

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, May 11, 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 9:06 a.m. on Wednesday, May 11, 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 James B. Skelton; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Kelly B. Arnold, Sedgwick County Clerk; Ms. Mariann Bardezbain, Human Resources Specialist, Organization and Professional Development; Ms. Brenda Stocklin-Smith, Manager, Diversity and Employee Relations; Ms. Bev Baalman, Marketing Director, COMCARE of Sedgwick County; Mr. Robert Parnacott, Assistant County Counselor; Mr. Roderick Harris, Director, Center for Health Equity, Sedgwick County Health Department; Mr. Kent Koehler, Senior Project Manager, Division of Information and Operations; Mr. Ron Holt, Assistant County Manager; Ms. Marilyn Cook, Executive Director, COMCARE; Mr. Glen Wiltse, Director, Code Enforcement; Mr. Pete Giroux, Principal Analyst, Budget; Mr. David Spears, Director, Public Works; Ms. Angee Sisco, Senior Agent, Purchasing; Ms. Iris Baker, Director, Purchasing; Ms. Kristi Zukovich, Director, Communications; and Ms. Amanda Lee Deputy County Clerk.*

**GUEST**

*Ms. Debbie Williams, Director, Healthy Community  
Mr. Theron Black, Vice-Chair, Central Plains Advisory Council  
Mr. John Rolfe, President and CEO, Go Wichita  
Mr. Kent Winter, Vice President, Sedgwick County Farm Bureau Agricultural Association  
Mr. Sanford Alexander, Sedgwick County Access Advisory Board  
Mr. Kurt Harper, Attorney, Sherwood, Harper, Dakan, Unruh and Pratt, LC  
Mr. Robert Seiler, Chairperson, Eagle Drainage District  
Ms. Ann Nelson, Executive Director, Central Plains Regional Health Care Foundation*

**INVOCATION: Reverend Rick Thornton, Aldersgate United Methodist Church**

**FLAG SALUTE**

**ROLL CALL**

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

**Roll Call**

**CONSIDERATION OF MINUTES**

- A**     [11-0495](#)     REGULAR MEETING OF FEBRUARY 23, 2011.  
All Commissioners were present.

MOTION

Commissioner Norton moved to accept the minutes for the regular meeting of February 23, 2011.

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
<b>Approved</b>	

**PROCLAMATIONS**

**B**     11-0420

PROCLAMATION DECLARING BIKE MONTH.

Read by Chairman Dave Unruh.

RECOMMENDED ACTION: Adopt the Proclamation.

**Attachments:**     [Bike Month 042711](#)

Chairman Unruh said, "Commissioners I have a Proclamation for your consideration:

*WHEREAS, the Health and Wellness Coalition of Wichita is dedicated to promoting physical activity and good nutrition for every generation living in Sedgwick County; and*

*WHEREAS, for more than a century, the bicycle has been an important part of the lives of most Americans; and*

*WHEREAS, today, millions of Americans engage in bicycling for its excellent physical fitness benefits. It is an environmentally sound form of transportation and an ideal activity for family recreation; and*

*WHEREAS, to ensure the safety and comfort of all users, it is important that both cyclists and motorists be educated about the proper and safe operation of bicycles; and*

*WHEREAS, the Wichita bicycle clubs, businesses and independent cyclists throughout our community are promoting greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries and fatalities;*

NOW THEREFORE BE IT RESOLVED that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners do hereby proclaim May 2011 as

'BIKE MONTH'

in Sedgwick County, and encourage all citizens to start peddling.

Chairman Unruh said, "Commissioners, you've heard the proclamation, what is the will of the Board?"

MOTION

Commissioner Norton moved to adopt the proclamation.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "And accepting the proclamation this morning is Ms. Debbie Williams. She's Healthy Community Director of the YMCA.

Ms. Debbie Williams, Director, Healthy Community, greeted the Commissioners and said, "Yes Sir. I want to thank the Commissioners for acknowledging the Health and Wellness Coalition [of Wichita] and May as bike month. Our coalition is made up of nearly 75 organizations and businesses who promote physical activity and good nutrition in our community. This month, we are planning to promote 'Random Acts of Bikeness' if you will, and one of those, as you can see the green shirts that are being passed around. But these are the logo for this year, and we kind of like it with the Wichita skyline. There is an extra one there if someone needs that. Also if you need different sized just let me know and we can make that happen as well. So that is our logo shirt this year.

"There are many events planned throughout the month of May and we encourage the community to get out and ride. Events can be accessed at our website at [www.hwcwichita.org](http://www.hwcwichita.org). I'd like to thank all of the bicycle shops in the city, particularly Bicycle Exchange. And then also Via Christi Safe Kids, who have been instrumental in helping to make a lot of the events happen during the month of May.

"The Health and Wellness Coalition of Wichita wants to remind citizens that bicycles are vehicles with the same rights, rules and responsibilities of other road users. Whether you ride or drive, please share the road. The Health and Wellness Coalition of Wichita wants to remind motorists to only pass a bicycle when it is safe to do so. Slow down and give cyclists three feet of passing room. Whether you ride or drive, please share the road.

*"The Health and Wellness Coalition wants to remind you that bicycle riders have the same rights as motorists, so motorists should yield to bicycles like any other vehicle. Never cut off bicyclists, whether you ride or drive, please share the road. The Health and Wellness Coalition of Wichita wants to remind bicycle riders that you should obey all traffic laws, stop signs, and traffic lights. Whether you ride or bike, or drive, we ask you to please share the road. The Health and Wellness Coalition of Wichita wants to remind bicyclists that laws require bicyclists to have lights at night, and common sense requires bicyclists to wear helmets. Whether you ride or drive, please share the road.*

*"As you can see, my theme is about sharing, which is something we learned in Kindergarten, so we ask all bicycle riders as well as drivers to just be safe during this month. On May 13, which is Friday, we do have Bike to School Day. We have 25 different schools throughout the city and the county participating in Bike to School Day. So we definitely encourage drivers to be on the alert on Friday. Thank you."*

*Chairman Unruh said, "Well thank you for being here, and we appreciate the reminder to be safe in regard to everyone who is using the road and also the reminder that we can be healthier and happier if we exercise and this is a great way to do it. We do have another comment from Commissioner Peterjohn.*

*Commissioner Peterjohn said, "Thank you Mr. Chairman. I would just hasten to add that for bicyclists, including the chronologically gifted ones like myself who tested off my very well-aged Cannondale recently, where a helmet.*

*Ms. Williams said, "Yes, absolutely, absolutely."*

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

*Ms. Williams said, "That is key, yes."*

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

*Commissioner Norton said, "Well I can remember growing up in a small town, and my first thoughts of freedom were when I finally pushed away from the tree that I had leaned my sisters bicycle up against and road down the street. And it seemed like that was a part of life until I finally got my car keys. So I encourage families to ride together, to get and enjoy a bike month, bike year, bike everything. I happen to have an old Schwinn Fat Tire bike that I like ride to the post office and to the bank on. So I encourage people to ride and enjoy family times and good exercise."*

*Chairman Unruh said, "Thank you Commissioner. Thank you for being here today"*

*Ms. Williams said, "Thank, I appreciate your support."*

*Chairman Unruh said, "Madam clerk, next item please."*

**Adopted**

**C**      [11-0502](#)

PROCLAMATION DECLARING OLDER AMERICANS MONTH.  
Read by Chairman Dave Unruh.

RECOMMENDED ACTION: Adopt the Proclamation.

Attachments: [Older Americans Month 051111.doc](#)

WHEREAS, Sedgwick County is a community that includes 89,376 citizens age 60 and older; and

WHEREAS, the older adults in Sedgwick County are the roots from which our community grows who bestow gifts of wisdom and insight upon younger generations, and strengthen the bonds between neighbors to create a better place to live; and

WHEREAS, our society can be enhanced by older adults aging peacefully in their communities; and

WHEREAS, the older adults in Sedgwick County should be commended for their roles in creating and bolstering the fiber of our community and nation; and

WHEREAS, our community can provide recognition and respect by enriching the quality of life for older Americans by:

- Increasing opportunities to remain in their communities as active and engaged citizens
- Providing services, technologies and support systems that allow seniors to foster and maintain connections within the community
- Emphasizing the value of seniors by publicly recognizing their contributions to the diversity, strength and unity of our community

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

*'OLDER AMERICANS MONTH'*

*in Sedgwick County, and urge every citizen to take time this month to honor our older adults and the professionals, family members and volunteers who care for them.*

*Chairman Unruh said, "Commissioners, you've heard the Proclamation, what is the will of the Board?"*

**MOTION**

*Commissioner Norton moved to adopt the Proclamation.*

*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, "And accepting the Proclamation this morning is Mr. Theron Black. He is the Vice-Chair of the Central Plains Area Agency on Aging, welcome."*

*Mr. Theron Black, Vice-Chair, Central Plains Advisory Council, greeted the Commissioners and said, "Thank you, I want to state that the older adults of Sedgwick County wish to thank you Chairman Unruh, and the other members of the Commission for this recognition of older adults and their contribution to the community through this Proclamation of May as the Older Americans Month.*

*"You know, us old folks who are still around, we do volunteer for a number of activities in the community. Without the volunteers from us, I don't know where they would go to get the people. But anyway, we're still there, and we're still paying taxes. And, you know, we still are a considerable part of the community in that, and when I reflect that the number you mentioned there, a lot of them, or nearly all of them, are either on Social Security or some other pension benefit. And those amounts are mostly, but not in every case, sufficient, to meet the daily needs of that older adult. So older Americans are not spending their money yonder, in Canada and everywhere else, they're spending it right here at Sedgwick County, which helps the economic benefit of this community. We, in addition to that, we are involved in the Older Americans Act, which money comes from the federal government. And we use those monies to provide community services, and that's a number of them, I'd hate to list all of them, but also nutritional services, the caregiver services, and the health promotion services, which I know a number of you Commissioners, are involved with, so you know about that. So those things are all benefits that come through the senior population then. So we are a significant portion of the community that adds to the benefit and the strength of the community. So therefore, Mr. Chairman and members of the Commission, we want to thank you for the support that you give us."*

*Chairman Unruh said, "Well thank you Theron. We appreciate you being here, and we recognize that this particular identified group in our community brings a lot of assets to the table, and not just economic, but in just the quality of life in our community. And you and I, we're not far apart in age, I mean, I'm part of that older Americans group too now, so..."*

*Mr. Black said, "Well I'm about to go out of it."*

*Chairman Unruh said, "Well, you are very eloquent and articulate..."*

*Commissioner Norton said, "What, do you go from older to ancient or something, I mean...?"*

*Mr. Black said, "I think that's right."*

*Chairman Unruh said, "Well we appreciate you being here, appreciate your long service on our Aging Advisory Board, and the value that you bring to that, and to the citizens of Sedgwick County. We do have another comment here from Commissioner Norton."*

*Commissioner Norton said, "Well, Theron represents that group so well. He advocates daily, and you know, I know you're over 90 years young, and you're still participating, and many of us hope that we're all that active and participating in the community. And you're such a role model for that. At what age did you help start KANSEL (Kansas School for Effective Learning)?"*

*Mr. Black said, "Oh my word, that must have been about when I was 87, or something like that."*

Commissioner Norton said, "Okay that tells us that you can make an impact. Because KANSEL is very import to community to help educate folks, and..."

Mr. Black said, "I still have a lot of faith and belief in KANSEL. I started that primarily because I had too many people that I was running into that in the work process that couldn't read, couldn't write, couldn't understand. It started at basically just those things, today we're into computers and the whole works. I know that they're on the board; I had to move into some other areas. But I still support them, and whenever anything happens I get a call, show up."

Commissioner Norton said, "Older Americans can make a difference at whatever age they can participate. Thank you, Theron, for being here today, we appreciate it."

Mr. Black said, "Thank you."

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

**Adopted**

**D**      [11-0503](#)

PROCLAMATION DECLARING NATIONAL TRAVEL AND TOURISM MONTH.

Read by Chairman Dave Unruh.

RECOMMENDED ACTION: Adopt the Proclamation.

**Attachments:**      [Travel and Tourism Week 051111.doc](#)

Chairman Unruh said, "Commissioners I have a Proclamation to read for your Consideration,

*WHEREAS, travel to and within the United States provides significant economic benefits for the nation; and*

*WHEREAS, the travel industry ranks as the third largest industry in Kansas, the fifth largest employer in the United States and among the top 10 industries of 49 states (including the District of Columbia) when measured by employment; and*

*WHEREAS, visitors contribute \$636 million to the economy each year in Sedgwick County, plus \$56 million in tax revenue; and*

*WHEREAS, leisure and hospitality services provide employment for 10,400 people in Sedgwick County, creating payroll income of \$164 million; and*

*WHEREAS, travel contributes to personal growth, health, professional advancement, education, cultural understanding and the enhancement of America's image around the world; and*

*WHEREAS, travel can serve as a catalyst to help move the national economy forward;*

*NOW, THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 7-15, 2011*

**'NATIONAL TRAVEL AND TOURISM WEEK'**

*in Sedgwick County and encourage citizens to join in this special observance with appropriate ceremonies and activities.*

*"Commissioners, you've heard the Resolution, what is the will of the Board?"*

**MOTION**

*Commissioner Norton moved to adopt the Proclamation.*

*Commissioner Skelton seconded the motion.*

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

**VOTE**

<i>Commissioner Peterjohn</i>	<i>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, "And accepting the Proclamation is John Rolfe, he is President and CEO (Chief Executive Officer) of Go Wichita."*

*Mr. John Rolfe, President and Chief Executive Officer, Go Wichita, greeted the Commissioners and said, "I want to thank you and the Commissioners for this recognition of National Travel and Tourism Week. And joining me also, to my far right, my very far right up front, our Chairman of the Board Stephen Stewart, General Manager of the Hyatt Regency Downtown, our Vice President Maureen Hofrenning, our Director of Marketing and Communications next to her, Shakila Saifullah, and our Director of Finance and Administration Stacy Woody.*

*"I'd just like to comment also, and thank you, for your continued support and investment in the tourism industry within Sedgwick County, certainly within the facilities that you all have been a major part of. The Kansas Pavilions, certainly the Intrust Bank Arena, and your continued support with our area attractions which certainly are a wonderful part our community as well. A few of those: Exploration Place, the Wichita Sedgwick County Historical Museum, as well as the Sedgwick County Zoo and many others. So we appreciate your support, that certainly makes our job a lot easier. I would also recognize, I don't think he's here, but I certainly Ron Holt, Assistant County Manager, for his leadership on our board. We certainly appreciate all that he continues to do, and serving on our board as well. And I would invite you all, in recognition of this week, to our event on May 13, this Friday, at the National Center for Aviation Training (NCAT), another investment, thank you, that we will be hosting a social digital marketing luncheon focused on social digital marketing and its importance in the industry as well as in any business. If your schedule allows, it's from 11:30 am to 1:00 pm; certainly would love to have you join us.*

*"And just in closing, Chairman Unruh, I would just say, it was a couple years ago that we had the opportunity and you joined us to be on the Kansas Kids Wrestling Group, and that bid is coming up again at the end of this year, so we'll be joining our Wichita Area Sports Commission in partnering to bid on that, and we'll probably need you to dress up in your singlet outfit from your wrestling days to help out win that bid here again. With that, thank you again for your recognition."*

Chairman Unruh said, "Well thank you for being here John, and I want to thank you for your leadership in promoting Wichita and South Central Kansas, we're proud of what we have in you all, and your staff do a great job of highlighting that and make us look attractive to outsiders. And I will start a regimen of sit-ups and pushups so I can get in shape to make that bid with you. I also want to thank you for this nifty little airplane that you all provided us with. It will relieve a little stress, perhaps. On a serious note, you all provide a great service, a valuable service, to South Central Kansas and we appreciate you and all of your staff. We do have another comment here from Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you Mr. Chairman, I'm going to just second your comments. Although I thought maybe if you could out your referee outfit Dave, that be equally appropriate, since you get to chair these meetings you're refereeing items like the...at least this Commissioner sometimes helps out. But I would just hasten to add that in terms of the upcoming we had mentioned at Cowtown, which is another wonderful attraction, we've got the Link 4 Life Run Saturday morning, and the good folks down at the Kansas Aviation Museum are having an event that's open to the public Thursday evening from 4:00 to 7:00 pm. In terms of other attractions that could bring people, enjoy some of the aviation heritage here, as well as the other attractions in coming down for the run Saturday. There's an awful lot going on in this community. And I just want to thank you John for your good efforts, and your colleagues here, for attracting folks to South Central Kansas."

Mr. Rolfe said, "Thank you."

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

Commissioner Norton said, "Thanks John for being here. I tell you what, I'll put a \$20 on the counter here to see Chairman Unruh wrestle the Mayor. If we're going to promote wrestling let's do it at the highest level. I'll start the pot, there's a \$20. Same weight class...I'm not sure."

Chairman Unruh said, "Yes, well we've got to think about that first."

Commissioner Ranzau said, "I'll give you \$30 to not see it."

Commissioner Norton said, "That from Commissioner Ranzau, that's a benchmark day. Well congratulations John, I know you and your staff work awful hard to promote Wichita and Sedgwick County and the surrounding area for all the great things that we have, that we enjoy every day and sometimes ignore because we see it every day, we live with it. And many come here and are very surprised at our quality of life, the quality of entertainment and attractions, and yes, Sedgwick County has stepped up to try and promote that, make it better with some of the facilities that we've upgraded and we're proud to be partners with Go Wichita. Thanks."

Mr. Rolfe said, "Thank you."

Chairman Unruh said, "John, thank you for being here, and thanks to all your staff for all your hard work on our behalf. Madam Clerk, next item."

**Adopted**

E [11-0504](#)

PROCLAMATION DECLARING NATIONAL PUBLIC WORKS WEEK.  
Read by Chairman Dave Unruh.

RECOMMENDED ACTION: Adopt the Proclamation.

**Attachments:** [Public Works week051111.doc](#)

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

*WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and*

*WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as streets and highways, bridges, drainage improvements, noxious weed control and household hazardous waste collection; and*

*WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and*

*WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and*

*NOW, THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 15-21, 2011*

*'NATIONAL PUBLIC WORKS WEEK'*

*in Sedgwick County, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.*

*"Commissioners, you've heard the Proclamation. What's the will of the Board?"*

**MOTION**

*Commissioner Peterjohn moved to adopt the Proclamation.*

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

*Chairman Unruh said, "And receiving the Proclamation is David Spears, our Director of Public Works.*

*Mr. David Spears, Director, Bureau of Public Works, greeted the Commissioners and said, "Since 1968, APWA, that's American Public Works Association, has sponsored National Public Works Week. Across the nation, our 29,000 members use this week to energize and educate the public on the importance of the contribution of Public Works to their daily lives, planning, building, managing and operating the essence of our local communities. APWA has selected 'Public Works Serving You and Your Community' as its theme for the 2011 National Public Works Week. This is the poster for year."*

VISUAL PRESENTATION

*Mr. Spears said, "Thank you for the Proclamation."*

*Chairman Unruh said, "Thank you, David. Thank you for all the good work and leadership that you give to the citizens of Sedgwick County on behalf of our government and providing the infrastructure that we need to make this a quality place to live. I know frequently we get to hear you say that infrastructure is the mother's milk of economic development, and so I wanted to be the first to say that before anyone else did. We appreciate your efforts on behalf of our citizens, and I might comment, that's really an outstanding piece of art. It's worthy of being framed."*

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

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

**Adopted**

**CITIZEN INQUIRIES**

- F [11-0519](#) REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE BUDGET AND HOW IT WILL AFFECT THE EXTENSION OFFICE. Presented by: Kent Winter, Vice- President of Sedgwick County Farm Bureau Agricultural Association.

*Mr. Kent Winter, Vice President, Sedgwick County Farm Bureau Agricultural Association, greeted the Commissioners and said, "My kids attend school in the Andale school system and they're also a part of the Sedgwick County 4-H program both at the local and the county level.*

*"I appreciate the chance to address you today on some issues concerning the budget as it relates to Sedgwick County Extension Office. I'll preface my remarks by stating that extension's mission primarily is education, taking the education to the people. The Sedgwick County Extension is part of the K-State (Kansas State University) system. K-state is one of the finest land-grant universities in the country with Sedgwick County Extension. One of the crown jewels in the state, not only in the facility there, but especially in the people that work there.*

*"Getting to the budget situation, Sedgwick County Extension worked up a budget with 6.58 percent cut, which translates to over \$72,000. They can live with that reduction if all other departments in the county are cutting that percentage also for Sedgwick County Extension wishes to be a team player. However, the latest numbers that I've seen reflect a 14.8 percent reduction, or \$161,000, and this figure, in my mind, would do great structural damage to our Sedgwick County Extension system here.*

*"I realize that you folks have to see hard numbers when you do the budgeting process, but there is also a broad spectrum of intangible benefits that come from the extension office services. When looking at these figures through the prism of equitability, I sense some real issues with the numbers in this proposal as it relates to the proposed reductions in the [Sedgwick] County Extension office.*

*"Let me get back to some of the intangibles that I believe take place with our Sedgwick County Extension service. I'm going to share with you some recently written Sedgwick County Extension success stories written by the agents, under the heading of the Agriculture and Natural Resources. The Kansas Master Naturalist program is just weeks away from graduating its first class of 26 participants from the South Central area of Kansas. By the end of April, these new Master Naturalists will have completed over 40 hours of service to the community in the area of natural resources. This project has been a competent partnership with the K-State extension and Dillon Nature in Hutch (Hutchinson). Shifting gears a little bit to the FCS, or the Family and Consumer Sciences area of Sedgwick County Extension, first one is; bed bugs are a growing concern in Sedgwick County, media hype and misinformation have caused residents to be confused about bug identification and best management practices in combating this problem. At a recent bed bug workshop residents learned about the growing bed bug problem, three of the attendees were from the Catholic Charities, a community leader in assisting people in need of food and shelter. The staff out at Catholic Charities share that they presently have three bed bug cases at their shelter. In Wichita, a typical bed bug treatment can cost nearly \$1,200. Catholic Charities listened to the teaching and came to the conclusion that their best action would be to invest in their own equipment. This would save their organization time and money in attacking this problem. This option would help them keep their shelters safe and bed bug free for years to come.*

*"Also under the heading of Family and Consumer Science, Sedgwick County residents are achieving better, healthier, and safer cooking, baking, and food preservation results from hands-on extension classes taught by FCS agents and Master Food Volunteers. Master Food Volunteers teach a series of seven, four-hour hands on baking and canning classes. Participants report that actually practicing research based information in both baking and canning has improved their skills. Adjusting for Kansas altitudes in canning or cooking at safe times and temperatures or adjusting healthier ingredients in both canning and baking has improved the quality and frequency of home food production and preservation. These skills are crucial during economic challenging times. The Master Food Volunteers have also improved their skills in teaching and now compete in county and state fair food competitions.*

*"Another one under the same heading, during open enrollment for Medicare, Sedgwick County Extension assisted 1220 Medicare beneficiaries with face to face counseling sessions, at walk-in enrollment events and through individual counseling sessions held at the extension office. Sedgwick County Medicare beneficiaries saved as average of \$868 each for a total perceived savings of \$1,059.*

*"Last one, under horticulture, 77,987 pounds of fresh produce was donated to the Kansas Food Bank in Wichita in 2010. This came through the Plant A Row For The Hungry (PAR) program. This is a national program that was started by the Garden Writers of America [Association], a local extension Master Gardener began the promotion of this project in the year 2000. Local partnerships were established with the Sedgwick County Extension Master Gardeners, Kansas Food Bank and the garden writer for the local newspaper.*

"Garden centers have agreed to act as drop-off sites during the summer and they also print brochures encouraging gardeners to grow and give excess produce to this program. Prior to this starting of this program, the Kansas Food Bank did not accept fresh produce. Since its beginning in the year 2000, local gardeners have donated 310,000 pounds of homegrown produce to this program. This is just a smattering of some of the programs that take place as a result of Sedgwick County Extension.

"How do you put a value on this? I don't know, but there are a lot of things going on out here that go way beyond the budget figures and the numbers. On a personal level, I have utilized the agricultural agent program (Sedgwick County Extension Agricultural Program) many times in my course of my operation. I farm full time, fourth generation Sedgwick County farmer. There are many times where I've relied on the Sedgwick County agents to give me unbiased opinions on how to take care of problems in the field.

"One more point I want to mention about 4-H. That program reached 12,000 kids in the year 2010. It goes way beyond the hands-on learning that comes from the project area, such as woodworking, electrical, photography, among others. To be personally, in the bigger picture, you have kids learning how to take initiatives to get things done individually, along with exposure to group projects where they interact and have to get along with other folks. It's also a great opportunity to develop leadership skills for those so inclined. Thank you very much for your attention."

Chairman Unruh said, "Thank you, Mr. Winter, for being here, and we want to recognize and appreciate your contribution to our community through your work in [Sedgwick County] Farm Bureau [Agricultural Association] and extension in 4-H and your significant contributions to our ag (agricultural) industry and making us a prosperous county. We know that your type of leadership is important to us, and you're passionate about what you're talking about, so we appreciate your insight. We do have a comment here from Commissioner Peterjohn, however."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Mr. Winter, just to clarify for the record, you're still Vice President of the Sedgwick County Farm Bureau Agricultural Association, is that correct?"

Mr. Winter said, "That is correct."

Commissioner Peterjohn said, "I wanted to make sure and have that added to the record. The extension office receives funding not only from Sedgwick County but also some state funding. Do you have any idea how that state funding may be affected in the state budget for the extension office?"

Mr. Winter said, "I don't have access to those figures. I would refer further questions in that regard to Bev Dunning, the director out there."

Commissioner Peterjohn said, "I don't know if maybe you had gotten the word on that. Earlier this year, I had the opportunity to participate with the Farm Bureau folks and observe the emergency training out on the agriculture, and you were involved in working with the emergency responders here in Sedgwick County, whether it's EMS (Emergency Medical Services), fire, and I very much appreciate the efforts that were put on that behalf. I think that training is very helpful and useful, particularly for folks coming out of a more urban background as opposed to a rural background.

"Farming is one of the more dangerous occupations in this country, and the emergency training that was provided, the scenarios that were provided, whether it involves anhydrous, turned-over tractors, a variety of things that sadly are all too common, clothing getting caught in augers, I think was very helpful for everyone who is involved. I wanted to publicly thank and commend the Sedgwick County branch of Farm Bureau for your efforts in terms of working with our folks and getting that knowledge here. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Mr. Winters, thank you."

Mr. Winters said, "Thank you."

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

**Received and Filed**

### **APPOINTMENTS**

- G**      **11-0469**      RESOLUTION REAPPOINTING MARY ELLEN PHILLIPS (COMMISSION UNRUH'S REAPPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING. Presented by: Rich Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

**Attachments:**      [Phillips, Mary Ellen.du.051111.pdf](#)

*Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "This item, together with the next two items, all pertain to the same board, and unless you object, I would ask that I be able to announce the next two items also."*

*Commissioner Peterjohn said, "Before we proceed, I think we should receive and file Mr. Winter's remarks."*

*Chairman Unruh said, "We can certainly do that before we make any more comment on the next item, Commissioner Peterjohn, if you would like to make a motion."*

#### **MOTION**

*Commissioner Peterjohn moved to receive and file remarks on Item F.*

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

*Chairman Unruh said, "Now Mr. Euson, your request is that we take these items and what groupings?"*

Mr. Euson said, "Items G, H and I altogether. And Item H is the Resolution reappointing Frances Seidl to Sedgwick County Advisory Council on Aging. That's Chairman Unruh's appointment. And Item I is reappointing Patsy Waller to the same board. That is also Commissioner Unruh's appointment. I would request that you approve of Items G, H and I."

MOTION

Chairman Unruh moved to adopt items the Resolution on Items G, H and I.

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

Chairman Unruh said, "Next item. Excuse me, please. These folks should be sworn in. Are any of these individuals present...okay, no one of these....so they will be sworn in at the appropriate time. Excuse me. Madam Clerk, next item."

**Adopted**

- H**      [11-0470](#)      RESOLUTION REAPPOINTING FRANCES SEIDL (COMMISSIONER UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING. Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

**Attachments:**      [Seidl, Frances.du.051111.pdf](#)

Action on Item H was taken with Item G.

- I**      [11-0472](#)      RESOLUTION REAPPOINTING PATSY WALLER (COMMISSIONER UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING. Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

**Attachments:**      [Waller, Patsy.du.051111.pdf](#)

Action on Item I was taken with Item G.

- J**      [11-0477](#)      RESOLUTION REAPPOINTING SANFORD ALEXANDER (COMMISSIONER UNRUH'S REAPPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD. Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Attachments:     [Alexander, Sanford.du.051111.pdf](#)

Mr. Euson said, "Again, Richard Euson. Again, this item together with the next four items all pertain to the same board, and if you don't object, I'd like to announce the others. These are all reappointments to the [Sedgwick County] Access Advisory Board.

"Item K appoints Susan Robinson, and that is Commissioner Norton's appointment. Item L reappoints Glen Davidson, that is Commissioner Ranzau's appointment. Item M reappoints Craig Perbeck, and that is Commissioner Skelton's appointment, and Item N reappoints David Moffett, and that is Commissioner Peterjohn's appointment. All of these serve for a term of one year, and I would recommend that you adopt all five Resolutions."

Chairman Unruh said, "Thank you."

**MOTION**

Commissioner Norton moved to adopt Resolution J, K, L, M and N.

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

Chairman Unruh said, "I know that Mr. Alexander is here. I don't know if there are others present to be sworn in."

Mr. Kelly Arnold, Sedgwick County Clerk, greeted the Commissioners and said, "I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Wichita Sedgwick County Access Advisory Board so help me God."

Mr. Sanford Alexander, Sedgwick County Access Advisory Board, greeted the Commissioners and said, "I do."

Mr. Arnold said, "Congratulations."

Mr. Alexander said, "Commissioner Unruh and Commissioners thank you very much. I deeply appreciate the honor to continue to serve on this important board. I know that as we face challenging economic times the things that we need to look at more toughly are mounting, and it's very important that all aspects of the community be considered. I really feel like I'm coming up behind, we've heard the fellow talk about the aging people, I belong in that and some of the other groups.

*"I've worked with Ron Holt in providing input on the Access Board (Access Advisory Board) for improvements to parking problems, which is a never ending issue at the arena, but we've seen very significant success, improvement, more disabled people are able to attend the function, which means that the income coming into the arena is augmented by their ability to be there instead of being home wishing they could find someplace to park and get in a building they could get into and get to the seat that they're supposed to have. I think that as an individual, I want everything, but realistically, I think I'm going to have to settle for something just a little bit short of that. But I do expect that as a citizen of the county, that the needs of people with disabilities are going to continue to receive fair and reasoned consideration at a time when it's easy to see what it costs and it's not always easy to see what it saves or what it produces.*

*"One of the challenges that the board faces, and that I've been very happy to be a part of trying to give I input, is that we have to look at conflicting needs within a population that sometimes can't all be done, or can't all be done at the level that we'd like them to be done, but need to be done at an achievable levels so that access can be ensured. And as we do that, our goal is always to look at what is the disability community able to contribute to the general society and to make sure that in large part that contribution exceeds what it costs to help the disabled community where help is truly needed.*

*"So that's one of the things that is constantly a challenge on the board, and actually I'm on my way to an Accessible Pedestrian Signal (APS) committee meeting, and that's where Mr. Spears was here earlier and we've had a chance to work with he, and a number of other people throughout the county government. And I'd like to leave you with one last thing that I think is a particularly exciting accomplishment and one that I'd like to share. A number of years ago, as you know, the Access Board was combined between the City Board and the County Board and a lot of people wondered how well that was going to work and how smoothly it could operate, and it's really been, I think, a model of cooperation between the two entities. One of the things that we've been working on for probably six or seven years now is developing an Accessible Pedestrian Signal policy. And this past fall, we were able to get a unified policy approved and accepted by the county and the city using identical language so that there's no conflict between the two documents. I think that it serves as not only a model in the state, which we're looking to be able to help implement, but also as a national model, because we've been able to accomplish things in Sedgwick County through the cooperation of the county and the city that has not been accomplished as easily or as effectively in places as large as San Francisco. So we have a national model. We have a document that is, I think, an example of true cooperation, and it does, in fact, do all the things I talked about earlier in terms of trying to balance conflicting needs, short resources, and achieving a goal that brings justice to as many people as possible. So I seriously look forward to the ability to continue working with the Access Board, and I'm very happy to see the fellow re-appointees being able to continue with me, because they've all been instrumental in being able to accomplish our goals. Thank you."*

*Chairman Unruh said, "Well thank you, Sanford. You're very articulate and well spoken. We appreciate your comments. You know, we hope that all of our appointees serve with imagination and intelligence, and I think you do that. We appreciate your service very much."*

*Mr. Alexander said, "Thank you, Sir."*

*Chairman Unruh said, "I think County Clerk Kelly Arnold needs you to sign off on a document, and he will assist you in getting to the right place to do that. Madam Clerk, next item please."*

**Adopted**

- K**      [11-0478](#)      RESOLUTION REAPPOINTING SUSAN ROBINSON (COMMISSIONER NORTON'S REAPPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

**Attachments:**      [Robinson, Susan.tn.051111.pdf](#)

*Action on Item K was taken with Item J.*

- L**      [11-0479](#)      RESOLUTION REAPPOINTING GLEN DAVIDSON (COMMISSIONER RANZAU'S APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

**Attachments:**      [051111 G. Davidson Access Advisory Brd info](#)  
[Davidson, Glen.rr.051111.pdf](#)

*Action on Item L was taken with Item J.*

- M**      [11-0480](#)      RESOLUTION REAPPOINTING CRAIG PERBECK (COMMISSIONER SKELTON'S APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

**Attachments:**      [Perbeck, Craig.js.051111.pdf](#)

*Action on Item M was taken with Item J.*

- N**      [11-0490](#)      RESOLUTION REAPPOINTING DAVID MOFFETT (COMMISSIONER PETERJOHN'S REAPPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD.

Presented by: Richard Euson, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

**Attachments:**      [Moffett, David.kpj.051111.pdf](#)

*Action on Item K was taken with Item J.*

**NEW BUSINESS**

O [11-0455](#)

PRESENTATION OF CAREER DEVELOPMENT CERTIFICATES.

Presented by: Mariann Bardezban, HR Specialist, Organization and Professional Development, Division of Human Resources.

The following individuals have completed the required curriculum for career development certificates. The focus of this program is to educate employees in areas of Diversity, Professional Development, and Supervisory Development while acknowledging their commitment to continuing education. Each certificate requires a diverse curriculum that encompasses many different levels of professional development, leadership or management skills.

Supervisory/Management Development Certificate

Robert Campbell	Corrections
Herschel Herring	Corrections
Michael Irvin	Corrections
Brandy McCune	Finance/Purchasing
Linda C. Purser	COMCARE
Kristi Winter	Corrections

Professional Development Certificate

Michael Irvin	Corrections
Brandy McCune	Purchasing
Julie Mueller	Corrections
Linda C. Purser	COMCARE
Todd Reynolds	Appraiser's Office
Laura Schmitz	Emergency Communications
Kristi Winter	Corrections

Diversity Certificate

Nellie Aguilar	Appraiser's Office
Wendy Buchanan	Corrections
Donna Howerton	Finance/Payroll
Ruben Longoria	DIO/Mail Center
Margaret Martinez	Register of Deeds
Brandy McCune	Purchasing
Linda Payne	Appraiser's Office
Todd Reynolds	Appraiser's Office
Trudy Strunk	Appraiser's Office

RECOMMENDED ACTION: Recognize the Certificate Recipients

*Ms. Mariann Bardezban, Human Resources Specialist, Organization and Professional Development, greeted the Commissioners and said, "It is our pleasure to be here to recognize these Sedgwick County employees who have completed their career development certificates. As you know, this is quite an accomplishment. It takes a lot of work to do these certificates. It depends upon the availability of the classes and so it can sometimes take really a couple of years to do that. The certificates that we will be presenting today include the Supervisory Management Certificate, the Professional Development Certificate, and a Diversity Certificate. We also would like to take this opportunity to thank the people who have supported career development in the county, including the supervisors and managers who are here today. So we have a little smaller group today, and I believe we've got everybody lined up, so I'll go ahead and present the certificates;*

*“Supervisory Management Certificate is Robert Campbell, Herschel Herring, and getting a trifecta today is Brandy McCune who is receiving all three: Supervisory, Professional and Diversity, congratulations.*

*“Let’s see here. Todd Reynolds is receiving two: Professional Development and the Diversity Certificate. Professional Development Certificate goes to Laura Schmitz. And the rest of them, Brenda Stocklin-Smith, our Diversity Manager will give the Diversity Certificates.”*

*Ms. Brenda Stocklin-Smith, Manager, Diversity and Employee Relations, greeted the Commissioners and said, “Thank you. Wendy Buchanan, Donna Howerton, Ruben Longoria, congratulations Ruben, Margaret Martinez, nice to see you Margaret, Linda Payne congratulations, Trudy Strunk, thank you Trudy, congratulations.*

*Ms. Bardezbain said, “That’s it for today.”*

*Chairman Unruh said, “Okay. Well, let’s...to each of you, we just want to say congratulations, and we’re pleased that you came to our meeting today to receive your certificates, evidence of your hard work and those of you that have multiple certificates, we want to especially thank you for your hard work. What you all do by increasing your level of professional capability and awareness is that you make us a better government and better able to serve our constituencies, and that is what we want to do. So we appreciate your extra effort in helping us achieve that goal. We do have another comment from Commissioner Norton.”*

*Commissioner Norton said, “Well, our slogan is ‘Working for You’, and you know, when you get more intellectual capital in your organization from learning, and learning is lifelong for all of us, it makes our organization so much better. I always call attention to that person who hit the trifectus, so Brandy, congratulations. Marianne kind of pre-empted that, and I’ll close with...Margaret, I’ve got my eye on you, she’s harassed me for like three weeks on the elevator telling me that she was going to call me out at the meeting, so I called you out first...congratulations to all of you, we’re real proud of the extra effort that you put in to Sedgwick County, thank you.*

*Chairman Unruh said, “Once again, thanks so all of you, and we sincerely appreciate your efforts.”*

*Ms. Bardezbain said, “Thank you very much.*

*Chairman Unruh said, “Okay. Madam Clerk, I think we’re ready to call the next item.”*

P [11-0424](#)

Suicide Prevention Coalition announcement of Link 4 Life Run.  
Presented by: Bev Baalman, COMCARE of Sedgwick County.

RECOMMENDED ACTION: Receive and File.

**Attachments:** [05-11-11\\_L4LPPTslide](#)

*Ms. Bev Baalman, Marketing Director, COMCARE of Sedgwick County, greeted the Commissioners and said, “Before I get started, the Sedgwick County Suicide Prevention Coalition sends a thank you with me this morning for your continued support of our awareness and educational efforts here in Sedgwick County to reduce the impact and risk of suicide in our community.*

*"If I can just see a quick show of hands up there, how many of you all already dusted off your cowboy hats and shined up your boots for the eighth annual Link 4 Life Run at Old Cowtown Museum this Saturday?"*

*Commissioner Norton said, "I have hats. I have a boot, but I am not running in that outfit."*

*Ms. Baalman said, "Well, for the rest of you, you still have time. It's Saturday, May 14th. We're really excited about this year's run out at Cowtown Museum. We start out at 7:45 a.m. with an open 5K run for any age, and then this year we have a new one-mile competitive run for kids 18 and younger. The reason we created this event was we've got kids moving up who want to be competitive now running and they're not quite ready for that 5K run. So we opened this up, both the 5K and the one mile are chip timed, which means they will be timed from the time they go through the start line till when they hit the finish line, because runners want to know how long it takes them to do these runs. And just for your information, we have a 6-year-old running that one mile competitive run this year. Then we also have other events for kids who just want to come out, have a good time, healthy activity and run. So we've got everything from a three quarter mile, down to a run, walk, and crawl, which is for 3 and 4-year-olds. Following that is a family walk. And these one mile, this 5K and the family walk will enjoy the beautiful paths of the Arkansas River."*

*"While this is all going on, we have our big Papa John's pizza party. We have a DJ called 'Totally Legal' who blares good rock and roll out there in the open skies, and Cowtown has promised us that they will have a lot of their shops open that morning for the families who come in to watch their runners go through the finish line, to enjoy Cowtown and pick up a little piece of history. If you want to register, you can still go to First Gear at 111 North Mosley. You can also go to Go Run, which is on the west side of Wichita on North Maize road. You can pull up [www.sedgwickcounty.org](http://www.sedgwickcounty.org) and still have time to register through mail as well as [active.com](http://active.com) online registration. I hope everyone will come out, have some great fun that morning. It's going to be a beautiful day."*

*Chairman Unruh said, "All right, I thank you. It will be a great morning. We have a comment, first of all, from Commissioner Norton."*

*Commissioner Norton said, "Well, I'm very proud of this organization for promoting Link 4 Life. It will be a beautiful day. The families will be out running, but the truth is this is to promote and make awareness of a very sad problem in our community, and that's suicide prevention. We need to keep that in mind, that as much fun as this is and as many participants as we have, we want people to realize that our community does have an issue with suicide."*

*Ms. Baalman said, "We do."*

*Commissioner Norton said, "And we need to continue to have awareness, let the community know how important it is to families to try to promote good mental awareness, that suicide is pervasive in our community. That's all I have, Mr. Chair."*

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

Chairman Unruh said, "Thank you, Commissioner. Well Bev, I know it's going to be a good time. All of you and your team do a good job of taking care of all the details to make it an enjoyable time for everyone who participates. This year, I don't suppose we can say enough, that this is at Old Cowtown rather than Sedgwick County Zoo. Still looking for a great turnout, but it's always a fun morning, and as Commissioner Norton said, it's for a great cause, to just promote awareness and try to each of us do our part in preventing suicide in our communities. It's a good work, thank you."

Ms. Baalman said, "Commissioner Peterjohn, we'll be watching for you to come through the finish."

Commissioner Peterjohn said, "Well, this year I think I'm going to be more in a supervisory capacity than I was last time around, because if I've got to wear cowboy boots and a cowboy hat, it does slow me down a bit."

Ms. Baalman said, "Thank you."

Chairman Unruh said, "Thank you. Can we have a motion to receive and file?"

**MOTION**

Commissioner Peterjohn moved to receive and file.

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

Chairman Unruh said, "Next item, please."

**Received and Filed**

**Q**      [11-0513](#)

PUBLIC HEARING ON PETITION FOR TRANSFER OF CERTAIN LAND COMPRISING THE VALLEY TOWNSHIP DRAINAGE DISTRICT TO THE EAGLE DRAINAGE DISTRICT.

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

RECOMMENDED ACTION: Open the public hearing, receive testimony, close the public hearing and make the appropriate findings and decision.

**Attachments:** [Petition for Transfer of Certain Lands](#)  
[Map of Eagle and Valley Drainage Districts](#)  
[Notice of Hearing](#)  
[Affidavit of Publication - Clarion.042111](#)  
[Affidavit of Publication - Clarion.042811](#)  
[Affidavit of Publication - Eagle.041911](#)  
[Eagle Drainage BOARD MINUTES](#)  
[Draft Proposed Order Transferring Territory - Sg Co](#)

#### VISUAL PRESENTATION

*Mr. Robert Parnacott, Assistant County Counselor, greeted the Commissioners and said, "I've got a map up on the screen to show you the two districts. You are charged with the task to hold the public hearing for the transfer of territory that will in sense combine these two districts into one. It's located up in the northwest corner of our county. The two districts are located in Eagle District in Sedgwick County, and the other district, Valley Township [Drainage] District, is in Reno County. Hearings will be required in both counties. This is the Sedgwick County portion of the proceedings, and you are going to have to consider the purpose of the petition, which is intended to allow for more efficient and adequate protection of the area from overflow and damage, from water, the transfer will be conducive to the public health, convenience and welfare and will improve the ability to maintain the Valley Township drainage district improvements by providing a broader revenue base for the purposes. And we have representatives here to testify that may help explain that a little better.*

*"The notice of the hearing was published as required by statute in both the Wichita Eagle, as the official county newspaper, and a newspaper of generally circulation in the area of the two districts, the Mount Hope Clarion. So publication has been had. Your roll is to open the Public Hearing and hear testimony on the advisability of granting the petition. In granting the petition, if you decide to do so, you should consider the following factors: The present cost methods and adequacy of trying drainage district operations, services, and works or improvements in the area that promotes cost, extent, and the necessity of any proposed or existing drainage district operations; services and works or improvements to be provided by the district which submitted the petition, and Eagle Drainage District is the petition submitter; the impact on the tax base of each district and the areas sought to be transferred if the transfer is approved or disapproved; the extent to which the areas are provided by the territory of the district which submitted the petition; the impact on the provision of the drainage operations, services or improvements if the transfer is approved; whether the proposed transfer will result in more efficient or more adequate protection of the territory from overflow or damage and injury resulted there from or will be conducive to the public health, convenience and welfare; and finally, to the extend the district has submitted the petition, has any obligations to operate or maintain dikes, levees or other flood control works previously constructed by the U.S. Army Corps of Engineers or other U.S. agencies in the territory. Unless you have any further questions for me, I would recommend you open the Public Hearing, hear any testimony, after that, you can close the Public Hearing and make the required findings and decision."*

*Chairman Unruh said, "Thank you, Bob. Commissioners, are there any questions that you have of Mr. Parnacott before we open it for Public Hearing? In seeing none at this time, I will open the Public Hearing and ask if there are any citizens that want to speak on this petition for the transfer of land compromising the Valley Township Drainage District to the Eagle Drainage District."*

*Mr. Kurt Harper, Attorney, Sherwood, Harper, Dakan, Unruh and Pratt, LC, greeted the Commissioners and said, "We're the attorneys for Eagle Drainage District. We were here a few weeks ago when we were getting this matter set on the agenda for the Public Hearing docket today. First, let me thank Mr. Parnacott for the attention he has provided us in the process for bringing this before you. It is before the Reno County Commission today as well. And they may have already had the opportunity to consider their corresponding resolution. In case Mr. Parnacott's attention to detail and depth of knowledge has somehow escaped the attention of the Commissioner, I wanted to comment, he predicted this agenda item would be reached at about 10:00 am today, and I think he started at 10:03 a.m. With the agenda you had, I think that by itself speaks volumes about Mr. Parnacott's degree of preparation on this.*

*"He outlined for you the factors that you are to consider. Let me just touch briefly on the items that we talked about when we were first scheduling the hearing for today. The property that you see that is in Reno County is a very small area relative to the Eagle Drainage District. The Eagle Drainage District itself has expanded a couple of years ago when in a similar resolution the land that had been Greeley Drainage District, which is the northwestern extreme of what you see as Eagle [Drainage District], was transferred to Eagle, as well. It was part of a process to deal with the competing problems of balancing the different drainage systems that have been enforced for decades. The next piece of the puzzle is the small district, which is the Valley Township Drainage District in Reno County. Its primary facility is a dike or a levee that essentially slows the rate of flow from some areas that are in the Valley [Township] Drainage District before they get to the facilities in Greeley [Drainage District] and Eagle. What we had begun to experience in those combined drainage districts was any time there was any failure or impairment to the function of the dike or levee in Valley [Township Drainage District], it would increase the rate of flow of water into the facilities maintained at Eagle and Greeley, which was creating hardship and ultimately was creating some risk of long-term damage to the facilities maintained by Eagle. By adding a small piece of land, which is the Valley Township Drainage District, to this larger drainage area, we're allowed to spread the cost of maintaining that dike or levee over a much broader area. We're allowed to achieve quite a bit greater efficiency in managing both their facility and minimize the long-term risk to the traditional Eagle and Greeley facilities. So we think based on the standards outlined by Mr. Parnacott, this is very well suited for combining the two districts into a single operation.*

*"It does cross county lines obviously, but when Eagle was originally formed it was under a statute that contemplates drainage districts that exist in more than one county. It was contemplated at the time that the drainage basin potentially was larger than that, which was ultimately originally defined by the District Court when this district was formed. Although we had hoped to have representatives of Valley present with us today, I'm not sure any of the landowners are present. I did receive this morning confirmation via fax from Juanita Silvey, who is the Clerk for the Valley Township Drainage District. Their meeting was held on March 10th of 2011 in which they considered the concerns of the landowners in that district and resolved to move forward with this proposed transfer consolidation as well. If it's the Board's pleasure, I brought copies of that fax with me in case you wanted to supplement your record with that written correspondence from representatives of Valley.*

*"In addition, I have with me today, Bob Seiler, who is the Chairperson of the Eagle Drainage District, and I'd like for him to comment maybe a little further on the interaction of the levee that would be maintained that's part of the Valley system and how its maintenance impacts the Eagle and Greeley drainage systems. So let me turn it over to Bob Seiler, if I may."*

*Mr. Robert Seiler, Chairperson, Eagle Drainage District, greeted the Commissioners and said, "Thank you, Kurt. Thank you, Mr. Parnacott for your help with this. I'm excited to address this issue about the Eagle Drainage District merging with Valley. Hard to talk about flooding on a season where we've had such lack of rain. I can't hardly get excited about preventing floods, but we'll try here. It's very important to address this during this time."*

*"We are a small community government, a lot of volunteer labor, a lot of work put into our drainage district. We have very limited budget. We're about \$60,000 to management what we manage. We have presently about 20 miles of levee, 13 miles linear, but covers about 20 miles of levee along the Arkansas River. And then we have about 40 miles of drainage ditches that drain northwestern Sedgwick County and flow it into the river, and hopefully a consistent way and a manageable way. We've done a lot of work in the last probably 15 years. The district was formed in 1950, kind of went through a process where it got together and got it done, and then kind of went, should you say, stagnant for a while. And now after some damage and some flooding, we've kind of taken the bull by the horns and got more aggressive with maintenance and getting things straightened out."*

*"I live at the lower end of the Eagle Drainage District, and my memories of flooding in 1973, when I was probably 12 years old, came from levee breaks up in Valley Drainage District. So that flooding devastated our farm at that time, and I remember taking the boat into the farm, two or three foot of water, and that was some 20 miles upstream. So this district is very important to our well-being of our district management plans, and we had seen a lack of maintenance in that district over the last 20 years. An older board was running that district, didn't really have the ability to get it done and didn't have the desire to make it happen. They've kind of said, hey, we need to do something different. And so we've offered to take them on, which is going to add about 4,000 acres to our drainage district."*

*"This is kind of phase two of our annexation, putting the watershed together, I guess is how you would say this. We're trying to put the watershed that's effective together. And the flooding that happened in 2007, they had several areas that topped the dike, and none of that has really been fixed since then. There has been a little bit of work, but not near enough. It's a real concern to our district. So we would like to add that. That is the reasons we've proposed this annexation."*

*"Phase three will come down the road probably when we move into Harvey County. Harvey County has some drainage issues that come down on us pretty hard and we have to deal with them, so we're working with Harvey County right now, and we have talked with Commissioner Peterjohn, and he's been involved with us on that. So we're working to maybe come up with a plan to annex into Harvey County to kind of get some of the dollars that affect us, would like to help raise our tax base with their dollars, because we have to control their water. So that's the mission of doing this, to help the people that are responsible for it to help pay. Other than that, if there are any questions, I'd be willing to answer them. Thank you."*

Chairman Unruh said, "Thank you for your comments. We have a question from Commissioner Norton."

Commissioner Norton said, "First of all, a dry season gives you a little bit of a chance when there's not as much of an emotion to put these things together and make things happen. So I know, even though it's been a really dry season Bob, that gives you a little bit of a chance to have good conversations, because we know we're going to have another wet season, and we need to have the levees and dikes fixed and in proper condition. Will you have to deal with levee certifications, much like the Valley Center floodway has had to do that federally, do you get caught up in that?"

Mr. Seiler said, "We are not certified by the Corps, but we will have to have permits from DWR (Division of Water Resources). I understand that permits were not ever issued on these dikes, so that will be a heavy monetary problem. We kind of thrive on moving dirt with our money, but when we have to get into permitting and engineering costs and stuff, it will be a stress to us. Hopefully we can get that done as efficiently as possible and get that done. But our dikes are not permitted in Valley. So they will have to be permitted."

Commissioner Norton said, "Mr. Chair, I'm wondering if, since we have such great expertise on dealing with big levees and certifications if there is someplace where our Public Works...or we could at least attach the township during these districts to at least our intellectual capital on doing that. We've dealt with that, for what, four years now. I don't know if it's the same kind of certifications. Do you know, David?"

Mr. Spears said, "I don't believe it's the same kind of certification. They're not a certified floodway like the Wichita/Valley Center floodway."

Commissioner Norton said, "Okay. What will your board composition be? Does it change that? You've had distinctly different drainage districts. Now you're going to have to combine."

Mr. Seiler said, "The board is taking the action that we would try to have a member from Reno County. We can only have a five member board, much like you, but if nobody steps up, we will go ahead and serve in those positions. Hopefully there will be somebody from that area that will serve. We've talked to a couple of people, so hopefully somebody will come forward."

Commissioner Norton said, "Does the change affect your funding in a positive manner to be able to take care of the levees that need to."

Mr. Seiler said, "Yeah, it will help us a lot that way, just to be able to get in there and do that. The levee district above Valley Drainage is Reno County No. 2, and they have done a really good job of taking care of things and seem to have things in order. That's kind of the region that both of us looked at, and being that it's upstream from us, water does run down hills, as Mr. Harper reminded me. That's why we're looking at that."

Commissioner Norton said, "And I guess finally, is there any undue physical impact on citizens in any of the areas because you're making the district larger and everything?"

Mr. Seiler said, "I think Valley may see an increase in taxation, but it's minimal, as I understand it. We do, to explain our taxing or assessing, we do charge \$3.00 per acre, which is kind of a different way to assess. Bentley has about 75 percent of our mill levee in the district, and they end up paying very little for flooding because they're basically away from the drainage problem. So it really works out well for us and something that we looked at as we annexed into other counties. It's a very equitable way for us to charge, and one of the real assets of our district, is to be able to assess the access to people that are largely beneficial."

Commissioner Norton said, "That's all I have, Mr. Chair."

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I have a question for Mr. Seiler. Is there any time frame at this point when you're anticipating bringing the Harvey County portion of this to our Commission as well as well as the Commission in Harvey County?"

Mr. Seiler said, "We have basically agreed to do that, but we're waiting on LiDAR (Light Detection and Ranging) to be done in Harvey County. And as I understand it, the LiDAR will be finished maybe in June, and Harvey County, so then we can get topical and figure out where the district really needs the lie, and whether the drainage needs to come to the Ark[ansas] River drainage basin. Some of the drainage in Harvey County goes to the little Ark[ansas River] basin which we have no jurisdiction over. When that happens, then we can move forward. I would hope within the next year that would move forward and we would be back here within, outside of no more than a year."

Commissioner Peterjohn said, "Obviously looking at the map, Harvey County is going to be an important piece of this. I hasten to add, because I was recently, just yesterday, had a person contact me and ask about drainage districts and the role of them here in Sedgwick County. I'm speaking a lot more broadly. Eagle has been more active certainly of the drainage districts that are in my County Commission District, and I appreciate the hard work of the folks up in Eagle and Greeley County who have been involved in terms of trying to make that work and try and avoid problems, and I second the comments of Commissioner Norton on this point, because it is important, but it's also important for people to know, and when they vote, for instance, the Drainage Districts can be on the ballot, and it is something that the public does participate in, and even though the structure can vary district by district, I'm glad you did mention the unique way in terms of how Eagle charges."

"I think it's important to get more information to the public out there, because if they need to know about these elected officials and whether they contact the Election Commissioner or County Clerk, these are public offices operating under state law, and the information is available to the public, and it would be covered under the open meetings and open records act like other bodies are, too. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Is there any else who wants to speak to this issue, anybody from the public? I don't see anyone moving to the podium, so in that case I will close the Public Hearing and ask Commissioners, once again, do they have any more questions for information or consideration from Mr. Parnacott?"

*Mr. Parnacott said, "I do have a housekeeping note. You are required to have a unanimous vote on this if you want to approve the transfer. We have prepared an order in anticipation that if you do so you can authorize the Chairman to sign if you'd like."*

*Chairman Unruh said, "All right, thank you for that clarification Mr. Parnacott. Commissioner Skelton."*

*Commissioner Skelton said, "Mr. Parnacott, what's the reason for a unanimous vote to adopt it?"*

*Mr. Parnacott said, "The statute requires it. That's what we're proceeding under."*

*Commissioner Skelton said, "Interesting."*

*Chairman Unruh said, "All right, Commissioner Peterjohn."*

**MOTION**

*Commissioner Peterjohn moved to approve the transfer.*

*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, Kurt. Thank you, Bob. Congratulations, I think. Madam Clerk, next item."*

**R**      [11-0517](#)

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.

**Attachments:** [Notice of Post Annexation Hearing Valley Center June 8 Ord No 1118-06](#)  
[Valley Center Ordinance No 1118-06](#)  
[Map Ord1118-06](#)  
[Owner letters and remarks](#)  
[City Report Post Annexation for Ord No 1118-06](#)  
[Service Plan for annex](#)  
[Valley Center Phase 1 annexation map](#)  
[Phase 2 Annexations](#)  
[PHASE 3](#)  
[PhaseV](#)  
[Phase VI8X11](#)  
[Valley Center Water and sewer](#)

*Mr. Parnacott said, "We are only asking today, for you to approve a Notice of a Hearing for a post annexation hearing we're going to hold, if you approve this, on June 8th, 2011. We have sent questionnaires out to the landowners in the area marked in red on the map, on the screen. That is the annexation that is subject to the Public Hearing that you have to hold five years after an annexation has been approved. The Valley Center service plan in this particular matter provided that they would, upon annexation, provide street maintenance, ditch and culvert cleaning and then the typical police, fire, code enforcement type services that the city provides. Upon petition, they would also provide water and sewer, and they also had plans to provide street lights and storm siren coverage in consistent with their city plans.*

*"The notices we sent out, of the 21 property owners involved, we got back five responses. We did have concerns raised in the northeast corner up there around 91st and Osage and 85th, 87th of Seneca on the road maintenance issues. Once again, this is the purpose of the hearing today, to discuss those issues, I just want to let you know that there are going to be concerns probably raised at the hearing on that. There was also a ditch cleaning complaint. We've always had a response from the city that has reviewed those complaints, and they will be prepared to address it more fully at the public hearing, but they've also indicated they believe they've provided sufficient services and ditch cleaning services. Unless you have questions for me, I'm just asking that you approve the Notice of Hearing and we will get it mailed out."*

*Chairman Unruh said, "Thank you, Bob. That Notice of Hearing will be for June 8th?"*

*Mr. Parnacott said, "June the 8th."*

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

**MOTION**

*Commissioner Ranzau moved to approve the notice of hearing.*

*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

Chairman Unruh said, "Thank you, Bob."

Mr. Parnacott said, "Thank you."

Chairman Unruh said, "Next item, please."

S [11-0376](#)

AGREEMENT WITH CENTRAL PLAINS REGIONAL HEALTH CARE FOUNDATION (CPRHCF), SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF WICHITA TO PARTNER WITH THE SEDGWICK COUNTY HEALTH DEPARTMENT UNDER THE PROJECT ACCESS PROGRAM.

Presented by: Roderick Harris, Center for Health Equity Director, Sedgwick County Health Department.

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

**Attachments:** [2011 Project Access Agreement.doc](#)  
[2011-12 Project Access Appendix A.xls](#)

*Mr. Roderick Harris, Director, Center for Health Equity, Sedgwick County Health Department, greeted the Commissioners and said, "Before you, we have an agreement between Project Access which is operated under the Central Plains Regional Health Care Foundation (CPRHCF) and the Sedgwick County Health Department. Project Access is a partnership program that facilitates accessibility to medical care through prescription medications and medical equipment, durable medical equipment.*

*"This is for uninsured residents who are also low income. And by low income, I mean individuals who have 200 percent Federal Poverty Level (FPL) or below. Project Access has been in existence since 1999, and again it operates under the Central Plains Regional Health Care Foundation, which is a communitywide network of public and private organizations that identifies individuals who may qualify for this assistance.*

*"Additionally, 610 local physicians and 8 hospitals have also volunteered their time and facilities as well as pharmacies who offer the prescriptions at a discount rate. To make note, there are 10,130 individuals that have been enrolled in Project Access since its inception and Project Access has also leveraged \$110 million and donated medical care by physicians and hospitals. Funding for Project Access comes from a few sources, such as the City of Wichita, Sedgwick County and the United Way. Funding levels for Project Access from Sedgwick County has been \$182,000 in 2010, and the funding level for 2011 is \$250,000. The increase is \$68,000 above what we did in 2010, and this is for an offset of the increased demand that the organization has experienced.*

*"A few other highlights; there have been 12 percent increase in patients in 2008-2009, 9 percent increase in patients from 2009 to 2010, and they project a 7 percent increase for this year. The \$250,000 allocation will take Project Access back to the original agreement that they had with Sedgwick County that began in 1999, and this will be used to fund a few positions that are currently existing in the organization as well as pay for the prescriptions and durable medical equipment. Project Access has also requested from the City of Wichita they go back to their original agreement of \$300,000, and that has been approved.*

*"I request that the Board of County Commissioners approve the agreement and authorize the Chair to sign, and I also have Jon Rosell and Ann Nelson with me today. Jon Rosell is the Executive Director of the Medical Society of Sedgwick County (MSSC) and Ann Nelson is the Associate Executive Director of Central Plains Regional Health Care Foundation."*

*Chairman Unruh said, "All right. Thank you, Roderick. This agenda item is a reconsideration from three weeks ago requested by Commissioner Skelton. And Commissioner Skelton, I will call on you."*

**MOTION**

*Commissioner Skelton moved to approve the agreement and authorize the chair to sign.*

*Commissioner Norton seconded the motion.*

*Chairman Unruh said, "We have a motion and a second to take the recommended action. Is there any discussion? Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you, Mr. Chairman. I want to reiterate my position on this particular issue from a few weeks ago. What we're being asked to do here is increase funding for Project Access, a very worthy program, by 37 percent, while at the same time we're reducing programs and employees and can't meet our own commitments here at the county. We're looking to reduce \$9 million for next year's budget and \$7 million the year after. We're making reductions of this years budget to try and decrease our spending.*

*"I can't justify increasing the 37 percent for an organization whose funding actually should come from the private sector while we are cutting spending for our own projects, own health department, a variety of other things. This is not a, my position is not a reflection of how worthy or important this program is, it's just a function of the reality of the financial situation of this county. There are lots of good organizations out there. United Way, Salvation Army, Red Cross, Y.M.C.A., DAV (Disabled American Vets), and a variety of other medical clinics, and we don't fund them. Now, we do partner with some organizations and they offer services based on contracts, but we don't offer these other organizations funding for their personnel when they have problems, or have a need for increase in personnel costs. We have our own personnel costs, and I think we should focus on that at this time.*

*"That being said, I did receive an e-mail and letter from some organizations that support Project Access, and I appreciate those e-mails. I would encourage those organizations, since this is an increase of \$68,000, it's easy to send an e-mail to someone and tell them how to spend their money. I would encourage those organizations to step up and help meet the challenge of financing Project Access and to get involved themselves more, if necessary. That being said, I would support funding Project Access at the current levels, and I'll make a substitute motion that we do that and fund Project Access at last year's level of \$182,000. Thank you, Mr. Chairman."*

**SUBSTITUTE MOTION**

*Commissioner Ranzau moved to fund Project Access at \$182,000.*

*Commissioner Peterjohn seconded the motion.*

*Chairman Unruh said, "Okay. We have a substitute motion before us. Now we would take comments on the substitute motion, I believe. So the first light on was Commissioner Norton."*

*Commissioner Norton said, "Okay. Well, I have it a little bit different perspective. I've been on the Commission almost the whole length of the time that Project Access has existed, and I've seen the impact that it's had on our community. I think many people know that I've been very involved in the Health Department and Health Access in our community.*

*"I've sponsored assemblies and summits to try to understand how we protect and help those that are vulnerable in our population, and when we say we have to take care of our own projects, every bit of money that I look at is not my own. It is the taxpayers that we try to serve, and we try to serve them in a lot of different matters, with public safety, mental health, aging, disabilities, 911, and in this case, adjuncts to public health. And this has outgrown in our community, we talk about partnerships, this couldn't be a better partnership with United Way, the City of Wichita, our medical community, or hospital community, our safety net clinic. So this is, in my mind, one of our own projects. Because it resides in Sedgwick County and it protects our citizens, protects the health and welfare of our community, and I've sworn to do that. So I have a different perspective, I'm going to be supportive; I will vote no on the Substitute Motion and would encourage my colleagues to rethink their positions. That's all I have Mr. Chair."*

*Chairman Unruh said, "Thank you Commissioner, I think next was Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you Mr. Chair. I'm going to appreciate the comments that I've heard from the bench. I've published some comments on this topic, and I stand by them. I think Project Access is an important organization doing very good work and important work. But when you look at a substantial increase over our current year funding, and the most recent information that's been presented this morning in terms of, you know, we talked about 8 or 9 percent, Commissioner Ranzau and myself had supported a smaller percentage increase over last year's funding, but not 37 percent. Especially in light of the fact that we're looking at, of the proposed \$250,000 we're looking at an expenditure of more than half of that is going to be pay for salary and benefits for five positions, all be it, I believe all five are part time.*

*"But it's still over 50 percent of the proposed \$250,000. And while a large part of the money, over 40 percent is being used for prescription medicine and medical equipment is part of this. We are living in challenging budget times. And so I am going to be supporting, Mr. Chairman, of the substitute motion, and urge my colleagues to, if we could look at a trying to come up with a figure that is not in a double-digit percentage increase over the 2010 level of fund. Thank you."*

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

*Commissioner Skelton said, "Thank you Mr. Chairman. My comments are that the county has a multifaceted set up responsibilities to discharge even during tough economic times, and I'm going to tell you something when it comes to employees, they are here to serve the public. And if it is necessary to lay off employees to continue to serve the public in a professional manor then that is what we need to do. I'm not going to advocate for government jobs at the expense of public service. So with that being said, I'm going to ask my colleagues to reconsider their position. Thank you."*

*Chairman Unruh said, "Thank you Commissioner, I would want to make a comment that I believe that Project Access is a tremendous example of partnerships and collaborations among different segments of the community. And collaboration has been defined, at least by some people, as being an effort where the total, the sum, the result, is greater than any of the individual parts. And I think that's what we have in this particular effort where we all work together and create something larger than any of us could do by ourselves. So it's a great collaboration, it's been successful, and I would suggest that we look at this in a slightly differently way. We're not talking about an increase in our funding of Project Access; the substitute motion is in fact talking about a reduction in our commitment to Project Access."*

*"In last year's budget consideration which we took care of in August of last year, and was approved by the Commission, it was approved at \$250,000. The substitute motion reduces that. So we're not talking about an increase, we're talking about an original motion of keeping our commitment that was made by the [Sedgwick] County Commission last August in this budget numbers, it's included in this budget, and so the substitute motion is not about holding last year's level, it is about reducing from this year's budgeted amount. So that's the way I look at it, and it is obviously different from some of my colleagues, but I wanted to clarify how my position on this is going to be, not support the substitute motion, but rather support our budgeted amount that was approved in the budget by the County Commission from last August. So that would be my comments, and if we're encouraging one another, if I heard that terminology, I would encourage folks to look at it in that light. I don't see anyone else asking to speak right now, so in light of that, on the substitute motion, I will ask the clerk to call the vote."*

VOTE

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

Chairman Unruh said, "Substitute motion fails, so now we have discussion on the original motion. And Commissioners, is there new comment or new information that you need or new comments you want to make? Commissioner Ranzau?"

Commissioner Ranzau said, "I just have a question, not on this, but this is something I'm interested in. We have a prescription card available to everyone in the county, a NACo (National Association of Counties) card, and I was wondering if Project Access uses that, takes advantage of that to the greatest extent possible. I had asked someone earlier, and I just wanted to..."

Ms. Ann Nelson, Executive Director, Central Plains Regional Health Care Foundation, greeted the Commissioners and said, "We do get that when people leave our program, we actually have better discounts through the Project Access program with participating pharmacies. We pay for generics. We have a maximum allowable cost list that the pharmacies can't go over, and they are very deeply discounted. When people do leave our program, when they are disenrolled, we hand those cards out to people."

Commissioner Ranzau said, "So you only pay for generics. Are there any drugs that you wouldn't pay for that the NACo card would allow them to get?"

Ms. Nelson said, "We do mostly pay for generics only. We do have a few name brands, insulin's, diabetic supplies that are only name brands, asthma inhalers. I could check. I think our discounted costs are deeper than that card."

Commissioner Ranzau said, "Okay. Just a question I had, thank you. Thank you."

Chairman Unruh said, "And, Ann, would you want to say your name."

Ms. Nelson said, "I'm sorry, I'm Ann Nelson, Associate Executive Director with Central Plains Regional Healthcare Foundation."

Chairman Unruh said, "Thank you, Commissioners, any other comment or question? Seeing none, we have a motion and second. Madam clerk, call the vote."

VOTE

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

Chairman Unruh said, "Thank you, Roderick. Commissioners, we've been at business for an hour and 40 minutes. I will declare a six-minute recess. We'll reconvene at quarter to 11:00 a.m."

The Board of County Commissioners recessed at 10:39 a.m. and returned at 10:47 a.m.

Chairman Unruh said, "Commissioners, we are back from recess, and so we will call our meeting back to order, and ask the clerk to call Item T, I believe we're ready for.

**Approved**

T [11-0010](#)

AGREEMENT WITH BUTLER COUNTY FOR SHARED TOWER.

Presented by: Kent Koehler, Sr. Project Manager, Division of Information and Operations.

RECOMMENDED ACTION: Approve agreement and authorize chair to sign.

**Attachments:** [Co-Ownership agreement 11-29-2010.pdf](#)  
[KTA-Butler Co Executed Lease 3 08 10](#)

*Mr. Kent Koehler, Senior Project Manager, Division of Information and Operations, greeted the Commissioners and said, "What I have before you today is an agreement that will help improve radio coverage for public safety responders in Sedgwick County. Approximately two years ago, we at Sedgwick County were approached by Butler County, they wanted to know if we would partner with them to co-share or co-own a radio tower. Butler County was in process of planning a new radio system. They knew that we had coverage issues in the east portion of our county. We said yes, we would go along with them and see where this took us. They knew they needed a tower in either western Butler County or eastern Sedgwick County. Butler County ended up partnering with Kansas Turnpike Authority to build a tower in Andover that's immediately adjacent to the turnpike.*

*"Little bit of background, as you know, Sedgwick County is in process of replacing our existing radio system. The current system has some end of life issues on certain parts of it. The supportability of that system is reaching the end, by 2013. It currently is a four site system. We know, through our work, that we would need additional sites. Approximately a year ago the county hired a consultant to help us look at our needs analysis, talk to the users, help us see where might be the best place to place towers. They did a computer graph of the system and saw that we do indeed have problems in the eastern part of Sedgwick County and this definitely includes east Wichita. They suggested where towers could be, they did a drive test to verify what the graph showed, talked to users, everyone seemed to be in agreement that there are problems with the radio system in the eastern part of Sedgwick County. We provided the consultant with the coordinates of a system and at the height Butler County would allow us to be on that we could be placed on it.*

*"The information they took, it definitely showed that this would improve radio coverage on a new system in that part of the county. In the meantime, we had issued an RFP, a Request For Proposal, for new radio system. After reviewing the responses and sitting down with all three responders, it appears to us that this tower site will fit in well with the system designed to improve coverage for our public safety responders. The financial side of this is our costs, our half of this radio tower is \$288,000. That includes the space on the tower, a shelter, generator and fuel tanks. In the past, Sedgwick County has leased space on towers. If we were to lease space on additional towers, we would still have to provide a shelter, generator, and fuel tanks. The cost of those items is approximately \$175,000. So the difference between this is \$113,000 difference.*

*"Our break-even point, if we were to go forward with this agreement, on looking at the lowest lease price we pay now, which is \$1,870, our break-even point would be 60 months. Another tower was looked at in the area this month, approximately two miles north, the estimated lease cost for that tower is \$7,000 a month, based on what one of our consultants and one of the vendors provided. At that point our break-even point is 13 months. So it appears we will hit that break-even point fairly quickly. Now, we will share the costs of maintenance and utilities 50/50 with Butler County once we place equipment on the tower. Any revenues that are received in the future, if all three entities, the Turnpike Authority, Butler County and Sedgwick County all agree that we can lease space to a cell phone provider, that revenue would be split among the three people on this contract. With that in mind, I request that you approve this agreement, authorize the Chair to sign, and we would be happy to answer any questions you have about this agreement."*

*Chairman Unruh said, "All right, thank you, Kent. I believe that you've done a good job of briefing us on this agenda item, so we shouldn't have many questions."*

*Commissioner Norton said, "Well, I'm going to be supportive of this; it has gone on for several years, the conversation. I think the Chairman and I both had conversations with fellow Commissioners from Butler County at our recent Kansas County Commissioners Association meeting. They were anxious to hear how we were moving along on them, and I assured them that I would be supportive of it. I think that we've done our due diligence. Staff has worked closely together to make sure this was advantageous for the county and for the assistance of Sedgwick County, and I'm ready to move forward on this today. That's all I have."*

**MOTION**

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

*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, "Kent, thank you. I would note that you are moving on in your professional career to another opportunity. I want to thank you for your service to Sedgwick County. You have been an important part of our government here, and we appreciate what you've done for us and we wish you the best of luck as you move forward."*

*Mr. Koehler said, "Thank you. Thanks for all the support from all of you for all that we do."*

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

**Approved**

U [10-0704](#)

MONTHLY INTRUST BANK ARENA REPORT.  
Presented by: Ron Holt, Assistant County Manager.

RECOMMENDED ACTION: Receive and File.

VISUAL PRESENTATION

*Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "I'm here today to give you the March 2011 monthly Intrust Bank Arena report, and based on your request, we've also included a first quarter year-over-year report. Before I get into the numbers, I would just like to, if you will, 'tee this up' by trying to take any surprises for you out of the report.*

*"The first thing I would say to you is that while we do have first quarter 2011, a very positive bottom line for the month of March, there was an operating loss. The first time that happened last year was in July, if you will recall. The other thing I will say to you is that when we get to the first quarter year-over-year numbers, that is the first quarter 2011 compared to first quarter 2010, you're going to see a lot of negative numbers, and I would just say to you, this is not something to get alarmed about, in this industry as we have tried to state before, from year to year, it is very unpredictable. Not only in what month you will get certain acts, but also whether or not you will get certain acts, concerts and those things, repeating. As we've talked about before, acts, for them to come here, number one, they need to be touring. Number two, they need to be touring enough dates that they are going to consider all kinds of markets, and we are a "B" market, if you will, for concerts, just by geography, by size, by location, and it is, again, not a predictable month to month, year to year, marketplace. We knew that, and A.J. Boleski, the General Manager for Intrust Bank Arena, is here, and because this puts the onus on him directly, we knew that when we were running the Kansas Coliseum, the Britt Brown Arena, we knew that when we negotiated the agreement with SMG, and therefore we ended up with an agreement with them, where if they are in a given year with a loss, then they take the financial hit for that loss.*

*"We do not expect that to be the case this year at all. I just want you to be cognizant of the fact that last year was a phenomenal year by all measures, and this year is going to not look so well if you compare the last year. Take away last year, and it is still operating in a very successful fashion. So with that in mind, let me get into the report.*

*"This is the outline for the report, and for the SMG agreement, we talk about the Community Affairs report and the financial summary. For March, you see the various events listed there, the dates attendance, tickets sold, gross ticket sales, and the average cost. Continuing on the next slide, with a total of nine events for March 11 performances, attendance for the month of March was 44,903. Tickets sold, 38,064. Gross ticket sales \$616,417. An average cost per ticket sold, \$16.19. Again, draw your attention to that average attendance per performance, again remind you that when we were developing the [Intrust Bank] Arena plan, we indicated that the average attendance was going to be 4,000 to 5,000, and we did that average in that 4,000 to 5,000 range last year, and we are seeing those same kind of numbers this year. Year to date, March again, just bottom line there, 31 performances, 139,988 in attendance, 120,893 tickets sold, \$2,470,238.00 gross ticket sales, the average cost per ticket sold, \$16.93. And the average attendance for first quarter was 4,516.*

*"Now, here's the year-over-year first quarter 2011 compared to first quarter 2010. And again, I'll just go to the bottom line there. You see that we had five less performances this year compared to last. 39,286 less in attendance, 48,333 less in tickets sold, gross ticket sales, 4,660,255 less in 2011 than 2010. You'll see later that there are significantly fewer concerts. And while most of the shows make money, none of them make money in the same way that the concerts do, for the Arena anyway, and that is specifically because of the concessions, food and beverage sales. And the average ticket price, again, reflecting that the fewer concerts, average ticket price down by \$19.16, this year first quarter over last year first quarter.*

*"Moving on again, back to just this year March, we have net employee wages and benefits, \$252,078, 50 employees, 390 part-time employees. Through March this year, \$727,181 in net employee wages and benefits, 50 employees, from 376 to 390 part-time employees. For the month of March, the total number of community groups volunteering in concession stands, 20. Amounts paid to those community groups for volunteering in the concession stands for the month of March, \$38,363. Spending with Sedgwick County and Kansas companies, \$222,919. Three arena presentations or tours, and no local events or activities in March this year.*

*"Year to date March, those same numbers, community groups, volunteering in concession stands, 59, amounts paid to those groups, \$117,181. Total spending with Kansas or Sedgwick County companies through March 2011, \$625,450, there have been four Arena presentations or Arena tours through March of this year, and two local events or activities through March this year.*

*"Now getting into the specific financials, again, the month of March, you see that the bottom line there, the net building income was a loss of \$28,390. That's with the gross building income of \$400,000 and then building operating expenses of \$429,308. But then there's still good news, and the good news is year-to-date through March, the net building income, \$111,108. And that's a total gross billing income of \$1,336,806, and building operating expenses year-to-date March 2011, \$1,225,698. Again, that's a positive number, and while we're not predicting exactly what that number is going to be at the end of the year, we do expect for, again, the Arena to be in the black this year. We'll just say, again, no way compared to 2010, which was just a stellar, stellar year.*

*"First quarter 2011 versus first quarter 2010, you see there in the concerts, and I'm not going to go through all these numbers, just going to go to the performances, events, and the building income. You see that we had four less concerts with a \$940,002 less in gross building income related to concerts this March versus year-to-date March this year, versus year-to-date March last year. Family shows, you see we had six performances less this year than last, with \$30,109 less in gross building income. Sporting events, we had three less events with \$47,727 less in gross building income. A positive here, relative to these numbers anyhow, is hockey. We had five more hockey games this year than we did last year, and gross building income, in the black, of \$81,189. When you look at 'other' and the first quarter totals, then if you just look at the bottom line on this slide, for the first quarter, we had seven performances, seven events less this year than last with a gross building income of \$973,899 less than last year. When you then put in the other operating income, which amounted to \$333,000 this year, \$767 this year compared to \$309,298, that again is a very positive number. The difference in the gross income year-to-date, March 2011, year-to-date March 2010, results in \$949,430 less, and the total bottom line there is the net building income, year-to-date, March 2011, over year-to-date March 2010 was \$862,770 less quarter-to-quarter, year-over-year first quarter.*

*"Again, the bottom line is, we're \$111,000 to the good this year, and while we anticipate a couple of more months out of this year, at this point anticipating a couple more months out of this year where we'll have probably a negative balance in one month, overall the Arena is still doing well, and is predicted to do very well this year. Again, running through these other numbers, the Arena event parking, we're still positive for March, still positive year-to-date, so with these positive numbers, we don't expect to have to pay anything toward that agreement with the city of the \$225,000 up to that amount, should these numbers be negative. The Q-Line, 1,296 riders in March, 4,384 riders year-to-date March 2011,*

*"Getting into the reserves, the reserves at the end of the March, \$12,739,215, this was up \$120,950 compared to the end of February. The reason for that is we see the \$121,800 revenue from the House of Schwan [Inc.], and we spent, or at least encumbered, \$850 environmental abatement for the Coleman property and these other areas, there were no encumbrances, expenditures or revenues for the month of March. These are upcoming events, and that's the end of my report. I'd be happy to answer any questions that you might have."*

*Chairman Unruh said, "Thank you, Ron. We appreciate that report, very thorough and informative, as usual. And we have a comment from Commissioner Norton."*

*Commissioner Norton said, "I am encouraged that we're still in a positive number. The truth is, all the years that I managed a retail store, you knew that you had a grand opening year and the second year would not be the same, and you start to grow your business and understand it, so that doesn't concern me at all. If you look at May schedule, four major concerts that will change the dynamic strategically I would think, the key is that we've got a great management group that understands the course of how you budget and manage the kinds of concerts that you have, and that you've managed an operating profit.*

*"It is in their best interests to do that. So I'm sure they are watching their payroll and their budgets closely to be able to be sure that expenses match up to the revenues they bring in on the different events they have there. No panic from me. Thanks for the update, and I think we have some good months ahead of us here as we go into the summer and fall seasons for concerts and other events. That's all I have, Mr. Chair."*

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

*Commissioner Skelton said, "I just want to second Commissioner Norton's report, understand there is going to be fluctuations of sales within any business. The Arena is certainly not exempt from that."*

**MOTION**

*Commissioner Skelton 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

**Received and Filed**

**V**      [11-0389](#)

ADDITION TO THE COMCARE STAFFING TABLE FOR TWO SENIOR SOCIAL WORKERS RANGE 22, ONE CASE MANAGER II RANGE 18, AND TWO PART-TIME ATTENDANT CARE WORKER POSITIONS.

Presented by: Marilyn Cook, LSCSW, Executive Director, COMCARE.

RECOMMENDED ACTION: Approve the addition to the COMCARE staffing table.

**Attachments:**      [Budget Impact - POM Grant 11](#)

*Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioners and said, "We recently received a grant of \$95,665 over two years to implement a forth 'Proud of Me' program from the United Health Ministries. The 'Proud of Me' program is a program for children with challenging behaviors who are age 2-1/2 to 5. This grant would help fund five positions that were just stated; two full-time Clinical Childhood Clinicians, one who would start in September of this year, the second who would not start until August of 2012, two part-time Attendant Care Workers and one full-time Case Management Specialist.*

*"It's anticipated that the program will be self sustaining by 2013, when the grant support ends, as has been the case with the other three 'Proud of Me' programs that COMCARE has run. The 'Proud of Me' program is an evidence-based program developed by a clinician by the name of Dr. Becky Bailey; it's called Conscious Discipline, that's the model that they use. The program teaches children and their parents skills in anger management, in helpfulness, in assertiveness, impulse control, problem solving and empathy. The clinician will also do assessments and screenings on children with serious problem behaviors in the community that are referred by physicians and parents and preschoolers. This forth program will be housed at The Opportunity Project on the northeast part of Wichita on Opportunity Drive.*

*The Opportunity Program has committed to providing us with a classroom, outdoor access to the outdoor playground, indoor gym space, and access, eventually, to the play therapy room when we need that at no charge to the program, which was a wonderful offer on their part. Part of the program involves working with children in the 'Proud of Me' program, they spend about half their time doing that, and the other part of the time, the staff are going into the home and working with the parents and transferring the knowledge and the skill building behaviors to the parents of these children and looking for root causes of why children are experiencing these acting out behaviors in the first place.*

*"The children who graduate from the program are followed into kindergarten and sometimes even farther into elementary school careers to insure that behavior gains are sustained. Children in these programs have a medical card, they have Medicaid coverage, so staff can sustain the program by billing for the services that they provide in the classroom and in the home and in the community.*

"And Commissioner Ranzau, when we talked a couple days ago, you asked about are there any studies, talking about the longevity. I did Google it to see. The program has been around for over 12 years, and since it has been designated as an evidence-based practice, that means it's been researched. All the research that I found had to do with the first couple of years, elementary school, there was one paper written that they referred to that talked about teens who were able to regulate their behaviors as a result of participating in a program. It's only one study, but it did help to look at that. We are recommending that you approve the additions to the COMCARE staffing table, and I would be happy to answer any questions."

Chairman Unruh said, "All right, thank you, Marilyn. Commissioners, are there any questions on this item? Seeing none, what is the will of the Board?"

MOTION

Commissioner Norton moved to

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

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

**Approved**

**W**      **11-0401**

CONSIDERATION OF GRANT IN THE AMOUNT OF \$82,033 FOR THE LOCAL ENVIRONMENTAL PROTECTION PROGRAM GRANT.

Presented by: Glen Wiltse, Director of Code Enforcement.

RECOMMEND ACTION: Approve the Grant Application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

**Attachments:**      [SFY2012 LEPP Grant Application-Sedgwick County](#)

Mr. Glen Wiltse, Director, Code Enforcement, greeted the Commissioners and said, "We are requesting to apply for this grant through the State of Kansas. At this time we are not sure the grant will be given out to anyone in the state, but we know that in order to receive it, we're going to have to apply. We have to submit it by the 15th of this month. We have historically had this grant in the county for the last five, six years, in our department prior to that, it's been with the City of Wichita. The money is used for staffing positions for water well inspections and wastewater inspections, and the money is actually comes from the State Water Plan Program for protection of ground water sources. We are requesting your approval of this grant application."

Chairman Unruh said, "Commissioners, is there any questions for Mr. Wiltse?"

MOTION

Commissioner Norton moved to approve the grant application and authorize the Chairman to sign all necessary documents.

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

Chairman Unruh said, "Next item, please."

**Approved**

X      11-0509

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS REGARDING THE PROCEDURE FOR HANDLING PETITIONS TO LAY OUT, ALTER OR VACATE ROADS UNDER KSA 68-102, ET SEQ.

Presented by: Kelly B. Arnold, County Clerk.

RECOMMENDED ACTION: Adopt the resolution.

**Attachments:**      [Draft Resolution for Road Vacation under KSA 68 1023 st seq.pdf](#)  
[ATTACHMENT A Petition under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT B Bond under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT C Notice of Proposed Action under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT D Order Setting Viewing under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT E Notice of Road Viewing under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT F Affidavit Service of Notice under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT G Certificate of assessment of damages under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT H Certificate of Road Viewing under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT I Affidavit of Service of Notice under KSA 68 102 v 4 5 11.pdf](#)  
[ATTACHMENT J Order Granting Petition under KSA 68 102 v 4 5 11.pdf](#)

Mr. Kelly B. Arnold, Sedgwick County Clerk, greeted the Commissioners and said, "I have before you a proposed Resolution for Sedgwick County to vacate county roads. Just a little background, there are two statutes in Kansas on vacating roads, and we have currently operated under KSA 58-2613, and this is for vacating streets, utilities and easements. Recently there has been a District Court ruling that states that we need to vacate specifically county roads themselves under KSA 68-102.

"Just a little bit about how this process works. First thing happens, a petition will come

*in and file petition with the County Clerk's Office, and they will also file a bond in the County Clerk's Office. Then for the County Clerk, the Clerk will bring this before the BoCC (Board of County Commissioners) at the next regular meeting, and then once it comes to the BoCC the County Clerk will send notice to the adjoining landowners and the Clerk will also publish in newspapers and post in the township and his office.*

*"The BoCC next action when this is brought before you is one to verify the petition is in good standing order, that the bond is in good standing order. Once that has been done, the Commission needs to determine if a road viewing is required. Under this statute, it requires a road viewing of the five Commissioners and three disinterested householders. At that first meeting, the County Commission will also set a date for this road viewing. This is a public meeting out on the county road. The Commission will also point their three disinterested householders at that meeting, and then other options, in our Resolution that we have added into it to give you flexibility, is to if you want to have this brought before any other county staff or have opinions from that, one is send it to advisory boards, MAPC (Metropolitan Area Planning Commission) or MAPD (Metropolitan Area Planning Department), or if this is within three miles of City of Wichita, get feedback from the City of Wichita and/or township officials.*

*"The Clerk then will publish the notice twice in newspapers. This is for the actual road viewing, and then also post this in my office and then in the township that it is located in. The petitioner will also provide notices to the landowners. Once the road viewing has been set and the Commission and disinterested householders go out, the BoCC, the County Surveyor and three viewers shall proceed to view, survey, layout, alter or vacate the road at issue. BoCC and the viewers shall assess and determine the amount of damages sustained by any person whose premise the road is proposed to be established, provided the owner has notified and filed an application with the County Clerk. I believe even after it is, they have 12 months to submit that.*

*"Once the road viewing has been conducted, the BoCC may direct the County Surveyor to provide a certified return and plat of the road to be vacated with the County Clerk. In the reports from staff, advisory board, MAPC, MAPD, city or township shall be filed with the County Clerk's office. The BoCC shall certify with the County Clerk's assessment of damages that were given, the BoCC and viewer shall sign a certified letter with opinion for or against road vacation with the County Clerk. Once I have all those reports filed with my office I will bring the item back to the BoCC and put it on the agenda. At that time the BoCC shall determine whether the road should be vacated, determine whether the public welfare will be served by the Board's decision, and determine whether there are any legal objections to the road vacation. I guess that's it, any questions?"*

*Chairman Unruh said, "Yes, I think we do have a question from Commissioner Skelton."*

*Commissioner Skelton said, "Thank you, Mr. Clerk. Couple points, maybe you could address for me. What is the purpose of having a bond, and is the petitioner responsible for purchasing that bond?"*

*Mr. Arnold said, "Yes. Well, the bond is basically a document stating that the*

*petitioner will pay for basically all costs, publishing costs, you know, from my office to publish in the newspaper, to send letters to the landowners, if there's additional cost for some roads that may be moved and not just vacated, but moved over, and then I don't know if they have any pay for the damages or not for the land owners."*

*Mr. Skelton said, "I apologize. But I mean, this bond could be of substantial value, then."*

*Mr. Arnold said, "Potentially could be, depending on what type of case it is, yes."*

*Mr. Skelton said, "Okay, all right. Now, what is exactly meant by 'disinterested householder', is that somebody that owns property or can rent a property or what does that mean? If I have an apartment does that make me a non-householder?"*

*Mr. Arnold said, "I believe it is pretty vague. I would probably say somebody that does not have a vested interest in that road being vacated. So anybody in the county can be a disinterested householder."*

*Mr. Skelton said, "Or an impartial...okay. All right, that's good enough, I reckon. And then assessment of damages, so could you clarify what is meant by that, what is that in this context?"*

*Mr. Arnold said, "Well, it would be a case by case context, but, I mean, if this is damages to another property, meaning maybe they need to put a new fence up, change the gate around, you know, if a road is moved from one part of the property over, you know, 50 feet and takes part of their property."*

*Mr. Skelton said, "Okay. Well, I appreciate that. So those are my questions, Mr. Chairman."*

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

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I think I have questions as much for the County Counselor as for the County Clerk. Up until January of this year Sedgwick County has always done road vacations under KSA 58-2613, am I correct?"*

*Mr. Euson said, "Yes sir, that's correct."*

*Commissioner Peterjohn said, "Let me also ask that when the District Court ruled and dismissed the case, that case is now under appeal into the appellate courts."*

*Mr. Euson said, "Yes, it is, in the Court of Appeals."*

*Commissioner Peterjohn said, "Okay. Thank you. The reason I provide this, and for better understanding and why I'm not going to be supporting this motion, last year we had an issue of road vacation case, and it was closely decided, we had a long public hearing and we had testimony from a lot of people, and the Commission split basically three to two, and the majority at that time agreed to go ahead with the road vacation, and we used the other statute that's in place. Part of the reasons I'm going to be in opposition to this motion today is we are going to use a second statute that has been mentioned in prior testimony, pretty vague in terms of what a 'Disinterested Householder' happens to be.*

*"I am not sure where we are going to come up with the funding it pay for the three*

*disinterested householders who are going to be brought in, and compensate them for their services as part of this. I don't know how much they are going to be paid. If there's anyone here who can answer that question, I'll open it up to either the Clerk or the County Counselor or County Manager. This Commissioner would certainly like to know at this point in time, and I'll just wait and see if anybody jumps up to wave at me and say that if they've got money and a line item in their budget to pay for this I would like to know about it."*

*Mr. Arnold said, "There is not a set rate. The state statute, the language is a prevailing wage. We have done some research trying to get feedback from other counties. We've talked with our departments on kind of what would be the pay for, you know, a chain gang or somebody out there to assist with this, and there's been a varied amount. It can be set where you are paid an X amount of dollars per day for the thing, or paid by hour."*

*Commissioner Peterjohn said, "Well, I appreciate the more we have. And it goes to my point that because of the events coming out from that vote last year involving the Cook Airfield and the southeast part of the county, we're changing statutes that we're operating under and we are going to take on a process that's more complicated, cumbersome and expensive. For those reasons, Mr. Chairman, I will not be supporting this motion. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Is it required, Mr. Clerk, that we pay people to come do this? I mean, is there an assumption that some folks might do it out of their civic duty and responsibility and want to participate?"*

*Mr. Arnold said, "I think the Board can determine what a prevailing wage is. If they decide it would be zero, then, yes. And if you could find three people that would be willing to come out and voluntarily and do it, I don't see an issue with that."*

*Chairman Unruh said, "Okay. That's a possibility."*

*Mr. Arnold said, "Yes."*

*Chairman Unruh said, "All right. Thank you. And I just want to make a comment that I think that this particular statute that we are currently contemplating operating under provides a definitely more complicated and cumbersome process, but that seems to be a genuine characteristic of government action, where they bring different people to the table and they try to get consensus and they involve different members of the community, so in that respect, that's the way government works, and so I'm not opposed to it on that ground. And in light of what I think is going to be the current legal requirements for this to operate under, I am going to be supportive of this agenda item. Commissioner Skelton."*

*Commissioner Skelton said, "Thank you. Regarding disinterested householders, you know, I am putting together an advisory board here, and my question for staff is, or Richard perhaps, would it be appropriate for me that these cases come to the District Advisory Board for recommendation and probably the answer would be no, but these people would not be in a position to serve as disinterested householders because they are on the advisory board. Is my interpretation correct here?"*

*Mr. Euson said, "I don't know that that would be an immediate conflict or necessarily a*

*conflict. It would depend on the facts.”*

*Commissioner Skelton said, “Okay. Well, certainly I would be interested in asking if three, if there was a case and it was appropriate down in southeast Sedgwick County where my district is, to appoint three members from my District Advisory Board to serve in this capacity, I am aware of many volunteers in the community that would probably do this without pay. I’m willing to bet on it, okay. Does anybody want to bet? No, just kidding. So those are some of my thoughts. Definitely I am going to support this, because this is 100 percent clear to me that this provides more accountability, and it is 100 percent clear to me this is less arbitrary. So those are my comments.”*

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

*Commissioner Ranzau said, “Thank you, Mr. Chairman. Mr. Euson, could you tell me how long we have used the other statute in vacating roads, has that been forever?”*

*Mr. Euson said, “The County has been using it as long as I’ve been here, since 1981. And I assume prior to that, but I really don’t know.”*

*Commissioner Ranzau said, “It’s been used several times in the past. You know, I fully intended to support this, but I do find Commissioner Peterjohn’s remarks to be compelling. I was not involved in the original zoning case with the Cook Airfield, but I’ve been subsequently somewhat involved. I found some of the things we’ve done to be less than genuine, in my opinion. I think essentially we found a way to lose the court case, so I am finding that troubling. So I will also oppose this item. Thank you.”*

*Chairman Unruh said, “Thank you, Commissioner. Is there any other questions for Clerk Arnold? I think I’ve forgotten, do we have a motion? We do not have a motion. That’s why I didn’t remember it. We need a motion to adopt the resolution. I will make that motion.”*

**MOTION**

*Chairman Unruh 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>No</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, “Next item, please.”*

**Approved**

Y [11-0501](#)

RECEIPT AND REVIEW OF PETITION FOR VACATION OF ROAD UPON OR ALONG  
A SECTION LINE UNDER KSA 68-102, M ET SEQ.  
Presented by: Kelly B. Arnold, County Clerk.

RECOMMENDED ACTION: Receive petition, find to be in legal form, approve bond, appoint three disinterested householders of the county to act as viewers, designate the day for the viewing of the road to be vacated, order the County Surveyor to attend the viewing to survey the road, set this matter for consideration on the date set out in the attached notice, and approve the notice for publication by the Clerk as directed in the notice.

**Attachments:**     [Eberly Farms Petition.pdf](#)  
                              [Eberly Farms Bond.pdf](#)

*Mr. Arnold said, "We just happen to have a notification of petition. With our newly adopted procedures, this road vacation petition is what we're calling Eberly Farms up in the northwest part of Wichita along 21st Street. Our office has received a petition and a bond proposed to vacate the public road dedicated by instrument recorded March 5th, 1981. And I do have a map here, so won't have to read all these numbers for you. It is generally located on the south side of 21st Street in between 135th and 119th. For those that look for items, there is a fire station at 21st and 135th, it is to the east of that where Eberly Farms sign is and there is a driveway road, that's an actual county road. The petition states that the road is currently only being used to access private property and that no private rights will be injured or endangered and that the public will not suffer any loss or inconvenience. So the first action today is going to be for the BoCC to verify the petition is in legal form and the bond has been filed. And I believe in your packet you guys have had the copy of the bond and the petition; I have it here if anybody would like to see it again. I believe the County Counselor's office has looked at it as well."*

*Chairman Unruh said, "Are there any questions for the Clerk on this petition to vacate a road? Okay, we do have lots of backup material we have been able to review."*

*Mr. Arnold said, "Okay. So the Board will need to decide if it is a good order. We need to then appoint three disinterested householders today, and set the road viewing date today. And I happen to have a date for that, too, and a time."*

*Chairman Unruh said, "And you have some suggestions?"*

*Mr. Arnold said, "I believe several Commissioners have some possible names and we can hammer them out now."*

*Chairman Unruh said, "All right. Before we go on, we have a comment from Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I think there's a delicious irony in the fact that the previous item was considered and the first Road Vacation case would fall under my district. But all that aside, I'm going to make the motion that we receive the petition, I find it to be in legal form, approve bond, appoint three disinterested householders from the county to act as viewers, designate the date for viewing on the road to be vacated, order the county surveyor to attend the viewing to survey the road, set this matter for consideration on the dates set out in the attached notice, and approve the notice for publication by the current Clerk as directed in the notice."*

MOTION

*Commissioner Peterjohn moved to take the recommended action.*

*Commissioner Skelton seconded the motion.*

*Commissioner Peterjohn said, "Thank you. "*

*Commissioner Skelton said, "You are welcome."*

*Commissioner Peterjohn said, "And Mr. Chairman, just for the record, since this is my district, I have contacted three citizens who I think will all fall under whatever the fairly vague disinterested household criteria for this panel. However, I am not sure in terms of what if any compensation would be entailed, and because of the information at the time I spoke with these parties, they had left me with the impression that while folks had told me that we really weren't sure where this was going to go, and I am not more sure today than I was at the time."*

*Chairman Unruh said, "All right. Well, will you show us the list of the people? I mean, that will be part of this motion."*

*Mr. Arnold said, "We do. I don't have..."*

*Commissioner Peterjohn said, "I didn't know, do we need to provide the three names?"*

*Mr. Arnold said, "I would probably go ahead and state the three names."*

*Commissioner Peterjohn said, "For the record right now. Mr. John Todd, Mr. John Stevens, and Mr. Max Weddle."*

*Chairman Unruh said, "Okay, and that becomes part of the motion, those three names, is that correct?"*

*Mr. Arnold said, "Yes."*

*Commissioner Peterjohn said, "My motion is, yes."*

*Commissioner Unruh said, "And the second agrees to that?"*

*Commissioner Skelton said, "Yes."*

*Chairman Unruh said, "So have we fulfilled the requirements?"*

*Mr. Arnold said, "And a date that all five of you happen to have free. Part of my publication is you have to have at least 20 days before your last notification in the paper, which gives me another...I figure another few days before that to publish it twice. June 30th at 1:30, it is a Thursday. If all of your calendars happen to be free, that would be a date recommended that would give me time to publish in the newspaper and post in the townships. And give any staff a chance to look at this."*

*Chairman Unruh said, "Okay. Thanks you. We have a question."*

*Commissioner Skelton said, "You know, hey, I am not trying to make things more*

*difficult. This issue of pay has not been decided and, you know, I seconded the motion, and I really don't think we need to be paying people for that, so if there's going to be an issue and they are requiring pay, I would like to know about it. Is there anything inappropriate with what I'm saying, Mr. Chairman?"*

*Chairman Unruh said, "I think not. It is a question under discussion."*

*Commissioner Skelton said, "Okay. I just don't want to be paying people to go out and view roads. I know people that volunteer for this kind of thing and want to volunteer for this thing, and so that's my position."*

*Chairman Unruh said, "Commissioner Peterjohn?"*

*Commissioner Peterjohn said, "Question for County Legal, Mr. Euson, does the statute call out compensation? My understanding was earlier discussion was the phrase prevailing wage was included for the disinterested parties in the statute. Am I correct?"*

*Mr. Euson said, "Yes, that's correct."*

*Commissioner Peterjohn said, "Well, I don't know if we have a discretion in that point. We have maybe discretion in terms of prevailing wage, but since we changed the statute, the majority here in their wisdom has done that, I am assuming we have to comply with state law on these matters, now second point of clarification for the Clerk or County Counselor, if all five Commissioners aren't present for this viewing, is that invalidated or do we all have to be there for the viewing and to be there for the entire viewing?"*

*Mr. Arnold said, "I might defer to the County Counselor, I believe it is a public meeting so I would say a quorum would be required."*

*Mr. Euson said, "I certainly agree with that. It talks about Board of County Commissioners acting; there is nothing that says that it has to be unanimous."*

*Commissioner Peterjohn said, "But we would need a quorum for the viewing."*

*Mr. Euson said, "Yes."*

*Commissioner Peterjohn said, "I'm just, you know, can't guarantee what may or may not transpire in the future. I'm glad you've checked to see that we've got an open date."*

*Chairman Unruh said, "Well, we have a motion to receive the petition, we have a date and time, we have three people. Do we need to do anything more than that to be in compliance and move forward?"*

*Mr. Arnold said, "Not to be in compliance. If you want to recommend this to any other boards, you know, I don't know if you have to do that now or just informally."*

*Chairman Unruh said, "If it is not a legal requirement, then we'll do that informally."*

*Mr. Arnold said, "All right."*

*Chairman Unruh said, "Is everyone clear on the motion, is the Clerk clear? Okay."*

Commissioner Norton?"

Commissioner Norton said, "Well, just a couple of thoughts from me. We are probably not going to deal with this statute or any kind of road or street vacation statutes very often. I don't have a problem with the prevailing wage if that's it, certainly anybody that's going to be appointed could refuse to accept that and do it as a volunteer, so I don't have a problem there. I think it would be judicious as we move this forward after today for all of us to pick several people that we have contacted that would be interested in being on a panel, put them in a pool, and then when we're ready to do road vacations we just draw from the pool at random, ask them if they would be there, and then they were not appointing anybody as a Commissioner from that district, we're appointing from a pool. It could be somebody that we would like to look at it, but it would be out of a pool of disinterested people, and if they would have anything that would keep them or deny them from being disinterested, they would have declare that and we would pick another person. It would be nice to have a pool of people, kind of ahead of time to know that we would have that if it ever comes up again. I certainly have some people in mind throughout the county and that reside in my district that I think would be good to serve on a panel like that."

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

Commissioner Peterjohn said, "Thank you, Mr. Chair. I agree with the sentiments of Commissioner Norton in terms of putting together a group of people who would be available and that way we could avoid some of the possible conflicts of interest, you never know what cases might come up in the future. Having said that, I don't know if the statute gives us flexibility in terms of, we have to when we make this motion pick those people going forward with this, because it kind of puts us in the position do we lock in on who those three people are as part of this motion. That's what I mean by the cumbersome nature as I understand the statute. And I think the pool idea is a great idea. If I had more time and we said, okay, you know people with some knowledge about real estate and who are willing to volunteer for it. But, you know, it was presented to me, I was told A, it says 'compensations'. So that's the way I proceeded when I talked to the parties. But I have no problem, and I think it is a good idea to have a pool of people that we can call upon. The awkward part of this is we set this in motion today, and the soonest we can get to it, in terms of examining it, we're looking at roughly seven weeks from now."

Chairman Unruh said, "Thank you, Commissioner. We can establish those procedures, you know, have staff and have the Clerk help us do that. However, for today's action, rather than try to refine all that, if we are in compliance and we can move forward, I would like to do that. And if that's in agreement with all the Commissioners, I will go ahead and call the motion. Call the vote, please."

VOTE

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

Chairman Unruh said, "Thank you, Mr. Clerk. Next item."

FOR CIP PROJECT PAVE LOTS B, B1 AND C AT THE KANSAS PAVILIONS.  
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, "Public Works has requested an increase to the Project Overlay Lots B, B1 and C at the Kansas Pavilions. This project was originally approved last June. Lots B and B1 were completed last year. The overlay of Lot C was deferred. The overlay of Lot C is appropriate now because the bid of the restroom and shower will be let shortly and they will defer the overlay until the building is out of the ground. That will enable both the markings and any paving detail such as ADA (Americans with Disabilities Act) to be done without multiple visits. There's \$13,409 remaining in the project budget, Public Works is estimated the total cost of the project together with a contingency at \$127,820. That means we'll need to increase the project budget by \$114,411, and the recommended source of funds is from the [Intrust Bank] Arena operations reserve. The CIP (Capital Improvement Program) committee and staff recommend approval of the project: do you have any questions?"*

*Chairman Unruh said, "Thank you, Pete. We have a question from Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you, Mr. Chairman. Pete, the funding for this will come out of the Arena funds; is that correct. Consistent with the vote that was taken, so it will come out of the property tax fund?"*

*Mr. Giroux said, "Yes."*

**MOTION**

*Commissioner Ranzau 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."*

**Approved**

**AA**     [11-0485](#)

RESOLUTION ESTABLISHING PARKING RESTRICTIONS ALONG THE 21ST STREET NORTH RIGHT-OF-WAY FROM ONE-HALF MILE WEST OF 135TH STREET WEST TO 135TH STREET WEST, AND PROVIDING FOR THE ENFORCEMENT THEREOF. DISTRICT 3.

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

RECOMMENDED ACTION: Adopt the Resolution.

**Attachments:** [11-04850001.pdf](#)

*Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "Item AA is a Resolution that will prohibit parking on 21st Street north from a half a mile west of 135th Street west to 135th Street west. This parking prohibition is at the request of the northwest YMCA (Young Men's Christian Association), as they will be constructing an addition to their facility, and this activity will remove some of their onsite parking during the project due to construction material, storage and construction vehicle parking. The YMCA staff is concerned that some of their members might park along 21st Street north during the construction, instead of find being temporary parking provided by the YMCA. This resolution has a sunset provision that will remove the parking prohibition at the completion of the building project or March 1st, 2012, whichever comes first. The building project is scheduled to begin late May and be completed by the middle of December this year, so the 2012 date will provide sufficient cushion in the event of delay. Recommend you adopt the Resolution."*

*Chairman Unruh said, "All right, thank you. We have a question, Commissioner Norton."*

*Commissioner Norton said, "It seems to me as high traffic area as that is that we should not have parking on 21st Street all the time in front of the Y[MCA], am I going backwards here?"*

*Mr. Spears said, "Well, we've never had a problem with folks parking there since the Y has been there. They've got a huge parking lot where folks can park, and it has never been a problem. If it becomes one, we could come back to you at a later date and bring it to you, but it is not been a problem."*

*Commissioner Norton said, "Well, I just know that area continues to develop, there's more traffic. Commissioner Peterjohn may know more about that. I think that's starting to be a pretty high traffic area through there."*

*Mr. Spears said, "We already lowered the speed limit from 55 down to 40."*

*Commissioner Norton said, "Okay, not a problem. If we have to, we can always come back and reinstitute something out there."*

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

*Commissioner Peterjohn said, "Yes. Just, this is my district, and I appreciate Commissioner Norton's comments on it, because it is an area that's had growing traffic. Now St. Teresa's [Via Christi Hospital] has opened up a campus just west of YMCA, you have got an expansion. The question I have for Mr. Spears, do we have a county wide policy concerning parking alongside arterial streets that are in the unincorporated areas? I believe the Y is in the City of Wichita. Just west of there, you are in the county."*

*Mr. Spears said, "No, we don't have a particular policy. It is just if there's a problem, we*

*address it at the time. There's been events that have happened before, I don't know if any of you recall the water ski events, and then we've had to, because they didn't have any parking and it is a safety problem, when we've had to temporarily put up 'No Parking' signs and have a Resolution pass. In general, a lot on the county roads, there is not a lot of businesses for people to stop at and stop on the county road. We are mainly rural."*

*Commissioner Peterjohn said, "I hate to act like I'm picking at an ongoing policy problem, but the northwest branch YMCA, as I understand it, is in the City of Wichita, and if they have annexed the north side of the street to the street, shouldn't that street have an been annexed into the city road system at that point, too, even though across the street, I believe that's still unincorporated Sedgwick County."*

*Mr. Spears said, "That is correct. They should have annexed, but they did not."*

*Commissioner Peterjohn said, "So we still have responsibility, even though they are out of compliance with state law."*

*Mr. Spears said, "That's correct."*

*Commissioner Peterjohn said, "So I mean, do we really have authority here if..."*

*Mr. Spears said, "The road is ours, the road is still ours, we have the ability to do 'No Parking' if it is in the right-of-way."*

*Commissioner Peterjohn said, "Okay, because I wanted to make sure it is completely within the county's jurisdiction."*

*Mr. Spears said, "It is still ours because the City has not annexed it."*

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

*Chairman Unruh said, "Thank you, Commissioner. I don't see anyone else asking to speak. Do we have a motion?"*

**MOTION**

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

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

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

**Adopted**

**AB**     [11-0530](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON  
MAY 5, 2011.

Presented by Iris Baker, Director, Purchasing Department.

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

**Attachments:**     [BMIN 0505 2011](#)

*Ms. Angee Sisco, Senior Agent, Purchasing, greeted the Commissioners and said,  
"The May 5th meeting results in ten items for your consideration today, Item 1;*

1.    RIVER SAND -PUBLIC WORKS  
FUNDING-R175 PREVENTIVE MX -11

*"Recommend to accept the low bid from Associated Material and Supply Company for  
an initial cost of \$17,000 and establish contract pricing for one year with two one-year  
options to renew, Item 2;*

2.    BRIDGE REHABILITATIONS -PUBLIC WORKS  
FUNDING-B393 BRIDGE REHAB

*"Recommend to accept the low bid from B & B Bridge Company, LLC in the amount of  
\$969,278.78, Item 3;*

3.    2011 COLDMIX RECYCLING (R175-D) -PUBLIC WORKS  
FUNDING -R175 PREVENTIVE MX -11

*"Recommend to accept the bid from Koss Construction Company in the amount of  
\$340,000, Item 4;*

4.    COMPACT TRACTORS --FLEET MANAGEMENT  
FUNDING --FLEET MANAGEMENT

*"Recommend to accept the bid from Prairieland Partners in the amount of \$71,453.66,  
Item 5;*

5.    ENCLOSED CAB TRACTORS --FLEET MANAGEMENT  
FUNDING --FLEET MANAGEMENT

*"Recommend to accept the low proposal meeting specifications from Price Brothers  
Equipment Company Option #1 in the amount of \$181,297 and establish contract  
pricing for one year with two one year options to renew, Item 6;*

6.    4WD INDUSTRIAL LOADER/BACKHOE --FLEET MANAGEMENT  
FUNDING --FLEET MANAGEMENT

*"Recommend to accept the low proposal from Murphy Tractor & Equipment Co. in the  
amount of \$153,354, Item 7;*

7.    HYLANDONBASE RESELLER-DIVISION OF INFORMATION AND  
OPERATIONS

FUNDING-DOCUMENT MANAGEMENT

*"Recommend to accept the low proposal from Results Engineering and establish contract pricing for two years, with three one-year options to renew, Item 8;*

8. ILENET ANNUAL SUPPORT RENEWAL-DISTRICTCOURT  
FUNDING-COURT TECHNOLOGY/COURT TRUSTEE

*"Recommend to accept the quote from International Business Machines in the amount of \$54,224.12, Item 9;*

9. LAPTOP COMPUTERS-FIREDEPARTMENT  
FUNDING-FIREDISTRICT ADMIN

*"Recommend to accept the low quote from Dell in the amount of \$25,961.78, Item 10;*

10. DAY REPORTING CENTER SERVICES -DEPARTMENT OF CORRECTIONS  
FUNDING -DEPARTMENT OF CORRECTIONS

*"Recommend to accept the overall low proposal from BI, Inc. and establish contract pricing for one year with four one-year options to renew.*

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

*Chairman Unruh said, "All right. Thank you. We do have a couple questions. Commissioner Skelton?"*

*Commissioner Skelton said, "Thank you, Mr. Chairman. You know, in reading the information, I see on the bridge repair, just trying to figure out how this is done here. Bridge Rehabilitations B393, is that a bridge number, B393? Or what is that? What is that number?"*

*Mr. Spears said, "That is the CIP number. B means bridge, and 393, you haven't been here for the other 392."*

*Commissioner Skelton said, "Well, I'm working on it. I get it now. Thank you, sir. Everybody knows why I needed that clarification now. Okay I see to include miscellaneous work on seven bridges, you know, I don't know what bridges those are and, you know, I don't know if one is in my district or not. Maybe they are all in Karl's district. So, you know, kind of would like to have that information maybe on the report."*

*Mr. Spears said, "I'll get that for you. And this is not bridge replacement, it's just repair the upper portion of the bridge."*

*Commissioner Skelton said, "Yes that is listed; miscellaneous repairs, guard rail, painting, blah, blah, blah, blah. I appreciate that. I would just like to know on future reports where this is."*

*Mr. Spears said, "I think I gave you a map, all the Commissioners one, earlier in the year that shows all the projects we're doing this year. But I will detail that better for you."*

*Commissioner Skelton said, "Thank you, sir."*

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

Commissioner Norton said, "Item 3, Cold Mix [Recycling], that's for ten miles. We've been doing five miles. Did we increase that in the budget since last year?"

Mr. Spears said, "No, sir. We're only doing five new miles for Commissioners. The other miles are recycled type of...excuse me, we are not doing the recycling this year, because it was too hot. What we're doing with the other, is doing skim coating on about five other miles of roads. Already existing Cold Mix, we have to put another coat on."

Commissioner Norton said, "So it's not ten new miles, five new miles and five rejuvenated miles."

Mr. Spears said, "That's correct."

Commissioner Norton said, "On Item 9, laptops for Fire Department, does that go in the Chief's units, the Deputy Chief's units, is that what they are used for? And does this upgrade existing laptops?"

Ms. Sisco said, "That's a good question. Yes to both questions."

Commissioner Norton said, "So that's to keep them connected so they can fill out the reports on site, draw up information if they need it on chemical hazard or whatever and have it with them."

Ms. Sisco said, "Right."

Commissioner Norton said, "Are these special computers, more durable or just a laptop?"

Ms. Sisco said, "These are just traditional laptops."

Commissioner Norton said, "Okay, because I know our Sheriff's Department, I guess they take a little bit tougher abuse and those are different kinds of laptops."

Ms. Sisco said, "EMS (Emergency Medical Services) as well."

Mr. William P. Buchanan, County Manager said, "Commissioners, these are laptops that are on a desk. The ones you are referring to, Commissioner Norton, are in the cars, they are the ones that are heavy duty. These are not."

Commissioner Norton said, "Okay. That's all I have, Mr. Chair."

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I thought Commissioner Norton was going to beat me to the punch. Item 9, the questions I had, I'm curious why

*these are on Bid Board [and Contracts] here as opposed to in the Fire Agenda, because I would assume as Fire Agenda items that these will be paid for by the property tax out of the Fire Department mill levy, which is separate, and not general county property tax levy, I'm assuming."*

*Ms. Iris Baker, Director, Purchasing, greeted the Commissioners and said, "Our standard practice, everything that goes through Bid Board appears on that standard set of minutes. We've never broken it out to create separate Fire Agendas. We do reference Fire District and the fund being out of Fire District in the minutes."*

*Commissioner Peterjohn said, "So these would be funded by the Fire levy. Okay, thank you. Thank you for the clarification."*

*Chairman Unruh said, "Thank you, Commissioner. I just make a comment on Item 10, I'm pleased that we went through a bid process to find the best provider for our day reporting center services and I'm pleased that Behavior Interventions (BI Inc.), who have been doing a great job for Sedgwick County, was the prevailing bidder on that. This is a very critical, important part of our alternative to incarceration, and going forward with it, I think, is the right decision for Sedgwick County. So just want to make that comment, indicating the good work that we received from Behavioral Intervention. Any other comments?"*

**MOTION**

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

*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>

**Approved**

**CONSENT**

- AC**     [11-0471](#)     Business Associate Agreement with MTM Services, LLC for the Association of Community Mental Health Centers of Kansas (ACMHCK) SPQM Dashboard Initiative.
- Attachments:**     [SPQM Dashboard BA Agreement](#)
- AD**     [11-0484](#)     One (1) Right of Way Easement for Sedgwick County Project 636-15, 16, 17 & 797- s 1/8 X; Road Project on 71st St South from 135th St West to K-42 Hwy and 183rd St West from 71st St South to K-42 Hwy. CIP# R-317. District 3.
- AE**     [11-0510](#)     One (1) Temporary Construction Easement for Sedgwick County Project 803-M; Drainage Project on 135th St West between 21st & 29th Streets North (Dry Creek).

District 3.

**Attachments:** [11-05100001.pdf](#)

- AF**     [11-0500](#)     Acceptance of the State Fiscal Year 2012 Juvenile Detention Facilities Fund (JDFF) grant award from the Kansas Juvenile Justice Authority.
- Attachments:**     [Grant Announcement of SFY 2012 JDFF Grants - Sedgwick County SFY12 JDFF Award](#)
- AG**     [11-0506](#)     Adopt a resolution authorizing the execution and delivery of all necessary documents relating to the sale of the securities acquired with the proceeds of the Sedgwick County, Kansas and Shawnee County, Kansas Single Family Mortgage Revenue Bonds (Morgaged- Back Securities Program), 2001 Series B-2.
- Attachments:**     [BoCC Agenda Item - 2001 B-2 Issue Defeasance](#)  
                                 [Defeas Docs-1 - 2001 B2](#)  
                                 [Resolution](#)
- AH**     **11-0483**     Order dated 04/21/2011 to correct tax roll for change of assessment.
- AI**     **11-0508**     Order dated 04/28/2011 to correct tax roll for change of assessment.
- AJ**     [11-0066](#)     General Bill Check Register.
- AK**     [11-0064](#)     General Bill Check Register.
- AL**     [10-0651](#)     Payroll Check Register.
- AM**     [11-0487](#)     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:
- Hoover Commercial Addition
- Mr. Buchanan said, "Commissioners, you have the Consent Agenda before you. You also have a Consent Agenda of the Fire District. The Fire District two items should have been included in the Regular Agenda. The two Fire District items are asking for Public Hearing for inclusion petitions in the Fire District. Inclusion petitions require the affirmative action of the Board of County Commissioners for them to be part of the Fire District. Now, with that explanation, I would recommend you approve the Consent Agenda with the two additional items from the Fire District Agenda.*
- Chairman Unruh said, "All right. Thank you. I think that explanation is clear."*
- MOTION**
- Commissioner Norton moved to approve the Consent Agenda items for the Board of County Commissioners meeting and for the Governing Body of Fire District #1.*
- 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  
Approved*

**OTHER**

*Chairman Unruh said, "Thank you, we got through that all right. All right, Commissioners, I guess we're ready for 'other' is that correct? Any other things you would like to bring before the Board? Commissioner Ranzau?"*

*Commissioner Ranzau said, "Thank you, Mr. Chairman. I have a couple issues here. First of all, I'll give my update on the national debt. It stands at \$129,031 per taxpayer, which is an increase of \$248 since we last met, which is actually two weeks ago. Also want to talk about the Aviation Summit which was held on April 25th, 2011. The video is now on our website, people can take a look at it. There were some good things I thought that came out of it, but there were also a couple things that were very disconcerting to me that I think is important for the public to be aware of.*

*"Clearly the overall theme was give us more taxpayer money. And I want to bring attention to two particular situations or statements that I think the public needs to be aware of. One of them was one presenter talked about they were interested to see the new cookie jar from the Secretary of Commerce was going to have with reference to businesses. I find it very disconcerting that the taxpayers are viewed as a cookie jar. When one group of citizens can view another group of citizens as their own personal cookie jar, we have a problem that can only exist when the government at the local and state level allow that situation to exist and promote it through their actions. Additionally, the Secretary of Commerce talked about using taxpayer money for capital to help mitigate risk for business investment. It is not the job of the taxpayer to mitigate risk and provide capital for people's investments. We are in difficult times now. I know businesses are having problems. But so are individuals. They are having problems putting food on the table, paying their bills, paying their house payments, paying their property taxes, and when this view was out there in the business community and is supported by the GWEDC (Great Wichita Economic Development Coalition), Chamber of Commerce that somehow taxpayers are a cookie jar, I think people need to be aware of that and be aware that there are plenty of people out there who have lots of ideas how to spend their money. Just want today talk about that. That's all I have."*

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

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Normally at this time I provide an update in the jail population numbers. This week I have the pleasure to say we've got some good news. There were 1,444 people in detention in Sedgwick County Jail this morning, and in the last 24 hours 100 people have been booked, so the number of arrests have not gone down. Out of county, we 202 people, we had 152 Work Release, which brings us back close to the capacity there, 439 of these folks*

are listed maximum security for detention purposes, 551 medium, 411 minimum. Because these numbers continue to be significant, financial challenges the county faces a year ago or even back in October of 2009, we were looking at over 1,700 people, to bring these numbers down to 1,400, they have been tracking last week, it's been between 1,400 and 1,500. Even sometimes in the fairly low 1,400, and that is truly good news and going to give us some budget flexibility going into the future.

"I hope this trend continues. It is something we are going to continue to have to monitor closely, but sometimes I feel like playing a game of monopoly up here and all the good cards from the 'chance' pile have been taken out and all these additional costs or expenses pop up. I am very appreciative of today being able to share some good budgetary news with the county.

"I would like to switch gears, completely 180 percent in terms of 'other'. I mentioned a number of positive events coming up in the next week or so in Sedgwick County and I hope folks viewing now, if they weren't viewing earlier, will look at the Suicide Prevention Run (Link-4-Life), especially for young people, it is truly tragic when we have young people who take their own lives. But the Suicide Prevention Run that's going to be held down in Cowtown Saturday will be a great event. Hope the weather accommodates, and I look forward to participating in whatever role I can.

"There are a number of other good events going on in the community and I'm pleased to mention them. I want to take a moment in this 'other' category to mention one other thing that is quite significant that occurred, and since we didn't meet last week, it is a little out of the news. There is evil in this world, and recently the lead perpetrator of the atrocities that occurred September 11, 2001 was brought to justice. I heartily congratulate the members of our [Unites States] Armed Forces who participated in that action and commend them in the strongest terms possible for their excellent service and I appreciate the leadership. I've been very critical of folks in Washington many times from this bench, but today I want to take a moment to share some kudos for everyone involved. And also express how appalled I was to see that a so-called religious leader and Islamic Jihadist Iman in London directly threatened the life of our President. Folks here know that I will not be supporting President Obama in his plan to run for reelection next year, but he is our President, until January, 2013, and anyone, no matter how vile, who would threaten the life of the President Of the United States in the same way that the late Osama Bin Laden did has put themselves outside the pale of civilized decency and also needs a full fair measure of justice. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you. I have one question under 'other' that's come up recently; actually came out of our staff meeting, and then there's a newspaper report about the issue we have with the City of Wichita and jail fee collection, and Mr. Holt, I don't know if you're prepared to answer, but I was going to ask the question, is there an appeal process, procedure for the amounts that we bill the cities? I know no city has objected except the City of Wichita. Do we have a process for that?"

Mr. Holt said, "Mr. Euson may be in a better position to answer that. I think there is a requirement or, the process hasn't been defined, but I think this is a statement in the agreement that says they can, any city can make that appeal. I just don't think there's been a process that's been defined how that will work."

Chairman Unruh said, "Okay. Is there an agreement that was signed that said they had

*ten days to appeal some of the charges, or perhaps I need to ask the question at another time."*

*Mr. Holt said, "I would think we would need to get..."*

*Mr. Euson said, "I'd be glad to provide an answer. I need to review the 2007 Resolution together with the agreement and I will send you all a note."*

*Chairman Unruh said, "Well, if they disagree with some of the charges for whatever reason, my motive is saying, well, then let's figure out how to get that resolved so they can be current with their payments and not have this kind of a gap between our thinking. All right, I don't see anyone else asking questions. We do need an Executive Session."*

*Commissioner Peterjohn said, "Mr. Chairman? Are we going to do the Fire Agenda before or after?"*

*Chairman Unruh said, "I think we don't need a Fire Agenda with the inclusion of those items in the Consent Agenda."*

*Commissioner Peterjohn said, "Well, Mr. Chairman...Okay, they were included in the Consent [Agenda]."*

*Chairman Unruh said, "Yes."*

*Commissioner Peterjohn said, "Okay, thank you for the clarification."*

## **EXECUTIVE SESSION**

### **MOTION**

*Commissioner Norton moved to recess to Executive Session for 25 minutes to consider consultation with legal counsel on matters privilege in the attorney client relationship relating to pending claims and litigation, potential litigation, legal advice and for the Board of County Commissioners return to this room from Executive Session no sooner than 12:30 P.M.*

*Chairman Unruh 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*

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

*The Board of County Commissioners recessed into Executive Session at 12:05 p.m. and returned at 12:44 p.m.*

*Chairman Unruh said, "Okay, we are back from Executive Session and I'll call the*

*Regular Meeting of the Board of County Commissioners back to order and say for the record that while we were in Executive Session no binding action was taken. I think there is nothing that needs to be discussed, is that correct Mr. Euson?"*

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

*Chairman Unruh said, "Do you have anything Mr. Holt?"*

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

*Chairman Unruh said, "Okay, then we are adjourned."*

### **ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 12:44 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:

\_\_\_\_\_