONER PETERJOHN'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the resolution.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Items D, E and F all pertain to the same board and with your permission, I'll announce all of them now. We prepared a resolution to appoint Dr. Hickman to this board for a term ending in April 2016, and I recommend you adopt the resolution."

Chairman Norton said, "And we had, can we take [Item] D and F together?"

Mr. Euson said, "Yes, you can take D, E and F together. Do you want me to..."

Chairman Norton said, "I'd read all three of them at one time and we'll do that."

Mr. Euson said, "Sure, Item E is a resignation of Doug Nielsen from the Sedgwick County Animal Care Advisory Board, and Item F is a resolution appointing Ellen Querner, who is Commissioner Unruh's appointment to the Animal Care Advisory Board for a term ending in December of this year, and I would recommend that you adopt Items D, E and F."

Chairman Norton said, "We have a recommendation in front of us. I would entertain a motion. I see your light, is that to make the motion?"

Commissioner Peterjohn said, "Yes, sir."

Chairman Norton said, "Commissioner Peterjohn."

MOTION

Commissioner Peterjohn moved to approve Items D, E and F.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Norton said, "And Dr. Hickman is here with us, and Kelly Arnold, our Clerk, will swear him in."

Mr. Kelly B. Arnold, County Clerk, greeted the Commissioners and said, "I do solemnly swear that I will support the Constitution of the United States, the Constitution of the

State of Kansas and faithfully discharge the duties of the office of Sedgwick County Animal Care Advisory Board so help me God."

Dr. Preston Hickman, Appointee, Sedgwick County Animal Care Advisory Board, greeted the Commissioners and said, "I do."

Mr. Arnold said, "Congratulations."

Dr. Hickman said, "Thank you. Thank you, Commissioners. I appreciate the opportunity and the privilege that you've allowed me in trying to do this service, and I hope that we continue to support and take care of the animals and the welfare and safety in this community. Thank you."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Dr. Hickman, I really appreciate your willingness to serve along with everyone else who is on this important and sometimes overlooked board. Animal care is important in this community. When I go around visiting with people, one of the things that strikes me is the large number of pets that people have, and whether they're of the 10 or 15 pound variety pets or more like the thousand to 1,500 pound variety, they're all important. I just wanted to express my public appreciation for you as the newest board member this morning."

Dr. Hickman said, "Thank you, sir."

Chairman Norton said, "Commissioners, I would like to take a couple of, or three, Off Agenda Items. Oh, I'm sorry...We haven't done the swearing in yet, have we?"

Commissioner Unruh said, "Yes, he swore him in."

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

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

Present: 0

E [12-0268](#) RESIGNATION OF DOUG NIELSEN (COMMISSIONER UNRUH'S APPOINTMENT) FROM THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.
Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Accept the resignation.

Action on Item E was taken with Item D.

This matter was Adopted

F [12-0267](#) RESOLUTION APPOINTING ELLEN QUERNER (COMMISSIONER UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD TO FILL THE UNEXPIRED TERM OF DOUGLAS NIELSEN.
Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the resolution.

Action on Item F was taken with Item D.

OFF AGENDA ITEMS

Chairman Norton said, "Okay. I think we're all ready to go now. I've got three Off Agenda Items I'd like to take. One of them is the resignation of Joan Storck from Salem Township Treasurer position, the second is the appointment to Linda Wiley to that unfilled position, and finally an item on the declaration of state and local disaster emergencies that we need to deal with. So if you would, I'd like to have a motion to put those three on as Off Agenda Items."

MOTION

Commissioner Ranzau moved to take the Off Agenda Items.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Norton said, "Madam Clerk, do you have those three items so that you can call them or do I need to call them? First item."

ACCEPT THE RESIGNATION OF JOAN F. STORCK FROM THE SALEM TOWNSHIP TREASURER POSITION

Mr. Euson said, "Commissioners, you have this resignation before you, and I recommend you adopt it."

MOTION

Chairman Norton moved to accept the resignation of Joan F. Storck.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Norton said, "Next item."

RESOLUTION APPOINTING LINDA WILEY TO THE SALEM TOWNSHIP
TREASURER POSITION TO FILL THE UNEXPIRED TERM OF JOAN STORCK

Mr. Euson said, "Commissioners, we prepared this resolution of appointment to fill the vacancy just created, and I recommend you adopt the resolution."

Chairman Norton said, "Before I accept a motion, I'd like to thank Joan Storck for her many years of service to us. She has elected to resign. She has served Salem Township not only as the treasurer but as the trustee for years, so we appreciate that."

MOTION

Chairman Norton moved to appoint Linda Wiley to fill the unexpired term of Joan Storck in Salem Township.

Commissioner Peterjohn seconded the motion.

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

Commissioner Peterjohn said, "Just a point of clarification. Is this appointment just through until the election or is that appointment through to the, I'm not sure when the term ended. But I think it would be important for the public and the people who live down in that area to know how long this appointment is for?"

Chairman Norton said, "It will fill the unexpired term, as I understand, and then she'll have to run for reelection, is that correct?"

Mr. Euson said, "That is correct. And unfortunately, I do not have that date. And I apologize. I normally do, and I did not get to that this morning."

Commissioner Peterjohn said, "Okay."

Mr. Euson said, "I will get it for you and send it to you."

Commissioner Peterjohn said, "Okay, well, I was just curious for the people who live down in that area. If this creates another post that will be open and the filing deadline, I believe, is coming up in June, and whether they would be able to run in that election or not or if this extends beyond the end of this year or not."

Mr. Euson said, "I apologize for not having that..."

Chairman Norton said, "It only goes through the, whenever the normal election cycle is, the unexpired part of the term. We have a motion and a second. Is that enough

information, Commissioner Peterjohn, for today?"

Commissioner Peterjohn said, "I'll take what I can get."

Chairman Norton said, "Okay. Madam clerk, call the vote."

VOTE

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

Chairman Norton said, "And I know Linda Wiley is here to take her oath. Linda."

Mr. Arnold said, "I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Salem Township Treasurer so help me God."

Ms. Linda Wiley, Appointee, Salem Township Treasurer, greeted the Commissioners and said, "I do."

Mr. Arnold said, "Congratulations."

Ms. Linda Wiley said, "Thank you. Commissioners, I thank you for this opportunity. I have lived in Salem Township for about 15 years, and I look forward to helping my neighbors, and my friends through a time of transition. So thank you again for the opportunity, Commissioner Peterjohn, it's my understanding that I have to file by the June deadline if I intend to serve past the end of December."

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

Ms. Wiley said, "So depending on how that goes, I probably will. So thank you."

Chairman Norton said, "Thank you, Linda, for your willingness to serve. Appreciate it. Madam Clerk, please call the next item."

*DECLARATION OF A STATE OF LOCAL DISASTER EMERGENCY FOR
SEDGWICK COUNTY KANSAS AND A RESOLUTION ALLOWING THE STATE OF
LOCAL DISASTER EMERGENCY TO REMAIN IN EFFECT AFTER 7 DAYS.*

VISUAL PRESENTATION

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "Before we do the declaration, and I'll ask Randy Duncan to walk us through that process, I thought we would have a little briefing of what has occurred and what is intended to occur. We know what the storms looked like on April 14th and 15th and here is a pretty good idea of where the warnings were, and you can see that they were all pretty much directed towards Sedgwick County, and certainly in the middle of the city, also. The operations center opened phase one about 2:00 [p.m.] that afternoon. Phase one or level one is a single event where we just have a few people observing the weather, and then later at 10:44 [p.m.], it was level two where we asked people to come to the

center to be involved. We had representatives from response agencies, law enforcement and fire. We had EMS (Emergency Medical Services) and Emergency Communications and Emergency Management, we had a medical facility doctor there. We had Public Works and transit, health and COMCARE and schools and GIS (Geographic Information Systems), communications and relief organizations.

"At this point in time, you don't know how large the disaster is going to be. You have no idea if there is a going to be a disaster, but you have people in place and ready. We have trained for this. Most of the people that were at that event had been to Anniston several years, Anniston, Alabama, at a training center for disasters, and so people were prepared. The elected officials, Commissioner Norton, attended that training along with Commissioner Unruh at that time. The event at the center is directed by, there's three things going on at once. One is Randy Duncan who is in charge of an event, he reports to Bob Lamkey who oversees all the public agencies, public safety agencies, and then in my stead was Chris Chronis, and I'm thankful for him that he was there, I was not in town.

"You see the path of the, this is the path of the tornado that hit the ground and where the destruction and devastation, as Commissioner Skelton has indicated, is. We focused on areas of tornadic impact. The Oaklawn area and Pinaire Mobile Home [Park], Southeast Wichita, Rock Road, Webb Road, Pawnee [Steet], Harry Street, and East Wichita. Commissioner Skeleton mentioned the aircraft industries that were hurt. There were 100 trailers in the park were damaged. One home was destroyed and 20 others were damaged in Oaklawn. A couple of residents were injured and transported by EMS.

"There were multiple injuries treated on the scene. That's really significant. That's really amazing that there's no more injuries than that. Significant damage to buildings, Spirit [Aerosystems] and Hawker [Beechcraft]. Weststar [Energy] reported an excess of 20,000 people without power. As of last night at 7:00 [p.m.], there was around 3,000. They expect power to be on by Thursday evening for everyone. Significant damage to the county, Wichita, Sedgwick County, power lines snapped, trees down. The roofs, residents and businesses and hospitals reported about a dozen patients. The damage declaration occurred that evening. Commissioner Norton declared a disaster. Preliminary estimates were pretty high. We don't think it's going to be quite that high. Governor Brownback did declare a State of Disaster Emergency, which is helpful in the process of getting and receiving federal funds, and we'll talk about that in a minute.

"We provided assistance by securing the perimeter areas. The Sheriff's department was there, as was the fire department, and did remarkable search and rescue. Shelter was set up at the Derby Recreation Center. Pets were boarded at the Kansas Humane Society for those who were in shelters. Again, this is all part of the planning process and training that we go through. Two schools were closed in Derby and two in Wichita, and power lines were starting to restore and traffic signals, some of those are working more than others, and we have some of them running on generators. And so traffic around the area is flowing better than it was certainly Monday or Sunday. The debris cleanup plans is in the works, and David Spears and Public Works and with Environmental Resources is coordinating that efforts between a number of different agencies.

"[The Department of] Aging has a temporary suspension of home delivered meals. Meals have been provided at senior centers. The CDDO (County Development Disability Organization), there were seven group homes that lost power and still without power. Those without power have been moved and hopefully they'll be back on soon. COMCARE is coordinating with [American] Red Cross at the shelter and doing what's necessary for those people who are just sometimes overwhelmed with stress and grief and anger. The Health Department staff and medical reserve were prepared to assist with tetanus vaccinations. They were there yet at Spirit, and we're going to see how many people in Oaklawn need that, and if necessary, we'll send a team there.

"Finances tracking expenses for reimbursement, and this is critical if we are to receive any federal funds. The current operations continue to restore power to residents, we hope the opening of streets for traffic and county and debris cleanup is underway. The next steps, we are meeting daily at 4:00 p.m. on the site to do a instant command briefing, what has occurred and what's going to be planned for the next day. So that has occurred yesterday, will occur today. We'll have Code Enforcement and David Spears' group will be there and legal and others to make sure we sort this out and do it properly. It is important and critical that planning occur at the front end of this so that we're not stepping all over each other and that debris and cleanup occurs in an orderly fashion.

"Tomorrow, Thursday evening, we'll be at a town hall meeting for those people who have been affected by the storm for them to gather information to tell us what they need, to express their concerns or wishes. We hope that...we know that some insurance company representatives will be there. We have requested that the [Kansas] Insurance Commissioner office have a representative and that request has been made. But we will have staff there and others to make sure that we can do whatever we can to make sure their lives are easier. Volunteers and donations to United Way and Red Cross are handling that. United Way for volunteers certainly, and donations. And then we're going in the middle of damage assessment reports. We're doing not only private assessment, which has occurred by some of the state folks, but also with the public, damage to our public facilities.

"And that will trigger a, there's two triggers for federal government. One is local damage, how much local damage is done in the county, and that's a little over about \$1.7 million, and the state damage is somewhere around \$3 million. The report, clearly, there's not enough public damage to get the \$3 million in Sedgwick County. But it's our understanding that there has been a number of other tornadoes that occurred during that event that have touched down and did some damage around the state, and so as we gather more information, we are, we'll see if we can meet that threshold. That will be determined later by the state. So here is what the tornado looked like. This is a picture taken by Brandon Ivy for those that have not seen it.

"We know what that looks like. I'm here to answer any questions you may have, or we have real experts here to do that. I see Randy is right here to jump up. Commissioners, that's the report. The next action that you need to take is to go through the declaration. If there are any questions, I'll be happy to answer those. If not, we can do the, Randy can request that we declare the Declaration of Emergency."

Chairman Norton said, "I think we'll have a chance here to have some conversation at the bench, and then we'll do the declaration, if that's okay with everyone. Commissioner Skelton."

Commissioner Skelton said, "Thank you, Mr. Chairman. Bill, we've had discussions in

detail about this. We talked about it yesterday at our staff meeting, so I know what most of these answers are. So maybe you could talk a little bit about how we're supporting townships, you know, what kind of services, you know, one thing that I'm concerned about and other people mentioned to me is we're putting dumpsters down in Oaklawn and they're going to be full in a very short amount of time. Maybe you could speak to those points."

Mr. Buchanan said, "We have already put some dumpsters in that area. They will be full, and as soon as they're full, they will be hauled out and new ones will be replaced. I think we put two in at the same time. DeAnn Konkol is here, and I wanted her to stand up. You're just wonderful. DeAnn is our person on the site. She's not on the site right now, but she was yesterday. She was last evening. She was the evening before. She will be there. She is our eyes and ears for that neighborhood and will gather the information, go through Randy to coordinate it as we have in the past. Those dumpsters that get filled will be taken away and hauled away. So that's part of what we do."

Commissioner Skelton said, "Okay. So we're going to have vehicles standing by to do this? Because they could be full in an hour or two hours."

Mr. Buchanan said, "When they are full, we will call the company, and they will come and take them away."

Commissioner Skelton said, "Okay. Well, I appreciate that. Okay. Thank you. What about the equipment supporting townships?"

Mr. Buchanan said, "David Spears in Public Works is coordinating the efforts with the townships and with some other people who want to volunteer, some of the cities surrounding Oaklawn, included that have not been hit, including Derby and Haysville have volunteered. So, we're going to have equipment in there, Sedgwick County equipment, has got a couple crews, a couple trucks, a couple loaders, and we're going to then determine if we need to bring more, if we need to back off. But as we clean up, we will be able to determine that better."

Commissioner Skelton said, "Thank you, Mr. Manager. I would like to recognize DeAnn Konkol for being present there. You know, the people of Oaklawn, we're going to do everything we can. We're fortunate to have somebody with this experience down there who has run this trap, so to speak, before. I mean, I am pleased that she is present and down there working for those citizens. They appreciate her. I've had good comments already. So just wanted to acknowledge her. Thank you, sir."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I second Commissioner Skelton's comments. The question I'd like to have going forward is just to check in terms of the damage that county property did entail in terms of sirens and so on. We have another weather condition coming at us in the near future, if we're fully ready to go if weather events hit us again in the near future, Mr. Manager."

Mr. Buchanan said, "We did have a couple sirens that had some damage. Some of those have been repaired. If not, they will be repaired in the next day or two. We have tested them Monday. We are going to continue to test, and we know that we're in the process of having, as you heard yesterday, almost a dual system. The old system, the

new one hasn't been turned on quite yet. It will be in a matter of weeks, and so we'll be ready to rock and roll. We are at a stage right now of readiness as we have been in the past."

Commissioner Peterjohn said, "One question, and I should have asked yesterday during our staff meeting, but I didn't get to. We've had some questions in the past in terms of the volume of calls coming in for Emergency Communications on 911. Did we run into any capacity problems or any challenges in that regard during this event?"

Mr. Buchanan said, "I see the director shaking his head no."

Commissioner Peterjohn said, "Well, I think that's important to mention and acknowledge, because that has been a concern expressed in the past. Really, I went down Friday afternoon shortly after 11:00 [a.m.]. There was a briefing at the emergency center, and this was probably the longest forecast I've seen for a Kansas tornado, and the extended discussion on that, and so I think the fact that we were discussing the likely events, it gave me some comfort Saturday morning when I was participating in another county function down at Cowtown with the Link 4 Life run. Even though the clouds were, it was full cloudy, it was definitely an ominous sky on all day on Saturday, but the preparations were in place, and it gave me some comfort, in terms of participating in events Saturday morning, that I was at the right part of the county before noon at that time."

Chairman Norton said, "I have a few remarks. I was very impressed with our new Public Safety Center, and our EOC (Emergency Operations Center). It wasn't too many years ago that Sedgwick County and the Commissioners invested in a new public safety building that had the latest technology. It has a great capability for the 911 system, but it has a fully functional Emergency Operations Center. It has upwards to 40 stations with computers and phones. There's a big screen there where all information that is entered can be accessed at one time. There's a public information officer's room. There is a conference room. It's a fully functional emergency operations center. And not that we haven't dealt with tragedies and disasters before in the basement of the courthouse, but I have to tell you, my firsthand observation was the efficiency and the effectiveness and the service to the community has been raised to the highest level because of our investment in that public safety center.

"And this was the first really big test of bringing all the partners together. There were first responders, sheriff, police, fire, emergency, management, elected officials, public information officers, Salvation Army, Red Cross, United Way, on and on and on, all in one room understanding their relationships, their partnerships and their responsibilities, and I have to tell you, that money that we put out for the taxpayers to build that center has come back in spades already. My hat is off to the first responders, and we think of first responders as police and fire and EMS, but first responders are also citizens that took care of each other immediately, that started search and rescue, and I'm very

gratified that citizens were already engaged in that when fire and police and sheriff arrived. The best outcomes happen, first of all because people took shelter, listened to the warnings, had a plan, but also they took care of each other as the disaster unfolded. Hats off to our first responders. They did a magnificent job both on the city side and on the county side.

"We are engaged in working with those areas in the county that are not within city limits in Salem [Township], Riverside [Township] and the Oaklawn Improvement [District] area. Those are important. The township officials, the Oaklawn Improvement officials are fully engaged and working hard, but in some cases it's going to take the county's abilities and capabilities to come to bear to really have a fully functional recovery effort. There will be a town hall meeting in Oaklawn at 6:00 [p.m.]. The Manager talked about that. That is really for the citizens of that area to be able to come and express their anxieties, their needs, their frustrations, and how we as elected officials and our staff can help them start their recovery and get their lives back to the new normal. I would encourage people, if they want to volunteer, not to just try to walk into the area, but to call 211 or the Salvation Army or the Red Cross and find out where the need is.

"You can walk that area all day long and not get to the place where the real worst need is, so we've got a system for that. It keeps people that are, don't need to be in the area out of the area, so please call 211, connect with the United Way or one of those other agencies. We're working hard right now to see if we make the FEMA (Federal Emergency Management Agency) thresholds. That's not a simple thing. It takes time to really do the assessment to find out if we've got enough damage to meet those thresholds. A lot of people keep asking about, you know, whether there's federal money, and we're not quite ready to say, to push that ahead. Right now, the biggest thing we're working on is the debris management. We've got sites to do some burning of tree and natural waste, but it is going to be very problematic to deal with the metals and the other kinds of materials that come out of a manufactured home park and in an area that has many, many older homes that may have problems with hazardous materials. So we're going to work through all of that. People need to be patient, because some of that just doesn't clean up as fast as we'd like it to.

"And then finally, we've talked about it, but I have to tell you, we've got a presence down there. I have great comfort that DeAnn Konkel will be housing that. She worked with me in Haysville. She has a great experience, I mean deep into one of these kind of crisis on what needs to be done. So, I think we're moving forward just like we should. We're going to continue to meet and find the needs of the people, and we have to know that these things don't get cleaned up overnight, but we've got a good plan. Our hands are on the throttle. People will be frustrated and angry and have some anxieties, but we'll deal with those one individual at a time, and we're going to take care of every bit of it as quickly as we can. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I just want to reiterate some of the comments of my fellow Commissioners. I know a lot of the county was fortunate and was not affected by this, and it certainly could have been worse than what it was, but still for those people that are affected, their lives are in turmoil, and certainly our thoughts and prayers go out to them. I do want to thank all of the people that have responded and are responding and will continue to respond to help out on this situation. I want to reiterate the importance of, if you want to get involved, contact the appropriate people, 211, to volunteer. And for those of you who want to volunteer

financially, it's my understanding you can let the United Way know that you want this money specifically to go to this particular area, is that correct?"

Mr. Buchanan said, "Yes, sir."

Commissioner Ranzau said, "So, you can rest assured the money will get to the people that need it the most. Thank you."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Well, the Managers have done a good job of reviewing our organizational response to this storm, and I appreciate that, and Mr. Chairman, you've done a good job talking about the details of our personal interaction to those folks who have been displaced and are facing special needs. I just wanted to make a comment that we've also tried to reach out to our industrial partners in the area to Boeing [Company] and Spirit and to Hawker Beechcraft to let them know that we're willing to provide assistance where appropriate and in the appropriate manner that helps them get back on their feet.

"We know that those partners in our community are a huge economic engine, provide jobs in that area for probably at least 17,000 people between those three plans, and so we are eager and anxious that they get back on their feet and that we're willing to provide appropriate response to support them. that's all I have, Mr. Chair."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman, I would also like to provide thanks and appreciation to some of the leadership we've had from the state level with Governor Brownback's office and some of their efforts to...I know they've made to try and help out here in Sedgwick County. The Governor was down Saturday afternoon. A number of us from city, county, legislators. All participated in activities to get a better understanding of the challenges we face in the Governor's office. And Governor Brownback has been helpful. And Senator Moran was down here, Senator Robert's staff, and Congressman Pompeo all participated to try and do what they could and bring in other resources. So while we at the local level we've been busy. I wanted to also take this opportunity and acknowledge some of the help we're getting from other governmental levels, too.

"The largest point of this I want to talk about is Saturday evening, while I was at home like most folks in my basement monitoring through the TV information, and they're talking about a large tornado, maybe a half mile in diameter crossing the county line into Sedgwick County and heading right towards populated areas, even though we won't sure at that point where it was going to hit, I think it's absolutely an incredible miracle that there was no loss of life not only here in Sedgwick County but in the State of Kansas, with, approximately, the numbers I've heard, close to 100 tornadoes on the ground here. I mean, sadly, there are other place in other states where that was not true. I just felt so awful Saturday night and just knew the challenges we would be facing, and, don't get me wrong, we face serious challenges. But I think we've had an incredible and remarkable miracle that there wasn't loss of life here in the sunflower state. I, for one, this Commissioner is extremely thankful."

Chairman Norton said, "Okay, Mr. Manager, it's back to you and Randall Duncan for

the disaster declaration.”

Mr. Randall Duncan, Director, Emergency Management, greeted the Commissioners and said, “Good morning, Commissioners. I think the next item on your agenda is to consider and adopt a Declaration of Local Disaster Emergency, and based on the events that happened on April the 14th of 2012, I would ask that you consider and approve this declaration. It allows us to send a signal to our partners at the state that we had a problem here. Our partners at the state have responded and done a governor’s declaration. This clears the way in case we qualify for federal disaster assistance programs, which would essentially be the next step in the process. I would be happy to answer any questions that you might have.”

Chairman Norton said, “I see, Commissioner Ranzau.”

Commissioner Ranzau said, “I just want to clarify. On the threshold for the numbers, is that damage done or cost incurred by government?”

Mr. Duncan said, “It’s a combination of both of those things, sir, but it specifically relates to damage to publicly owned property and costs incurred by units of local government.

“There are two major cost categories. One is called emergency work, which includes the cost of emergency response forces, overtime, those sorts of things. Another sub element of that is the cost of debris removal. So all of those will go together and be combined with any public infrastructure damage that we experienced, and we do know clearly from Mr. Spears’ folks and the folks at the City of Wichita, there has been some public infrastructure damaged.

“If we exceed that \$1.6 million roughly level, and if the state exceeds their \$3.709 million, then at that point, the governor will request a presidential declaration from the President which would open up potentially the PA programs, Public Assistance Programs, aid to units of local government and the Individual Assistance Programs, which would be aid to individual people, although the trigger for that side is totally different than what we’ve been discussing.

Commissioner Ranzau said, “Okay, thank you very much. Thank you.”

Chairman Norton said, “Commissioner Skelton.”

MOTION

Commissioner Skelton moved to adopt the declaration.

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

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

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

This matter was Adopted

NEW BUSINESS

- G** **12-0250** PRESENTATION OF MINI-MPA CERTIFICATES TO THE 2011-2012 SEDGWICK COUNTY GRADUATES.
Presented by: Dr. Nancy McCarthy Snyder, Director, Hugo Wall School of Urban and Public Affairs, Wichita State University.

RECOMMENDED ACTION: Present the certificates.

Dr. Nancy McCarthy Snyder, Director, Hugo Wall School of Urban and Public Affairs, greeted the Commissioners and said, "We're here today to recognize the accomplishments of seven dedicated Sedgwick County employees who completed the Mini Master of Public Administration (MPA) program. These folks got up bright and early on 16 Friday mornings to be at WSU by 7:30 [a.m.] to be exposed to the basic content of the MPA.

"They got instruction in human resources, hiring and supervision, strategic planning, performance measurement, lots of finance, and overall democratic governance. So, I have with me Gayle Martin who is the Program Coordinator, who supervises the Mini MPA, and we would like to call up the employees and present them with a plaque.

"Randy Bargdill is Director of Sedgwick County Department of Emergency Communication; Brad Hoch is Lieutenant in the Sedgwick County Sheriff's Department; Rus Hodges, the Department of Application Manager from Sedgwick County Health Department; Sam Konkell, Captain in the Sedgwick County Fire Department; Glenda Martens, the Facility Manager at the Judge Riddels Boys Ranch; Jason Scheck is Director of Crisis Services with COMCARE; and Dean Taylor is an Engineer with the Public Works department. I'd also like to thank all of their supervisors and the staff and the Human Resources department. The supervisors nominate individuals for this program, and are willing to dedicate the investment of time in these workers to improve their capacity to better serve the citizens of Sedgwick County. So thank you all."

Chairman Norton said, "Thank you, Dr. Snyder. We're very proud of our people that go through this MPA program. It is quite a testament to their fortitude to continue to work and supply services to the citizens, but to also increase their intellectual capital and their ability to do their jobs even better and to create a lifelong learning environment here at the county. So we applaud them for their dedication and their work, and it just gives us a chance to serve the citizens that much better in Sedgwick County. Thank you for the Hugo Wall School [of Urban and Public Affairs] for having a program like that that we can participate in. We appreciate it. Madam Clerk, call the next item."

H [12-0264](#)

RESOLUTION CREATING A STORM WATER DRAINAGE IMPROVEMENT BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (GREENWICH PLAZA ADDITION). DISTRICT 5.

Presented by: Joe L. Norton, Gilmore and Bell, P.C., Bond Counsel.

RECOMMENDED ACTION: Adopt the resolution.

VISUAL PRESENTATION

Mr. Joe Norton, Gilmore and Bell, P.C., Bond Council, greeted the Commissioners and said, "Before your consideration today is a resolution creating a storm water drainage improvement benefit district in the Greenwich Plaza Addition in southeast Sedgwick County. On the map, it's a little hard to see in the yellow, the potential benefit district is on Greenwich Road and 31st Street South. The picture before you now is a plat map of that addition. There are three lots, one very large lot and two smaller lots. The petition has been signed by 100 percent of the owners of property proposing that this improvement district be created and assessments levied for the improvements requested.

"Public Works has prepared an estimate of cost, which is approximately \$35,000. The component assessment amounts will be approximately 60 percent for Lot 1; 15 percent for Lot 2; and 24 percent for Lot 3. Again, this is based primarily on the area of the individual lots. The larger lots bearing a higher proportionate cost of the proposed improvement.

"The resolution would create the benefit district, authorize the improvements to be made under the county's Public Works supervision and for those costs to be spread 100 percent to the property affected by the improvements. Jim Weber is here. And he and I will try to address any questions that you may have."

Chairman Norton said, "Commissioner Skelton."

Commissioner Skelton said, "I have no questions and am ready to make a motion to approve this resolution if appropriate, sir."

Chairman Norton said, "I think it's certainly appropriate."

MOTION

Commissioner Skelton moved to adopt the resolution.

Commissioner Peterjohn seconded the motion.

Chairman Norton said, "We have a motion and a second to adopt the resolution. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chair. Do we, have we notified these landowners? They know what their liability, the financial responsibility is going to be?"

Mr. Norton said, "Yes. The estimate of the cost and the benefit district, a portion of the cost is part of the petition that they have signed, by 100 percent of the landowners."

Commissioner Unruh said, "Thank you."

Chairman Norton said, "Any other questions or discussion? If not, Madam Clerk, call the vote."

VOTE

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

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

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

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

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

Present: 0

I [12-0281](#)

KDHE WASTE TIRE PROCESSING PERMIT APPLICATION FOR BIG STATE TIRE & AXLE.

Presented by: Susan Erlenwein, Director, Environmental Resources.

RECOMMENDED ACTION: Find that the proposed permit application is consistent with the Sedgwick County Solid Waste Management Plan, and authorize the Chairman to sign.

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, "The Kansas Department of Health and Environment (KDHE) requires that any state, a solid waste permit must first be approved by the local government as to its consistency with the solid waste plan. Before you is a permit for tire processing for Big State Tire & Axle, it's located on the 5900 block of North Broadway in Park City. This company has been in business for 30 years, 10 years of which is at this location. They receive mobile home tires that are used, they review the condition of the tires, if they're good, they re-groove them and sell those tires. If they're not as in good shape, the tires are stored onsite, strapped and then sent to a recycling facility in Colorado where the tires are ground into ground rubber and used in playground matting. The Solid Waste Plan of Sedgwick County addresses tires in our plan. We state that there is a need for companies such as this because tires in their whole form are banned from landfills by Kansas Department of Health and Environment.

"We also have in our plan an emphasis on recycling and reuse of materials. This company fulfills all of those categories. The Solid Waste Committee reviewed this at their last meeting and approved the application, said it is consistent with our Solid Waste Plan. The city of Park City has also reviewed this for zoning and said the zoning is correct for a tire processing facility. I would recommend the Commission approve this permit and recommend the Chairman to sign. I would be happy to answer any questions, and there is also a representative from the company here."

Chairman Norton said, "Okay, Commissioner Ranzau."

MOTION

Commissioner Ranzau moved to find that the proposed permit application is consistent with the Sedgwick County Solid Waste Management Plan, and authorize the Chairman to sign.

Commissioner Skelton seconded the motion.

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

VOTE

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

Ms. Erlenwein said, "Thank you."

Chairman Norton said, "Okay. Next item."

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

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

Present: 0

J [12-0256](#)

APPROVAL OF A RESOLUTION AUTHORIZING A FORGIVABLE LOAN TO QUALITY SOLUTIONS, INC., OF WICHITA FOR ECONOMIC DEVELOPMENT INCENTIVES AND AUTHORIZING THE INTRA-FUND TRANSFER OF BUDGET AUTHORITY. Presented by: Sherdeill H. Breathett, Sr., Economic Developer.

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

Mr. Sherdeill Breathett, Sr., Economic Developer, greeted the Commissioners and said, "Today I bring before you a company, Quality Solutions Incorporated (QSI). They're located currently at 455 North Maize Road here in Wichita. Through a network of over 23,000 local vendors, QSI provides a range of over 75 trades, including electricians, handyman, and HVAC (Heating, Ventilation, and Air Conditioning) repair to over 9,000 clients, locations nationally. The company also offers customers unique national project management and light construction capabilities, coordinating jobs such as remodels, retro fits and rollouts across hundreds of client locations. QSI was founded by Eric and Wendy Dunn in 1997 here in Wichita and has developed an outstanding reputation for speed, reliability and quality of service. QSI was positioned for significant growth as it meets increased demand for retail and food service operators looking to outsource increasingly complex facilities services, freeing them to focus on the profitability and growth of their core business. QSI proposed expansion project includes relocation to the iSCM (Integrated Supply Chain Management) building location, the south facility there in Colwich, Kansas, to allow for future growth opportunities. Additional space will allow them to grow their service support department to support new customer needs. There is enormous growth potential in this segment, and they are well suited to take advantage of this opportunity.

"They have been challenged to find the ideal location to expand their current capabilities and provide services that can meet the growing demand. QSI currently employs 96 employees here in Sedgwick County. The relocation expansion of the company will position them to hire an additional 50 additional new employees, 10 per year over the next five years at an average annual wage of \$35,000. The benefit cost ratio from the Center for Economic Development and Business Research at WSU estimates 2.4 return on our investment of economic development funding provided for this project. The amount of this forgivable loan request is at \$20,000. The facility in Colwich which would be 40,000 square feet. QSI will make a capital investment of this project over the next five years of \$1.6 million. Our recommended action is to approve the resolution, authorize the Chairman to sign, and I'll be ready to take any questions. The representative from QSI, we do have their chief operating officer in attendance, as well."

Chairman Norton said, "Any questions of Sherdeill? Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I just want to say a few things. Last week we attended a summit put on by Kansas Policy Institute that talked about incentives and economic growth. I think the evidence is clear presented there the best way to economic prosperity for any political entity, county, state or country is through policies that applies to everybody, and that's the approach that I take. I don't have any problem with this company or any other company that goes through this process. My issue is with the process itself which begins with us and the Chamber [of Commerce]."

"The idea that we can pick and choose winners and losers and lead us through a path of economic prosperity I think is flawed. It relies upon the redistribution of wealth policies and somehow the knowledge that the government can decide who should get

the money and who should not. Places that implement policies that apply to everybody would be much more effective in the long run.

"Now, the problem that we have, and it was talked about at this summit, is when we give an incentive such as this, we can pound our chest and say, look, this is what we did and it provides a good photo opportunity. But if you endorse policies, for example low tax and regulatory burdens for everyone, the jobs have created in onesies and twosies over hundreds and thousands of businesses, and it's not something that's easily quantified, and it's certainly not something that lends itself to a public declaration that politicians can point to. You have to have confidence in the free market process.

"You see, I believe in incentives, but to what incentives should we have? I believe the most powerful incentives out there is the profit incentive. All of the businesses out there that are in business now or that will be in business in the future get into the business for the profit incentives. These sort of subsidies or not, that profit incentive is what motivates people to create jobs. And our best approach to this in the long run is to provide a low tax and regulatory burden for everyone, because that makes it easier for everyone to make a profit and continue the business and to expand. Additionally, it's very clear from, I've got research here, and this was published in the American Planning Association that talks about incentives. This says that the best case is incentives work about 10 percent of the time, and they're simply a waste of money the other 90 percent. So our local policy is based on an idea that will only work about 10 percent of the time.

"Now, we were led to believe it works 100 percent of the time. But there is nothing that's happened since I've been a Commissioner to make me believe that it works 100 percent of the time. Most of these decisions would have been made anyway, and this is what the research shows. I think at the very best we're getting 10 percent. I think it's probably a loss closer to zero than 10 percent. Nevertheless, when you hear all of these return on investments that you get from the GWDC (Greater Wichita Economic Development Coalition), when they throw it altogether, you need to reduce it by 90 percent, and that's probably closer to reality. In fact, this paper goes on to say there are very good reasons, theoretical, empirical and practical to believe that economic development incentives have little or no impact on firm location and investment decisions. These are not my words. This is what research indicates, and I think that it's obvious by the testimony that we, or the presentations we heard last week that the best approach, and I'm not talking about unilaterally disarming, as some would say, I'm saying arm ourselves with a more powerful tool that will help us for the whole community. And we need to embrace the dynamics of the free market process, embrace the incentives, the profits that provide for every business out there, and keep our tax burden and regulatory burden very low. This is especially true for early businesses.

"Most of our jobs come from businesses that are between one and five years old, and whatever we can do to allow them, make it easier for them to stay in business, I think is in our best interest. But once again, we need to, I believe embrace policies that apply to everybody that you don't have to apply for, you don't have to get permission for. They just happen. So I will oppose this, as I have opposed the other targeted incentives. Like I say, once again, it's not because of this particular business. They have a good business. They're obviously growing and doing a good job, a very interesting business model.

"But I believe that our process and our focus here at the local, at the governmental level and GWDC is just fatally flawed. Unfortunately, there is a lot of information, misleading information put out there. It's hard to weed through the details and get the true facts, but I'm hopeful, because more and more people, when we go through difficult times, it forces us to look at how we do things. Sometimes we have to face the facts when our policies are really failing, and hopefully over time we can change our policies and turn to ones that would be more effective in the long run. Thank you."

Chairman Norton said, "I don't see any other, Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I appreciate the Commissioner's remarks, but I would just, from my remarks, I just want to say that I appreciate the opportunity we have in Sedgwick County to support the growth of a local company as it creates jobs here in Sedgwick County and is a nationally known company. They have employees nationally, and they have clients nationally, and they have an opportunity to go anyplace to establish their home base of operations. So I'm pleased that they've decided they want to stay here in Sedgwick County.

The creation of 50 new jobs and for us to have this amount of forgivable loan over a five-year period, I think, is a reasonable thing for us to do to show our support for this local company to stay here. But Sherdeill, I would ask you, are there others who are also involved in this incentive program, or is this the full amount of the incentive that the companies are requesting?"

Mr. Breathett said, "Well, they're currently located in the city, and because of the relocation where they're currently at, they've reached capacity, they would be relocating to the Colwich area. So, under those circumstances, the city is not involved, so it's primarily the state and the county that is involved."

Commissioner Unruh said, "Okay. The state is also involved?"

Mr. Breathett said, "That is correct."

Commissioner Unruh said, "Okay. And through our policy, we go through a whole matrix of qualification to do this and establish favorable return on investment and there are callback provision, I suppose?"

Mr. Breathett said, "Yes. We follow them through."

Commissioner Unruh said, "Well, I am, once again, I appreciate Mr. Peterson being here and appreciate the company's decision to stay in our community, and I'm willing to be supportive of this package. That's all I have, Mr. Chairman."

Chairman Norton said, "At this point, I don't see any other lights. I would entertain a motion."

MOTION

Commissioner Unruh moved to approve the resolution and authorize the Chairman to sign.

Commissioner Skelton seconded the motion.

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I had the opportunity recently with one of my colleagues, Commissioner Ranzau and Sherdeill, to tour this company. And also had the opportunity with a couple of my colleagues to participate in the Kansas Policy Institutes recent forum that brought in some nationally known speakers and I think provided some interesting daylight into this issue, and I think it was very helpful for all of the elected officials who took the time to participate in that event as well as those who, as well as the experts who came in from out of town and talked about it. These votes are some of the toughest votes that I have personally, because I agree with many of the concerns that I've heard from my colleagues from the bench this morning, and I voted on both sides on these issues in the past, because sometimes the proposals that came in front of me I just didn't think that they were either realistic or necessary and/or if there was a good chance that we would have to go into the clawback provision, and even though we have that protection, it's not something I like to see. And I noticed the last time that our Chief Financial Officer, Mr. Chronis, brought a presentation in front of us, we had a number of companies that we provided benefits to that it had been too recent to really evaluate how well they had performed, but we had about 19 companies that have received forgivable loans and I think there were four of them that we were in the clawback side of the equation.

"The question I have as an economist is when these proposals come up and they say, well, we're looking at creating 50 jobs, if everything works out right, of course, we've got some examples where it hasn't worked out right, and we get into that clawback mode over a five-year period of time. But the county's forgivable loan provision is \$20,000, and I look at this, if we have other participation and I see the state is involved, and that's a factor in my mind in terms of trying to work with them, because this is a larger effort, and I would also look at the fact that the history, because if in the private sector, if there was a bank loan officer who came in to his bank executive committee with a loan portfolio and four out of the 19 loans were nonperforming, I think that's a bank loan officer that probably needs to brush up their resume. So, this is a number I'm going to watch and look and try and understand when they say...I don't believe in unilateral disarmament from an economic development perspective, but having said that, you know, is this one that would fall into whether it's the 10 percent, 5 percent or 20 percent that this is a margin on the difference. So, my vote today, Mr. Chairman and colleagues, is going to reflect the fact that I want, these are the factors that I'm considering today, because this is a great company.

"They've had a great growth plan, have outgrown their current facility when I toured it. And they are cramped. There is no doubt about that. And I think they've got a great future. Regardless of what part of Sedgwick County they relocate to, I want to wish them well. But, my vote today is going to be trying to, as it has in the past, to try and make a call I think on margin, because when we have the information brought here, I think what of what else could we spend this money for, and if we didn't spend it here, where else should it be spent, and is this the biggest bang for the buck that we can get with taxpayer dollars? Because in the perfect world, I would like to try and reduce the overall tax burden, reduce the regulatory burdens that exist and create a free market environment with strong protection for entrepreneurs and property rights owners so that they can grow and develop and expand. So my vote today, Mr. Chairman is going to reflect those facts. Thank you."

Chairman Norton said, "Do we have a motion on the floor? Okay. I don't see any other

discussion. Madam Clerk, call the vote."

VOTE

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

Commissioner Skelton said, "It's all right. It's okay Mr. Chairman."

Chairman Norton said, "I'll just move my lips, and you can answer for me, I guess. I don't know. Okay, Thank you, Sherdeill. Thank you Mr. Peterson for being here."

Mr. Breathett said, "Thank you Commissioners, I appreciate your time."

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

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

No: 1 - Commissioner Ranzau

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

Present: 0

K 12-0222

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

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

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

Mr. Dorsha Kirksey, Executive Director, Sedgwick County Housing Department, greeted the Commissioners and said, "Before I get started, I just want to echo some earlier comments. I live in the area between Harry and Pawnee and Rock and Webb Road where the tornadoes hit this weekend. And just want to say thank you to all of the responders, public and private. Westar, I saw them working late into the evening trying to restore our power. Which was restored late Monday evening. And I just want to say thank you. It was comforting to have had such good notice and be able to take shelter early and know what was going on throughout the day Saturday and really am proud of this community for the way we respond to these types of incidents. Okay, on to the item.

"The item before you is an agreement with the South Central Kansas Economic Development District, or SCKEDD, to perform program administration duties for our Home Partnership Investment Program, and that is a home rehab program for low-income homeowners. This is a grant program, and the grant allows for up to five percent of the project costs to be paid for administration. I recommend you approve the agreement and authorize the Chair to sign and I would be happy to answer any questions you have at this time."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I want to thank my fellow Commissioners for their willingness to postpone this for, I guess it's been two weeks. And I thank Dorsha for all the information that she provided to me. She provided me a lot of information, you can never provide too much information. I appreciate the time and effort you took into this. I will be supportive of this as well as the next one."

MOTION

Commissioner Ranzau moved to approve the agreement and authorize the Chairman to sign.

Commissioner Skelton seconded the motion.

Chairman Norton said, "We have a motion and second, any other discussion?"

Commissioner Skelton said, "Hurry up and call it before he changes his mind."

Chairman Norton said, "Madam Clerk, call the vote. Oh...too late."

Commissioner Peterjohn said, "Mr. Chairman, I was just going to say, are we sure of the order in which we are voting now?"

VOTE

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

Chairman Norton said, "That went smoothly. Okay, next item."

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

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

Present: 0

L 12-0223

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

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

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

Ms. Kirskey said, "This item is also an agreement with SCKEDD to perform the housing inspections and lead risk assessment for the Home Investment Partnership program. Again, this program provides home rehab services for low-income homeowners, it is a grant program, and SCKEDD will receive a set fee as compensation for each of the services set forth in this agreement. I recommend that you approve the agreement, and authorize the Chair to sign. And would be happy to answer any questions at this time."

Chairman Norton said, "I don't see any lights on right now, so I would entertain a motion."

MOTION

Commissioner Ranzau moved to approve the agreement and authorize the Chairman to sign.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Norton said, "Thank you, Dorsha."

Ms. Kirksey said, "Thank you."

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

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

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

Present: 0

M [12-0235](#)

RESOLUTION ADOPTING NEW FEMA FLOOD INSURANCE RATE MAPS FOR SEDGWICK COUNTY.

Presented by: Kelly Dixon, Floodplain Technician, Department of Code Enforcement.

RECOMMENDED ACTION: Approve the resolution.

Mr. Kelly Dixon, Floodplain Technician, Department of Code Enforcement, greeted the Commissioners and said, "You have before you a resolution amending our flood plain regulations and adopting new maps that will be coming out on May 2nd, as well as a minor change to meet state requirements for flood platting for non-residential structures. As you know, Sedgwick County is a participating community in the National Flood Insurance Program. And because of that the citizens of Sedgwick County have the ability to buy flood insurance as required when holding a federally backed mortgage. In doing so we agree to manage the flood plain as identified by FEMA's (Federal Emergency Management Agency) flood insurance rate maps. There's been a study done on a couple streams in West Wichita, and western Sedgwick County on both Dry Creek and Cowskin Creek, resulting in 11 new map panels for that area. With that we need to adopt these to move forward. I will stand for any questions."

Chairman Norton said, "Any questions of Kelly? I see none. Commissioner Peterjohn."

MOTION

Commissioner Peterjohn moved to approve the resolution.

Commissioner Skelton seconded the motion.

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

VOTE

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

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

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

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

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

Present: 0

N [12-0228](#)

CONSIDERATION OF A GRANT IN THE AMOUNT OF \$15,000 FOR THE KANSAS JUVENILE JUSTICE AUTHORITY (JJA) TITLE II JDAI MINI-GRANTS APPLICATION. Presented by: Larry Ternes, Youth Services Administrator, Sedgwick County Department of Corrections.

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

Mr. Larry Ternes, Youth Services Administrator, Sedgwick County Department of Corrections, greeted the Commissioners and said, "I'm here this morning to present for your approval a Title II grant application to the State Juvenile Justice Authority to advance the Juvenile Detention Alternative Initiative in Sedgwick County. The application is for \$15,000 to allow Sedgwick County to partner with our Division of Information and Operations (DIO) to negotiate a statement of work with a vendor to provide the needed technology services. These funds are federal pass-through funds specifically through the State Juvenile Justice Authority. There is no funding in the 2012 adopted county budget to support this state project, excuse me, to support this project or the activities proposed in this grant application. There is no grant match requirement for this Title II [JDAI Mini-Grants] Application. Therefore, there wouldn't be any financial obligation for the county.

"Your Juvenile Corrections Advisory Board, or otherwise known as Team Justice, approved this application on April 6th. We request that you approve the grant application and authorize the Chairman to sign all necessary documents including the grant award agreement. I would be happy to answer any questions you might have this morning."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I have a question. I notice we're going to spend \$14,000 on consultants. What exactly are they going to do?"

Mr. Ternes said, "That's a good question, Commissioner. What this would allow us to do, we've partnered with DIO, Division of Information and Operations, and since there is no money to support this effort, in their budget or our budget this year, what it would allow us to do is to secure a vendor that would help us get solutions...basically this is an issue with database requirements and reporting requirements related to the Juvenile Detention Alternative Initiative that we're a partner with. There are five other, four other major counties in the state that are a part of this initiative in Kansas, and the work that this particular grant would allow us to do, the \$14,000 would allow us to contract with a vendor that DIO would work with us to advise us who to select to help develop the data analysis piece that we need to provide on the quarterly reports back to the state with this effort that we just don't have the expertise and DIO doesn't have the staff to do. So they would work with us to develop the solution, to pull that data to develop the reports out of our current database."

Commissioner Ranzau said, "So this will lead to us spending even more money."

Mr. Ternes said, "I am not sure I would agree with that."

Commissioner Ranzau said, "To find a vendor, right, to do something for us."

Mr. Ternes said, "Yes."

Commissioner Ranzau said, "And we'll pay them, then, to do whatever."

Mr. Ternes said, "Well, and \$1,000 of this particular grant would also fund overtime for staff that, this isn't budgeted in our 2012 budget, for them to assist in the gathering of the data on an ongoing basis and to refine the reports then to send up to the State Juvenile Justice Authority."

Commissioner Ranzau said, "We don't have the money in our budgets to generate our own report to submit that up?"

Mr. Ternes said, "Not with the variety that this particular initiative is requesting. All of the state partners in this, Wyandotte [County], Shawnee [County], Johnson County, and Douglass County are the other counties participating, they all had the opportunity to apply for this particular grant to assist them as well in developing these particular types of reports, drawing data from their existing databases. We're fortunate in that we are a little further along than some of the other jurisdictions, but we just don't have the, it's very complex work, very detailed, very critical work that we have to have, we believe, and our DIO partners believe, we had to have the assistance from a vendor to be able to pull the reports and design the reports that we need to provide back to the state."

Commissioner Ranzau said, "Well, you know, I am going to oppose this grant. I understand you're saying you don't have \$15,000 in your budget, but we can come up with \$15,000 within the Sedgwick County budget to take care of our own reporting system instead of having federal government pay for this."

"You know, we just spent \$22,000 in the last three months to pay Irene Hart to be our Code [Enforcement] Director, which I voted against and I believe was a complete waste of money, because now we had an interim co-director beforehand, now we have the same interim director afterwards, and we are no further along on the Code Enforcement consolidation."

"This is just one example of, this isn't related to your department, but some of the decisions we make to spend money on things that were a complete waste of time and money and then now we say we can't afford, we don't have it in the budget to do our own reports. You know I had interesting...I just don't believe that. It is a matter of priorities this is something we ought to be able to pay for ourselves. I had an interesting conversation with my son this morning in passing, he was looking on the internet, he was talking about the national debt. And I made the comment, you know that's going to be your problem, because you are going to have to pay that back. He said I'm not paying anything back, it's your problem. Well, I just had to shake my head and say, no, because little does he know, that as soon as he becomes a taxpayer, he's going to have a tax burden of \$138,182, that's as of today."

"Now, I know this \$15,000 grant that we refuse isn't going to solve all of our debt problems, but we've got to stop being part of the problem and saying we can afford"

this, we can afford that and then we spend our money on things that are a complete waste of time. At some point we have got to decide that our federal debt is a problem and we're not going to keep shoving that on the future generations and our children and making it their problem. I think it's irresponsible. And in this case, it is absolutely unnecessary. Thank you."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Larry, this Annie E. Casey [Foundation] Initiative is a national initiative."

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

Commissioner Unruh said, "And our participation is, it requires the whole state to be involved, or the five urban counties, we are a partnered with four other counties, and perhaps we're not as, we're more advanced than they are in taking care of our juvenile detention issues. But we are partnering with them so they can benefit from a group effort in trying to find best practices, is that..."

Mr. Ternes said, "That's correct, sir."

Commissioner Unruh said, "But they need us all to participate. Sedgwick County is a key player in this, and Larry, is the goal that as we understand statistics on alternatives to detention for juvenile offenders, it will have the end result of making our systems more efficient and less costly?"

Mr. Ternes said, "Absolutely, Commissioner. We are always looking at ways to reduce our population, to divert kids that are not violent kinds of kids that we're not scared of, that are just a pain to the community, trying to find other alternatives, serve those kids in the most appropriate manner without locking them up. This alternative initiative helps gives us more ideas. We're very far along in that path, but we believe there's always room for improvement, and this is why we're involved in this initiative."

Commissioner Unruh said, "Well, on a statewide basis, the other urban counties can benefit from our positive experience. And as you said, we can learn more things that will provide effective alternatives and still maintain public safety at a lower cost. You know, we are on the adult side, we get real concerned because we have an audited average daily cost of somewhere in the \$75 range, and we've worked real hard now to have alternatives that are wise and useful that reduce that cost. On the juvenile side, the average daily cost is over \$200 for a juvenile detention, and yet if we can provide alternatives that reduce debt, we have an opportunity for great savings locally, and can be a great support to the rest of our urban counties and the State of Kansas, which is beneficial to the state.

"So we need to go through these difficult exercises of measuring what we are doing so we can know what is a verifiable and true alternative in order to save money and do the right thing for the offender and do the right thing for our public treasury, so I think that this provides us a resource to do that, and the Annie E. Casey Foundation, this is the job they are in, to stimulate our activity, to provide these funds for us, so I will be supportive of the agenda item. That's all I have, Mr. Chair."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Let me ask this question so I fully understand the implications of what we have today. If, for instance, this Commission rejected this grant this morning, would this shut down the program and the rest of the state, or would it just put us in the position where we would fund this with local funds and the program would continue in the other four largest urban counties without our participation?"

Mr. Ternes said, "If this Board rejected the application, and the opportunity to receive these funds, it would go back into a pool that the other four counties would then be in a competitive process that they would compete for those \$15,000 that Sedgwick County didn't attempt to obtain. Right now it's not competitive, but it would be at that point. If we are not granted or if the Board decides not to approve this application, then we would have to decide how else we could try to get this work done, but just to be up front, we didn't have the money in our 2012, and these dollars are only available for a short time, limited period. They have to be expended, I believe, by June 30th of this year, so they are only good for a short period of time, it would give us an opportunity to work with a vendor to get the data out of the system, get the reports designed, that would meet the requirements for the initiative, but I can't answer you fully today, Commissioner, what would happen if we are not, if we aren't able to move forward with the application, I'm sure we would work to try to find other solutions."

Commissioner Peterjohn said, "I am trying to understand the implication of everything. Now, let me ask about the Annie E. Casey Foundation, because I first heard of them, gee, it's going almost 20 years ago back when they were involved with the HillaryCare, federal healthcare legislation back in the 1993-[19]94 time frame. And a very large, a prominent foundation, now is there Annie E. Casey Foundation money that's involved in this program in some way, and if so how?"

Mr. Ternes said, "Yes, sir. They are basically the entity that organizes the activity around the State of Kansas. As a matter of fact, today there is a meeting in Topeka that Dr. Dolores Craig[Moreland] and Tom Kimball, from our Juvenile Intake and Assessment Center, are intending to take a look at risk assessment instruments that are being, they're being proposed to be used statewide. That's one activity. "Then just this Friday we have a very large meeting at the Juvenile Detention Facility that Annie E. Casey [Foundation] is, they are providing the leadership for that particular effort with a coordinator that's coming from, I believe he's from Georgia, an attorney from Georgia that's going to help chair the activity. To talk about the purpose of detention, so that all of the stakeholders that we have invited, including judges, attorneys, a parent from the community, other community people that are involved in the work that we do can have an idea what we are trying to accomplish and what should try to be accomplished through the Annie E. Casey effort in this initiative."

Commissioner Peterjohn said, "Let me understand then, is there a model like, I guess, a Georgia model that is being propounded by Annie E. Casey that we should follow, and that's why we have somebody from Georgia coming in?"

Mr. Ternes said, "Well, he is an employee of the Annie E. Casey Foundation, and he's hired to organize and to lead these activities in different communities. And I believe he is also going to the coordinator for the other four sites as well that I mentioned previously."

Commissioner Peterjohn said, "Is there another state, or is there a model that we're looking at following that they are proposing that we move towards, and if so, where?"

And how would it differ from what we're doing today?"

Mr. Ternes said, "The model is actually called the JDAI, or the Juvenile Detention Alternatives Initiative. That's what many other states across the United States are involved with, there's some locations that are further along than Sedgwick County. But many of our partners across Kansas are not as far along as we are in our efforts to improve our detention continuum here in Sedgwick County, to make sure we as citizens of this community are doing our very best to make sure that only the worst offenders that really need to be locked up in detention are locked up. So there are other sites across the United States that the Annie E. Casey Foundation has worked with for a number of years. Kansas is coming along not at the beginning or the forefront of this activity, but I wouldn't know whether we are in the middle of it, certainly not on the tail end of it, but we're probably, I would guess probably in the middle of this activity that's going on across the country."

Commissioner Peterjohn said, "Well let me ask you, we've had a lot of experience with our problem with the jail population in terms of programs to try to get non-violent and kind of the knuckleheads, as opposed to people we're scared of as one category, and we want them locked up, but people who we're just sort of mad at, because for one reason or another they may have violated or been charged with violating a statute, I am trying to understand what type of program we're talking about here. This grant and our effort to request to approve this grant today would, what type of program are they considering that the five largest urban counties in Kansas should be looking at potentially following to move us in that direction?"

Mr. Ternes said, "I'm glad you mentioned the jail effort. I would, for your benefit this morning, I would compare this to the jail effort. It's our attempt to partner with the Annie E. Casey Foundation and these other sites to learn from them about things that have been used in other parts of the country to reduce the community's need for incarceration of juveniles. We think we do a very good job with that. We have great partners in this community, the District Court, the District Attorney's offers, that partner with us on our population every day.

"But there are just things and opportunities, similar to what the jail has experienced, that we just weren't aware of or we weren't smart enough to figure out how to do yet to reduce that population, and that's what we're about. We're about trying to keep the most serious kids in detention and looking for alternatives to reduce the county's cost, and also to do what's best for kids. So yes, there are similar efforts going on around the country. And I think the best analogy would be what you used, Commissioner, about the jail effort. Because it's very similar to that."

Commissioner Peterjohn said, "Well, I was just interested in terms of the specific areas or programs that we might have with adult detention that there are apparently possibly talking about for juveniles in terms of moving in that direction. Of course, that somewhat begs the question of why we couldn't just kind of go ahead and do that on our own as opposed to following what, whether the experts from Georgia or anywhere else might be recommending."

Mr. Robert Lamkey, Director, Public Safety, greeted the Commissioners and said, "Mark Masterson and I had a conversation about this when he had the opportunity to get engaged in this process. The fact of the matter is Sedgwick County and the State of Kansas and a lot of places across the nation is considerably far ahead in the diversity of services that we provide kids, and that's really quite evident by the relatively

large spaces that we have that are not filled by kids in detention, or in our detention facility. So we are ahead of the power curve. We entered this process to collaborate with the other large counties in Kansas to support a statewide effort that came down from the JJA folks about helping the State of Kansas model programs and efforts that will reduce the detained population across the state. I think we are going to be giving more than we're getting out of this program, quite frankly, but it places us in a leadership position, part of this grant is to provide the consolidated database so that everybody at the state level can look at what's going on and we can collaborate to help each other develop systems and programs and alternatives that benefit kids throughout the State of Kansas. So, you know, Larry is being modest, and I won't be nearly so. We're pretty far ahead in this process.

"If you look at what you support from prevention funds through juvenile detention, weekend alternatives, I mean, there is a whole spectrum of things here that we do. So I'm, Mr. Peterjohn, I think what this program really does is it helps jurisdictions, look at best practices, what are things out there, and make data-driven decisions as individual jurisdictions with recommendations and ideas on how to more effectively deal with kids to divert them out of the criminal justice system, to get them early and provide database, evidence-based interventions that will really help them not come to our jail in the future."

Commissioner Peterjohn said, "I couldn't agree more in terms of obviously the challenge on the juvenile side has been to try to prevent young people from ending up in the adult facilities down the line. I can think of several cases where, in fact, two individuals in particular, who absolutely committed heinous crimes as adults, my understanding is they have been through the juvenile system. That's not an infrequent occurrence. And that's why there's dimensions to this request that go beyond just the aspect, the federal grant.

"All the indications I've had from you, Mr. Lamkey, and from Mr. Masterson, that we have been at the forefront, and have been a leader in this area, as opposed to trying to pick up. And that's why when I saw this grant application on here, and we had some discussions, in terms of the necessity of participating, had me scratching my head a little bit, because the whole goal is trying to keep this community safe at as reasonable price as possible, and whether it's from juveniles or adults, the challenge is out there, and obviously what other folks are doing in other parts of the country is certainly of interest, but the information I've had is we're more in front than behind. I so I'm not sure, you know, what benefit we are going to be getting by proceeding with this grant."

Mr. Lamkey said, "Let me give you one example of, because we're still learning in this process, and Mark stays engaged in the juvenile justice community across the nation. We have a weekend detention alternative, which basically happens in the gym. Kids come for the weekend, which would in the past have been sent to our detention facility. Where did the idea come from? It came from Oregon. So we're good at taking other people's good ideas and incorporating. And that's part of this process for us, is to understand what's going in elsewhere and take those good ideas, but again, I would suggest for really a very nominal effort on our behalf, we could also contribute to the benefit of kids throughout the State of Kansas by engaging our colleagues in the

urban communities and understanding what we do and the way we do it in this process. It is an organized way of making this happen.”

Commissioner Peterjohn said, “Thank you.”

Chairman Norton said, “Commissioner Ranzau.”

Commissioner Ranzau said, “Thank you Commissioner. Yes, I want to make it very clear, I am not opposed to this process that you are doing. I think it makes sense, it is where the money is coming from. Not only have we spent \$22,000 last month needlessly on Irene Hart, today we spent \$20,000 for a corporate welfare program that doesn't even work. It is a matter of priorities. I think our community would be better served having spent \$15,000 of our own money on this particular program and not having spent the original \$20,000. And I think that's what I am talking about priorities of where we should put our money.

“We often, when we get the money and it's perceived as free money from other sources we often make different decisions than when we are forced or make decisions to spend our own money. And I do think this is a worthy cause. I can find \$15,000 in Sedgwick County budget to pay for this. But I just want to clarify that I understand what you are trying to do. And I support those efforts, because it makes sense, not only is it good for the individuals in the community, it is good for the taxpayer as well. Thank you.”

Chairman Norton said, “At this point I would entertain a motion.”

MOTION

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

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Norton said, “Thank you, Larry.”

Mr. Ternes said, “Thank you, Commissioners.”

Chairman Norton said, “Next item.”

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

No: 1 - Commissioner Ranzau

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

Present: 0

O [12-0270](#)

A RESOLUTION AUTHORIZING THE TRANSFER AND USE OF MONEY FROM THE REGISTER OF DEEDS TECHNOLOGY FUND PURSUANT TO K.S.A. 28-115a.
Presented by: Bill Meek, Register of Deeds.

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

Chairman Norton said, "Welcome, Mr. Meek."

Mr. Bill Meek, Register of Deeds, greeted the Commissioners and said, "In accordance with K.S.A. 28-115a, I have determined that the balance of the Register of Deeds technology fund at the end of the 2011 calendar year is greater than \$50,000, and that \$200,000 is not needed by my office for technology purposes. K.S.A. 28-115a also allows, therefore provides for the Board with the authority to transfer those funds from the Register of Deeds technology fund to the county fund to be used by the county's offices for equipment or technological services related to land or property records filed and maintained by the county. My recommendation is you accept the resolution and sign it accordingly."

Chairman Norton said, "This is something we do every year, Bill, the dollar amount changes, but it is certainly something we've done for several years."

Mr. Meeks said, "Yes, indeed, Commissioner. We try to do it every year."

Chairman Norton said, "Okay. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Just a quick question, Mr. Register of Deeds, help me out in terms of how this amount compares to past years. In terms of the amount available for transfer, and if there's any insight on why that amount has changed from, say, last year or the year before."

Mr. Meek said, "Yes. When we first started this program in 2003 through the legislature, we have been able to transfer over to the county approximately 43 percent of the monies that we had collected of the total amount, so that you could use in your technology fund. What we do every year is that we try to budget our technology needs and services accordingly, and as we do that, then the money that's left over we have refunded back to the county. The lowest amount that we have ever given is \$200,000. The largest amount that we have given is...\$938,000. And that was in the beginning years because we didn't have a plan yet put together. So I hope that answers your question."

Commissioner Peterjohn said, "It certainly does. Appreciate the information, Mr. Meek, and hope you don't mind me forcing you to put your glasses on."

Mr. Meek said, "That's fine."

Commissioner Peterjohn said, "Thank you."

Chairman Norton said, "Commissioners, we have the presentation, and I would entertain a motion to accept the \$200,000, and the transfer and use of the money."

MOTION

Commissioner Peterjohn moved to adopt the resolution and authorize the Chairman to sign.

Commissioner Ranzau seconded the motion.

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

VOTE

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

Mr. Meek said, "Thank you."

Commissioner Unruh said, "Mr. Meek, you are welcome any time."

Chairman Norton said, "Next Item."

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

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

Present: 0

P [12-0289](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON
APRIL 12, 2012.

Presented by: Joe Thomas, Acting Director, Purchasing Department.

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

*Mr. Joe Thomas, Acting Director, Purchasing Department, greeted the Commissioners
and said, "The meeting of the Board of Bids and Contracts of April 12th results in nine
items for consideration. Item 1;*

1. 2012 LATEX MODIFIED SLURRY SEAL (R-175C)-PUBLIC WORKS
FUNDING -PUBLIC WORKS

*"Recommendation is to reject all bids due to the bids exceeding the engineer's
estimate by an additional 16.9 percent to 17.8 percent. Item 2;*

2. 2012 BOND TEKK (R175-J) -PUBLIC WORKS
FUNDING -R175PREVENTIVE MAINTENANCE -SELECTED RDS.

*"Recommendation is to accept the low bid from LaFarge North America in the amount
of \$953,619.00. Item 3;*

3. TIMBER PLANKS -PUBLIC WORKS
FUNDING -R264 IMPROVE DRAINAGE RIGHT OF WAY -12

*"Recommendation is to accept the low bid from Bayou Forest Products, Inc. for an
initial purchase of \$63,850.00 and establish contract pricing for one year with two
one-year options to renew. Item 4;*

4. CORRUGATED STEEL PIPE -PUBLIC WORKS
FUNDING -R264 IMPROVE DRAINAGE RIGHT OF WAY -12

*"Recommendation is to accept the low bid from Welborn Sales, Inc. for an initial
purchase of \$39,383.75 and establish contract pricing for one year with two one-year
options to renew. Item 5;*

5. CM-B GRAVEL -PUBLIC WORKS
FUNDING -R175 PREVENTIVE MAINTENANCE-SELECTED RDS

*"Recommendation is to accept the low bid from Bentley Sand Co., LLC for an initial
purchase of \$36,000.00 and establish contract pricing for one year with two one-year
options to renew. Item 6;*

6. TIRE RUBBER MODIFIED SURFACE SEALER -PUBLIC WORKS
FUNDING -R175 PREVENTIVE MAINTENANCE -SELECTED RDS.

*"Recommendation is to accept the bid from Wright Asphalt Products Co. for an initial
purchase of \$52,800.00 and establish contract pricing for one year with two one-year
options to renew. Item 7;*

7. CHFRS-2P EMULSIFIED ASPHALT -PUBLIC WORKS

FUNDING -R175 PREVENTIVE MAINTENANCE -SELECTED RDS.

"Recommendation is to accept the low bid from Ergon Asphalt & Emulsions for an initial purchase of \$350,506.00 and establish contract pricing for one year with two one-year options to renew. Item 8;

*8. ASPHALT MELTING/SEALING MACHINES --FLEET MANAGEMENT
FUNDING --FLEET MANAGEMENT*

"Recommendation is to accept the low proposal from Paving Maintenance Supply Inc. in the amount of \$117,693.00 and establish contract pricing on parts and labor for three years. Item 9;

*9. F5 NETWORKS LOAD BALANCING DEVICE, INTEGRATION &
SUPPORT -- DIVISION OF INFORMATION & OPERATIONS
FUNDING -DIVISION OF INFORMATION & OPERATIONS*

"Recommendation is to utilize Kansas State contract 07745AA at a rate of 27 percent off list price for F5 products and six percent off list price for F5 maintenance through August 31, 2012 with five one-year options to renew as identified by the State [of Kansas].

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

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Joe, on Item 7, could you walk through those bids, it appears to me, four responses and you said the lowest bid was the Ergon Asphalt & Emulsions. But I was trying to understand the difference there."

Mr. Thomas said, "Yes, sir. The table represents two options for delivery. One is if the county was to pick up and haul, which is the first boxes, and the second one would be if the vendor would deliver to various county locations. And so with Ergon Asphalt & Emulsions the difference was 7.3 cents per gallon, so it was determined, it would be in the best interests of the county to have them deliver."

Commissioner Peterjohn said, "Okay, so we had to factor in then the delivery cost."

Mr. Thomas said, "Yes, sir."

Commissioner Peterjohn said, "In terms of that bid, I appreciate the clarification, thank you."

Chairman Norton said, "I see no other lights, we have the report of the Board of Bids and Contracts in front of us. What is the will of the Board?"

MOTION

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

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Norton said, "Next item."

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

Chairman Norton said, "Thanks Joe."

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

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

Present: 0

CONSENT

- | | | |
|---|-------------------------|--|
| Q | 12-0242 | A resolution to authorize destruction of Treasurer Tax records 1989-2008 (DISP 2012-134 TRS-Tax). |
| R | 12-0243 | A resolution to authorize destruction of Health Department records 1989-2005 (DISP 2012-137 DIO-Health). |
| S | 12-0244 | A resolution to authorize destruction of Health Department WIC records 2001-2005 (DISP 2012-136 Health WIC). |
| T | 12-0252 | Order dated 03/28/2012 to correct tax roll for change of assessment. |
| U | 12-0273 | Order dated 04/09/2012 to correct tax roll for change of assessment. |
| V | 11-1292 | General Bill Check Register. |
| W | 11-1291 | General Bill Check Register. |

X [11-1254](#) Payroll Check Register.

Mr. Buchanan said, "Commissioners, you have Consent Agenda before you. And I would recommend you approve it."

MOTION

Commissioner Unruh moved to approve the Consent Agenda.

Commissioner Skelton seconded the motion.

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

VOTE

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

OTHER

Chairman Norton said, "Okay, we are to 'other'. Any other items to come before us today? Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I have a couple items. First, I want to talk about a Wall Street Journal article I just ran across last night entitled 'California Declares War on Suburbia', it says 'Planners want to herd millions into densely packed urban corridors. It won't save the planet, but it will make traffic worse.' It says metropolitan area governments are adopting plans that would require new housing to be built at a density of 20 or more, in some areas up to 30 houses per acre, and the bay area governments have proposed that only three percent of new housing built by 2035 would be allowed on or beyond the urban fringe.

"If planners have their way, 68 percent of new housing in southern California by 2035 would be condos and apartment complexes. This is where you get to if you go down the road to sustainable development. That's what, this is one aspect of sustainable development. So I wanted to share that with my fellow Commissioners that supported this, as well as Wichita City Council members I will be e-mailing to them as well. Granted they are further along down that road of sustainable development, but this is what sustainable development means to the planners and to the people that support this. Your suburban areas are bad, you need to have 20 or 30 more housing units per acre, and of course there's limits on where you can and cannot go. So this is a clear example of where we're heading if we continue down that road.

VISUAL PRESENTATION

"Secondly, on a lighter note, I guess, I had the opportunity about two weeks ago to go out and see a non-profit called Carpenter Place which is on north Meridian. I must admit I have been to the Maude Carpenter Gym, all my kids have played Funball there, but I never really knew exactly what happened there. Maude Carpenter Place, this is their address, their phone number, if you go to the next slide, provides treatment for safe homes, education, hope for girls in crisis, ages 16 to 21. They are a totally privately funded non-profit. And in working with the non-profit chamber, one of the biggest problems they have is getting the word out about some of the non-profits that exist in our community. Talking to people there, I am not the only person who has heard of Maude Carpenter Gym, or been there with Funball, there are a variety of recreational areas there, and they find a lot of people don't know what they do.

"So this is an effort to get the word out. They have a couple needs. Obviously they are always looking for financial contributions, because they are all privately funded, and any donations or help you would like to give them, they would be happy to take. Also, they are under new management, so they have been successful, they are changing the way they are doing things. They are now having e-school through Little River Kansas, which the girls involved there do this electronically over the internet and having very good results. Girls come in behind, and they get caught up, they accelerate and even end up taking college classes then.

"But as a result of those success, they also have some openings. So if you know of a girl in this age group that's in crisis, whether it is in your family or someone you know

or your neighborhood or in church, a lot of the support does come from churches. And if your church is looking at supporting a non-profit I would suggest you look into this. They are also looking for more girls to come in that they can help, because as I've said, they have made some very significant changes and those changes have led to more success. I wanted to help get that word out there. If you have any questions there's the number and website. And I appreciate your time. Thank you."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I am going to segue off and second my colleague's comments, both about the very interesting article that has been in the Wall Street Journal about the sustainable development issue, as well as talking about Maude Carpenter and the Carpenter [Place] complex. They have done great work over the years, and at one time I had the privilege to participate in the program up there. Certainly wish them well going forward."

"I would like to provide my weekly update in terms of the population in custody in the Sedgwick County Jail. We've got total population of 1,456, broken down with 1,085 in the main jail facility, 127 in Work Release, that's the highest number in Work Release in quite a while. And 244 out of county. It's broken down in terms of security classification, the maximum security, 508; medium, 587; and minimum, 336."

"On a lighter note, I would like to, I had mentioned earlier, the Link 4 Life event down at [Old] Cowtown [Museum] on Saturday morning. And even though the weather looked ominous, actually from a running perspective, it was a pretty good day. It wasn't too warm, it was a little windy, but I've seen running conditions in April a lot worse, and everybody seemed to have a great time at this significant event. I was delighted to be able to help start several of the races and wanted to just thank the sponsors, Papa John's Pizza, they provided pizza at the finish for the pizza party. Better ingredients, better pizza they like to say. They had some folks out dancing in the street after the event. Lamar's Donuts were also a big hit for kids of all ages, and we had some other great sponsors, including Highland Dairy foods, First Wireless, City Print, Starbucks, Via Christi Health, Intrust Bank Arena, Totally Legal Sound and Lighting, McGinnis Family Foundation, and of course the Substance Abuse Center of Kansas, as well as Sedgwick County COMCARE."

"But there were a lot of folks from Sedgwick County who were involved in this beyond COMCARE, including a lot of folks with the Sheriff's office and also the Health Department, and I want to thank everyone, the kids from the school had a great time, participated extremely well. I think it was a wonderful event. I'm delighted that the weather held off, because it certainly looked at times that it might be touch and go."

"On another also fairly lighter note, I want to say go [Wichita] Thunder [Hockey]. They have gone further than I can recall in a while in their Central Hockey League, and want to certainly wish them well. They are on the road trip portion of this championship playoff that they're in at the moment, but I think they have had a great season regardless of what happens from here on out. But I'm expecting, well I don't want to jinx them, I will just leave it at that. Thank you, Mr. Chairman."

Chairman Norton said, "Okay. I see no other lights."

Mr. Euson said, "Chairman, if I could, Richard Euson, County Counselor. I just wanted to confirm that the expiration for the Salem Township trustee is January 13th in 2013."

So that election that does come up this year, in answer to Commissioner Peterjohn's question."

Commissioner Peterjohn said, "Thank you, Mr. Counselor."

Chairman Norton said, "Okay. At this point we need an Executive Session."

MOTION

Commissioner Skelton moved that the Board of County Commissioners recess in to Executive Session for 15 minutes to consider consultation with legal counsel on matters privilege in the attorney client privilege relating to potential litigation and legal advice and that the Board of County Commissioners return no sooner than 11:32 a.m.

Commissioner Unruh seconded the motion.

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

VOTE

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

EXECUTIVE SESSION

The Board of County Commissioners recessed into Executive Session at 11:18 a.m. and returned at 11:42 a.m.

Chairman Norton said, "We're back from Executive Session according to state statute, we took no binding action while we were in Executive Session. Mr. Manager, anything else?"

Mr. Buchanan said, "No, sir."

Chairman Norton said, "Mr. Euson, anything else?"

Mr. Euson said, "No, sir."

Chairman Norton said, "Okay, if there's nothing else to come before us, we are now adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:42 a.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

*TIM R. NORTON, Chairman
Second District*

*DAVID M. UNRUH, Commissioner
First District*

*KARL PETERJOHN, Commissioner
Third District*

*RICHARD RANZAU, Commissioner
Fourth District*

*JAMES B. SKELTON, Commissioner
Fifth District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
