

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, July 6, 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 9:03 a.m. on Wednesday, July 6, 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; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Mariann Bardezbain, Specialist, Human Resources; Mr. Larry Ternes, Youth Services Administrator, Corrections; Mr. Chris Chronis, Chief Financial Officer; Ms. Iris Baker, Director, Purchasing; Ms. Sharron Webster, Reserve Deputy, Sheriff's Department; Mr. Bob Lamkey, Director, Public Safety; Mr. Richard Vogt, Chief Information Office, DIO; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee, Deputy County Clerk.*

GUESTS

**INVOCATION**

*Led by Commissioner Peterjohn.*

**FLAG SALUTE**

**ROLL CALL**

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

**CONSIDERATION OF MINUTES**

**A**     **11-0726**     REGULAR MEETING OF JUNE 8, 2011.

Chairman Unruh was absent.

*Chairman Unruh said, "Commissioners, you've had the opportunity to review the minutes of June 8, 2011. Are there any addition or corrections?"*

MOTION

*Commissioner Norton moved to approve the minutes of June 8, 2011.*

*Commissioner Peterjohn seconded the motion.*

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

VOTE

|                        |         |
|------------------------|---------|
| Commissioner Peterjohn | Aye     |
| Commissioner Ranzau    | Aye     |
| Commissioner Skelton   | Absent  |
| Commissioner Norton    | Aye     |
| Chairman Unruh         | Abstain |

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

### **NEW BUSINESS**

- B**     [11-0734](#)     PRESENTATION OF CERTIFICATE TO VOLUNTEER RESERVE DEPUTY SHARRON WEBSTER.  
Presented by: Shawne Boyd, Human Resources Director.

Sharron Webster, Reserve Deputy, Sheriff's Department, will retire after 37 years of volunteer service.

RECOMMENDED ACTION: Present the Certificate.

*Ms. Mariann Bardezbain, Specialist, Human Resources, greeted the Commissioners and said, "We are here today to recognize the retirement of a long-term Deputy with the Sedgwick County Sheriff's Office Reserve Bureau. Reserve Deputies, who are volunteers, fulfill a vital function in keeping the citizens of Sedgwick County safe. Reserve Deputies duties include the same as paid deputies, which includes patrols, investigations, serving warrants, et cetera. Currently the Sheriff's Office utilizes 30 Reserve Deputies. Today we are recognizing Deputy Sharron Webster, who is retiring after 37 years of volunteer service to Sedgwick County. Deputy Webster, please join us here, and Chairman Unruh will present you a certificate."*

*Chairman Unruh said, "Why don't you stand right here. Thank you. On behalf of the board of County Commissioners, we want to recognize you for really an unusual record. This doesn't happen frequently when we honor a volunteer for 37 years of service. But it indicates quite a bit of dedication from you to the citizens of Sedgwick County and the Board of County Commissioners are truly appreciative of that. On behalf of the Commissioners and the citizens, we want to present you with this certificate to recognize your 37 years. You know, Sharron and I go back a long time. We were both East High [School] Blue Aces at the same time. However, I don't know, you might have been a class or two behind me. I don't remember exactly."*

*Deputy Sharron Webster, Reserve Deputy, Sheriff's Department, greeted the Commissioners and said, "I graduated in 1960."*

*Chairman Unruh said, "Okay. Then we're the same class. And also another interesting story that I have heard is that back in 1984 you were involved in a shoot-out, which is extra special duty for a volunteer, but that person was apprehended, and you were not injured."*

*Deputy Webster said, "It was an exciting time."*

*Chairman Unruh said, "I bet it was. Well, we want to present you with this and tell you thank you for your service. You set a high standard for everyone else. So we appreciate it."*

*Deputy Webster said, "Thank you."*

*Chairman Unruh said, "We offer you an opportunity to say a few words."*

*Deputy Webster said, "The only thing I can say is it's been an honor and privilege to be part of this [Sheriff's] Department."*

*Chairman Unruh said, "We thank you for your service."*

*Commissioner Norton said, "Madam Clerk, call the next item."*

**No Action Taken**

**C**      [11-0675](#)

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

Presented by: Larry Ternes, Youth Services Administrator.

RECOMMENDED ACTION: Approve the Agreement and authorize the Chair to sign.

**Attachments:**      [SFY12 KU Med Agreement](#)

*Mr. Larry Ternes, Youth Services Administrator, Corrections, greeted the Commissioners and said, "The University of Kansas School of Medicine-Wichita Practice Association has been providing medical services to juvenile offenders residing in the residential facilities of the Department of Corrections since 1988. This morning, we are requesting your approval of a new professional services agreement for a one-year period from July 1, 2011 through June 30, 2012. The maximum amount payable during the term of this contract is \$197,634. I request that you approve this agreement and authorize the Chair to sign, and I would be happy to answer any questions that you may have."*

*Chairman Unruh said, "All right. Thank you, Larry. Commissioners, are there any questions or comments?"*

**MOTION**

*Commissioner Norton moved to approve the agreement and authorize the Chair to sign.*

*Commissioner Ranzau 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>Absent</i> |
| <i>Commissioner Norton</i>    | <i>Aye</i>    |
| <i>Chairman Unruh</i>         | <i>Aye</i>    |

*Mr. Ternes said, "Thank you, Commissioners."*

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

**Approved**

D [11-0677](#)

FUND BALANCE POLICY.

Presented by: Chris Chronis, CFO.

RECOMMENDED ACTION: Approve the revised policy and sign the resolution.

**Attachments:** [Fund Balance Policy - June2011](#)  
[Res revising policy of target fund balance.070611](#)

*Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "Several years ago, the county adopted a formal fund balance policy which has served us well in the years since then. The Governmental Accounting Standards Board, which creates the generally accepted accounting practices that we adhere to have recently promulgated some new regulations which create new definitions for components of fund balance, and those changes are causing us to bring this policy revision to you today. And I'd like to spend just a minute or two walking through the substance of the policy. But the motivation is merely those changes in definitions by the Governmental Accounting Standards Board.*

*"We are proposing no material change in the county's policy. We are simply trying to conform to those definitions in the policy that we've adopted. In essence, the policy that is before you does much the same thing as the policy that it replaces. It establishes a minimum cash balance for the county's general fund and other operating funds in order to provide liquidity adequate to address unexpected revenue reductions or unanticipated expenditures in the general fund that targeted minimum cash balance is to be, I'm sorry, I lost my place, 10 percent of budgeted annual expenditures, and in other operating funds of the county, the minimum cash balance is to be five percent of budgeted annual expenditures.*

*"Secondly, the policy establishes a minimum unrestricted fund balance. Fund balance, of course, is the difference between assets and liabilities on the county's balance sheets of its various funds, and in these new definitions, the unrestricted fund balance has changed its component parts. In the former policy and in the former regulations, our fund balance consisted of a component that was reserved fund balances; that is, money that had been legally set aside for some defined purpose. And unreserved fund balances, those that could be legally used for any permitted purpose. However, the unreserved fund balance consisted of a component that was considered to be designated, that is the County Commission or management had assigned a purpose to that portion of the unreserved fund balance. But that purpose could be changed by county action. Finally, there was an undesignated portion of fund balance, that for which there were no strings attached. The new definitions replaced reserve, unreserved, designated, undesignated with nonspendable fund balance, those that cannot be diverted to any other use, and in part, those that cannot be turned into liquid assets quickly. Restricted fund balances, committed fund balances, assigned fund balances, and unassigned fund balances.*

*"And it's the unassigned fund balances that most closely correlate to what we previously termed undesignated fund balances. Those are the portions of fund balance that have no earmarks attached to them at all, no plans made for those fund balances.*

Mr. Chronis continued, "The unrestricted fund balance in this new terminology is the sum of committed, assigned and unassigned fund balances, and the proposed policy sets the minimum unrestricted fund balance in the general fund at 20 percent of budgeted annual expenditures. The new policy does not provide a minimum unrestricted fund balance in the other county operating funds because by definition, under these new definitions, there never would be undesignated or unrestricted fund balance in those funds. The policy goes on, as the old one did, to define recommended or permitted uses of unassigned fund balance. And it says that under certain conditions, when we have fund balance over the 20 percent target, then the County Commission may use that fund balance either to lower the amount of bonds needed to fund Capital [Improvement] Projects (CIP), to fund the county's expected liabilities and risk management or workers' compensation. They may use those balances for onetime expenditures of the county that do not increase recurring operating costs.

"They may use them to increase reserves for equipment replacement or they may use them for start-up expenditures for new programs. Those are the five permitted uses of fund balances to the extent that those fund balances may grow to an amount larger than the targeted minimum. But that is not a mandated use, that's a permitted use. And finally, the policy has a provision, as the old one did or as the one that we're replacing does, which obligates the finance division in the event that fund balances ever should fall below the minimum targets. It obligates the finance division to prepare and implement a plan to restore the balances to at least those minimum target levels and to achieve those target levels as soon as practical and no longer than six calendar quarters after the event that caused the fund balance to fall below minimum. The total county fund balance in the general fund as of December 31st of last year was \$66,351,000 and a few extra dollars.

"The fund balance under this new policy is exactly the same. The components of that fund balance are different, however. The unreserved fund balance has a percentage of budgeted annual expenditures. That is, the portion of the fund balance that is subject to this policy, under the old definitions amounted to 32.5 percent of expenditures, it was a total of \$60,871,000. Under this proposed policy, the unrestricted fund balance under the new definitions is 32.65 percent. So it's slightly higher as a percentage of expenditures and the amount of money is \$61,196,000. So it's about \$300,000 more than under the old policy, and that's function of the changes of definition. So the upshot of all of this is that with this proposed policy, the county will be compliant with the new rules established by the Governmental Accounting Standards Board, and we will make no material change to the county's financial practices. If you have any questions, I'd be happy to try and answer them. If you have no questions, then I would recommend that you adopt the resolution that adopts this policy."

Chairman Unruh said, "Well, thank you, Chris. We've had a good briefing of this before the meeting, but we do have a question. Commissioner Peterjohn."

Commissioner Peterjohn said, "I'm not sure how much of it is a question or a comment, but let's go through, the backup information talks about the Governmental Accounting Standards Board. Could you talk about this and how this plays into the decision and how this impacts our external auditors? Because part of this is being driven by forces that are well outside Sedgwick County, and I think the public ought to know.

*"And I realize I'm getting into the, probably pointing out my green eye shades when I make this comment, put those of you in Finance to make your green eye shades come out, too, but this is being driven outside the county, in my opinion, a lot more than from something we would have generated internally on our own."*

*Mr. Chronis said, "That is absolutely true. All accounting, all financial reporting, both private sector and public sector, is governed by a board that creates standards. Without those standards, investors, businesses don't have a way of trusting, of knowing that they can trust the financial information that is being produced by somebody that they might want to do business with. So those standards establish a conformity, an ability to trust the records, the financial information that is being produced by an entity that has complied with those standards. Sedgwick County always has attempted to comply with those standards. In the public sector, they are established by an entity called the Governmental Accounting Standards Board. By complying with those standards, when we are audited, when we receive our audit each year, we receive what is termed a clean audit, that is an unqualified opinion, one in which the auditors say without reservation, without qualification, that people who are reading those financial statements can rely on them as being accurate and not misleading.*

*"If we failed to comply with governmental, with the GAAP, it's referred to, Generally Accepted Accounting Principals that are promulgated, if we fail to comply with those standards, the auditors would be issuing a qualified opinion, that is to say anybody that looks at those records, those financial statements, that they cannot, the auditors cannot accurately verify the accuracy of those statements, and so people should not necessarily rely on those statements as being completely accurate. And so it's a pretty important distinction for us to make. It is imposed on us from an outside entity, but it is similarly imposed on any business, on any government that wants to engage in investments in selling securities to investors and in doing business with other vendors."*

*Commissioner Peterjohn said, "In other words, if I can summarize that, if we don't approve this, it puts our county's Triple A bond rating in potential jeopardy?"*

*Mr. Chronis said, "That's a much better way of saying what I took a long time to say, yes."*

*Commissioner Peterjohn said, "Well, I mean, we cut to the nub of the event because, as you know, as an elected official, I have concerns about outside entities putting extra burdens upon us, and I think back more than a few years ago, in fact it was almost 20 years ago, some accountants basically said that they couldn't audit the books for the federal government, I'm sorry, not the federal government, for the U.S. House of Representatives, and for us to have books where we have an unqualified opinion I think says certain things about how we're we performing. Mr. Chairman, I'm planning to be supportive of this motion today, because I don't want to put our Triple A credit rating in jeopardy at this challenging time."*

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

*Commissioner Norton said, "In a practical sense, does that hamper or enhance our ability to have liquidity in cash in emergencies?"*

*Mr. Chronis said, "In a practical sense, it doesn't change anything."*

Commissioner Norton said, "And in a practical sense, does it hamper or enhance our spending authority abilities as we have to have spending authority to move projects ahead, and sometimes you have pools of money that you can't touch, and some you do."

Mr. Chronis said, "It has no direct effect on our spending authority, no."

Commissioner Norton said, "That's all I had."

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

Commissioner Ranzau said, "Thank you, Mr. Chairman. I'll certainly be supportive of this, as well. We need to maintain our accounting practices. But I'm particularly interested in some of the changes made in there. I think this is a discussion that we need to have as we go forward, and how we'll use this to address the challenging times we have ahead with unfounded mandates and a variety of CIP (Capital Improvement Projects) projects. Keep it in context, but our goal is to reduce our debt, which is a challenge at this time but an important part in our discussion as we go forward."

Chairman Unruh said, "Thank you, Commissioner. Chris, this will not in any way affect our fund balance? It won't cause our fund balances to grow?"

Mr. Chronis said, "No."

Chairman Unruh said, "Just different categorization?"

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

Chairman Unruh said, "Commissioners..."

Commissioner Norton said, "Mr. Chairman..."

Chairman Unruh said, "Go ahead, sir."

#### MOTION

Commissioner Norton moved to approve the revised policy and sign the resolution.

Commissioner Peterjohn seconded the motion.

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

#### VOTE

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

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

**Approved**

E [11-0703](#)

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

RECOMMENDED ACTION: Receive and file.

*Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "This is the monthly report that we give to you regarding the status of our Criminal Justice System. I would first of all talk about the existing programs that have been effective in making sure the population in the system, at least in the jail portion, is at a stable number and not increasing. You'll see that this is a comparison from May, 2010 to [May] 2011. You can see the 2011, bookings number, average data population, has been down. The detention facility has been down. Work Release is down. Out of county is down, and total number of system, people in the system, from one month to the next month, one month a year ago is all down. And that's good news in terms of what we need to face.*

*"Bookings and releases, the comparison is, again, May to May, and you can see what occurs on a monthly basis. The bookings are up a little bit, year-to-date bookings. For the month, are down. Releases we would expect to be about the same and the year-to-date releases are down, also. Average length of stay continues to concern us, but as you can see the number of people in booking or the time in booking hours is less in 2011. That means people are churning through the system more rapidly. Year-to-date booking hours is down a little bit in 2011 for the month of May. Housing is up. That means that we're getting rid of the people normally in the system that would be taking up space, and those in the system probably are the ones that need to stay there. So that's not terribly surprising. Year-to-date housing days is just up a little bit. But in terms of trends, you'll see the average trend for 2011 continues to be downward, and you know, five months doesn't really tell us a lot except to make us a little optimistic.*

*"The good news is on this slide, and this is remarkable. You'll see that the average daily population for the month of May in jail, Work Release and out of county is 1,447 folks. That's lower than it has been up until January of 2008. That's the lowest month we've had. And we know what's happened in the month of June, and the numbers, my guess is, thinking about those numbers, and we didn't really have the facts in front of us, but we'll get to the daily reports, and I only recall one or two days that we exceeded 1,500 in the month of June, which would lead us to believe that that trough which we see in the spring and the summer, will continue, and that we hope that that trough continues to widen and get deeper.*

*"Why is this occurring? Why is this number stabilizing and why is it going down? It's because of your investment and because of the good work of our county staff. The Corrections Day Reporting, this is the program where people rather than go to jail go to the day reporting, the numbers are down in 2011, and that may surprise you. The reason they're down in 2011, there was a shift in judiciary, and the judges in charge of making sure people entered the program shifted, and we think this program is being used appropriately. We think in 2010 it was used as...not as effectively as it was designed, and it was over used for first-time offenders when other programs were available. You see the Pretrial Correction Service. That number is up and continues to be an improvement. The Adult Intense Supervision [Program] (AISP), these are people that are either in their home or someplace else in the community but are supervised, continues to be an effective program. The Adult Residential, the number is 112. You'll see that that will go down in the next several months, if you recall. That's a program that was expensive.*

Mr. Buchanan continued, "That was a program that we decided to reduce the number of beds in that program because of severe cuts that were made, and so we're going to, we think we can manage that and make sure the trough of those people in the system remains low, and so far, we're doing well in that. Diversion Program, that is District Attorney, and I don't have an explanation for why that number is off, 100 people off for the month.

"The SCOAP (Sedgwick County Offender Assessment Program), the program that deals with those with mental illness in the program continues to be about the right number. The number of people that started in the program and some have graduated out of that program, but that number doesn't surprise us. And the Drug Court continues to be used appropriately. Other programs, [Wichita] Mental Health Court of the city, you'll see that numbers are up, and the good news is that they will continue to fund, a grant went away, and they will continue to fund a prosecutor in that program, and we will continue to support it even though the grants have gone away because it's in our best interest to do so. The [Wichita] Drug Court Diversion Program remains effective, and that's a city program, [Wichita Drug Court] Probation Program again is effective. You can see that they are using programs to make sure the people who commit city crimes only are not in the jail and therefore don't have to pay the hourly rate, and the [18th] Judicial [Court] Probation numbers remain the same. So we have a number of initiatives that you are aware of, and I want to talk about those a little bit.

"We have the journal entries, and we've averaged 14.75 days of journal entries. We were pleased with those journal entries getting finished faster. You'll recall the journal entry is just nothing but a piece of paper that commits someone from our system to the state system. And the faster the piece of paper gets signed by three independent folks, judge, prosecutor and defense attorney, the faster that gets signed and submitted, the faster the people get out of our system and into the state's system. The [CJCC (Criminal Justice Coordinating Council)]Facilities Work Group has been suspended for now because the numbers in the jail do not necessitate us thinking about expansion at this point, and so that group has been suspended. The [CJCC] Data Work Group is the one who gathers the data and helps present this, are reworking the average length of stay that needs to be recalculated. We have given you length of stay numbers that probably haven't been an accurate indication of what really is occurring there, so that group is trying to decide on a definition and proceed with that. The Interface Management Team will go live on July 1st with some data, except for the city system and the City of Wichita system will be ready to go September 30th. The subcommittee on Persons with Mental Illness, we know about, we know what their work has been and their recommendation. The subcommittee on Satellite Booking has been suspended. That option was not found to be effective or economical, and therefore, that group has been suspended. And the Competency Evaluations continue to work as does the Master Plan and Health One-Stop-Shop in the Mental Health Court group. Commissioners, if there are questions, I'd try to answer those. If there are none, I recommend you receive and file this report."

Chairman Unruh said, "We have a couple of questions. I think Commissioner Norton was first."

Commissioner Norton said, "Bill, as we're mining for information, it seems like, when you talk municipal courts, everything is focused on Wichita, yet we have quite a few other municipal courts around the county, Derby, Hayesville, Valley Center, Park City, and others, Goddard, have some pretty substantial movement to the jail.

*"Have we ever tried to mine that data? Maybe just a compilation of others to see what affect that is having in the outreaches other than just Wichita Municipal Court?"*

*Mr. Buchanan said, "I don't believe we've done that. We can certainly take a look. If you recall, although those other courts are busy in comparison, busy, but in comparison to the City of Wichita, they're the 800-pound gorilla in the system, and so that's the one that we were paying attention to, but we can take a look to see what we can find from the other...we do know that when we instituted the housing fees, some communities very early on said, we're going to address the problem and address it in different ways. One, for instance, was the City of Derby, who began immediately to reduce their numbers of people they're sending to us, and since the fees have been addressed, other communities are doing the same."*

*Commissioner Norton said, "Well, if it has to be mined with people looking at numbers, I'm probably not as critical of it, but if there is a way to get those numbers in a compilation pretty easily, it would be interesting maybe quarterly to see what that looks like."*

*Mr. Buchanan said, "We'll see what we can do."*

*Chairman Unruh said, "Commissioners...Commissioner Peterjohn."*

*Commissioner Peterjohn said, "I agree with Mr. Norton's comments on that point, because I was very interested in seeing how these numbers would be reflected in terms of the number of convicted felons and numbers of convicted misdemeanors serving out their sentence in jail. I know that's a number that's been presented to us in the past, but it's also a number that I think is very important going forward. Including that, this is kind of a proxy for me in terms of how well the jail fee resolution has been working. If the Manager has any thoughts on those comments, I would appreciate hearing them."*

*Mr. Buchanan said, "We are more than happy to dig out the, who is, from time to time, we have done that, and we will continue to let you know who is in the jail and why they're in there."*

*Commissioner Peterjohn said, "Well, I know there is an extra effort to get some data out of the jail, and I'm not, in terms of having it every month, but whether it's quarterly or some other basis, I think it's helpful and useful, not only to the Commissioners, but the public. Mr. Manager, there have been a lot of prices going up, costs, whether it's for food, for energy, or for a variety of areas, could you talk for a minute in terms of how much of the jail fee in terms of covering the costs of actually housing people at this point."*

*Mr. Buchanan said, "I'm trying to wake up Chris. Did you hear the question?"*

*Mr. Chronis said, "The jail fee is set at the amount that has been determined to be the direct costs of prisoners, and it is based on an hourly rate. So right now, we are charging the cities \$2.09 per hour. That is something on the order of 75 percent of the total cost of housing prisoners."*

*Commissioner Peterjohn said, "So in other words, basically, we're not covering the capital?"*

*Mr. Chronis said, "No, we're not covering the capital costs and we're not covering the indirect costs, the administrative services."*

*Commissioner Peterjohn said, "I think that's important in putting it on the record in terms of this ongoing discussion. If I can jump back, because one other area that I think is important that I'd like to see included, they had discussions at this Commission a couple weeks ago about the fact that a number of the folks who fall into the category best known as illegal aliens are in the Sedgwick County Jail, and under the grant agreement we have with the federal government, if they're being held for a felony or multiple misdemeanors, they get reported and their ICE (Immigration & Customs Enforcement) hold is put in place. I think that's a very important piece of information that I think ought to be included whether, even though that number, I believe, is a little less than five percent, when it's costing us \$66 per day, and that's the most recent figure I have per person for the people in the jail, it's a significant number and a burden for the taxpayers here in Sedgwick County for the fact that the federal government is not doing its job when it comes to controlling our borders. Thank you, Mr. Chairman."*

*Chairman Unruh said, "Thank you, Commissioner. Just a comment I would make is that we can see the effort of the communities in Sedgwick County in trying to be cooperative in addressing the issue of overcrowding in Sedgwick County Jail, and just in looking at their billings. I know Bel Aire has tried to control that, their billings have gone down. And every community, whether by just wanting to be cooperative or by the necessity of their budgets, is trying to do all they can to reduce their cost, so they're trying to use our jail in a most effective and efficient manner. I appreciate the efforts of the communities in Sedgwick County to partner with us in addressing the problem, and especially the City of Wichita, who as you have described, was the big player in this. They have five Adult Supervision Programs that are showing more usage, and that helps the population of the jail, and so I just want to compliment the folks at the city for trying to manage their part of the population. And I read in the paper the other day they're even thinking of more alternatives so that they can control their expenses for Sedgwick County Housing. So I think, this is kind of a long winded way to say I think the programs are working and we need to continue to monitor them, but I'm proud of the initiative of the CJCC to effectively control a responsibility and a serious budget problem for Sedgwick County. With that, Commissioners...Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman, I'm just going to make a motion, I agree with your comments."*

**MOTION**

*Commissioner Peterjohn moved to receive and file.*

*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. Buchanan said, "Thank you."

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

**Received and Filed**

F      [11-0751](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON  
JUNE 30, 2011.

Presented by Iris Baker, Director, Purchasing Department.

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

**Attachments:**      [BMIN 0630 2011](#)

Ms. Iris Baker, Director, Purchasing, greeted the Commissioners and said, "The  
meeting of June 30th results in 11 items for consideration today. First item is;

1.    P25 800MHZ RADIO SYSTEM-EMERGENCY COMMUNICATIONS  
FUNDING-800MHz RADIO SYSTEM EXPAND AND CONVERT TO DIGITAL

"Recommended action is to accept the low proposal from Cassidian Communications  
for a base system cost of \$10,416,278.00, and annual maintenance for years 2-15 at a  
not to exceed cost of \$12,844,810.13 for a total maximum cost of \$23,261,088.13.

Item 2;

2.    SAP IMPLEMENTATION SERVICES for BUDGET (BPC) and PURCHASING  
(PPS) --DIVISION OF FINANCE and ERPDEPARTMENT  
FUNDING --ERP Equipment Reserve

"Recommended action is to accept the proposal from Phoenix Consulting, Option 1 for  
Procurement Public Sector (PPS) for a cost of \$1,889,040.00 and the proposal from  
Comerit, Inc for Business Objects Planning & Consolidation (BPC), which is the  
budgeting software, for a not to exceed cost of \$989,500.00, for a total project cost of  
\$2,878,540.00. Item 3;

3.    ARCHITECTURAL AND ENGINEERING SERVICES (A/E)--FACILITIES  
DEPARTMENT  
FUNDING--CIP

"Recommended action is to accept the low proposal from Spangenberg Phillips Tice  
(SPT) Architecture in the amount of \$25,600.00. Item 4;

4.    PNEUMATIC RUBBER TIRE ROLLERS --FLEET MANAGEMENT  
FUNDING --FLEET MANAGEMENT

"Recommended action is to accept the low proposal meeting specification from Murphy  
Tractor and Equipment Co. in the amount of \$405,625.00. Item 5;

5. OILS and FLUIDS --FLEET MANAGEMENT  
FUNDING--FLEET MANAGEMENT

*"Recommended action is to accept the overall low bid from Universal Lubricants and establish unit pricing for one year. Item 6;*

6. 10MBTLS CIRCUIT-SHERIFF OAKLAWN STATION  
FUNDING-NETWORKING AND TELECOM

*"Recommended action is to accept the quote from Cox Business at a rate of \$450.00 per month for 60 months with a onetime installation charge of \$650.00. Item 7;*

7. AB-3ROCK -PUBLIC WORKS  
FUNDING -LOCAL SALES TAX

*"Recommended action is to accept the bid from Southwest Butler Quarry, LLC for an initial purchase in the amount of \$216,150.00 and establish contract pricing for one year with two one year options to renew. Item 8;*

8. CM-G CHAT -PUBLIC WORKS  
FUNDING -LOCAL SALES TAX

*"Recommended action is to accept the low bid from A-Plus Trucking for an initial purchase in the amount of \$183,400.00and establish contract pricing for one year with two one year options to renew. Item 9;*

9. CS-2 CRUSHED STONE-PUBLIC WORKS  
FUNDING -LOCAL SALES TAX

*"Recommended action is to accept the bid from Bannon Trucking for an initial purchase in the amount of \$53,000.00and establish contract pricing for one year with two one year options to renew. Item 10;*

10. LIGHT 18 in. STONE for RIP RAP -PUBLIC WORKS  
FUNDING -LOCAL SALES TAX

*"Recommended action is to accept the bid from J.L. Unruh LLC for an initial purchase in the amount of \$72,000.00 and establish contract pricing for one year with two one year options to renew. Item 11;*

11. STONE for AGGREGATE DITCH LINING -PUBLIC WORKS  
FUNDING -LOCAL SALES TAX

*"Recommended action is to accept the bid from A-Plus Trucking for an initial purchase in the amount of \$86,730.00 and establish contract pricing for one year with two one year options to renew.*

*"I'd be happy to answer any questions and recommend approval of these items."*

*Chairman Unruh said, "Thank you, Iris. I guess, I would say first of all say I am not related to J.L. Unruh Company that is listed here and I don't have any interest in that. I do not have to abstain. Just want to make that notation. But a couple of other questions I have.*

*"On Item number 4, pneumatic rubber tire rollers, the Foley Equipment Co. bid was substantially lower, but it didn't meet specifications?"*

*Ms. Baker said, "Correct, Caterpillar didn't meet current specs and they're in the process of model change and the distributor didn't know what was going to be on that new product."*

*Chairman Unruh said, "Okay."*

*Ms. Baker said, "Or when it's available."*

*Chairman Unruh said, "And then another question I had is on the support services for the Division of Finance and ERP (Enterprise Resource Planning), there is not an issue with having two providers for that services rather than having one?"*

*Ms. Baker said, "No. We had a lengthy discussion on that and we have a plan to cover consolidating all of it and getting what we need at the end of the project."*

*Chairman Unruh said, "Well, I can see that between the two providers, they're considerably less than the other bidders. I just want to make sure that the functionality of it wasn't impaired. We have a comment here from Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Yes, Mr. Chairman. Most of these look routine. I was going to make a motion, we've got two major purchases here, and I was going to separate those out, because I thought they were, Items 1 and 2 were deserving of more attention and discussion."*

#### MOTION

*Commissioner Peterjohn moved to approve Items 3 through 11 of the Board of Bids and Contracts.*

*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>Absent</i> |
| <i>Commissioner Norton</i>    | <i>Aye</i>    |
| <i>Chairman Unruh</i>         | <i>Aye</i>    |

*Chairman Unruh said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Mr. Chairman, we've got two major decisions here in front of us that have significant budget implications and I would like to recommend that we take up both of these items separately and have a separate discussion on each of them. Since Item 1 is the P25 800 Megahertz Radio System for Emergency Communications. There has been a lot of attention and discussion on this issue and variance in the amounts of the bids. I'm...it kind of surprised me.*

Commissioner Peterjohn continued, "I'm glad we got a bid well below what was initially projected, but a decision of this magnitude I thought deserves separate attention from this Board."

Chairman Unruh said, "All right, well Commissioner, would you like to make a motion on Item 2, and we will discuss that and then we'll go to Item 1? Or do you want to start the discussion on Item 2?"

Commissioner Peterjohn said, "I was going to start the discussion on Item 1."

MOTION

Commissioner Peterjohn moved to approve Item 1 of the Board of Bids and Contracts.

Commissioner Norton seconded the motion.

Chairman Unruh said, "Okay. We have a motion and a second. Further discussion? Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. This is very important item that we're voting on today. I feel like I've run Mr. Lamkey ragged with all the questions that I've had. I think it's important that we do our due diligence. I've asked lots of questions. I'm sure there are probably more questions I'm going to ask, but I feel like I have a good understanding of technology and what we're trying to do in the process and the differences between the bids here. There has obviously been some competitive bantering back and forth and allegations. I can assure you we've investigated all of those, and I'm not going to ask Mr. Lamkey to come up and recite all of those questions and answers, but bottom line, it comes down to, do I have confidence that Cassidian [Communications] can provide what they say they're going to provide at the costs that they can, and I believe they can.

"Certainly, I live in this community. Cost is an important factor anytime, but especially in this day and age. At the same point, we don't want a 911 system that doesn't work. I live in this community. I have a family, and I want something that's going to work. Through this process, I'm glad that we put it off a week and we've asked tons of questions and had lots of people in from both sides and differing viewpoints. I do feel like through our due diligence, I feel confident we're getting a good product for the citizens at the best price possible, so I will support this."

Chairman Unruh said, "Thank you, Commissioner. I would want to just make a couple of clarifications for the record or ask for clarifications, so perhaps Mr. Lamkey..."

Mr. Bob Lamkey, Director, Public Safety, greeted the Commissioners and said, "I'll be happy to answer any questions that I can. If I can't, I just want to note that Kent Koehler who lived and breathed this project for a year and a half of his life is here today, and he's currently employed with someone else, but his loyalty to this organization and this project is such that he's able to be here, and he can answer any background questions that I might not be able to."

Chairman Unruh said, "All right. Well, thank you, well mine, I don't think, will get real technical. We've had as much technical information as I can consume in our briefings and repeated meetings. What's being proposed by the three items on our [Board of] Bids [and Contracts] agenda here are all independent systems.

*"They're not connected to the state system which is being suggested."*

*Mr. Lamkey said, "That is correct."*

*Chairman Unruh said, "And what are the advantages of that as compared to hooking up with the state system which, I'm told, would save money."*

*Mr. Lamkey said, "Well, I guess it depends on how you see that process. We did look at it with our consultant internally, and with our stakeholder group, at the advantages and disadvantages connected to the state system. That was one of the things that we explored and decided it would not be in our best interest, at least going out to the marketplace initially to work that process. The state, the Kansas Department of Transportation (KDOT) has developed an infrastructure, 800 Megahertz digital infrastructure that they have allowed and continued to grow to provide communications across the state, 76 site system I think is where it's going to be."*

*"Part of the thought is to enhance regional communications in the form of a disaster so that people can take radios and work that process. The system the state has purchased, when they purchased it was state-of-the-art. They're currently upgrading from the base version to the next version of the software in that process, but it is not adaptable to the IP (Internet Protocol) protocols, and that's really the wave of the future, and that's the direction we're going and that's where the next generation is going to be in that process. The consultant provided a number of items, and I think in visiting with Kent, if we wanted to upgrade that system to meet our needs, we would have to pay a substantial amount to upgrade it as it is. It would require us to have a Motorola sole source, because although the radios, on 800 Megahertz systems are designed to be open architecture to enhance communication, the architecture isn't necessarily so. So we would have to go sole source with Motorola for a backbone and infrastructure to connect to the state system in that process."*

*"I guess as we were thinking about it and can...looking at the environment that we are in today, I think there was a great deal of hesitation to be reliant on the state for maintaining the brains of a system that would support us given their financial condition and processes, and making sure that our interests were looked at in that process. I do find it interesting, because I know that in this heavily competitive process that other vendors have provided you with cost estimations that are really outside of our process but are informational for you. The last one that I saw per reported to provide about the same system, a 10 site system, for about the same amount of money we're getting, or that Cassidian has bid in this process. So I reflected upon that and thought, that's a deep discount from what was being offered, and then it occurred to me. Why would we glauum onto them onto the state system and be reliant on them as opposed to having our own system for the same money? So I continue to come around the process that relying on the state system was not in our global interest. Is that a fair statement, Kent? In terms of moving forward, and in effect there is no substantive savings I can see by taking the Cassidian bid over any informal estimates you've been provided for a similar system connecting this base system with a proprietary system."*

*Chairman Unruh said, "Thank you, and then one other question. With the bid that's under consideration, it does not include the subscriber units, the handheld radios?"*

*Mr. Lamkey said, "That is correct. We made a decision based upon input from our stakeholders who wanted some diversity and choice. Different vendors and different models have different costs."*

*Mr. Lamkey continued, "So in moving forward, what we will do is we will have essentially a vendor fair at some point and allow different vendors to come in and demonstrate their radios. In fact, I think we have some radios out there circulating now that vendors have provided in anticipation of this process, because that would be the same regardless of which major vendor we have. We made the decision that it would be important to provide users the opportunity based upon their budget and requirements to choose radios that will work on this system, and currently there are six vendors and a couple more coming online that will provide radios to this system. We will, however, limit the Radio Shop, we will limit at some point the different brands of radios they will service. So if folks want radios outside of that spectrum, then they can buy them and use them on the system, but they will have to deal with maintenance in a different way. We separated both of those."*

*Chairman Unruh said, "Thank you. We have a question now from Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'd like to begin by first expressing my appreciation. I'm glad Kent managed to come here, and I'm very much delighted to see him again and hope everything is going well in his world. I know he did a lot of hard work on this, and I appreciate it very much. Let me also thank, while I'm doing this, of, thank all the bidders. One of the challenges on being a Commission is choosing. Something technically complex like this one, the hard work that all three bidders went into and the efforts of county staff to make sure we were evaluating apples and apples and not apples and oranges on a technical matter like this is very important, and that leads me to my question. The bids we have range from 6 sites to 10 site systems. Could you take a minute to talk about the importance of sites and number of sites in terms of being able to be sure we have full coverage all over the county for whatever system was successful in the bidding process?"*

*Mr. Lamkey said, "Yes. We required both in the initial bid and the best in final offers for folks to get some understanding of our system needs and the demands that we're having. What we are trying to achieve in our specification is 95 percent coverage, 95 percent reliability for a handheld radio in a residential facility in Sedgwick County. So we're looking at a high degree of reliability in that process. Digital technology, and this is one of the things that has caused difficulties in other places in the sense that analog technology, those of you familiar with radios, you can get an attenuated system. You can hear a little bit of this. Digital technology is to some degrees like your television. Either you get it or you don't. So you need to have the infrastructure in place with the redundancies in place and looping in place in order to assure public entities can use that device as we've designed it. In looking at the coverage, we looked at a nine site configuration with this particular vendor.*

*"Others looked at eight sites, I think after...it was really between 8 and 10 sites that folks had kind of targeted once they clearly understood what our requirements were in this process. We actually shipped it from a nine site design at our request and looking at the coverage in anticipating the growth in the southeast part of the county and the movement of traffic toward a potential casino and that process to make sure we would have the coverage that we needed with very, very few holes in our process."*

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

Commissioner Norton said, "You know, as we talk about critical key services that we provide as a county, you know, there's always debate about some services we provide and whether we should put money into it, but it's pretty obvious that, one, that we should never hesitate to put money into, be sure that we're providing at the highest level, is 911 services. It is a critical core value that we have. This has been a long-term conversation. When you wrap this up with the 911 legislation that has been in the legislature for five or six years and the conversation from the federal government, the changes in systems, we've been talking about this a lot. Staff has had to work pretty hard to talk about it. Commissioners have been, I've been updated on this so many times between the 911 legislation and what we're going to have to do with radio and operability and the platform. We've had plenty of time to put this through the filter of scrutiny as a group. If you look at the list of people that have been involved in this, Bob Lamkey, Randy Bargdill, Kim Pennington from [Emergency] Communications, Jared Wilson from the Radio Shop, Kim and Iris from Purchasing, staff people from Fire, Sheriff, City of Wichita, and EMS (Emergency Medical Services), and other public safety entities around the county, small towns, others, and a consulting agency that we brought in to help us through this whole process, there have been plenty of scrutiny. There are only really two places at the end of the day that I was concerned with once we went through the whole process, and I asked those questions.

"One was about sustainability not only of the projects, but the sustainability of Cassidian and the company that's going to provide this for the next few years, and I feel very comfortable that that question has been answered for me. The second was interoperability. Is it all going to work so that small entities, everybody can use that system to the highest level, and that's been answered for me, so I'm ready certainly to move forward on this, Mr. Chairman. That's all I have."

Chairman Unruh said, "Thank you. I have one other question, Bob. We hired a consultant to help us do this."

Mr. Lamkey said, "Yes, sir."

Chairman Unruh said, "Was their recommendation that we have a standalone system?"

Mr. Lamkey said, "Yes, it was."

Chairman Unruh said, "Okay. Thank you. Commissioners, I don't see anyone else asking to speak. What's the will of the Board on agenda item 1?"

Commissioner Norton said, "Mr. Chairman, I move we take the recommendation of the Board of Bids and Contracts on item 1 and accept the bid from Cassidian Communications [Inc]."

Commissioner Peterjohn said, "I think we have a motion."

Chairman Unruh said, "We do? Okay."

Commissioner Norton said, "I will rescind my motion."

Chairman Unruh said, "Excuse me. So is there further discussion? Seeing none, call the vote."

VOTE

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

Mr. Lamkey said, "Thank you, Commissioners. Thanks again to Kent for being here. He's the one who really led this process. I appreciate it."

Chairman Unruh said, "Appreciate it. We are ready to discuss bid board Item 2. Which is SAP Implementation Services. Commissioner Peterjohn?"

Commissioner Peterjohn said, "I had a number of questions, and I don't know if Iris is the person or if Richard, if Mr. Vogt might be a better person to take some of the questions. Since these bids came in well above what we anticipated, this was a very expensive software purchase, and as a Commissioner who did not support the software purchases, I was briefed on this, and I appreciate staff's briefing, but I'm very much concerned that we're looking at a bid situation, and it looks like we bid it two different ways where we combined implementation on both items and bid separately for each of the two separate software packages. That is correct?"

Ms. Baker said, "That's correct."

Commissioner Peterjohn said, "And I understand we had some bidders who bid on one of the software package implementations and some on the others. Looking at this, it seemed to me there were some bidders that were lower on the BPC (Business Objects Planning) only bid. Can you walk through what the bid board was thinking looking at that?"

Ms. Baker said, "What staff did on the evaluation process, looked at the qualifications and the ability of all of the vendors that proposed each software implementation. There were a few vendors that could do the entire project. The majority of the vendors could not, and we knew that before we issued the RFP (Request for Proposal). When we were discussing the software, the implementation, the strategy to implement, what was needed to do the implementation, part of that discussion included the current system and what's going to need to be upgraded in that system to accommodate the new software and configuration, and through the course of interviews with the vendors, during the evaluation process and discussion with staff, the dialogue and the evaluation process started focusing on that back end and what was going to be necessary and who had the best pool of resources to help us through all of that consideration and configuration to get to one consolidated product at the end of the day."

Commissioner Peterjohn said, "Well, but when you say consolidated, basically, the recommendation we had is we deconstructed the bundle and put it into two separate packages."

Ms. Baker said, "We have."

Commissioner Peterjohn said, "I appreciate for the winning bid the BPC only includes a provision underneath it for BW (Business Warehouse) upgrades, so I want to clarify for the record. Is the Comerit Inc. bid for \$945,500 or is it for \$989,500?"

Ms. Baker said, "What the recommendation to you is the not to exceed cost of \$989,000. We hope to get it \$945,500. If through the Business Warehouse (BW) upgrade we find that we need help, and then we will tap into their expertise, Comerit's [Inc.] expertise, that rate that they've proposed."

Commissioner Peterjohn said, "Because it looked to me like there were several others, and I'm not including the Nabros [Inc.], but it looked to me there were others under the \$985,500."

Ms. Baker said, "There were and in the evaluation during the discussions during the interview process, they didn't have the strength and resources that we need to get through this project."

Commissioner Peterjohn said, "Could you define how we determined that strength?"

Ms. Baker said, "We looked at the qualification of each of the team members that the vendors are bringing to the project. We didn't just look at the vendor, the company's, qualifications. We looked at the specific team proposed. In the evaluation process, when we did interviews, we talked to those team members."

Commissioner Peterjohn said, "Because one of the concerns I have is on that BPC portion of the bid, we've got, the winning bid has a time frame listed of 18 months, and that's much longer than the other bids, and maybe this is more of a questions for Mr. Vogt in terms of time is money, and to go with a bidder who isn't the least expensive and has the longest amount of time for doing the bid has me scratching my head. Help me out."

Mr. Richard Vogt, Chief Information Office, DIO, greeted the Commissioners and said, "Well, it's the budget process really that is kind of guiding it. That calendar, what we've learned, as you know, we've worked on the tax system for the last year or so, and integrating is a process of implementation with the real calendar that has to occur, you know tax statements and everything getting out was a very intricate thing. The same thing here, the budget process kind of dictates how this is going to flow. We know we're not going to be able to tap the resources in the Budget Department as much as sort of during certain times of the year as others. As far as the, sorry, my mind wondered."

Commissioner Peterjohn said, "I remain uncomfortable on this, Mr. Chairman. That's one of the reasons I wanted it separate and hopefully eliminating discussion to help me out, because the more I looked into this, the less comfortable I've become. I know how tricky software implementation can be. The county has been involved with it on several programs. This is not a short run program. Some of the hardware and software implementation takes time.

"In fact, previous item we talked about has literally taken, that was well underway before I became a Commissioner in 2009. So when we talk about an 18 month implementation versus some of the other time frames here, let me rephrase it. Let me see if I can ask a question this way. For the other bidders who didn't, who had shorter time frames and lower bids but couldn't meet that basic threshold, was that basic threshold included in the specification? Did they know this going in as part of the bid?"

Ms. Baker said, "They were aware of our cycle."

*Commissioner Peterjohn said, "Okay. Thank you, Mr. Chair."*

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

*Commissioner Ranzau said, "Thank you, Mr. Chairman. You know, I too have some hesitancy about this particular item. I did support the original purchase. It was a close call in my mind, but at this time it was estimated it would cost between \$2-\$2.2 million to implement, and now we're going to \$2.9 million. It took an extensive amount of time on the 911 system to answer my questions. I've not been able to do that on this one. I just don't get all warm and fuzzy about it. I think we need to try and reduce the costs somehow. I don't know if that's possible. But like I said I have further questions beyond what I could ask here so I would support postponing this for a while, to discuss it more amongst ourselves and with the Manager to see if there are any options. I know we have the money saved up for this. But just because we have it saved up, I think we have about \$3 million saved up, it's an increase of \$700,000, close to, or more, than what it was estimated when we first purchased this software so that does disconcert me a little."*

*Chairman Unruh said, "Thank you, Commissioner. Iris, are we under any sort of deadline with this? The Commissioner suggested that we defer this. Is that...can we do that and still not lose these bids?"*

*Ms. Baker said, "Bids are good for 120 days. If we wait too long, then we run the risk of not having the resources available. Beyond that, we'll just readjust schedules and do what we can."*

*Chairman Unruh said, "Well, for Commissioner Ranzau and Commissioner Peterjohn, would you, would one week be sufficient for you to get the information you need?"*

*Commissioner Ranzau said, "Probably, I think so."*

*Commissioner Peterjohn said, "That would work for me."*

*Chairman Unruh said, "Then perhaps we should defer this item until next week's Commission meeting."*

#### **MOTION**

*Commissioner Peterjohn moved to defer Item 2 of the Board of Bids and Contracts until July 13, 2011.*

*Commissioner Ranzau seconded the motion.*

*Chairman Unruh said, "Thank you. We have a motion. We have a second from Commissioner Ranzau. Discussion? Commissioner Norton."*

*Commissioner Norton said, "I was prepared to vote on this today. I've been very supportive of SAP and ERP since we started, I think the conversation back in 2001 or 2002, about Enterprise Resource Planning, that it certainly is a business product. The general business community has embraced it and been using it for many years. I had a rich conversation with Chris Chronis about what other government entities are doing."*

"We were kind of early adopters back in the early 2000's. It's pretty typical now that large governments have Enterprise Resource Planning systems to guide them, particularly in Human Resources, Budgeting and Finance. And there are many other applications that we haven't even used yet. I don't have a problem with deferring and getting a little information. It is a little concerning that the price has gone up, but you know, every day you wait prices go up. That's just the nature of the beast, not only in software and hardware, but in other items that we may defer and wait on. Prices don't get any better. I'm okay with deferring, but generally, I'm very supportive with the ERP system and keeping it updated. That's all I have."

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Some things go up in price. Some things don't. I spent a decade working in the computer industry, and back in the 1980s saw the dramatic reduction in prices and dramatic increases in performance, who were provided with Moore's Law, takes effect with computer hardware, and it's been one of the reasons why the United States has been able to maintain leadership in so many different areas, and that's why when we get in a situation where we have costs that come up on the software side, unfortunately it hasn't performed the way the hardware has, and Commissioner Norton is absolutely right in terms of some aspects of software. So I realize, but this is a significant amount of money, and I want to make sure we've dotted all the i's and all the t's, and I'm going to be supportive before we proceed with this. So I want to make sure we have all of our bases covered before we proceed. So I will be supporting this motion. Thank you, Mr. Chair."

Chairman Unruh said, "Thank you. Any further discussion? Madam Clerk, call the vote."

VOTE

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

Ms. Baker said, "Thank you."

Chairman Unruh said, "Iris, Richard, we'll see you on this item next week. Next Item."

**Approved**

**CONSENT**

- G [11-0689](#) Market pay adjustment for ERP Analyst.
  
- H [11-0693](#) Retail Dealer's Cereal Malt Beverage License Application for Viola Groceries located at 26320 W K-42 HWY, Viola, KS 67149.  
**Attachments:** [Legistar Advisory Recommendation030.jpg](#)  
[Legistar Legal Checklist032.jpg](#)  
[Legistar Sheriff Letter029.jpg](#)

I        [11-0728](#)        Order dated 06/23/2011 to correct tax roll for change of assessment.

J        [11-0074](#)        General Bill Check Register.

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

**MOTION**

*Commissioner Norton moved to approve the Consent Agenda.*

*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>Absent</i> |
| <i>Commissioner Norton</i>    | <i>Aye</i>    |
| <i>Chairman Unruh</i>         | <i>Aye</i>    |

*Chairman Unruh said, "Next item."*

**Approved on the Consent Agenda**

**OTHER**

*Chairman Unruh said, "Commissioners, we've come to the Other section of our agenda. Anyone wanting to speak? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I've got several items today. I really want to begin by giving a brief report on last week. Mr. Lamkey has left the room, but I very much appreciated the help that he and people underneath the public safety realm provided to a number of elected officials last week. We had an evening meeting where the EMS system, we were able to show for...Mr. Chairman, I've got approximately 100 elected officials if you count all the city officials and all of the township officials, who reside in my County Commission district, which has the most number of square miles, roughly half of Sedgwick County is in my County Commission district. With the dynamic nature of how the EMS services are provided and the age where we now have a west side hospital and the impact of Via Christi St. Teresa's campus, out at 21st Street North and 151st Street West, is having a positive impact I think in terms of emergency situations in the western part of Sedgwick County. And I mention this because not only should elected officials know about this, but I think average citizens would, too. From some of the feedback I've gotten from talking to some of the elected officials who were able to attend that meeting, I throw it out to members of the public to see how the emergency system operates here in Sedgwick County, and if folks are interested, they should feel free to contact this Commissioner's office on the website or just give the office a phone call.*

*"The second item I wanted to bring up, I'm looking forward to the parade at the Sedgwick County Fair, which is tomorrow night.*

*"I look forward to participating in that and some other fair-related activities. The fair is running tonight through Saturday. It was mentioned earlier, but an awful lot of people come out for that event from all over the county, and I think it will be a great, great event. One other item of a routine nature I want to talk about is the number of folks who are in the Sedgwick County Jail. We had a report from the manager earlier today, but he was kind enough not to steal my thunder with the fact this we had 1,485 folks in the Sedgwick County Jail this morning and in detention, broadly defined. There are 1,101 in the main facility, 128 in work release, 249 out of county, and there have been 73 arrests overnight. The Sheriff had classified these prisoners into the following categories, 442 under maximum security, 605 under medium security, and 409 minimum security, and the rest were unclassified.*

*"I would also like to make a comment about some other opportunities at the Other section, because there have been some recent public discussion about what's said during this time period. There are a lot of items that come up where the county has an impact but it doesn't show up directly on the agenda. This Commissioner believes that the Other section is a way for the Commissioners to get information in an unfiltered straight forward way that isn't limited by media restrictions to the public. I have told some folks, including some of the media, it hasn't been reported yet, but I'll say it again, the President [of the United States] does the same sort of thing. The President has a weekly radio address. Well the County Commissioners have the Other section of this meeting.*

*"I saw some criticism about the fact that I've mentioned the far left group ACORN (Association of Community Organizations for Reform Now) that's been involved in election corruption around the country. Well, that has a county tie. Sedgwick County is responsible through our Election Commissioner for running fair and open elections. I think our Election Commissioner, Mr. Gale, does a good job, and his staff works hard, and are successful in that regard. When we have groups where we have a connection that I think impacts the citizens of Sedgwick County, I think it's incumbent on elected officials to speak out on issues of importance. There was some reference to the fact that I mentioned Somali pirates, I mentioned it in the context that there were four American citizens who were assassinated by the Islamic Jihadists who were also pirates. Let me mention their four names. Because I don't think there are very many people out there that even though this occurred earlier this year remember Scot and Jean Adam, Bob Riggle, Phyllis MacKay who were assassinated. I say that because there was a time in my life when I was on the other side of the world and there were some awful things going on. I can easily, I was just a traveling American, using my, exercising my God-given rights to travel the world, and fortunately my trip was uneventful. Unfortunately for the Adams and Riggle and MacKay, they were murdered. Let me switch on to a little bit more recent.*

*"Last week, I commented and called for the resignation of New York Times columnist David Carr's comments. And recently this was made, this it was another attack on the State of Kansas. It wasn't. It was an attack on the people of Kansas. It's interesting. Because if you said you were going to criticize a person or group, let's say just a, pick your favorite minority group of Kansas, there would be outrage, but because he said it about all Kansans and being from a liberal or left wing news outlet, it's really not a story. But if the shoe was on the foot, it would be. I think it's outrageous that a person with his background, and I want to mention a couple of things, because I picked up his autobiography, such as it is.*

*"As a drug dealing crack addict with a cocaine problem, what's probably the most interesting revelation about Mr. Carr is that he was from Minnesota before he went to the New York Times. So to make criticism of people in general throughout the heartland and he criticized people from several states, not just Kansas, but being from Minnesota, I found that particularly odious and outrageous. I'll repeat those remarks and come out of it. But the last remark, Mr. Chairman, I'm going to make in the other section today is that within the last week, our President has decided to attack corporate jets. A lot of things I learned on serving with GWEDC (Greater Wichita Economic Development Coalition) is this aviation cluster that we have here in Sedgwick County is very hard to put together, but it's easy to destroy.*

*"And sadly, efforts to vilify the aviation industry by anyone in any office deserves the local officials, any officials who are trying to strengthen our economy in these difficult times to speak out, to speak out forcefully, and to express our concern, and I will call for President Obama to lead by example. If he doesn't think that flying...and the irony is that the provision that he wants changed was part of his 2009 stimulus legislation that was passed in February of 2009. So when he attacks this provision that's in the law currently, I think it's very ironic, because it's a provision he helped put in place, because this community needs to, if the President can't lead by example, let him give up flying in his equivalent of a corporate jet. It's not cheap operating Air Force One, the two [Boeing] 747's that were outfitted to be those aircraft right here in Wichita. I'm proud of those aircraft. I'm proud of the people who made those airplanes. I'm proud of the companies that were involved either as the general contractor or the subcontractors in it. And so I'm very much concerned about issues where the county is involved and even if it doesn't show up on the agenda, Mr. Chairman, I think the Commissioners do deserve to speak out at the opportunity. I didn't give up my first amendment rights when I took the oath of office. Thank you."*

Chairman Unruh said, "Commissioner Ranzau."

*Commissioner Ranzau said, "Thank you, Mr. Chairman. I have a few comments I'd like to make myself. First of all, the federal debt is up to \$129,606 per taxpayer. That's an increase of \$95 per taxpayer since we last met. I'd also like to take a few moments to talk about freedom and liberty. We just had a 4th of July. We often talk about freedom, liberty, the Constitution, the Declaration of Independence and all the values that we espouse here in this country. But I think it's beneficial for us as elected officials, as individuals and a community and nation to reflect on what freedom and rebut really mean. Are we truly free? Do we truly have our liberties? Are our government entities protecting our freedoms and liberties or are they infringing upon them? Are they helping us or hurting us? At what point is enough enough? I believe, one of the reasons I talk about some of these issues, particularly at the federal level, that I believe the greatest threat of our country lies within the federal government for a variety of reasons. Our debt is very dangerous, many of the policies they institute are very dangerous to our freedoms and liberties. Oftentimes we as individuals accept them for the sake of safety or a variety of other reasons.*

*"I think we need to rethink these. Since I got back from Iraq, actually before, during, after. You know, when you deploy and you have young kids and you deploy, before you go, you, my apologies, but you think about freedom and liberty, and if it's worth it. And since I've gone back, I've been on a journey where I've reflected more and more upon my political values and my commitments to freedom and liberty. And it's brought me to where I am today as an individual.*

*"I believe over the last several years it's brought us to where we are as a nation, and it's important for political elected officials to have the courage to stand up and say what they believe on behalf of the citizens. You know, this isn't to me just a matter of whether or not I have my first amendment rights to say what I can say, but I'm an elected official put here on behalf of fellow citizens that share my beliefs.*

*"I feel I have an obligation to act and speak in a manner consistent with the values represented during my campaign and the values that I believe many and the majority of my constituents share and I will continue to speak on their behalf on these issues. One of the issues I'm going to talk about today is the TSA (Transportation Security Administration) and what they're doing. Every time we fly, we just accept it with the body scanners and searches. We've heard about children being searched. I have a few items here about the TSA, about one gentleman, a 61-year-old passenger who had bladder cancer who had a urostomy bag and the man warned them about the bags and not to break them, and he warned them, and they rolled their eyes at one point. The bag broke and [urine] rolled down the leg of the individual, and he had to wait until after the flight to clean himself off. Another elderly woman, this is recent, 95-year-old mother who was detained trying to board a plane to fly to Michigan, now I believe she was in Florida. She was in her final stages of a battle of leukemia, asked to remove her adult diaper so they could do a complete pat-down search. These actions are not consistent with freedom and liberty. I'm not prepared to exchange those for safety. We accept it at airports for some reason. What would we think if every time you left a city or entered, there was someone there at a checkpoint doing the exact same thing? Before you came into the City of Wichita or Valley Center, you were searched without warrant, without probable cause, and things like this were happening, we wouldn't stand for it.*

*"Yet when we fly, we're essentially doing the same thing, moving from one city to another, and they're searching us without probable cause. The very existence of the TSA I believe is unconstitutional, and certainly their actions are, and yet we stand for it, and I don't believe we should. Beyond that, I don't think a lot of people know, but there have been reports now, this was in Florida, when TSA officers in black SWAT type uniforms and ascended upon the Tampa Greyhound bus station in April with local, state and federal authorities. So they're going out to other modes of transportation. They have conducted 8,000 of these across the country, and their goal is to take the TSA to the next level. Now, they want to do this nationwide, not just at the airport but at all the places of transportation.*

*"I think it's important for us as a nation to understand what's going on or rethink these things, because this is not, I'll say it again. This is not consistent with freedom and liberty. I will not fly with my children at the age, at 7, 9, 11. When they become adults, they can make that decision for themselves. But I'm not going to put them in the position to essentially be sexually assaulted by TSA agents and by my government. This sort of thing, I wanted to bring this up, because I am where I am today politically and as far as my views on freedom or liberty, personal property rights and a variety of other things, because I challenged the views I had in the past. I wasn't always this committed to certain things. But I've had to reflect, and for a variety of reasons, do I really believe in freedom of liberty? I would encourage every person out there around this time, the 4th of July, to reflect upon that and understand.*

*"Do some research. Do some reading. Learn about the, truly learn about the Constitution, the founding fathers, our history, what freedom and liberty really mean. Freedom and liberty isn't always easy. It has its challenges, but I'd rather live with the challenges of freedom and liberty than the abuses of tyranny any day.*

*Commissioner Ranzau continued, "I, too, will not be silenced from the things that I say, because many of these things, while they may be coming from the federal government, they have a very significant impact on our local community, and I think that a lot of people up there or out there in the community want their politicians, their elected officials to take a stand for them and their rights, because they know they're at work, they're busy, don't have time. This is our job. I would be derelict in my duties if I stood by, saw these things going on and did not at least take a stand in trying to do something about it both in word and deed. So that's why I talk about these things, and I will continue to do so. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Well, I look forward to the Sedgwick County Fair this weekend, and the parade on Thursday and a lot of officials will be there, so I encourage the citizens to visit the Sedgwick County Fair. I don't see anyone else asking to speak. So at this time, I will adjourn the regular meeting of the Board of County Commissioners."*

### **EXECUTIVE SESSION**

### **ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 10:30 a.m.*

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

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

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

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

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

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

ATTEST:

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

APPROVED:

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