

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
working for you*

Meeting Minutes - Final

Wednesday, June 12, 2013

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

Phone: (316) 660-7058, TDD: Kansas Relay at 711 or 800-766-3777

Email: rberry@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, June 12, 2013, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman James B. Skelton, with the following present: Chair Pro Tem Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Mr. William P. Buchanan, County Manager; Mr. Richard Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Randy Bargdill, Interim Human Resources Director; Ms. Lela Albright, Security Manager, Division of Information and Operations; Dr. Charles Gaynor, Senior Clinical Psychologist II, COMCARE; Mr. Kevin Nash, Household Hazardous Waste Technician, Public Works; Mr. Michael Sanchez, Crew Leader, EMS; Mr. Larry Ternes, Youth Service Administrator, Corrections; Dr. Sabina Braithwaite, Director, Emergency Medical Service System; Mr. Chris Chronis, Chief Financial Officer; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Joe Thomas, Acting Director, Purchasing Department; Ms. Penny Poland, Director, Fleet Management; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee, Deputy County Clerk.

GUESTS

*Ms. Willa Decastro, Appointee, Sedgwick County Advisory Council on Aging
Mr. John L. Schlegel, Director of Planning, Metropolitan Area Planning Department
Ms. Kristen Zimmerman, Transportation Planning Manager, Wichita Area Metropolitan Planning Organization
Ms. Kathy Sexton, City Manager, City of Derby
Mr. John Todd, 1559 Payne, Wichita
Mr. Myron Ackerman, 3019 East Central, Wichita*

INVOCATION

Led by Commissioner Unruh.

FLAG SALUTE

ROLL CALL

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

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

CONSIDERATION OF MINUTES

A [13-0413](#)

REGULAR MEETING MINUTES OF MAY 15, 2013.

All Commissioners were present.

Chairman Skelton said, "Commissioners, you have reviewed the minutes. Are there any corrections?"

MOTION

Commissioner Unruh moved to approve the Regular Meeting Minutes of May 15, 2013.

Commissioner Norton seconded the motion.

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

VOTE

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

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

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

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

Present: 0

RETIREMENTS

- B** [13-0404](#) Presentation of retirement clocks to Lela Albright, Charles Gaynor, Kevin Nash, Michael Sanchez and Larry Ternes.
Presented by: Randy Bargdill, Interim Human Resources Director.

RECOMMENDED ACTION: Present the clocks.

Mr. Randy Bargdill, Interim Human Resources Director, greeted the Commissioners and said, "I've got some good news and some bad news today. The good news is, we've got, I'm going to introduce you to five county employees who no longer have to worry about being late to work, but the bad news for us, not them, is that we're losing these same five highly respected members of our work force family. Today we honor them for their dedication, commitment, and for their good work they've done for the citizens of Sedgwick County, and in making our organization better. In a couple of minutes, we'll honor Lela Albright, head of our security department. Lela will retire on July 1st after nearly 33 years of dedicated service. Steve Claassen told me that for over 30 years Lela has volunteered her Thanksgiving holiday time to turning the courthouse lobby into a Christmas fantasy land. She had help from others, much from her own family members, but she's been the responsible leader of that effort. As a security manager, her ever-present, cheerful smile has disarmed many an agitated or troubled visitor. We will miss her.

"Next we'll hear from Dr. Charles Gaynor. Dr. Gaynor will retire on July 1st after 31 years of service to Sedgwick County. Tom Pletcher told me that later this summer Dr. Gaynor will receive the Albert Bandura Lifetime Achievement Award given to faculty members of the Wichita Collaborative Psychology Internship Program who have made distinguished contributions to the psychology community. Dr. Gaynor is just the fifth person to receive this award since its inception in 2003. We'll get to honor Kevin Nash, who will retire from had his post as a Household Hazardous Waste Technician on July 1st, after 30 years of service. Kevin's retirement plan is to tour Kansas with his wife, Frances, in their 1971 Corvette Stingray. EMS (Emergency Medical Service) crew leader Michael Sanchez will also be retiring July 1st after over 24 years of service. An anonymous source, told me that Michael is very respected throughout the EMS community for his meticulous and comprehensive reports.

Mr. Bargdill continued, "Some suggest that this level of detail sometimes requires a lot of time on his part. His closest field partners tell me that though he is actually retiring on July 1st, he will probably still be in HR (Human Resources) filling out his retirement paperwork well into August.

"And finally, Larry Ternes will retire from his assignment as youth services administrator on July 1st, after 15 years of service. Mark Masterson told me that he's glad that the arena has been completed before Larry's retirement; now there's a building large enough for the Ternes family reunion, as it seems Larry is related to everyone in Sedgwick County west of Tyler Road. So with that, I will call Lela Albright to the podium to receive her certificate and clock from Chairman Skelton."

Chairman Skelton said, "Thank you, Randy. How are you this morning?"

Mr. Bargdill said, "Doing very well."

Chairman Skelton said, "Okay, Lela, come on up here. How are you this morning?"

Me. Lela Albright, Security Manager, Division of Information and Operations, greeted

the Commissioners and said, "Fine, sir. How are you?"

Chairman Skelton said, "Good, thank you. It says here you were hired on October 24, 1980, you have been married to your husband, Keith, for 37 years. I don't know who wrote this, but it says here he has a lot of patience."

Ms. Albright said, "A lot of patience."

Chairman Skelton said, "Okay. I was going to ask you to elaborate, but I got it. Okay. You don't have any children, but you have fun spoiling nieces and nephews, so what's a spoil to them?"

Ms. Albright said, "We take them on lots of trips and cruises."

Chairman Skelton said, "Oh, really?"

Ms. Albright said, "And they spend time on our farm. So, pretty awesome."

Chairman Skelton said, "That's nice. Sounds good. Sounds awesome. You live on 160 acre farm, as you indicated, and you are not allowed to drive any tractors?"

Ms. Albright said, "No."

Chairman Skelton said, "It says here, I have to ask why."

Ms. Albright said, "Don't."

Chairman Skelton said, "Okay. Well..."

Ms. Albright said, "I wiped out a whole row of milo."

Chairman Skelton said, "Well you do that when you cut it at the end of the season."

Ms. Albright said, "But I was cultivating."

Chairman Skelton said, "Oh."

Ms. Albright said, "He didn't tell me I had to do something different."

Chairman Skelton said, "You are just doing the best you can."

Ms. Albright said, "I just did what he told me."

Chairman Skelton said, "That's good. Well, you like to travel, especially on cruise ships. You were not on the one that had no power for..."

Ms. Albright said, "No."

Chairman Skelton said, "Okay, good."

Ms. Albright said, "But I wouldn't have minded."

Chairman Skelton said, "You wouldn't have minded, interesting. Well, did you know in

1980, a first-class postage stamp was only 15 cents? The Academy Award went to Ordinary People. CNN (Cable News Network) was officially launched. Wow. That's real exciting. And a Miracle on Ice took place at Lake Placid at the Winter Olympics. And the number one song was Woman in Love by Barbra Streisand. Do you remember that?"

Ms. Albright said, "No."

Chairman Skelton said, "I don't either. All right, well, I want to thank you for your service at the, for the county, and present you with your certificate of recognition."

Ms. Albright said, "Thank you."

Chairman Skelton said, "And here is a copy of our wonderful trivia and information, and here's the retirement clock for you. And I wanted to, again, thank you and I am going to miss you."

Commissioner Norton said, "Here's where the crying beginnings."

Ms. Albright said, "Sir, please. I am really trying to hold it in. I want to thank each and every one of you for your support over the years. Each one of you are very dear to me. I've met a lot of wonderful people working for Sedgwick County, and I've worked for a lot of good people. Dee Kelly, Richard Shebultz, Don Brace, Kathy Sexton, Steve Claassen, all the judges, Judge Fleetwood has been awesome to work with, all the elected officials. Not very many people know this, but I was only going to work six months, then I was going to quit. I came in that night on third shift. They didn't make uniforms for ladies, so they didn't fit quite right. We wore the wellington style police boots. They wore my heel raw. My 357 was jabbing my ribs. I was just thinking that's not what I wanted to do. But I am so glad I stayed. I will have lots of memories, I will cherish them all and I will love you all forever. Thank you."

Commissioner Unruh said, "Lela, Commissioner Peterjohn would like to make a comment."

Commissioner Peterjohn said, "Lela, you know, when I became a Commissioner a few years ago, I didn't know that one of the side benefits of...I didn't get down to the courthouse too often before I became a Commissioner, just once in a while. And when Christmas time would roll around and we would get in the holiday season, in December, this building would just be transformed, the lobby, it reminded me when I was a kid growing up, long, long time ago, about the decorations that you would see at the front of the department stores, that's kind of a custom that's gone by the wayside. It was something that the kids would stand by the window and look at all the neat stuff. And you and the folks who helped you did this, decorated the lobby at the courthouse and transformed it in a wonderful Christmas way. It's something that I think the whole community can and should appreciate, and I wanted to give you at least this little bit of recognition on this auspicious day, and wish you all the best as you go forward in whatever direction and desires your heart may take you."

Ms. Albright said, "Thank you, sir. I appreciate that."

Commissioner Unruh said, "Thanks. Commissioner Norton."

Commissioner Norton said, "Lela, you know that some things at the workplace

transcend employee-boss relationships, and for me, I'm not losing an employee, I'm losing a very good friend. And I appreciate so much our relationship over the years, our friendship, how hard you've worked for Sedgwick County and the citizens of this county. I don't think that they understand the dedication, the caring and the time you've put in to make Sedgwick County as good as it could possibly be. But for me, it is not about losing your integrity and ability to do the job, it's about losing a good friend that I maybe won't see quite as often and won't be able to have that special relationship with. You are going to be sorely missed by this Commissioner. And don't tear up."

Ms. Albright said, "I'm not. I have my kleenex."

Commissioner Norton said, "We've been talking about this."

Ms. Albright said, "I know we have."

Commissioner Norton said, "You got all afternoon to cry."

Ms. Albright said, "Thank you."

Commissioner Norton said, "Although we would love to see you do it on camera."

Ms. Albright said, "No. Be nice to me."

Commissioner Norton said, "Congratulations, and enjoy your retirement. And don't be a stranger."

Ms. Albright said, "Thank you, sir, I appreciate it."

Commissioner Unruh said, "Lela, I would like to just put my comment in. Personally, I really value dependability, reliability, consistency and excellence, and you have provided all those for the courthouse in general, and in the exercise of your duties, and beyond all that, I think you've been a good friend to the Commission in general, and I consider you a good friend of mine.

"So those are all the qualities that are enduring and will cause you to be remembered favorably as long as we're here carrying out county business, but your service has been outstanding, we truly appreciate it, and I know that you're going to have an enjoyable time, whatever it is that you do next, and we know this has been a difficult decision for you."

Ms. Albright said, "It has."

Commissioner Unruh said, "Even though you think it is the right decision, it is a tough decision. But we're happy you were here."

Ms. Albright said, "Thank you, sir."

Commissioner Unruh said, "Thank you very much."

Mr. Bargdill said, "Dr. Gaynor, please."

Chairman Skelton said, "Charles Gaynor, how are you, sir?"

Dr. Charles Gaynor, Senior Clinical Psychologist II, COMCARE, greeted the Commissioners and said, "Fine."

Chairman Skelton said, "Congratulations and thank you for your service to the county. So, I have to ask you some questions and read some stuff and maybe get your feedback on that, is that okay?"

Dr. Gaynor said, "Certainly."

Chairman Skelton said, "Oh, good."

Commissioner Norton said, "Careful, Jim, he is a psychologist."

Chairman Skelton said, "I am aware of that. I don't want any cognitive dissonance up here. Well it says you were hired in October 4, 1982, and you were awarded the Man of Respect from Sedgwick County Coalition of Sexual and Domestic Violence. What do you have to say about that? When was that?"

Dr. Gaynor said, "2005."

Chairman Skelton said, "Well, congratulations, sir. You were recognized in 2003 by the Wichita Psychological Training Institute for 25 years of supervision, pre-doctoral psychology interns, and has continued to supervise another 10 years since then. Man, I think I would go crazy doing that."

Dr. Gaynor said, "I'm sorry."

Chairman Skelton said, "All right, all right. I think he is a good psychologist."

Commissioner Norton said, "You are outnumbered, Jim."

Chairman Skelton said, "When a man wants pity, look what he did, he knew what I needed. All right, now it says you have been continually working on graphic arts, and you have 568 images on a site called Renderosity and Vintera, and L'Image galleries. How's my French?"

Dr. Gaynor said, "Excellent."

Chairman Skelton said, "I did that right, okay. And you plan to pursue graphic art when you retire. That's good. Well did you know in 1982, Michael Jackson album Thriller was released. Do you have a copy of that?"

Dr. Gaynor said, "Yes."

Chairman Skelton said, "You do. Is that a vinyl copy, by the way? All right. Chariots of Fire won the Oscar, do you remember that movie?"

Dr. Gaynor said, "Yes."

Chairman Skelton said, "That's a good movie. Yes, it is. Jack and Diane by John

Cougar Mellencamp was a number one song. This is making me feel like I'm a kid again, because a gallon of gas was \$1.30. And the first issue of USA (United States of America) Today hit the newsstands in 1982, I found that pretty interesting. So again, congratulations, sir. I would like to present you with a certificate of recognition and thank you for your service. We have a beautiful retirement clock for you."

Dr. Gaynor said, "Thanks."

Chairman Skelton said, "You're welcome, sir. Would you like to make a comment?"

Dr. Gaynor said, "First of all, I want to make one correction. I actually came when there was a hospital called E. B. Allen [Memorial] Hospital existing, and my KPERs (Kansas Public Employee Retirement System) will be 38 years, because I came back. I left. So I always think of it, in terms of that in my mind. I want to say that I am extremely grateful to Sedgwick County and COMCARE for letting me practice a profession that I feel like is extremely important and worthy, you know, for the well being of our community, and for our infrastructure and for everybody else. And to be able to train over 100 psychology interns, and to train other psychologists, so it's been extremely gratifying to work with so many people. Kind of sad to see everybody go but me, and to work with so...to practice a profession that I feel like is so worthy. And to be a psychologist, to be dedicated for so many years. To actually do the work that I think is extremely important, so thank you."

Commissioner Unruh said, "Thank you. We have a comment from Commissioner Norton. Dr. Gaynor, Commissioner Norton."

Commissioner Norton said, "Don't run off yet. You know, so many of our employees work diligently every day, and do the good work of Sedgwick County, and more and more we've understood that COMCARE and mental health is so critical. We work through the health department on physical health and population health, but mental health has become such a critical need in most all jurisdictions. You have readily served that not only by your acts of doing the job, but also training the next generations to understand that."

"And we really appreciate that. Those that we don't get to know as well, because they are constantly in the motion of doing their job. But we really appreciate that, doc[tor]. Thank you for at that many years of service in a tough industry that most of us don't even understand. We really appreciate it."

Dr. Gaynor said, "Thank you."

Commissioner Unruh said, "Charles, I would just add, can't add too much to what Commissioner Norton said, but, you know, you have in effect been somewhat of a pioneer in bringing this to the government activity and trying to keep our community healthy. We appreciate your work and your long term service to our citizens. So, thank you very much. All right, thank you."

Mr. Bargdill said, "Kevin Nash."

Chairman Skelton said, "Sir, good morning. How are you? Congratulations. The day has arrived."

Mr. Kevin Nash, Household Hazardous Waste Technician, Public Works, greeted the

Commissioners and said, "Yes, sir."

Chairman Skelton said, "It says you were hired on April 7, 1983. You participated in several Riverfests in the water ski shows and as a clown."

Mr. Nash said, "Yes."

Chairman Skelton said, "Do you ski in the clown uniform?"

Mr. Nash said, "No, I didn't have to ski in the clown uniform, but I did have to walk in clown feet for, what is it, two miles? That was a mistake. My feet ached for days after that."

Chairman Skelton said, "Do you barefoot ski with clown feet?"

Mr. Nash said, "No."

Chairman Skelton said, "Okay. Well, it says here you've been vacationing for over 20 years, you have had vacations, backpacking, canoeing, in the Minnesota, Canadian wilderness. Outfit people from 8 years old to 65 years old. Ever run across a grizzly bear?"

Mr. Nash said, "Many."

Chairman Skelton said, "Really?"

Mr. Nash said, "Yeah!"

Chairman Skelton said, "Do you throw them a peanut butter sandwich?"

Mr. Nash said, "Throw rocks and run. Run faster than the guy in front of you."

Chairman Skelton said, "Smart guy. Wow. Okay so what you are going to do, you and your wife, Frances, are going to tour Kansas in your [19]71 Corvette Stingray. That was said. Now, is that a race car?"

Mr. Nash said, "No, it is an original."

Chairman Skelton said, "Okay. All right. 1983 President Reagan signed legislation making the third Monday in January Martin Luther King Day. Chrysler put the first minivan on the market. Did you buy a minivan in 1983?"

Mr. Nash said, "No."

Chairman Skelton said, "I didn't, either. Cabbage Patch Kids were released. Do you still have any Cabbage Patch Kids laying around?"

Mr. Nash said, "No. My girls gave those up several years ago. We had some."

Chairman Skelton said, "Michael Jackson, this is a popular guy here this morning, Billy Jean was the number one song on April 7, 1983. Do you have a copy of that song?"

Mr. Nash said, "No."

Chairman Skelton said, "Okay. All right, well, you paid 20 cents for a first class stamp. Times have changed."

Mr. Nash said, "Yes."

Chairman Skelton said, "Sir, I would like to present you with a certificate of recognition and thank you again for your service."

Mr. Nash said, "Thank you."

Chairman Skelton said, "Absolutely. We have a nice, beautiful retirement clock for you."

Mr. Nash said, "Thank you."

Chairman Skelton said, "You are welcome, sir. Congratulations."

Mr. Nash said, "I would just like to express my gratitude for having the opportunity to work for Sedgwick County for 30 years. I would be remiss if I didn't thank those that helped me along the way. Of course I started with David Spears. I was hired not too long ago after David was actually hired at the county, so he will be looking for retirement, I'm sure, soon. I had a lot more hair back then, and with Mark Borst and Jim Weber, we were all kind of hired in at the same time. I can remember talking to Jim Weber one day after about a year's worth of saying we were going to work here as young guys, you know, and get our feet wet and move on.

"Move on to something bigger and better. Well, you know, Jim Weber and I are still working today. So we're still here, but we have enjoyed every bit of that. Working for Public Works was a great opportunity, because I got to move around to just about every position down there, and help someone in that position.

"And of course it was in charge of roads and bridges, one of the most important things in Sedgwick County was keeping our roads up. Six hundred some miles of roads and I don't remember how many bridges, David, but it was a big job, and we were proud to keep those things up and running and safe for our citizens. And then I got the great opportunity after almost 20 years to work for Human Resources under Jo Templin. Jo Templin was a great supervisor, Mike Mueller, as her assistant and Kim Ratzlaff. More challenge back then days.

"Of course, HR (Human Resources) was more personable than civil engineering. I was able to get my feet in on benefits and with many of you, I think I sat with all of you talking about health benefits and dental benefits, and life insurance and KPERs and things like that. And every day that was my job, day-to-day, working with the citizens of Sedgwick County and especially our employees, who didn't always know how to navigate through that. So I quickly became the counselor of benefits, you know, and of course they talked about many other things, too. But that's another story. But I enjoyed the friendships, and being able to work not only with my supervisors, but with my support staff.

"People like Tammy Brandt, who started out with us in Public Works, and folks in HR

like Connie and Jane and Cheryl Orme and those folks, some are still there today. Some have already retired or are gone. But I always enjoyed the support staff. They actually made my day-to-day enjoyable. We were proud to get the things out that we could and to help in any way we could. And, of course, I ended my career with Household Hazardous Waste. And what a great facility that is for the citizens of Sedgwick County. Where they can come and bring their household hazardous waste there. It is such a positive place. You would be surprised. When your trunk is full of stuff that you really don't want, that could explode or, who knows what, and you can get rid of it, they are thankful that they have a place to take it to. And they know it will stay out of the environment, and we are going to safely dispose of it. So it's been a great privilege to work for Charles Gunter and Susan Erlenwein under that, too.

"It does get kind of hot there. We were out just Saturday at Hawker Beech[craft Corporation] doing the remote out there. The wind was blowing 40 miles an hour out of the south. We were out there in full blown, taking in around 400 cars. I don't know how much oil and household hazardous waste, but it is a great, great place to work. And with that, I am looking forward to take some time off. We actually are going to, I still have two children at home, we are going to travel, and we have a house down at Table Rock Lake, going to spend some time there. Then we are going to travel Colorado, we are going to four wheel out in the mountains, used to hike a lot, but now I get to ride. And then I am going to travel back east with my father and my brothers towards New York and eastern coast, and that will take me into August and I will go from there. But really appreciate the life day-to-day here, and will miss the camaraderie, and all the friendships I have been able to put together. So, thank you."

Commissioner Unruh said, "Thank you. Kevin, Commissioner Norton would like to make a comment."

Commissioner Norton said, "Kevin, I was going to say how much I missed you, but now you told me what you are going to do, all I can say is I'm envious of you. Thank you for all your years of service, and all the places you filled in the gaps and learned a new job, and effected the organization and the citizens of Sedgwick County. We really appreciate that. But I'm not going to go in I further than that, because I'm really mad at you. [19]71, Corvette, do what you want to do, tour the coast, go to Table Rock. Commissioner Norton continued, "Are you kidding me? You had to say that. Didn't you?"

Mr. Nash said, "We have been planning it. It's coming to an end."

Commissioner Norton said, "Well, congratulations."

Mr. Nash said, "Thanks."

Commissioner Unruh said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'm just going to second Commissioner Norton's comments and thank you, Kevin, for your long and great service to Sedgwick County. Thank you."

Mr. Nash said, "Thank you."

Commissioner Unruh said, "And I will say ditto to those comments. Appreciated the help that you gave me, and while you were over at HR, and that's when I first really got

to know you, and enjoyed that relationship. Best of luck to you in your retirement."

Mr. Nash said, "Thank you."

Commissioner Unruh said, "All right."

Mr. Bargdill said, "Mr. Larry Ternes."

Chairman Skelton said, "Mr. Larry Ternes. How are you, sir?"

Mr. Larry Ternes, Youth Services Administrator, Corrections, greeted the Commissioners and said, "I am well."

Chairman Skelton said, "Congratulations. It says you were hired April 27, 1998. Can you remember that date?"

Mr. Ternes said, "Pretty well."

Chairman Skelton said, "I imagine. You have six grandchildren and grandbaby seven arrives in August. Congratulations."

Mr. Ternes said, "Thank you."

Chairman Skelton said, "I think I know why you're retiring now. You started in 1977 with SRS (Social Rehabilitation Services) and making \$800 a month."

Mr. Ternes said, "Thought it was great money, too."

Chairman Skelton said, "Well, in 1977 it certainly probably was. You go to yoga class two nights a week."

Mr. Ternes said, "I do."

Chairman Skelton said, "For the past three years you've done this. It says in quotes, you try to keep flexible as you age."

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

Chairman Skelton said, "Do you put your legs behind your head and all that?"

Mr. Ternes said, "No, but there's some moves where you don't think you can do them, but eventually you are able to get in the posture."

Chairman Skelton said, "Like splits?"

Mr. Ternes said, "No. No splits. You won't see me doing those things."

Chairman Skelton said, "Okay. Well, you are a big KC (Kansas City) Royals fan, and KU (University of Kansas) Jayhawks fan and you sing in your church choir."

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

Chairman Skelton said, "Do you like WSU (Wichita State University)?"

Mr. Ternes said, "I love WSU."

Chairman Skelton said, "All right, well that's good, I love WSU also. Did you know in 1998 an estimated 76 million viewers watched the last episode of Seinfeld? Were you one of those people?"

Mr. Ternes said, "Yes, I was."

Chairman Skelton said, "Okay. Titanic won the best picture at the Oscars. And John Glenn, 77 years old, rode the Space Shuttle Discovery back up to orbit. I remember that very distinctly. Yep. And we paid \$1.06 for gas, and 32 cents for a stamp. So times have changed."

Mr. Ternes said, "Slightly."

Chairman Skelton said, "Slightly. Sir, congratulations on your retirement. I have a certificate of recognition for you."

Mr. Ternes said, "Appreciate it."

Chairman Skelton said, "I would like to congratulate you further with this retirement clock."

Mr. Ternes said, "Thank you, sir."

Chairman Skelton said, "You are welcome. Please."

Mr. Ternes said, "Well, I am getting more forgetful as I age, so I wanted to make sure I didn't forget anything to thank people in particular. First of all I want to thank the Commission for all the support that you have given me and our department over the years. Mr. Manager, thank you very much, I appreciate your support over the years."

Mr. Ternes continued, "My boss, Mark Masterson, who is in the back, made a very wise decision to hire me 15 years ago. But I was scared out of my mind when I came to work, it was a new environment, had not been responsible for residential care of juveniles in the past, so it was a big learning curve and some of my best mentors are here today. Marla Sutton was one of my best mentors to teach me the ropes, show me the way. I want to thank Mark for all of his support and mentoring over the years, and for all the great stuff that he's done with the Department of Corrections. Those of you that sit on this bench, and the Manager I know, are well aware of the great things that the department has accomplished over the years, and our standing, not only in the State of Kansas, but nationally. And that's largely due to the work and innovation that Mark has brought to this community. So I want to thank him for that."

"Something that a lot of people don't typically do is thank some of the people that assist us in the work that we do, that aren't necessarily paid by Sedgwick County. And those folks are volunteers that volunteer at all of our residential facilities, our juvenile facilities. They spend countless hours of their own personal time to come in and help change lives of people that are struggling, whether it's the adults or the juveniles. And the teachers that we have from USD (Unified School District) 259 that work in all our facilities, are very devoted and very compassionate people that try to really help these

young people in particular make some significant change in their lives, and progress and gain educational credits.

"I want to thank all the Department of Corrections staff that I've had the great privilege of working with over the last 15 years. In particular the staff and the managers in the division that I have been responsible for, the youth services division, we have a lot of great people that work in our department that do great things each and every day to assist both adult and juvenile offenders with making positive changes in their lives. Unfortunately we hear a lot of the bad things, but we don't hear so many of the good things that happen every single day and things that people have done to change their lives in positive ways. I want to thank my wife who is here today and my children. As you all know, these jobs that we have are not eight hour a day jobs. There are times when we are called to respond and be able to respond to our programs and facilities on a 24 hour a day, 7 day a week, 365 day a year basis. And our families recognize that, and they support us in the work that they do, so I want to thank not only my wife but my children, too, because they were kind of growing up when I was taking this job on.

"I can tell you honestly there was never a day when I dreaded coming to work. There were days that I knew there would be challenges, whether it was personnel related or just related to the things we had going on at the time, and so I looked forward to those challenges. I am very proud of the staff and the work that we performed for this community. I am going to miss being part of such a great organization as the Department of Corrections. And I want to thank you again."

Commissioner Unruh said, "We have a comment from I think Commissioner Norton."

Commissioner Norton said, "Larry, so many youth in this community are going to have a better chance of succeeding and moving forward with their lives because your fingerprints are on this organization. I often say that how we treat our children, and our young people and how we treat our seniors is how we're defined as a civilization. You made an imprint on this organization, but more importantly on our community at large, because kids that are just one roll away from falling in the gutter and being castaway, have been kicked back into play and have a chance to succeed in life because you were here and thank you very much."

Mr. Ternes said, "Thank you."

Commissioner Unruh said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. I would just like to follow up on Commissioner Norton's comments. When we have had public hearings and had some young people talked to the Commission, in terms of some of the programs, I know you have worked on and been involved in, and they talk about the impact it's had on their lives. That's a legacy I wanted to give a little public recognition to this morning, and wish you well in whatever plans your retirement happens to take you. Thank you."

Mr. Ternes said, "Thank you."

Commissioner Unruh said, "And Larry, I know that in your particular area of service, you have new and different challenges each day, you deal with individuals and with special personal problems, but I just appreciate the flexibility and the creativity you had in helping us administer a program that is helpful to those folks that you are in charge of and beneficial to the community. So thanks for your great work."

Mr. Ternes said, "Thank you."

Commissioner Unruh said, "Thank you."

Mr. Bargdill said, "And finally, Michael Sanchez."

Commissioner Norton said, "Well I talked to the Chairman, and I have known Mike and his family, Tracy and the kids for many, many years. They are Haysvillians and we are all proud of that. So, when I knew when he would be retiring, I talked to Tracy and I committed that I would present his certificate and his clock. And I'm honored to do that today. As I talked to the Chairman, he was willing to give up that honor to allow me to do it. You know, first responders in our community are the bedrock of one of the core values of what we do as County Commissioners and Sedgwick County. First on the spot when people may be in the position of one of the worst situations in their life, and Michael's done that for many, many years. In fact, he was hired January 1, 1989. Michael enjoys singing in a quartet and in his church choir. What part do you sing, Mike?"

Mr. Sanchez said, "Tenor."

Commissioner Norton said, "Would you think a big guy like this would sing tenor? But he has a beautiful voice, I have had the chance to hear him. He loves to play golf. Although Tracy doesn't think he's ready for the senior PGA (Professional Golfer's Association) tour yet. What is your handicap?"

Mr. Sanchez said, "It's up there a little bit."

Commissioner Norton said, "Walking 18 holes is probably your handicap, right? He will probably improve a little bit during retirement. He's anxious to spend more time with his daughter Taylor, who just graduated from college. Congratulations, Taylor, kind of got to watch her grow up a little bit in Haysville. Spend time with his son Anthony and his wife Tracy, who is here today, and watching his grandkids play sports. Mike says I thank the Lord for my opportunity to work as a paramedic.

Commissioner Norton continued, "He came to work with me every shift. And I'm sure most paramedics think that, that he's got an angel on his shoulder every time he responds to somebody's crisis. There are some fun facts about 1989. The number one song on January 1, 1989 was Every Rose Has It's Thorn by Poison. I remember that song. But I'm sure Commissioner Unruh does not."

Commissioner Unruh said, "That's correct. I don't."

Commissioner Norton said, "It was not by Patti Page."

Commissioner Unruh said, "Hey, Patti Page is one of my favorites."

Commissioner Norton said, "Yeah."

Commissioner Peterjohn said, "Or Perry Como."

Commissioner Norton said, "The fall of the Berlin Wall happened in 1989. The cost of a first-class stamp 25 cents. Orville Moody won the U.S. (United States) Senior [Open] golf tournament in 1989, and very apropos for this community, Wichita State

[University] won the baseball College World Series that year, 1989. But we're here today to celebrate Michael Sanchez's years of service with Sedgwick County that we so appreciate. He's been there when people needed help at some of the worst situations in their life, and we congratulate him for those years of service. I have your certificate here, Mike for your 24 years. Congratulations. And from the Sedgwick County Board of Commissioners and citizens of Sedgwick County, I know you are not going to watch this clock very often, but we are going to present it to you for those years of service. Thank you and congratulations."

Mr. Sanchez said, "Thank you for allowing me to serve the citizens of Sedgwick County for these many years. I would also like to thank my family that supported me through the hard times, difficult times, the stories that I had to bring home to my wife and the tragedies sometimes, as well as the things we were thankful for, the praises of good outcomes. I'd also like to thank my EMS (Emergency Medical Service) family, they are my family. They are my friends and hope they are my friends for a long, long time. Hopefully I'll spend time in retirement enjoying my retirement, however I think my wife has other plans for me. But that's okay, that's okay. I'll just try to take care of my health and just enjoy life."

Chairman Skelton said, "Comments by Commissioners? Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Michael, we are appreciative of your years of service to Sedgwick County Emergency Service, it is something expected by our citizens when a crisis occurs, they want someone there. You are the face of Sedgwick County in those situations, and it is clear that you have the humble servant attitude that is appreciated by those in need and appreciated by this Commission, because that's the type of personality that we want to project. So, thank you for your years of dedicated service and we wish you the best in your retirement."

Chairman Skelton said, "Additional comments? God bless you, sir, for your service and all the lives that you've saved over the years. I know we need more people like you, sir. Have a good retirement. Congratulations. Commissioner Ranzau has one comment."

Commissioner Ranzau said, "I just want to take time to thank all five people up here, and as I'm listening to everything that's being said, it is interesting to note the wide range of departments that are reflected in all these individual service. I think it reflects the wide range of things that we do in Sedgwick County. We have Security, COMCARE, Public Works, Human Resources, Corrections, EMS, all those departments were represented here today. And sometimes some of the work is noticed by the public, and sometimes it is not. But today we wanted to take the time and I thank you all very much for all that you have done and contributed to our community. We hate to see you go, but you've earned it. Enjoy your retirement, enjoy your family, enjoy traveling. Send us pictures back to let us know what you're doing. Thank you very much."

Chairman Skelton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. I am going to second Commissioner Ranzau's comments and also want to express appreciation to the families who provided support to those employees, especially, the recognition sometimes isn't there, but I would like to extend it this morning and thank each and every one of you."

Commissioner Norton said, "Mr. Chairman?"

Chairman Skelton said, "Thank you very much for helping me out today, Tim."

Commissioner Norton said, "Not a problem. I did want to recognize 133 years total of service. But that's experience, organizational knowledge, intellectual capital that this organization will be losing. It will be sorely missed. I know there will be people that will fill in the gaps, but when you lose 133 years of great experience and work habits, it is a big hole in an organization. And we should give them all another round of applause."

Chairman Skelton said, "Okay. We will stand at ease for a minute while the room clears. Madam Clerk, next item, please."

APPOINTMENTS

- C** [13-0394](#) ACCEPT THE RESIGNATION OF KEN CHAMBERS AS THE TRUSTEE OF THE NINNESCAH TOWNSHIP BOARD IN DISTRICT 2.
Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Accept the resignation.

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Commissioners, you have received this resignation, and it would be appropriate to accept it at this time."

MOTION

Commissioner Norton moved to accept the resignation.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Skelton said, "Next item, please."

Commissioner Norton exited the Meeting at 9:48 a.m.

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

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

Present: 0

D [13-0392](#)

RESOLUTION TO APPOINT WILLA DECASTRO (COMMISSIONER KARL PETERJOHN'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING TO FILL THE UNEXPIRED TERM OF BONNIE HUY DUE TO HER DEATH.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the resolution.

Mr. Euson said, "Commissioners, we prepared this resolution for a term to expire in August of 2016 and recommend you adopt the resolution."

Chairman Skelton said, "Okay. I'll recognize Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I am going to make this motion to appoint Willa Decastro to take this position, but in doing so, Mr. Chairman, I would like to express my appreciation to the late former state representative Bonnie Huy, for her service on this board. She passed away recently, and I am delighted this morning to be able to pick another person who has governmental experience, Willa Decastro, who I met when she was elected to the legislature."

MOTION

Commissioner Peterjohn moved to adopt the resolution

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Skelton said, "Okay..."

Commissioner Peterjohn said, "She's here."

Chairman Skelton said, "I recognize that, sir. Good morning, Mr. Clerk. Willa, how are you this morning?"

Ms. Willa Decastro, Appointee, Sedgwick County Advisory Council on Aging, greeted the Commissioners and said, "Doing great, I think. I thought I should leave with the masses, though."

Chairman Skelton said, "Okay. Well, you're here to swear her in, so appreciate that. Thank you."

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

of Kansas, and faithfully discharge the duties of the office of Sedgwick County Advisory Council on Aging so help me God."

Ms. Decastro said, "I do."

Mr. Arnold said, "Congratulations."

Ms. Decastro said, "I don't know exactly what to say. Following Representative Huy is going to be difficult shoes to fill. But I do thank Commissioner Peterjohn for his thinking that I can accomplish this, and his trust in my ability. And I look forward to working with all of you again. It's been a few years since we have worked together. But it will be good to be back in community service. So, thank you."

Commissioner Peterjohn said, "Thank you."

Chairman Skelton said, "Thank you. Congratulations. Okay, Madam Clerk, next item."

A motion was made by Commissioner Peterjohn, seconded by Vice Chair Unruh, that this Appointment(s) be Adopted. The motion carried by the following vote.

Absent: 1 - Commissioner Norton

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

Present: 0

PLANNING DEPARTMENT

- E [13-0416](#) ZON2013-00007 - ZONE CHANGE FROM SF-20 SINGLE-FAMILY RESIDENTIAL ("SF-20") TO LI LIMITED INDUSTRIAL ("LI"), WITH PO-275 PROTECTIVE OVERLAY ("PO"); GENERALLY LOCATED SOUTH OF 42ND STREET SOUTH, ON THE EAST SIDE OF WEST STREET. (DISTRICT 2).

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

RECOMMENDED ACTION: Adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to LI Limited Industrial ("LI"), subject to the provisions of PO-275 Protective Overlay ("PO"), authorize the Chairman to sign the resolution and authorize the resolution to be published.

VISUAL PRESENTATION

Mr. John L. Schlegel, Director of Planning, Metropolitan Area Planning Department, greeted the Commissioners and said, "This is a request by these applicants to rezone their property, which is shown in the black heavy bold line on the zoning map up before you now. You can see from that zoning map that it's currently zoned single family residential (SF-20), and what they are seeking is to have it rezoned to a limited industrial (LI), which is the zoning designation of all the properties that surround it. Currently has on it a manufactured home with a detached garage and accessory building. The applicants haven't stated what future use they might put it to, but I think you can see from the zoning map, that what they are requesting is appropriate. There is some residential development to the south and east of this property, but the area surrounding this particular property is predominantly industrial and commercial in nature, and that shows up, I think better on the aerial photo that I've put in front of you now.

"This item went before the Metropolitan Area Planning Commission (MAPC) at its meeting on May 11st. They voted unanimously to recommend approval with the conditions that are listed out in your agenda backup report. There was no one present at the [Metropolitan Area] Planning Commission meeting to speak against the request. We haven't received any protests or appeals on this action. So with that, the recommendation before you is for approval of this request for limited industrial zoning of this property. I will be glad to take any questions."

Commissioner Norton returned to the Meeting at 9:52 a.m.

Chairman Skelton said, "Questions for Mr. Schlegel? Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. You mentioned that the surrounding properties are commercial or industrial. Are any of them limited industrial or are any or all of them limited industrial?"

Mr. Schlegel said, "Well you can see from the zoning map that, what is that, light blue color, is all the limited industrial zoning in the vicinity of this parcel."

Commissioner Peterjohn said, "Okay, because I was going to say, I didn't see...I wanted to make sure that the LI there was limited industrial and it wasn't covering more categories like, let's say like commercial or other categories that might be...that I, I'm

not up to speed on every one of the acronyms and initials on the zoning map that I can see, I don't know if the public can. You probably know this and you can go through this in your sleep, John, but for me, when you mentioned commercial or industrial around it, I just wanted to make sure for the record exactly what this would fall into."

Mr. Schlegel said, "When I referred to the commercial uses around it, there are some commercial storage units which are allowed in limited industrial and then also just to the south, along West Street, you can see that kind of pinkish parcel, that's general commercial, and there's a commercial storage unit on that."

Commissioner Peterjohn said, "Okay. Thank you, Mr. Chairman."

Chairman Skelton said, "Thank you. Additional comments?"

MOTION

Commissioner Norton moved to adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to LI Limited Industrial ("LI"), subject to the provisions of PO-275 Protective Overlay ("PO"), authorize the Chairman to sign the resolution and authorize the resolution to be published.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Skelton said, "Next item."

A motion was made by Commissioner Norton, seconded by Vice Chair Unruh, that this Planning Department be Adopted. The motion carried by the following vote.

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

Present: 0

- F [13-0420](#) THE WICHITA AREA METROPOLITAN PLANNING ORGANIZATION REDESIGNATION AGREEMENT FOR COOPERATIVE TRANSPORTATION PLANNING, 2013; AND A FISCAL AGREEMENT FOR THE OPERATION OF THE WICHITA AREA METROPOLITAN PLANNING ORGANIZATION.

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

RECOMMENDED ACTION: It is recommended that the Board of County Commissioners approve the Wichita Area Metropolitan Planning Organization Redesignation Agreement for Cooperative Transportation Planning, 2013, and the Fiscal Agreement for the Operation of the Wichita Area Metropolitan Planning Organization and authorize the necessary signatures.

VISUAL PRESENTATION

Mr. Schlegel said, "I think you are all familiar, somewhat, with the Wichita Area Metropolitan Planning Organization, or better known as WAMPO. The jurisdiction that WAMPO covers is shown on the map before you now. It includes all of Sedgwick County, and portions of the extreme western portions of Butler County surrounding the cities of Andover and Rose Hill, and then a portion of northern Sumner County adjacent to the city of Mulvane. As I think you already know, the charge of WAMPO is to do regional transportation planning for this metro[politan] area, and to provide funding for some of the transportation needs within that area.

Mr. Schlegel continued, "In terms of funding, WAMPO receives a certain amount of funding allocated just for our region from the federal government through KDOT (Kansas Department of Transportation). And then those funds then become available to our member jurisdictions for transportation projects, and WAMPO oversees both a number of competitive programs and non-competitive programs. The staff operation for WAMPO is funded by a federal grant, it's called the Consolidated Planning Grant. For that, we must have a 20 percent local match. The current charter for WAMPO was created back in 2007 by a Redesignation Agreement that was signed off by KDOT, Sedgwick County, and the City of Wichita. And at that time, it created the current board, which is a nine member board, it created, it designated how the local match would be provided for and how WAMPO would be staffed.

"However, since that time both the Federal Highway Administration and KDOT have revised their requirements for how we provide for the 20 percent local match on the Consolidated Planning Grant. Now what they want is for the local jurisdictions to provide cash contributions to WAMPO to fund that 20 percent local match. So to, to put that, in order to meet that new requirement we began two years ago to meet with a number of city and county managers and administrators from the WAMPO region representing member jurisdictions to try to hammer out an agreement by which those financial contributions could be met by our member jurisdictions. And the two agreements that are before you are as a result of those two years of negotiation.

"The key points, or key elements of those agreements are on the slide before you now, what everybody agreed was that in order to participate in the benefits that WAMPO

provides for the region, that the member jurisdictions needed to pay into and contribute financially to WAMPO, and in exchange for that, they would get a vote on the policy body which is the governing body for WAMPO. What the agreements provide for, in terms of this financial contributions, is that they would come from two sources, the first one, and this would be the one that would pay for the bulk or about 75-80 percent of the 20 percent local match, that WAMPO would need to provide for, is a 1 percent TIP (Transportation Improvement Program) fee.

"TIP is the Transportation Improvement Program that annually WAMPO adopts, and that provides for the funding for both a competitive and non-competitive projects that our member jurisdictions submit. So what they will have to do is pay one percent of the federal funds that they receive that are provided in the WAMPO TIP. So for example, if the City of Wichita applies for \$3 million in federal funding for a project in the city, then they would have to pay WAMPO 1 percent or \$30,000 towards the operation of WAMPO. Then the other source of funding for WAMPO in order to meet its 20 percent local match is an annual assessment, and that's structured in the agreements as a three-tier payment scheme, where both Sedgwick County and the City of Wichita would agree to pay 40 percent each of the estimate that WAMPO provides for that annual assessment, and for 2014, we're estimating that will be about \$50,000. And then the other 20 percent will come from the remaining member jurisdictions that agree to participate financially. That will be assessed to them on a per capita basis.

"One of the tradeoffs to this to getting particularly the smaller cities to participate financially in meeting the financial needs of WAMPO was that they wanted to have a vote on the transportation policy body. As a result, each of the jurisdictions that contribute financially to WAMPO that are over 2,000 in population will get a seat at the table. Those under 2,000 that participate financially will have one representative that will be selected by the Sedgwick County Association of Counties, and then Wichita and Sedgwick County will get four seats or four votes, and KDOT will get two.

"The net result will be a much larger WAMPO policy body or governing body, but that was the tradeoff that needed to be made in these agreements in order to get the smaller cities to participate.

"So with that, to date so far we have 13 of the, well, 12 smaller cities, 12 suburban cities plus Butler County, plus the City of Wichita have all agreed to participate in this agreement, have all approved both agreements, and what we're asking for today is for this Board to approve these agreements and become a participant in good standing with WAMPO. With that I would be glad to take any questions that you have."

Chairman Skelton said, "Commissioner Norton."

Commissioner Norton said, "Thank you, Mr. Chairman. I am going to be supportive of this today. I am the President and Chairman of the WAMPO board that exists today, and I think I've got maybe one or two more meetings, one more meeting to chair. But we've worked on this for a couple of years. It was part of our mission to become a little more sustainable in our ability to fund WAMPO, to do the good work of planning for the future transportation needs of the defined area, we've gone through some processes that have engaged the small cities, and I have to give them credit, they are administrators, some of them are elected officials, for bearing with a year and a half of making the sausage.

"Because there was a lot of boundaries and problems that can come up when you are trying to push that many people to come to an agreement on how to spend money and

how to get representation. But I'm pretty proud that staff and the administrators of the smaller jurisdictions have come to the table, saw that there's value in trying to make WAMPO the best that it can be. Make it free standing, sustainable, and good for our community for many years. So I am going to be very supportive of the process. I think we are moving in the right direction. We worked hard at rebuilding some relationships with KDOT and Federal Highway [Administration] and Federal Transit [Administration], with our new leadership, and Kristin is here today for WAMPO, and John, hopefully you'll bring her up and let her have an introduction here in a second."

Mr. Schlegel said, "And I apologize for not having introduced her. Thank you for bringing that up."

Commissioner Norton said, "Well, that's fine, you'll get your chance. I think we are moving in the right direction with WAMPO. The sky is the limit for the future, and I am going to be supportive."

MOTION

Commissioner Norton moved to it is recommended that the Board of County Commissioners approve the Wichita Area Metropolitan Planning Organization Redesignation Agreement for Cooperative Transportation Planning, 2013, and the Fiscal Agreement for the Operation of the Wichita Area Metropolitan Planning Organization and authorize the necessary signatures.

Commissioner Unruh seconded the motion.

Chairman Skelton said, "Okay. It's been moved and seconded to take staff's recommended action. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I don't know, John, did you want to take this point to introduce Kristin?"

Mr. Schlegel said, "Yes, if you don't mind. Kristin Zimmerman, has just recently been appointed as the Transportation Planning Manager for WAMPO. She has been with WAMPO for..."

Ms. Kristen Zimmerman, Transportation Planning Manager, Wichita Area Metropolitan Planning Organization, greeted the Commissioners and said, "Just over three years."

Mr. Schlegel said, "Just over three years. So this was a very nice promotion, and we look forward to her exerting leadership within the WAMPO organization. Anything you want to say?"

Ms. Zimmerman said, "Thanks, John. I look forward to working with all of you, and the newly reorganized WAMPO."

Commissioner Peterjohn said, "Mr. Chairman, if I can throw out a question here. If citizens out here have questions about WAMPO and want more information, who should they talk to, John or Kristen?"

Mr. Schlegel said, "Either one."

Commissioner Peterjohn said, "I am just, for the record, in terms of understanding

going forward for citizens and so on, because WAMPO is undergoing some changes. And so I am not sure who I should direct this question to, I will let either one of you sort it out. The map that was up earlier showed that the boundaries have increased for the WAMPO organization, in terms of the size and the City of Rose Hill and some of unincorporated Butler County have been added to the map of WAMPO, there we go. And also some of unincorporated Sumner County have been added around the City of Mulvane. My specific question is going forward, could this map change, and if it did, what process would it have to go through to either add or change the boundaries?"

Mr. Schlegel said, "At a minimum, the WAMPO planning area, or this map, would have to include all of the contiguous urbanized area, including Wichita and surrounding communities. In addition though there are, as you can see from the map, there are other large expanses in both Sedgwick County, particularly in Sedgwick County that have been included. The process that we've went through in expanding the boundaries this year, were, first of all, in Butler County at the request of Rose Hill, and Butler County, wanting to be able to include all of the highway between Andover and Rose Hill, within the WAMPO planning area.

"And then with Mulvane's annexation of portions of Sumner County around the casino, we felt that that, staff recommended to the policy body that the area around Mulvane be expanded to include that what you see on the map now, so that the casino area was in the planning area for WAMPO, and that was at the discretion of the WAMPO policy body, although we did need approval of KDOT."

Commissioner Peterjohn said, "My question is focused on how do we, if another municipality said we want to be in or out, regardless of..."

Mr. Schlegel said, "They can make that request to the WAMPO policy body and then they would take that under consideration.

"And we would have to look at it, in terms of some of the criteria that KDOT and the Federal Highway Administration would apply to how boundaries for MPOs (Metropolitan Planning Organizations) are drawn."

Commissioner Peterjohn said, "So would KDOT or the Federal Highway Administration have to approve any future boundary changes?"

Mr. Schlegel said, "Yes, in terms of whether or not it meets the criteria for drawing the boundaries of MPOs. If we can present a good case for why the boundaries should be expanded, they tend to look to allow the MPO governing body to have that discretion about where it's boundaries should be."

Commissioner Peterjohn said, "If the municipality decides to opt in, are they in for a certain period of time, are they just in until they decide not to be in? Is there any time limit on this? Because I know..."

Mr. Schlegel said, "Opt in, in terms of the fiscal agreement?"

Commissioner Peterjohn said, "Well, opt in as a member of WAMPO. Because my understanding is most of the cities on this map have opted in, although not necessarily all of them. I don't know if you want to mention kind of where we are with that portion of the process. But..."

Mr. Schlegel said, "We consider all of the jurisdictions within those boundaries to be

member jurisdictions. However, only those that adopt the fiscal agreement will be able to participate financially in the WAMPO programs and have a vote at the board meeting. They are always welcome to come to the meetings, and their participation would be welcome, but they wouldn't get a vote, and they would not be able to put projects into the WAMPO TIP."

Commissioner Peterjohn said, "Okay. How many of the jurisdictions on this map have taken that step and approved an agreement?"

Mr. Schlegel said, "Thirteen cities so far, including City of Wichita. Butler County has opted in. And hopefully today, Sedgwick County, and then we have pending five or six others that will, for example the City of Maize will take it up next week at their city council meeting, and then there are a few others that when they next have their board meeting, they will take it up."

Commissioner Peterjohn said, "I think it is important for the people to understand this entity, because it really doesn't match any of the other boundaries that we have. Since the boundaries have changed, and the previous boundaries had been smaller, and included smaller portions to both Butler and Sumner Counties, I think it is important to get this on the record and try to get information out to the public, so they can have an understanding that this is a mechanism for working with the feds and the state, KDOT folks, to look at transportation, road and bridge issues here in South Central Kansas."

Mr. Schlegel said, "Right. And thank you for bringing that up. The mission of WAMPO is very specific to transportation planning and implementation of transportation improvements."

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

Chairman Skelton said, "You are welcome, sir. John can you please explain the difference between competitive funds and non-competitive funds and the role WAMPO plays within that?"

Mr. Schlegel said, "Yeah. Each year WAMPO receives on the order of up to \$12 million in funding for what we call our competitive programs. That's surface transportation program, there's a congestion mitigation and air quality program, and a couple bridge programs. Then in addition to, and that \$12 million is the, are the funds that the WAMPO policy body then allocates amongst projects that, for which jurisdictions within our planning area apply and it is a competitive program. They have to apply selection criteria to those projects, and try to allocate the money to those projects that best improve our regional transportation system.

"And then there's a group of non-competitive programs which are administered directly by KDOT, and that's an application process between the local jurisdiction and KDOT. However, they have to be in the WAMPO TIP in order to receive that funding, so we play a role in helping to administer, with KDOT, those programs."

Chairman Skelton said, "Thank you. Additional questions by Commissioners? Motion on the table to take staff's recommended action. Madam Clerk, call the vote."

VOTE

Commissioner Norton

Aye

Commissioner Peterjohn *Aye*
Commissioner Ranzau *Aye*
Commissioner Unruh *Aye*
Chairman Skelton *Aye*

Chairman Skelton said, "Thank you. Next item."

A motion was made by Commissioner Norton, seconded by Vice Chair Unruh, that this Planning Department be Approved. The motion carried by the following vote.

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

Present: 0

NEW BUSINESS

G [13-0393](#) EMERGENCY MEDICAL SERVICE SYSTEM (EMSS) OPERATIONS UPDATE.

Presented by: Dr. Sabina Braithwaite, Director, EMSS.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Dr. Sabina Braithwaite, Medical Director, Emergency Medical Service System, greeted the Commissioners and said, "Scott Hadley and I appreciate the opportunity to bring you a little update on some of the work at that we're doing in our Emergency Medical Services (EMS) System. As you know, Sedgwick County EMS is the primary agency, together with our first responder partners, responsible for out of hospital care and Sedgwick County EMS is solely responsible for transportation of persons who become acutely ill or injured and are in need of advanced life support ambulance transport to our hospitals. We respond to an average of 155 requests for service per day, with about 56,000 responses per year, and as was mentioned earlier, people call us on the worst days of their life, when they are in crisis, either for illness or injury, including heart attacks and diabetic emergencies.

"We are able to provide our care through three separate areas. Through medical expertise, through our advanced life support paramedics, through the specialized equipment that we carry, that allow us, really, to bring the hospital to the patient, and through medications that we can administer that are needed for life saving care that we provide. As we have discussed before, there have been some shortages of generic medications which in large part is what we provide for our patients for care of their emergencies and their crisis. We have had shortages of generic medications, and as you can see on the graphic, in 2004, there were very few medications that were in shortage, and that has quintupled in 2011. So we are experiencing ongoing medication shortages which we really have very little impact over the causes of that. But we wanted to share with you some of the strategies we are using to buffer our patients from the impact, from many negative impacts of those shortages.

"Specifically, the impacts to us, or at least that we noticed, began in about 2010, and caused us to start preparing for unavailability of certain medications. So what that included was pre-ordering medications, stockpiling medications in some cases to make sure that we had an additional buffer, rather than having one or two months of supply on hand, we would go to four to six months potentially on hand, knowing that shortages recur frequently, and we that wanted to have adequate medications to serve our patients' needs. We have been working to promote patient safety. We talked with you about that a few most ago about some of the medication cross-checks, things we've done to try to limit the impact to our patients and promote patient safety. All in all we've been trying to balance safety, quality medical care, and also limit the financial impact to the county by using some of these strategies in dealing with the medication shortages.

"Some of the medication strategies we've undertaken are through the State [of Kansas] Board of EMS to allow substitution of medications in our protocols without having, because our practice is governed by the [State of Kansas] Board of EMS, and they actually had specific medications which didn't allow us the latitude to substitute medications when some were unavailable. Locally, we've had these medications substitutes built into our protocols. We've been closely monitoring the ongoing

shortages on a weekly basis and adjusting our purchasing strategies based on that. Been doing anticipatory purchasing as mentioned. Intermittently when medications become totally unavailable, we have been using compounded medications through accredited pharmacies, and we've also worked with the hospitals to try to limit the impacts of these medication shortages.

"From the provider level, obviously patient safety is a huge concern of ours. We have provided just in time training on any medication changes or protocol changes we've had to make due to the medication shortages, and we've already discussed the engineered solutions to limit error, not only medication cross-checks, but special alerts when we've substituted medications and things like that to make sure that we really limit the impact to the patient and don't have errors because of it. To highlight some of the financial impact, one of the most recent ones has been a shortage of dextrose, which is a treatment for low blood sugar, about 80 patients a month require this treatment.

"If they, a diabetic gets ill, if they get sick and get an infection, they are more at risk for having low blood sugar. The normal cost of treatment is \$1.81 to \$6.99 a dose with a two year shelf life. There are substitutes.

Dr. Braithwaite continued, "One of the substitutes is slower acting, it's called glucagon, it costs \$160 per dose, and compounded dextrose which we can obtain which is a better option is \$14 a dose, so anywhere from 1 to 10 times the cost of the normal medication, and it only has a 90 day shelf life.

"So really, individuals can help by working to prevent, really EMS's role is tertiary prevention. We take people once the disease as occurred, once the injury has occurred and we try to limit the impact to them of that injury or disease through the medications, equipment, and the skills of our paramedics in the field. But really, people managing their chronic conditions, and doing so well, leading a healthy lifestyle, taking care of themselves, working with their medical care team can limit their need for having to call us in a crisis situation. So really, what we hope for more than anything is that people never have to become our patients.

"However, if they do, we stand ready to care for them in the best way that we can. Unfortunately, the medication shortage, in spite of the fact that it's already been going on for a number of years, isn't going away. We just want you to be aware of some of the things that we've been doing to limit the impact to our patients by focusing on patient safety, provider education and logistics aspects and really asking that individuals take charge of their health and do what they can to limit the need for EMS, although we're always there for them in their times of crisis. Thank you very much."

Chairman Skelton said, "Okay. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I want to begin with slide five, if we can jump back to it, where it showed the number of medication shortages. If you could, you skipped by it, there we go. Could you clarify for me if we're talking about roughly 250 shortages in 2011, which is an increase of now almost five times from what it had been seven years earlier. Is it possible that some of these are the same events so if we have a shortage of, you mentioned later, sucrose or dextrose substitute, so if we have a shortage of that, is that counted once, or if we have a situation where, gee, we were short of it in February, then we're short of it again in April, and then we were short again in October. Would that be three events showing up

here, or is it, there are 250 different medicines..."

Dr. Braithwaite said, "Those are just snapshots in time. So, I don't know what day they looked at, but let's say January the 1st, let's say there were 250 medications that were in shortage, for example, in 2011. And those would be all different, whatever medications were in shortage on the day they looked at."

Commissioner Peterjohn said, "Okay, so it's..."

Dr. Braithwaite said, "So over the course of the year there may be, it's revolving in what medications are in shortage."

Commissioner Peterjohn said, "Do you have any insight as to how many of these medicines we had shortages of were generics versus non-generics?"

Dr. Braithwaite said, "The vast majority, I believe, are generic. As a matter of fact, all of these in this specific are generic."

Commissioner Peterjohn said, "All 250 of these would be generics?"

Dr. Braithwaite said, "Yes. All of these were generic medications."

Commissioner Peterjohn said, "Wow. I was curious, of the ones that we have here, are there any, how many of these might be, you mentioned some that don't have substitutes, the FDA (Food and Drug Administration) approved substitutes. Do you have any idea how many would fall into that category?"

Dr. Braithwaite said, "So the ones that we focused on specifically are the ones related to emergency care, and unfortunately, there are a number that have no substitute. So, for example, if dextrose is unavailable, our only option is glucagon which acts differently and some patients don't respond to. Epinephrine, which is used for allergic reactions or cardiac arrest resuscitation, when that is in shortage, there is no alternative."

Commissioner Peterjohn said, "Let me ask you, because this is, I hate to say it, but when I was a kid back in the 1960s, if there was a diabetic student in my class, and that sometimes happened, if they were having low blood sugar, the teacher might give them an orange. And as I understand sucrose and dextrose aren't the same thing, but they are both blood sugars. Are we getting to a point where, you know, other sorts of alternatives, particularly when you say people need to take care of their own shortages, if there's, I mean, if we are talking that type of substitution, is that part of the environment we are moving towards?"

Dr. Braithwaite said, "Well, ideally, we would prefer for people to be, to catch it early and to be able to just eat something, have some peanut butter, have a soda, have something to bring their sugar up so we don't have to get to the point where we start an IV (intravenous therapy). We only start IV's on people that can't take it by mouth because they are so, their sugar is so low, they are not alert enough to be able to eat something."

Commissioner Peterjohn said, "Wow. Well, I mentioned this because when you say these shortages aren't going away, I had some experience, personal firsthand experience in an environment where the government is controlling and setting the rules

and setting the ground work for medical care, and as we move to Obamacare, where the federal government takes that role again, I shouldn't put it this way, but I will, it sickens me. And I see the type of, this is a shortage that is a strictly manmade, it's a regulatory failure, it's a governmental failure. We shouldn't be in a position where generics and simple things like dextrose solutions should not be in short supply.

"This is an outrage. It is, unfortunately, it is going to be our future as we go down the path of whether, you know, I feel like 1984, if you don't mind a George Orwell reference, but I continue very much to appreciate EMS's update this morning, and the information here, and would like to get any updated information into the future. Because this is, I agree with you completely with the staff report. I appreciate staff's hard work on this. This is a problem that is not going to go away. And in fact, unfortunately, I am very much concerned that it is not only going to get worse, it is going to get much worse. Thank you, Mr. Chairman."

Chairman Skelton said, "Okay. Doctor, is it, I think we had a presentation, I remember something about we had facilities that we can manufacture some of the medications that were in short supply?"

Dr. Braithwaite said, "We don't individually do that. Those are the compounding pharmacies, and that's one of the agreements that we have that when we cannot get the manufactured drug, we do utilize the compounding pharmacy as an option too."

Chairman Skelton said, "Okay."

Dr. Braithwaite said, "Again to buffer our patients from the impact of this."

Chairman Skelton said, "Okay, so we do that regularly, then?"

Dr. Braithwaite said, "We have had to do that intermittently with different drugs. One of the ones we're having to do it with right now is dextrose, although, we just, Scott, we got a shipment of like 100...300. So those were drugs that we ordered in December, we finally got some in."

Chairman Skelton said, "Okay. That's all the questions I have. Any other discussion by Commissioners?"

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Ranzau seconded the motion.

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

VOTE

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

Chairman Skelton said, "Thank you. It's been requested that we take a five minute recess. Any objections by Commissioners? Hearing none, this meeting stands in recess for five minutes."

The Board of County Commissioners went into recess at 10:27 a.m. and returned at 10:36 a.m.

Chairman Skelton said, "Okay. Welcome back. This meeting is called back to order. Madam Clerk, next item."

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

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

Present: 0

H [13-0421](#)

RESOLUTIONS REGARDING THE NORTH GATEWAY
REDEVELOPMENT DISTRICT IN DERBY.

Presented by: Chris Chronis, Chief Financial Officer.

RECOMMENDED ACTION: Adopt the resolutions.

VISUAL PRESENTATION

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "Tax increment financing (TIF) is a financing tool that allows local governments, cities in particular, to fund infrastructure improvements, land acquisition and a variety of other kinds of improvements. When employing tax increment financing, a city government first outlines the proposed district in which they want to undertake the improvements. That constitutes the TIF district. The public funds are generated by freezing the tax base, the property values for taxation within that district in a base year, in a single year. And for that base year taxes, from that point forward, those taxes continue to be distributed to the jurisdictions that have been levying taxes in the district just as before the district was created.

"Any additional taxes that are collected after the base year that result from development that occurs within the district, thus causing the taxable values to increase, the taxes on that increased value are distributed to the city to pay for the public improvements that are being financed with the tax increments. The City of Derby is considering the creation of a TIF district, or a redevelopment district technically, known as the Derby North Gateway TIF District. The purpose of that district is to fund a public investment of \$2,050,000 for road, drainage, and landscaping improvements to improve traffic safety, to improve entrance access to the area, and to improve the appearance of the area to the community. The proposed TIF district is located on the southeast corner of K[ansas Highway]-15 and east Patriot Avenue in Derby, and east Patriot [Avenue] is known to us in the county as 63rd Street South.

"The proposed financing to be undertaken by the City of Derby, should this TIF district go forward, would involve the payment of construction costs and related costs of \$2,050,000. The payment of transactions costs and capitalized interest associated with the financing transaction, of \$165,000, and they are estimating that interest on the bonds would amount to about \$438,000 over a 20 year period. Thus the total required funding by the City of Derby for construction costs and associated financing costs is \$2,653,220, according to their estimates. The TIF district would provide that funding according to the analysis that's been prepared for the City of Derby from incremental tax revenues generated within the next 20 years from within the district. Those taxes that would come from that district to pay for the improvements would be the taxes levied by the City of Derby, by Sedgwick County, and by USD (Unified School District) 260, the school district that covers that territory. In order for Sedgwick County to find that a proposed TIF district will create an adverse effect, our policy requires that at least one of five conditions be met, or fail to be met, is probably a better way of putting it. And I should point out that our policy is that we support the creation of TIF districts unless an adverse effect is found.

"And so what the policy does then is go on and define adverse effect to be any one of these five conditions that I'm about to discuss. The first one is that potential loss of tax revenue would hinder the effective future delivery of public services. In this

instance, the entire area currently produces about \$25,000 of county property tax revenue and thus we believe that there is a minimal risk that county service delivery would be impacted.

Mr. Chronis continued, "We will continue to receive that \$25,000, and the nature of the improvements that are proposed within the district are such that we do not anticipate a substantial, certainly, and perhaps not any increase in county cost of services.

"The second criteria is that the proposed project is economically feasible without county funding support. If that is the case, then we, under our policy, consider that to be an adverse effect. In other words, if the TIF district financing from the county is not necessary to complete the project, the county doesn't want to do a TIF district. We don't want to give up our taxes unnecessarily. Excuse me, according to the analysis that has been produced by the City of Derby and that has been reviewed by us and we believe it to be accurate, without a TIF, the additional taxes that would be available to the city to pay for these improvements would not be sufficient to cover the cost of the debt payments, that \$2.6 million over 20 years, and therefore, we believe that the TIF financing is necessary to undertake this project.

"Thirdly, the proposed private equity funding is insufficient to effect default risk. Typically TIF projects that we have considered have been proposed by cities as an incentive to induce a particular development by some private sector player. That is not the case in this TIF district. This TIF district is being proposed by the City of Derby to take care of a public safety issue and an access issue that is a city responsibility. It is not being driven by any proposed developer. To be sure, there is a development that has been proposed to occur within the TIF district, but as you know, that development has already been announced. It was not keyed to the available of TIF funding and none of the improvements to be undertaken by the City of Derby are to provide specific benefit to that developer. And so therefore, we think this factor is not relevant to our consideration of this TIF district. Fourth, the cost to the county government should not be greater than the benefits to the county government. If this TIF district is approved, we estimate that the county would forgo about \$767,000 of property taxes over the 20 year life of the TIF district provided that development occurs within the district as has been contemplated by the City of Derby.

"Once again, we don't believe that the county will require those funds to provide services that would be added because of the development in the district, and therefore, we don't see this consideration as being an adverse effect on the county. And the final, the fifth and final condition that is laid out in your policy to define adverse effects is whether or not sufficient data or notification has been provided to the county to enable us to do the analysis that you've asked us to do in order to give you our recommendations. And in this instance, the City of Derby commissioned a feasibility study well in advance of their action to create the district. They provided us a copy of that feasible study, and we have provided it to you several weeks ago.

"In addition, attached to your agenda item is the staff report that was prepared under my direction in the finance division and two resolutions. One resolution approving the creation of TIF and one resolutions finding there is an adverse reaction to the TIF. The alternatives that you have before you are to adopt one or the other of those two resolutions, or to table this item and take no action whatsoever. Under state law, you are allowed to find adverse effect, and if you choose to do that, if you do that within 30 days of the date of the city's action creating the district, then the city is obligated by law to rescind their action and the district disappears, it goes away.

"If you adopt a resolution approving the district or if you take no action, then at the end of 30 days, the city has full authority to proceed with actions involved in that TIF district. Now, I would note that the affected school district has similar authority.

"They have the authority to adopt a resolution approving the district, to adopt a resolution finding adverse effect or to take no action. And honestly, I don't know whether USD 260 has taken action or plans to take action with regard to this district. The county currently receives, as I said, a little over \$25,000 of property tax revenue from the area that is located within the proposed district. The county will continue to receive that \$25,000 for each of the following 20 years should the district be approved. We would be foregoing an estimated \$55,000 a year if the TIF district is approved, that money coming from the new development that is anticipated to take place.

"Once again, it is the policy of Sedgwick County to support city efforts to eliminate blight and promote redevelopment of substandard areas by allowing the diversion of county tax revenues to TIF districts when such actions are shown to create no adverse effects. So that in conclusion is the staff's presentation to you. You have two resolutions before you. My recommendation would be that you adopt whichever of those two resolutions you believe to be appropriate based on your findings in this situation and the information that you've heard from me and read in the reports that we provided to you. And it would be appropriate for you to take action on one of those resolutions at this time if you have no further questions."

Chairman Skelton said, "Okay. Questions for staff, please. Okay. I'd like to recognize the applicant for any additional information or comments."

Ms. Kathy Sexton, County Manager, City of Derby, greeted the Commissioners and said, "I think we did not prepare a big presentation to you all, but we are here for any questions you all might have. Thank you very much for considering this."

Chairman Skelton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. Kathy, I recognize the mayor out here, too, and if there are any other city council members, I'd like to get them recognized, too."

Ms. Sexton said, "Mr. Peterjohn, if I could introduce, Mayor Dion Avello is here, Councilmember Darrell Downing is here and our Economic Development Director Allison Moeding is here with us this morning. Thank you very much."

Commissioner Peterjohn said, "Thank you. The question I'd like to bring up. I've driven around and looked at the boundaries of that district. On 63rd Street, or Patriot Avenue, as you call it, I notice there is a city building on the south side of the street. I don't know how much land that covers. I'm not sure exactly what the purpose of the building is. Is it blighted, and if so, please give me the details, because it looks pretty new and in pretty good shape when I drove by it."

Ms. Sexton said, "Yes, sir. As you know, the definition of blight in the state statute regarding establishing TIF districts talks about the entire district. The one little building that you saw, the brick building, is a water metering station that the City of Derby built. It is where the big pipe comes into the city from Wichita and that we meter the water there and test it and make sure it's good before we distribute it to our residents in Derby."

Commissioner Peterjohn said, "How much, what's the footprint size, in terms of the

land that it sits on."

Ms. Sexton said, "It's a few acres. I don't remember the exact acreage on that piece. It's pretty small compared to the whole TIF district, though."

Commissioner Peterjohn said, "Okay. Could you, are we talking, like, two acres out of, what is the total acreage on the entire TIF district? I'm thinking about a quarter section? Am I close on that?"

Ms. Sexton said, "The acreage of TIF district...100 acres. Allison is smart. She knows these things. 100 acres."

Commissioner Peterjohn said, "And you said you've got a couple acres on that city facility."

Ms. Sexton said, "Maybe about three. It's a small city, it's a city lot."

Commissioner Peterjohn said, "So, like, three percent. Okay. That was, I appreciate you clarifying that for the record."

Ms. Sexton said, "Thank you."

Chairman Skelton said, "Okay, Kathy, we have, Commissioner Ranzau would like to ask some questions."

Commissioner Ranzau said, "I think I have several questions here. We talked about this before. I just want to make sure I understand. What's the intent of this TIF? Is it to fix that intersection?"

Ms. Sexton said, "That is a fabulous question. Yes, as you know, KDOT did a study of that intersection where Nelson Drive intersects Patriot Avenue, what you call 63rd Street, and found that it is above average accident rate at that intersection. It needs to be corrected, above average for our city for safety standards, et cetera, so that is a big part of it. The other piece is, as soon as you get on to Nelson Drive, if you can get on to Nelson Drive safely, you have hairpin turns, one and then the other. The street itself is very narrow. With ditches, it is, I think you're aware, an old county road that eventually over the decades the City of Derby grew out to this area, and then annexed this commercial area and all the way up through and including the Nelson Drive frontage road. It is not an urban street standard kind of road, but it is minimal, and so with the commercial property owners in there, what they have learned over the years is that their property, even though it has K-15 frontage, you can see it from K-15, accessing it by vehicle is actually very difficult and actually dangerous. And certainly certain types of trucks cannot access those properties because of the hairpin turns and the poor quality street."

Commissioner Ranzau said, "Now, this intersection is one of three intersections that you're trying to address, is that right? And this is priority number three."

Ms. Sexton said, "Well, priority three, I wouldn't put it that way. It is one of three intersections along the Nelson Drive corridor, which is the frontage road along K-15, that we had KDOT study. We have already in design the fixing of all three intersections, so I wouldn't say that we consider any of them priority three. All are

under design. All are being developed. Last year we purchased land for the, we'll call it, Meadowlark [Boulevard] intersection, which is where the QuikTrip is. A lot of people know it by that. It is a dangerous intersection.

"We've purchased two lots of land there last year in hopes of getting that project going. KDOT has also supported that one with a safety grant of a small portion of that money. The middle one, which is Red Powell Drive, that's the road that takes you to Walmart. So you can see there are some pretty busy areas for people wanting to get to commercial businesses, and when it's dangerous, it obviously hampers commercial growth and development."

Commissioner Ranzau said, "So were all three of these in your CIP (Capital Improvement Plan) program?"

Ms. Sexton said, "Yes, sir."

Commissioner Ranzau said, "When is this particular intersection to be done in the CIP?"

Ms. Sexton said, "In our CIP, 2015, I believe it is. The point is, it's under design now, and if we can secure the financing throughout this next year, we would finish the design and then proceed immediately with construction."

Commissioner Ranzau said, "And if we were to say this has a, you know, no to this TIF, when would you get it done?"

Ms. Sexton said, "Well, if we don't have this financing option, we don't have a timeline of getting it done. There is no other funding source for this."

Commissioner Ranzau said, "So you have funding sources for the other two, but not this one?"

Ms. Sexton said, "We are attempting to find those, yes. The middle intersection, we chose the low cost, put in the medians and yes, that one is funded this year, Derby built it into the budget. This one costs a lot more than that one. You may or may not be aware. We have a lot of projects on the list, so to speak. And so every year, you do a budget, just like you do with your CIP, and you rearrange and figure out what the priority is. This one is high priority, but I cannot stand before you today here and say that there is another alternative. If this doesn't work, then I would need to take that back to my governing body, and that would make conversation and deliberation and a vote on that in a public meeting."

Commissioner Ranzau said, "So the fact that you put money into these other ones doesn't necessarily indicate they were higher priority than this?"

Ms. Sexton said, "No. They are really running along the same time frame. The Meadowlark one, we bought the property because there were people who just happened to be wanting to sell last year. We hadn't really planned to buy the property that soon, but you do that when you can. And we've allocated city monies for all three properties, all three intersections."

Commissioner Ranzau said, "I want to ask you something about Menards."

Ms. Sexton said, "Yes, sir."

Commissioner Ranzau said, "Mr. Chronis said something to the effect that it's already been announced so they're probably not relevant. Which would lead me to believe, ask the question would it be included in the TIF district then? Is this whole thing, is Menards coming? And is there any doubt they're coming? Are these two connected? Should we disregard the fact Menards is here?"

Ms. Sexton said, "Those are great questions. What it is, is Menards has closed on the purchase of this piece of property in our community. They spent two years working on not only the platting but the acquisition, the site planning, the zoning, the relocation of the wetlands, all of that. They spent a lot of time and effort, and now they have spent their money. The contract has closed. So we do believe they have invested in Derby and have a plan there. Yes, a couple months ago, Derby reported they had called the Menards corporate office to find out when are you going to pull a building permit, and they said it's on hold right now. I think the rest of the story is Menards has put other stores planned in Kansas, as you know, Menards has built two here in Wichita and they've built in a couple other cities in Kansas.

"They have one on the books now, thinking about planning in Lawrence and others. They're just moving into the Kansas market. So what they did was they put all of that development on hold for a short time, a long time, I don't know. They don't release that kind of data. Our belief is that we need to proceed with our planning, so the day they pull that building permit we're ready to go. And as you know, this project that we're requesting, this financing tool, has nothing to do with Menards wanting the street or Menards needing or asking for any development incentive.

"They are completing their project on their timeline with their money. Okay? We used it in our planning as a trigger point, because without knowing for sure that Menards would build, this is a lot riskier investment on your part and our part. For the public sector, we set this up to be the lowest risk possible of failure. We believe that if Menards builds a building permit we believe it's because the accountants showed in the study that if the only thing that redevelops is Menards, then this will pay for itself in 15 years. Everything else is gravy.

"What we hope and believe is that if we build a new street, fix the drainage problem and the Menards comes, the synergy that happens is other people will sell their property that have been on the property for a decade and they cannot sell them because there's no good street access, and the other properties along there in this area might also develop as well."

Commissioner Ranzau said, "So the timing, just to clarify, I think you said Menards decision is not related to this TIF district? It's on their own timeline and their own decision process."

Ms. Sexton said, "Absolutely. As a private sector company they are deciding when it's the right time for them to build and expand their retail footprint in Kansas whenever they decide to do that."

Commissioner Ranzau said, "And it's not dependent on this approval?"

Ms. Sexton said, "No. This is not for Menards at all. They do not need this street. We

need it in our community to improve your county's tax base and city's tax base and make the rest of the blighted property around Menards viable commercial property."

Commissioner Ranzau said, "Okay, thank you. And then the numbers that we have said that over the 20 years that the county would forgo \$767,000, approximately."

Ms. Sexton said, "Yes."

Commissioner Ranzau said, "Is that in agreement with your numbers?"

Ms. Sexton said, "Yes, sir."

Commissioner Ranzau said, "And what about the, I would estimate Derby would be, what, twice that, approximately?"

Ms. Sexton said, "I'd have to go to that sheet. Approximately, yes."

Commissioner Ranzau said, "\$1.5 million."

Ms. Sexton said, "\$1.68 [million]."

Commissioner Ranzau said, "\$1.68. Okay. Now, from your point of view, so you want this, want us to help with this thing here. Does it matter if it's a TIF district or why can't we just give you cash?"

Ms. Sexton said, "Well, I guess you could. Hadn't thought about that. We appreciate that. We believe this financing mechanism was set up in state law and utilized by this Commission and others successfully over the years. I realize that some of those projects probably haven't been as successful as others, but that's why we set this up to be a pretty low risk and beneficial to all concerned. A benefit, I think, for you all is that it's a foregone revenue over the 15 year period that we're proposing as opposed to cash up front. As you know, building a road is going to have benefits to those properties in the commerce and benefits to your assessed valuation over time. Nothing is going to happen overnight."

Commissioner Ranzau said, "We could give you cash over time, as well. It just seems like somewhat of a convoluted way of getting to the same end point I guess is what I'm saying. I think that, I appreciate you coming by and talking to us, and I think that answers all the questions I have."

Mr. Chronis said, "Commissioner, if I might, I don't know what the arrangements are between the City of Derby and the school district, but it occurs to me that if the city chose not to do a TIF district and instead chose to make a direct request to Sedgwick County for funding support, that request most likely would be for more money than they're asking the county to provide through the TIF district, because they would not have access to the school taxes that the TIF district provides."

Commissioner Ranzau said, "Well they could ask the school for the same thing, but my question is, is there anything in this, I mean, there's estimates there, but is there anything in this TIF district that set a maximum to be sure we don't go over \$767[,000]. We had this issue with some of the Wichita TIFs, that if it gets paid off, there is no guarantee that it will be shut down, they may end up losing it for other things and we lose control then of what happens in the future."

Mr. Chronis said, "There are no provisions that have been made to date to restrict the amount of tax increment that goes to the City of Derby, nor to provide for a shorter 20 year life to a TIF district, and 20 years is what the statutes provide. Derby has said that their plans are to pay off the debt within 15 years. You see that in the analysis that is in your staff report. And that they plan, once the debt is fully paid off, whether it's a shorter period of time or longer, whenever it is paid off, their plan is to terminate the TIF district. But at this point, that is, there's nothing obligating the City of Derby to follow through on that commitment."

Commissioner Ranzau said, "Thank you."

Chairman Skelton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. Let me, Chris, I'm a little confused here. Maybe you can straighten me out, in terms of are we talking about a 15 year TIF district here? Are we talking about a 20 year TIF district? If this TIF gets approved, what is the maximum duration of this TIF district? Is it state law, or is it the 15 year plan that's in front of us."

Mr. Chronis said, "The statutory life of a TIF district is 20 years."

Commissioner Peterjohn said, "Okay, so its 20 years, and these 15 year numbers are just a projection. Let me ask a different question, since we talked about 63rd Street a little bit, and I know the county has put money into upgrading 63rd Street from K-15 east to the Butler County line. In fact, it's a very, very nice piece of road, and it's been upgraded at various points. Mr. Director of Public Works, do we have any idea, in terms of...the north boundary of this property includes most of, there's a little drive that extends north of 63rd Street, but most of the north boundary of this proposed TIF district is 63rd Street between K-15 and Buckner [Road]. Can you give us any information, in terms of how much money the county has spent on that stretch of road and when that occurred and what sort of expenditures the county has made on 63rd Street?"

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "We did three projects on 63rd Street South in the past. K-15 to Buckner was done, started in March of [19]99, finished in September [19]99. Richie [Paving, Inc.] was the contractor. The price on that was \$1,159,168.23."

Commissioner Peterjohn said, "Okay. So the county has put some significant amount of money into upgrading 63rd Street already. And so we're being asked again to, in effect, help provide upgrades on that side of the equation. I've gone down and taken a look at this area, and I would offer the mayor, councilmember's or Manager Sexton the opportunity to talk about the fact that the boundaries of this TIF district, an awfully large part of the land down there, if there is blight on that property, the only blight that's there is wheat blight. Actually, I'm going to take it back. It looked like one of the better pieces of wheat that's growing in Sedgwick County that I've seen on a big chunk of the land that's down there at the moment.

"In terms of having a blighted area, the statute that I'm aware of doesn't include wheat blight. If I'm wrong on that, Mr. Chronis, please correct me, but my understanding of

blight, it looked very much like a green field from a developmental point of view, and the concern I've had with TIF districts, and we've had them up here.

"These TIF subsidy districts when they come before the Commission, I know of one, the first one that came up got voted down here, and interestingly enough, the developer came in, a different developer than the one behind the proposed TIF district, came in, did the project, did a much bigger project without the TIF subsidy district, and it all went on the tax rolls anyway. So this is one of the reasons that with our county policy these are difficult votes I think for, well, I'll just speak for myself, challenging votes for me.

"If you have any insight as to why we've got a green field that's a big chunk of this district, I'd sure appreciate understanding how this fits into the area, in terms of blight, because looking at the businesses along K-15, there are some areas that, some of them look like businesses that are viable and able to operate on their own at the moment. Some of them might fit into that, but if you look at the city's property and the green field up there, I think that may, and I have a hard time finding the blight that the statute calls out, and any comments you could provide to this Commissioner would be appreciated."

Mr. Chronis said, "Commissioners, as we've discussed previously, the statutes define blight in a way that you or I might not. Derby has commissioned an engineering analysis of the property, and the engineer has determined that the area in question meets the state's definition of a blighted area, and on that basis, it qualifies for TIF funding. You and I might draft a different statute than the one that we have, but that's the one that we have to work with."

Commissioner Peterjohn said, "Well, is that engineer in the room today able to talk to us? If not, Manager Sexton, I would appreciate your thoughts."

Ms. Sexton said, "Yes, sir. I would be glad to quote from the study that was done by the professional in that area, 'The land area considered blighted is 52.06 acres, which is 52.07 percent of the total study area and clearly indicates a significant amount of land that is underachieving and in Nelson [Drive] and Patriot [Avenue] path.' So, the wheat field you talk about is probably in that 48 percent. But the way we drew the district, over 50 percent, specifically 52 percent, is considered blighted by the professional who was paid to do that study. I hope that answers the question."

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

Chairman Skelton said, "Yes, sir. Commissioner Norton."

Commissioner Norton said, "I really don't have any questions, but I do know that area pretty well. I probably travel it four times a week at least. If you live on the south side between Haysville and Derby, 63rd Street is a pretty heavily traveled corridor between the two cities. Also it's at the conjunction of K-15, which is a heavily traveled area, that is a north-south link from Sumner County and Mulvane, through Derby and on up to some major manufacturing areas and a linkage to the canal route or [Interstate] 135. It also is problematic there, and I'm sure the city folks won't talk about it, but there's a BNSF [Railway] corridor, an at grade corridor heavily traveled by train traffic that compounds the safety and the through-put and ingress and egress to a developing corridor of commercial activity. So for me, a bigger issue in the scope of what Sedgwick County should look at is also the safety of that corridor that we've invested

in, the traffic flow of that corridor, which interfaces with a state highway, K-15.

Commissioner Norton continued, "I watched that property for probably 30 years, and it hadn't developed for a lot of different reasons. In fact, the properties along the frontage road have denigrated, and denigrated, and denigrated over the years until I can see them, if they're not blighted today, they will continue to diminish until they are totally blighted. I travel that frontage road, and many citizens will tell you they stay off that frontage road because it is so problematic when you particularly try to leave the frontage road and move towards K-15 to gain access north and south either into the City of Wichita or south towards Sumner County.

"So, it is a very problematic area that I understand why Derby wants to solve the issues there of the infrastructure. Now, I think there will be some more pluses for commerce and growth. I think Menards is serious about coming to that area, and I understand why they haven't pulled the trigger, they just announced they're going to Garden City. That's one of the new buildings they're going to build. So maybe Derby will come at some later time, but we know that Derby is a growing, vital area to the economy of Sedgwick County. We can't diminish that.

"So, it is a very challenging property. To fix the infrastructure prior to trying to get the commercial and economic value out of all of that property only makes sense. To try to wait and see later if you can fix that, there's profound reasons to fix it right now for traffic flow safety and other considerations that have nothing to do with developing that property or giving Menards a break of any kind, because I don't think that's the intent as I talked to the mayor and the administrator down there. I'm going to be supportive of this. I think it makes sense. The county has an obligation many times to invest in those things that bring public safety and traffic flow and maybe some commerce and economic development to areas that are important to us, and I consider Derby very important to this county.

"You know, back in the day, when they were El Paso and they were 3,000 population, maybe we could diminish their impact, but today, as they approach 30,000 citizens and move even a bigger part of our community, I think we need to be good partners. I think we need to invest in their success, and I think they've done their due diligence to try to understand what this will do to that area of our population, and I'm going to be supportive. I don't know that we have to take any action today, it could move forward with that."

MOTION

Commissioner Norton moved to take no action.

Chairman Skelton seconded the motion.

Chairman Skelton said, "Before we go any further, I'd like to ask if there are any other citizens that wish to address the commission on this topic. Yes, sir, please state your name and address for the record."

Mr. John Todd, 1559 Payne, Wichita, greeted the Commissioners and said, "As a Sedgwick County resident, I'm here to ask you to deny the county's financial participation in the proposed Derby North Gateway TIF. Mr. Spears indicated that the county has already been involved in participating in that intersection down there. Prior

to that four-way, four-lane thoroughway being annexed into the city, it's an excellent street.

"I think the fact that Lowe's is there is some indication of the positive economic impact that that's had, and I believe that the additional capital improvement plans should be paid for by the City of Derby and not by Sedgwick County and the school district.

"Lowe's was located there. I mentioned them. Menards is another national building material retailer. In a report that I read, it said that there was no public opposition to the TIF, and I think that's probably correct. But in talking to some of the neighbors down there, there was, I understand the city council room was packed when they talked about the zoning change, and so there are some issues that the residents, particularly the neighbors who live right next door to this property, have with Menards. I personally, I support the building with Menards, and I particularly support it if they do it with their own funds.

"Today, the City of Derby is asking Sedgwick County and the USD 260 to participate for a tax increment financing program to pay for Nelson Drive realignment project on property just south of Lowe's on land that is owned, that is not owned by Menards, nor is it needed by them. I drove by. In my opinion, it's not needed for any egress and ingress to their property. They can do that fine without this Nelson Drive realignment project on property just south of Lowe's, on land that is owned, that is not owned by Menards, nor is it needed by them. I drove by, and in my opinion, it's not needed for any ingress and egress to their property. They can do that fine without this Nelson Drive realignment. It strikes me as a creative way for Derby to shift part of the cost of the Capital Improvement Plan away from the city's own CIP funding resources and on to the Sedgwick County and USD 260 taxpayers.

"Sedgwick County taxpayers have already participated once and should not be asked to participate again, and based on what I read in the news, Sedgwick County and our school already have our own budgeting issues to deal with and don't need the pressure of devoting future tax funds out of budgets that are needed for county CIP projects, placement fire protection, as well as what the Derby school district needs to educate the children of Derby. I view the Derby North Gateway TIF process as an inappropriate use of TIF redevelopment program, it really is a CIP program. And I believe the taxpayers of Sedgwick County should not be asked to participate, and discourage the public trust funds, I ask you to deny Sedgwick County participation in this project. I'm willing to stand for questions."

Chairman Skelton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I didn't even get the chance to throw my switch."

Chairman Skelton said, "I see you reaching for your button."

Commissioner Peterjohn said, "That was very thoughtful. Mr. Todd, let me throw out this question to you. As a county resident, you've testified on a number of the TIF programs we've had come up here in the past. The fact that we've got financials here for 15 years but the statute says that they can go out 20, does that raise any concerns in your mind, in terms of what this is likely to, in terms of uncertainty and risk and an unlevel playing field between various people who are inside the district versus

businesses that are outside the district?"

Mr. Todd said, "A dedicated funding source for these types of projects is very important, and that funding source, if it gets diverted away from county and from the school district, I think it has an adverse affect on the ability of those two governmentally institutes to be able to perform the duties and services that they're required to do."

Commissioner Peterjohn said, "We've had a lot of history on the TIFs. It's been around as a tool. The states provided for local unions for quite a while. Probably the most successful TIF I can think of is at Central [Road] and Hillside [Road], and that was because, frankly they included Wesley Hospital, and Wesley did an expansion. I think that the thoughts behind this TIF were very similar, and they're hoping Mendards will come in and that will provide the bulk of the increment. If that's the case, I think this may have a better chance of being more successful than a lot of the others that are financially in the red. I was wondering if you had any thoughts, because I've known you've been in the construction business and material business, and any insights you might have from that experience, I'd like to get your thoughts on the record."

Mr. Todd said, "Well, remember the Plainview Save-A-Lot, the developer came and said without the TIF financing that project wouldn't work. The county wisely turned that project down, and they wound up building a bigger store, that really, and the public really won. We have the taxes flowing into the USD 259 and the county as well as the City of Wichita. So, I think that there, I don't see this as a...capital improvement projects, I don't think, should be, we shouldn't be using TIF to fund CIP projects."

Commissioner Peterjohn said, "Thank you."

Chairman Skelton said, "Thank you. Okay, are there any additional citizens to address the council on this topic? Please state your name and address for the record."

Mr. Myron Ackerman, 3019 East Central, Wichita, greeted the Commissioners and said, "I'm here on behalf of the free enterprise Wichitans. I'm here to speak specifically to one of your criteria. Proposed private equity funding is insufficient to effect default risk. There is no private financing in this. Menards is going to build their own store. They will build their own roads, and I am being asked as a county taxpayer to pay for what Derby has not fixed in 50, probably 30 years minimum. That intersection has been bad forever. But now I'm going to have to forgo taxes to pay for what the city is liable for. All of these intersections are in the city."

"The benefit to me, Menards is coming regardless. Now, if you vote yes, you remove yourself from any control over how this TIF district is run. These funds could easily be diverted to help Menards. But Menards isn't asking for that. But the city wants the county to pay for their inadequate street activities. They plan to fix these eventually, but gee, if they can get the county to pay for it, we could do it now. Well gee, how does it benefit me? I live in northeast Wichita. I have a Menards. I won't go to Derby for Menards. I don't use their streets. Well I want to go to existing businesses on this frontage road, I don't use Nelson, it's dangerous. You can go to the south end and go north to any of these businesses. Also, I resent, as a businessman, an operating business, it may be thriving, it may be struggling, but if it's in operation, how do you call it blighted? The people that own it have a business, and they're operating it. That's not blight."

"They draw up a district which they admit is 48 percent wheat field. Why is it in there? If they formed a TIF district for what's blighted in their opinion, they could do virtually 100 percent with just taking out the field. So why is the field in there? Well, gee, Menards is going to go in there, and once they get in control of the county's money, as in the foregone taxes, they can do whatever they want with it. You are surrendering your obligation to use and receive tax revenue to the City of Derby to do their work."

"There is no benefit to the county to straighten that road. It's a benefit to Derby. There is no benefit to the county to put in medians. There is benefit to the city. Two of you have pretty clearly said you are on board, oh, this is a great deal. What is the effect of Southfork on this development? Menards might build a great store there and they might begin to generate revenue, and Lowe's goes in at Southfork, and that traffic dries up. We've already approved a district, a district that competes with this and is closely located to this district."

"I, as a taxpayer, cannot even believe you consider this. You're giving up an admitted \$767,000 of future revenue. You're giving up control of that money. Is it 15 years? Is it 20 years? Well 20 years is the statute, so we'll make it 20. This thing could pay for itself in 10, but will it stop? I don't know. And you can't stop it. Simply put, there's little benefit to the county, but there's a big benefit to the city. Don't take my future revenue, don't make me pay higher taxes for government services because the city wants to benefit themselves with your tax revenue. I will stand for any questions."

Chairman Skelton said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Mr. Ackerman, did you testify against the Southfork TIF?"

Mr. Ackerman said, "Yes, I did."

Commissioner Peterjohn said, "We had two hearings last year and we had two 3-2 votes that went different ways."

Mr. Ackerman said, "I opposed it when they asked for \$60 million, because it should be privately financed. It would be a very successful privately funded. If the developer had offered to form a corporation and sell shares, I would have bought shares in that, because it's a good investment. But he's not paying for anything. He's paying for his stuff with my money, with future revenue that I have to replace. If you need better fire service, my taxes will go up, but his won't. If you have to increase Sedgwick County Sheriff's department, my taxes will go up, but his won't. They came back with \$16 million. The difference of \$44 million was magically his investment."

"Well, if he can come up with \$46 million of investment in less than, I think, five months, wait two more months, and he could have the whole thing paid for himself. You're being used to get your control into the business of business. Free enterprise Wichita is opposed to having government in business and business in government. The two should be separate. You should benefit businesses by building streets, but if the streets benefit Derby, why does the county forgo tax revenue?"

Commissioner Peterjohn said, "Mr. Ackerman, let me pull this in a slightly different direction, in terms of a question. Since you testified against Southfork TIF and we had several votes and discussions on that controversial TIF subsidy district in 2012, and I believe in early 2012, and you testified on that, I drove by there recently, and I haven't seen much in the way of activity. I would just throw out the question to you, in terms of the fact that the local governments did provide TIF subsidy structure for that area and it's authorized under state law and we have no control, in terms of, you know, state law is what the state law is.

"But, in terms of these TIF districts going forward, we've had different cases, and I was interested because one of the arguments made in support of the Southfork TIF was it was needed to help provide competition because frankly business in south Wichita was going over to Derby at that time, and the other side of that coin appears to be in front of this Commission, and I'd like your thoughts on it."

Mr. Ackerman said, "Well, it's simple to me. Northwest Wichita has a Menards. Northeast Wichita has a Menards. The fact that Menards has gone ahead and done their planning, they've bought the land, it's theirs. I don't know, I can't speak to the west side, but I'm pretty sure the west side required no additional road work, because that area had been expanded to support the New Market Square. The road had already been fixed. You just added an additional building to the north ends. My wife works in the industrial neighborhood where, or she did work in the industrial neighborhood where Menards is northeast. There was no street modification for the northeast Menards. The land was there. They put in their own roads, their own parking lot, their own building. They did everything.

"And the city, to my knowledge, made no improvements whatsoever to existing roads. Menards has struck me as a, I hope, my research is inadequate, I hope they haven't asked for taxpayer money for any of the other two stores in this area. They're not asking for money on this one. But if you vote yes today, that money is available, and I'm sorry. As a businessman, if you're throwing out money, I'll take it. Only because I have to take it to compete with Southfork. I'll have to take it to compete with any TIF district, because when you pay for their buildings, their taxes, I have a higher cost of operation than they do.

"The anchor for Southfork was to be a big box store. I'm still waiting, I'm like you, I don't go down there often. I don't see, at current gas prices I don't see going down there, because any time I've gone down there, I don't see any difference. No dirt has been brought in to bring it out of the flood stage. They just guaranteed themselves \$16 million of taxpayer future revenue, but they don't have to do anything. They're probably in negotiations to sell some of their land, because obviously if this is such a necessary thing, we have to rush it through. Why has nothing happened on Southfork? And when you talk about Southfork, it will take business away from Derby. So what does Derby want? Derby wants their piece. So if you're going to go with the fact that you are going to be sticking your nose into business developments, I think you have to vote for this one. You voted for Southfork. You see the results of no development since that was approved.

"So you have a choice. You can be responsible to the taxpayers and not give away future revenue or you can be loyal to businesses, to cities that want their capital

improvement done with county money. I don't see how you could seriously consider this project. There is no benefit to the county if you give up your tax revenue, you give up that benefit.

"You'll get sales tax revenue, or oh, wait a minute, the city seems to have a habit of giving that tax revenue, that sales tax revenue away also."

Chairman Skelton said, "I think you've answered the Commissioner's question."

Mr. Ackerman said, "Okay."

Chairman Skelton said, "So what other question do you have? I need to move this hearing on."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I don't have any more questions for Mr. Ackerman, but I would like to ask a question of Manager Sexton, please. If she'll take one more from me, because she alluded to the fact that 48 percent of the land was green field and that 52 percent was not. I'm assuming that the city building that we talked about at the beginning was included in the, was not included in the green field. Would you be correct in that assumption?"

Ms. Sexton said, "The quote that I read you, sir, said that 52 percent of the district is blighted. What I suggested then was the talk about the wheat field was obviously not in that. I certainly didn't mean, and I'm sure sorry if I implied, that 48 percent is green field. I'm sure that is not true. As was mentioned earlier, there are some viable businesses in the area, and as you know, a government building in the area."

Commissioner Peterjohn said, "Well I was trying to understand if the government building would fall in under it, and my thought from the material that I was given, and I want to commend everyone, there was a lot of material and a lot of work that was put into that, and a lot of information. But my recollection was that close to half of that was the green field. If we add in a couple acres of city property that you said is not blighted, and some of the businesses, I'm sure, along there are not blighted either. I think we're, actually the number, the percentage tilts the other way. I wanted to try and clarify that for the record before we proceeded."

Ms. Sexton said, "Yeah, the clarity is that the document that the professional appraiser deemed through his process that he goes through to meet the state law's definition of blight is that 52 percent of the area is blighted. Thank you."

Chairman Skelton said, "Okay. Is there any other citizen that wishes to address the Commission on this subject? I don't see any, so we'll close any more public comments. We do have a motion and a second on the table. Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you, Mr. Chairman. The criteria that we've put together I don't think have been met for TIF subsidy districts. I'll grant my critics that I set the bar probably higher than a lot of other elected officials do when looking at this, but when I consider the TIF subsidies, the original structure of TIFs was designed a number of decades ago to address a very narrow specific problem tied to keeping the Gilbert Mosley Superfund project from going into a Superfund, and it was an effort at the city level to get the state law changed to do that. This whole process has expanded. Now, there are other parts of the country, I'll grant you, places like Chicago. I've had developers tell me, in fact, I know some have walked away, because

if you want to do a project in some parts of the country, you've got to get your TIF district in place and you've got to jump through the political and public policy hoops to have that happen.

"I think that's unfortunate, because if we're going to have a rule of law and equal opportunity for all, you don't want elected officials picking winners and losers, and you want a level playing field. The information I have, the fact that we're talking about, the state allows a 20 year program, the plan in front of us says 15 years, but they'd have the possibility, but we're constrained as county officials to be restricted to being able to either, take very narrow actions of saying yes, we approve this TIF district, or no we don't approve this TIF district, or the motion before us this morning is to basically say, okay, we're going to take no action, and we're going to let this thing proceed anyway by kind of pulling a Pontius Pilot and washing our hands of the situation. I would prefer we make a motion and saying, yes, let's do it, or no let's not do it, and vote accordingly, but that's not the motion in front of us today.

"The motion we have today is to basically wash our hands. I'm not going to be supportive of that motion this morning, realizing that a vote in support of washing our hands is basically a de facto vote in support of another TIF subsidy in our area. If we look at the history of these districts and look at the broader perspective, look back at the last one we approved, which was mentioned, the Southfork, where we had two 3-2 votes and eventually we approved it. Here we are, over a year later, and I don't see much happening down there the last time I drove by it, earlier within the last couple weeks. I cannot support this motion, and so will vote accordingly."

Chairman Skelton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Chris, Southfork doesn't have anything to do with this, does it?"

Mr. Chronis said, "No, sir."

Commissioner Unruh said, "I didn't think so. I mean, there's been a lot of conversation that way. I want to just say for the record that I had that conversation yesterday with Mr. Todd, and I've had a tour and conversation with Ms. Sexton and one of her council members before this was brought to the bench, so I've had conversation with folks on both sides of the issue. And I wanted to have that in the record. This particular TIF is a little different from anything else we've ever considered in that this is really a mechanism for a partnership with one of the communities in Sedgwick County, Sedgwick County city, to help them solve the issue of what is considered by KDOT as virtually an unsafe intersection. Sedgwick County has had, I think, since I've been here, I was going to say a long history, but at least the time I've been here, being good partners with our communities and the county to help them do special projects when we thought it was reasonable, appropriate, necessary and just being good projects.

"We've done road projects out on, I don't know the number of the street, but out by the new high school in Goddard where we partnered with a project. It wasn't a TIF district, but we were good partners. We've been partners with a little bit of the road near a high school in Valley Center. We've been partners on roads with participation of the community, both school district and the community up in my district in Bel Aire. This whole fundamental principle of being a good partner with the communities in Sedgwick County is not new. This is just a different mechanism for being a partner on a project that's deemed necessary.

“So it is not putting our nose in business. It is not picking winners and losers. I mean, the company that's going in there, they're not getting any direct financial benefit out of this. It will improve the intersection. It does help Derby. It is a good way for us to be a good partner, participate financially in a way that is not a serious drain on our financial plan and that it's going to be financed by future increment tax that will be diverted to the project. I'm proud of the fact that we've been partners. I'm proud of the fact that this is a good creative mechanism for us to do that to help solve an issue in a Sedgwick County community.

“I'm happy that we don't have to deal with the whole issue of subsidizing a business, because that's not part of this whole issue. So I really am, I'm going to be supportive of the motion on the table. Or if it should get defeated and we have to the vote this TIF district up, then I'll do. That's too bad, I guess, in this particular discussion we couldn't name it something other than TIF, because its purpose is different from what's typically used. But, I think Derby is an important community in Sedgwick County. I appreciate this creative opportunity to partner with them in an infrastructure issue. That's all I have.”

Chairman Skelton said, “Thank you. Commissioner Ranzau.”

Commissioner Ranzau said, “Thank you, Mr. Chairman. I will say I agree with Mr. Unruh on one point, that this is a way to fund the partnership or to help people, in this case, Derby, do a particular project. And it is a creative way to do that, as you said. It is very creative. Now, the problem is, this is not the correct mechanism to do this. We have a policy in place with respect to TIFs. Now, the question is, does it mean anything to us and to the community? Are we actually going to follow it or is it just a sham? I would argue that if we want to help out with this, we need to find another mechanism, because the criteria we have put in place for doing TIFs clearly fails on at least two accounts.

“So if we're going to take in account, as Mr. Chronis said, our criteria here, we have to not allow this to go forward in this manner, because this is an inappropriate way and it runs completely counter to our policy. First of all, one of the questions is, is this economically feasible without this TIF? The answer clearly is yes. We've already had testimony from the City of Derby that the Menards is coming in regardless. We also know that with respect to doing this intersection that's in Derby's CIP, they have mechanisms and ways to pay for this in the future just like we do. They can reprioritize things. They can increase their mill levy, they can do any number of things. So to say that this can't go forward without this and this isn't economically feasible without it is simply not true.

“Second of all, there is a potential loss to the county to provide, hinder effective delivery of public services. We're going to lose \$767,000 in revenue that is going to happen anyway, because we've already heard that Menards is coming on their own time frame. Now that \$767,000 is what we could spend on our own CIP project. I understand that Derby has CIP projects they want to get done. Every city in the county does. We have a list of unfunded CIP projects we have to prioritize, we have to plan for it, we have to put it off in future years. And that's what the City of Derby needs to do.

“By helping them fund their CIP projects, that's not why we levy county taxes. We levy

county taxes to do things like EMS (Emergency Medical Service), and Fire [District No. 1], [Judge Riddel] Boys Ranch (JRBR), et cetera.

"I find it interesting, one of my fellow Commissioners was quoted in the paper today saying 'We are not in the position to adequately fund the capital improvements' at JRBR. Well, this action today will only make it more difficult by spending \$767,000 on someone else's CIP program that we could direct towards this or anything else. That's just an example. How can we say that is not going to hinder our ability to deliver public services when we're saying we're already in a difficult situation as far as capital improvements?

"I think clearly, this particular situation fails our policy on at least two points. We have to be true to our policy. I know it's difficult to look our friends in the face and say, no, this isn't good. This doesn't fit our policy. This isn't right. We have policies for a reason. If we're not going to follow them, then let's just repeal our whole policy. Sometimes we have to make those difficult decisions. Otherwise, I mean, how can we tell our citizens we have these things in place to protect you and make good decisions if we don't follow them.

"So, I think we need to look at perhaps a different way to do this if we're going to do it. Ultimately, as we all know, the CIP project with the city are the responsibility of the city and it can and will get done if we vote this down. So, in accordance with these issues here, I can't support this motion. In fact, I'm going to make an amended motion that we make a finding that this TIF district does have an adverse effect on the county and direct the staff to make appropriate action."

Chairman Skelton said, "Richard, that motion is not in order because it changes the intent of the original main motion."

Commissioner Ranzau said, "Point of order, Mr. Chairman, in my reading of the Robert's Rules of Order says that I can change it significantly to include, change of intent. And in discussing these particular rules, you assured me that all the substitute motions that I've put in place, that I have made in the past, while they were not appropriate substitute motions, they would be appropriate amendments, and you've assured me that was the case. Now that being said, if you would like to provide me assistance on how to do it accurately..."

Chairman Skelton said, "We'll vote for it. We'll vote for it."

Commissioner Ranzau said, "...then I'll change it."

Chairman Skelton said, "But we'll have a discussion, because, you know, there's quite a few technicalities in the Robert's Rules [of Order]. I'll be glad to entertain a vote on this issue. Is there a second?"

AMENDED MOTION

Commissioner Ranzau moved to find adverse effect on North Gateway Redevelopment District.

Commissioner Peterjohn seconded the motion.

Commissioner Peterjohn said, "I appreciate recognition at the appropriate time, Mr.

Chair.”

Chairman Skelton said, “Yes, sir. It's been moved and seconded to...please restate your motion.”

Commissioner Ranzau said, “To make a finding this does have a negative impact on the county and instruct the staff to make appropriate steps to notify the City of Derby.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. My comments were going to be strictly to the procedural side. Roberts’s Rules is irrelevant, in my opinion, because we’ve adopted our own rules. Looking at the procedures and, let me, the rules under section 16, motion 8 of our rules, I believe that it would be in order to consider this motion. So, I'd just provide that as a procedural comments, in terms of I think on that grounds we are on good grounds within the rules that this Commission adopted earlier this year, Mr. Chairman.”

Chairman Skelton said, “Okay, thank you. Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chair. Chris, the staff analysis is that the, according to our policy, we did not find an adverse effect on county, is that correct?”

Mr. Chronis said, “That is correct.”

Commissioner Unruh said, “According to our policy, if we were to find that there was an adverse effect by one of these elements, does that require us to deny the TIF, or does that give us legal authority to deny the TIF?”

Mr. Chronis said, “It gives you legal authority to deny the TIF. The policy, as I said, the policy expresses general support for the use of TIF districts to fund projects of this sort, except when adverse effects are found, and then the policy goes on to define the criteria by which adverse affects might be found. But once staff has made a determination and made a recommendation to you, you always have the option of going in a different direction.”

Commissioner Unruh said, “I understand that, but if we should concede to Mr. Ranzau that there is one of these elements that perhaps could be defined as adverse effect, it doesn't require us to deny the TIF.”

Mr. Chronis said, “That's correct.”

Commissioner Unruh said, “It's just another thing to help us think through. That's all I have.”

Chairman Skelton said, “I just, I always as Chair try and make the best decisions, but there has been a little debate on the proper use of amendment, and I'd like to ask our attorney what his opinion is on this.”

Mr. Euson said, “Commissioners, you did adopt local rules for your own use and abbreviated procedure that does allow for an amended motion. With the amended motion to be only done once. So you’re within, the motion on the floor is correct.”

Chairman Skelton said, “Okay well then that's fine. That's the procedure I'll follow then.”

So..."

Commissioner Unruh said, "Can I have a clarification of the motion?"

Chairman Skelton said, "Absolutely. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chair. I just wanted a clarification of what Commissioner Ranzau's motion was. I'm easily confused. So could, maybe the Clerk..."

Commissioner Ranzau said, "Duly noted."

Commissioner Unruh said, "Could the Clerk read it to us or could someone tell me what is the motion on the floor?"

Ms. Amanda Lee, Deputy County Clerk, greeted the Commissioners and said, "The amended motion is to find adverse effect on North Gateway Redevelopment District."

Chairman Skelton said, "Thank you."

Ms. Lee said, "And take the appropriate actions."

Commissioner Ranzau said, "To make a finding that the North Gate[way Redevelopment District] TIF would have a negative impact on Sedgwick County and instruct staff to take the appropriate action."

Chairman Skelton said, "Madam Clerk, call the vote."

VOTE

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

Chairman Skelton said, "Okay. So motion on the table is to take no action. Before I call that vote, I would like to recognize Councilman Downing and the Mayor Avello for their attendance today and thank you for bringing your city staff up here to clarify some questions. You know, without a doubt, the citizens of Derby have told me expressly that frontage road running parallel to K-15 is an extreme hazard. I have data, accident data from 2011, 2012 and so far 2013, of 199 accidents at that intersection, resulting in 54 injuries.

"So I have full faith and confidence in the Derby City Council to represent their citizens and providing adequate infrastructure for the growth of their city. I do not think they're out there lying to anybody. Okay? I've seen some stuff from your capital improvement program, and I know all three of those intersections are very dangerous. It's outright hazardous. Okay? So with that statement, I'd ask the Clerk to call the vote."

VOTE

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

Chairman Skelton said, "Thank you. Next item."

I [13-0403](#)

CONTRACT FOR A HOUSEHOLD HAZARDOUS WASTE REMOTE COLLECTION EVENT ON JUNE 15, 2013 FOR HAYSVILLE, KANSAS. Presented by: Susan Erlenwein, Director, Environmental Resources.

RECOMMENDED ACTION: Approve the contract.

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, "Sedgwick County has a Household Hazardous Waste facility at 801 Stilwell. Citizens can bring such materials as used oils, solvents, cleaners, pesticides and other materials for proper recycling or disposal. But to help of our community, we have five remote household hazardous waste events throughout the year so citizens can more easily properly dispose of the materials.

"We've had two events so far, one at Valley Center, and we just had one this past Saturday at [Hawker] Beechcraft [Corporation]. The third event is scheduled for this Saturday in Haysville, and Haysville has already approved the contract. It would be from 9:00 a.m.] to 1:00 [p.m.] at 140 North Main at the Haysville Chamber [of Commerce] building property. It's been at this location for other years. I would recommend that you approve this contract. I'd be happy to answer any questions."

Chairman Skelton said, "Discussion please."

MOTION

Commissioner Norton moved to approve the contract.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Skelton said, "Next item."

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

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

Present: 0

J [13-0406](#)

CONTRACT FOR A HOUSEHOLD HAZARDOUS WASTE REMOTE
COLLECTION EVENT ON JUNE 22, 2013 FOR CHENEY, KS.
Presented by: Susan Erlenwein, Director, Environmental Resources.

RECOMMENDED ACTION: Approve the contract.

Ms. Erlenwein said, "As I just stated, we've been doing these events, and this will be the fourth remote household hazardous waste event this year to be located at the Cheney maintenance yard of 311 East South Avenue, which is basically part of the county fairground. Cheney is looking forward to having this. The City of Cheney has already approved this contract. This is for June 22nd from 9[:00 a.m.] to 1:00 [p.m.]. I'd be happy to answer any questions."

Chairman Skelton said, "Commissioner Peterjohn."

MOTION

Commissioner Peterjohn moved to approve the contract.

Commissioner Norton seconded the motion.

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

VOTE

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

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

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

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

Present: 0

K [13-0411](#)

ADOPTION OF A RESOLUTION ESTABLISHING SOLID WASTE FEES FOR 2014.

Presented by: Chris Chronis, Chief Financial Officer.

RECOMMENDED ACTION: Adopt the resolution.

Mr. Chronis said, "The action before you is a resolution establishing a solid waste fee for calendar year 2014. You have originally adopted solid waste fees starting in 2000 and have readopted them every year since then. State law requires that if you choose to impose a solid waste fee, you must readopt it every year prior to July 1st in order for that fee to be valid for the subsequent year, and so the resolution that's before you today, as I said, is to impose a fee for the year 2014.

"That fee would be put on property tax bills that will be prepared by the [County] Clerk and the County Treasurer in October and November of this year and mailed to property owners in late November or early December, and as is the case with all taxes and fees that are included on the property tax bill, taxpayers will have the option of paying the entire amount prior to December the 20th, or paying half of the total amounts by that date and the second half by May 10, 2014.

"The fee structure that you have adopted over the years is segmented according to the waste generation characteristics of various properties. You have traditionally adopted a standard residential fee that applies to all residential, developed residential properties in Sedgwick County, and then you have adopted a structure of fees that apply to commercial and industrial properties. In no year since original adoption in 2000 have any of the fees imposed on any of the customers of this program been more than \$10 per year, and that certainly is the case for the proposed fees in 2014. Those fees in 2014 would fund, would partially fund the budget that is being proposed for the solid waste program in 2014, and the total proposed budget is \$2,167,153. You will see that budget in the Manager's recommended budget that you receive later in the month of July, and you will be asked to adopt that budget in early August along with the rest of the county budget, but once again, if you choose to fund that budget with the solid waste fee, you're required to adopt the fee prior to July 1st, and so we're before you here today.

"The proposed budget, as has been the case for a number of years, includes funding for the household hazardous waste program, for the waste minimization program, for various administrative services that we provide principally regulation and inspection of landfills and transfer stations, and finally it provides funding for special projects of the sort that you just approved in the two prior actions. There also is funding in the program for the debris removal policy that you adopted some years ago to provide financial assistance to small cities under certain circumstances.

"However, because we don't normally expect to spend that money, we don't expect small cities to need to apply for that funding, we have not traditionally included it in the fee calculation, and so it is funded in the proposed budget as it has been for several years with fund balance which exists within the fund rather than with current revenues. The proposed fee structure is \$6.48 for each residential dwelling unit, a base nonresidential rate of \$5.94 for commercial and industrial properties. Tier 1 has a proposed fee of \$4.46. Tier 2 has a proposed fee of \$5.94. Tier 3 has a proposed fee

of \$7.43. Tier 4 has a proposed fee of \$8.91. And Tier 5, which is the large malls, has a proposed fee of the base nonresidential rate, \$5.94 times the number of storefronts, the number of business units within that parcel.

"Once again, all of those fees are less than \$10 per year. It is a onetime levy that is paid for the year through the tax bills, and should you approve the resolution that's before you, those bills, those fees will be added to the property tax bills to be prepared later this year by the Clerk and [County] Treasurer. The current year's solid waste fees are expected to produce a total of \$1,327,000. The proposed fees for 2014 are expected to produce a total of \$1,433,000. And so the fee is being counted on for the 2014 budget to provide an additional \$106,000 of funding to support the solid waste program budget.

"The fees are based on land based classification system that is used by the property appraiser to classify real properties.

Mr. Chronis continued, "And you have in your backup documents the many pages of LBCS (land based classification standard) codes that are subject to the fee, and you can see in that listing which rate tier applies to each land use code. As I had indicated to you in an e-mail yesterday, I am going to ask today that you amend the action that is before you to remove land, LBCS code 6310 from the table. LBCS [63]10 essentially is developed property at McConnell Air [Force] Base, and the property appraiser has no sufficient database on that property since it is not subject to county taxes. And so what we have learned is that since original inception of the program, that property had not been billed until 2012 when the appraiser changed his classification system and suddenly had some information at a point in time for McConnell Air Base.

"And so for 2012 and 2013, McConnell received several solid waste bills totaling less than \$265 in aggregate. The appraiser does not monitor that property, does not update that property in his record base, and so we don't think that it's appropriate to attempt to provide solid waste bills to it since we don't have a good sense of what is billable out there, and because it is a negligible amount of money, my recommendation to you is that you amend the resolution before you, specifically Exhibit A of the resolution before you, to delete LBCS code 6310. I think that's everything that I wanted to say. I'll be happen to answer any questions if you have them about this program and about the fee that is being proposed, and if you have no questions, then I would recommend that you adopt the resolution as I have suggested it be amended."

Chairman Skelton said, "Okay. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'd be happy to make the motion that we remove LBCS 6310 from this list of recommended fees on this, if I've got everything correct there, Chris."

Mr. Chronis said, "Yes."

Commissioner Norton said, "Second."

Chairman Skelton said, "Okay. So moved and seconded to take staff's recommended action. Is there any further discussion? Commissioner Ranzau."

Commissioner Ranzau said, "Is there anyone else that is exempt from this fee?"

Mr. Chronis said, "The fee is intended to apply to all developed parcels. And so no, there is not any developed property that is in our system that is intended to be except."

Commissioner Ranzau said, "Why exempt McConnell then?"

Mr. Chronis said, "Again, because they are not truly in our system. We don't have a record keeping system for the property there. The Appraiser does not pay any attention to it honestly because it's not something that he has any control over. And our system is based on the Appraiser's database."

Commissioner Ranzau said, "But the intent is for it to be a fee to help offset the cost of solid waste disposal for everybody?"

Mr. Chronis said, "That's right. And it is spread to those properties that generate solid waste, that require some activity on our part. McConnell completely cares for its own solid waste. They are not involved in our programming at all."

Commissioner Ranzau said, "Well, that's a different issue. Okay. So, what about citizens in my district who would make the same argument? Are we going to exempt them as well?"

Mr. Chronis said, "If they have developed property, we believe that they benefit from our program. Whether they are active users or not, they benefit from the solid waste program, they benefit from the availability of the Household Hazardous Waste Program, they benefit from their access to the various special projects that you approve every year, such as the two you just approved in the prior actions."

Commissioner Ranzau said, "Why would that argument not suffice for McConnell, a governmental entity? I just see a little bit of a double standard here and everyone needs to pay. Particularly since we're talking about the federal government who institutes a lot of regulatory obligations in the disposal of household hazardous waste, and now we're going to give them a break on it?"

Mr. Chronis said, "I share your angst. Let's increase the federal deficit by enough to pay this fee."

Chairman Skelton said, "Okay. Commissioner Peterjohn."

Commissioner Peterjohn said, "Let me kind of segue and build on that question, Chris. Our other governmental bodies, school districts, township halls, would this fee be imposed on them?"

Mr. Chronis said, "It is."

Commissioner Peterjohn said, "Are they paying it?"

Mr. Chronis said, "Yes."

Commissioner Peterjohn said, "And if they don't pay it, what happens?"

Mr. Chronis said, "The resolution includes a collection mechanism, which essentially is the same as the mechanism for property taxes. Now, I will tell you, in all honesty, that we have never enforced the collection of the fee on those kind of parcels. It's not been

an issue.”

Commissioner Peterjohn said, “Because I know some municipalities have imposed, for instance, stormwater fees they they, or charges or taxes on other governmental bodies and it’s inside their jurisdiction and have that in place. I want to clarify that. So, if we have a, let’s say, township hall or school, where would it fall on the five tiers or based on residential rate? Do you have a, which one of the categories would it be in here?”

Mr. Chronis said, “Not offhand, no. I can find out and report back to you, but I’m guessing it’s going to be in the vicinity, in the same general area as 6310 for the military. We have 6210, which is government offices; 6221, which is courts; 6222, which is correction institutions; 6300, which is other governmental facilities. There are a variety of codes you will see there, and it would depend on the particular nature of the township building to determine which class it would fall in.”

Commissioner Peterjohn said, “Well, let me get into the really deep green eye shade type question for you, Chris. Does the county pay this themselves?”

Mr. Chronis said, “Yes.”

Commissioner Peterjohn said, “For our county buildings?”

Mr. Chronis said, “Yes.”

Commissioner Peterjohn said, “Okay. Mr. Chairman, I plan to support the amendment motion that I made just a couple minutes ago, and I very much appreciate staff’s clarification, but I understand the angst that Commissioner Ranzau came up with, but our federal masters, this is an area where I don’t want to, I’m going to decline to battle with them on this one.”

Chairman Skelton said, “Commissioner Ranzau.”

Commissioner Ranzau said, “I would suggest that we modify policy and allow others to enjoy this exemption if they meet the same issues, that they say that they’ll dissolve their waste by themselves. I think we have a double standard. But beyond that, that’s a minor issue compared to the other, the issue I had with the overall policy. So, are we going to have two votes on this, Mr. Chairman? The biggest issue to me is just the increase in general. I want to address that either now or if we’re going to have two votes then....”

Chairman Skelton said, “We’re going to vote on what the motion is on the table. Madam Clerk, can you repeat the motion.”

Ms. Lee said, “Adopt the resolution with removal of LBCS 6310.”

Commissioner Peterjohn said, “I’m sorry, I thought that I had made a motion to amend, to amend not to adopt the resolution, but to amend the resolution. There is a significant difference there.”

Chairman Skelton said, “Right. Mr. Attorney, let me...”

Commissioner Peterjohn said, “If I misspoke I do apologize, Mr. Chairman.”

Chairman Skelton said, "We have rules for two reasons, one to keep the Chair straight and two to keep the Commission straight those are rules of the decorum here. And when it comes to amending the motion, I want to ask the attorney a bit of a little different question. I'm looking at a copy of the rules that were developed, and it says here under item [Motion] 8, motion To Amend, and it says 'An amendment is improper if the adoption of the motion with that amendment added would have the same effect as rejection of the original motion.' So how do you interpret that, sir? I'm trying to get to the bottom of this year. It also says 'A proposal to substitute a completely different wording for a motion or [an] amendment [shall] should be treated as a motion to amend.'

"I take that as something as a completely different wording, would be germane to the original main motion. Okay, but what these are telling me, and if my understanding is incorrect about the intent to amend, I'd like to know that, because I want to get this straightened out so we all are on the same page."

Mr. Euson said, "Well, my interpretation of the amended motion is that it does not reject the underlying motion. It just adds substitute language, and so I think the amendment is proper under your rule."

Chairman Skelton said, "This one is. But the prior amendment made by Commissioner Ranzau did have the intent of rejecting the original motion."

Commissioner Peterjohn said, "Wait a minute, Mr. Chairman."

Chairman Skelton said, "I'm talking to our attorney, just a second. I'll recognize you here. I mean, if we've got to talk about this a little different, I'll entertain any amendments today, there is no problem with that. I just want to clarify this so I understand what's going on here. Okay?"

Mr. Euson said, "The intent of this is to allow a motion that would do something different, and the wording in regard to the rejection of a motion as to the prior item, I don't think it operates as a rejection of the motion. So..."

Chairman Skelton said, "Okay. Well..."

Mr. Euson said, "...so, I think it was proper. I think this amended motion is proper."

Chairman Skelton said, "Okay. Okay, you're the parliamentarian. All right, we'll discuss this further. Commissioner Peterjohn, do you have an amendment to make?"

Commissioner Peterjohn said, "No, no. Mr. Chairman, I just wanted to clarify that I understood exactly what we were talking about. Because I was concerned, when you were talking about the prior amendment on another issue that's unrelated to the item before us at the moment, because Commissioner Ranzau hasn't made a motion to amend on the item that we had here. I'm the only one who has made a motion to amend. When you said that, I was getting confused."

Chairman Skelton said, "That's okay."

Commissioner Peterjohn said, "Perhaps I'm falling into the same category that the Commissioner Unruh alluded to earlier in the meeting, and so I was just trying to

clarify. If we're back talking about the previous item, I think I understand where you're coming from, Mr. Chairman. But I wanted to just try and clarify for the record, I thought that my attempt was to just make a motion to amend as requested by our Chief Financial Officer and make the exclusion that he had recommended to us, and that was my intent with my motion to amend, and I didn't think it would be as parliamentary-wise a very big jump."

Chairman Skelton said, "I just wanted to clarify the rules, sir. At any time during the meeting, if there is any clarification needed by any member, I think that would be pertinent business. But, so, what is the motion on the table, Madam Clerk?"

Ms. Lee said, "Mr. Chairman, my understanding is the motion was to amend the motion adopting the resolution with removal of LBCS 6310."

Chairman Skelton said, "Okay, now is there a second?"

Commissioner Peterjohn said, "I think Commissioner Norton moved to provide a second."

Chairman Skelton said, "Okay, it's been moved and seconded to...Madam Clerk, for the record, please repeat the motion and then take the vote."

Ms. Lee said, "The amended motion is to adopt the resolution with removal of LBCS 6310."

Commissioner Peterjohn said, "Mr. Chairman."

Chairman Skelton said, "Yes, sir."

Commissioner Peterjohn said, "That was not the motion I was trying to make. I was trying to make a motion to amend the resolution before us to exclude LBCS 6310 from this resolution, and that was all I was trying to do."

Commissioner Norton said, "Mr. Chairman I'll rescind my second."

Chairman Skelton said, "Okay. Is there a second to Commissioner Peterjohn's motion? I don't have a second. So there is no motion on the table; is that correct? Okay. Commissioner Ranzau, do you have some discussion?"

Commissioner Ranzau said, "Yes."

Chairman Skelton said, "Okay."

Commissioner Ranzau said, "In anticipation for the vote to approve the increase of the fees, I want to say that I will oppose this fee increase because I believe we have not efficiently used the current fees that we are getting. And before I increase the fees upon my constituents, I have to be able to look to them in the face and say we're spending the money we're getting right now as efficiently as we can, and we are not. For the last year and a half to two years, I've tried to get us to consolidate some personnel that could save us essentially \$18,000 in rent out of those fees. We have refused to do it. We could take a simple action at the county level and reduce the cost of allotting these services by \$18,000 and then have \$18,000 to do all of this stuff extra."

"Additionally, we added a position a couple of years ago that's paid by this fee. I was dubious of the information then. I think we need to revisit that. I suspect it's not necessary, but nevertheless, it is very clear that if you're spending \$18,000 on rent, which I think is an easy change and should have been made a long time ago, I cannot understand why we don't do it, it's clear to me that we haven't done, we haven't been as good of stewards with the taxpayer money as what we needed. I just find it unconscionable that we would say we need more of your money when we could take steps and save money and spend it more wisely. And I'm not going to support this."

Chairman Skelton said, "Commissioner Unruh."

Commissioner Unruh said, "Mr. Chairman, I am wanting to know that if we take the recommended action and adopt the resolution, will that exclude LBCS, or does that need to be an amendment to the motion?"

Mr. Chronis said, "I'm going to wordsmith here from the podium, and that's probably a bad idea, but I think what I would recommend is that the motion be to adopt the resolution with the proviso that LBCS code 6310 be removed from Exhibit A."

Commissioner Unruh said, "Mr. Chairman, I would like to move the motion as suggested by our Chief Financial Officer."

Commissioner Norton said, "I will second a motion that approves the solid waste fees as presented with the exclusion of LBCS code 6310 as defined."

Chairman Skelton said, "So that's a second?"

Commissioner Norton said, "That's my second, I wanted to clarify the motion."

MOTION

Commissioner Unruh moved to adopt the resolution with the removal of LBCS code 6310.

Commissioner Norton seconded the motion.

Chairman Skelton said, "Yes, sir. Thank you. Okay, Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. While I also would be supportive of removing LBCS 6310, I share many of the concerns that Mr. Commissioner Ranzau alluded to, and even though the dollar amount actually in a sense is relatively small, we're looking at a 13.7 percent increase in this base rate for the fee and for the tiered categories, it's right around a little less than 9 percent, 8.7-8.8 percent, and I struggle with that big an increase at this point in time when I think there are some ways where we could perform this program better. So I am not going to be supportive of this motion in this form this morning. But for my friends out at McConnell, I'd like to emphasize the fact that I was trying to get that problem on the [McConnell] Air Force Base issue resolved in a way that I'm sure the base commander would prefer. Thank you."

Chairman Skelton said, "Okay. Commissioner Ranzau."

Commissioner Ranzau said, "I'll just say we complain and say we have a revenue problem. We're getting less money from this source and that source, but this indicates clearly that we have a spending problem. When we can't take the simple action to just save rent costs, it's inexcusable. And the constituents and taxpayers need to know that even though we have a reputation of spending money more wisely than other governmental entities, and I believe we do, we still have a spending problem, and this is just one example I can assure you. Thank you."

Chairman Skelton said, "Commissioner Norton."

Commissioner Norton said, "I'm going to be supportive of this. I have been over the years. We do some really pretty remarkable things with this small fee that we charge our citizenry. You know the electronic cleanup that we've done, the tire removal cleanup we've done, our remote hazardous waste projects, funding the hazardous waste facility, our waste minimization project, the scrutiny of the landfills and the transfer stations, always done with that."

Commissioner Norton continued, "I have a little problem with continued language that says we haven't been good stewards. I don't believe that. I have worked hard over my years to be sure I've been a good steward and hard working to understand budgets and governmental expenditures. If we want to continue to use the word 'we', I would prefer to say I didn't support that or whatever but not that 'we' haven't done the work of government."

"I've worked hard over 13 years to do just that. I'm going to be supportive of this. I think it does good in our community. I can guarantee if you ask the people of Oaklawn and Haysville and other places that have been affected during a tornado, with the help that that money can give during disaster and crisis, I think you would find them very supportive of how we use that money. And the staff that it takes to make sure that all these things happen in a way that serves the public in the best manner. So I'm going to be supportive of this today. Yes, it's a little bit of an increase, but in some cases we have to make sure that we fill up that fund. I'm sure there's many government entities out there that were ill prepared to handle disasters in their community and to take care of some of the pervasive trash problems that they have."

"Electronic waste can get out of control and ends up in ditches out in our county ditches. Tires, I remember cleaning out the Cowskin Creek a few years ago, David Spears will tell you, 1,500 tires removed along the Cowskin Creek as we're cleaning it up. It's sad that we have those kind of dumpings and these remote hazardous waste, tire removal, electronic waste all helps keep our county clean and taken care of environmentally, and I'm going to support this today."

Chairman Skelton said, "Okay. Mr. Ackerman, do you have a comment?"

Mr. Ackerman said, "Yes."

Chairman Skelton said, "Okay. How long do you need?"

Mr. Ackerman said, "Just a moment. Just a point of clarification. If you wish to exempt McConnell Air Force Base as a taxpayer, I have no problem with that because they generate a great deal of revenue in this area. However, if you do wish to know how much they take off of the base or how much they do on base, as a former military auditor, they can tell you exactly what they take off the base and how much the value is to you. They can tell you how much they dispose of internally on the base, however"

they choose to do it. Government, especially military records, are very open if you just ask the finance officer for the base. Ask the base commander, do you take anything off this base and use any county facilities? They have the information. I told Chris that I wouldn't express an opinion, but they have the information if you want it."

Chairman Skelton said, "Okay. Thank you. Any other discussion by Commissioners? Madam Clerk, call the vote please."

VOTE

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

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

- L [13-0400](#) FORCE ACCOUNT AGREEMENT WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR SEDGWICK COUNTY PROJECT 646-21-1595; BRIDGE PROJECT ON 111TH ST SOUTH BETWEEN RIDGE ROAD AND TYLER. CIP# B-450. DISTRICT 2.
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 L is a Force Account Agreement with the Kansas Department of Transportation to reimburse Sedgwick County for engineering and inspection services performed during the construction of the bridge project on 111th Street South between Ridge Road and Tyler Road. This project is designated as B-450 in the Capital Improvement [Plan] program and will have 80 percent reimbursement. The estimated amount of federal funds the county will receive is \$32,042.80. I recommend that you approve the agreement and authorize the Chairman to sign."

MOTION

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

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Skelton said, "Thank you. Next item."

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

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

Present: 0

M [13-0401](#) FORCE ACCOUNT AGREEMENT WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR SEDGWICK COUNTY PROJECT 790-BB-2853; BRIDGE PROJECT ON 239TH ST WEST BETWEEN K-42 AND 103RD ST SOUTH. CIP# B-451. 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. Spears said, "Similar to the previous item, Item M is a Force Account Agreement with KDOT to reimburse Sedgwick County for engineering and inspection services performed during construction of the bridge project on 239th Street West between K[ansas Highway]-42 and 103rd Street South. This project is designated as B-451 in the Capital Improvement program, and will have 80 percent reimbursement. The estimated amount of federal funds the county will receive is \$47,574. I recommend that you approve the agreement and authorize the Chairman to sign."

Chairman Skelton said, "Okay, any discussion from the Commission?"

MOTION

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

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Skelton said, "Next item."

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

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

Present: 0

N [13-0402](#)

AGREEMENT BETWEEN SEDGWICK COUNTY AND THE CITY OF VALLEY CENTER FOR ROAD IMPROVEMENTS TO MERIDIAN BETWEEN THE SOUTH CITY LIMITS OF VALLEY CENTER AND 69TH STREET NORTH. CIP# R-175A. DISTRICT 4.

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

RECOMMENDED ACTION: Approve and authorize the Chairman to sign.

Mr. Spears said, "Item N is an agreement between Sedgwick County and the City of Valley Center for asphalt surface rejuvenation on Meridian between the south city limits of Valley Center and 69th Street North. We are doing preventive maintenance on the county's portion of Meridian and Valley Center wants to take advantage of our unit costs with the contractor. Based on the quantities bid, the total cost for Valley Center would be approximately \$50,700. We recommend you approve the agreement and authorize the Chairman to sign."

MOTION

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

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Skelton said, "Okay, go ahead and call next item, Madam Clerk."

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

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

Present: 0

- O [12-0063](#) PROGRAMS IN THE CRIMINAL JUSTICE SYSTEM.
Presented by: William P. Buchanan, County Manager.

RECOMMENDED ACTION: Receive and file.

Chairman Skelton said, "Manager Buchanan, it's been suggested that we just defer this until the next meeting is there any objection by you or do any Commissioners have objections to deferring this item? Okay. Item O stands deferred to our next regular meeting. Item P, Madam Clerk."

P [13-0432](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS REGULAR MEETING ON JUNE 6, 2013.

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, "Meeting of the Boards of Bids and Contracts of June 6th results in four items for your consideration this afternoon. Item 1;

1. SALT/SAND SPREADER WITH HYDRAULIC LIQUID -- FLEET MANAGEMENT FUNDING -- FLEET MANAGEMENT

"Recommendation is to accept the lowest and best bid from Kansas Truck Equipment Company, Inc., Option 1, for a total cost of \$223,050.00. Item 2;

2. TANDEM DUMP TRUCKS -- FLEET MANAGEMENT FUNDING -- FLEET MANAGEMENT

Mr. Thomas continued, "Recommendation is to accept the low bid from Kansas Truck Center in the amount of \$429,564.00 and establish contract pricing for parts, labor, and freight for repairs at the rates listed for 3 years. Item 3;

3. ALL WHEEL DRIVE, ARTICULATED CENTER, WHEELED LOADERS-- FLEET MANAGEMENT FUNDING -- WHEEL LOADER

"Recommendation is to accept the proposal from Murphy Tractor & Equipment Co. in the amount of \$468,222.00 and establish contract pricing for labor, parts, and freight for repairs as listed for three years. Item 4;

4. ROAD WIDENER – FLEET MANAGEMENT FUNDING—ROAD WIDENER

"Recommendation is to accept the lowest and best bid from Foley Equipment Co., in the amount of \$305,462.00.

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

Chairman Skelton said, "Okay. Thank you. Is there any discussion?"

MOTION

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

Commissioner Norton seconded the motion.

Chairman Skelton said, "Thank you. Is there any discussion to accept the

recommendation? Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Joe, could you talk for a minute on Item 4? I was interested, in terms of understanding, in terms of the bids. Do we have a specification issue, in terms of...I'm trying to make sure I understand what, going with Foley on Item 4, please."

Mr. Thomas said, "I'll let Penny address those specifications."

Ms. Penny Poland, Director, Fleet Management, greeted the Commissioners and said, "Can you please repeat the question?"

Commissioner Peterjohn said, "I was interested because the bid, when it said it didn't meet all the specifications, I was interested in getting details on that, Penny, that was the main reason."

Ms. Poland said, "The main specification it did not meet was the horsepower. The minimum specification was 174 horsepower, and the machine from Barry Tractor was only 139 horsepower."

Commissioner Peterjohn said, "Okay. Thank you very much. Appreciate the clarification. I think it's significant to get those reasons onto the record when we have a variance like this. Thank you."

Chairman Skelton said, "Okay. Is there any other discussion or motion on the table to take staff's recommended action stands. Any discussion? Madam Clerk, call the vote."

VOTE

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

Chairman Skelton said, "Thank you. Next item."

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

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

Present: 0

CONSENT

Q

[13-0349](#)

A resolution to authorize destruction of Sheriff Inmate medical records
DISP 2013-161 2006

- R** [13-0350](#) A resolution to authorize destruction of Emergency Medical Services Records (DISP 2013-159 PS-ECom).
- S** [13-0351](#) A resolution to authorize destruction of Juvenile Intake and Assessment Center records (DISP 2013-162 PS-JIAC).
- T** [13-0352](#) A resolution to authorize destruction of Kansas Coliseum records (DISP 2013-166 Kansas Coliseum 2005-2009).
- U** [13-0354](#) A resolution to authorize destruction of Elections records for the year 2007 (DISP 2013-165).
- V** [13-0355](#) A resolution to authorize destruction of Finance Accounting records for the period 1982-2009 (DISP 2013-164).
- W** [13-0356](#) A resolution to authorize destruction of Human Resources records (DISP 2013-163).
- X** [13-0357](#) A resolution to authorize destruction of Fire District 1 records (DISP 2013-145 PS-Fire) 1987-2010.
- Y** [13-0359](#) Approve leases of the Goddard, Derby and Haysville Fire Stations to Sedgwick County Fire District #1.
- Z** [13-0399](#) Five (5) Right of Way Easements for Sedgwick County Project 620-14, 15; Reconstruction of Maple from 167th St. West to 199th St. West. CIP# R-333. District 3.
- AA** [13-0407](#) Access Agreement for the South Central Homeland Security Region 10-911 Backup Site.
- AB** [13-0415](#) ZON2007-67 - Extension of time to complete platting requirement for a zone change from SF-20 Single-family Residential ("SF-20") to LC Limited Commercial ("LC"); generally located on the southwest corner of 21st Street North and 159th Street East. (District #1)
- AC** [13-0417](#) VAC2013-00002 - Request to vacate a portion of a platted floodway reserve easement; generally located east of 127th Street East, approximately 1/4-mile north of 39th Street South, north of Twin Mill Street, on the west side of Triple Crown Street. (District 5)
- AD** [13-0418](#) VAC2013-00003 - Request to vacate a portion of platted front yard setback; generally located east of 279th Street West, north of 61st Street North, on the south side of Busy Bee Lane. (District 3, City of Andale's Area of Zoning Influence).

AE [13-0419](#) VAC2013-00005 - Request to vacate a portion of platted access control; generally located on the east side of 183rd Street West, mid-mile between Maple Street and 4th Street North. (District 3, the City of Goddard's Area of Zoning Influence).

AF **13-0410** Order dated 5/30/2013 to correct tax roll for change of assessment.

AG [12-1061](#) Payroll Check Register.

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

MOTION

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Skelton said, "Okay, at this time I'm going to entertain 'Other'. Yes, sir."

OTHER

Commissioner Peterjohn said, "Thank you, Mr. Chairman, just a few quick items, in terms of 'Other'. This time, the Manager is not here to see me steal his thunder a little bit, since we deferred his report. We had 1,416 people in the Sheriff's detention, in Sheriff's custody this morning in the Sedgwick County Jail. On a slightly different note, I'd like to mention to our constituents that all the Commissioners and Sedgwick County staff had a tour of Beechcraft yesterday afternoon, I think it was very informative, very useful. Although it was certainly, they gave us a very warm welcome out there on the floor, but it was a, I think, a very useful and educational event.

"The legislature did finally go home and I think we'd be remiss, especially in light of some news discussions I've seen, I want to particularly express my appreciation to the south central legislatures who worked very hard getting the \$750,000 in additional state funding for Judge Riddel Boys Ranch, in a very difficult financial circumstances. I know the states in, and I know we're still trying to sort though, and our budget director, Lindsey Rousseau, has working hard to sort out exactly what's happened in all the other categories.

Commissioner Peterjohn continued, "But I think we'd be remiss not to get the information out, in terms of the effort in this youth program that I think has value for this community and there's been a lot of hard work.

"Now having said that, this was one year out of a two year budget so it's a partial loaf, believe me, it's not a full loaf. And I know there was an effort to try and get this changed as a policy and incorporate this into state policies going forward for their juvenile funding. And that did not occur. I was disappointed that that was not the case, but I would, I think it's still important to recognize what did happen and wanted to provide that report this morning. Thank you, Mr. Chairman."

Chairman Skelton said, "You're welcome, sir. Any other comments from Commissioners? We do have an Executive Session, if I could get that motion, please?"

Commissioner Unruh said, "Mr. Chairman, I move that 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 legal advice and personnel matters of non-elected personnel and that the Governing Body of the First District No. 1, whoops, I'm reading the wrong one."

Mr. Euson said, "I apologize."

Chairman Skelton said, "We have two Executive Sessions."

Mr. Euson said, "No, you're reading the right one. We have the wrong wording on it, and that the Board return to this room."

Commissioner Unruh said, "Okay, and that the Governing Body of Sedgwick County return to this room from Executive Session no sooner than 12:40 [p.m.]."

Chairman Skelton said, "Thank you, sir."

Commissioner Ranzau said, "Mr. Chairman."

Chairman Skelton said, "Yes?"

Commissioner Ranzau said, "Are we going to do that before we do the Fire Meeting?"

Chairman Skelton said, "Yes, we are going to, the procedure today will be to complete the County Commission agenda and then open the Fire [District No. 1] agenda and then complete the Fire agenda. So we will have an Executive Session with the Fire agenda also, but we will return to this room after our Executive Session as the BoCC (Board of County Commissioners)."

Commissioner Ranzau said, "Okay."

Chairman Skelton said, "Okay, so the motion on the table is to adjourn into Executive Session. Can I have the vote please, Madam Clerk?"

Commissioner Unruh said, "Do we need a second?"

Chairman Skelton said, "I thought we seconded it?"

MOTION

Commissioner Unruh 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 legal advice and personnel matters of non-elected personnel and that the Board of County Commissioners return to this room from Executive Session no sooner than 12:40 p.m.

Commissioner Ranzau seconded the motion.

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

VOTE

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

Chairman Skelton said, "Thank you. We are, stand adjourned."
The Board of County Commissioners recessed into Executive Session at 12:31 p.m. and returned at 12:55 p.m.

EXECUTIVE SESSION

Chairman Skelton said, "This Meeting is called back to order. We've completed our Executive Session and no action was taken. Is there any other business to come before the Commission meeting here? Alright, seeing no business this meeting will be adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:55 p.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

*JAMES B. SKELTON, Chairman
Fifth District*

*DAVID M. UNRUH, Chair Pro Tem
First District*

*TIM R. NORTON, Commissioner
Second District*

*KARL PETERJOHN, Commissioner
Third District*

*RICHARD RANZAU, Commissioner
Fourth District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
