

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes - Final

Wednesday, September 21, 2011

9:00 AM

BOCC Meeting Room

### Board of Sedgwick County Commissioners

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

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

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

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

## ORDER OF BUSINESS

### CALL MEETING TO ORDER

*The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:05 a.m. on Wednesday, September 21, 2011, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Tim R. Norton; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Commissioner Jim Skelton; Mr. William Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jim Weber, Deputy Director, Public Works; Ms. Shawne Boyd, Human Resources, Director; Mr. Neil Stillwell, Human Resources Assistant-Records; Ms. Glenda Martens, Facility Manager, Judge Riddel Boys Ranch; Captain Terry Parham, Sheriff's Department; Captain George Mason, Sheriff's Department; Mr. Randy Paxton, Firefighter, Fire District No. 1; Ms. Vicki Fouquet, Corrections Worker, Community Corrections; Mr. Bill Gale, Election Commissioner; Mr. Robert Parnacott, Assistant County Counselor; Mr. Chad VonAhnen, Director, Sedgwick County Developmental Disability Organization; Ms. Claudia Blackburn, Director, Health Department; Mr. Steven Claassen, Facilities Director; Mr. Pete Giroux, Principal Analyst, Budget; Mr. Joe Thomas, Acting Director, Purchasing Department; Mr. Chris Chronis, Chief Financial Officer; Ms. Amanda Matthews, Director, Communications; and Ms. Jill Bailey, Deputy County Clerk.*

### GUESTS

*Ms. Lucille Williams, President, Wichita Area Regents Roundtable  
Ms. Melody McCray-Miller, 89th District House of Representative  
Mr. David MacGillivray, Chairman, Springsted Inc  
Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C*

### INVOCATION

*Led by Pastor Glenn Tombaugh, East Mt. Vernon United Methodist Church*

### FLAG SALUTE

### ROLL CALL

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

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

### CONSIDERATION OF MINUTES

A [11-0967](#)

REGULAR MEETING OF AUGUST 24, 2011.  
All Commissioners were present.

*Chairman Unruh said, "Commissioners, you have had the opportunity to review the minutes of August 24th, are there any additions or corrections?"*

*MOTION*

*Commissioner Skelton moved to approve the Minutes of the Meeting of August 24, 2011.*

*Commissioner Norton seconded the motion.*

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

*VOTE*

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

*Chairman Unruh said, "Next item."*

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

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

**Present:** 0

**PROCLAMATIONS**

B [11-0952](#)

PROCLAMATION DECLARING CONSTITUTION WEEK.  
Read by Chairman Dave Unruh.

RECOMMENDED ACTION: Adopt the Proclamation.

*Chairman Unruh said, "Commissioners, I have a proclamation for your consideration,*

*PROCLAMATION*

*WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and*

*WHEREAS, September 17, 2011, marks the two hundred twenty-fourth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and*

*WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and*

*WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as CONSTITUTION WEEK.*

*NOW, THEREFORE BE IT RESOLVED, that I, David Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 17-23, 2011, as*

*'CONSTITUTION WEEK'*

*in Sedgwick County and ask our citizens to reaffirm the ideals of the Framers of the Constitution by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.*

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

*MOTION*

*Commissioner Skelton moved to adopt the Proclamation.*

*Commissioner Norton seconded the motion.*

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

*VOTE*

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

*Chairman Unruh said, "Receiving the proclamation this morning is Lucille Williams, President of the Wichita Area Regents Roundtable."*

*Ms. Lucille Williams, President, Wichita Area Regents Roundtable greeted the Commissioners and said, "Thank you, Chairman Unruh, Commissioners. 2011 is the 56th anniversary of Constitution Week. Ms. Gertrude Carraway, while President General of NSDAR (National Society Daughters of the America Revolution), was responsible for the annual designation of September 17th through the 23rd as Constitution Week. The DAR (Daughters of the American Revolution) made its own resolution for Constitution Week which was adopted April 21st, 1955. Members of the United States Congress received the DAR resolution and on June 7th, 1955, the resolution was discussed in the Senate. The first resolution to observe Constitution Week was made June 14th, 1955 by Senator William F. Nolan of California. Following the passage of the resolution by both houses of Congress, President Eisenhower issued his proclamation on August 19th, 1955. The first observance of Constitution Week was so successful that on January 5th 1956, Senator Nolan introduced a senate joint resolution to have the President designate September 17th to 23rd annually as Constitution Week. The resolution was adopted on July 23rd 1956, and signed into public law 9:15 on August 2nd, 1956. For his patriotic aid and interest, Senator Nolan received an Award of Commendation from the Continental Congress NSDAR in April 1956. And a quote from Abraham Lincoln, 'Our safety, our liberty, depends upon preserving the Constitution of the United States as our fathers made it inviolate. The people of the United States are the rightful masters of both Congress and the courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution.' Thank you very much."*

*Chairman Unruh said, "Well we thank you for being here this morning and helping us remember this important document, what it means to our country, and appreciate you being here and also your colleagues that are here with you. And I notice you have your insignia on for your office and organization, but anyway, we appreciate you being here."*

*"We're pleased to do this. We have comments from a couple Commissioners. Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you, Mr. Chairman. I'll say for all the proclamations that we've given throughout the year to me, this is the most important one. I often speak of the Constitution, and limited government, the principles it embodies. This is the founding document which guides our country. In the past I've also encouraged citizens to think and learn about freedom and liberty and I'll take this opportunity once again to encourage the citizens to read the Constitution, do some research and understand the history. And I think it is important to remember at that the approval of the Constitution was not a foregone conclusion, there was a great debate whether it should be approved or not approved. Those who approved it were called the federalists, those that opposed it were called the anti-federalists. The anti-federalists were concerned that we give the government too much power and authority and the federalist argued otherwise. Throughout these debates they wrote letters to newspapers and they've been put together called the Federalist Papers and called the Anti-Federalist Papers."*

*"I would encourage the citizens to pick a topic of interest to them and research it, read the Constitution, look at the Federalist Papers and Anti-Federalist Papers. And that gives a lot of insight into what our founding fathers were thinking at the time. Unfortunately, I think over time we've lost that insight. In the end you could say the*

*federalists won because the Constitution was adopted, but the anti-federalists won because the Bill of Rights was a concession given by the federalists. Were it not for the anti-federalists, we would not have the Bill of Rights, and so both of those sides actually won part of the argument. That's why we have what we have today. It's a very interesting and intriguing history. And I encourage citizens to explore that and educate themselves. With the internet, I mean you can go out and find the letters and the Federalist Papers and Anti-Federalist Papers and actually read what they wrote, and it is very enlightening. From a governmental point of view, I would say while it's good to honor the Constitution by written proclamation, the best thing we can do to honor the Constitution is to follow it. I'll encourage all elected officials at every level of government to commit themselves to actually following the Constitution as it was written and as it was intended. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you Mr. Chairman. Commissioner Ranzau has taken a good deal of the comments I meant to make, so I am not going to repeat his, because the duplication would serve nothing except to add in our schools that it is important to study not only the documents that he mentioned, but I would also add that the Alexis de Tocqueville classic Democracy in America that was written over half a century later, in terms of understanding not only what was originally put in place but how we got there. And I would add in terms of the Bill of Rights because that in many ways is viewed as part of the Constitution even though it was added just a little bit later. Originally 12 proposed amendments to the Bill of Rights, only 10 were adopted. So there's an interesting history there if anyone wants to find out what happened to 11 and 12, I'll leave them with that challenge this morning. Thank you, Mr. Chairman."*

*Chairman Unruh said, "Thank you, Commissioner. Once again we want to express our appreciation for you to help us commemorate the Constitution and this celebration and thank you all for being here."*

*Ms. Williams said, "Well, we thank you very much. DAR is a patriotic organization and we have six chapter in Wichita, three of us are represented here, and we have 59 chapters in Kansas with over 2,700 members. We always celebrate Constitution Week. Thank you very much."*

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

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

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

**Present:** 0

## **RETIREMENTS**

C [11-0960](#)

PRESENTATION OF RETIREMENT CLOCKS.

Presented by: Shawne Boyd, Human Resources Director.

Neil Stillwell, Human Resources Assistant-Records, Division of Human Resources, will retire October 1, 2011 after 36 years of service.

Dennis Domen, Social Worker, Community Corrections, will retire October 1, 2011 after 33 years of service.

Terry Parham, Captain, Sheriff's Department, will retire October 1, 2011 after 33 years of service.

George Mason, Captain, Sheriff's Department, will retire October 1, 2011 after 32 years of service.

Randy Paxton, Firefighter, Fire District #1, will retire October 1, 2011 after 31 years of service.

Vicki Fouquet, Corrections Worker, Community Corrections, will retire October 1, 2011 after 16 years of service.

Theresa Right, Office Specialist, COMCARE, will retire October 1, 2011 after 15 years of service.

Mindy Kershaw, Case Manager 1, COMCARE, will retire October 1, 2011 after 15 years of service.

RECOMMENDED ACTION: Present the Clocks

*Ms. Shawne Boyd, Director, Human Resources, greeted the Commissioners and said, "This is an exciting day for us. As the clerk mentioned, we will be honoring several long-term public service commitment of several employees that will be retiring from this organization on October 1st. We certainly appreciate the contribution that they have provided not only to this organization, but also to the greater community. They will be missed. What I'll do, I will call up the employees individually and so as I call your names, if you will go ahead and come up. The first employee that we will be honoring is Mr. Neil Stillwell. He has made significant contributions to several divisions throughout the organization. He is currently in the Division of Human Resources, as a Records Assistant, and he will be retiring on October 1st after 36 years of service."*

*Chairman Unruh said, "Why don't you stand right here. I am going to make a presentation before you start talking, okay? We do want to appreciate, express appreciation for your years of service to Sedgwick County. You know, I know that you've been in several different areas during this time, and we appreciate that you have been flexible, a lot of times folks who are in record keeping are kind of out of the limelight. But we want you to know that we truly appreciate your service to our citizens and this long-term that you have been here is a testimony, I think, the fact that you believe in providing good services to our citizens and to our government. So we really appreciate it."*

*"We want to present you with this document that will commemorate this day, it is a certificate. We also would like to give you a clock that we present to our retirees, it's a nice piece, and we hope that you will treasure it."*

*Mr. Neil Stillwell, Human Resources Assistant-Records, greeted the Commissioners and said, "I will, thank you, sir."*

*Chairman Unruh said, "If you would like to say a few words."*

*Mr. Stillwell said, "Thank you, Shawne and Chairman, and Commissioners and my co-workers and friends who happen to be here. As I reflect on the past 36 years at*

*Sedgwick County, I think of how much things have changed in that period of time. The number of Commissioners has increased from three to five. While other elected offices have declined. The County Manager was created, thus I've worked under every County Manager in the history of the county. The Historic Courthouse has been repopulated as the building, as has the building now known as the Munger Building. When I hired on, the Historic Courthouse was used for storage. More than once I had to retrieve old files back over there to here. And the elevator at that time was still one of those hand-cranked ones that some of you may be old enough to remember. Of course since the building wasn't used, the person retrieving files had to do the work.*

*"The Munger Building still had old jail cells in place, and that was used mostly by the Sheriff's office for property and evidence. But the Controller's office, where I worked at the time, had a few of our files stored in there. At least once I had to go fetch files out of the old, what's now Munger Building. And most notable change in operations has been in the computerization of county business. When I hired on, the county owned zero computers. All of our computer work was contracted out, and now you can't go into a county office and not see a computer on every desk in there. And I have worked with a number of people, number of memorable people in those years, and that's what I think I will miss most. Some of them are still here and some have passed on. Some have even physically passed on, died. And during my time with the county I have worked for the Controller's office, now known as the Accounting Department, Office of Internal Audit, which has come and gone, and most recently for the Division of Human Resources. And I've been in a number of different locations, I've been in two locations here on the third floor, of this building, I've been on the sixth floor and the third floor of the main courthouse, and I've been located down at the main offices of Public Works. And my duties have taken me to a large number of the outlying locations, so I have really gotten to know the county, I've gotten to know some of the people who run the county.*

*"And on a personal note, one of the memories I will be taking along from earlier this year, was when due to upgrading of the HVAC (Heating, Ventilation, and Air Conditioning) system in the Historic Courthouse our offices got moved down to the first floor, and if you go over to the Historic Courthouse, you see on each floor they have architectural drawings of what used to be in that building, in I think it was 1924 when it was remodeled at one point in time. And on one of those drawings it showed that the offices directly across the hall from where my desk was had at one time back then been utilized by the GAR, and for those of you who don't know, that stands for Grand Army of the Republic. And it was for union veterans of the Civil War. And two of my great grand-fathers were members of that organization. One of them had already died by 1924. But the other was still around, so it made me feel like I was walking in his footsteps when I had to go across the hall. So for me, that was, that was just a personal memory that I was glad to have.*

*Mr. Stillwell continued, "And my desk at the time when we were down on the first floor was in the same general area where some of the old records that I had had to retrieve and bring back to this building had been stored when I first hired on. So it was kind of like going back to my old roots. So there were two pieces of personal memory brought up by that one temporary move. And I will miss this place, I will miss the people I worked with, but I look forward to whatever it is that God has in store for me next, and I thank you."*

*Chairman Unruh said, "Thank you."*

*Ms. Boyd said, "The next employee that we will be honoring is Mr. Dennis Domen from*

*Community Corrections. He is a social worker who will retire October 1st after 33 years of service. I will go ahead and call up his supervisor, Ms. Glenda Martens. Dennis had expected to be here today, but had an unexpected illness last night, so we'll have his supervisor accept his retirement clock for him."*

*Chairman Unruh said, "Well we'll present this to you on his behalf, and we want you to extend to him our appreciation and our thanks for the years of service, and we will trust that he recovers soon. Do you want to say anything on his behalf?"*

*Ms. Glenda Martens, Facility Manager, Judge Riddel Boys Ranch, greeted the Commissioners and said, "Yes, Dennis was a Senior Youth Counselor at the Judge Riddel Boys Ranch. He spent all his 33 years at the [Judge Riddle Boys] Ranch. what he would say to you very shortly is thank you. He enjoyed his job and he did a good job. Thank you."*

*Ms. Boyd said, "We will now recognize Captain Terry Parham with the Sedgwick County Sheriff's Department, who will be retiring after 33 years of service."*

*Chairman Unruh said, "Well, congratulations, we want to also express our appreciation to you and your service to Sedgwick County and helping keeping us safe, in your time I know that you've also acquired a lot of memories. We hope that the vast majority are good memories in your service to our government and our citizens, but we want to present you with this. And also with the clock, and hope that whatever you decide to do next will be as profitable and rewarding as it has been at Sedgwick County. Would you like to say a few words?"*

*Captain Terry Parham, Sheriff's Department, greeted the Commissioners and said, "Yes, I have really enjoyed working here for the last 33 years, and progressing through all the various areas of the Sheriff's office that I worked, and I'm somewhat sorry to leave, but after 33 years, I think it's probably time. I do appreciate that fiscal responsibility that the current Commission is putting the county through, and even more so after I retire when it doesn't affect what I've got to do here. Thank you very much."*

*Ms. Boyd said, "We will now honor another captain with the Sedgwick County Sheriff's Department, Captain George Mason, who will retire after 32 years of service."*

*Chairman Unruh said, "George, we want to express our appreciation to you for your service to Sedgwick County and working in that area that is an absolute essential service to our citizens and that's providing public safety."*

*"So we appreciate all 32 years of your service, and once again we want to say to you, as we did to your colleagues, we hope the next thing that you do will be rewarding to you, and we wish you the best in that. We would like to present you with this certificate to commemorate the retirement here today, and also present you with this clock. And we would like you to say a couple things."*

*Captain George Mason, Sheriff's Department, greeted the Commissioners and said, "Thank you, sir. I want to reiterate what Terry said. It's been a pleasure to work here. I want to thank the Commissioners, I want to thank the County Manager, of course I want to thank the Sheriff and the three other Sheriffs that I work for. It is going to be missed, I enjoyed coming to work almost every day. A few days, about three or four,*

*I'm sure there were some bad days in there. But, again, I appreciate it, and I thank you very much."*

*Ms. Boyd said, "Continuing with our theme of public safety employees retiring from Sedgwick County organizations, the next employee that we will honor is a firefighter with Fire District No. 1, and that is Firefighter Randy Paxton, who is going to retire after 31 years of service with Sedgwick County government."*

*Chairman Unruh said, "Randy, congratulations to you, and we want to express our appreciation also to you for 31 years of service to Sedgwick County. You and the other public safety workers deserve our special recognition because you all put yourself at risk, and I know that in doing that, it is something that you have chosen as your career field, but we sincerely appreciate that you are willing to do that. You know, I know that you all form a brotherhood among yourselves in public safety. We've seen lots of folks in support of you all. We hope that this is a good day for you, and what you do in the future is rewarding. We want to express our appreciation for your service to Sedgwick County. Here is a certificate to commemorate today and also we would like to present to you a clock. Would you like to say a few words?"*

*Mr. Randy Paxton, Firefighter, Fire District No. 1, greeted the Commissioners and said, "Yes, thank you, Commissioners, County Manager, and thank Chief Nichols for giving me a job 32 years ago, and the present Chief and staff that we have today, it's been a good place to work, I am going to miss it. But I'm going to go back and see those guys and gals whenever I want to at my convenience, not at theirs. Overall the county has been great to work for, and I will miss it. Thanks again."*

*Ms. Boyd said, "The last employee that is here today that we will be recognizing their contribution to Sedgwick County government is Vicki Fouquet, she is with Community Corrections as a Corrections Worker, and she is retiring on October 1st with 16 years of service with Sedgwick County government."*

*Chairman Unruh said, "We want to congratulate you first of all and present you with this certificate commemorating today, and thank you for your service in Community Corrections. It's an important activity of our county that we try to work with individuals and help keep our community safe and help reduce recidivism and help folks reintegrate into our community and we are proud of the work our Community Corrections Department does, and proud of your part in making that successful. And we hope that what you do next is something that is pleasurable to you, and we want you to have this, and also a clock, and once again, say congratulations, invite you to say a few words if you would like."*

*Ms. Vicki Fouquet, Corrections Worker, Community Corrections, greeted the Commissioners and said, "I would just like to thank you."*

*Ms. Boyd said, "Commissioners, there are also two other individuals that were unable to attend today, but we did want to call attention to the years of service that they have provided to this organization. The first individual is Theresa Right. She's currently an Office Specialist with COMCARE, and will retire on October 1st after 15 years of service. And we have another employee with COMCARE, Mindy Kershaw, she is a Case Manager 1 and will retire on the same date after 15 years of service as well. So, again, we certainly appreciate the contribution that they have made to this organization, and to the greater community. Thank you."*

*Commissioner Norton said, "Thanks Shawne, and as the Chairman comes back up, I added it up as I usually do, 211 years of service is retiring today. Although we are celebrating today, the retirements, we are also diminished, because that kind of experience and intellectual capital and knowledge of our community and service to others is greatly appreciated and will be missed. But we wish all of our retirees the best, and we'll try to fill the gaps, but you are always welcome to come back. Thank you very much, 211 years, that's a lot of experience that we'll have to replace."*

*Chairman Unruh said, "Thank you, Commissioner. And we want to also thank all those folks who appeared here today in support of the retirees, so we know that we have a great community of employees here, and it's great to express your support for those retiring. Thank you all for being here. We'll take just a few minutes while several of our folks leave, and I think perhaps the County Counselor will set up some displays. So we'll take just a few minutes, not an official recess, but we will be paused for a moment. All right, I think we're ready to proceed. Madam Clerk, will you call the next item, please."*

**NEW BUSINESS**

D [11-0911](#)

A RESOLUTION PROVIDING FOR THE ALTERATION OF COUNTY COMMISSIONER DISTRICT BOUNDARIES WITHIN SEDGWICK COUNTY, KANSAS.

Presented by: Richard A. Euson, County Counselor.

RECOMMENDED ACTION: Select One Redistricting Scenario and Approve a Resolution Incorporating the Map and Data.

*VISUAL PRESENTATION*

*Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Before I begin I would like to thank everybody who assisted with this project. There are ten scenarios to consider in this matter. There's a lot of information, there's a lot of demographics information, and a lot of work was done by John Rogers and Steven Menefee of GIS (Geographic Information Systems), Richard Vogt was a great assistance in this project. Bill Gale helped considerably, Kristi Zukovich and Amanda Matthews were of great help, and Mondella Benton from my office has been a great help to me and is also going to assist this morning with this presentation.*

*"On the overhead, you can see what's happened to the population in Sedgwick County, and you can see that the county population has increased by about 50,000, that of course did not occur equally in all districts, and because of that, the redistricting calls for primarily taking from Districts 1 and 3 and giving to District 2. The current census says that the county population is 498,365, which leaves a target for each district of 99,673. The charge that you have under the statutes is to redistrict the County Commission districts to achieve each district with as compact and equal population as is possible. Just by way of background you will recall that the census data came out sometime in March or April of this year. We began working on scenarios, there was some discussion in late April in one of the Tuesday staff meetings to kick off this project. Scenarios were developed during this time in about the middle of August. The scenarios were posted to the county's website, and a public hearing process was added to that website. I checked this morning about 8:45, there's a total of four comments posted on the county website, and my name and number is listed on the website. I have received no phone calls.*

*"So your charge is to make these districts as equal and compact in population as is possible. As you know, you have to follow precinct lines. That constrains you a little bit from going down to the entirely neighborhood level. Now, before you, on the maps that are in the Commission meeting room, we're going to run through some of the scenarios and show you what the changes are and why the changes are there. But closest to the bench is a map showing the precincts in Sedgwick County. It has a lot of numbers on it, detail, a lot of numbers on it that you won't be able to see from there, but the information is there if you need it. The primary purpose of that map is to show you the existing county boundaries, and they are shown in blue. As to the scenario maps themselves, you can see from the scenario one map that District 3 is shown in a lilac color, District 2 is shown in a tan color, District 4 is in a green color, and then Districts 5 and 1 are in my favorite colors, crimson and blue, respectively, and then the district boundaries are hard to follow, but you can see some of the precincts on these maps also.*

*"So with that, let me go through the scenarios that we have created for you, and talk briefly about those, and why they exist, and what we did. Scenario number one is*

computer generated, it moves all four districts, the idea because population has to be moved from Districts 3 and 1 into District 2, this was the simplest way to do it. The only difficulty with this is that it disrespects the Arkansas River as a natural boundary and moves across that river to the east. So when we created District 2, we tried to protect that boundary, and see what we could do with leaving that boundary in place. And because District 1 needs to give up to District 2, that means a whole lot of things needed to change. So scenario number two changes 27 districts because now that we're not going to cross the river from District 2 to District 1, we are giving up quite a bit of district, much of District 1 goes to District 4 and some of District 3 goes to District 2.

"In this scenario, the population variances aren't terribly significant. There's District 2 has off of the ideal population, District 2 is a plus 749 population, District 4 is a minus 739 population. Then, Mondella, if we could go on to three and four. Thank you. Scenario three is based roughly on scenario number two, except that you can see that up in the far northeast corner of the county, land is, actually the entire Lincoln Township, is given from District 1 to District 4, and then towards the southwest corner of the county, all of the Ninnescah Township is moved from District 3 to District 2, and then there's some other movement of various small precincts, that scenario three moves a total of 19 precincts, but we get into more population variation off of the ideal. Mr. Euson continued, "District 4 has a plus 1,874 and District 3 has a minus of 2,541 off the ideal district population. Then in scenario number four, we go back to the idea of, as we did in scenario number one, of jumping the river from District 2 into District 1. And District 2 would pick up that portion, but also as in scenario number three, District 2 picks up Ninnescah Township again, which includes the City of Clearwater. Those are the major changes in that. In scenario four, there is a total of six precincts that are moved, and the population differences in that scenario are 755 to the plus side for District 1, and 859 minus side for District 3.

"Now, Mondella, we are ready for five and six. The idea behind number five was to see if it was at all possible to eliminate some of the stair step boundaries in District 1, so in this scenario, we're trying to even up some of the boundaries, but since District 1 needs to give up population. You can see there's a number of changes in District 5, and a number of changes that would cause the western portion of District 1 to go into District 4. And that changes, as you can see, a number of precincts, there's actually 44 precincts changed, but the population differences really aren't too bad. 749 to the plus side for District 2, and 482 to the minus side for District 4. Then in scenario number six, which is a very busy scenario, we have tried to consider what it would look like to square off the southern boundary of District 4, and Amanda, could you move that forward to six? Thank you very much. Of course you can't make a lot of these boundaries totally straight, because of the way the precincts are configured and because you have to redistrict by precinct, so you can see that there really wasn't a great deal of success squaring that off. But of course what happens in this scenario, there's primarily an exchange between District 1 and District 4, with District 4 picking up a very large portion of District 1, and then District 1 remains very compressed, and still has the stair step and is still moving into District 5 a little bit. With that scenario, there is a total of 76 precincts, and the population differences there are 749 to the plus side in District 2, and 880 to the minus side in District 1.

"I'm ready for seven and eight. In scenario number seven, the idea was to not create straight lines so much as to see what would happen if we could get all of Maize into District 4, and all of Park City into District 4, including the areas newly annexed, which means jagged lines, but it means that the cities are totally within one district. So in

*this scenario, you can see that on the west side of District 4, we're picking up portions of Maize on the east side, picking up portions of Park City, and then, again on this one, we are giving Ninnescah Township over to District 2 in the southwestern portion of the county. In that scenario, we are really only moving 11 precincts. Population differences are plus 688 for District 4, and minus 1,139 for District 3. And scenario eight gives pretty much the same idea as scenario number seven, but we're trying to create a straight line on Hillside in District 4, and so with that population being, and again, in Ninnescah Township is added to District 2, and that means a little more population for District 4, but it does create that straight boundary. That also means there is a few more precincts, there's 21 precincts affected, but it is also a much greater difference in the populations, because the variation off the ideal is 1,347 to the plus side, for District 4, and 1,206 to the minus on District 2.*

*"Now I'm ready for nine and ten. Scenario nine goes back to the idea of giving this little area in District 1 over to District 2, even though it's on the east side of the river. And it also gives the northern part of District 3 to District 4, but excuse me, it too, also maintains all of Maize and all of Park City in District 4. In this scenario we move a total of 17 precincts. The population variance is plus 679 for District 3, and minus 1,206 for District 2. Then finally, scenario number ten is pretty much the same as scenario nine.*

*"But it straightens up the boundary on Hillside for a newly created area of District 4, Hillside between 37th North and 77th North. And the purpose of that is just to straighten that up, and in doing that, that moves a total of 27 precincts and creates a population variance of 717 for District 4, and minus 1,206 for District 2. All of these scenarios contain information about the demographics provided by the [United States] Census Bureau. That information appears on the bottom of these maps, that's very difficult to read. But that information is there and has been on the web for viewing. I would be happy to answer any questions concerning that. I would also be happy to answer any questions concerning any of the scenarios. Bill Gale is here, and John Rogers and Steven Menefee are here in case you have any questions of them."*

*Chairman Unruh said, "All right, thank you, Rich. Commissioners, what I think we should do, if we have specific questions of staff about actual items, then perhaps we could ask those now, and then we could allow citizen input and then we will restrict comments back to the bench. If you have any questions or comments for Rich or any of the other staff, now would be the time. Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you, Mr. Chairman. With respect to population, what is the limit with which folks are working, for some reason I thought it was around 10 percent or 10,000 is legally what we need to..."*

*Mr. Euson said, "The law allows some leeway in your variances. The general rule of thumb is 10 percent under the federal law and the federal case law and in the Reynolds v. Sims line of cases. That's a pretty good measure, but it seems like you can certainly get a lot closer than that. But you have that leeway.*

*Commissioner Ranzau said, "Thanks for clarifying that."*

*Chairman Unruh said, "Now, in light of that comment, Mr. Euson, I suppose that we are in a defensible I believe position now to do nothing. I know we are required to look at this, but we are within 10 percent now, is that..."*

*Mr. Euson said, "That's quite correct, yes."*

*Chairman Unruh said, "Okay, thank you. Commissioners, any other comments at this time? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Rich, I am believing that most of the scenarios we have in front of us would move precinct 301 from District 1 over to District 2. I think there's only a couple of them that don't, can you run through those real quickly on that, because that would put, that is the case in most of the scenarios that I think we've weighed out here."*

*Mr. Euson said, "I think that's correct. 301 is the one that was north of Kellogg, I believe."*

*Commissioner Peterjohn said, "No, I think it's south of Kellogg."*

*Mr. Euson said, "This one?"*

*Commissioner Peterjohn said, "No, on the river in Chairman Unruh's district."*

*Chairman Unruh said, "From District 1 to District 2."*

*Mr. Euson said, "I can certainly try to see if Amanda will help me run through these backwards. 301 is exactly the small district that lies east of the boundary between District 2 and District 1. You can see in scenario one, it is proposed to be moved to District 2. And in scenario two, it is not proposed to be moved, even though it doesn't show on this map. And scenario three, it is not proposed to be moved. In scenario four, it is proposed to be moved. Scenario five, it is proposed to be moved in that scenario also. In six, it is moved in six also. It is moved in seven and moved in eight and moved in nine and it's moved in ten."*

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

*Chairman Unruh said, "Thank you. And that was the result of the fact that primarily District 1 had the largest population and District 2 needed to acquire, and that's where those two districts are adjacent to one another."*

*Mr. Euson said, "That's correct, yes sir."*

*Chairman Unruh said, "Commissioner Skelton."*

*Commissioner Skelton said, "Richard, what option does not move that precinct to District 2 on the east side of the river. What option was that? I might have missed it, I apologize. I mean, this is a lot of information here."*

*Mr. Euson said, "I know there is a lot of information, but there is a lot of scenarios and a lot of data. Definitely scenario number two, and I would have to scroll back through these. Scenario number two and scenario three, I think."*

*Commissioner Skelton said, "Well, I am inclined, you know, obviously simple is better. And that's the word I've been hearing. I would be more than happy to listen to Commissioner Norton's comments on this. I represented that area before, it is a homogeneous area. That area had neighborhood organizations, it's among different precincts there. I don't know if it's better to have one representative doing that*

*homogeneous area. Or I would be concerned about having two representatives. Unfortunately there's nobody here that can comment on that. My experience tell me if I can represent a homogenous area, I can attack with my own initiatives, I can tackle problems better that way because I know what's going on with this one right here. Those are my comments now. When we do a motion or accept one of these scenarios, we can always make a motion to pull that precinct back out across the river if we choose, right?"*

*Mr. Euson said, "You would be creating a new scenario, but of course you could do that."*

*Commissioner Skelton said, "That's my comments, I am not saying that's what I'm going to do, I just wanted to make those comments and make my concern noted here. Thank you."*

*Chairman Unruh said, "Okay, thank you. Commissioner Norton."*

*Commissioner Norton said, "First of all, I would like to address with Bill Gale how do we determine precincts, and how soon will we be looking at moving precincts around, expanding, contracting, changing voting areas, are you thinking of any of that Bill, right now?"*

*Mr. Bill Gale, Election Commissioner, greeted the Commissioners and said "We're not, sometimes it happens as a result of the redistricting process, and one of the things that is kind of high on my priority list when we did the last time, about five or six years ago, was to try to create as much consistency as we could for voters as far as where their polling place was primarily, but also, you know, what precinct they were in, and try to make logical boundaries for the precincts, as much as possible, so we tried to do as much as we could at that time to keep it consistent for as long as we could. But as I said, you know, sometimes it just happens as a result of the redistricting process, whether it is at the county, city or even state level."*

*Commissioner Norton said, "How many precincts do you have in the county right now?"*

*Mr. Gale said, "We have roughly about 250."*

*Commissioner Norton said, "Has that has that ebbed and flowed over your term."*

*Mr. Gale said, "It does some ebbing and flowing with annexations by the various cities throughout the county. Sometimes you will add and remove precincts and precinct parts, but for the most part since that kind of 2005, 2006 period, it's been pretty constant."*

*Commissioner Norton said, "The county is not your only consideration when it comes to precincts, and redistricting. You have to worry with senate boundaries and state representative boundaries, too, as far as where precincts end up and how that is put together, is that correct?"*

*Mr. Gale said, "That's correct. So there's no way telling what changes might be in store come next year. For instance, the precincts, you've been speaking to so far, precinct*

301 currently is part of State Representative District that is other than that precinct, entirely west of the river. And it's polling place is west of the river, so there is in some ways it is connected to precincts across the river already, if that matters."

Commissioner Norton said, "That's all I have. Thank you. Thanks, Bill. I just have four things I wanted to bring up, Mr. Chairman. First of all, I have always thought that we need to have the least amount of disruption as we have this conversation. People get pretty confused when we start changing boundaries dramatically. We had a little consternation a few years ago when we decreased the amount of polling places, we had to do a lot of education on that, I know Bill worked really hard to communicate that to the public. So certainly I believe that the least amount of disruption we can come up with trying to balance the population is important.

"My second thought is that squared off boundaries makes it so much easier to articulate which area we represent. I know years ago when we redistrict, the idea that the river was a natural boundary between District 5 and District 2 made a lot of sense, and we created that. And I know for Jim and I both, it makes it pretty easy to describe our district at least where we come together. On my west side, it makes it real easy for Commissioner Peterjohn and I to describe the differences in our districts, because 119th Street all the way from Kellogg south to the county line is our border. Commissioner Norton continued, "So it does make it really simple. So I am an advocate for squared off boundaries or natural boundaries, where we can get them. The truth is, though, that our challenge is really to balance population. If we can square off boundaries, if we can have the least amount of disruption and movement, that will confuse the public, that's certainly the icing on the cake, but we really need to work to work to make sure there is a balance of population.

"We have that, right now, within the wiggle room we have of 10 percent. But we know, I think history will tell us, that District 1 and District 3 will probably continue to grow. District 5 will have some dramatic growth, District 2 may struggle, although I think with what's happening on the far south side of my district we may have some ancillary growth in the next few years. I am an advocate for balancing the population. I have come to the resolution that maybe stepping across the river is going to take some population out of District 1 will help the procedure, certainly pushing out on the western side to take some population out of Karl's district makes sense, I'm used to serving at least one small town and Clearwater would be one that's relatively simple to take on and is similar to Haysville. The final thing I would think about is thinking about planning for growth and maybe pushing a little more population into my area so that District 1 and 3 as they grow brings parity to us as they grow. I don't think they will stop growing over the next five years, and if we don't plan for a little growth, we may end up right back in the same thing in five years, where we're thinking about redistricting, and I would prefer not to do it that often. That's all my thoughts. I'm pretty open to whatever the conversation is. Thank you."

Chairman Unruh said, "Thank you, Commissioner. I don't see anyone else asking to speak, so now would be the appropriate time to see if anyone from the community wants to speak. I think Representative Melody McCray-Miller has indicated a desire to speak. We have you hidden behind the maps, there, Representative."

Mr. Euson said, "I was going to take this one down unless you need it. I put those side by side for comparison purposes, but let me take that down."

Chairman Unruh said, "All right, thank you."

*Ms. Melody McCray-Miller, 89th District House of Representative, greeted the Commissioners and said, "Wow, she is multi-talented!"*

*Commissioner Skelton said, "Our staff is very quick here."*

*Ms. McCray-Miller said, "Absolutely!"*

*Commissioner Peterjohn said, "Melody, better pull the mic towards you."*

*Ms. McCray-Miller said, "Is this good? Very good, well, good morning. How is everyone? It's beautiful out there this morning, a little chill in the air. What I would like to speak to, and I do thank you, Mr. Chairman, each Commissioner, for giving the public an opportunity to speak, I came two weeks ago, we had the additional two scenarios that were added, so we have returned. I am speaking on behalf of an organization, the organization is the African American Coalition (AAC), which is a multi-cultural organization that is made up of a litany of different individuals as well as organizations and social groups that span across this county. This to me is the impact of redistricting in our community.*

*"I will go ahead and read my comments, and I will keep them under the five minutes, but I think that this is really, really important, so I appreciate the venue.*

*"Redistricting is one of the most important events that people can and should participate in in our democracy. Why? Because this participatory action directly, directly determines the allocation of political power, and people participating in this action are absolutely vital. The process of redistricting should also safeguard the interests, and we talk about communities of interest. I'm hearing the homogeneous neighborhoods, but it should also safeguards the interests of minorities by creating a majority minority district when the population reflects that shift and in the case of Sedgwick County. A major minority opportunity district, such as District 4, thereby retaining the diversity that is so rich and so powerful, that exists today, and not diluting the power of voting of the people that live, work and pay taxes, ensuring that all their interests are represented fully and that minorities have the best opportunity to serve and truly reflect that diverse district.*

*"Sedgwick County Commission District 4 has a rich history and a legacy of which I am very proud to be a part of. I know most of you are aware of the history in the late 80s, it really was that concept of mange or minority opportunity, being able to give minorities an opportunity to serve at this level in the county that went from District 3 having three County Commission districts to five County Commission districts. The first African-American to serve was my father, Billy McCray. In the interim, was Andrew Bias, and then I followed as the first female African-American to serve in District 4.*

*"So it has a rich legacy, and I've gone through that, so I won't repeat it. But by giving these individuals an opportunity to serve, we went and spread the districts so that we could have more broad representation, and the demographics of District 4 have changed over the past decade or so. With 21 percent being Latino, approximately 17 or 18 percent African-American, but still maintaining the dubious status of the most diverse district in the county. Yet, and I do say that with a pause, yet we have not elected an African-American, nor a Latino since 1995, since I left the district and left the county. I'm still, I am actually in District 1. Factually speaking, nearly 12 years have passed and today, I'm standing here, and I am addressing a County Commission*

*Board of five white male County Commissioners. That is not representative of Sedgwick County. That has absolutely no negative connotation of who you are as an individual, but it really does speak volumes when you look at Sedgwick County being one of the most diverse counties across our state, but yet who is representing us.*

*"In reviewing the ten redistricting map scenarios, that was great to be able to hear them and see them today, number five, actually it is scenario number five, that at least maintains the current level of diversity, particularly in District 4, which is remember the most diverse district. Thereby not diluting the voting power of minority voters. And when looking at a minority rich community, community of interest approach, the major minority opportunity approach to redistricting is a must when it comes to redistricting efforts. I began with the statement, and I think it is appropriate for me to end with this. Redistricting is one of the most important events in our democracy. Why? Because this action directly determines the allocation of political power. While we like celebrate one man, one vote, one woman, one vote, we need to also own up to the promise of true representative government. I do appreciate your allowing me to speak, and to address you on this very very important issue. And if you have any questions, I would love to leave my remarks if you would like a copy of them, or I will just stay for a few more moments."*

*Chairman Unruh said, "All right, thank you, Representative Miller. We do have a comment from Commissioner Ranzau."*

*Commissioner Ranzau said, "Well I just have a clarification, are you saying that you support scenario five as a way to accomplish the goal you stated?"*

*Ms. McCray-Miller said, "I am, sir. Yes. If the scenarios didn't change when they went from eight to ten. I supported scenario five when it was eight. It could have changed. And I think when I was looking and listening to Mr. Euson, that that is the scenario that includes, I think it has a net impact of changing 42 precincts, I think. But I'm not sure. Scenario five didn't change, did it? It stayed the same. Yes."*

*Commissioner Ranzau said, "Okay, I am a little confused because if you compare scenario five to some of the others, for example, I'll talk about this later, I prefer scenario eight. In scenario five, when it comes to the black population it's 16 percent, but in scenario eight it would actually be 17.4. There is a difference of close to 2,000 more under scenario eight than scenario five. So I am not, I guess I'm confused."*

*Ms. McCray-Miller said, "Let me try to explain, or give a deeper understanding. When I think of diversity, I am not only thinking of African-Americans. We are also thinking about the Latino population in particular, the Asian population, we are looking across ethnic and racial composites. And District 4 currently is the most ethnically and culturally and racially diverse district, and even in scenario number five, it continues to be culturally, ethnically and racially diverse in comparison to scenario number eight. So it is not about a specific race, Commissioner Ranzau, it is about ensuring that the diversity that exists today is either enriched or certainly maintained. And that gives an individual an opportunity. And that's that major minority opportunity to run, be elected and to serve and to reflect."*

*Commissioner Ranzau said, "Well, I understand that. But even if you look at the Hispanic population, there is no change between 5 and 8. It goes from 21.8 percent to 21.3. If you just look at the numbers and add both the Hispanic and black population, I think the numbers are greater in eight than in four. But I..."*

Ms. McCray-Miller said, "There are, when you look at communities of interest, scenario eight does have some changes. Is that the one that pulls in Maize? I can't remember, I can't keep them all..."

Commissioner Ranzau said, "Maize is..."

Ms. McCray-Miller said, "So the composites that, it is not as simple as looking at solely the makeup, the racial makeup, which is what I'm continuing to hear, it's looking at how the communities of interest within that community are maintained, as opposed to being diluted by additional changes, geographical changes. The changes would be having, I think it is all of Park City and all of Maize that would be included in. But I am not going to, you know, scenario number eight is another scenario, if there is an increase in the population of one percent for African-Americans or 2,000 voters, that's great. That's great! I am just saying that I originally and continue to look at scenario number five as being a scenario that would maintain the diversity within that district."

Commissioner Ranzau said, "I understand that. I just want to explain, you know, my position. Because also, if you look at the percentage of white voters in District 5.

"District 4 and scenario five, it's 66.4, but if you adopt eight, the one that I would favor, it actually goes down to 65.2. So there's actually a lower percentage of white voters under eight than there is four. I personally..."

Ms. McCray-Miller said, "Okay. Well, I think we're within a variance of two percent. So I am not here to...and you are letting me know what your preference is, is scenario eight. That's fine. The variance of one or two percent, that's fine. There are just other factors, I think, that overlay for your reasons for wanting to go to a scenario eight and the possibilities of staying with scenario five."

Chairman Unruh said, "Okay. Thank you, Commissioner. Commissioner Skelton."

Commissioner Skelton said, "Yes, thank you. I also wanted to address Melody's concerns. Let me tell you the scenarios here, ten, and the population is white, and then there's all other races, so to speak. And in scenario one, and that's in District 4 numbers, okay? District 1 is 65 percent even, 2 is 68.4 percent, and 3 is 65.3, 4 is 65.1, 5 is 66.4, 6 is 69.6, 7 is 65.1, 8 is 65.2 white, 9 is 65.3, and 10 is 65.4. So you know, Melody, I got to tell you, I would be glad to share this information with you. I find that staff has done a wonderful job in making sure that this is equitably distributed. But I am conscious of your concern. I want to see fairness here, I really want to see fairness. I am not wanting to disagree with you or anything, but I do find this as fair. I mean, there are a few scenarios here that probably we are not going to pick, of course, but I want you to know that I feel confident this is fair, and I will be glad to share this information with you."

Ms. McCray-Miller said, "I appreciate that, Commissioner Skelton. I don't think fairness ever came out of my mouth."

Commissioner Skelton said, "No, I want to say that. I want to say that."

Ms. McCray-Miller said, "It is not about...and I appreciate that. Because fairness is a portion, or a criteria that we need to be able to look at."

*Commissioner Skelton said, "Okay, absolutely. Thank you."*

*Ms. McCray-Miller said, "Thank you."*

*Commissioner Skelton said, "Well, thank you."*

*Chairman Unruh said, "Thank us all. Commissioner Ranzau, did you want to make one more comment?"*

*Commissioner Ranzau said, "I would just say perhaps we should give Representative McCray-Miller a copy of this particular, I found it very helpful, of this information, because I don't think the general public has this."*

*Ms. McCray-Miller said, "I would be happy to have that. I looked online, so that would probably be easier to look at. But..."*

*Commissioner Ranzau said, "Okay."*

*Ms. McCray-Miller said, "Just let me know."*

*Commissioner Peterjohn said, "I would suggest this document that I know we have, too, in addition to the one Commissioner Ranzau has shown to Representative McCray-Miller."*

*Chairman Unruh said, "Okay, thank you. Are there other comments or questions? Thank you, Representative Miller. Is there anyone else who would like to speak during this time? Just for general information I would comment that Commissioner Ranzau and I and Election Commissioner Gale and County Counselor Euson were at the Wichita Independent Neighborhood (WIN) meeting the other evening and made this presentation and asked for their comment, input, and so we, I think it was a productive meeting for folks who represented the different members of WIN. I just wanted to make that public. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I would like to make some general comments, because I very much appreciate the hard work that I know County Counselor Rich Euson has put into this project as well as the folks at GIS, I see Mr. Rogers in the back, and he and his folks I know they have put in some work on this, and I also appreciate the work from the Election Commissioner's office. The plans that are more attractive to me, including some of the criteria that was mentioned earlier, one of the challenges I've had was trying to explain my easternmost boundaries which was why I put, why I appreciate the Commission allowing me to add items, scenarios nine and ten, because that would place my easternmost boundary on the river. And also help out in terms of squaring and making Kellogg more of a natural boundary between my district and Commissioner Norton's south of Kellogg, and I think that would be true for seven and eight also.*

*"In terms of even population, there's some things that are there, I think that's a priority for this Commission, and I think all these scenarios fall well within those boundaries, and I'm comfortable in that regard, but the plans that are most attractive to me, Mr. Chairman, include, I have at the moment all of nine cities in my district and parts of two more. Everyone up here has part of Wichita, and I think that's good, that's necessary, there is no way we could put all of Wichita in one Commissioner's district. But having said that, I would really like to put, Maize has grown into my district. In*

2000 when current boundaries were put in place, all of the City of Maize was inside the boundaries of District 4, that's currently Commissioner Ranzau's district. I would like to see that returned, in that criteria, and I think it's important to try and get, if we can, to put as many cities in one district or another.

"So I'm sympathetic to the plans that would put all of Park City also into Commissioner Ranzau's district, and I think that's a criteria, because it does make it simpler when you're talking with folks, if someone comes up and says, you know, I have a concern and I think I live in your district, and it is 8:00 p.m. in the evening, it is not easy to call the election Commissioner's office at that point in time, and just say, well, where do you live, and if they say, gee, I live in Park City, today most of the folks live in district, in Commissioner Ranzau's district. But at the moment, there is also some who live in Commissioner Unruh's. So, if we can square those borders away, it is positive, a step towards good government. I think it is one of the criteria that's been significant to me in this process, and I really think these few sheets that I know we have, I think would be very helpful to anyone who is interested in this process, and I hope that Representative Miller can also have access to this information, and anyone else. Thank you, Mr. Chairman."

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

Commissioner Ranzau said, "I already stated that I like option eight, and some of the things I'm interested in obviously we need to balance the population. I agree with the other Commissioners that to the extent that we can straighten boundaries are beneficial. The boundary that I have between Chairman Unruh that is in the area of Park City is very jagged and very confusing for many people out there and it's hard to describe. So one of the wishes that I wanted to take a look at, since we only do this every ten years, is try and straighten out that boundary. At the same time as Commissioner Peterjohn said, get all of Park City and all of Maize in my district so that people know if they live in those two cities I represent them. Obviously you can't do that with every city. I think it is worthwhile to at least consider those options when you are looking at redistricting and trying to accommodate some of those. Certainly there will continue to be growth, but with scenario eight, the boundary of Park City actually allows room for growth. I think looking at numbers, the statements that the Representative was talking about, so that's my reason behind that. Now, option ten does the same thing, but switches out a couple of different things between Commissioner Peterjohn and I, and I'm not necessarily opposed to that. But I just wanted to state my reasons why I supported including the rest of Park City and Maize and straightening out that boundary."

Chairman Unruh said, "Thank you, Commissioner. I would like just to make a couple of quick comments. At our meeting with the WIN group the other evening, the overwhelming comment we had was keep it as simple as possible. Because they think that the more change we make, the more disruption, confusion that we bring to our citizens. So I have an agreement also with that position, but it is that keeping it simple, I guess one is one of the reasons I've kind of moved off of supporting number five, because it creates a lot of movement. However, I like number five, because it gives me the easiest, straightest boundaries that I've had since my time in office, because I agree that mine may be the hardest to describe district. I don't know the way that it's configured.

"But I do want to make, you know, I see nothing wrong with the logic of trying to have straight lines and to keep communities within a commission district. However, number

one, communities are probably going to grow and they will exceed whatever line we draw, in the very near future. And number two, I just want to clearly state that, and I think it's the attitude of all the Commissioners, that when I was elected Commissioner out of District 1, I assumed responsibility of Commissioners for all of Sedgwick County, so whomever approaches me about a county issue, whether they are in District 1, or whatever district they are in, I am going to try to respond to that comment, or complaint or issue that the citizen has. So we need to be cognizant of district lines. But on the other hand, we are Commissioners for Sedgwick County border to border. With that said, I don't have a big argument against number eight that Commissioner Ranzau supports. I had come to the meeting thinking that scenario number four was the one that got us close to achieving our goal of having a very close balance between the populations of all the districts. The only criticism of number eight I have, it still leaves Commissioner Norton 1,200 below the mean. So, but I'm still open, it is just that four was my initial choice. Commissioner Peterjohn."

Commissioner Peterjohn said, "Mr. Chairman, you know, this is not part of any of the scenarios here, but I'll throw it out as a way of assuaging your concern. I don't know what Commissioner Norton would think of it, but my number is scenario eight."

Commissioner Peterjohn continued, "If you wanted to reduce the numbers of, increase the numbers that were in Commissioner Norton's district, Viola has 500 people roughly, according to my recollection, if we switch those two, that would bring District 2 up and put me a little underneath, but it would bring it under a thousand on scenario number eight, or any of the other scenarios between the two of us, if that was a concern."

"I frankly think scenario eight, you know I'm frankly partial most to number ten, but scenario eight, and I understand scenario ten does have more moving parts to it than scenario eight does, scenario eight is an improvement, and my concerns about scenario four are tied to the fact that it still leaves part of Park City split, and I don't think that's necessary, and it reduces the diversity in my district by removing one of my precincts. I think it's precinct 402, and so of the choices between eight and four, I much prefer number eight."

Chairman Unruh said, "Commissioner Skelton."

Commissioner Skelton said, "I'm ready to vote in support in number eight when there's a motion, sir."

Chairman Unruh said, "Okay, everyone had kind of made a preference. I don't want to call on Commissioner Norton, but do you have any comment Commissioner?"

Commissioner Norton said, "I like all of them."

Commissioner Skelton said, "Well good grief, that's great!"

Commissioner Norton said, "Well I'm the neediest, and so for me the key is you're going to have to get me population. Truthfully, anything we do other than push up way up into the central core, for me is not going to change my diversity, ethnicity, homogeneous kinds of things. It is what it is, I don't know that I can change that. So for me, population and an easy to describe district is most important. I'm okay with picking up Clearwater, you know, if we needed to push a boundary further west somehow I'd be okay with that, but there's not much population in that whole township"

*south of Goddard and north of Ninnescah, I'm not sure what that block is there. And if you push up too much further into the north and Commissioner Peterjohn's district, I can get population, but that starts to push him out of a populated area and into a large area that's unpopulated, and I don't know if that's good. So I'm okay with number eight. I do have to realize that I'm going to jump back across the river after I've been pretty comfortable with being able to describe that, but I'm okay with that neighborhood. If we had to pick up more population, maybe I would take even more of that little peninsula of Commissioner Unruh's. I would prefer that we square it off with some logical boundary, whether it's Hillside or whatever street, whatever would make it easy to communicate."*

*Commissioner Skelton said, "Broadway over there is a good spot."*

*Chairman Unruh said, "All right, thank you, Commissioner. Commissioner Ranzau."*

**MOTION**

*Commissioner Ranzau moved to adopt redistricting scenario eight and approve a resolution incorporating the map and data.*

*Commissioner Peterjohn seconded the motion.*

*Chairman Unruh said, "Okay. We have a motion and a second to adopt redistricting scenario number eight."*

*Commissioner Skelton said, "Can I discuss the motion sir?"*

*Chairman Unruh said, "Pardon me? Any discussion?"*

*Commissioner Skelton said, "This is no means intended to throw a wrench into this, but at the last minute here Commissioner Norton made a great point. Can we zoom up, please, on the precinct that Tim is going to represent across the river? Can we get a closer picture of that, please?"*

*Mr. Buchanan said, "I don't think we can."*

*Commissioner Skelton said, "Okay, can I, can you bring that map closer to me please?"*

*Mr. Euson said, "This one or the precinct one?"*

*Commissioner Skelton said, "Eight. Okay, I apologize, I have to get this straight here in my mind. Okay. Well, I'm going to withhold any comments. I'll vote in support of number eight. Thank you."*

*Chairman Unruh said, "Well, Commissioners, we've had lots and lots of opportunities to analyze the documents that have been in front of us for some time. It's obvious we can really make lots and lots of iterations that make subtle changes, but this seems to be one that has found support from the Commission. So is there any further discussion on scenario number eight? Seeing none, Madam Clerk, call the vote."*

**VOTE**

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

Chairman Unruh said, "Thank you, Commissioners. Thank you all for your patience, and Representative Miller, we appreciate you being here."

Commissioner Skelton said, "Yes, thank you."

Ms. McCray-Miller said, "Thank you."

Chairman Unruh said, "Commissioners, we've been at this an hour and a half, so I will call a recess for five minutes, and we'll be back in 20 minutes till the hour."

The Board of County Commissioners recessed at 10:35 a.m. and returned at 10:42 a.m.

Chairman Unruh said, "We are back from recess and ready to continue with the Regular Meeting of the Board of County Commissioners for September 21st. At this time, we'll ask the Clerk to call the next item."

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

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

**Present:** 0

E [11-0975](#)

SETTING OF HEARING DATE FOR POSTANNEXATION HEARING CITY OF VALLEY CENTER.

Presented by: Robert W. Parnacott, Assistant County Counselor.

RECOMMENDED ACTION: Approve notice of hearing.

*Mr. Robert Parnacott, Assistant County Counselor, greeted the Commissioners and said, "We're asking you to set a hearing date for October 19th for the Valley Center Annexation Ordinance No. 1126-06. I've got your map up on the screen that shows the areas that were annexed. There were two sets of parcels, both 11 parcels each, one around 93rd and Seneca, the other group is down around 81st Street to the west of West Street. The questionnaires were sent out to the landowners. We got back two responses with real issues out of 22 sent, of the two responses we got, one was from the northern group and one from the southern group. The one from the northern group really didn't have any substantive issues. They had an issue about street lights. They felt they needed to have more streetlights, but there had been some street lights put in. The complaint that was received from the southern parcel over there was about the condition of 81st Street. So there will be some road conditions perhaps raised at the public hearing. This was our standard Valley Center type of service plan, they were going to provide fire and police upon annexation. They have street lights and emergency sirens plans in effect, the city has indicated they have complied with those. Water and sewer and road improvements were to be done on petition, but they have not received any petitions yet. We'll go into more detail, of course, at the public hearing on October 19th. So unless you have any other questions for me right now, I just recommend you set the hearing date for October 19th, and we'll send the notices out."*

*Chairman Unruh said, "Thank you, Bob. Commissioners, are there any questions?"*

MOTION

*Commissioner Ranzau moved to approve the notice of hearing for October 19, 2011.*

*Commissioner Peterjohn seconded the motion.*

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

VOTE

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

*Chairman Unruh said, "Thank you, Bob."*

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

*Chairman Unruh said, "Next item."*

- F      [11-0889](#)      Annual Affiliation Agreements 58 with Qualified Providers of Intellectual and Developmental Disability Services.  
Presented by: Chad VonAhnen, SCDDO Director.

Accessible Home Health  
Advocate Care Services, Inc.  
Afford-A-Care  
Agape  
Allegiance Home Care Services, Inc.  
Another Day  
Arrowhead West, Inc.  
Assist, LLC  
Assisted Services, Inc.  
Catholic Charities of Northeast Kansas  
Catholic Charities, Inc. Adult Day Services  
Cerebral Palsy Research Foundation  
Consumer Directed Services, Inc.  
Cory's Dream  
Dream Catchers Case Management, INC.  
Envision  
Goodwill Industries of Kansas, Inc.  
Heart of Care Agency, LLC

Home Healthcare Connection  
Home Technology Solutions, Inc.  
House Of Hope, Inc.  
In Sync Home Health, Inc.  
Independent Guardian LLC  
Independent Living Resource Center, Inc.  
Individual Advocacy LLC  
Interim HealthCare of Wichita, Inc.  
Jubilee Designs  
Kansas Truck Equipment Company, Inc.  
KETCH

- Life Patterns
- Lifespan Care Management Services
- Love, Comfort and Care
- New Hope
- Paradigm Services, Inc.
- Payroll Plus of Kansas, Inc.
- People First Employment and Residential Services
- Personal Support Services
- ProActive Home Health Care Services
- Progressive Home Health & Hospice
- Rainbows United, Inc.
- Res-Care Kansas, Inc., Life Choices
- S.E. Enterprises
- Special Care Services, Inc.
- Special Needs Billing LLC
- Starkey, Inc.
- Sullivan Gang Care Center
- Taylor Drug
- TFI Family Services, Inc.

The Arc of Sedgwick County  
The Looking Glass  
TKG Services, LLC  
Topeka Independent Living Resource Center  
Trans4mation LLC  
Trust Home Care, LLC  
TSS, Inc.  
United Seating and Mobility  
VSD Services  
Youthville, Inc.

RECOMMENDED ACTION: Approve the Agreements and Authorize the Chairman to Sign.

*Mr. Chad VonAhnen, Director, Sedgwick County Developmental Disability Organization [SCDDO], greeted the Commissioners and said, "The first item we have before you today is our annual affiliation agreement with community service providers to provide services to people eligible for intellectual and developmental disability services in Sedgwick County. There are currently nearly 2,300 people that are eligible for services in Sedgwick County, and we have a waiting list of 1,050 people as of July. These 58 agreements allow the community service providers to bill Medicaid directly, for providing home and community based services to eligible individuals. The most common services people will receive will be either day or residential programs for adults, children and some adults will receive in-home supports where a staff member will go in and assist the person with the disability. The developmental disability system operates on a reimbursement basis, therefore, the funding is paid to the providers after the services have been provided and verified.*

*"These contracts include \$2.4 million in county funding. Also allocated through these agreements, that is provided to service providers who are either willing to create capacity to meet the needs of individuals in crisis situations or for agencies that provide programs either for children with developmental disabilities or programs that help increase independence for individuals. One change from the previous year's contract is that we have included throughout this agreement an emphasis on competitive employment in the community, and service providers will work with individuals to help them learn more about obtaining jobs in the community and assisting them in getting those jobs. The contract term is September 1st, 2011 through August 31st, 2012.*

*"And one thing we wanted to talk with you about is that there is a slight delay in bringing these contracts to you because we have been waiting for a state contract with the CDDO's (Community Developmental Disability Organization) that would have been effective in July. Last week we had an agreement on that contract, and the next item today is actually a contract extension of the state fiscal year 2011 state contract, which allows us to provide the funding for these affiliate agreements. I would ask that you take the recommended action, approve the agreements and authorize the Chairman to sign and be glad to answer any questions you may have."*

*Chairman Unruh said, "All right. Thank you, Chad. We've been briefed on this and understand the delay in the paperwork. It's regrettable that out of 2,200 eligible that we have almost half of them on a waiting list. But that's the environment we live in right now. Commissioners, is there any comment or question?"*

*MOTION*

*Commissioner Norton moved to approve the agreements and authorize the Chairman to sign.*

*Commissioner Skelton seconded the motion.*

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

*VOTE*

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

*Chairman Unruh said, "Next item."*

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

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

**Present:** 0

G [11-0982](#)

Amendment to the State Fiscal Year 2011 SRS-CDDO Contract.  
Presented by: Chad VonAhnen, SCDDO Director.

RECOMMENDED ACTION: Approve the amendment, authorize the chairman to sign and authorize budget adjustments related to the contract.

*Mr. VonAhnen said, "As previously mentioned this item is an extension of our state fiscal year 2011 contract that is actually between the State of Kansas SRS (Social and Rehabilitation Services) and all 27 Community Developmental Disability Organizations (CDDO). We've been meeting with SRS since early June on the state fiscal year 2012 contract, and again, as I mentioned previously, we have reached agreement on that. However, we don't have the contract in hand at this point. So last week we were delivered an extension for the 2011 contract. What that essentially does is extends the financial terms of the 2011 agreement through the end of September and allows SRS to process a first quarter payment to all the CDDO's. The funding for services for individuals haven't been disrupted during this time period as community service providers have been able to continue to bill Medicaid for the services they provide.*

*Mr. VonAhnen continued, "The total amount of this contract extension is \$10,878,479, but the important piece to note is that \$10,183,748 is actually what the CDDO has oversight of, but we don't bill that directly. That will be billed by the service providers. So we won't see any of that flow through the county, just if you notice the dollar amount and want to know why you're not seeing all of that hit the Sedgwick County checkbook. We will actually receive \$694,731 of the total, and that's our first quarter payment. I'd ask you to take the recommended action, approve the amendment, authorize the Chairman to sign and authorize any budget adjustments related to this contract, and I'd be glad to answer any questions."*

*Chairman Unruh said, "All right. Thank you. Commissioners, is there any questions? Commissioner Norton."*

*Commissioner Norton said, "Chad, you might want to explain why the money does not really flow to Sedgwick County to disperse, that we have an agreement so that they can be Medicare eligible, but it doesn't come to the county."*

*Mr. VonAhnen said, "Right, the previous item, the affiliate agreements that we have with all of our community service providers, that contract allows them to bill Medicaid for these services. So that \$10 million, that's what they will be accessing for this first quarter. Sedgwick County, the CDDO, we don't provide services for individuals, we are the intermediary between SRS and the service provider network. So we have a contract with the state and then the providers contract with us to actually provide the services, and then they just bill those directly."*

*Commissioner Norton said, "At one time, we decided that it was better for us to be an overarching organization as opposed to a service provider, that there was plenty of private industry out there that could take care of that, is that correct?"*

*Mr. VonAhnen said, "That is correct, and about 15 years ago, with the Developmental Disability Reform Act, when the Community Developmental Disability Organizations were established, Sedgwick County made the decision at that time to just operate as the community Developmental Disability Organization to prevent any potential conflicts of interest, and I think there has always been a pretty strong network of providers here in Sedgwick County that are available and ready to do the services, so there is not an*

*issue with capacity either."*

**MOTION**

*Commissioner Norton moved to approve the amendment, authorize the Chairman to sign and authorize budget adjustments related to the contract.*

*Commissioner Skelton seconded the motion.*

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

**VOTE**

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

*Chairman Unruh said, "Next item."*

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

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

**Present:** 0

H [11-0942](#)

GREAT EXPECTATIONS INITIATIVE CONTRACT AMENDMENT.

Presented by: Chad VonAhnen, SCDDO Director.

RECOMMENDED ACTION: Approve contract amendment, and authorize the chairman to sign.

*Mr. VonAhnen said, "We were notified in late June, early July that SRS was going to reduce all of their contracts and grants by a total of three percent. Great Expectations Initiative contract is a two year agreement between Sedgwick County's CDDO and the State of Kansas Rehabilitation Services, which actually started January 1st, 2011 and is being used to promote and emphasize competitive employment for individuals with developmental disabilities, and those jobs were looking at competitive employment in the community, 20 hours a week or more and at minimum wage or better jobs. The contract is a reimbursement based contract, so anything that we spend [State of Kansas] Rehab[ilitation] Services reimburses us up to the total budgeted amount. Even with the three percent reduction we don't have any issues in projected expenditures for 2011, we'll fall within the \$106,322 amount. The plan for 2012 is still being developed, so again that won't be an issue of falling within the revised budget of \$98,446 for 2012. One thing to note, of the total, \$80,042 are federal funds and are not subject to the three percent reduction. That applies only to state funds. The \$2,012 amount is purely state funding, so that will, three percent reduction in 2012 are all on state funds. Just to give an update on what's been happening with this, in the nine months we've been working on this initiative, I think we're making really great progress and we're very encouraged by what we're seeing.*

*"In the backup, we've noted there have been 77 people referred to vocational rehabilitation services to this point for competitive employment, and I'm happy to announce that today, as of today, we've added another 15. There are 92 people that have now been referred. We recently had some case management trainings, so the referrals continue to grow. Our goal is to get 90 people jobs by the end of 2012. So the next part after going through the vocational rehab process is to actually work with the service providers and work with the individuals to get them jobs to get the jobs and also maintain the jobs in the community and so we're making great progress, and we hope we can continue to do so. I would ask that you take the recommended action on this item, approve the contract amendment and authorize the Chairman to sign, and again, I'd be glad to answer any questions you have."*

*Chairman Unruh said, "All right. Thank you. Commissioners, any comment? Commissioner Norton."*

*Commissioner Norton said, "I'll make that motion in a minute. Chad, these jobs aren't located in sheltered workshops, they're not below minimum wage? They're out in the competitive marketplace and have trained people to move into that segment of the population, is that correct?"*

*Mr. VonAhnen said, "Exactly, the goal of this initiative is to move away from those sheltered workshop types of settings to try to work with people to get competitive jobs in the community, and by that, the job developers are talking to employers and we're not asking for special exceptions to be made for people. These are competitive jobs and people can, if they're not meeting expectations of the job, they can be fired just*

*like any other employee. So the goal is to try to get people back out into the community working and to meet our mission, which is to help increase independence for people with intellectual and developmental disabilities. So this is a good way to do it. I think we're making some pretty good progress so far. I just have to say, too, John Sullivan has been the Project Manager for this project, and he has done tremendous work on this so far and is a real advocate for leading the charge here."*

**MOTION**

*Commissioner Norton moved to approve the contract amendment, and authorize the chairman to sign.*

*Commissioner Skelton seconded the motion.*

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

**VOTE**

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

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

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

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

**Present:** 0

I [11-0914](#)

CONSIDERATION OF GRANT IN THE AMOUNT OF \$321,221 FROM THE KANSAS HIGHWAY PATROL (KHP) AND PASSED THROUGH TO THE HEALTH DEPARTMENT FOR THE PUBLIC HEALTH INCIDENT PLANNING AND RESPONSE PROGRAM.

Presented by: Claudia Blackburn, Health Department Director.

RECOMMENDED ACTION: Accept the grant award; establish budget authority as provided in the Financial Consideratons section of this Request; and authorize the Chair to sign the grant agreement.

*Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "I have with me Seth Konkell. He is the Health Protection Coordinator and Adrienne Byrne-Lutz, who is the Division Director for Health Protection and Promotion, so if there are questions that you have that I can't answer, I'm sure they can. I would just like to preface, before I talk about this agenda item, the next three agenda items all sort of relate to the same kind of thing, and that is health protection.*

*"And we use the funding from all three in an integrated fashion to pay for staff that really represent the backbone for these services. So the agreement before you now is with the Department of Homeland Security and is a Medical Metropolitan System Response award for \$321,221 for September the 21st through April 30th, 2012. This is federal pass through funding. It comes from Homeland Security through the Highway Patrol in Kansas to us, and there is no match, and we have received this funding since 2000. The purpose of this award is to facilitate preparedness for regional response to a mass casualty event. And our region includes 19 counties in South Central Kansas. Our job is to convene representatives from all of those counties and assist them with planning and prioritizing what initiatives they want to focus on to improve the response, also to train, exercise and operationalize the plans and monitor whatever plans are made. So in general, our purpose is to help make our 19 county region more ready to respond.*

*"As you saw last week, there was that horrific event in Reno, Nevada where at the air show an airplane kind of went into the stands and many people were injured and killed. This is the kind of thing, if it happened here, we would be ready to respond. Also, some of you may have seen Contagion, it's at our local theaters. I saw it, and it was very realistic, too realistic, but those are the kinds of things that we think about all the time and that we plan for and we'll hopefully be able to respond to. We've been fortunate when SARS (Severe Acute Respiratory Syndrom) happened in 2003 it didn't happen here, but when something like that happens, it reeks havoc with every part of society, and so we really have to think about all of that and be ready to respond. So that's what we're working on. This year, funding will be used to support the salaries of five staff, and also to strengthen interoperable communications. That would be buying radios and training healthcare workers on disaster response and coordinating regional exercises. If you have questions, I'd be happy to answer them, or I'm sure Seth can, and I recommend that you approve this agreement and authorize the chair to sign. again, I'd be happy to answer any questions."*

*Chairman Unruh said, "Thank you. Commissioners, are there any questions? Commissioner Norton."*

*Commissioner Norton said, "Explain health protection. That's kind of a new catchphrase that is overarching for this, and for many years, it was called something else. Talk about that, because now it's health protection as opposed to medical*

*response and some other things.”*

*Ms. Blackburn said, “Well, for us, it falls under the guise of health protection, but the actual name of the grant is the Metropolitan Medical Response System, and it is for counties or cities that are a certain size. I think there is a list of about 120 cities in the United States that qualify, and we are one of them.”*

**MOTION**

*Commissioner Norton moved to accept the grant award; establish budget authority as provided in the Financial Considerations section of this request, and authorize the Chair to sign the grant agreement.*

*Commissioner Skelton seconded the motion.*

*Chairman Unruh said, “Thank you. We have a motion and a second. There is more discussion. Commissioner Ranzau.”*

*Commissioner Ranzau said, “Thank you, Mr. Chairman. I want to make a few comments. I’m going to oppose this grant and the two that are following this. As you know, I have opposed the vast majority of federal grants in the past for a variety of reasons, although I focus on financial reasons, the fact that the federal government, quite frankly, doesn’t have the money to spend, and I think that’s true for these grants today, as well. We’re talking close to a million dollars. However, I want to focus on a different reason. Considering the fact that we have a proclamation declaring constitutionally, I want to explain my opposition in further detail to this grant and other grants on a constitutional basis. As I stated earlier, there was a lot of discussion at the time of our forming of the constitution about how much power the federal government has and how much they shouldn’t. The anti-federalists were afraid that the government over time was getting too much power, and the Constitution gave them too much power. The federalists said no, they are very limited in what they can do, and our founding fathers discussed it. They wrote the federalist papers, a lot of letters and ultimately approved the Constitution. In Article 1, Section 8, of the Constitution the United States Congress has very clear and enumerated powers. It is not listed in there that it is their responsibility to provide the Metropolitan Medical Response System. In Article 10, which if you’ll recall is part of the Bill of Rights and was the result of the concerns of the anti-federalists, the Tenth Amendment says that the power is not delegated to the United States by the Congress nor prohibited by it to the states or reserved to the states respectively or to the people. So that says that it’s not specifically stated that the federal government is responsible for this, then it belongs to the state and the people.*

*“Now, responding to Greensburg tornado, Barton Solvents chemical explosions, is clearly a local issue. I support the efforts that we are doing with this money. However, I believe we should be using our own money, because constitutionally, it is our responsibility at the local and state level to address these issues. Now, there is a lot of arguments back and forth about the enumerated powers. So in order to enlighten ourselves, I think it’s important to look at some of the words from the founding fathers. For example, James Madison, who was considered the Father of the Constitution, he basically wrote it, as well as the Bill of Rights. He argued in Federalist No. 45 that the powers delegated by the proposed constitution to the federal government are few and defined. Those which are to remain in the state governments are numerous and indefinite. Powers delegated to the federal government will be exercised principally on*

*external objects, such as war, peace and negation and foreign commerce. However, the powers reserved to the several states will extend to all objects which, in the ordinary course of affairs concerns the lives, liberties and properties of the people, and the internal order, improvement and prosperity of the state.*

*“Clearly, this system which we have here today concerns the lives, liberties and prosperity of the people, as well as the internal order and improvement of the state. In the words of James Madison, the Father of the Constitution, it is clear that this is our responsibility to fund this and take on this action. But we’ve been doing this now for several years, and we are hooked on this federal money. This is how over the course of time the federal government slowly continues to exceed its constitutional authority. Now, this in and of itself is not going to destroy this republic, but it is the cumulative effect of this complete disregard for the Constitution and enumerated powers which has brought this country on the verge of economic collapse.*

*“So today, on behalf of the founding fathers and to honor them, I’m going to oppose this resolution, or this grant on those grounds, and as I’ve stated before, it’s one thing to issue a proclamation saying you support the Constitution, to make it Constitution Week, but it’s another thing to actually act on it and have the courage to say no when it’s right to say no, because when I say no to this grant, I’m saying yes to the constitutional rule of law. Thank you.”*

*Commissioner Unruh said, “Thank you, Commissioner. Commissioner Peterjohn.”*

*Commissioner Peterjohn said, “Thank you, Mr. Chairman. I’m very sympathetic to the arguments of my colleague, while we’ve often been in agreement, Article 1, Section 8, the original structure in the Constitution, we had a Department of War, and after World War II, that became the Defense Department, and these grants have an aspect that tie in to that defense and I think fall within the boundaries of the Constitution. And so I don’t have the same concerns that my colleague has, and so I am planning to be supportive of this item and related items because, frankly, we live in a challenging age, and the anthrax attack that occurred in 2001 has not been, has never been resolved I think to anyone’s satisfaction, certainly not to my satisfaction. And the challenges in terms of trying to protect the public where we have a public safety responsibility is clear. But we also interact, and we interact I think at this level just as well as the state level does when we’ve got a state militia, albeit the Kansas National Guard, and whether we’re talking about the army aspects of the Kansas National Guard or Air Force aspects, and that’s true of the other 49 states, there is this relationship. So Mr. Chairman, I’m going to be supporting this motion today. Thank you.”*

*Chairman Unruh said, “Thank you, Commissioner. Commissioner Skelton.”*

*Commissioner Skelton said, “Well, if something is unconstitutional, to me that means it’s darn illegal. And I’m going to tell you what, I have extreme confidence in our staff, our Manager and our attorney to keep things that are illegal off this bench. Okay? This means to me that our legal staff has reviewed it and they concur that it is constitutional. Here’s what it says in the agenda item, the compliance statutes and regulations listed under special conditions found on pages four and five, well, okay, I’m reading the wrong place. I’m just going to skip that. But it’s in here. Our attorneys forward this as a legal document. It’s legal for this county to do that, certainly. If our staff would be putting us in the position where we would be passing illegal ordinances*

*and resolutions, we could get in deep trouble. So, I agree with Karl Peterjohn here and what he had said. I do not, I'll just make this statement, I will not vote on anything that is unconstitutional and I would expect our legal staff to keep anything away from this bench that is unconstitutional. So I will be glad to support this constitutional item."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Norton."*

*Commissioner Norton said, "Well, I'm going to support it. I'm a little more pragmatic on this. Several years ago, Commissioner Unruh and I participated in an event down in Aniston, Alabama, with 60 people. It was sponsored by the federal government, and it was helping our community to prepare for whatever incident might happen, whether it be health related, natural or man-made. And it brought us together to understand the dynamics of how we work together to mitigate any kind of problem that could happen in our community."*

*Commissioner Norton continued, "Truthfully, the federal government has responsibility to protect the United States from threats, and each of us have an obligation locally to try to understand what the threats to our environment could be, what the threats to our safety of our citizens should be. It wasn't too many years after that that we had a huge practice scenario around where we're tearing some buildings down where we were building the Intrust Bank Arena. Federal government was involved, and state and National Guard was involved. Local officials were involved. It brought together all the powers that we could think about how we respond in a regional scenario that could happen, and truthfully, these grants help us in that process, connecting with our state partners, our federal partners, law officials from all over the country to try to understand how we keep our citizens safe. And truthfully, I'm not a constitutional lawyer, but when I understand that one of my responsibilities is to promote the general welfare and safety of our communities, I think this falls right into it, and it's a partnership with the federal government to do that. In many cases, they've got a lot of information and intellectual capital that they can bring to bear to help us with that, and I'm going to be supportive of this today and will probably be supportive of the other two grants, as well. Thank you, Mr. Chair."*

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

*Commissioner Ranzau said, "Thank you, Mr. Chairman. I have a question for Claudia. We've been taking these grants for how long?"*

*Ms. Blackburn said, "The MMRS (Metropolitan Medical Response System) grant since 2000."*

*Commissioner Ranzau said, "Have we ever used this response system to counter a biological attack on this area?"*

*Ms. Blackburn said, "We responded to the pandemic. That was mostly with bioterrorism funds. That wasn't a biological attack, no."*

*Commissioner Ranzau said, "How about a chemical attack?"*

*Ms. Blackburn said, "Well, we had a chemical explosion at Barton Solvents, but it wasn't an attack."*

*Commissioner Ranzau said, "Nuclear attack?"*

*Ms. Blackburn said, "No."*

*Commissioner Ranzau said, "Any attack from a foreign invader?"*

*Ms. Blackburn said, "No."*

*Commissioner Ranzau said, "This is the point I'm trying to make. This is a local issue. And the ties to the military are tenuous at best. This is how we distort and twist the Constitution and the authority of the federal government and expand it over time. Now, you don't have to agree with me, and the citizens don't have to agree with me. I would encourage you to find out for yourself. Do the research. Find out what the intent of the Constitution is and how we've gotten to where we are today. With respect to the General Welfare clause that my fellow colleague brought up, that, too, has been abused throughout the last 100 years.*

*"Thomas Jefferson said 'Congress has not unlimited powers to provide for the general welfare but only those specifically enumerated.' James Madison also said 'If Congress can do whatever in their discretion can be done by money, and will promote the General Welfare, then the Government is no longer a limited one, possessing enumerated powers, but an indefinite one.'*

*"It's very clear the intent, and I stand by what I believe, and like I say, this in and of itself is not going to destroy the republic, but it's part of the progressive cancer that is destroying our society. We are in the process of transitioning from a constitutional republic to a socialist democracy, because we continue to give more and more power to the federal government, and we do it willingly. Oftentimes, we have very benign and well intended reasons to do this, but in the end, the consequence is the same. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Skelton."*

*Commissioner Skelton said, "Well, you know, the Boy Scout motto is always be prepared. As a veteran of military service, I can tell you our units were always in a state of readiness, and I'm going to tell you the county cannot afford not to be ready. It is imperative that we are ready for any type of natural disaster or any type of terrorist attack. I mean, I think that should be one of our top priorities here, okay. We brought in a few things here a week ago to show us how we were prepared, maybe in our own personal lives or protecting our family. So I feel strongly about maintaining that high state of readiness for our county government when it comes to evading natural disasters or any other foreign threats. Thank you, Mr. Chairman."*

*Chairman Unruh said, "Thank you, Commissioner. I'll make one comment before we call the vote, and that is, it seems to me that we have issues and categories that we would call constitutional and we would have issues and categories that we would call unconstitutional, but I think there is a category that we would call non-constitutional, and I believe that this particular item might fit in that category that allows us to do good judgment at the local level and access what resources are available to us. And so I'm going to be supportive of this, as I do not consider it to be unconstitutional. With those comments, I see no one else asking to speak, so Madam Clerk, please call the vote."*

VOTE

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

Chairman Unruh said, "Next item, please."

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

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

**Present:** 0

J [11-0932](#)

CONSIDERATION OF GRANT IN THE AMOUNT OF \$317,419 FROM THE KANSAS HIGHWAY PATROL (KHP) FOR THE PUBLIC HEALTH INCIDENT PLANNING AND RESPONSE PROGRAM AT THE HEALTH DEPARTMENT.

Presented by: Claudia Blackburn, Health Department Director.

RECOMMENDED ACTION: Accept the grant award; establish budget authority as provided in the Financial Considerations section of this Request, and authorize the Chair to sign the grant agreement.

*Ms. Blackburn said, "This agreement is similar to the one I just presented. The last MMRS agreement, the amount is a little bit less. It's \$317,419, and the time period is different. It's from today, September 21st, through April 30th of 2013. And this is just the way the funding has come to us. It will be used consecutively to pay for staff salaries and there will be some overlap depending on what the initiatives are that the group decides to move forward. Definitely we, as a base of what we do, we always train and exercise and plan. Those are the things that we do. There are various initiatives that the group takes on. There may be some overlap. So it's really very much the same. I'd be happy to answer any questions, but I do recommend that you approve the agreement and authorize the Chair to sign."*

*Chairman Unruh said, "Thank you. Commissioners, are there any comments or questions? Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you. I want to make this very clear. I support this planning. I support this training. I think it's very good and very necessary. It's just a matter of who should pay for it. You're right, last week we brought in our individual preparedness items. Those preparedness items were not bought for us by the federal government, because it's our responsibility to supply those items for ourselves just as is the preparedness of our local communities is our own responsibility. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Any other comment?"*

#### MOTION

*Commissioner Norton moved to accept the grant award, establish budget authority as provided in the Financial Considerations section of this request, and authorize the Chair to sign the grant agreement.*

*Commissioner Skelton seconded the motion.*

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

#### VOTE

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

*Chairman Unruh said, "Next item."*

**A motion was made by Commissioner Norton, seconded by Commissioner Skelton, that this Grant Application be Approved. The motion carried by the**

**following vote:**

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

**Present:** 0

K [11-0937](#)

CONSIDERATION OF GRANT IN THE AMOUNT OF \$327,877 TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KHDE) FOR THE PUBLIC HEALTH INCIDENT PLANNING RESPONSE PROGRAM IN THE HEALTH DEPARTMENT.

Presented by: Claudia Blackburn, Health Department Director.

RECOMMENDED ACTION: Accept the grant award and establishment of budget authority as provided in the Financial Considerations section of this Request; implement the Staffing Table changes identified in the Personnel Considerations section of this Request; and authorize the Chair to sign the grant agreement.

*Ms. Blackburn said, "Before you is an agreement with the Kansas Department of Health and Environment (KDHE) for a renewal of our Public Health Incident Planning and Response program funding for fiscal year 2011-2012. It runs from August 10th of 2011 through August 9th of 2012. The grant is for \$327,877. That is about nine and a half percent less than last year's, \$34,574 less. That is because of federal budget cuts. This funding passes through the state Health Department to us from the government and we have received it since 2002. And the purpose of this funding is to assure that Sedgwick County Health Department has the infrastructure to plan and respond to public health emergencies in Sedgwick County. So the focus of this grant is just for Sedgwick County, and I already mentioned that we responded using this grant to the, we also had some additional funding, but for the [Influenza A] H1N1 pandemic, the Barton Solvent chemical explosion, and though it wasn't in Sedgwick County we did assist with the Greensburg tornado response.*

*"This grant is used primarily to support staff and pay the rent, for health protection. The priorities this year are refining community based surveillance systems and increasing our real-time situational awareness, and also volunteer recruitment and management through our Medical Reserve Core program. This supports all or a portion of seven positions, and the world is getting smaller. We have a lot of travel back and forth from country to country, state to state. If we have an outbreak, we don't necessarily need to have at the local level a PhD Epidemiologist. We don't need to have enough medication to take care of our entire population, but we need to have access to it, and that where the partnership with the state and the feds [federal government] come in. So this is our piece of that partnership, and I recommend that you approve this agreement and authorize the Chair to sign, and I would be happy to answer any questions."*

*Chairman Unruh said, "All right. Thank you."*

#### MOTION

*Commissioner Norton moved to accept the grant award; establish budget authority as provided in the Financial Considerations section of this request, and authorize the Chair to sign the grant agreement.*

*Commissioner Skelton seconded the motion.*

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

#### VOTE

*Commissioner Peterjohn                      Aye*

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

*Ms. Blackburn said, "Thank you."*

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

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

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

**Present:** 0

L [11-0931](#)

FACILITIES MAINTENANCE CONSOLIDATION IN THE CORRECTIONS, COMARE, DIO, HEALTH, FLEET AND FORENSIC SCIENCE DEPARTMENTS UNDER THE AUTHORITY AND RESPONSIBILITY OF THE FACILITIES MAINTENANCE SERVICES DEPARTMENT.

Presented by: Steve Claassen; Facilities Director.

RECOMMENDED ACTION: Approve addition to the staffing table and approve the two compensation adjustments.

*VISUAL PRESENTATION*

*Mr. Steven Claassen, Facilities Director, greeted the Commissioners and said, "Early this year, the County Manager asked us to investigate consolidating maintenance functions under one umbrella to see if we could propose a way to streamline county operations and reduce operating costs. Currently, there are several silos of maintenance, different departments that are handling those functions themselves. So we began that effort in January, hundreds of meetings had taken place with our stakeholders to discuss their needs and the required building care standards that those different stakeholders have.*

*"My staff has also spent hundreds of hours and many days working shoulder to shoulder with those various departments to best understand what the current levels of service that are needed and how they're being provided just to get the best understanding of what the needs are so that we can put together an efficient new model of how we will deliver consolidated maintenance services. That's gone very well. There are significant efficiencies that we believe can take place through a consolidation. Thanks to the great cooperation from all the various departments and the hard work of our staff, and I'd like to recognize Marty [Martin] Sigwing, who's been our project manager on this, he's done a phenomenal job in this effort. We are on a track to complete the consolidation by November 1st. We estimate the annual savings to be not less than \$300,825, and I'm going to talk about how those costs are detailed a little later in this presentation.*

*"There are six departments that are involved in this consolidation. Our Facilities Maintenance department, the department I'm overseeing now, the Corrections Department, COMCARE, Fleet [Management], Forensics Science building and the leased facilities of the Health Department.*

*"And when I talk about consolidated maintenance services, I'm talking about the typical maintenance services of proactive, preventive and repair type maintenance as well as custodial services and energy management or utility bill oversight. Before I go further, I want to make clear what we're asking of you. The required BoCC (Board of County Commissioners) action is to approve our, we're asking for approval to add to our staffing table an administrative assistant and two adjustments to the salary adjustments that will help us in reconciling some differences there.*

*"First, our combined organization increases in size by a little over 50 percent. We're going to need a support person that's exclusively dedicated and fully integrated into working with our maintenance team. We currently have a very limited support of that kind. It makes up about one quarter of a full-time equivalent position. The new position will be primarily responsible for receiving, prioritizing and dispatching work orders, making sure that the requests are logged properly and providing clarity where there is*

*confusion as to what those may be, working on assembling data, such key performance indicators and other management reports working with bills and vendors. We're also going to add a shipping and receiving component to that person's responsibility.*

*"Second, there are two positions in the current Corrections Department that will be consolidated into our organization that will have significant added responsibilities, and together, with the technical certifications that they have requires that their compensation be adjusted so that it's consistent with our consolidated new organization. I think it's going to be helpful, and I'll go through these quickly, to do a little bit after a slideshow to let you know what the buildings are we're talking about consolidating this one combined maintenance department.*

*"The Facilities maintenance buildings include the main Courthouse, the Historic Courthouse, Munger building on this campus, public safety just up the street north, the 1,300 bed Adult Detention Facility, the Kansas African American Museum, the 4-H Extension Office at Ridge and 21st, the Juvenile Court and Juvenile D.A. [District Attorney] facility on the juvenile campus, then the Corrections buildings that they're currently taking care of and we'll aggregate in this consolidation include the Juvenile Detention Facility itself, the Juvenile Residential facility, the Judge Riddell's Boy's Ranch at Lake Afton, the Adult Residential facility, Corrections Departments. Buildings include the Adult Intensive Supervision building on 905 North Main, the leased facilities at East Harry, the Juvenile Pretrial Services & Drug Court. COMCARE's facilities include the 635 North Main administrative building and the CDDO building on North Main. They also have Outpatient Services and Centralized Intake and Assessment on 1919 Avenue, as well as the Addiction Treatment services at 940 North Waco. The Community Support Services buildings on West 21st in the old Twin Lakes Shopping Center building and the Sedgwick County Offender Assessment Program (SCOAP) is located on East Morris. They also have facilities for their Crisis Intervention at 934 North Water and Center City Program on North Topeka.*

*"The Fleet building is comprised of two facilities that will be included in this, as well. That's the Heavy Equipment Shop and the Light Equipment Shop. Then we'll take over the responsibilities, those that we don't already have of the Regional Forensic Science Center and Health Department has a lot of leased facilities that we'll wrap into this, and those included are the West Central Clinic, the Women and Infant Children's (WIC) program through the Stanley school, the Health Protection and Promotion function at South Oliver, and the Children and Family Health facility on North Oliver. They also have a WIC program at the Colvin School on Roosevelt.*

*Mr. Claassen continued, "It's a long list of buildings, and to summarize, this is the breakdown of how these different silos, these six silos are made up. I won't go through all the numbers, but it goes, our current department has 1.1 million square feet that we're responsible for. It will grow to 1,657,000 square feet. To describe how we're going to manage this and do it a little bit differently, this slide shows the City of Wichita superimposed with these various colored dots, all representing the separate maintenance functions throughout the county. We're going to combine those, of course, into an aggregated group, and it will be under one centralized professional management group, and we think we can do it much more cost effectively that way. It is a large inventory of facilities to manage, and for that reason, we're going to subdivide them into two divisions, a north and south division. The line separating the inventory is Douglas Street.*

*"This is a hard, this is a good slide for us. It conceptually describes how we're doing this. We're going to divide, as I said, north and south. There will be two hubs. You can see there that we've got a main courthouse as a central piece in this graphic on the north side. From that, we'll dispatch folks to these various facilities that are north of Douglas, and likewise, in the south part, we'll have the Juvenile Detention Facility where that will primarily be where employees work from, and then are distributed out to the various facilities that we have. The financial results of consolidation are as follows: the savings we estimate from the consolidation are based on eight fewer positions. Those positions are a cross-section of all skill levels from low skill positions all the way up to manager level, and you can see those savings is \$443,000. I spoke with the administrative support person earlier, and that cost is shown there on the second one.*

*"The other expenses include HEAT licenses. This is software we use to track our work orders and it sends an automatic e-mail to our customers indicating how the work order was described to our service people, and then later sends another e-mail to let that customer know that the work, we believe the work has been done. It's a good follow-up tool. It also allows us to gather data on how fast we're closing these orders out and so forth. The pay disparity adjustment that I mentioned, this again is what I described earlier, and it reconciles some of the new added responsibilities or certifications with the compensation so that we have an equitable model structure in our reorganized department. The Forensics Science Center line item, in taking on that facility, it became apparent that the custodial and grounds maintenance scope of services is really not up to reasonable county standards and addressing this deficiency now and taking on the additional costs that will let us provide our normal building standard level of care in the areas of custodial services and grounds maintenance services allows us to correct that.*

*"The on-call pay line there is for the Corrections in COMCARE portions. That's really the south division of this new model that we're creating. Currently Facilities Maintenance has in place a policy of maintaining one person on call at all times other than business hours, and that person must be reachable by phone immediately and be able to show up on site within a very short and specified time. They cannot be at the lake or be at grandma's house in Hutchinson or watching a movie. They've got to be, or at a sports bar having a few beers, they've got to be here ready to report within that time. So it's for that requirement we want to make sure that we believe we need to compensate them for that. With this new larger inventory of buildings, we're going to need to extend a similar service of that type to that south division of our model.*

*"And then finally for the Health Department, all these figures are intended to be conservative, not over state the consolidated savings. We believe we'll probably spend on the order about \$10,000 a year servicing some of those properties. I believe that was important to put a budget of contingency in there for that purpose. We want to insure that we're delivering quality service to our customers, we intend to regularly evaluate ourselves with the help of our stakeholders, and we're going to do that through weekly analyses of our budgets and monthly evaluations or work orders, how many there are, when they're opened, when they're closed, any problems in that area, meeting monthly with those stakeholders, as I said, and having monthly inspections of those facilities. Again, the next steps are, as I talk to you about, we need your approval to approve the addition to our staffing table for that administrative assistant and to help us with those two salary adjustments. As I said, this effort has gone well and we're on a path to complete the consolidation by November 1st. We ask for your approval and ask that you accept the recommended action. If you have questions, I'm*

*anxious to help you."*

*Chairman Unruh said, "All right. Thank you, Steve. We do have a question. Commissioner Skelton."*

*Commissioner Skelton said, "Yes. Thank you, Mr. Chairman. I really appreciate the savings that this is going to bring about, but maybe if you could explain again, please, you know, we're going to be hiring somebody here and that's kind of a contradiction in our general policy, however I know sometimes this might happen. Is there going to be any other layoffs associated with this? We're going to keep everybody here but we need to bring this person in to run this thing efficiently? Is this my take on that? Go ahead, Mr. Manager."*

*Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Commissioner, we have reduced the work staff by eight positions, and so we're asking to replace one of those with a clerical staff. So it's a total reduction of seven."*

*Commissioner Skelton said, "So, out of those eight, is there anybody that's qualified to do this or not?"*

*Mr. Claassen said, "It's a different skill set altogether."*

*Commissioner Skelton said, "Okay, I understand that. I appreciate that. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. I think we each received a pretty thorough briefing on this item, and the fact that we're saving a substantial amount of money and we're going to improve and streamline, be more efficient in our services, I think is a positive thing. I'm willing to go forward. But Commissioners, what's the will of the Board?"*

#### MOTION

*Commissioner Skelton moved to approve addition to the staffing table and approve the two compensation adjustments.*

*Chairman Unruh seconded the motion.*

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

#### VOTE

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

*Chairman Unruh said, "Thank you, Steve."*

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

*Chairman Unruh said, "Next item, please."*

**A motion was made by Commissioner Skelton, seconded by Commissioner**

**Unruh, that this Agreement be Approved. The motion carried by the following vote:**

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

**Present:** 0

M [11-0963](#)

AMEND THE 2011 CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCLUDE REPLACEMENT KITCHEN EQUIPMENT, ADULT DETENTION.

Presented by: Pete Giroux, Principal Analyst, Budget.

RECOMMENDED ACTION: Approve the amendment to the CIP.

*Mr. Pete Giroux, Principal Analyst, Budget, greeted the Commissioners and said, "We have a request from a Facility Project Services to accelerate a project from the 2012 CIP (Capital Improvement Program) into 2011. That will then enable this project to go out for bid. We're talking about the replacement of kitchen equipment in the Adult Detention Facility. Most of this equipment dates to the last addition to the facility, which was completed in 1998, and of course, that equipment is used 24/7, 365 days a year, and most of it has exceeded its useful life and has required an increasing amount of maintenance. The initiative is enabled by the fact that we have unspent proceeds in the 2009 Series [A] Bonds, and three weeks ago, you approved substitute projects, all of which are in the Adult Detention area, so this is the first of those to utilize that substitute funding. That bond has already been issued. This accelerating the project allows us to go out for bid, and that new equipment should be in place by the time the current bid vendor, new vendor is in place in mid-February. Estimated cost of the project is \$391,442, and again, we're just changing the fund source and allowing the project to proceed. This got quite a bit of scrutiny from the CIP Committee, and they've recommended approval. If you have any questions."*

*Chairman Unruh said, "Thank you, we do have a comment. Commissioner Skelton."*

*Commissioner Skelton said, "Yes, sir. Thank you, Mr. Chairman. We have unspent proceeds from where, sir?"*

*Mr. Giroux said, "From the 2009 Series A bond. It's a Build America bond, and we do need to spend those proceeds. It's from a combination of savings and then perhaps one project that we determined we could defer."*

*Commissioner Skelton said, "Are we going to be using any other money above and beyond this? Or will this unspent proceeds cover the entire costs here?"*

*Mr. Giroux said, "The unspent proceeds will cover the costs. There are additional projects in that."*

*Commissioner Skelton said, "Well, I just want to, I mean, we are really running the line on finances here, and I want to know what are we going to have to give up, if anything, to make this happen."*

*Mr. Buchanan said, "You have the bond proceeds. You have to spend the bond proceeds within a certain period of time. We've accelerated this process so that we're not going to face any penalties or have to give the money back."*

*Commissioner Skelton said, "Or dip into any other projects that we have programmed."*

*Mr. Buchanan said, "Any other projects, that's right."*

*Commissioner Skelton said, "Okay, I know you want to take all of the road projects out of Commissioner Peterjohn's district, so I just wanted to check on that, and be*

*here if he needs me.”*

*Mr. Buchanan said, “Road funding is a different category.”*

*Commissioner Skelton said, “Okay. Well, of course. Thank you for the clarification.”*

*Chairman Unruh said, “Thank you, Commissioners. Any other comment? What's the will of the Board?”*

**MOTION**

*Chairman Unruh moved to approve the amendment to the CIP.*

*Commissioner Peterjohn seconded the motion.*

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

**VOTE**

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

*Chairman Unruh said, “Thank you, Pete. Next item, please.”*

**A motion was made by Commissioner Unruh, seconded by Chairman Peterjohn, that this Amendments to the CIP be Approved. The motion carried by the following vote:**

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

**Present:** 0

N [11-0703](#)

PROGRAMS IN THE CRIMINAL JUSTICE SYSTEM.  
Presented by: William P. Buchanan, County Manager.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

*Mr. Buchanan said, "Commissioners, this is the monthly report of the Criminal Justice activities, and we always start with existing programs. You will see that in August 2011, we have less people in the daily population than we did in 2010. Bookings lower, Detention Facilities lower, Work Release is lower, although out of county is up, but over all, it is a lower than what it was a year ago.*

*Mr. Buchanan continued, "You see in the bookings and releases, bookings are down, which is always a good thing, which would also indicate that year to date bookings are down. Releases would also correspondingly be down. The average length of stay in 2011 is less than 2010 except for housing, year to date housing, which is just a little uptick in the number of days. The real important things are these next two slides, that we continue to be on target in 2011. And we're already nine months, or eight months into this reporting, and so we're liking that trend right there. You'll see that although the monthly trend went back up in August. We didn't have a big trough like we expected to like in 2010, but the uptick wasn't that great and the numbers this month so far in September would indicate something less than, unless something terrible happens in the next week or so, something less than the 1,538.*

*"You'll see that the supervised snapshot, that supervised snapshot, we're doing well. We know reporting has been down. We corrected the problem of over use of that. Pretrial Services is about the same. So is Intense Supervision is up slightly. Adult Residential is down. But we planned for it to be down. We reduced the number of beds. The [DUI] Diversion program, the District Attorney has been reduced also, and again SCOAP program numbers are down, so even with the number of participants in the programs down, we're seeing fewer people in the jail. Other funding, we didn't have some of the information from the City of Wichita and the probation or DUI Diversion, but you can see those numbers. They are remaining down from 2011. The initiatives, we are still working on the journal entries and still have an average of 12. We have an average of 15 days over the last 12 months. The target was 18. The work group is working on trying to define the length of stay calculations and how we make sure we understand what length of stay actually is.*

*"Interface Management is still on target for adding a city in September. The expeditors worked real hard at trying to determine who is in jail and why they're in jail, and what we've discovered is after doing several meetings through that, that the people who have a long length of stay in the county jail are the ones that really we are afraid of, not the ones that we're mad at. So we're going to take a look at doing some other things, and the committee will begin to try to figure out and improve communication to reduce jail days, and we're going to work on it that I way. The Mental Health One-Stop Shop is still a concern. We have no new updates on either one of the Mental Health courts or One-Stop Shop. So that's where we are for the month of August, and I'd be happy to answer any questions that you may have."*

*Chairman Unruh said, "Commissioner Norton."*

*Commissioner Norton said, "Bill, we recently had a drug court audit. Have those results made it around yet, or is that still being formulated?"*

*Mr. Buchanan said, "I've not seen those results yet. I assume they're not ready to be released yet."*

*Commissioner Norton said, "I am correct that I saw from Judge Kisner that he asked for one, and we just haven't seen all of that yet?"*

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

*Commissioner Norton said, "I would be interested in seeing that as we move forward in that conversation. Secondly, how do you think the city fee being passed on to inmates will affect this? It seems like it could have an effect in two different ways.*

*"The city and judges are now a little off the hook, because they're going to pass it on, and if people can't pay, they may end up staying in jail longer as opposed to shorter. I don't know that it cuts down on crime any by people realizing that they're going to have to pay extra money if they get put in jail."*

*Mr. Buchanan said, "I'm not sure how that might affect the folks who commit city crimes only in the jail. I would think that they would be examining that to see if it's getting to the place that they think is a good idea. I do find it curious that Sedgwick County, before we imposed these fees, asked the City of Wichita to impose a housing fee on our behalf, or booking fee on our behalf. We thought that that would be a way to control the population. They rejected that idea, and that's why we're where we are today. But apparently today it's a good idea."*

*Commissioner Norton said, "I'll be interested in that conversation, if you would bring us some thoughts on that next month, I think it would be great."*

*Mr. Buchanan said, "Okay."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Let me just clarify and make sure I understand. You said booking fee. Did we request from the city that they impose a booking fee or also a housing fee, too, or have we kept those always separate and didn't request a housing fee?"*

*Mr. Buchanan said, "The original proposal, Commissioner Peterjohn, was requesting the City of Wichita to institute a booking fee on our behalf. They would collect it and remit the payments to us."*

*Commissioner Peterjohn said, "And that was before we filed the lawsuit?"*

*Mr. Buchanan said, "That was before we instituted the housing fees."*

*Commissioner Peterjohn said, "I'm sorry. They filed a lawsuit against us. We were the defendant. Okay, thank you for clarifying that. Let me ask a question concerning the number of, do you have any information in terms of the number of state felony prisoners who are serving their sentences in the jail from the data you have today?"*

*Mr. Buchanan said, "No, I think we provide that on a quarterly basis."*

*Commissioner Peterjohn said, "Well, I was just trying to see if that continues to be a*

*concern to me, and I'm going to raise it, and also any information on this report of the number of illegal aliens who are housed in the Sheriff's custody at this point in time."*

*Mr. Buchanan said, "Okay, I don't have that information."*

*Commissioner Peterjohn said, "Nothing? Thank you, Mr. Chairman."*

*Chairman Unruh said, "Thank you, Commissioner. I think we need a motion to receive and file."*

**MOTION**

*Commissioner Ranzau moved to receive and file.*

*Commissioner Skelton seconded the motion.*

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

**VOTE**

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

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

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

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

**Present:** 0

O [11-0987](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON SEPTEMBER 15, 2011.

Presented by Joe Thomas, Director, Purchasing Department.

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

*Mr. Joe Thomas, Acting Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the Board and Bids of Contracts of September 15th results in five items for your consideration this morning. Item 1;*

1. A/E SERVICES to UPGRADE the SEDGWICK COUNTY ADULT DETENTION FACILITY MASTER CONTROL SYSTEM --FACILITIES DEPARTMENT FUNDING --UPDATE MASTRCONT (D)

*"Recommendation is to accept the low proposal from Arnold & O'Sheridan for Phase One and Phase Two Architectural and Engineering Services in the amount of \$200,000.00. Item 2;*

2. 4WD UTILITY TRACTOR --FLEET MANAGEMENT FUNDING --FLEET MANAGEMENT

*"Recommendation is to accept the low proposal from Prairieland Partners in the amount of \$41,887.14. Item 3;*

3. LAWN/GROUNDS KEEPING/SNOW & ICE REMOVAL SERVICES - --SEDGWICK COUNTY HEALTH DEPARTMENT FUNDING --SEDGWICK COUNTY HEALTH DEPARTMENT

*"Recommendation is to accept the bid from Michael's Complete Lawn Care, Inc. and establish contract pricing for one year with two one year options to renew. Item 4;*

4. K-96 BIKE PATH MODIFICATION -PUBLIC WORKS FUNDING -PUBLIC WORKS

*"Recommendation is to reject all bids due to bids exceeding the engineer's estimate by an additional 108.7 percent to 123 percent. Item 5;*

5. COX TLS CIRCUIT--EMSPOST #3 FUNDING-NETWORKING AND TELECOM

*"Recommendation is to accept the quote from Cox Business at a rate of \$675.00 per month for 60 months with a onetime installation charge of \$500.00, for a grand total of \$41,000.00.*

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

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

*Commissioner Skelton said, "So we have to reject all the bids because they came in over the engineer's estimate?"*

Mr. Thomas said, "Yes, sir."

Commissioner Skelton said, "Just satisfy me in the fact that we have confidence in our engineer's are 100 percent right all the time, or how do we verify that? No offense, Mr. Engineer. But I mean, is there a possibility that somebody screwed up here and this is why there is this discrepancy?"

Mr. Thomas said, "Well, we, Jim, would you like to answer it or I could? Since you did talk about an engineer."

Mr. Jim Weber, Deputy Director, Public Works, greeted the Commissioners and said, "I think what we have here is a unique project. There is not one anywhere like it. It's described as a piece of sidewalk, but it's really a drainage structure to be built inside of another drainage structure that would get people over a slick spot where we have a lot of algae and stuff growing in there. It's in a rather difficult place to get to because it's along the trail that's on K-96. So our estimate is based upon what we think it should cost, and the feedback that we've gotten from the contractors is that it's considerably more expensive, so we're revisiting it and we'll try it again at some point."

Commissioner Skelton said, "So your activities at this point would be to meet with the contractors, find out why they bid so high, what the problems were and then kind of come at it again, so to speak?"

Mr. Weber said, "We've already talked to them, and we have some understanding of what they think the problems are."

Commissioner Skelton said, "Excellent. Very good. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you. Commissioners, any other comment or question on the Report of Board of Bids and Contracts? What's the will of the Board?"

#### MOTION

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

Commissioner Norton seconded the motion.

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

#### VOTE

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

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

Chairman Unruh said, "Thank you, Joe."

Mr. Buchanan said, "Mr. Chairman, if it would please the Commission, let's skip Item P

and Q and go to the Consent [Agenda], and then recess this meeting and do the Fire Agenda and then they should be here or very close to being here by then.”

Chairman Unruh said, “Okay, thank you. There is a timing issue. So we will do that, and we'll ask the Clerk to call the Consent Agenda.”

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

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

**Present:** 0

**CONSENT**

- R [11-0899](#) Agreement with Tabor College for nursing students to observe clinical practice in a non-hospital setting at the Health Department.
- S [11-0900](#) Agreement with Butler Community College for nursing students to observe clinical practice in a non-hospital setting at the Health Department.
- T [11-0919](#) Resolution Temporarily Suspending the Kansas Pavilions Cereal Malt Beverage License.
- U [11-0983](#) Resolution Temporarily Suspending the Sedgwick County Zoological Society Inc's Cereal Malt Beverage License.
- V [11-0941](#) Amendment to Lease Agreement between USD 259 and Sedgwick County for space located at Stanley Elementary, 1749 S. Martinson, Wichita, Kansas for the Women, Infants and Children (WIC) program.
- W [11-0944](#) Agreement with Episcopal Social Services for Kansas Juvenile Justice Authority (JJA) Title V Grant to Continue the Aggression Replacement Training Program (Family Component).
- X [11-0976](#) Request to hire a Bridge Engineer at a starting salary more than 10% above base pay.
- Y [11-0984](#) Declare Bulls Sculpture Located at Britt Brown Arena To Be Surplus.
- Z 11-0956 Order dated 9/1/2011 to correct tax roll for change of assessment.
- AA 11-0977 Order dated 09/08/2011 to correct tax roll for change of assessment.
- AB [11-0085](#) General Bill Check Register.
- AC [11-0086](#) General Bill Check Register.

AD     [10-0661](#)     Payroll Check Register.

AE     [11-0949](#)     Plat  
Approved by Public Works. The County Treasurer has certified that taxes in 2010 and all prior years have been paid for the following plat:

RWD NO. 3 BOOSTER PUMP STATION ADDITION

AF     [11-0948](#)     Plat  
Approved by Public Works. The County Treasurer has certified that taxes in 2010 and all prior years have been paid for the following plat:

MONSANTO 2ND ADDITION

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

**MOTION**

*Commissioner Norton moved to approve the Consent Agenda.*

*Commissioner Skelton seconded the motion.*

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

**VOTE**

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

*Chairman Unruh said, "Commissioners, at this time, I will recess the Regular Meeting of the Board of County Commissioners."*

*The Board of County Commissioners recessed at 11:52 a.m. and returned at 11:54 a.m*

*Chairman Unruh said, "I will call back to order the Regular Meeting of the Board of County Commissioners. At this time perhaps we could move to agenda item Other, and so I will call that item, and we have Commissioner Ranzau."*

OTHER

*Commissioner Ranzau said, "Thank you, Mr. Chairman. I just want to say a few things about our discussion today in relation to the Constitution. I'm sure I may get some feedback on this particular issue, some of which will be supportive, some of which will not. To those that don't support my position, I'll say this. I supported my position by using the words of the Constitution of our Founding Fathers, and I encourage you to do so, as well. That being said, to my fellow Commissioners in here, we had a debate on this issue. Perhaps even a little animated, I would say, but I say that's okay, because the Constitution itself was very hotly debated. It was not a foregone conclusion that it would pass. I think that vigorous debate is important to our republic, and I respect the views of my fellow Commissioners. I think it is very fitting that as a week that we proclaim Constitution Week that we actually discuss the Constitution and take that into account. I think we have a problem in this country, particularly at the federal level, that we don't even have these discussions, and when we have these discussions, however heated they may be, I think it's a win-win situation for all of us. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'd like to supplement some of the earlier discussion we had concerning public safety with the number of folks with a report in terms of the number of people in the Sheriff's custody and the jail and other locations. We had this morning 1,499, which is a very significant number in that it is roughly 15 percent lower than it was approximately two years ago when we were well over 1,700 on a number of days. We have 1,080 in the main facility, 133 down at the Work Release, 286 out of county, and these prisoners have broken it down into the following categories. There are 409 minimum security, 546 in medium, and 486 in maximum, and the rest, according to the Sheriff, were unclassified. I provide this because I think it continues to be important that not only we're tracking it but we keep track of all the relevant categories, including illegal aliens and the state felons who happen to be in the custody of the Sheriff. On a lighter note, I have to mention that the good folks out in the City of Colwich, which is in my district, are going to be having a community celebration this upcoming weekend, and I want to wish them well on that endeavor. I hope the weather is as nice this weekend as it is today for them. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. I think we're still not ready for agenda items P and Q, and we do need an Executive Session, so perhaps we could have that motion."*

**MOTION**

*Commissioner Norton moved that the Board of County Commissioners recess into executive session for 20 minutes to consider consultation with legal counsel on matters privileged in attorney-client relationship and legal advice, and that the Board of County Commissioners return to this room from executive session no sooner than 12:18 P.M.*

*Commissioner Skelton seconded the motion.*

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

VOTE

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

*Chairman Unruh said, "We are in recess."*

*The Board of County Commissioners recessed into Executive Session at 11:58 a.m. and returned at 12:27 p.m.*

**EXECUTIVE SESSION**

*Chairman Unruh said, "We are back from Executive Session, so I will call back to order the Regular Meeting of Board of County Commissioners, and state that while we were in Executive Session, there was no binding action taken. At this time, Madam Clerk, I think we're ready to call Item P."*

P [11-0957](#)

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES A, 2011, AND GENERAL OBLIGATION REFUNDING BONDS, SERIES B, 2011, OF SEDGWICK COUNTY, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

Presented by: Chris Chronis, CFO.

RECOMMENDED ACTION: Award the sale of each series of the Bonds to the best bidder and adopt the resolution.

#### VISUAL PRESENTATION

*Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "We're going to have kind of a tag team presentation for you this morning. We have conducted a sale of general obligation (GO) bonds in two series, as you have previously authorized, and the sale is very successful. What I'd like to do first is have Dave MacGillivray from the firm of Springsted and company who is our financial advisor, speak to you about the credit ratings that we received from the credit rating agencies, because that has a very significant impact on the interest costs that we will pay on these bonds. Once he has finished talking about that review, then I will walk you through what the structure of the bonds are, the bids that we received on the bonds and then Joe Norton, from the firm of Gilmore and Bell, our bond council, will talk to you about the legal action, the resolutions we are asking you to approve today. So first I'll have Dave come up and talk to you about the credit ratings."*

*Mr. David MacGillivray, Chairman, Springsted, greeted the Commissioners and said, "The county's ratings were reaffirmed at triple-A by each of the three rate agencies, and I'm going to come back and talk about the outlook. They have an outlook that says are the ratings going to remain the same or in triple-A cases they can't go up, potentially could go down, so a negative outlook. In Sedgwick County, the outlooks for all three ratings were stable. As Chris said, it's very important, since the onset of the recession, to have good credit quality, that means appreciably lower interest rates, lower property tax, et cetera. To summarize all of this, there are four criteria: One, socioeconomic, which is really the local economy; Two, your financial operations, predominantly the general fund and fund balance; Three, management, which is decision-making, sorts of plans and policies that come forth; and Fourth, debt, both your debt and underlying entities.*

*"So, if you look at the various comments from each of the agencies, the Fitch [Inc] ones are fairly short, but they start with the economy, unemployment, they're certainly looking at manufacturing sectors, and then they move into strong financial possession, robust fund balance in the Fitch case, credible plan for budgetary balance in these times, they are looking for the long range perspective. They understand what's going on year to year, but overall are you hitting where you need to be in terms of structural budget balance. Then Moody's has the style of financial operations. The second one, demonstrate a willingness to increase revenues and implement budget adjustment to maintain reserves. When I mentioned earlier the credit criteria, the third one was management. Part of that is the tough decision that in these times people are willing to look at revenue sources and/or make budgetary cuts.*

*"So I think you can go through the rest of these. I do want to come back to the outlook. Because there is an action by Moody's investors service about six weeks ago where all the local government ratings in the United States of triple-A, Moody's has about 280 city and county triple-A's. Of that number, approximately 172, their outlook went to negative. The reason for that was the situation with the sovereign U.S. rating, in terms of would the U.S. Government maintain its triple-a rating or not, and in fact in the Standard and Poor's case, Standard and Poor's reduced the U.S. Credit rating at AA plus, which is one notch below.*

*"So, of the 172 within Kansas, there are two triple-A's, Johnson County and Sedgwick County. Johnson County received a negative outlook, and Sedgwick County remains stable.*

*"When we pressed that as to what the difference was, because their initial mailing, which was about two sentences long, said 'correlation with conditions in the federal government and national economy', which was sort of highly dependent on federal jobs, health care, because of health care potential reforms, and when we pressed them as what was the difference between the Sedgwick County situation and the Johnson County, it was because of the fund balance levels at Sedgwick as compared to Johnson County. So in terms of ability to decide your own destiny a bit, it was because your fund balances are higher than the Johnson County ones and therefore it remains to be seen what is going to happen with the Johnson County rate in the short-term. They have a sale in about a month and will be going through the rating exercise with them. But in all candor, the Moody's folks is coming down from on-high a corporate level that's skipping intermediate analysts, so they don't have a lot of answers yet. They are going through a debate about whether local governments can have higher ratings than the federal, the national rating. So it's uncertain times, but your action today, particularly in this fund balance area, means that you're in a good minority in that you did not receive a negative outlook on the triple-A from Moody.*

*"There is one thing on the S & P [Standard & Poor's], and I think they are still undecided. Within S & P, there are those that say that local government rating cannot be more than one notch higher than the sovereign U.S. rating, so the S & P is double-A plus, which means the next one is triple-A. They would reduce the U.S. rating to double-A, conceivably Sedgwick County can go to double-A plus because of the action at the federal level. I'd be glad to take any questions, certainly dynamic in terms of credit ratings, and the federal ratings are certainly in the news a lot."*

*Chairman Unruh said, "We do have a question from Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Yes. I would very much like to understand on the outlook side besides negative and stable, were there any other ratings?"*

*Mr. MacGillivray said, "In terms of the outlook?"*

*Commissioner Peterjohn said, "On the outlook, yes."*

*Mr. MacGillivray said, "If you were not a triple-A, if you were in the double- A, anybody, triple-A is the highest you can go, but if you're in a lower rating class, you also have a positive outlook, so positive, stable and negative."*

Commissioner Peterjohn said, "Are there any triple-A positives at this point in time?"

Mr. MacGillivray said, "No, there can't be."

Commissioner Peterjohn said, "There can't be."

Mr. MacGillivray said, "Right."

Commissioner Peterjohn said, "Let me ask this question. You mentioned that if they downgraded the federal government's rating another notch, we would fall because we're there too. Is that immediate and automatic or does that take a while?"

Mr. MacGillivray said, "Well, part of the rest of the context, S & P was the one that said in our rating calls here that it would be a one notch linkage."

Mr. MacGillivray continued, "In the last week, I questioned some senior S & P folks on this point, and they were saying that would not necessarily be the case, so I think the ratings, they are still working through these items. If, in fact, it was the one notch, then, yes, and we've seen this in other situations where if it is that defined, that programmatic, a new price across the board, at whatever time the federal rating went down."

Commissioner Peterjohn said, "Last question is, we've got a little bit of, that you gave under Moody's, there's about a little over 100 cities and counties that are triple-A and stable, since they've went negative on 172 others. Do you happen to know the numbers in terms of how many triple-A there are for Fitch and Standard & Poor's?"

Mr. MacGillivray said, "I don't know with specificity. I can go find out. I think it's in the general, the same order of magnitude for Standard & Poor's. Fitch, I would think, would have a lower number of triple-A's because they do not rate as many local government. But I can research that and get back to you."

Commissioner Peterjohn said, "Thank you."

Chairman Unruh said, "Thank you, Commissioner. Any other questions right now?"

Mr. Chronis said, "So with these excellent credit ratings, we've gone to market today with two series of general obligation bonds. The first, Series A, is what we commonly refer to as a new money issue. We proposed to sell bonds to pay for a portion of the road maintenance program this year, what David refers to as his Preventive Maintenance Program, and also to pay for a variety of improvements at the County Jail, and they are considered to be courthouse improvements under state law."

"And the third element of this new money issue is one special assessment project that you have previously approved at the Cedar Hills Estates. There was a second special assessment project that you authorized to be financed, if necessary. That special assessment was entirely prepaid by the assessed property owner, that was a single property owner, and so there is no need to finance that project. These bonds are general obligations, that is, they are backed by the full faith and credit of Sedgwick County, the bondholders have the ability, if they need it, to compel the issuance of property taxes sufficient to repay their debt. The bonds will be dated as of October 1st of this year, and they will mature over the following 20 years, a small portion of the bonds will mature each year during that 20 year cycle. The bonds are callable after 10

years, that is, in 2020, as of August 1st, we can call bonds that mature after 2022 at par. You've already heard about the ratings that are applied to these bonds, and we expect to close on this transaction, meaning we will exchange our securities for the investor's cash on October the 13th of this year.

"The principal amount of bonds that you authorized was slightly more than \$8 million. The bids came in very favorable, and with a premium, and so that allows us to actually down-size the amount of bonds that we will issue to \$7,890,000. We will combine those bond proceeds with some cash that we have provided through our Capital Improvement Program and through reallocated bond proceeds and those prepaid special assessments to fund a total of \$13.5 million of improvements, and you've already approved those projects, the \$8 million of road preventive maintenance projects, \$4.8 million of courthouse improvements at the jail and a total of \$550,000 of special assessment projects and then the cost of issuance on this transaction. We received a total of nine bids.

"You see them here from low bid to high bid, and we are here today to recommend that you award the sale to Stifel, Nicolaus & Company [Inc] which gave us the lowest true interest cost of 2.58 percent. The spread, as you see, was from 2.58 percent to a high of 3.03 percent, roughly one half percentage point spread in the interest rates. We did receive three nonconforming bids from Janney Montgomery Scott. I'm sorry. On this issue, we received one nonconforming bid, from Janney Montgomery Scott, and that was a company that neglected to send in the good faith deposit required of all bidders. So we are recommending that you award this transaction to Stifel, Nicolaus & Company, Inc] at an interest rate of 2.58 percent.

"The Series B bonds are refunding bonds, and what we are proposing to do is refund the final five years of maturity on 2003 bonds that we had issued to pay for Juvenile Detention Facilities. The bonds, once again, will be dated as of October 1st. They have a maturity of 2014 to 2018, which is the same as the original bonds that are being refunded, and again, we will close on October 13th. For, I'm sorry. For these bonds, again, we were able to reduce the size of the bond issue because of the favorable bids. You had authorized \$6.5 million. The actual bond issue size will be \$6,140,000, and this is subject to change. We are still doing some minor tweaking of the numbers, so there may be some minor change in this, but this is substantially what the issue will look like, \$6,140,000 of refunding bonds that we will sell. We will have some accrued interest, and we will receive a premium on the original issue from the investor. We will deposit \$6.6 million in the redemption fund to redeem those 2003 bonds. We will pay \$86,000 of issuance in transaction related costs. This transaction, we had told you previously we estimated would have a net present value savings, a reduced interest cost savings, of about \$375,000, which we had estimated would be about 5.5 percent of the refunded debt service. The market has worked in our favor since we gave you those numbers, and we now are estimating that the present value savings, interest savings, on this transaction will be \$434,710, which is just under 6.4 percent of the refunded debt service.

"So this is a very good refunding for us. It will serve to reduce the total interest costs that the county has to pay over that 2014 to 2018 period. The county receives a total of nine bids on this transaction as well. Because these are shorter term bonds, the interest rates are substantially lower than what you saw in the Series A bonds, and we are recommending that you award the sale, again, to Stifel, Nicolaus & Company. This time at a true interest cost of 1.99 percentage point. And you see that the range of bids here range from 1.19 to 1.28 percent.

*"Now all of those bids are very favorable in terms of our position relative to the market, and that's a reflection of the triple-A bond rating that we, the credit rating, that we have received. What you see on this line graph is the bond buyer index, which is a standard market basket of municipal bonds. In this case, it is A-rated municipal bonds, and in the current market, those bonds carry an interest rate of 4.07 percent. The red dots that you see on this chart show past and the current bond issues of the county's, and so you can see that historically the county's bonds sell at a lower interest rate than the bond buyer index, and that is because the county's bonds historically have been rated better than A. In recent years, they've been rated triple-A, substantially better. But even at that, you can see that the county's bonds typically have sold somewhere pretty close to wherever the index was, the spread between a triple-A bond and an A rated bond has been somewhere on the order of 25 to 40 basis points normally. Now, because of the uncertainty in the marketplace, the turmoil in the marketplace, there has been a flight to safety.*

*Mr. Chronis continued, "The spread between the highest rated bonds, triple-A rated bonds, and others of lesser quality, is much greater, and so what we see is that where the index is at 4.07, our Series A bonds, the 20 year bonds, which correspond most closely to the market, to the benchmark, sold at a true interest cost of 2.58 percent, and our refunding bonds, which had a shorter maturity, sold at 1.19 percent. So we are substantially better than this index that we compare ourselves against because of the good rating that we've been able to maintain.*

*"If you have any questions about our bond issues, what we plan to use the money for, the bids that we received, I'll be happy to try and answer them. If you have no questions, then Joe Norton will come up and walk you through the legal actions that we are asking you to take today."*

*Chairman Unruh said, "Thank you, Chris. We do have question from Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Quick question. The Series B bonds, how long are those bonds for?"*

*Mr. Chronis said, "The maximum maturity is seven years. They will be redeemed between 2014 and 2018."*

*Commissioner Peterjohn said, "Are they callable?"*

*Mr. Chronis said, "Yes. They are callable at 2013, and that's when they will be called."*

*Commissioner Peterjohn said, "2013?"*

*Mr. Chronis said, "I'm sorry. Those are non-callable. I'm sorry. I apologize. Wrong issue."*

*Commissioner Peterjohn said, "Okay, thank you."*

*Chairman Unruh said, "Thank you Commissioner. Are there any other questions? I guess we're ready for Mr. Norton."*

*Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "Basically we had the recommended action to accept the best bids for each of*

*the Series A and B bonds, which happens to be the same firm, Stifel, Nicolaus & Company, and to adopt the resolution, the caption of which is on your screen before you. That resolution authorizes the issuance of bonds and delivery to Stifel, Nicolaus. We'll set forth the actual interest rates and purchase price that we receive from the bid this morning. It does, as Chris indicated, provide that the Series A bonds will have redemption feature in ten years. The Series B bonds will have no redemption feature, which is a practical matter under federal tax law, you can only have one advanced refunding of a new money issue. We've now done it, so we have no opportunity to refinance that again. So having the non-call feature will probably give us a little better interest rate than having a redemption feature trying to build in which would not be of much value to us. So the resolutions that have been prepared, have been approved by the legal staff, normal kind of resolution we do for general obligation bonds from year to year. I'd be happy to answer any questions you have on the document. Otherwise we would recommend you award both series of bonds to Stifel, Nicolaus and adopt the resolution.*

**MOTION**

*Commissioner Norton moved to award the sale of each series of the bonds to the best bidder and adopt the resolution.*

*Commissioner Skelton seconded the motion.*

*Chairman Unruh said, "We have a motion and second to take the recommended action. We do have a question from Commissioner Ranzau."*

*Commissioner Ranzau said, "Just a statement, Mr. Chairman. I'm going to, I've opposed most of these bond resolutions in the past, and I'll continue to do so to be consistent, but I want to clarify. I actually do support these series bond issuance because it saves us money. My concern with these other issuance, the Series A as well as the next item that comes up, I believe we continue to borrow money because we can for some things in which we don't really need to. We could save ourselves in interest over time, which over time could add up and allow us to actually even improve our economic status better than what it is today. I've made a series of suggestions and I'm not going to go over those. But just to clarify, particularly on this one, that I actually do support the Series B. But since they're combined together, I'll oppose it, because I do oppose the first series. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Any further discussion? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Mr. Chairman, I just would mention that I believe the Federal Treasury 30 year debt, and I don't know about 20 year debt, was somewhere in the neighborhood of about 3.2 percent earlier this week. To get these rates and in comparison with the federal numbers, this is very impressive, and it's quite telling to me the difference between a 7 year bond and 20 year bond at this point is roughly 60 basis points. I don't know what the Federal Reserve is going to do between now and where the meeting is. From an interest rate point of view, this is the best deal the county has seen probably in my lifetime, so I plan to be supportive. Thank you."*

*Chairman Unruh said, "Thank you, Commissioners. Is there any other comment? Hearing none, Madam Clerk, call the vote."*

VOTE

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

*Chairman Unruh said, "I think we're ready for the next item."*

**This matter was Adopted**

Q [11-0958](#)

A RESOLUTION AUTHORIZING SEDGWICK COUNTY, KANSAS TO ENTER INTO A BASE LEASE WITH THE SEDGWICK COUNTY PUBLIC BUILDING COMMISSION, WHEREBY THE COUNTY WILL LEASE CERTAIN PROPERTY TO THE PUBLIC BUILDING COMMISSION AND ENTER INTO A LEASE WHEREBY THE COUNTY WILL LEASE FROM THE PUBLIC BUILDING COMMISSION CERTAIN PUBLIC FACILITIES AND BUILDINGS FOR USE BY SEDGWICK COUNTY, KANSAS; APPROVING THE FORM OF SAID BASE LEASE AND LEASE; AND AUTHORIZING THE EXECUTION THEREOF AND CERTAIN RELATED DOCUMENTS.

Presented by: Chris Chronis, CFO.

RECOMMENDED ACTION: Adopt the resolution.

*Mr. Chronis said, "Commissioners we've also taken bids on Public Building Commission (PBC) bonds, as you had previously requested the PBC to do, and the PBC had authorized. And I will not take your time to go through the rating summary again, because it's exactly the same. Because our PBC bonds are rated the same as our general obligation bonds. In this case, we had proposed to sell debt to finance the Emergency Radio System improvements that you're well aware of, and to finance three Emergency Medical Service [EMS] facilities. Once again, we are talking about 20-year debt, maturity of the bonds will be each year between 2012 and 2031. And they are callable on August 1st of 2020 for principles that mature after 2022.*

*"The bond issue is \$12,650,000. The county has provided some cash from a variety of sources to defray portions of the costs of both of those projects, the Emergency Radio System and the EMS facilities, and again, we have a premium from the seller of the bonds, I'm sorry, from the purchaser of the bonds, so we have a total of \$16,334,000 and change of sources on this project. You see the uses of the project, \$13,400,000 for the radio communication system, almost \$2.7 million for the EMS facilities, and just under \$236,000 for the underwriters discount and transaction related costs. The bids on this transaction came in at a very narrow spread of 2.994 percent on the low end to 3.329 percent on the high end. The low bidder, the successful bidder, is Morgan Stanley and Company, and we would recommend that you award the sell to Morgan Stanley [and Company].*

*"On this transaction, we had three bidders who gave us nonconforming bids. Janney Montgomery [Scott], once again, neglected to send us their good faith deposit, and Hutchinson Shockey [Erley & Co] and BMO Capital gave us a structure of the bid that was not consistent with the rules that we had establishes in our request for bids, and so we are not accepting their bids for that reason. None of those three bidders are in the competition for low bid, and so the fact that they were nonconforming bids has no bearing on the transaction for us. If you have any questions about this transaction or the interest rates that we received, I'll be happy to try and answer them. If not, once again, I would ask Joe Norton to come up and walk you through the legal action that we are asking you to take today."*

*Chairman Unruh said, "We do have a question from Commissioner Skelton."*

*Commissioner Skelton said, "Thank you, Mr. Chairman. Chris, this good faith deposit, what's the purpose of that and do we refund that if we have unsuccessful bidders?"*

*Mr. Chronis said, "We do. The purpose of that is to assure that a bidder is giving us a bid that they're willing to stand behind, and if they don't, if they should receive the bid, if they should be awarded the bid and not close the sale, we're entitled to keep their*

*good faith deposit.*

*"For those bidders on this list who are not the low bidder, the ones to whom we do not award the sale, we will return their good faith deposit to them later today."*

*Commissioner Skelton said, "Thank you very much."*

*Chairman Unruh said, "Thank you. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I have a question basically for any one of the gentlemen who have spoken here. I noticed a difference on this, even though the duration is the same, is about 40 basis points between the interest rates. If there is any explanation, I'd be interested."*

*Mr. Chronis said, "The average maturity of the PBC bonds is longer than the average maturity of the new money general obligation bonds. The new money general obligation bonds, you'll recall, we're paying for a road preventive maintenance project that is short lived, and so we structured that deal so that a preponderance of the bonds mature fairly early, fairly short duration. These are more traditional 20 year bonds, they mature more evenly over the 20 year cycle, and so the average term of the Series A bonds was 8 years, I believe, a little over 8 years. The average maturity of these bonds is about 11 years, 11.2 years."*

*Chairman Unruh said, "All right, thank you, Commissioner. I think we're ready for Mr. Norton again."*

*Mr. Norton said, "The requested action here today is to adopt a resolution which approves the interest rates received by the PBC, requests that they adopt a resolution actually authorizing the issuance of their bonds to finance these projects, and authorizing the Chairman and other county officials to execute the necessary leases and other documents to support the credit of PBC bonds and to provide for the closing."*

*Chairman Unruh said, "Are there any questions, Commissioners?"*

#### **MOTION**

*Chairman Norton moved to adopt the resolution.*

*Commissioner Skelton seconded the motion.*

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

#### **VOTE**

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

*Mr. Chronis said, "Thank you very much."*

*Chairman Unruh said, "Mr. Norton, Mr. Chronis, Mr. MacGillivray, thank you. Appreciate it. Is there any other business to come before the Commission?"*

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

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

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

**Present:** 0

**ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 12:56 p.m.*

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

\_\_\_\_\_  
DAVID M. UNRUH, Chairman  
First District

\_\_\_\_\_  
TIM R. NORTON, Commissioner  
Second District

\_\_\_\_\_  
KARL PETERJOHN, Commissioner  
Third District

\_\_\_\_\_  
RICHARD RANZAU, Commissioner  
Fourth District

\_\_\_\_\_  
JAMES B. SKELTON, Commissioner  
Fifth District

ATTEST:

\_\_\_\_\_  
Kelly B. Arnold, County Clerk

APPROVED:

\_\_\_\_\_