

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
working for you*

Meeting Minutes - Final

Wednesday, October 12, 2011

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

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ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:04 a.m. on Wednesday, October 12, 2011, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Tim R. Norton; Commissioner Richard Ranzau; Commissioner Jim Skelton; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Kelly B. Arnold, County Clerk; Mr. Alfred (Buddy) Pressnell, Division Chief, Fire District No. 1; Mr. John L. Schlegel, Director, Planning Department; Mr. Tom Pletcher, Clinical Director, COMCARE; Mr. Joe Thomas, Acting Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee, Deputy County Clerk.

GUEST

Chief Sam Houston, Appointee, Sedgwick County Regional Forensic Science Center Advisory Board

INVOCATION

Led by Pastor Todd Hutchison, Westlink Christian Church, Wichita

FLAG SALUTE

ROLL CALL

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

Absent 1 - Chairman Karl Peterjohn

Present 4 - Commissioner Richard Ranzau, Commissioner Jim Skelton, Commissioner Tim Norton and Commissioner Dave Unruh

PROCLAMATIONS

A [11-1018](#)

PROCLAMATION DECLARING SAVE FOR RETIREMENT WEEK.
Read by Chairman Dave Unruh.

RECOMMENDED ACTION: Adopt the Proclamation.

Chairman Unruh said, "I have a proclamation to read for your consideration;

PROCLAMATION

WHEREAS, the United States House of Representatives passed a resolution supporting October 16-22, 2011 as 'National Save for Retirement Week;' and

WHEREAS, the cost of retirement continues to rise, in part, because workers in the United States are living longer, the number of employers providing retiree health coverage continues to decline, and retiree health care costs continue to increase; and

WHEREAS, recent data from the Employee Benefit Research Institute indicates that in the United States less than 70 percent of workers or their spouses are currently saving for retirement and that the actual amount of retirement savings of workers falls far below the amount that is realistically needed to adequately fund retirement; and

WHEREAS, many employees have available to them through their employers access to defined benefit or defined contribution plans to assist them in preparing for retirement and may not be aware of retirement options and the importance of saving for retirement; and

WHEREAS, many employees may not be taking advantage of workplace defined contribution plans at all or to the full extent allowed by the plans under federal law; and

NOW, THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 16-22, 2011

'SAVE FOR RETIREMENT WEEK'

in Sedgwick County, and encourage all citizens to save for their retirement.

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

MOTION

Commissioner Norton moved to adopt the proclamation.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "I think Kristi Zukovich will..."

Ms. Kristi Zukovich, Director, Communications, greeted the Commissioners and said, "Yes, Commissioners. We have today Buddy Pressnell. He's with our Fire Department. He is one of our participants in our Great-West Retirement System and so he is there to accept the proclamation for us and maybe share a few words."

Mr. Alfred (Buddy) Pressnell, Division Chief, Fire District No. 1, greeted the Commissioners and said, "I started in December 1981, and I don't remember who, the original retirement system where you can pay into it that we can do now with Great-Western. They came around and did a talk to all of us, and at the time being 23, 24 years old, I didn't think about down the road. I thought about tomorrow."

Mr. Pressnell continued, "But they convinced me to start putting some money into that program, and so I got to thinking, well, you know, there is a down the road, and so every time I got a pay raise, I would take that percentage and put it into the program."

"Of course, now, with the economy and the stock market, it's a little questionable, but what we need to do is stop and think that down the road, we're going to have some financial burdens, and we need to plan for it, and so I'm glad the Commission and the management of the county offers that program to the employees and that we should all participate, and if you want to as an employee, contact HR (Human Resources) and they'll be more than happy to set you up."

Chairman Unruh said, "Thank you for being here, Buddy. We appreciate you sharing your personal story about how this was important in your planning for your financial future, and I think all of us agree that that day will come and we'll need additional resources, and saving is the way to get there. I've been told by advisors and the county plan that it's really not how much that earns that's as significant as how much you decide to pay. So you have to make a hard decision on budgeting your current finances. We would encourage everyone to do that. We have a comment from Commissioner Norton."

Commissioner Norton said, "Well, Buddy, your story is similar to a lot of the rest of us. I never guessed that I would be 64, and now I am. And I'm pushing the envelope of retirement and thinking about the future, whatever that future is, and I'm certainly glad, back in the [19]70s, that I started doing the same thing that you do, is saving, putting money into different accounts to be sure that later I had not just my pension plan but I had some other expendable income that would help me get through the retirement years. And it is for the long haul. The stock market is down a little now. I've seen probably five, six, mountains and valleys over the years that I've watched my stocks, so it's for the long haul. I'm certainly hoping that it peaks again as I enter retirement, but it's done pretty well for itself, and I'm glad that I did it just like you are. So thanks for coming today."

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

Chairman Unruh said, "Thanks, Commissioner. Appreciate you being here, and I hope your example stimulates others to save for retirement."

Mr. Passnell said, "Thanks, Commissioner."

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

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

Absent: 1 - Chairman Peterjohn

Aye: 4 - Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

Present: 0

APPOINTMENTS

B [11-1036](#)

RESOLUTION APPOINTING DR. RONALD VARNER (BOARD OF COUNTY COMMISSION ORGANIZATION OUTSIDE SEDGWICK COUNTY DOING BUSINESS WITH THE FORENSIC SCIENCE CENTER POSITION) TO THE SEDGWICK COUNTY REGIONAL FORENSIC SCIENCE CENTER ADVISORY BOARD.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Commissioners, this board is a 13 member board, having 11 standing members and 2 members appointed by the County Commissioners. Item B is an appointment of the organization that's outside Sedgwick County that has a representative on the board and Item C is a companion resolution to this which appoints, this would appoint Chief Sam Houston who is a representative of the second or third class city to this [Sedgwick County Regional Forensic Science Center Advisory] Board. I would, these resolutions are in proper form and I would recommend that you adopt Items B and C."

MOTION

Commissioner Norton moved to adopt the resolution for Item B and Item C.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "And I think we have Chief Houston here to be sworn 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 Regional Forensics Science Center Advisory Board so help me God."

Chief Sam Houston, Appointee, Sedgwick County Regional Forensic Science Center Advisory Board, greeted the Commissioners and said, "I do."

Mr. Arnold said, "Congratulations."

Chief Houston said, "I appreciate the appointment and the opportunity to serve. Thank you."

Chairman Unruh said, "Well, thank you. We appreciate your willingness to serve and as we've said repeatedly, that we take the service of our advisory board members seriously, and we think you provide a very important service to the function of Sedgwick County. We have another comment from Commissioner Norton."

Commissioner Norton said, "Well, just a welcome back. Chief Houston is an alumnus of Sedgwick County, and we're glad to have him back in the chambers. He does a wonderful job out west, but we're glad to have you back for just a small period of time, and thanks for serving."

Chief Houston said, "Thank you, sir."

Chairman Unruh said, "Okay. Madam Clerk, next item."

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

Absent: 1 - Chairman Peterjohn

Aye: 4 - Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

Present: 0

C

[11-1037](#)

RESOLUTION APPOINTING CHIEF SAM HOUSTON (BOARD OF COUNTY COMMISSION CHIEF OF POLICE, 2ND/3RD CLASS CITY POSITION) TO THE SEDGWICK COUNTY REGIONAL FORENSIC SCIENCE CENTER ADVISORY BOARD.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution

Action on Item C was taken with Item B.

PLANNING DEPARTMENT

D [11-1024](#)

DER2011-00005 - AMENDMENT TO THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE PARKING STANDARDS. (ALL DISTRICTS)

Presented by: John L. Schlegel, Planning Director.

RECOMMENDED ACTION: Approve the amendment to the Wichita-Sedgwick County Unified Zoning Code as recommended by the Metropolitan Area Planning Commission; approve the resolution and authorize the Chairman to sign the resolution.

VISUAL PRESENTATION

Mr. John L. Schlegel, Director, Planning, greeted the Commissioners and said, "I'm John Schlegel with the Metropolitan Area Planning Department, here to present to you some proposed amendments to the Unified Zoning Code (UZC). The [Wichita-Sedgwick County Metropolitan Area] Planning [Department] staff has been working on parking standards over the past year. The impetus for this was the fact that oftentimes applicants and users of the code had a difficult time matching up the uses listed in the parking schedule with the land uses that are listed in the land use matrix within the zoning code. We had two different ways of describing uses and it made it difficult for users of the zoning code to make that match and know what parking standard would apply in their particular situation. We've also found from experience in administering the zoning code that our standards often weren't in line with current practices, and we wound up, we wind up issuing a lot of administrative adjustments, which we're authorized to do under the zoning code, which order to bring the current parking standards in the zoning code into conformity with what people are actually doing in the development field today. And we also found that we are, our code was somewhat out of step with national standards that have been constantly evolving over the years.

"So, that prompted us then to go back and take a closer look at the existing standards and to develop the recommendations that are before you today. We've also found that in applying current standards to projects that are in existing older neighborhoods that would be characterized as infill projects that those types of projects often had a hard time meeting the standards in the code. So we've developed these amendments and are putting them before you today for your consideration.

"These amendments would bring the most commercial and office uses down from the current standard of one parking space for every 250 square foot of floor area to one space for every 333 square feet. That's more in keeping with national standards and with current development practices. We're also proposing that parking studies be allowed in lieu of a minimum standard for certain uses that you see listed out on the slide before you now. These are types of uses that either because of their scale, their intensity of use or characteristics unique to that particular land use really it's better if we can just have the applicant provide the justification for the parking they want to provide.

"And our experience has been that in most cases applicants want to be able to provide parking for their particular use, and they know best what would fit their requirements. And we've also, we are eliminating off-street parking requirements for a number of uses that you see listed there. These are just types of uses where it's not appropriate to have an off-street parking requirement. In addition for the infill type projects, we were finding that oftentimes remote parking, that is off-site parking, is required in order to make a project work. And the current standard is pretty stringent and really difficult to apply in a lot of situations, so we feel that that should be adjusted to allow remote parking to be more than 600 feet and to allow that remote parking to be separated by

an arterial expressway or freeway as long as there is a clear pedestrian path from that parking to the proposed development. We have taken this through the Metropolitan Area Planning Commission (MAPC), their advance plan subcommittee has reviewed these proposed amendments, and they are recommending approval. We sought input from the Wichita Area Association of Realtors and the Wichita Area Builders' Association, and they are supportive, and the MAPC as a whole has reviewed these and is recommending adoption of the amendment. With that, I'll be glad to take any questions you might have."

Chairman Unruh said, "All right. Thank you, John. Commissioners, are there any questions? Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. John, I have a few questions. You know, I'm a little skeptical about the need for government to micromanage all the way down to the number of parking spaces, but particularly since a lot of these are new requirements that weren't in the previous code. Why can't we just allow the developer of the business the discretion to provide what they feel is appropriate?"

Mr. Schlegel said, "I think what most developers would tell you they want a level playing field so that everybody has a standard that they have to comply with, and it does prevent, I guess what I would call, poaching by one property owner onto, you know, utilizing the parking of a neighbor's parking lot in lieu of providing their own parking. And that's basically why. You know, historically, parking standards developed in zoning codes simply because as we increasingly use automobiles in our country, it was found that there were spillover effects. A business that would attract a whole lot of people would then wind up having their parking scattered over onto the street, onto other people's property, and so over time parking standards were developed in order to correct those situations. And what we have found, our experience has been that we probably, our current standards were developed in an era when there was ever more increasing use of the automobile, so we probably have standards that provide for too much parking. We are kind of maxing out now on automobile usage in this country, and we really need to be adjusting our parking standards to reflect that."

Commissioner Ranzau said, "Well, I guess my question is, are there certain types of developments that would be more of a concern with reference to poaching and problems like this so that we could have a policy that would more specifically address that problem without micromanaging the details of all of these other businesses who I presume historically haven't been a problem?"

Mr. Schlegel said, "Well, it would be broad categories, like retail uses, office uses, would be where you would typically encounter the most problems. So yeah, we have provided for that. We provide for in residential areas, we provide for a standard for off-street parking so that you don't wind up developing residential areas without some provision for getting cars off the street."

Commissioner Ranzau said, "Well, I guess what I'm saying, I would think that the vast majority of businesses would provide adequate parking on their own because it's in their best financial interests. For those select few that we have a problem or if there's certain types of developments, I think it would be best to address it directly with them. How much discretion do you have administratively, you know if a business comes in and doesn't...?"

Mr. Schlegel said, "We have, administratively, we adjust the parking standards down about 25 percent, I think is the percentage. So that gives us some latitude to adjust according to the needs of the applicant."

Commissioner Ranzau said, "And what recourse does the applicant have if they're still not happy with that? Is there any?"

Mr. Schlegel said, "Well, we haven't run into that situation where they've wanted to appeal, beyond, you know, any administrative adjustment that could be granted by staff. I guess they could come in and try to get the zoning standards lowered. That would be the only thing I could think of."

Commissioner Ranzau said, "Well, that answered my question. You haven't had anyone who has been unsatisfied after talking to you and having that adjustment?"

Mr. Schlegel said, "We tend to be able to get these things worked out with the applicant, yes."

Commissioner Ranzau said, "Well, you know, my concern has been and always will be the unintended consequences of us passing regulations. In my short time here, I've already seen the consequences of the planning on our part slowing and hurting business development even within my district, so that's why I have these concerns here. And I just want to make sure people are able to develop and not be hindered unnecessarily by some of the things we're doing. Thank you."

Chairman Unruh said, "Thank you, Commissioner. Are there any other questions or comments? What is the will of the Board?"

MOTION

Commissioner Norton moved to approve the amendment to the Wichita-Sedgwick County Unified Zoning Code as recommended by the Metropolitan Area Planning Commission; approve the resolution and authorize the Chairman to sign the resolution.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, John. Next item."

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

Absent: 1 - Chairman Peterjohn

Aye: 4 - Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and
Commissioner Unruh

Present: 0

NEW BUSINESS

E [11-1013](#)

PARTICIPATING COMMUNITY MENTAL HEALTH CENTER CONTRACT WITH THE KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES.
Presented by: Tom Pletcher, Clinical Director, COMCARE.

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

Mr. Tom Pletcher, Clinical Director, COMCARE, greeted the Commissioners and said, "This item is a renewal of our participating Community Mental Health Center state contract. This contract allows COMCARE to operate at the local mental health authority and provides partial support for us to serve the uninsured and underinsured in our community. The base amount for this contract remains the same for this full year as it has previously. In addition to COMCARE being able to operate as the community mental health center and mental health authority, this agreement does allow us to bill Medicaid for certain rehabilitation services, particularly for our target populations of youth with serious emotional disturbance, adults with a severe and persistent mental illness and allows for support to services to individuals without insurance at all. As you noted last month when you made a proclamation, recognizing Mental Illness Awareness Week, we know that treatments are available for people who experience a mental illness and that those treatments work.

"We also know that in a given year, about one person out of four will experience a mental illness, and of those individuals, more than half of them would meet the criteria for having two or more mental illnesses at that time. The World Health Organization has reported that mental illnesses are the leading causes of disability adjusted life years lost worldwide. Accounting for over a third of the healthy years lost from non-communicable diseases (NCD). Unfortunately, many people delay getting treatment, which impacts their recovery. COMCARE works through this contract to provide effective services and reduce barriers so that people can get the treatment that they need in a timely way. I would ask that you approve the agreement and authorize the Chairman to sign."

Chairman Unruh said, "Thank you, Commissioners. Are there any questions or comments on this item?"

MOTION

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

Mr. Pletcher said, "Thank you."

Chairman Unruh said, "Thank you, Tom. Next item, please."

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

Absent: 1 - Chairman Peterjohn

Aye: 4 - Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

Present: 0

F [11-1025](#)

APPROVAL OF AN AGREEMENT BETWEEN THE KANSAS AND OKLAHOMA RAILROAD COMPANY, SEDGWICK COUNTY AND THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS REGARDING THE CONSTRUCTION AND MAINTENANCE OF HIGHWAY CROSSING SIGNALS AT THE INTERSECTION OF THE RAILROAD TRACKS AND OHIO STREET, AT THE SOUTH EDGE OF MT. HOPE IN SEDGWICK COUNTY. DISTRICT 3.

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

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

Mr. David C. Spears, Director, Public Works, greeted the Commissioners and said, "Item F is a three party agreement between the Kansas and Oklahoma Railroad Company, Sedgwick County and the Secretary of Transportation for the State of Kansas regarding the construction and maintenance of the crossing signals, flashing lights straight post type, and gates on Ohio Street at the south edge of Mount Hope. Sedgwick County will be responsible for the continued maintenance of the advanced warning signs and pavement markings. The railroad crossings in the state are prioritized by KDOT (Kansas Department of Transportation) and selected accordingly. The total cost of the project is \$255,814 to be paid 100 percent by federal funds. I recommend that you approve the agreement and authorize the Chairman to sign."

Chairman Unruh said, "Thank you. Commissioners, is there any comment or question? What's the will of the Board?"

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you. Next item, please."

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

Absent: 1 - Chairman Peterjohn

Aye: 4 - Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

Present: 0

- G** [11-1027](#) RECONSIDERATION OF ITEM 4 OF THE MINUTES OF THE SEPTEMBER 22, 2011 MEETING OF THE BOARD OF BIDS AND CONTRACTS: REPAIR LOWER SPILLWAY, LAKE AFTON PARK- FACILITIES DEPARTMENT.
Presented by Joe Thomas, Director, Purchasing Department.

This item was deferred at the September 28, 2011 Commission Meeting.

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

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "We think we need another week to explore some alternatives and I would recommend we defer this for another week."

MOTION

Chairman Unruh moved to defer Item G until October 19, 2011.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

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

Absent: 1 - Chairman Peterjohn

Aye: 4 - Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

Present: 0

H [11-1043](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON
OCTOBER 6, 2011.

Presented by Joe Thomas, Director, Purchasing Department.

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

*Mr. Joe Thomas, Acting Director, Purchasing, greeted the Commissioners and said,
"The meeting of the Board and Bids of Contracts of October 6th results in six items for
your consideration. Item 1;*

1. BRUSH TRUCKS --SEDGWICK COUNTY FIRE DISTRICT No. 1
FUNDING --SEDGWICK COUNTY FIRE DISTRICT No. 1

*"The recommendation is to accept the low bid from Rusty Eck Ford in the amount of
\$68,007.00. Item 2;*

2. HYDRAULIC SPRAY APPARATUS --FLEET MANAGEMENT
FUNDING --FLEET MANAGEMENT

*"The recommendation is to accept the low bid from Fairbank Equipment Inc. in the
amount of \$49,595.06. Item 3;*

3. VARIOUS PICKUPTRUCKS --FLEET MANAGEMENT
FUNDING --FLEET MANAGEMENT

*"The recommendation is to accept the low bid for items 1-4 and item 6 from Landmark
Dodge, Inc. in the amount of \$169,743.05. And accept the low bid for item 5, & items
7-10 from Don Hattan Chevrolet in the amount of \$271,950.00. Item 4;*

4. CLOTHES, LINENS & TOILETRIES -SEDGWICK COUNTY
CORRECTIONS DEPARTMENT& SHERIFF'S OFFICE
FUNDING -SEDGWICK COUNTY CORRECTIONS DEPARTMENTAND
SHERIFF OFFICE

*"The recommendation is to accept the overall low bid from Bob Barker Company and
establish contract pricing for one year with two one year options to renew. Item 5;*

5. PRE-CASTREINFORCED CONCRETE BOX AND END SECTIONS -
PUBLIC WORKS
FUNDING -PUBLIC WORKS

*"The recommendation is to accept the bid from Wichita Concrete Pipe Company and
establish contract pricing at the rates listed above for a period of one year with two one
year options to renew. Item 6;*

6. MEMBERSHIP RENEWAL -COMCARE
FUNDING -COMCARE ADMINISTRATION

*"The recommendation action is to accept the quote from Association of Community
Mental Health Centers of Kansas, Inc. for \$35,863.86.*

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

Chairman Unruh said, "Thank you, Joe. We do have a comment from Commissioner Skelton."

Commissioner Skelton said, "Yes. Thank you, Mr. Chairman. I just wanted to take a minute to thank staff for the time they took to explain these vehicle purchases and to assure me that they fall within the criteria of, that the Commission had established for replacement. So, thank you, sir."

Mr. Thomas said, "Thank you."

Chairman Unruh said, "Thank you, Commissioner. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I'll say I'll be supporting these items, but I still have some concerns about the way we do our vehicle purchases. I still think there is room for some improvement here. A couple things, you know, the Public Works, is buying three different types of trucks and within this bid, we have two different brands. I think we could take a look at the way we do some of these things. We made some changes previously. I was never confident that the information we were given from our previous fleet manager was all that accurate or precise. You know, do we really need a range vehicle for the firing range at the Sheriff's range? All these sorts of things, I suspect this is still an area we could improve on and probably save some money if we took a look at a few things, maybe standardize types of vehicles that we wanted. I know we already have the money saved for this, I just continue to think this is an area we could possibly save more in the future. Thank you."

Chairman Unruh said, "Thank you, Commissioner. Joe, I would have one question. When we buy vehicles from vendors who are out of county or out of town like, for example, Landmark Dodge [Inc.], where are they from?"

Mr. Thomas said, "They're in Independence, Missouri, sir."

Chairman Unruh said, "We've got a very favorable bid, which is fundamental criteria here, but do we ever have problems with the warranty work or customer service or anything like that?"

Mr. Thomas said, "We've not had problems in the past. If you remember the last couple of years we've even purchased vehicles out of Ohio, and that worked out very well, so no, we've not had any problems to speak of."

Chairman Unruh said, "Okay, thank you. Commissioners, are there any other questions on the bid board items? What is the will of the Board?"

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Mr. Thomas said, "Thank you."

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

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

Absent: 1 - Chairman Peterjohn

Aye: 4 - Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and Commissioner Unruh

Present: 0

CONSENT

I **11-1030** Order dated 09/29/2011 to correct tax roll for change of assessment.

J **11-0089** General Bill Check Register.

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

MOTION

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

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

Absent: 1 - Chairman Peterjohn

Aye: 4 - Commissioner Ranzau, Commissioner Skelton, Commissioner Norton and
Commissioner Unruh

Present: 0

OTHER

Chairman Unruh said, "Commissioners, are there any other items that you wish to bring before the Board this morning? Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. I just want to say a few things. A couple weeks ago, we voted on a HUD (Department of Housing and Urban Development) grant which I opposed for several reasons. I want to give an update on that. Here we are two weeks down the road from that grant, and we still don't have a copy of the entire grant application, so we still don't know what all we've committed ourselves to.

"Now, we do have part of it, and the part that I have confirms that, in fact, we have adopted the agenda of the Obama administration and we will ensure that the principles which he supports are translated into appropriate strategies and serve as guiding objectives for this project. So despite what some of the supporters will say there is more to it than just flowery words, there is an agenda. So not only though have we adopted his agenda, we've taken the Nancy Pelosi approach in that you have to pass the legislation before you know what's in it. And here we are two weeks out, and we've passed a particular piece of legislation, so to speak, and we still don't know everything that's in it. I continue to have a problem with that. This is direct government federal interference in our communities and social engineering at its worst, and I will continue to fight against this and inform the public as to what we've got ourselves into. Thank you."

Commissioner Skelton left the Meeting at 9:36 a.m.

Chairman Unruh said, "Thank you, Commissioner. Mr. County Counselor, we are at this portion of the agenda, can we continue with just three Commissioners, or do we need to take a recess, because we no longer have a quorum here?"

Mr. Euson said, "We're not taking any formal action, so if you have more things to consider, under 'other' you can certainly do that. If you are talking about recessing into Executive Session that takes a quorum."

Chairman Unruh said, "Well while we're just having conversation then, I guess we can continue. Commissioner Norton."

Commissioner Norton said, "Well, I don't know that I can talk that long. I just wanted to let the public know that I was in Clearwater at their city council meeting last night, Clearwater in Ninnescah Township is now part of my district. I went and introduced myself, made sure that the elected officials, the mayor and the council and other elected officials knew who I was and that I was willing to work with Clearwater and the people of Ninnescah Township to make sure that I represent them in the highest and best manner possible. The Haysville Fall Festival will be this weekend. It starts with some activities Friday night in Riggs Park. The parade is 9[:00 a.m.] on Saturday morning, and then there are activities all day Saturday and Sunday. There is a concert in the [Riggs] Park on Saturday night, and I would invite the public to come and enjoy the cool weather and the falling leaves and a funnel cake in Haysville.

"And the next weekend, the Fall Festival is in Clearwater. They have their, I think its called Fall Festival, but it's their festival celebrating autumn and their community. I

don't have all the details. I'll talk about that next week, but it is the time of year that many of our small communities have festivals and gatherings that are, and invite the public to come in and enjoy their small town life and the things that are good about Sedgwick County and small towns. So I'll be there this weekend, and if you want some candy, you're going to have to be at the parade."

Commissioner Skelton returned to the Meeting at 9:37 a.m.

Chairman Unruh said, "Thank you, Commissioner. I just would have one comment before we have a motion to go into Executive Session, and that is, I believe that the application for the Sustainable Communities [Planning] Grant is on the REAP (Regional Economic Area Partnership) website. It was posted, I believe, the same day the application was sent.

Chairman Unruh continued, "It was, run against a time line of October 6th, I believe was the date. Anyway, the application was done on time and it's on the REAP website for anyone who has an interest in that. Once again, I would reject the characterization that we have adopted anybody's agenda. The Sustainable Communities Planning Grant is so that local communities can take necessary planning action to think about their future and we can plan for our own preferred future rather than relying on something imposed to us by some other outside government agency. Commissioner Ranzau."

Commissioner Ranzau said, "Well, let me clarify. Part of the application is available on the REAP website. There are plenty, parts of it that have not been supplied to me as I've requested. You can get part of it, but not all of it. That's what I was trying to say. Thank you."

Chairman Unruh said, "Okay. I believe we're ready for a motion to go into Executive Session."

MOTION

Commissioner Norton moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with Legal Counsel on matters privileged in the attorney-client relationship relating to potential litigation and legal advice and that that Board of County Commissioners return to this room from Executive Session no sooner than 9:50 a.m.

Commissioner Skelton seconded the Motion

VOTE

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

Chairman Unruh said, "We are recessed into Executive Session."

The Board of County Commissioners recessed into Executive Session at 9:40 a.m. and returned at 10:05 a.m.

EXECUTIVE SESSION

Chairman Unruh said, "We are back from Executive Session. So I'll call the regular meeting of the Board of County Commissioners back to order and at this time state for the record that according to state statute, while we're in Executive Session, no binding action was taken. So at this time, Commissioners, is there anything else to bring before the Board? Mr. Manager?"

Mr. Buchanan said, "No, sir."

Chairman Unruh said, "Seeing no further business, we are adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:05 a.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

DAVID M. UNRUH, Chairman
First District

TIM R. NORTON, Commissioner
Second District

KARL PETERJOHN, Commissioner
Third District

RICHARD RANZAU, Commissioner
Fourth District

JAMES B. SKELTON, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
