

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

**Wednesday, May 18, 2016**

**9:00 AM**

**BOCC Meeting Room**

### **Board of Sedgwick County Commissioners**

*Pursuant to Resolution #007-2016, adopted by the Board of County Commissioners on January 20, 2016, members of the public are allowed to address the County Commission for a period of time limited to not more than five minutes or such time limits as may become necessary.*

*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 Crissy Magee, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203. Phone: 316-660-7056, TDD: Kansas Relay at 711 or 800-766-3777*

*Email: [Crissy.Magee@sedgwick.gov](mailto:Crissy.Magee@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 9:02 a.m. on May 18, 2016 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman James M. Howell, with the following present: Chair Pro-Tem Commissioner Richard Ranzau; Commissioner David Unruh; Commissioner Tim Norton; Commissioner Karl Peterjohn; Mr. Ron Holt, Acting County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Bureau of Public Works; Mr. Mark Reed, Sedgwick County Zoo; Mr. Scott Hadley, Director, Emergency Medical Services; Mr. Tyler J. Roush, Assistant County Counselor; Dr. Timothy Rohrig, Director, Regional Forensic Science Center; Mr. Jon Von Achen, Assistant County Counselor; Mr. Jim Weber, Deputy Director of Public Works; Mr. Rick Durham, Deputy Chief Financial Officer; Mr. Ron Holt, Assistant County Manager; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kate Flavin, Communications; Ms. Laura Billups, Deputy County Clerk and Ms. Erika Hills, Deputy County Clerk.*

*Guests:*

*Mr. Steve Houlik, Treasurer, Sedgwick County Zoological Society  
Mr. A.J. Boleski, General Manager, Intrust Bank Arena*

### INVOCATION: Pastor Ben Ford, Pathway Church.

### FLAG SALUTE

### ROLL CALL

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

### PROCLAMATIONS

- A     [16-307](#)     PROCLAMATION DECLARING ELEPHANT APPRECIATION WEEK.  
Read by: Chairman Jim Howell or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

*Chairman Howell said, "I have the following Proclamation to read into the record.*

*WHEREAS, 96 elephants are killed in Africa every day; and*

*WHEREAS, a leading motivation for the killing of elephants is the global desire for all things ivory and perhaps, by those who may not know about the true costs of these products; and*

*WHEREAS, we cannot be the generation that allows elephants to disappear. It's up to us to insure that elephants have a bright future. We must be the ones who inspire discovery, appreciation and respect for elephants; and*

*WHEREAS, the Sedgwick County Zoo is now home to seven intelligent and majestic*

*African elephants. Our community has always loved elephants and welcomed our newest arrivals with open arms; and*

*WHEREAS, the Sedgwick County Zoo exhibit for the Elephants of the Zambezi River Valley will celebrate its Grand Opening this Memorial Day weekend; and*

*WHEREAS, the Elephants of the Zambezi River Valley will be the third largest elephant exhibit in the United States and features the world's largest elephant pool. It will also have a new elephant barn that will be one of the premier holding buildings for elephants in the country.*

*NOW, THEREFORE BE IT RESOLVED that I, Jim Howell, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 22 - 28, 2016 as*

*Elephant Appreciation Week*

*In Sedgwick County and I call this observance to the attention of all our citizens.*

*"What's the will of the Board?"*

**MOTION**

*Commissioner Unruh moved to adopt the Proclamation.*

*Commissioner Norton seconded the motion.*

**VOICE VOTE**

*After the voice vote was called, Chairman Howell announced the adoption of the Proclamation.*

*Chairman Howell said, "I believe in the audience I have a Steve Houlik here to receive this. I would invite you to say a couple things. Thank you."*

*Mr. Steve Houlik, Treasurer, Sedgwick County Zoological Society, greeted the Commissioners and said, "On behalf of the society, thank you very much for that most gracious Proclamation. We are very pleased that the new six elephants are making their new home at the Sedgwick County Zoo. They seem to be doing better and better as each day goes by. 2016 has started out a little unusually for the [Zoological] Society. As I think you know, normally we lose money in the months of January, February, and March because it is winter, it is cold, and not many people come to the Zoo. Actually, that has changed dramatically in the first three months, through March of 2016, we are actually 15,000 people ahead attendance-wise, which has never happened at this point in time. We certainly hope that trend continues, but we all know how hot it gets in the summertime, and I guess we will just see what happens as the warm weather months get here.*

*"Thank you again for the Proclamation, and for your partnership over the years. I want to turn this over to Mark."*

*Mr. Mark Reed, Sedgwick County Zoo, greeted the Commissioners and said, "I just wanted to thank you all for your support, and tell you that the elephants are doing great. We have five together. Our next move is probably to move Stephanie, our original elephant, in with the five younger ones shortly after the exhibit opens on Memorial Day weekend, and we actually think she's going to be the boss lady down there now. From everything we can tell from their behavior.*

*"The elephants have been fearless, they figured out, you know, they have never seen a building, never seen a fan, never seen magic doors, never seen automatic waterers. They actually settled in within 24 to 48 hours. It took Stephanie three weeks. They are just fearless. And it's really been exciting to watch for all of us at the Zoo, and look forward to showing you the exhibit here later today."*

*Chairman Howell said, "One question for you. You say Memorial Day weekend, is that going to be Saturday or Sunday? What is the date exactly?"*

*Mr. Reed said, "It actually starts at 10:00 a.m. [Friday, May 27, 2016] with the ribbon cutting, and we will open all entranceways into the exhibit at that time, and we expect a gigantic weekend. We are inviting the whole community to come out and enjoy their Sedgwick County Zoo."*

*Chairman Howell said, "Is that 10:00 a.m. on Friday?"*

*Mr. Reed said, "Yes, Friday, May 27th."*

*Chairman Howell said, "Very good. I just want to give you my opinion real quickly. You guys were gracious enough to allow me to see this place once already, and actually a couple of times already. I would just say this is a five-star hotel for elephants. Elephants in the wild, I'm sure, have to fear for their lives and have to figure out a way to survive. Finding water and food, and what we've given them here is a life of luxury, so to speak. Water and food, all they want. Soft grass under their feet. On it goes. It's a pretty neat place and I'm glad we've got it done."*

*Mr. Reed said, "We are very excited. In fact, on June 9th we have 35 zoo directors coming from throughout the nation to come see this exhibit specifically. So we are excited to show it off to our professional colleagues also."*

*Chairman Howell said, "We have some other comments. Commissioner Unruh."*

*Commissioner Unruh thanked the Chairman and said, "Mark and Steve, I just want you to extend our appreciation to the Zoological Society for their perseverance and dedication in bringing us to this point. This is a tremendous asset for our community, and as you've already experienced, as the rest of us have, the community is really excited for the opening of this elephant exhibit, and it will be just another great asset for the Sedgwick County Zoo, which already was already a leading tourist attraction in our state. Good job to you all for persevering through all the difficulties it took to get to this point, and so we're proud of you all, but we're also proud of the facilities, and as we get to know those elephants, we will be proud of them also. Thank you all very much."*

*Chairman Howell said, "Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "I had the opportunity along with my daughter during the Member's Night that you had last week to go out and visit the facility, and it is absolutely outstanding."*

*"Let me ask you, I was told that each elephant is eating now about 300 pounds per day of foliage. I mean, that's over a ton a day. I was just curious if that's going to continue, or increase, or diminish or are we in for an elephant-sized world we are living in now?"*

*Mr. Reed said, "Well, you know, I know that it varies every day, but we have actually"*

*worked out some deals with some tree-cutting companies, landscape companies that are delivering fresh-cut stuff every single day to the zoo, and we have some areas in the zoo, and other places that we will continue to harvest. But basically, they are browsers, and this is an important part of their diet, and we want to feed them as natural as possible. They are gaining weight, every week we weigh them. The kids stepped on the scale the first time they opened the door for them to go into the thing. It took Stephanie six times to get the idea. They are fearless. But they love eating that fresh, young bark and the leaves. It's what it's all about being an elephant. They love that stuff."*

*Commissioner Peterjohn said, "How much weight have they gained since they've been there?"*

*Mr. Reed said, "Each one has gained different amounts. We watch that we don't let them gain too fast. I can tell you that all of them put on several hundred pounds, and they all came in slightly underweight. They eat huge volumes of low-quality food in the wild, and with three years of drought in Swaziland, that was even lower quality. So I don't want to use the words fattening them up, but we are putting weight on them, get them toned and muscled up real well. Give you an idea, when you look at the big female, Simunye, she's taller than Stephanie and she's 2,000 pounds lighter. She is the ballerina in the elephant world. Stephanie is a little on the heavy side, but we won't put her on a diet at this age in her life."*

*Commissioner Peterjohn said, "What sort of treats are they enjoying now?"*

*Mr. Reed said, "You know, we are trying to find feed them natural foods. They are getting special treats occasionally, alfalfa cubes and yams and apples and carrots. Not trying to put too much sugar to them. That's not good for their teeth. But they actually enjoy the leafy branches we get from the landscape companies as much as anything."*

*Commissioner Peterjohn said, "Thank you."*

*Chairman Howell said, "Commissioner Norton."*

*Commissioner Norton said, "Well, I have to tell you, my Facebook is lit up with elephants frolicking at our zoo. And I'm glad to see that, because I was tired of looking at what people ate last night and cats with their heads stuck in something. But I think the public, it is resonating with them, because I've seen so much social media about, we stopped by, we saw it. They filmed it, it's gone viral in our community as far as I am concerned, and we haven't even opened it yet. I think once the public gets to experience this and see what we've done in Sedgwick County, Kansas, which is going to change the dynamic in the world for elephants being taken care of, certainly Dallas and Omaha participated in that. But I think we've done something really spectacular, not only for our community, but for the preservation and breeding of elephants worldwide. And I'm proud that that's centered right here in Kansas. We are very proud that we went after that."*

*"One of the things I put on my bucket list as a Commissioner almost 16 years ago was expansion at the zoo. Because we had a great zoo, but we had other things that we could do. And it's interesting that it came around to being the elephant exhibit. We've got Pride of the Plains, the [KOCH] Orangutan [and Chimpanzee Habitat] Exhibit, Penguin Cove, all of those things. But this is really that signature spectacular thing that Sedgwick County really participated in and I'm really proud that we've moved this along, and that the public is going to be wowed by what they get to see. Very few people will ever get to see elephants in a herd like this, moving around and*

*enjoying their lives.*

*"Thank you very much for your hard work, Mark. Thank you, Board of Trustees. I'm very proud that Sedgwick County stepped up and participated at that level they did, too. Thank you, Mr. Chair."*

*Chairman Howell said, "Commissioner Unruh."*

*Commissioner Unruh thanked the Chairman and said, "Mark, I had one last question. You talked about the female elephants. You haven't said much about the male."*

*Mr. Reed said, "Titan's doing great. He's actually in with the four younger females, and at nighttime, they sort of take over the sand pile as their big pillow and put him off to the side. He is doing great, and he is showing some early indications of what it's all about, about getting his trunk on top of the back, and getting his feet up. We know that he has the right instincts, and showing the right behaviors for his age. So we expect great things out of him."*

*Commissioner Unruh said, "Thank you."*

*Chairman Howell said, "Thank you so much for everything you said this morning. All right. Madam Clerk, next item."*

**Adopted**

**B**     [16-309](#)

**PROCLAMATION DECLARING EMERGENCY MEDICAL SERVICES WEEK.**

Read by: Chairman Jim Howell or his designee.

**RECOMMENDED ACTION:** Adopt the proclamation.

*Chairman Howell said, "I have the following Proclamation to read into the record.*

*WHEREAS, emergency medical services is a vital public service; and*

*WHEREAS, the dedicated Paramedics and Emergency Medical Technicians of Sedgwick County Emergency Medical Services are committed to provide exemplary medical care and ambulance transportation to the citizens of Sedgwick County; and*

*WHEREAS, Sedgwick County EMS is ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and*

*WHEREAS, access to quality emergency health care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and*

*WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and other health care professionals; and*

*WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and*

*WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.*

*NOW, THEREFORE BE IT RESOLVED that I, Jim Howell, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of May 15 – 21, 2016 as*

*EMERGENCY MEDICAL SERVICES WEEK*

*The 2016 theme for EMS Week is “Called to Care.” I encourage the community to observe this week with appropriate programs, ceremonies, and activities.*

*“Commissioners, what’s the will of the Board?”*

*MOTION*

*Commissioner Ranzau moved to adopt the Proclamation.*

*Commissioner Unruh seconded the motion.*

*VOICE VOTE*

*After the voice vote was called, Chairman Howell announced the adoption of the Proclamation.*

*Chairman Howell said, “I would like to recognize our Director of EMS (Emergency Medical Services), Scott Hadley.”*

*Mr. Scott Hadley, Director, Emergency Medical Services, greeted the Commissioners and said, “Thank you for this Proclamation on behalf of all of us with EMS, we really appreciate this recognition. I know the folks out there, men and women who work for the organization certainly don't receive the praise and recognition that I believe they deserve. They take care of it one patient at a time, approaching almost 60,000 calls for care in 2016 as we project. They are out there each and every day, no matter what the weather, working in challenging environments, and I am very privileged and honored to be part of Sedgwick County EMS and work alongside those professional men and women that we have in our organization. Thank you for your ongoing support of EMS, and our men and women that sacrifice a lot every day. Thank you very much.”*

*Chairman Howell said, “Thank you, Director Hadley, for those remarks. It is very appropriate we recognize these professionals in our community. They provide a very critical service to our public we serve. So thank you for everything. Commissioner Peterjohn.”*

*Commissioner Peterjohn thanked the Chairman and said, “I agree with your comments. Delighted to support the resolution. I wanted to point out the fact that we have folks in our EMS, and recent emergency, and horrible events that occurred in Hesston, Sedgwick County EMS was involved. One individual in particular, and I am absolutely delighted that reflects so well on Sedgwick County EMS, and wanted to mention that, since it goes beyond the scope of the Resolution we just adopted. But Scott, thank you. And kudos to your folks.”*

*Chairman Howell said, “Commissioner Unruh.”*

*Commissioner Unruh thanked the Chairman and said, “Scott, it is clear that you are very proud of your team, and what they do for our community, and we just want to reinforce that and say we are also proud of the work they do. We are happy to honor*

*them in this way."*

*Mr. Hadley said, "Thank you."*

*Chairman Howell said, "Seeing no further comments, I have just one final comment, just appreciate all of the EMS. And, again, I wanted to just say this one more time, we have a very robust system of professionals providing this care, and obviously includes our ambulances, and paramedics, and technicians, but it also includes our firefighters. I don't want to forget them. I want to recognize the fact that they are part of our system as well."*

*Mr. Hadley said, "Absolutely."*

*Chairman Howell said, "Thank you for everything, sir. All right. Madam Clerk, next item."*

**Adopted**

## **APPOINTMENTS**

- C**     [16-318](#)     RESOLUTION NOMINATING ROB BENTON (COMMISSIONER RICHARD RANZAU'S NOMINATION) TO BE APPOINTED TO THE WICHITA AIRPORT ADVISORY BOARD.  
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "This Resolution is nominating Rob Benton to the Airport Advisory Board. He would be the nomination of Commissioner Ranzau. The paperwork appears to be in order. I would urge adoption of the resolution."*

MOTION

*Commissioner Ranzau moved to adopt the Resolution.*

*Commissioner Unruh seconded the motion.*

*There was no further discussion and the vote was called.*

VOTE

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

*Chairman Howell said, "I don't believe he's here this morning, is he? We'll take care of paperwork later on. Madam Clerk, next item."*

**Adopted**

## **NEW BUSINESS**

D [16-268](#)

PUBLIC HEARING TO CONSIDER PETITIONS FROM LANDOWNERS, KRIS E. AND RITA A. CARPENTER, FOR THE INCLUSION OF THEIR PROPERTIES WITHIN THE BOUNDARIES OF SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE.

Presented by: Tyler J. Roush, Assistant County Counselor.

RECOMMENDED ACTION:

Open the public hearing, accept comments, close the public hearing, adopt the resolution and instruct the County Clerk to publish the same according to law.

*Mr. Tyler J. Roush, Assistant County Counselor, greeted the Commissioners and said, "We have a couple petitions. The first being Item D. I am pulling up a map on the overhead. This is two parcels of land between Colwich and Maize, a little south of Colwich. Both properties are owned by the same couple, they would like to be included into Sedgwick County Fire District. So everybody is aware, if you choose to adopt this resolution, it would add approximately \$450 in tax levies for the fire service being provided by Fire District Number One."*

*Chairman Howell said, "All right. Thank you. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "This parcel, these two parcels are located in Union Township; is that correct?"*

*Mr. Roush said, "I believe so."*

*Commissioner Peterjohn said, "It is an interesting situation. From looking at the map, we have got areas in there that are and are not part of the Fire District. Colwich of course has their own volunteers and has a relationship with Union Township. I think that makes for an explanation why we've got a map in front of us that looks the way it does. Parcels included, and other parcels that aren't part of it. Thank you."*

*Chairman Howell said, "Alright. I just want to make a comment. That is I appreciate, let me just say, Colwich is a volunteer fire department, correct?"*

*Mr. Roush said, "Correct."*

*Chairman Howell said, "To the township, it sounds like the primary responders will be the volunteer firefighters. Do we know, if they receive a call, they have got to respond to the station to get the equipment, and then they go to the fire? They are not at the station most of the time."*

*Mr. Roush said, "Well, this couple is petitioning to be a part of the Fire District Number One. So the next Resolution is for the exclusion. I don't know how Colwich staffs their fire department, if they have somebody on call or not. I do know that Colwich does levy a tax, specifically, for fire service. It is less than the Sedgwick County Fire District Number One tax, but they do levy a tax. It is a volunteer department, as you mentioned. As far as their operations go, though, I don't have any idea as far as if they have somebody on call all the time or not."*

*Chairman Howell said, "I will certainly be supporting this, this item this morning. The next item I may have consternation with. We'll talk about that in just a minute. Commissioner Peterjohn."*

Commissioner Peterjohn said, "I know we have to open the public hearing. I didn't mean to jump in."

Chairman Howell said, "Let me follow up. Let's open up the public hearing to accept comments from anyone who would like to speak to this item. Proponents or opponents, either way. All right. Last call. All right. Then I guess we will close the public hearing."

**MOTION**

Commissioner Peterjohn moved to adopt the Resolution and instruct the County Clerk to publish the same according to Kansas statutes.

Commissioner Ranzau seconded the motion.

There was no further discussion and the vote was called.

**VOTE**

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

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

**E**     [16-269](#)

**PUBLIC HEARING TO CONSIDER THE PETITION FROM LANDOWNER, DOUGLAS M. WENINGER, FOR THE EXCLUSION OF HIS PROPERTY FROM THE BOUNDARIES OF THE SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE.**

Presented by: Tyler J. Roush, Assistant County Counselor.

**RECOMMENDED ACTION:**

Open the public hearing, accept comments, close the public hearing, adopt the resolution, and instruct the County Clerk to publish the same according to law.

*Mr. Roush said, "This is a petition to be excluded from the Fire District. Again, this house is similarly situated. This is actually between Colwich and Maize, to the east of Colwich. The yellow parcel on the map. As you can see, it is within the three-mile buffer zone of Colwich and Maize, as well as part of Wichita, and it is in the gray area which is currently serviced by Colwich Volunteer Fire Department. The red area is the current boundaries of Fire District Number One. Should you adopt this resolution, it would be approximately \$389.80 that would come off the tax rolls from Sedgwick County and the Weningers would be assessed whatever the mill levy is for the Colwich Volunteer Fire District."*

Chairman Howell said, "Very good. All right. Let's open the public hearing and accept comments from the public on this item. All right. Seeing none. I guess we will close the public hearing, and we will move on to discussion. Commissioner Peterjohn."

Commissioner Peterjohn said, "Chairman, my comments on this item are basically to follow up and I don't want to repeat what I said on the previous item, because basically it is the same. We've got folks here who want to withdraw from the Fire District. They would then rely upon fire coverage that I understand is being provided by the Colwich volunteers, an arrangement exists between Union Township and the City of Colwich Volunteer Fire Department.

"We've done this in the past, although not recently, and it goes to one of the challenges we face with the Fire District, and as you can see from looking at the map, with the number of spots where people have asked to be included, there is a mixture. I would point out to my colleagues that probably the largest portion of the tax base in Union Township is the Westar facility, the inverted L-shape west of the City of Colwich. And having that in an agreement that they have with the Fire District is probably the most significant parcel in that area in terms of the tax base that is part of the Fire District."

**MOTION**

Commissioner Peterjohn moved adopt the Resolution and instruct the County Clerk to publish the same according to Kansas statutes.

Commissioner Ranzau seconded the motion.

Chairman Howell said, "We have a motion and a second. I would like to just ask you, Commissioner Peterjohn, can you remind me again, where is the nearest fire station in Fire District Number One?"

Commissioner Peterjohn said, "It is a little further east on 53rd Street. Maybe one of the other Commissioners has been on the bench longer than me, can give more details. On the south side of 53rd Street, within the city boundaries of the City of Maize, so it is actually, in Commissioner Ranzau's district. The parcels we are talking about are both located in my County Commission District, but it is very close to the border between District 3 and District 4. I would roughly estimate that the parcel we are looking at here, somewhere between a mile and a mile and a half west of the Fire District Number One station that's located on the south side of 53rd Street, and I wish someone with the Fire District was here, they could tell me what that fire station number is. All I can say is, it is in the 30s, but it's basically the Maize Fire District Number One station."

Chairman Howell said, "All right. I guess my thought is, as I look at this map, it's a checkerboard. We have people who are inside the Fire District, people are outside the Fire District. I guess, if there was a fire at this parcel, this residence, do we have an automatic aid agreement with Colwich?"

Mr. Roush said, "We do have an aid agreement, yes."

Chairman Howell said, "Would they automatically respond, or on call?"

Mr. Roush said, "I don't have the aid agreement in front of me."

Chairman Howell said, "I would presume we would probably get there before a volunteer fire department would get there. That is assuming they are not manning the station, if they have to respond from their location to the station to get the equipment and then go out to the call. It would seem obvious to me that the first responders would actually be Sedgwick County Fire District Number One. It seems like we are maintaining a level of response to cover an area that is not financially funding the

*district. So, again, I have a bit of a problem with the checkerboard nature of this. The people that are in or out of the district, just makes it where everyone has to maintain the equipment to respond, not ideal for us to have duplication of services. I understand why they probably would like to be out of the district. I mean it's what, 18.3 mills of tax. So this might impact their homeowners insurance. I'm sure they probably checked this out, good or bad for them. On one side, I do want to, you know, let people make choices for themselves, I get that, but I also have concerns for the district. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Well, I was going to point out this is more than just a problem in this one area. There are a number of other places in the county where people opt in and opt out of the Fire District depending upon the tax and what alternate fire coverage they can receive. The question I can't answer, and I would be intrigued to know, is how their insurance might change in terms of property and casualty insurance on buildings or home they have on that parcel, depending upon now that they have withdrawn from the Fire District, and are now not paying for the coverage. Having said that, the folks who live in Union Township, that are paying Union Township property taxes are in effect, because the agreement between the township and Colwich Fire Department, you have got potential for double coverage and double payments, too. It's an interesting challenge, I think, for providing effective fire coverage in Sedgwick County."*

*Chairman Howell said, "Let me finish to say. Let me just finish this up and say that I will support the item this morning, but I have concerns about the fact we are creating a checkerboard Fire District. And this is apparently been going on for a long time. Our custom is to accept people to opt in and opt out of the fire district. That has been the tradition of the County Commission and I have concerns about the fact that we are creating duplication of services, providing services to an area that has no known intent of supporting our Fire District financially, but yet we've got the obligation to maintain equipment to go out there and fight fires, which I think is exactly what we should be doing in terms of we want to respond to those needs wherever they are regardless of the finances behind that. But on the other hand, it is not ideal."*

*"Well Commissioners, I see no further discussion. We have a motion and second. If there's no further discussion, please call the vote."*

VOTE

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

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

**Adopted**

**F**      [16-298](#)

CONSIDERATION OF A NATIONAL INSTITUTE OF JUSTICE (NIJ)  
2016 CAPACITY ENHANCEMENT AND BACKLOG REDUCTION  
PROGRAM GRANT IN THE AMOUNT OF \$311,341 FOR NEW DNA  
LABORATORY INSTRUMENTATION.

Presented by: Dr. Timothy Rohrig, Director, Regional Forensic  
Science Center.

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

*Dr. Timothy Rohrig, Director, Regional Forensic Science Center, greeted the Commissioners and said, "Before you today, as you heard, we have The National Institute of Justice Grant for some equipment and some software that will assist the DNA laboratory. You heard yesterday about some of the challenges that the DNA laboratory is facing. This grant, if approved, will be part of the solution to those challenges. I mentioned we are buying some equipment. We have two genetic analyzers that are ten, plus years old. They will go out of service in 2018. A good portion of this grant will allow us to purchase a new genetic analyzer, which will actually increase efficiencies via higher throughput. The other aspect of the grant will allow us to buy some intelligence software. This will allow us to examine and process complex mixtures that we see in a number of our DNA cases, decreasing the amount of human labor that's involved in that process. Again, increasing our efficiency, and capacity in the laboratory.*

*"I would recommend that you would approve the application of the grant, and if awarded, authorize the acceptance of the grant, establish the appropriate budget authority as provided in the grant application. And I will stand for any questions that you may have, related to this subject."*

*Chairman Howell said, "Commissioners, any questions or comments? Seeing none right now, what is the will of the Board?"*

**MOTION**

*Commissioner Ranzau moved to approve the application for the grant, and if awarded, authorize the acceptance of the grant, and establish budget authority as provided in the grant application.*

*Commissioner Peterjohn seconded the motion.*

*There was no further discussion and the vote was called.*

**VOTE**

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

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

**G**     [16-301](#)

RESOLUTION ADOPTING A POLICY FOR SIGNS IN THE PUBLIC RIGHT OF WAY CONSISTENT WITH K.S.A. 25-2711.

Presented by: Jon Von Achen, Assistant County Counselor and Jim Weber, Deputy Director of Public Works.

RECOMMENDED ACTION: Approve the resolution.

*Mr. Jon Von Achen, Assistant County Counselor, greeted the Commissioners and*

said, "What you have before you today, is a Resolution regarding signs in the right-of-way during an election period. Last year the legislature passed K.S.A. 25-2711, which allowed a 48-day period in which political signs could not be regulated by cities or counties. In reviewing that particular statute, it appears to conflict with our County Engineer's duties under K.S.A. 68-115, to maintain the right-of-way. There is also an additional statute that speaks specifically about no obstructions being in the right-of-way.

"In order to resolve the conflict between the two statutes, in addition to the Supreme Court's decision in *Reed v. Town of Gilbert* [Arizona], last year, regarding free speech, what you have before you is a Resolution that will allow all private signage with restrictions in the right-of-way. Those restrictions being 300 feet at intersections, in the unincorporated parts of the county, where the county maintains the road, and 15 feet back in all other locations along the roadway. There are also some additional restrictions regarding size and weight and height, mainly the concern with larger signage, if someone were to come off the road and strike that signage, it would cause damage likely to their vehicle and potentially to their person.

"So 25-2711 does allow for regulation involving safety, and so we've taken that opportunity to look at what would be the safest way to maintain the right-of-way, and to still balance that free speech issue. Because the statute talks about political signage only, to rectify that form of speech versus any other form of speech that was spoken about in the supreme court case, we've chosen not to say political signs only, it is going to be all private signs, so if it's a garage sale sign, if it's a realtor sign, whatever private sign, that will be allowed within the criteria of the policy.

"That's only for the 48-day period, and that 48-day period is 45 days before an election occurs, the day of the election, and two days after. So currently, what we have scheduled, that would be for the August primary, and the November general election.

"Currently, our office has seen that there are political signs already out. Candidates have a filing deadline of noon on June 1st, so we thought that it would be appropriate to get this before the Commission now, so that when that period opens up in June, that 45 days before the August primaries, the candidates would be aware of what the restrictions were, so they could comply with them.

"What will happen, is if a candidate or anyone places a sign within the restricted area, that Public Works may remove that sign, or MABCD (Metropolitan Area Building and Construction Department) staff, if there is a complaint, and Code Enforcement could remove that sign. And then that would no longer be an obstruction in the right-of-way within that safety area they have defined in the resolution.

"I stand for any questions regarding the resolution."

Chairman Howell said, "All right. Commissioners, any questions? Commissioner Peterjohn."

Commissioner Peterjohn said, "Since we've conflicting statutes here, do you know if anyone has requested from the Attorney General (AG) an opinion on how to resolve this conflict, since I imagine there's 104 other counties, and I'm guessing in terms of municipalities, somewhere above 600 municipalities that are in the similar position to where we are?"

Mr. Von Achen said, "To our knowledge, no one has requested it yet. I am not sure how many municipalities are actually addressing it. I know it is a topic of discussion. I

*know the City of Wichita has at least told us that their interpretation of the statute is it is unconstitutional. Our office has reviewed it and said, well, the court hasn't made that determination yet. And in a circumstance where we can reconcile the two statutes, that's what we are choosing to do. If a court eventually decides or the AG decides in an opinion, an advisory opinion, tells us that is the case, then we will review it at that point. But what we looked at was trying to find a way to resolve that conflict, and the conflict with the Supreme Court case, because that was an additional issue. And I can tell you the Supreme Court case was a large topic nationwide among municipal lawyers, about how to make sign codes compliant. And so we will be doing that later on regarding the overall sign code. We felt we needed it address the political portion as soon as possible, with election season coming up."*

*Commissioner Peterjohn said, "Let me ask you, is this statute in the part of the state law that it's in, in an area of Kansas statutes, considered uniform or non-uniform for purposes of either municipal or county home rule?"*

*Mr. Von Achen said, "It is uniform for cities and counties. It does not include any other authority. So townships are not covered, it does not affect KDOT's (Kansas Department of Transportation) right-of-way. It only affects cities and counties."*

*Commissioner Peterjohn said, "Let me ask you, where a county road intersects with either a state highway or township road, who has the controlling legal authority, and how will people know if they are able to put a sign up on the county right-of-way, but cannot do so on either a state or township right-of-way?"*

*Mr. Von Achen said, "In discussing the matter with Public Works, the intent is to get the information out there, to the candidates, and the Election Commissioner graciously offered when a candidate packets go out to include information on this Resolution, if passed, in that candidate filing. It will provide additional information on how to determine, within the county, which roads are county roads, which intersections are governed by the county so that we'll have information for candidates so they know where we are regulating for safety purposes. Within the townships, they are covered by a statute similar to the County Engineer. They are not allowed to allow any obstructions in the right-of-way. That doesn't change, neither does it change for KDOT in that respect. So if those signs are in a right-of-way on township side, or KDOT side, we can't control any of that, because that's their enforcement provision. We are only covering the counties, and we will inform the candidates where those locations are with a map, so they know where they can and can't place signs."*

*Commissioner Peterjohn said, "Frankly, I have serious concerns of the practical applicability of this Resolution, because with the township and state highway, federal highway exclusion, this is going to be problematic. There will be confusion and since what you can do on a township right-of-way will be different from a county right-of-way or a city of right-of-way, I do think that this is going to be problematical going forward. I know we need to address this, because of the change in state law, but I think there's some real problems here. Thank you."*

*Chairman Howell said, "I have a couple of quick questions. This is a 48-day window, counting election day itself, correct?"*

*Mr. Von Achen said, "Correct."*

*Chairman Howell said, "Outside of that 48 days, there is no provision allowing signage along these rights of way."*

*Mr. Von Achen said, "State statute says absolutely no obstructions in the right-of-way, period."*

*Chairman Howell said, "Okay. We are creating an allowance for these signs during the 48 days, but there's some distances from roadways and that type of thing."*

*Mr. Von Achen said, "Correct. The distances from roadways are for sight line purposes for safety purposes, in addition to the actual size of the sign itself to be in the right-of-way. Those are all safety provisions allowed for in the statute, in addition to Public Works will continue to maintain the right-of-way, particularly this time of year when there's vegetation growing, because, you know, we've had quite a bit of rain recently. If we have an overgrowth, that will also affect sight lines, which will affect traffic patterns."*

*Chairman Howell said, "So if something puts something too close to the road or intersection, then that could be removed even during the 48 days?"*

*Mr. Von Achen said, "That's correct. We are doing that for safety purposes. I want to be absolutely clear, we are doing that for safety purposes, which is an allowance by statute, is that you can regulate for safety purposes."*

*Chairman Howell said, "Then outside the 48 days, all year long, if someone puts a sign like a garage sale sign or other advertising type of sign near an intersection that is handled normally. This doesn't change that at all."*

*Mr. Von Achen said, "No, this doesn't change that at all. Now, of course, there will be a period when we get between the August Primary and the November General, 45 days before that, where state statute will control. It is just the question of how active the enforcement will be during that time frame."*

*Chairman Howell said, "Very good. I would like to recognize Commissioner Unruh."*

*Commissioner Unruh thanked the Chairman and said, "It appears to me that this thing is confusing, and as Commissioner Peterjohn said, it is going to be difficult to get the specific instances to exactly figure out how to handle them. However, I am going to be supportive of this, because we are doing the best we can with our county roads, and best we understand the statute as it is. I think we should go ahead with it, and we will see how it works this first year. If it has inherent problems."*

*Chairman Howell said, "Commissioner Ranzau."*

*Commissioner Ranzau said, "Can you tell me again, what happens outside the 48 day window?"*

*Mr. Von Achen said, "Outside the 48-day window the statute that controls says there are no obstructions in the right-of-way. Period. Of any sort."*

*Commissioner Ranzau said, "Counties and cities?"*

*Mr. Von Achen said, "What we are talking about specifically applies to the County Engineer and the counties in his obligation to maintain the roads under his jurisdiction. The cities are covered by separate statute and their own decisions, which is why we don't have uniformity with the cities, even though we are hoping to get that so at least candidates would know there is a uniform across Sedgwick County, but the City of Wichita went in another direction on that. The townships have the same obligation under different statute, that the County Engineer does, and the same*

*restrictions regarding no obstructions in the right-of-way. So that doesn't change because the election statute does not affect them. Cities and counties only."*

*Commissioner Ranzau said, "Outside the 48-day window, we have no discretion, but cities do."*

*Mr. Von Achen said, "City statute is entirely different. They handle their own right-of-way, what we've been told, they will do active enforcement even during that 48-day window, at least the City of Wichita will, during that 48-day window. By not allowing any obstructions in the right-of-way. Right-of-way."*

*Chairman Howell said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Let me ask a practical question. Let's say he has mowers going out to mow along the county right-of-way and there is a sign, I am talking about within this 48-day window prior to the primary and prior to the general election. And this would be an annual event, since we have local elections now on odd-numbered years. Let's say somebody sets a sign that is five feet from the road, or ten feet from the road or fifteen or twenty feet, how far would the sight lines go where we do, and is it uniform, or is it going to be kind of, each intersection is a unique intersection, obviously, and each one will have to be evaluated individually."*

*Mr. Jim Weber, Deputy Director of Public Works, greeted the Commissioners and said, "Okay. We have tried to use the standard of 15 feet, for most of the right-of-way, because that would cover driveways, you know, come out your driveway, keeping it clear so you can see both ways before you take off. At an actual public street intersection, we are using 300 foot. We are trying to keep that clear for 300 foot back. That's the sight triangle across an intersection. We try to keep open so, you know, some of these don't have any stop control on them. Some have yield signings, some have stop signs on half of it, or four-way stops. We have all these different combinations. What we have done in the policy is said let's try to keep the 300-foot clear on all legs of the intersection. So the only dimensions, keep the 300 feet clear around an intersection, all four legs, unless it is a township road on one leg, and then we don't worry about that. And then between intersections, we are trying to keep everything 50 feet back to keep a clear zone open, so if you leave the road, you are not getting tangled up in signs. Then the other part is, again, we have somebody coming up to a driveway, to be able to see both ways from there. But we assume that at a driveway, you are not, you know, you are not driving 55, that's why we don't need a 300 foot sight triangle at your driveway. You would be able to stop or yield and figure out what's going on and move on."*

*Commissioner Peterjohn said, "Let me ask if we've got a county building, let's say, we've got county facilities all over. Somebody could stick a sign out in front of the county yard, in effect, and if it's in that right-of-way, and it's back behind that 15-foot margin, we could in effect have a county facility that's got a big sign, vote for somebody sign in front of it and that would be perfectly legal under this resolution."*

*Mr. Weber said, "I'm sure that our attorney would advise us to leave it alone."*

*Commissioner Peterjohn said, "Well, I find that problematical. Frankly, I don't think we should be in a situation where we've got county right-of-way in front of this courthouse, have people campaigning on public property. It's problematical. I don't think people, you know, we have got a public role, a private role and having county buildings with political signs all around it, because it happens to be in the right-of-way, I have some real concerns about that. And that's one of my problems with this Resolution this morning. And also the fact that it applies to some*

governmental bodies, not to others. They say it is being driven by a court decision, which I think is reasonable in terms of promoting free speech, but this is a government entity, and that's where I'm getting a lot of, I have a lot of heartburn on this. Thank you."

Chairman Howell said, "Just to clarify couple more points here. If it's outside this right-of-way, if it is on private property, we are not going to regulate the quantity of signs, the height, the weight, the size."

Mr. Von Achen said, "The statute has two components. One, it is just talking about government entities regulating along the right-of-way and the other is on private property. And it is a provision that says thou shalt not except for safety purpose, which I'm sure there may be some scenarios that somebody would come up with on private property where there might be a safety concern. But in reviewing it for us, we haven't seen anything where there's any sort of restriction on and there's nothing that we would consider doing regarding the size, shape, number of signs in a private yard or private field."

Chairman Howell said, "Okay. And then on a typical county road, I mean, I don't know the answer to the question, what is the actual typical right-of-way distance from the road that is considered right-of-way, not private property? It seems like the private property line may be very close to the 15 foot mark."

Mr. Weber said, "The right-of-way width varies, but typically the minimum would be what we call a 60-foot right-of-way. So, a 30-foot on each half of the road, or from the center of the road out. So if we're on one of those, typically is a road that's not have shoulders, because it doesn't have enough right-of-way to do it. If the road lane itself is 12 or 13 feet wide, we got 15 feet, we are at 26 to 28 feet, there's still a couple of feet that's inside the right-of-way, but outside of the safety zone. And most of these signs, if you look at the size limitations, these signs are going to fit in that spot anyway."

Chairman Howell said, "I anticipate another problem; that is because the private property owners along there are going to feel like you are putting signs on their property. It feels like their property, because it is a long distance from the road, and it is close to their property line. They might assume that's placing signs on private property without permission. That is going to create another firestorm."

Mr. Von Achen said, "We recognize that the statute is problematic. There is not a whole lot of guidance. All it says thou shalt not restrict, you know, except for safety purposes. So, you know, we can't control private individual that says you know what, that's close enough to my property line, I don't like that candidate, I am going to pull the sign. Or I don't like the particular business it's advertising in front of my property; I am going to pull the sign. We can't control that. All we can control is what we do at Sedgwick County."

Chairman Howell said, "All right. Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, I strongly support the elimination of government restrictions on size, shape, quantity of signs on private property, but my problem with this is, my concern about this is strictly on city and county, obviously, primary county at this point, when our direct jurisdiction is located on county property here. I am appreciative of the fact, and I have thought it problematical, the regulation of free speech on private property by all levels of government in this country, and of course, Washington [D.C.] is the worst offender in that regard. Thank you."

Chairman Howell said, "All right. Madam Clerk, we have a motion."

Ms. Erika Hills, Deputy County Clerk, greeted the Commissioners and said, "No, Mr. Chairman, we do not."

Chairman Howell said, "Oh, there is no motion yet. Well, Commissioners, what is the will of the Board?"

**MOTION**

Commissioner Unruh moved to adopt the resolution.

Chairman Howell seconded the motion.

There was no further discussion and the vote was called.

**VOTE**

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

Chairman Howell said, "All right. Thank you for that."

Mr. Von Achen said, "Thank you, Commissioners."

Chairman Howell said, "Good work, Mr. Von Achen. Let's go on to the next item. Madam Clerk."

**Approved**

H     [16-275](#)

**PRESENTATION OF THE QUARTERLY FINANCIAL REPORT.**

Presented by: Rick Durham, Deputy Chief Financial Officer.

**RECOMMENDED ACTION:** Receive and file.

**VISUAL PRESENTATION**

Mr. Rick Durham, Deputy Chief Financial Officer, greeted the Commissioners and said, "Typically you would receive the this report two weeks earlier, but because of your schedule changes and the meeting you had in Derby and some other things, we are well into the second quarter. You will receive a first quarter financial briefing. I know that for the last two weeks, you have been hearing presentations on 2017 budget, so allow me to bring you back to the future, or I guess in the past here, so we can review our actuals from the first quarter fiscal year 2016.

"So allow me to begin here with projections to the end of the year, as of March 31st. So what this chart shows is the different funds of accounting. Starting on the left, the General Fund. That's the County's primary operating fund, and it accounts for the county services that is do not have a designated fund of their own. The General Fund includes most government and law enforcement functions, and the operation of 42 departments are funded from the General Fund.

"If you follow this down, expenditures are estimated to exceed revenues by about

*\$3.7 million at the year end. That's primarily due to one time Capital Improvement Projects (CIP) that are cash funded this year. We project a net change in that fund balance of approximately \$3.7 million and that ending fund balance is projected at \$59.27 million.*

*"As we move to the debt service funds, revenues from the debt service funds are estimated to be almost \$250,000 greater than expenditures. As we move to the right, Special Revenue Funds, those are property tax supported. The County has seven other property tax supported funds, Bond and Interest, EMS, COMCARE, Aging, Highway, Noxious Weeds, and Wichita State University.*

*"Each fund provides specific functions and the property taxes levied in each fund used only to support these functions. These funds are expected to have a net increase of roughly \$1 million this year, with an ending fund balance \$8.7 million.*

*"Special revenue funds, non-tax supported, the county has 31 budgeted other operating funds that are not supported directly with property taxes. And these funds are estimated to decrease by \$3 million in combined fund balance.*

*"The next to last column before we total it up, the Fire District, and the fund balance is estimated to increase roughly \$53,000 by the end of the year in the Fire District. So remember we talked about the county tax-supported funds, that's what we are looking at here. So the net revenues in the first quarter, were \$98 million. That's an increase of about \$1.3 million, compared to the same period in 2015. Net expenditures in property tax-supported funds increased \$3.6 million, compared to the same period in 2015. And again, that increase can be attributed to the transfers to cash fund, capital projects. This is a percentage change overall. You can see 1.4 percent increase in revenues, and a five percent increase in expenditures. So for the county property tax supported funds, the net income is \$30.4 million.*

*"Those revenues, the top ten revenues in the county, tax-supported funds are listed here. You will recall from the first slide I showed that we had a \$1.3 million increase in revenues in county tax supported funds. You can see the details of where those increases are, that we have \$1 million increase in ad valorem taxes, motor vehicle taxes increased, and then as you go down, totals up, all revenues, including transfers, \$1.3 million, and that's the change from first quarter of 2015 to the first quarter of 2016.*

*"We will move to expenditures. We will start with personnel expenditures. As you know, all personnel represent the largest expenditure that we have in the county. Okay. So if you can look at that, the first three lines there are decreases. Salaries and wages, insurance premiums and pension contributions. What we attribute that to, there are about 40 less people that we pay first quarter 2016 than we did first quarter 2015. As you can see, overtime is up about 13 percent, and then that's why you would see the increase in the FICA (Federal Insurance Contributions Act), because the overtime attributes for that.*

*"Non-personnel expenditures. Starting on the top line, grant awards, down \$4.8 million. That's because in 2015 we had the grant award to the Zoo. For the elephant barn. And then we have reductions in fleet management charges. We can attribute that to lower fuel costs. And then as we draw down and look at the medical professional services, that can be attributed to, if I can read my note, jail inmate costs. And then dropping down 10 percent on software and hardware maintenance, a part of that can be attributed to the master control system.*

*"We move now to the non-tax special revenue funds, and like I stated at the*

*beginning, the county has 31 budgeted operating funds which are not supported directly with county property taxes. Those include internal service and enterprise funds. And there is a significant decrease in revenues as you see compared to 2015 in the first quarter. And I will highlight that on a subsequent slide. Expenditures, in the non-tax special revenue funds are also down. That's a 19 percent decrease, or \$4.7 million. And, again, I will show the specifics of that decrease as we come up and we itemize some of those.*

*"The year over year first quarter. You can see both revenues and expenditures have decreased, 9.4 percent on the revenue side, and 19 percent decrease in expenditures.*

*"Here are the revenues, top ten revenues of that non-tax funds. You can see starting right at line 1, Medicaid fees; that's a 28 percent drop or \$1.6 million dollars in Medicaid fees that we received. And a large portion of that, or what I have been able to discover is that it is changes to what is reimbursable, and those took effect January 1, 2016. We knew we were going to be impacted by that, and there was also further Medicaid changes that are going to impact us that we are already seeing in the second quarter, and we anticipate that to continue as we go through the fiscal year.*

*"We move to expenditures. What I would like to highlight here, if you look down that chart, the two columns on the right, every one of them are a decrease.*

*"We are going to move back to the General Fund now. We look at the fund similar to a private sector business would, and this is on a gap basis. What this chart shows is a clear pattern, as you look back over the five previous fiscal years, you can show that clear pattern from the first quarter, as the tax collection cycle goes; we collect taxes and then we spend down that revenue that we have.*

*"The first quarter is identified by the red numbers there. And, again, that all falls within a very narrow range. It shows what our total fund balance is for the General Fund. Very similarly, this is the slide that talks about what our unrestricted fund balance is, as a percentage of budget expenditures. Once again, the first quarter highlighted by the red data there, you can see falls into a very narrow range. And the same cycle that you saw in the previous slide. Just as a note, the county has a fund balance policy that states that this balance that the unrestricted General Fund balance needs to be at least 20 percent of budget expenditures.*

*"We move now to the investment portfolio. The investment yield for the first quarter, was at .79 percent, and that is measured against the benchmark which was .62 percent; and that benchmark is the one-year treasury bonds. Once again, you can see a clear pattern there as you look back over time, represented by the brown bars, that's the portfolio, the investment portfolio.*

*"Significant Capital Improvement Projects. Thought I would list some here that we start with the good news. New Main Tag Office. Obviously that's complete, going to be moved in here very shortly. New EMS southeast post, the design is complete, and construction documents should be finished in June. The third one there, the bike/pedestrian bridge, repairs on the Meridian Bridge, that will be let in October. Aviation path way to Derby, or Derby to Wichita, the first phase let by KDOT, and is under construction, and the last one, bridge redecking on Macarthur [Road] over the Big Arkansas River will be complete this fall. For a complete list of capital projects, they are in your quarterly report, so there is a comprehensive list in there.*

*"As part of this analysis, we want to take a look at the outside impact, I guess this*

would be an internal look at the county, pardon me, on fiscal stresses and key metrics at Sedgwick County. We start with liquidity. That's the number of day's cash on hand. And what I do here, we've looked at 2013, 2014 and 2015, and you can see the trend there is that obviously the number of days cash on hand in the General Fund has gone down. That's attributable to using cash for capital projects. Flexibility. This measures the unrestricted fund balance as a percentage of expenditures. Our property value, our taxable value per capita.

"The next line shows direct debt per capita. That information is taken out of that. You received that briefing from Mr. Chronis in April. Debt burden, debt service as a percentage of General Fund revenue, also going down. You can see the effective property tax rate remains flat, and the property tax reliance, that's the levy as a percentage of Government Fund expenditures.

"Here we use the same measures as on the previous slide, but we compared them to our benchmark counties. That is correct, that's 2013 data. These benchmark county data has not been updated by GFOA (Government Finance Officers Association) yet for a more current set, so what you are going to see is 2014 and 2015 data compared to the benchmark counties. And I would draw your attention to the two downward pointing arrows, first the property value at 2015 was \$62,685 and it's compared to our benchmark counties, well below that. The benchmark counties at \$87,000.

"Now, as a reminder, let me remind you what our benchmark counties are. That's in the fine print, probably can't see at the bottom of the slide there. Those are the counties that have the population of 250,000 to 750,000, and that have received the GFOA CAFR (Certificate of Achievement for Excellence in Financial Reporting) award. There are 126 of those counties that fall into that category. So we are comparing like-size counties that would have same financial considerations.

"Next we move to the economy. So this is a slide that is actually data that is compiled and prepared by the Center for Economic Development and Business Research at Wichita State University and this is the leading economic indicators index. There is quite a lot of movement. I have drawn a circle around the last 20 months to kind of give you an idea that it falls in a very narrow range. The axis on this chart is large enough that it looks like it's quite a variance, but if you were to change that axis, it actually falls into a very narrow range over the past 20 months. And the latest trend is actually up. So if we look at the economy on the outside, the key metrics that impact our finances, we look at six years' worth of data, so from 2010 to 2015, we can look at our tax base growth, home sales are up, new home permits actually down slightly. Number of mortgages registered has increased. And those increases that I am measuring are from 2014 to 2015. So that's a one-year increase that's not over the life of the chart there. We can see sales and use taxes has increased. And the unemployment rate has gone down.

"This is a quarter to quarter comparison to those measures, so you see home sales have increased, new home permits increased, the number of mortgages registered, and, again, this is a change from the same quarter, so I'm comparing first quarter of 2015 to first quarter of 2016 here. So the decrease in the number of mortgages registered. Sales and use tax is down. Total employed is up and essentially the unemployed number is flat.

"So let me wrap this up. Here are the things that we see are potential threats to the financial well-being of the county. First and foremost, federal regulation. The example of that is the impact on the Fair Labor Standards Act, which all of you, I'm sure, are aware, passed yesterday. State programs looking to local funds to fill the gap and that's the vehicle title processing.

*"The state budget. Projected deficits in the state budget, and the Medicaid cuts. And, again, our local economy, it is a slower rate of recovery that we're seeing locally than it is nationally. So key points. Sedgwick County is currently in sound financial condition. We are projecting General Fund deficits in 2016 of \$3.7 million. But keep in mind, there are nearly \$7 million of transfers that are for cash-funded capital projects. Increasing reliance on taxes to fund the government. The loss of the mortgage registration fee is something that we are going to continue to keep our eye on as that continues to be reduced, that revenue. While revenue grows modestly, there is decreasing; the cost of doing business continues to increase. An example of that is that we have to account for the cost that we are going to have as MABCD (Metropolitan Area Building and Construction Department) and MAPD (Metropolitan Area Planning Department) merge into the 271 Building, there will be increases in cost.*

*"The focus of the county over a ten-year period has been increased efforts in Public Safety and Public Works. And decreased efforts in Health and Human Services and General Government.*

*"In conclusion, to the first quarter, our financial performance is consistent with what we expected to see. Our fundamentals continue to reflect strong financial management. We are projecting deficits in 2016, and, again, our ten-year focus has remained on Public Safety and Public Works. And since I'm giving this briefing so late in the quarter, I figured that you guys have all had a chance to read this early so you wouldn't have any questions for me today, but I would stand for any questions you might have."*

*Chairman Howell said, "I am afraid it wouldn't be that simple. Commissioner Ranzau."*

*Commissioner Ranzau said, "Just real quick, back to slide 22."*

*Mr. Durham said, "Yes, sir."*

*Commissioner Ranzau said, "The first line, tax base growth. You have an up arrow, because you are comparing 2016 to 2014. I think it is important to note for the public, if you look at the growth that's occurred over the last six years, one year was negative, even though it is growing in most of those years, it is very, very small compared to the way that it was, historically, back in the early 2000s and that's the biggest source of our financial issues; we are not bringing in more taxes, we have less to spend. We have had to make some tough decisions and I think we continue to have to face those decisions. Our growth in utilities and basic pension and healthcare, you have more than eat up those increases. Would you not agree with that?"*

*Mr. Durham said, "I would agree that's the long-term trend, yes."*

*Commissioner Ranzau said, "Thank you, Mr. Chairman."*

*Chairman Howell said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Yes. Can I jump back to slide 21? It definitely appears to me, in terms of a leading indicator on this chart, we are still well below where we were prior to the economic downturn that occurred in 2007 through 2009, and I think that's extremely problematical, and it's a cautionary for us, in my opinion, when we're in a situation where the three major areas that we export products, growing food in the agriculture area, and manufacturing, particularly in corporate jet exports, and in*

*terms of resource extraction, and energy in the oil and natural gas industry, are all struggling at the moment from price downturns, I think this chart indicates that all of the happy talk about how, what a wonderful recovery it is, belies the fact for a lot of folks, things are not as good as it used to be.*

*"I have some other topics. I appreciate Commissioner Ranzau jumping in on the changes in the tax base, because that continues to be a problem, and our reliance upon it, and the fact that we've been able to do as much as we have, albeit with the property tax portion and the diminished percentage, is reflected in the data. There is a lot of good information here, and appreciate Finance Departments work in getting this, bringing it out. I hope the public will pay some attention to it, because this is where the rubber meets the road. I think not only for our local government, but I think a lot of these charts would be very applicable for a lot of other governmental bodies, and I am talking about the general economic indicators, as opposed to the specifics concerning county finances. I looked at some of the numbers here and I see this as part of our effort to move away from debt financing, and strength in the county's financial situation even further. Those numbers that you are presenting reflect that trend. So very much appreciate this presentation. Thank you."*

*Chairman Howell said, "On page 8, slide number 8, talk about overtime has gone up in the last year. Can you confirm, does that include the Fire District at all? Is that excluded for that number?"*

*Mr. Durham said, "This does not include the Fire District."*

*Chairman Howell said, "Okay, going over to slide number 19, comparing ourselves with...Let me ask a question, on mine it talks about debt per capita. That includes debt from all governing bodies, for example, why don't you just tell me, who does that include? It's not just our own debt, it's other.."*

*Mr. Durham said, "That's Sedgwick County's debt."*

*Chairman Howell said, "So, just Sedgwick County's debt?"*

*Mr. Durham said, "Yeah, I think what you are asking is about overlapping and underlying debt, but that is just Sedgwick County's debt."*

*Chairman Howell said, "Yes."*

*Mr. Durham said, "Okay, yeah, that's just Sedgwick County's debt."*

*Chairman Howell said, "Good clarification, thank you. On the next page on slide 20, compare ourselves with benchmark counties. The trends may be concerning between 2014 and 2015, but comparing ourselves with benchmark counties, it looks to me like we are in good condition, except for probated, where it talks about the debt burden again. Benchmark counties are 11 percent, we are at 13 percent. The rest of these lines, actually, compared to the other counties, looks to me like we are not doing too badly. Our property values are less than the benchmarks counties. We can't change that quickly, that's something we have very little control over. We do have some control over the debt burden. But everything else, liquidity, we are actually better off than the benchmark counties. Flexibility, better off. The property tax rate, we are better. The property tax reliance, we are better.*

*"I guess comparing ourselves with our benchmark counties, we are actually in really good shape overall. The one we have no control over, property values. The one we do have control over, I think we ought to be paying attention to on the slide, our debt*

*burden is worse than the benchmark counties. We need to make sure we don't reverse our direction and start relying more on debt. That's my take away. All right. Other comments or questions from Commissioners? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "I disagree with you on that slide. Our benchmark counties were \$363 per capita, we were \$332. So I would say we were less than the benchmark counties in that regard. And I would also point out the fact that my colleagues, it is not on this presentation, but the KAC (Kansas Association of Counties) recently came out with data showing that the per capita property tax burden in Sedgwick County, due to county taxes, was lowest among all 105 counties. I think that's an important point that needs to be considered in looking at our finances, too. Thank you."*

*Chairman Howell said, "Just to follow up on that, I guess the line is broken out differently on the one I was referring to. It said percentage of the General Fund revenue. So, you know, our debt compared to our ability to generate revenue is the one I was referring to, not our debt per capita. Anyway, any other comments or questions from Commissioners? All right."*

**MOTION**

*Chairman Howell moved to*

*Commissioner Peterjohn seconded the motion.*

*There was no further discussion and the vote was called.*

**VOTE**

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

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

**Received and Filed**

I [16-208](#)

**QUARTERLY INTRUST BANK ARENA REPORT.**

Presented by: Ron Holt, Assistant County Manager.

**RECOMMENDED ACTION:** Receive and file.

**VISUAL PRESENTATION**

*Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "This is the first quarter, 2016 report. And March will give a year to date status, as well as the March year over year. First quarter year over year report. Here with us today is A. J. Boleski, the General Manager for INTRUST Bank Arena. Each quarter we talk about the goals for The Arena (Intrust Bank Arena) that were established early on in the process, the plan and the timeline, just as a matter of making sure we don't forget why we have an arena downtown and what it took to get that, and all of the good folks who were involved in doing that. We are going to talk specifically today about the agreement, our parking agreement with the City of Wichita, and our sales tax revenues. Again, these are the bullet points relative to arena management. I am not*

*going to go through each of those, but I continue to keep those as part of the presentation, just as a reminder of why we are here, and where we have come from.*

*"The quarterly report, then, we will get into, the ticket sales, you will see a fairly robust first quarter of events, although the mixture of events will result in, although we had a robust quarter, the net income, because of the type of events we have, will not be reflective of the robustness of all the events, but there is a balance there, of having events that relates to all aspects of our community, while at the same time trying to make The Arena a very profitable organization.*

*"Again, we had first quarter, 140,995 in attendance, 124,460 tickets sold, see the gross ticket sales, an average cost of \$19.72 per ticket. Each year for the last number of years, we've had that Winter Jam event, and that event, the ticket sales were through the promoter, not included in the data. Average attendance for performance was 3,525.*

*"Looking at first quarter year over year, we were 16 fewer performances, 38,370 less in attendance, 40,598 less in tickets sold. Gross ticket sales \$2,469,456 and the average ticket cost per ticket sold, down \$10.11. Again, the mixture of events, more family shows will drive these numbers down; more concerts drive these numbers up.*

*"Moving on to the community affairs piece of this, with the net employee wages and benefits, full time employees were 41, part time employees were 350-355 with employee wages and benefits at a \$7,729,831. Total number of community groups volunteering in concession stands was 69. Again, as you will recall, these are not individual groups, some of those are counted twice. The amount paid to these groups was \$135,704. Spending with Sedgwick County or Kansas companies was \$939,025.72. Sales tax paid for this first quarter was \$280,878.57. There were four arena presentations and tours and six local events. We'll also note that those spending with Kansas companies does not include various expenses that were paid directly by the promoter for some event related expenses.*

*"Moving on to the community service projects, you'll see a lot of these from report to report. Many ticket donations, community involvement, volunteering efforts in support of various organizations and activities in and across our community. The Arena continues to be a good corporate community citizen.*

*"Moving on then into the financial summary, the first quarter report shows a net building income of \$79,220 loss. Again, reflective of the varied number and types of events. You see there we had four concerts, three family shows, two sporting events, 18 Wichita Thunder hockey games, one Wichita Force indoor football game and those six other events that The Arena hosted for 34 events, 40 performances, again resulting in that \$79,220 loss for the quarter.*

*"Looking at these numbers year over year, first quarter, again, you'll see the difference in performances and events and the type of events as I mentioned before makes it difference. See the difference in the income categories of other operating income, total gross income differences, the expense differences. We were able to hold the line on expenses, and if you compare this for the first quarter last year, which had a lot of concerts, you see there's a major significant difference in the operating income. And so the shift this year, the timing of concerts shifting this year, and so it makes a difference in these first quarter numbers.*

*"Moving onto the event parking. You'll see we continue to have good numbers from a parking point of view, from a parking income point of view so that we're not and have not come anywhere close to having to use monies from the reserves to underwrite*

*parking.*

*"Arena sales tax reserves, and there's that number. We have an agreement with the City where we're committed to up to \$225,000 annually for the city to provide parking, operations and maintenance on lots A, B, C and D and we have not come close any time to have any funding for that. So our Operating and Maintenance (O and M) Reserve as of March 31 stands at \$11,809,874.22. We had return or repayment of 2015 on CIP (Capital Improvement Plan) funds and \$2,959.01 sent in the first quarter. You see the expenditures there of \$1,138,000. Much of that, again, comes out of, I guess, all of those except the capital improvements there come out of the receipts that we get as from the naming rights partners, because with those three partners, Intrust Bank, Cessna and Spirit, the naming rights contracts are with the County, not directly with The Arena. So we get the receipts and then out of those agreements, we returned, based on that's called for in those agreements, back to The Arena a portion of those revenues.*

*"Looking at The Arena sales tax year over year, we're down \$780,840.57 from first quarter last year. Much of that is related to the increased capital improvement numbers.*

*"The upcoming events, as you can see from those events, over the next several months, there's quite a variety of show offerings. You may recall in 2013-2014 we had discussed with you the really only two recurring dissatisfactions that we were hearing from the community for arena operations, and they were the lack of variety in acts for concerts, particularly rock and pop genre events and the scarcity of summer bookings. I'm pleased to report that it's been quite some time since I've heard anyone talk about dissatisfaction with the variety of acts. Even got it mention in the May 11th Wichita Eagle with a little story on arena bookings offering a welcomed variety. So we have from that point of view are in recognition of that as well.*

*"I know that A.J. and his folks have worked hard to make sure that they are not only continuing to provide topnotch fan experience for those people attending events but also to look at varieties and continuing to work hard on making sure that there are summer activities in The Arenas as well. I'd be happy to answer any questions that you have over this."*

*Chairman Howell said, "Commissioners, questions for Ron Holt? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "I've got a question more for A.J. than for Ron. I know some of the acts we've had coming in and, of course, listed here on upcoming events is, like, Luke Bryan and Dave Matthews, which, of course, are events that have already occurred. I was just curious how Luke Bryan did compared to when he was here roughly four years ago in 2013 and how the concert business is doing generally."*

*Mr. A.J. Boleski, General Manager, Intrust Bank Arena, greeted the Commissioners and said, "As far as Luke Bryan, I don't know that we ever officially announced, but we were right there at that sold-out mark. We had about 12,000 people there. It was a great show. The last time he was here, he sold out as well, so both times at capacity for that show. Great experience last Friday night for Luke Bryan. As far as other events, Ron kind of alluded to this in the industry this year, what we've seen so far, a lot of quantity. Last year, if you can pair us to year over year, in first quarter, we had a couple bigger shows, like a Fleetwood Mac and Bob Seger. This year there is a lot of quantity. We had Luke Bryan but we didn't have that Fleetwood Mac comparable so far this year. That's one things when you compare quarters year over*

year.

*"Overall, it looks good. Even looking into 2017, we have more shows confirmed or close to, this far out, than we have had in the past. It's looking like a good year coming up as well."*

*Commissioner Peterjohn said, "Obviously the big thing coming forward, and you mentioned it here going forward, is having the NCAA Men's Basketball coming in. I just wanted to know what information can we throw out even though this is a bit of an early date and we are roughly 10 months ahead?"*

*Mr. Boleski said, "As far as the event itself, we will get into the final details of tickets going on sale, that kind of stuff, as we get closer. Right now, we're talking about tickets going on sale for 2017's event, so probably about a year out. I will tell you plans are being made as we speak, myself and our Assistant General Manager went down to Oklahoma City in March and did a kind of behind the scenes tour during the practice day and also during the event day of what was going on there, what we need to do as far as our facility goes. We will do the same thing next year when it's hosted in Tulsa, all in order to get ready for 2018 in Wichita."*

*Commissioner Peterjohn said, "Thank you."*

*Chairman Howell said, "I have a couple questions. Do we earn interest income on the O and M Reserve? Is that reflected in these balances?"*

*Mr. Holt said, "The O and M Reserve is invested along with all of the other county investments, so there is interest income, but it goes into the County's General Fund."*

*Chairman Howell said, "So the interest on this fund does not go back into the fund?"*

*Mr. Holt said, "No, sir."*

*Chairman Howell said, "Okay. I noticed that we started out, it says \$15.5 million. Is that when they opened The Arena, 2010?"*

*Mr. Holt said, "Yes, sir."*

*Chairman Howell said, "Now today, based on this report, it's down to \$11.8 million. Have we ever seen that flat or go up or is it just continually down slowly?"*

*Mr. Holt said, "The first year it went down, the first couple of years after that it bounced up a little bit because we were getting more income than paid out because our CIP numbers were much lower. We're now six years into The Arena being opened, and we're going to see more and more CIP projects as we work to keep The Arena refreshed, fresh and refreshed."*

*Chairman Howell said, "That does make sense. So I guess I continue to be concerned about the O and M Reserve. I think that if you would just extrapolate this out, there is a point when we're going to have to find a solution to it. I mean, we can't just bury our head in the sand and let this continue forever, because eventually it's going to be a deficit. There's going to have to be a solution created somehow to address this. It looks to me like it's just going down and down. This quarterly report, it went down almost \$800,000 in one quarter."*

*Mr. Holt said, "The reason for some of that is the timing of when we pay out of those naming rights agreements. As I sit here and think about that, from 2015 to 2016, I*

*think most of that difference is the timing of when we made the payments back to SMG out of those naming rights agreements, because in 2015, our CIP number was \$780,000 to \$790,000, and I think it's about that or a little into the \$800,000 number for 2016."*

*Chairman Howell said, "I am curious about that interest income on this. I would like to see a report on how much money that has created for the County. If you don't mind, I would like to know just how much we've taken from this fund that was interest on this O and M Reserve. I'd like to see those numbers if that's okay. I think Mr. Chronis can do that. I'll talk to him about doing it."*

*Chairman Howell said, "Thank you for those answers. Commissioner Unruh."*

*Commissioner Unruh thanked the Chairman and said, "I just want to make a comment, like I typically do. On slide 13, involvement in our community, Ron mentioned it when he was talking about this slide, but almost \$1 million spent with Sedgwick County companies, which I think is great, and \$280,000 worth of sales tax received, great. Congratulations on that A.J., we appreciate it. And also, A.J., I would like to emphasize the fact of the variety of different acts that you're bringing in. We used to get a few calls about that. We have fewer and fewer now with the variety of acts. So good job there. I do have a question, though. What is a Five Finger Death Punch and Shine Down? Is that a wrestling match?"*

*Mr. Boleski said, "I don't know. We have wrestling coming up in June. Five Finger Death Punch is a rock band that has actually played in our building a couple years ago, and they're coming back as a co-headliner in October."*

*Commissioner Unruh said, "Well, that's an interesting name. One other question on the Dodgebrawl, I think Commissioner Ranzau was wanting to put a team together. How does he apply?"*

*Mr. Boleski said, "That's easy. Just contact The Arena and we are signing people up for that now. Thanks for bringing that up. We have really a lot of focus on kind of creating some community events in the summertime, and Dodgebrawl is one of those examples. Wing-A-Palooza, that was very successful. We're focused on providing those in the summertime when things are a little slower from a touring standpoint. We'll be glad to sign you up, Commissioner, if you would like."*

*Commissioner Ranzau said, "I'll take that under consideration."*

*Chairman Howell said, "Commissioners, any other questions or comments?"*

#### MOTION

*Chairman Howell moved to receive and file.*

*Commissioner Peterjohn seconded the motion.*

#### VOTE

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

*Chairman Howell said, "Thank you very much for the reports and for the good answers this morning. Madam Clerk, next item please."*

**Received and Filed**

J [16-305](#)

DISCUSSION OF OPTIONS FOR THE SEDGWICK COUNTY  
ZOOLOGICAL SOCIETY, INC. OPERATING AGREEMENT.

Presented by: Ron Holt, Assistant County Manager.

RECOMMENDED ACTION: Take action as deemed appropriate by  
the Commission.

*Mr. Holt said, "Since December 3, 2015, we've been engaged in a number of meetings with representatives of the Sedgwick County Zoological Society Board of Directors to discuss proposed changes to the operating agreement between Sedgwick County and the Sedgwick County Zoological Society. These discussions were in accordance with the notice of termination of funding agreement letter sent to the Zoological Society Board Chair dated November 18th, 2015. In that letter, although it was about the funding agreement, it also mentioned that we would want to begin discussions on both the funding and the operating agreement with the operating agreement being in the first in line. The current operating agreement states that either party may terminate the agreement by giving written notice by June 1 of any year, which with termination becoming effective the following January 1. As such, to allow time for these discussions to continue, the Zoological Society requested an extension of time beyond the June 1 date that was called for in the existing agreement. With that in mind, I would recommend that you approve and authorize an amendment to the operating agreement to change the date that notice of termination is to be given from June 1 to November the 18th, with termination becoming effective January 1 of the following year if no agreement is reached. As you will recall, similar amendments occurred last year in May and August with respect to the funding agreement resulting in actions related to that notice of termination that was approved and adopted on November the 18th. That's my recommendation. I'd be happy to answer any questions you might have."*

*Chairman Howell said, "Any questions from Commissioners. Commissioner Unruh."*

*Commissioner Unruh thanked the Chairman and said, "Ron, the operating agreement we're currently under, it actually has the same conditions that we've had for the last several years?"*

*Mr. Holt said, "Yes. I think the last time it was changed was in 2005, I believe."*

*Commissioner Unruh said, "And that was a modification typically that we've had with the operating agreement with The Zoo now for 40 years?"*

*Mr. Holt said, "Since the early 70s."*

*Commissioner Unruh said, "I assume that this has been presented to the Zoological Society."*

*Mr. Holt said, "It has been. At the last board meeting is where the request came to extend the time to allow beyond that June 1 date to allow more time for discussions of the various issues to continue."*

*Commissioner Unruh said, "Did the society ask for a November 18 date?"*

*Mr. Holt said, "They did not. They asked for a fall date actually. At one time they talked about extending it into next year, and then they talked about October, based on what we had done last year with the funding agreement, and it was decided that the November 18th date, would give them plenty of time to get beyond the elephant openings and get through the summer months and not be pressed to have something by the October 1 date."*

*Commissioner Unruh said, "Well, I understood they've got the elephant opening and they've got annual meeting and new people coming on, and they wanted a little bit later date, but at one time I heard we were really wanting a July 1 date, and so I just wondered why we're going on. I guess my thought is just it seems like this is going on a long time. Maybe it takes that long to negotiate it. But it seems like this is longer than it ought to be and I really think that we started this a year ago almost, didn't we?"*

*Mr. Holt said, "December 3rd, I think, is when the Manager and I had our first meeting with the representative of the Zoological Society."*

*Commissioner Unruh said, "But we initiated the cancellation of the contract and called for that date, didn't we, at our last budget hearing?"*

*Mr. Holt said, "That only related to the funding agreement."*

*Commissioner Unruh said, "Well, it just seems like this is going on such a long time, and I personally would like to get it settled now. The Zoo said they're good with it. And I guess I shouldn't complain, because that's kind of who I would want to sort of be advocating for. If it gives them six more months, which it just doesn't seem like that's very efficient, but if they're happy with six more months and they can continue on the program, but I think they are, for the most part, pretty happy with our old contract, which it's been very successful and I'm supportive of. So I could signed off on that tomorrow I guess. For the Commission, we're happy it gets us through our budget season without messing with this issue, and it just passed the election cycle, which is a consideration. If the Zoo is for it, I don't know why I'm complaining. It just seems like this is really not a good way to do business, to stretch it out this long."*

*Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "Discussions with Mark DeVries and Mark Reed, it is the intention to get it done a lot sooner. They would desire to get it done a lot sooner. They asked for the extension and really November 18th is the last possible time before we get into the holiday season, so it's just kind of the logical date. They seem to indicate that it's going to be a lot sooner, and they're working on it now. But they are the ones that requested it, and were the ones suggesting to support their recommendation."*

*Commissioner Unruh said, "So they requested extension, not necessarily that date, but they wanted more time, and they're going to continue to work on it."*

*Mr. Scholes said "They suggested, October 1st, and like Ron said, they even talked about next year. Like I said, November 18th is a good date prior to getting in the holidays and getting something done as soon as we can. I'm hoping that actually they get it done in the next couple of months."*

*Commissioner Unruh said, "Well, for my two cents, I hope we can push it on and get it done."*

*Chairman Howell said, "Commissioner Norton."*

*Commissioner Norton said, "The last date I heard was July 1st, so October,*

*November next year is a surprise to me. I'd just as soon move ahead. I'm with Commissioner Unruh on I think the operating agreement we've functioned under for years is adequate. We've seen our zoo grow and become a world class zoo. We're all excited about the elephants, and this is no time for consternation and pushing and pulling back and forth. We need to move this along, get an operating agreement, get our funding in place. I can't believe the zoo will be happy to go into the end of the year not knowing exactly how they're going to operate and whether they're funding is going to still be stable. And that causes consternation for me, because the zoo is too critically important as tourism, as an entity in our community. You know, there's great pride in this community, and to let this linger and fester just does not make sense to me. So I would urge us to move quicker than slower to get this taken care of so there's stability into this great organization.*

*"You know, there's a lot of people, a lot of volunteers that have put a lot of time in to making sure through the Zoological Society that we have a world class zoo. For us to now start meddling in some of that really flies in the face of good partnership and stewardship for a world class entity in our community. So I'm going to say we need to move quicker than slower, and I have a little bit of a problem in pushing it down the road past the election cycle. I would just as soon have this resolved and off of the table before we go into that cycle. I think it's an important issue in our community and it doesn't need to linger and lay on a table and have people guessing as to what we do in Sedgwick County.*

*"I urge us to resolve this as quick as possible, and I'll offer up any expertise, knowledge or ability that I have to help with that process if it's needed. Thank you, Mr. Chair."*

*Chairman Howell said, "Thank you, Commissioner. I just wanted to clarify a couple of things. We have offered a couple of contract options to the Zoo over the last number of months, I believe. Is that correct, Mr. Manager?"*

*Mr. Scholes said "Correct, sir."*

*Chairman Howell said, "The ball right now is in their court right now. They could essentially accept the contract that's been offered to them, right now, if they wanted to. They could resolve this at any time. So the ball is in their court, and I think we're patiently waiting for their response at this point. Does that sound right?"*

*Mr. Scholes said "Correct."*

*Chairman Howell said, "I'd like to make sure we have a proper motion here. Do we need to amend the operating agreement; is that what we're trying to do here?"*

*Mr. Holt said, "That's correct. You would adopt the amendment that I sent you copies of that amendment that had been signed by the Zoological Society President, last night, via e-mail. So you would adopt that amendment, which in fact moves the termination date for the operating agreement from June 1[,2016] to November 18[,2016]."*

*Chairman Howell said, "And the Chairman needs to sign that, right?"*

*Mr. Holt said, "I think it's all five Commissioners sign it."*

**MOTION**

*Chairman Howell moved to adopt the amended operating agreement with the*

*Sedgwick County Zoological Society to change the termination date for the operating agreement to November 18, 2016.*

*Commissioner Unruh seconded the motion.*

*There was no further discussion and the vote was called.*

*Chairman Howell said, "Just to clarify, this is just a six-month extension from today. Today is May the 18th, six months from now is November the 18th. No magic about that. I agree with the Manager, that just gets it done, hopefully before the holiday season. This pushes it back as far as we can, I think. We don't want to go into next year, I don't think. We are giving them as much time as they possibly might need, again we could resolve this today, but we could resolve it at any time. It's really up to the zoo at this point to come to the table and let us know what they need. With that, we have a motion and a second. Any other discussion? Seeing none, Madam Clerk, please call the vote."*

**VOTE**

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

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

**Adopted**

**K**     [16-316](#)

**DISCUSSION OF THE LAW ENFORCEMENT TRAINING CENTER.**  
Presented by: Joe Thomas, Director, Purchasing Department.

**RECOMMENDED ACTION:** Take action as deemed necessary by the Commission.

*Mr. Joe Thomas, Director, Purchasing, greeted the Commissioners and said, "Last week, we presented to you at our report of the Board of Bids and Contracts Regular Meeting of May 5th, eight items and among those eight items, item five was the recommendation regarding the building of the Law Enforcement Training Center (LETC). After much discussion, it was decided to defer this item for further review, as well as to hold a special, en banc meeting with the City of Wichita, and that special meeting was held yesterday, and so we are here today to represent to you our recommendation of item five, building for Law Enforcement Training Center. This recommendation is to accept the proposal from MWCB, LLC, and enter negotiations with the intent to execute a contract to purchase a newly constructed building at the Wichita State University (WSU) Innovation Campus for a total amount of \$9,542,379. I'll be happy to answer any further questions you may have, and I recommend approval of this item."*

*Chairman Howell said, "Let me open this up with a motion."*

**MOTION**

*Chairman Howell moved to accept the recommendation of the Board of Bids and Contracts.*

*Commissioner Peterjohn seconded the motion.*

*Chairman Howell said, "We have a motion and a second. I'll open it up to Commissioners for comments first. Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "This has been an issue that has been in front of the community for long before I had the privilege of sitting on the County Commission bench here, and it's something that I think needed to be done, and a lot of credit needs to go all over this community. When I look at the fact there's been a lot of talk about the strife and turmoil on the local end, we had three important entities for this community, Sedgwick County, City of Wichita, Wichita State University, all coming together, all working together, opening a plan together, and we did it very carefully and appropriately.*

*"There's been a lot of talk about challenges, but we had a joint meeting yesterday that I think it was momentous and deserved more attention than it received, especially in light of some of the events that had preceded it. There has been a lot of hard work that went into this. And I want to call out and give some credit to my predecessors who I know have been working on this issue as Chairman of the County Commission. Of course, Chairman Howell is in charge this year. But in the past, last year, Chairman Ranzau in 2015 carried this issue, and I know before him, Commissioners Unruh and Commissioners Norton all worked on this issue. We've all struggled with it. And all of us have had the privilege of being the Chair of the County Commission and working on this issue.*

*"Yesterday I felt very pleased and proud to be able to be in a position to bring this community together in a way on this issue. We've got Law Enforcement involved later on this week, Friday. We're going to have the memorial event that's an annual event, hold it in the Wichita City Council Chambers and then be at the Law Enforcement Memorial, across the street, and then to have the Sheriff, Sheriff Easter and Police Chief Ramsey, this is a signature moment for this community, and I'm going to be very pleased to support this motion today and wanted to try and draw a little attention to it and spread a little praise, too. Thank you."*

*Chairman Howell said, "Thank you, Commissioner. Commissioner Ranzau."*

*Commissioner Ranzau said, "As Commissioner Peterjohn alluded to, this particular attempt started basically back in July of 2015 when the mayor informed us that they would be willing to work with us on an RFP (Request for Proposal) together to move this forward. This particular effort has lasted 10 months. Now, that's about four months longer than what I had anticipated, but never nevertheless, compared to the 30-year process that's been going on overall, you can consider this almost lightning speed for government actions. Nevertheless, we are finally here at the point that we're going to make a decision on the Law Enforcement Training Center, and I appreciate the effort of staff both here at the County and at the City, as well as all the Law Enforcement personnel who participated in getting us to this point.*

*"I think we have two options that will fit the needs. The WSU option would fit the need so would, I believe, the Commerce Building, which is over \$3 million cheaper. That would be the particular one that I would have preferred to go to, because I think it does meet all of our community needs at the lowest cost possible for the taxpayers. That being said, while this may not be the most cost effective option that we could have gotten, it's certainly probably the best we can get given the circumstances. The City of Wichita made it very clear they would not proceed with the Commerce Building. They would start all over and do it again if we selected that, so we're left in the conundrum of what do we do? Do we say we aren't going to do anything or do we*

*say that we are going to work with them and see what we can do? Fortunately, we had a Chairman who had some vision and followed the big picture and said, well, if we're going to spend more money on this facility, then what can we get for the extra expense for the taxpayers, and so we entered into discussions about the Fire Training Center, and while he was criticized for this, I think it's an example of having a vision and not having tunnel vision.*

*"You've got to see the big picture, and he addressed two very important issues for this community in a very effective way. And so we're not just here today to celebrate Law Enforcement Training Center, but we can celebrate the Regional Fire Training Center as well and the new partnership between the City of Wichita and Sedgwick County, and I think he should be congratulated for his vision and leadership in that area for our community. Sometimes, if you want to be a leader, have you have to be prepared to be criticized. But you continue to march forward and do the right thing because you know it's the right thing. That's what leadership is. Despite all the detractors and all the nay-sayers, you have a vision, you have a goal, and you execute a plan to reach that goal, and that's admirable in this day and age.*

*"For those reasons, as stated, I do believe this is the best deal we can get given the circumstances, certainly for the county, law enforcement and fire folks, it's a tremendous step forward. I appreciate our legal council and all the work they did as well on this and the County Manager. I know there's been a lot of discussion, a lot of stuff going on, so appreciate that, and I'll be supportive of this motion today."*

*Chairman Howell said, "Again, Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "I want to second Commissioner Ranzau's remarks concerning the fire side of it. Since there is not a Fire District agenda today, the en banc meeting yesterday, and this goes directly to the Chairman's hard work. Commissioner Howell did an incredible amount of heavy lifting to get the fire agreement in place to be able to utilize that training facility we have not been able to utilize before. I've had staff bring me ideas on how to enhance and improve fire training, because we could not get access. The fact that we have that agreement now in place that's going to allow us to use the facility that the City has been using I think is a huge step forward for the Fire District. I want to express my appreciation for Chairman Howell and everyone else who has been involved in the work that went into that, including all the appropriate folks and county staff. Thank you, Mr. Chairman."*

*Chairman Howell said, "Further comments from Commissioners? Let me just say I appreciate the complimenting remarks of the previous two Commissioners speaking, and I wanted to talk about a few of the items they raised.*

*"First of all, I'd like to say, I think the bid board process for buildings delivers the best solution. I think the problem has been over the last decade, there have been a number of options discussed in the community. I remember a discussion about the Cessna Building on 21st Street. I remember the discussion more recently about Southeast High School. We've had some discussion over the last year about Judge Riddel Boy's Ranch as a possibly do law enforcement training. I think the challenges we have is government, is you don't know what you don't know. As we discussed these items, you accept those as the best you can do and move in that direction and really don't have competition to know whether you're getting a good deal for the taxpayers or not.*

*"Before I came here, I think it's been a practice of the County to do building acquisitions differently than what we do in this example, and I challenge ourselves,*

*when we started talking about the 271 Building. Obviously I wasn't pleased with the decision the County had made regarding the plans for the 271 Building, and I think the plan to put some of the things in that building that were planned at that time didn't seem right to me, and I was concerned about the parking and the number of people and employees that would be trying to access that building with the limited parking that we had. I know there's probably some debate on whether those are the right understanding of those things or not, but nevertheless, we talked about, do we really want to put the Tag Office in that building or not. So we talked about that as a Board, and we finally decided to go ahead and look out and see what else we could find, so we issued an RFP.*

*"At that time, I remember some discussion came back to me about a week or two after we made that decision on the staff meeting that we had never does this before. This is the first time we had actually used the RFP process for a building acquisition, a building solution. I was surprised by that, but what I like about this, it creates a snapshot in time saying here's the options we have available to us right now that we can identify. Let's let the free market speak to us. Let's let them propose ideas for our consideration. That free market process also delivers some competition that's drastically needed in government acquisitions.*

*"I'm still convinced we did not get a good deal on the 271 Building. I believe the Epic Center which was sold not too much later, 25 stories, I believe, it sold for around \$10 million. I don't know how many square feet that is, but that's an enormous building. There's a building, the USD (Unified School District) 259 Administration Building sold for about \$1 million and it's not too far from the 271 Building. We will never know, because we never had any competition. We looked at those options independently. There are comparisons downtown that made me question whether they got a good deal to the 271 Building, but we'll never really know. We looked at those options independently and I think that negotiations happened after the fact, after we had already made our selection, negotiations on price was something that happened subsequently. Maybe I'm wrong in saying it that way, but that's the way that I understand it.*

*"The Tag Office used the 271 Building. Right now, we've got, I think, a much better option, which is going to open on June 2nd, here in just a couple weeks, and I'm extremely excited for Linda Kizzire. Again, this is one of those projects that's taken 17 years, and I understand that's the magic number this year. We keep talking about 17 year problems. There has been people here who have talked about it for years but never were able to get to a decision on what to do. The RFP process delivered an answer. We had competition. We had options. We had competition. We picked the best option off the table and implemented a plan, and that's going to happen. It's going to open here in a couple of weeks, and it's going to be beautiful and fantastic for the community. I'm really proud of the Commission for going down that path.*

*"Using the RFP process to finding the Law Enforcement Training Center is the key, I think, in getting a solution. Other than hemming and hawing about things for years, the RFP process delivers a requirement that you take a snapshot in time and see what the options are and pick one, and move forward. That's where we are at now. That snapshot in time did deliver interesting options. All four of these were very beautiful buildings. A couple of these are brand new. A couple of these are remodels. In each case, the option delivers a very functional adequate sized building with all the resources needed to do law enforcement training. A look at these prices, the highest is over \$11 million and cheapest \$6.2 million.*

*"Between these four options, it was told to us during one of our meetings we had with the Sheriff that the commerce building was, in fact, an adequate facility. And so as a*

*conservative, I liked the idea of trying to find a facility that delivers adequately what we need, the state-of-the-art 21st century facility. State-of-the-art 21st century facility that has all the resources and space needed to do law enforcement training. And that solution is \$6.2 million. I believe that is a great option for us. As we discussed this with members in the city council, we thought about this, and the community, by the way, has talked to us, so I'm sure all the Commissioners have had responses from the community.*

*"I've had a very mixed response. A lot of the community said be conservative. Some would like to see other option, other buildings better than this, less money than this. I don't know that we really have those options available to us. Again, the RFP process gave us four options to compete. We need to pick one of the four options. Out of these four options, there is one that is less expensive that does meet the needs. But I talked with members of the City Council. I've talked with the Mayor at lengths about this. I really feel like in order for us to be on the same page, somebody has got to move.*

*"Let me change directions for just a minute here. I've been here for about 15 months in this position. Actually it's about 16 months now. I've attended, I think, every Sedgwick County Fire District graduation since I've been here. At those events, I have asked those folks, because they have a videotape they'll play that shows how they train. And I've asked those folks, why do we do it the way we do it. I was surprised by the answer. The answer was, this is the best we can do. We train in city parks. We train on playground equipment. We train in parking lots. We also train in out of county resources. We actually go to Newton [, Kansas] for our fire burn training. To go out of the county to do that, in my opinion, is not the best option. But that's the best we can do. And I thought, why do we not work with Wichita and train in the facility they've been using since 2010, state-of-the-art facility, beautiful facility, very adequate, tremendous resources, and I have had a lot of difficulty getting the background on this.*

*"I was told by members of Wichita the county declined the offer to partner with them to become partners back when this was being discussed on the city side. I looked for people on the county side who can find out, why did we decline that and I have yet anybody who has recollection of the offer. Maybe they're not here anymore. Bill Buchanan left last summer, and perhaps maybe it gets to his level. I don't know. As far as the Commissioners themselves and other staff that are still here, I have not been able to find anybody who has a recollection of an offer being declined.*

*"We are where we are. We can't go back and undo history. It is my opinion that taxpayer-earned resources ought to be utilized to the greatest extent, and our Fire Department arguably responds to the City of Wichita more than they do to their own Fire District to provide great services. Our Firefighters provide great services to the City of Wichita a lot. More so than they even do to the people who are actually paying for their costs for them to exist. We have agreements with Wichita; they do respond to the county as well, and I appreciate that very much. But I think the reality is we ought to do what is best for everyone, and that is to utilize this resource to the greatest extent possible.*

*"The reality is, obviously we look at the Fire District budget and don't have a lot of money in there to do a lot of things, and if they asked us to take money out of there for capital improvement, I don't think we could do it. We don't have the dollars to do so. So I've asked our leadership, within the Fire District, to respond to the idea, what exactly is wrong? How have we tried to solve this problem in the past? And I've received a number of testimonials from the Division Fire Chiefs, Battalion Chiefs of our Fire District, and I've got a consistent response from all of them that they've tried*

over the years to get along and try to find a way to train with Wichita, and it's been very difficult to do so. We have trained there very infrequently, and so the idea that we have a great relationship and we've trained together consistently over the last five or six years is just not true. We have trained there very infrequently, but not to the extent we were able to solve our training needs.

"I have identified this as an area we need to fix. We're having a great discussion about law enforcement training, joint training with Wichita, state-of-the-art 21st century facility, and I support that mission and that goal. I think it's incredibly important. We need a better facility, but that is exactly the same arguments I could make about the fire training, and I think it's great we're solving the problem on the Law Enforcement side, but we never solved the problem on the fire training side. And so I raise this as an area that we need to fix, and I appreciate so much that finally after a long many months discussion with Wichita we finally got an agreement in place. They voted for it yesterday, 7 to 0, and I appreciate that we are now going to work together and utilize that resource to the greatest extent possible to further enhance and prepare our Fire Fighters to deliver the best skills possible to our constituents as well as theirs. This is to provide safety for our Firefighters as wells the public that we serve, and I believe this is the right thing for us to do and I think this is a great compromise with Wichita.

"With that, I wanted to compromise on the Law Enforcement Training Center. I am satisfied with spending \$6.2 million, but I wanted to solve this fire training need, and I believe we've solved it, and with that I'm willing to concede my opinion on what is probably, in my personal opinion is a solution that I would be willing to support and move towards Wichita to get us on one page, and so I think it's appropriate at this time to go ahead and accept their idea and accept their position on the Law Enforcement Training Center. Both facilities are going to be fantastic. One is already there and it's fantastic. When we get the Law Enforcement Training Center operational, it's going to be wonderful. So I think we've created partnerships in Wichita in two areas, to enhance public safety, and it's a tremendous accomplishment to see two areas fixed, two areas that can say we're working with Wichita, providing the very best as we possibly can for our public safety service personnel, and they need it, and they deserve it, and I'm glad we got it done.

"Although I got criticized for many folks to bringing up this Fire District training issue, I got criticized by a lot of people, I hope they would agree with me that to more fully utilized the taxpayer owned resource and enhance the public safety of our firefighters and public is a good thing to do, and I think we were able to make that case and we were able to get Wichita to see that point, and they voted for it yesterday 7 to 0. I'm proud of that, and I think we did the right thing. I've talked plenty long. I want to go ahead and move forward. Any other discussions by Commissioners before we vote? Seeing none, Madam Clerk, we have a motion and a second, please call the vote."

VOTE

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

Chairman Howell said, "Thank you for that. Madam Clerk, next item, please."

**Passed**

MEETING ON MAY 12, 2016.

Presented by: Joe Thomas, Director, Purchasing Department.

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

*Mr. Thomas said, "The meeting of the Board of Bids and Contracts of May 12th resulted in four items we would like to present to you this morning:*

1. SEDGWICK COUNTY WORK RELEASE MASTER CONTROL PARKING LOT AND ADA UPGRADES FOR FACILITIES DEPARTMENT

*"Recommendation is to accept the base bid with alternates one and four in the amount of \$917,000 and establish unit pricing for wheel stops at \$44.00 each from Walz Harman Huffman Construction, Inc.*

2. POINT TO POINT CONNECTIONS AND INTERNET ACCESS FOR THE DIVISION OF INFORMATION AND OPERATIONS

*"This recommendation is to accept the low bid from Level 3 Communications, Inc. for an estimated monthly cost of \$5,801.83 for 60 months, making the total \$348,109.80.*

3. ON-CALL TORNADO SIREN MAINTENANCE AND REPAIR FOR EMERGENCY MANAGEMENT

*"Recommendation is to accept the proposal from Phillips Southern Electric and establish contract pricing for three years with two one year options to renew.*

4. ON-CALL TRANSLATION SERVICES FOR VARIOUS DEPARTMENTS

*"Recommendation is to accept the proposals from Bridging the Gap Interpreting, LLC, All World Language Consultants, Inc., JRivera Associates, Inc., Foreign Language Interpreter Services, Inc. and Propio Language Services for items one through three, and Interlingual Services for items one and four, Reliable Interpretations and Translations for item one only, and establish contract pricing for three years with two one year options to renew.*

*"I'll be happy to answer any questions that you may have and I recommend approval of these items."*

*Chairman Howell said, "Commissioners, any questions on the Board of Bids and Contracts? Commissioner Unruh."*

MOTION

*Commissioner Unruh moved to approve the recommendations of the Board of Bids and Contracts from their regular meeting on May 12, 2016.*

*Commissioner Peterjohn seconded the motion.*

*Chairman Howell said, "Any other discussion? My only comment would be \$917,000 for parking blocks? That is a lot of money. That's a lot of parking blocks."*

*Mr. Thomas said, "That's not just parking blots. There's other items on there."*

*Chairman Howell said, "There are other items on there?"*

Mr. Thomas said, "Yes, sir. Master control, parking lot, and ADA upgrades. If it was just the parking blocks, I would wonder."

Chairman Howell said, "Yeah, I was focused on the parking blocks and couldn't get past the point there and thought oh wow, that's a lot of money. Thank you for the explanation there. Let me look at that for just a moment here. I guess to me the graph is a little bit difficult to interpret here. Can you go over the items for me again?"

Mr. Thomas said, "For item one, sir?"

Chairman Howell said, "Yes, please."

Mr. Thomas said, "To break it down, the base bid \$859,000. The alternate number one is the ADA holding cells improvements, \$25,000, alternate four, the four improvements in dormitories at \$33,000, and then the contract pricing is as wheel stops are needed, they're just at \$44 each."

Chairman Howell said, "Thank you so much. Wow, that helps a lot. Any other discussions from Commissioners? All right. Seeing none, Madam Clerk, please call the vote."

VOTE

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

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

**Approved**

## **CONSENT**

- M [16-295](#) Acknowledge several memorial donations to the Sedgwick County Suicide Prevention Coalition.
- N [16-296](#) Acknowledge several memorial donations to COMCARE of Sedgwick County.
- O [16-293](#) Agreement to Provide After Hours Mental Health Emergency Services for Sumner Mental Health Center (SMHC).
- P [16-314](#) Addendum to Master GNMA Security Purchase Agreement.
- Q [16-304](#) Termination of the Agreement Between Sedgwick County and Shred-It USA LLC.
- R [16-0143](#) Capital Improvement Program (CIP) Amendment: Law Enforcement Training Center Project.

- S     [16-300](#)           Hire above the minimum for a Building Inspector III in the Metropolitan Area Building and Construction Department (MABCD).
- T     [16-303](#)           Hire above the minimum for a HR Manager-Work Environment (Human Resources).
- U     [16-271](#)           General Bill Check Register for May 11, 2016 to May 17, 2016.

*Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I recommend you approve consent agenda items Mike through Uniform."*

*Chairman Howell said, "Commissioner Ranzau."*

**MOTION**

*Commissioner Ranzau moved to adopt the Consent Agenda with the exception of Item P.*

*Commissioner Peterjohn seconded the motion.*

*Commissioner Peterjohn thanked the Chairman and said, "I notice on the Consent Agenda where Items M and N, in terms of donations to Sedgwick County, and I think those always deserve some public recognition for the folks who for whatever reason decided to make a donation to Sedgwick County. It is much appreciated. Thank you."*

*Chairman Howell said, "Very good. Any other discussion? Seeing none, Madam Clerk, please call the vote."*

**VOTE**

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

*Chairman Howell said, "Madam Clerk, let's talk about Item P now."*

*Commissioner Ranzau said, "I'm sorry. Mr. Manager, or maybe our Legal Counsel, I intended to send an e-mail to check into this and never got around to it. Why are we doing what we're doing with Item P on this Security Purchase Agreement?"*

*Mr. Tim Kaufman, Human Services, greeted the Commissioners and said, "Commissioner, the action on this amendment only extends the contract period to a point in time when either party decides to cancel with a 60 day notice."*

*Commissioner Ranzau said, "What's the current contract call for?"*

*Mr. Kaufman said, "The current contract, it was a two-year term, so instead of extending for another two-year term, this gives it an open-ended term."*

*Commissioner Ranzau said, "Okay. For the record, I would prefer to keep it the way it is. So I will oppose this."*

Chairman Howell said, "Any other discussion? Seeing none, what's the will of the Board?"

MOTION

Commissioner Unruh moved to approve Item P from the Consent Agenda.

Commissioner Peterjohn seconded the motion.

There was no further discussion and the vote was called.

VOTE

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

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

**LEGISLATIVE ISSUES**

Chairman Howell said, "Commissioners, we did not talk about legislative issues last week, because we didn't really have any time with the long meeting we had last week. Does anybody have any legislative issues for this week? Would you like to tell us what's going on, Mr. Von Achen?"

Mr. Jon Von Achen, Assistant County Counselor, greeted the Commissioners and said, "I hadn't heard prior to the meeting but decided to come anyway just in case there was something the Commission wanted to talk about. Right now the priority is looking at legislation to take effect July 1, 2016 that would affect the county. There is a new policy that I will be discussing with you eventually next week or new statute regarding KORA (Kansas Open Records Act) and the expansion of what the definition of public record is. So we'll be discussing that with you and then discussing the possibility of potentially putting some policy changes in place that will address a rather tricky subject of private e-mail, private social accounts, private phones and how we can comply with our core obligations when we don't control that information.

"Additionally, I know it's been a hot topic as well. We're working on revising our Conceal Carry Policy to incorporate the statutory changes. I know the Chairman did speak on television on Friday regarding that issue. We will have something before you in June that will comply with the statutory change July 1.

"I stand for any other questions about any other pieces of legislation."

Chairman Howell said, "Any questions from Commissioners? I don't have any questions for you right now. I would like to say that I have scheduled a Special BoCC (Board of County Commissioners) Meeting for Thursday, May the 26th at 1:30 p.m. That's an opportunity for our lobbyists to come in and give us a briefing. The reason I did that was because we cancelled the staff meeting next week. I'll be in Tulsa, and the following week is a holiday, and so by the time we get around to having him come in, it would be about a month out, so I thought we would need to go ahead and get that done sooner or later. So I asked for a special meeting. Nobody else needs to come necessarily, other than I'm sure you want to be there. The Manager would be there. It's an open meeting. Anybody is welcome to come, but it would be a meeting

*for us to hear from our lobbyists in terms of what they did this last session overall, the successes and maybe where we're at with some of the legislative issues that we've identified. I'm pleased to announce that. Any other discussion on legislative issues? Seeing none, we'll move onto the next item."*

## **OTHER**

*Chairman Howell said, "Commissioners, any comments for other today? Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "Last week, last Thursday, to be more specific, Mayor of Bentley, Mayor Satterthwaite, had just kind of a State of the City review and talking about some of the challenges their community was facing. I went out and attended that meeting, and I appreciate also other county staff who were out there for it. Of course, obviously we've had discussions concerning they have their own volunteer fire department that operates kind of under the help and assistance of Fire District No. 1 and Public Safety issues are important as well as Public Works and related issues for their community. That was part of the challenge last week. So I wanted to get that on the record. It's an area of discussion and concern going forward, and I would be happy to go into more detail if anyone has an interest in the challenges that that area in the north part of the county in Eagle Township is struggling with.*

*"Mr. Chairman, I would also be remiss if I did not point out that May 18th is a very important day in the United States history. May 18th, 1896, the U.S. Supreme Court issued one of their most awful decisions, Plessy versus Ferguson. That basically allowed the policy of separate but equal and created a legal environment to allow segregation that occurred in a large part of the country in the latter part of the 19th Century and became Federal Policy in the early part of the 20th Century under President Wilson. What's interesting is that one historical fact from that important event, there was one dissenting vote on the U.S. Supreme court in that case. John Marshal Harland was the dissenting vote, and one thing I learned that I did not realize about Harland was not only in his dissent but he had been at one point in time a slave owner, and so I thought it was very interesting that his dissent and his role that he played, and of course, it was quoted quite often, played a major role going forward.*

*"On May 18th in 1908, the U.S. Congress added in God we trust to appear on American coinage, and an important event, May 18th, that I remember, and I think a few folks in this room may remember, an event occurred that cost 57 lives in 1980 when Mount St. Helen's erupted and anyone who has access to the internet can easily work up the video of that incredible explosion from Mother Nature that had a huge impact in the northwest part of our country. So May 18th is an important day in American history. I wanted to just point that out along with all the other events on this date. Thank you, Mr. Chairman."*

*Chairman Howell said, "Any other comments from Commissioners? I just wanted to make one point that I failed to say earlier on when I was talking about the Fire District. I wanted to also point out one other piece of evidence that I think is important. That is that the Fire District had on their own, working on a partnership with other interested parties trying to find a Plan B. They were working on facilities design and location that they had hoped they would be able to develop a place for them to train, so again, if they didn't believe there was a need for that, they would not have developed that on their own, so just a piece of evidence that I think is important for the public to know. Again, I believe that this is a topic that came to us. I'm glad we solved it. It wasn't one that we made up, one that did not need to be solved. Anyway, with that, I don't have anything else. I don't believe for today. Mr. Manager, anything*

*else that you need?"*

*Mr. Scholes said "That's it."*

*Chairman Howell said, "We don't have an Executive Session. We don't have a Fire District meeting today, so we're going to go ahead and adjourn."*

**ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 11:35 a.m.*

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

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*JAMES M. HOWELL, Chairman  
Fifth District*

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*RICHARD RANZAU, Chair Pro Tem  
Fourth District*

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*DAVID M. UNRUH, Commissioner  
First District*

---

*TIM R. NORTON, Commissioner  
Second District*

---

*KARL PETERJOHN, Commissioner  
Third District*

ATTEST:

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*Kelly B. Arnold, County Clerk*

APPROVED:

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