

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



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Meeting Minutes - Final

Wednesday, August 1, 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

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

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, August 1, 2012, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim R. Norton, with the following present: Chair Pro Tem James B. Skelton; Commissioner David M. Unruh; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Marilyn Cook, Executive Director, COMCARE; Ms. Dee Staudt, Director of Outpatient Services, COMCARE; Ms. Tabitha Lehman, Election Commissioner; Mr. Larry Ternes, Youth Services Administrator, Department of Corrections; Mr. Troy Bruun, Deputy Chief Financial Officer; Mr. Ron Holt, Assistant County Manager; Mr. Joe Thomas, Acting Director, Purchasing Department; Mr. Scott Hadley, Director, Emergency Medical Services; Ms. Kristi Zukovich, Director, Communications; and Ms. Angela Lovelace, Deputy County Clerk.

GUESTS

*Mr. Richard Klemp, Director of Government Relations, Kansas Star Casino
A.J. Boleski, General Manager, Intrust Bank Arena*

Chairman Norton said, "Before I call the first item I'll call the attention of everyone to think about U.S. (United States) Army sergeant Erik Nathaniel May. He was buried yesterday, or had a service in Valley Center. He was assigned to the 2nd Battalion 16th Infantry Regiment and had a couple of duties in Operation Freedom and over in Afghanistan. His parents, Carla and Leonard Kryston, live in this area and we honor his service. He's kind of a local boy that has served his country, but paid the ultimate sacrifice. So, let's keep him in our thoughts today. So, Madam Clerk, call the first item."

INVOCATION: Moment of Silence.

FLAG SALUTE

ROLL CALL

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

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

CONSIDERATION OF MINUTES

A [12-0597](#) REGULAR MEETING MINUTES OF JUNE 27, 2012.
Chairman Norton was absent.

Chairman Norton said, "Commissioners, you have the minutes before you of June 27th, what is the will of the Board?"

MOTION

Commissioner Skelton moved to approve the Regular Meeting minutes of June 27, 2012.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Norton said, "Next item."

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

Abstain: 1 - Chairman Norton

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

Present: 0

PROCLAMATIONS

B [12-0598](#) PROCLAMATION DECLARING RESPONSIBLE GAMING EDUCATION WEEK.

Read by: Chairman Tim Norton.

RECOMMENDED ACTION: Adopt the proclamation.

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

WHEREAS, the Kansas Star Casino contributes to the Sedgwick County and regional economies by currently employing 600 people and paying more than \$15 million in payroll and benefits annually; and

WHEREAS, the Kansas Star Casino also supports public services through the generation of about \$25 million in state and local tax revenues during the first six full months of 2012, investing in capital improvements throughout the community, donating \$1.5 million annually to scholarships for South Central Kansas students, and increasing tourism; and

WHEREAS, the Kansas Star Casino is committed to responsible gaming throughout the year and uses its resources to promote responsible gaming including prominent display of the toll free helpline 1-800-522-4700 and the 'Getting Help is Your Best Bet' slogan on the gaming floor and in marketing materials; and

WHEREAS, the Kansas Star Casino devotes significant resources to continuous employee education and awareness including urging its employees to be ambassadors and share this important message within their communities.

NOW, THEREFORE BE IT RESOLVED, that I, Tim Norton, chairman of the Board of Sedgwick County Commissioners, do hereby proclaim July 30th-August 3rd as

'RESPONSIBLE GAMING EDUCATION WEEK'

which is an effort to raise awareness among casino employees, patrons and the public about the importance of responsible play, and encourage residents struggling with a gambling problem to call the Kansas Problem Gambling Helpline at 800-522-4700 or COMCARE at 660-7540. Getting help is your best bet!

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

MOTION

Commissioner Skelton moved to adopt the proclamation.

Chairman Norton seconded the motion.

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

VOTE

Commissioner Unruh

Aye

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

Chairman Norton said, "And with us today is Richard Klemp of the Kansas Star Casino and he's the Director of Government Relations. Welcome Richard."

Mr. Richard Klemp, Director of Government Relations, Kansas Star Casino, greeted the Commissioners and said, "Thank you, Mr. Chairman and members of the Commission. We very much appreciate this honor and this proclamation. Responsible gaming is a core value of our company and our operations and this proclamation serves to underscore that. It's a continual effort on our part, and this will be meaningful to our customers and employees and everyone involved in it our operations. So we again thank you so much and appreciate your support."

Chairman Norton said, "Thank you for being here today. I know you are in the process of opening the whole casino footprint and as you do that, we hope that all of our citizens can enjoy the entertainment value, but not go too far with it. And you, hopefully there's mechanisms in the community, not only through the casino, but through our wrap-around services at the county that help people take care of any problems that they may have. I also know that Marilyn Cook is here today. I don't know if you want to say a word or two, or not. Because the proclamation does talk about COMCARE, too, and I know Dee is here too."

Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioners and said, "Actually we knew this proclamation was going to be announced today. And Dee Stout, who is our Director of Addiction and Outpatient Services, has some statistics on the number of people that have been coming for help, if she could come up and share those, that would be great."

Chairman Norton said, "That would be fine."

Ms. Cook said, "Thanks."

Ms. Dee Staudt, Director of Addiction and Outpatient Services, COMCARE, greeted the Commissioners and said, "This information is just hot off the presses, I received it yesterday from Jean Holthaus, who is the Problem Gambling Specialist for the State of Kansas. And she shared with me since fiscal year (FY) 2011 there are a total of 36 Kansas residents who receive treatment through the problem gambling and other addiction fund, it's a very small number of individuals making use of those funds. Six of those were in Sedgwick County for 17 percent of the clients that actually received support from the problem gambling fund in the State of Kansas for fiscal year [20]11. For FY [20]12, there were a total of 122 Kansas residents who accessed those funds for treatment for problem gambling, 34 of those were Sedgwick County residents, and we served a total of 18 out of the 40 problem gamblers at Sedgwick County who sought treatment for that during those two years.

"The Problem gambling and other addiction fund also allows for treatment for individuals who are concerned others, so not necessarily for the problem gambler himself or herself, but also if you are a spouse or a loved one of someone who has a gambler problem, you can seek treatment for yourself. And of the concerned others, there were a total of 5 concerned others treated in 2011, and 18 in 2012, and that was

for the state again. Numbers are very, very small in comparison to what the national prevalent statistics would tell us, in terms of who would be affected by a problem with gambling.

"In Sedgwick County, we served three concerned others, and COMCARE treated two of those. We have four Kansas certified gambling counselors employed at COMCARE, one of those is also a problem gambling interventionist, so we've really invested our community resources, I think, or our resources at COMCARE well to position ourselves to be able to support the community with this particular issue. National prevalence statistics would tell you that three to six percent of the general population will have a problem with gambling. That's 15[,000] to 30,000 of our Sedgwick County residents. And another .9 percent of those will become pathological gamblers, which is the more severe form, and that's another 4,500 residents. So you can see that the potential is there for this to be a problem, we believe that we're positioned well to respond to the need in our community, but just in looking at the numbers of people who are already taking advantage of that, you can see that we still really need to get the word out there about that resource."

Chairman Norton said, "Well hopefully today we'll do some of just that."

Ms. Staudt said, "Thank you."

Chairman Norton said, "Richard, we'll give you the last word. Thanks for coming today."

Mr. Klemp said, "Thank you very much. Appreciate it."

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

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

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

Present: 0

NEW BUSINESS

C [12-0599](#) UPDATE ON THE AUGUST 7, 2012 PRIMARY ELECTION AND
VOTER ID REQUIREMENT.

Presented by: Tabitha Lehman, Election Commissioner .

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Ms. Tabitha Lehman, Election Commissioner, greeted the Commissioners and said, "I would first off like to apologize, I'm suffering from a summer cold, so if I cough or you can't understand me, I'm sorry. Well obviously our election is less than a week away now. We are ramping up and getting ready for that. I am just going to go through this for you. Redistricting in Sedgwick County had a lot of changes for many of the voters here. Whether it was County Commission, state senate representative or state school board, we also will continue on throughout the end of this year and beginning of 2013 with the cities and school districts still to do the redistricting.

"Because of the amount of changes, we felt it was a good idea to send everyone a card letting them know what their new district was, and also reminding them to bring their IDs (identification) when they go to the polls to vote. Those cards contained information about the registration, where they should go to vote, their districts, and again a reminder. We did send that out to all of our active voters. Of course we've already had several elections in Sedgwick County since the new law was passed, so this is just another basic rundown for everyone. Every voter must show government-issued photo ID when voting. If you are requesting a ballot, you must write your driver's license number on the application or send a copy of ID with that application. The acceptable forms of ID are listed there.

"We also have some, we've been handing out a lot of flyers at our office and different events where we've gone to speak and trying to do public education on it. We will be using our electronic poll book at most of our sites. We decided to not have them at the smaller sites in the outlying areas of the county for, just for the purpose of being able to trouble shoot those more efficiently if we didn't have to drive 30 to 40 minutes for a call. Plus, those smaller sizes just don't need the line control that the poll books provide. The poll workers are, again, able to scan the bar codes on driver's license and pull up the voter's file, making it more efficient to check someone in. We have our large 'vote here now' banners, which you can see outside of historic courthouse right now, for our advanced voting sites.

"Communications sent out 1,500 flyers to city halls, neighborhoods, and senior centers. And we have all of our 62 sites fully manned and staffed with sufficient voting equipment for this election. I don't think it's going to be a really high turnout. I was looking at the numbers this morning and in 2008 we had about 15 percent voter turnout, and for that we should have already received almost 4,000 advanced ballots back and we've only hit 2,800 right now. So, we are looking kind of low on our numbers, so I am hoping people, their interest will be piqued and they will come, but we don't have as many races. 2010 we had 25 percent voter turnout, but we had U.S. Congress race that was hotly contested. We just don't have the races that are garnering that kind of interest this election cycle. Advanced voting in person began in our office on the 25th, and will continue until the Monday before the election at noon. Our advanced voting centers will open at noon tomorrow, and there are 15 of those.

"I would point out that one of those sites has changed. Maranatha Worship Center was not available this year and so we moved that to Greenwich Road Church of Christ. Other than that, the sites are the same. So you can use, you can go to www.voteks.org to find your polling place, view your sample ballot and track your mail advance mail ballot. Obviously the voter registration for this election has passed, but we have voter registration for the general election will be coming up. We will begin processing registrations again on August 8th, and the registration deadline for that will be October 16th. You can register to vote also through www.voteks.org, or you can use the website here which is really long and I am not going to...or you can come to our office and register to vote. So, as always if anybody has questions, they can contact us directly and we will do our best to help them."

Chairman Norton said, "Well I stopped by your office the other day and everyone was still smiling that I ran into, so I thought that was encouraging..."

Ms. Lehman said, "Yes."

Chairman Norton said, "They're not under too much stress with everything that's going on. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. Mr. Chairman, I'm sorry, I wanted to make sure I heard you correctly. Did you say 2,200 or 2,800 that was the county wide advance vote?"

Ms. Lehman said, "Well 2,800 people had returned their by mail ballots to us. We had, I think, 725 people vote in person."

Commissioner Peterjohn said, "Oh, okay, so in terms of early votes you have had about 3,500 county wide? Okay. Well, just one other comment. I noticed that list of sites for where there's going to be satellite voting starting up as you mentioned. I know in my neighborhood where I vote we vote at a church. And there seems like a very large number of the voting sites that you've got listed up there are religious buildings, churches in this community, and I wanted to publicly commend them. There is a lot of talk about separation of church and state, but I'm glad that they are providing facilities. I don't know how we'd conduct the elections without them. Thank you, Mr. Chairman."

Ms. Lehman said, "It would be very difficult to conduct the election without the polling locations, well it would be impossible to conduct elections without polling locations. So, yes, we do owe them a big thank you."

Chairman Norton said, "I see no other lights. Thank you, Tabitha, for the update. We encourage people to get out and vote. One of those obligations and responsibilities that you have as a citizen. Next item."

D [12-0593](#)

AGREEMENT WITH THE UNIVERSITY OF KANSAS SCHOOL OF MEDICINE - WICHITA MEDICAL PRACTICE ASSOCIATION FOR MEDICAL SERVICES PROVIDED TO JUVENILES IN THE DEPARTMENT OF CORRECTIONS RESIDENTIAL FACILITIES.

Presented by: Larry Ternes, Youth Services Administrator.

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

Mr. Larry Ternes, Youth Services Administrator, Department of Corrections, greeted the Commissioners and said, "The University of Kansas (KU) School of Medicine-Wichita Medical Practice Association has been providing medical services to juvenile offenders residing in our residential facilities here in Sedgwick County since 1998, or 1988, excuse me. This morning we are requesting your approval to continue these services on a month-to-month basis commencing on July 1, 2012, and ending on June 30, 2013. I will tell you the reason for this amended agreement and the delay in bringing it before you was due to consideration of the closure of the Judge Riddel Boys Ranch. KU has been very good about working with us in retrospect because of the discussion about the [Judge Riddel] Boys Ranch. The maximum amount payable during the terms of this agreement is \$202,414. The scope of services in the agreement remain the same as in our 2011 and 2012 agreement. This morning I request that you approve this agreement, authorize the Chairman to sign, and I would be happy to answer any questions that you may have this morning."

Chairman Norton said, "I see no lights, so you've heard the presentation. What is the will of the Board?"

MOTION

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

Commissioner Ranzau seconded the motion.

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

VOTE

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

Mr. Ternes said, "Thank you."

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

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

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

Present: 0

E [12-0618](#) PRESENTATION OF THE QUARTERLY FINANCIAL REPORT.
Presented by: Troy Bruun, Deputy CFO.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Mr. Troy Bruun, Deputy Chief Financial Officer, greeted the Commissioners and said, "You have been focused, very focused on the county's finances for the past several years, so I have nothing new to share with you this morning. But I would like to give you a recap of where we ended up, in June, and some estimates for the end of the year. Revenues and the property tax-supported funds as of June 30th, I'm showing 2009, we had \$175.3 million at the end of June in 2009, compared to this year, we have \$166 million. And being the accountant that I am, I thought what if we would have held steady since 2009. Sedgwick County would have an additional \$23.7 million in revenue.

"Expenditures in the property tax supported funds, 2009, [20]10, [20]11 and [20]12 as of June 30th, you can see in 2009, we had \$107.9 million expended in the first six months. And June 30, 2012 we ended with \$104 million. So we are making a difference in trying to match our expenditures with our revenues. The next slide puts it all together with annual, so it's annual 2009, '10, and '11, and David and budget staffs estimate for 2012 as of December 31st. You can see 2009 was the last year the county ended with a surplus in the property tax supported funds. 2010 we used \$5.3 million of the fund balance, 2011, \$7.3 million. And we anticipate to end 2012 with \$500,000 use of fund balance.

"In the Manager's recommended budget, if approved, will have \$100,000 surplus in 2013. 2014 is estimated at \$2.6 million deficit, then it increases to \$10 million in 2015. So how did we get there? Back in 2008, the blue line shows the change in assessed valuation from year-to-year, it's not cumulative. In 2008 the assessed valuation increased a little over, almost 8.4 percent, from 2007. The Commission held the mill levy rate steady. 2009, the growth started to slow, the Commission dropped the mill levy 1 mill. 2010, assessed valuation really slowed down to just over 2 percent. Again, the Commission lowered the mill levy by half a mill. 2011 the growth slowed, again, down to 1.4 percent, again, another half mill reduction. And 2012, little over half a percent growth in the mill levy held constant. In 2013, we are anticipating the first negative growth in assessed valuation in the past 19 years.

"Investment portfolio, at the end of June Sedgwick County had \$281.3 million invested, earning .56 percent. Better than our benchmark which is the one year treasury, and that was .21 percent. And of course I look back to June 2008, where we had \$406 million invested and we were earning more than 3.5 percent. Public hearing next Thursday, August 9th, then the following Tuesday, August 14th, and budget adoption Wednesday August 15th. I would be happy to answer any questions. If not, I ask that you receive and file."

Chairman Norton said, "I don't see any questions or discussion. At this point I would request a motion to receive and file."

MOTION

Commissioner Skelton moved to receive and file.

Commissioner Ranzau seconded the motion.

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

VOTE

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

Chairman Norton said, "Thank you, Troy. I'm sure we will be looking at those numbers a lot in the next two weeks, trying to figure out how our short-term budget decisions for 2013 affect the overall financial condition for the next few years."

Mr. Bruun said, "Thank you."

Chairman Norton said, "Thanks a lot. Okay, next item."

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

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

Present: 0

F [12-0325](#)

QUARTERLY INTRUST BANK ARENA REPORT.

Presented by: Ron Holt, Assistant County Manager.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "I believe each of you have hand-outs of the information being presented as well. These are our discussion points continuing each quarter, specifically relative to the SMG agreement, talking about ticket sales, community affairs, financial summary. You see for the second quarter 2012, there were a number of events, in fact, 13 events, 15 performances, with an average attendance per performance 4,476. The event schedule was helped considerably by the [Wichita] Thunder Hockey team being in the playoffs, and ended up with additional games here at Intrust Bank Arena. Second quarter 2012, over second quarter 2011, you see that attendance was down about 10,044. Tickets sold, however, was up 5,940. Gross ticket sales down \$127,277, with an average cost per ticket sold, down \$6.39. Of course all of that is depending on the type of shows drives the kinds of ticket prices, and gross ticket sales we're seeing.

"Year-to-date, through June, ticket sales, we've had 54 performances, 250,194 attendance, 221,196 tickets sold, \$5,911,040 in gross ticket sales, average cost per ticket \$26.72. And in the gross ticket sales, does not include the Winter Jam event, which is and at-the-door donation kind of event rather than pre-ticket sales. Average attendance per performance, 4,633 over the 6 months of 2012. Going into community affairs, you see the net employee wages and benefits for the second quarter, \$645,301. Anywhere from 40 to 41 employees, that's remaining pretty steady, full-time employees, anywhere from 350 to 356 part-time employees; those numbers are pretty consistent month-to-month and quarter-to-quarter. Community affairs report year-to-date through June, the net employee wages and benefits over the 6 months, \$1,315,300, and you see the, again, the full-time and part-time employee counts.

"The total number of community groups volunteering in concession stands during the second quarter, 57, they received \$84,867 in pay. The spending with Sedgwick County and Kansas Companies doing the second quarter, \$570,971. The arena folks have made seven presentations or arena tours, and have held five local events or activities. Year-to-date, those numbers, community groups volunteering in concession stands, 132, paid \$266,499, spending with Kansas, Sedgwick County Kansas companies, \$1,192,473, 12 arena presentations, or tours, and 10 local events or activities. You see the kinds of community service projects that the arena and its employees have been involved in. They continue to reach out to the community and be a part of the community in not only what they do from an organizational point of view, but what they do from an employee point of view as well.

"Moving into the financial summary, second quarter, again, I won't go line by line, but I'll just move down to the quarterly total. Number of performances 20, number of events, 18, with a net direct event income of \$56,058. Net food and beverage, \$319,017. Other net income, \$381,896. Total gross building income of \$756,971, other operating income, \$354,379, total gross billing income, \$1,111,350. Expenses during

this second quarter \$1,158,911. And so for the quarter, the results were a loss of \$47,561. Looking at the second quarter over 2012, over 2011, you see that we're about \$12,615 gross building income under this year compared to last year, other operating income we're \$27,357 to the good. Other gross income, \$14,742 to the good, year over year. Operating expenses, \$961,000, those have been, again, pretty consistent, after a year and a half, almost two and a half years of operation. Net building income by \$13,871, under this year than last year. Same time period. Year-to-date June report, again, going to the roll up numbers, year to date total, 64 performances, 52 events. Going over to the gross building income line, column, I mean, \$2,361,496. Other operating income, \$731,393, for a total gross building income, \$3,092,889. Expenses, \$2,339,615, due in the 6 month period. So the net building income, \$753,274. So while it's been somewhat of a slow quarter the first quarter was very good, and therefore we are experiencing during, over the six months a \$753,274 net building income number.

"Moving to the other numbers that we look at with you, the arena parking and transit services, you see that the quarter to date total for event parking, \$5,152 for the four lots that the city owns and the arena controls for arena events. The reason these numbers are significant, because we have that agreement with the city that should these numbers be not positive, we would pick up any subsidy there up to about, I think, \$225,000. We haven't had to do that at any time during the last two and a half years. January through June the numbers very positive, and that would give us an indication that, again, this year we would not have to have any, pay any monies to the city toward that agreement.

"Second quarter ridership, we only have those numbers through May, and we're in the process of getting the June numbers, but through May, April through May, 2 months, 2,091. January through May, 5 months, 4,071. Moving on to the sales tax reserve, see how those dollars can be used. As of June 30, we have \$11,059,919 remaining in the reserve. During the second quarter, we received \$109,245, you see the sources of those incomes. That \$100,000 from the [Wichita] Rotary [Club] is the final payment for the parking lot at 2nd and St. Francis. And then you see the expenditures, the interior signage and banner and ATM (automated teller machine) signage, those are dollars that we get from naming rights partners as a part of our naming rights agreement, but our agreement with SMG calls for those dollars to be passed on to them. These are included in the naming rights dollars, it's not the total number.

"We had emergency repair from a blower damage, \$5,085. Then you see we paid one of our payments on the Coleman Parking lot, \$10,479. Put up a fence, in agreement with the business there on the south end of the parking lot, \$3,103 that we agreed as we took down the old fence, put up a new one. Then we paid the last year's Q-line operating cost, remember, which was \$26,494, we have an agreement with the city that for the first three years, they would, we have a, it's a \$93,000 commitment, however, because of the federal funds they get, they reduced that. And this payment is for 2011. So this is the 2011 payment of \$26,494. So we've made two years part of that agreement as we talked before, we will be taking a look at, in the next couple months, whether or not we continue with that agreement. So our total expenditures there of \$118,916, the net of those taken from the end of the first quarter report gives us the \$11,059,919 balance.

"Upcoming events, things are starting to pick up again. July and August, both are fairly slow months. And we're seeing then things start to pick up again September into the rest of the year over into next year. That's the end of the report. I would be happy to answer any questions that you might have. I might also mention that A.J. Boleski, the

General Manager from Intrust Bank Arena, is here. And if you have any questions of A.J. or I, we would be happy to answer those. Thank you."

Chairman Norton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "If I could throw out a couple questions to A.J., please. I would like to begin by asking him if, how the business on a broader scale regionally and nationally is doing for venues that are similar to the Intrust Bank Arena and how we are continuing to do in our comparison with other venues around the country."

Mr. A.J. Boleski, General Manager, Intrust Bank Arena, greeted the Commissioners and said, "The Pollstar, as you know, Pollstar is a magazine that covers our industry, and those rankings just came out through second quarter. So when ask you a question like that, a good thing to do is look at those rankings. As far as in the world, we were number 62, out of, they rank the top 100. Obviously there's a lot more buildings than that. There's a lot of buildings in similar markets, similar sizes, even bigger buildings, bigger markets that don't make that list. We were 62. In the United States we were number 31. So that's a good, kind of shows you comparison wise across the country how we rank in comparison to other venues."

Commissioner Peterjohn said, "Has it changed much since last year?"

Mr. Boleski said, "Our ranking specifically? Last year we ended, it was a round number, 62, 63 in the country. So we were at number 19 through the first quarter, and now we are at 31. So we are expecting that, we always want that number to be high and we want to improve on it. It will slip a little bit in the third quarter if we have a slower third quarter, but we expect that. And fourth quarter looks to be strong. We have to bring it home in the fourth quarter."

Commissioner Peterjohn said, "How about groups touring around the country, is that about the same as last year or is that increasing or decreasing?"

Mr. Boleski said, "Well it's better than last year. We've had 11 concerts through the first 6 months this year. So good, pretty good, strong number. We expect to build on that in the next couple quarters. So far traffic looks good for [20]13 as well. So fourth quarter traffic is good and '13 looks real good."

Commissioner Peterjohn said, "Thank you."

Chairman Norton said, "Okay. I don't see any other questions or discussions. At this point I would entertain a motion to receive and file."

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Skelton seconded the motion.

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

VOTE

Commissioner Unruh Aye

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

Mr. Boleski said, "Thank you."

Chairman Norton said, "Thanks, Ron. Thanks, A.J. for being here too. Next item."

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

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

Present: 0

G [12-0622](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON JULY 26, 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 Boards and Bids and Contracts of July 26th results in four items that we're bringing to you this morning. Item 1;

1. HOUSING QUALITY STANDARD INSPECTION/RISK ASSESSOR
SERVICES-HOUSING
FUNDING –HOUSING

"The recommendation is to accept the proposal from SCKEDD and establish contract unit pricing as listed in effect through August 30, 2014. Item 2;

2. CONSTRUCT FIRE STATION #36 -- FACILITIES DEPARTMENT
FUNDING -- FACILITIES DEPARTMENT

"Recommendation is to accept the low bid from Snodgrass & Sons Construction Co., Inc. in the amount of \$1,629,500.00. Item 3;

3. SAP BASIS MONITORING AND SUPPORT SERVICES-DIVISION OF
INFORMATION AND OPERATIONS
FUNDING-DIVISION OF INFORMATION AND OPERATIONS

"Recommendation is to accept the proposal from First Basis Consulting LLC for an estimated five year cost of \$174,000.00 and an hourly ad hoc support rate of \$120.00 per hour. Item 4;

4. 2012 AMBULANCES --FLEET MANAGEMENT
FUNDING --FLEET MANAGEMENT

"Recommendation is to accept the proposal from American Emergency Vehicles (AEV) in the amount of \$648,344.00 and establish contract pricing for 2 years that will be based on actual current chassis pricing and an amount not to exceed a 3 percent increase per year on conversion and components.

"I will be happy to answer questions and I recommend approval of these items."

Chairman Norton said, "Don't see any questions. Joe, on the ambulances, is that a company we've dealt with in the past?"

Mr. Thomas said, "I don't think we've dealt with AEV."

Chairman Norton said, "Why don't we have a little discussion about that to be sure. In the past we've had some companies that gave us a little bit of a problem. Scott, if you would give us a little information on this company and the thought process on what we think we'll do as far as putting ambulances together."

Mr. Scott Hadley, Director, Emergency Medical Services, greeted the Commissioners and said, "It's been a decade since we've had any other ambulance vendor besides Med Tech [Ambulance Service], which has been our most recent vendor. This year they did not bid or submit their bid on time. So we went ahead and searched for the three that did submit a bid. And since it has been a decade, we thought it would be prudent to go out and visit each of those facilities that made the list and see what type of operations they've had. So we had boots on the ground, we had representation from Purchasing, from Fleet Management and from our department go out and look at Tailor Made ambulance and AEV which is located in North Carolina. After that inspection in looking over the bids, we thought AEV best matched our needs of the county and built a quality product over Tailor Made.

"The ambulance remount program, which you know is near and dear to us, has saved in excess of \$1 million since we started the program, and with that, Tailor Made was unwilling to warranty the ambulance remount program if we did that in house. They would only warranty if it was done in their shop, where as AEV was willing to make us an authorized dealer and warranty that in full in that box. The quality procedures they have in place at AEV were substantially better than what they had at Tailor Made. Each station has a quality process and quality supervisor that comes by before that ambulance moves on to the next station. So they also have certified formally educated engineers and certified welders on staff, which Tailor Made does not. So through that process and the evaluation, we felt AEV was a good product, very similar in quality to Med Tech, and I think it will make a good vehicle, a safe vehicle for our folks and our patients."

Chairman Norton said, "And it fits in with the remount and chassis program we've got."

Mr. Hadley said, "It does."

Chairman Norton said, "That was the question that worried me, when you continue on, sometimes when you change vendors, things don't match up, things don't work and then you have to throw out good programs you have had for years because you switched in midstream. But that's not going to be the case."

Mr. Hadley said, "Right. That was one of our main concerns as well. We have been assured that that will continue here and we will be able to do that."

Chairman Norton said, "Okay. I don't see any other lights on. Thank you, Scott, appreciate it."

Mr. Hadley said, "You're welcome."

Chairman Norton said, "What is the will of the Board?"

MOTION

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

Commissioner Unruh seconded the motion.

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

VOTE

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

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

Chairman Norton said, "Thanks, Joe. Next item."

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

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

Present: 0

CONSENT

H [12-0596](#) Renewal of Professional Services Agreement for Child Psychiatry Services.

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

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

Present: 0

I [12-0605](#) Appointment of Timothy S. Gorill, MD, PhD as a Deputy Coroner.

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

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

Present: 0

J [12-0602](#) 911 Radio Tower Leases (Cheney Site).

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

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

Present: 0

K [11-1307](#) General Bill Check Register.

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

MOTION

Commissioner Ranzau 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>

Chairman Norton said, "We do have an Executive Session. Before we do that, I would offer up if anybody has any other comments or other issues, to bring them before us right now. Commissioner Peterjohn."

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

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

Present: 0

OTHER

OTHER

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I am going to get my weekly report on the number of folks in detention at the Sedgwick County Jail. This morning we had 1,416, which I believe is the lowest number I have reported in a long time and may actually, I'd have to go back and check. This may be the lowest number I've reported, certainly that I can recall this year and perhaps since I have began doing these reports. Broken down in terms of where they were, there were 1,031 people in the main detention facility, 125 in Work Release and 260 out of county. Now the Sheriff had those classified by security classification as 512, maximum security; 567 were medium security; and minimum security was 301.

"So I provide these numbers, and I think it is a good testament to the work that's been done by a lot of people trying to, at the CJCC (Criminal Justice Coordinating Council).

"I would like to mention going forward that this weekend coming up, is Summerfest out in Andale on Saturday, and they are going to have a parade Saturday morning. I urge folks to, for a good time, I think the weather certainly should be warm enough for everyone. That's an event coming up. And I also wish a belated happy birthday, yesterday was the 100th birthday for a very distinguished Noble Laureate Economist, Milton Friedman, who unfortunately we lost about six years ago. But there was an excellent birthday celebration, I was pleased to be able to attend, and see some discussion about his work and legacy. That's all I have. Thank you, Mr. Chairman."

Chairman Norton said, "Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I want to take a few minutes to talk about something and share with the constituents out there that they may not be aware of. There was an article in the paper that I ran across earlier this week, talking about the United States Department of Agriculture (USDA), sent out an online newsletter to their employees encouraging them to participate in what is called Meatless Monday. You might wonder why USDA, which often encourages people to eat meat, is now encouraging employees to not eat meat on Monday. Well, evidently it is part of their greening effort. The newsletter said this is part of an international effort, and it goes on to say that the production of meat, especially beef, and dairy as well, has a large environmental impact, and according to the U.N. (United Nations), animal agriculture is a major source of greenhouse gases and climate change, it also wastes resources.

"Now, I ask you, what international effort supported by the U.N. might take the position that animal agriculture, eating beef and dairy, is a major source of greenhouse gases and climate change and a wastes of resources? What would that be? Well it seems to me I remember people from the international community making the statement that our current lifestyles of the affluent middle class, to include high meat intake, is not sustainable. You see, this, ladies and gentlemen, is sustainable development. This is why I go to Pittsburg to fight against sustainable development. This is why I go to other Commission meetings in Reno County or wherever. This is why I take the time to educate people in the fight against this particular thing, because this is a sort of crap that the EPA (Environmental Protection Agency), the federal government, international community, wants to push on us. Not only do they want us to regulate grass, dust, and sky glow, they want us to tell us now that animal agriculture is a major source of

greenhouse gas.

"Now, I have taken a lot who of flak from a lot of people, elected people, some editorial boards, for trying to take the time to educate the public on the history and origin of the concept of sustainable development. And there is a lot of people, it appears to be a concerted effort to deny basic historical facts and mislead the public from what the truth is. Now, I am fully prepared to have an open and honest debate about the sustainability grant program. But in order to do that we need to acknowledge some basic historical facts. We need to drop this flat-earthier mentality denial of what the facts are.

"Why is it important to acknowledge the origin and temps of this policy? Because our view here at the local level of what sustainable development means is very different from what the viewpoint is at the national and international level of what sustainable development is. When you understand the history and the origin of this concept, you understand that it is based on environmental extremism, which tries to link every aspect of our current modern lives to climate change, and therefore we have to change it to include beef farm and dairy farming.

"So when you understand that it's based on environmental extremism, you'll understand why the EPA is so deeply involved in this policy and in this concept. And you'll understand why I oppose allowing EPA to have a seat at the table to help development, to help develop a sustainable development plan for our community. Because in their mind, they think we need to regulate dust, sky glow, grass, and stop this terrible industry of beef and dairy production, which is going to destroy the earth, in their mind. And by accepting this grant and going down this policy creating a plan, we have set ourselves up to be continuously inundated with stupid ideas and we'll have to continuously fight back against the EPA against ridiculous ideas like this.

"Now, I applaud Senator Moran for standing up against this particular policy. I wonder if my colleagues and if the editorial board were going to criticize Senator Moran for standing up against this policy. You know, if we follow through with some of the ideas that they say, what sustainable development really means, then it will have a significant negative impact on our community and on our state. That's why I fight about this. We need to know the true intent and origin, and understand what we're up against so we can make good decisions. I make no apologies for going to Pittsburgh, Pennsylvania, or any other county to fight against things like this. This is stupid. This is bad government. We don't need the federal government pushing policies like these, particularly in these economic times. And I reject this policy, and I reject the ideas and concept that the, at the national and international level which promotes these policies. I would encourage my colleagues to do the same. Thank you."

Chairman Norton said, "I see no other lights. We do have an executive session today. I would entertain a motion."

Commissioner Skelton said, "Oh, Mr. Chairman, how are you sir?"

MOTION

Commissioner Skelton moved that the Board of County Commissioners recess into

Executive Session for 20 minutes to consider consultation with Legal Counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation, potential litigation, and legal advice and that the Board of County Commissioners return to this room from Executive Session no sooner than 10:15 a.m.

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>

The Board of County Commissioners recessed into Executive Session at 9:55 a.m. and returned at 10:39 a.m.

EXECUTIVE SESSION

Chairman Norton said, "We are back from Executive Session. While in Executive Session no binding action was taken. Mr. Counselor is there anything else to come before us?"

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

Chairman Norton said, "Mr. Manager?"

Mr. Buchanan said, "No, sir."

Chairman Norton said, "In that case, we're adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:39 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:
