

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, February 20, 2019

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

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

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Sedgwick County, should contact the office of Crissy Magee, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203. Phone: 316-660-7056, TDD: Kansas Relay at 711 or 800-766-3777

Email: Crissy.Magee@sedgwick.gov, 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 9:04 a.m. on February 20, 2019 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David T. Dennis, with the following present: Chair Pro-Tem Commissioner Peter F. Meitzner; Commissioner Michael B. O'Donnell II; Commissioner Lacey D. Cruse; Commissioner James M. Howell; Mr. Thomas Stolz, Interim County Manager; Mr. Michael D. Pepoon, Interim County Counselor; Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer; Mr. Kelly Arnold, County Clerk; Ms. Joan Tammany, Executive Director, COMCARE; Mr. Brent Shelton, Director, Economic Development and Tax System; Ms. Valerie Kaster, Manager, Project Services; Ms. Lindsay Poe Rousseau, Chief Financial Officer; Mr. Mark Clark; Interim County Appraiser; Ms. Patricia Parker; Assistant County Counselor; Mr. Scott Knebel, Manager, Metropolitan Area Planning Department; Mr. Joe Thomas, Director, Purchasing; Ms. Kate Flavin, Public Information Officer; Ms. Lynda Baker, Deputy County Clerk.

GUESTS

*Ms. Leah Gagne, Sedgwick County Intellectual and Developmental Disabilities Advisory Board
Mr. Bret Albers, President, Sedgwick County Fair Association
Mr. AJ Boleski, General Manager, SMG, INTRUST Bank Arena*

INVOCATION: Pastor Brent Warkentin, First Mennonite Brethren.

FLAG SALUTE

ROLL CALL

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

Chairman Dennis said, "Next item, please."

PUBLIC AGENDA

Chairman Dennis said, "I don't have anyone signed up right now to speak on the Public Agenda, but if there's anyone in the audience that would like to speak, now we give you an opportunity. Seeing no one, next item, please."

APPOINTMENTS

- A** [19-143](#) ACCEPT THE RESIGNATION OF ROBERT (BOB) VINCENT (BOARD OF COUNTY COMMISSION APPOINTMENT) FROM THE SEDGWICK COUNTY ADVISORY BOARD FOR ONSITE WATERWELL

CONSTRUCTION.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Accept the Resignation.

Mr. Michael Pepoon, Interim County Counselor, greeted the Commissioners and said, "We received a letter from Mr. Vincent requesting that we accept his resignation from the Sedgwick County Advisory Board for Onsite Waterwell Construction, and would recommend that you accept the resignation."

Chairman Dennis said, "Thank you. I know Bob Vincent. He happens to be one of my neighbors. He's a good guy and definitely knows waterwell. He's going to be missed."

MOTION

Commissioner Dennis moved to accept the resignation.

Commissioner O'Donnell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Cruse</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Meitzner</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Next item, please."

Approved

B [19-144](#)

ACCEPT THE RESIGNATION OF RICK CHASE (BOARD OF COUNTY COMMISSION APPOINTMENT) FROM THE SEDGWICK COUNTY ADVISORY BOARD FOR ONSITE WATERWELL CONSTRUCTION.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Accept the Resignation.

Mr. Pepoon said, "This is another resignation from the Advisory Board for Onsite Waterwell Construction. This time, by Mr. Rick Chase, and would ask that you accept his resignation."

MOTION

Commissioner Dennis moved to accept the resignation.

Commissioner Cruse seconded the motion.

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

VOTE

Commissioner O'Donnell II Aye
Commissioner Cruse Aye
Commissioner Howell Aye
Commissioner Meitzner Aye
Chairman Dennis Aye

Chairman Dennis said, "Next item, please."

Approved

C [19-151](#)

ACCEPT THE RESIGNATION OF CINDY WEBER (FORMER COMMISSIONER DAVE UNRUH'S APPOINTMENT) FROM THE SEDGWICK COUNTY INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ADVISORY BOARD.

Presented by: Michael D. Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Accept the resignation.

Mr. Pepoon said, "This was Commissioner Unruh's appointment to the Sedgwick County Intellectual and Developmental Disabilities Advisory Board. We would ask that you accept the resignation of Ms. Weber."

Chairman Dennis said, "Thank you. Commissioner Meitzner, would you like to make a motion?"

Commissioner Meitzner said, "Thank you, Cindy, for your service, or Ms. Weber."

MOTION

Commissioner Meitzner moved to accept the resignation.

Commissioner Cruse seconded the motion.

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

VOTE

Commissioner O'Donnell II Aye
Commissioner Cruse Aye
Commissioner Howell Aye
Commissioner Meitzner Aye
Chairman Dennis Aye

Chairman Dennis said, "Next item, please."

Approved

D [19-136](#)

RESOLUTION APPOINTING LAVONTA WILLIAMS (COMMISSIONER LACEY CRUSE APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING AND PHYSICAL DISABILITIES.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Pepoon said, "We have prepared a resolution appointing Lavonta Williams to the Sedgwick County Advisory Council on Aging and Physical Disabilities. This is Commissioner Cruse's appointment. The resolution is in proper legal form, and I ask that you approve the resolution."

Chairman Dennis said, "Thank you. Commissioner Cruse."

MOTION

Commissioner Cruse moved to adopt the resolution.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye
Commissioner Howell	Aye
Commissioner Meitzner	Aye
Chairman Dennis	Aye

County Clerk has assigned Resolution No. 037-2019

Chairman Dennis said, "Next item, please."

Adopted

E [19-154](#)

RESOLUTION APPOINTING LEAH GAGNE (COMMISSIONER LACEY CRUSE'S APPOINTMENT) TO THE SEDGWICK COUNTY INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ADVISORY BOARD (IDDAB).

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Pepoon said, "We've prepared a resolution appointing Leah Gagne to the Sedgwick County Intellectual and Developmental Disabilities Advisory Board, and ask that you approve the resolution."

Chairman Dennis said, "Thank you. Commissioner Cruse."

Commissioner Cruse said, "I know that she is here today, so I just want to say thank you for braving the weather, and I know that you'll be a good addition to this board. If you want to go over here."

MOTION

Commissioner Cruse moved to adopt the resolution.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye
Commissioner Howell	Aye
Commissioner Meitzner	Aye
Chairman Dennis	Aye

County Clerk has assigned Resolution No. 038-2019

Mr. Kelly Arnold, County Clerk, thanked the Commissioners and said, "Please raise your right hand:

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 Sedgwick County Intellectual and Developmental Disabilities Advisory Board, so help me God."

Ms. Leah Gagne, Appointee, greeted the Commissioners and said, "I do."

Mr. Arnold said, "Congratulations."

Ms. Gagne said, "Thanks. Thank you for the chance to serve on the board. I do appreciate it."

Commissioner Cruse said, "Thank you."

Chairman Dennis said, "Thank you. Thank you for volunteering to serve. We appreciate it."

Ms. Gagne said, "You're welcome."

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

Adopted

NEW BUSINESS

- F [19-129](#) ACCEPTANCE OF DONATIONS TOTALING \$1,740 FOR THE SUICIDE PREVENTION COALITION.
Presented by: Joan M. Tammany, LMLP, COMCARE Executive Director.

RECOMMENDED ACTION: Accept the donations and authorize the Chairman to sign the letters of appreciation.

Chairman Dennis said, "Good morning, Joan."

Ms. Joan Tammany, Executive Director, COMCARE, greeted the Commissioners and said, "I'm here today because we received donations for the Suicide Prevention Coalition totaling \$1,740 from 17 distinct individuals or corporations. Families of four individuals in our community asked that any memorials be donated to a mental health

organization of their choice or to the Suicide Prevention Coalition to continue to increase awareness around suicide prevention education. As anytime I have an opportunity to stand and talk about suicide prevention, I want to just say that suicide and mental illness don't know a demographic distinction. Anyone, any age, any class, any race is potentially a victim of suicide, and the number of deaths in Sedgwick County continue to rise, as well as those nationally, highest among youth.

"Last year in Sedgwick County, we had 99 individuals who died as a result of suicide, and COMCARE believes that one is too many. So, I just want to indicate that COMCARE has a workforce well trained to talk and meet with people who are experiencing feelings of hopelessness or despair. We also do prevention education programs in the community, like Mental Health First Aid, which gives people tools to recognize when somebody's struggling with mental illness, and resources that they can refer these individuals to. So our Community Crisis Center is available 24 hours a day, 7 days a week. People can walk in. A friend can call. The patient can call. A family member can call. Anybody in our community can drop by or call by dialing 660-7500. Ms. Tammany continued, "So, I'm here to ask you to acknowledge the donations and authorize the Chairman to sign the letters of appreciation."

Chairman Dennis said, "Well thank you, Joan. Thank you for being here today and bringing a very important message that we can share with the community. Also, thank you for bringing the information about some fantastic donations that help us in our quest to assist folks that need help throughout our community. So, I appreciate very much what you do and what COMCARE does in helping some of the citizens that are in most need of care. But we have a couple comments. First of all, Commissioner Cruse."

Commissioner Cruse said, "Thank you so much for being here and all the work that you do. I just want to point out there is a suicide prevention walk coming up in September. So it's quite a ways away, but there is a planning meeting for that this Saturday at 10:00 a.m. at Rusty Eck Ford. So if anybody is interested in that, please join, because this is very near and dear to my heart. Both my uncle and my grandfather committed suicide, so this is something that is very important to me to make sure that it doesn't happen to anybody else. So thank you for the work that you do."

Ms. Tammany said, "Thank you."

Chairman Dennis said, "Thank you. Commissioner Cruse, would you like to make a motion?"

MOTION

Commissioner Cruse moved to accept the donations and authorize the Chairman to sign the letters of appreciation.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye

Commissioner Howell Aye
Commissioner Meitzner Aye
Chairman Dennis Aye

Chairman Dennis said, "Thanks, Joan."

Ms. Tammany said, "Thank you."

Chairman Dennis said, "Thank you for bringing the message to us. Next item, please."

Approved

G [19-130](#)

CONSIDERATION OF A FUNDING AGREEMENT WITH SEDGWICK COUNTY FAIR ASSOCIATION.

Presented by: Brent Shelton, Economic Development & Tax System Director, Valerie Kaster, Project Services Manager, and Bret Albers, President of the Sedgwick County Fair Association.

RECOMMENDED ACTION: Approve the funding agreement and authorize the appropriate signatures.

Chairman Dennis said, "Good morning, Brent."

Mr. Brent Shelton, Director, Economic Development and Tax Systems, greeted the Commissioners and said, "Also with me today to share some specifics about this project is Valerie Kaster. She's a Project Services Manager for Sedgwick County, and we're pleased that Bret Albers with the Sedgwick County Fair Association, he's the president of that organization, is with us here today, as well. So before you is a funding agreement between Sedgwick County and the Sedgwick County Fair Association. The Fair Association is a volunteer-based organization. Their mission is to provide an atmosphere for families and friends to gather. They have, since the 1940s, offered a slice of Americana to Sedgwick County in the form of the annual Sedgwick County Fair. Each summer, the attendance at the county fair approximates 25,000 people. The admission for the fair is free, so all those folks are provided that opportunity at no charge.

"Sedgwick County has for many years provided financial support to the Fair Association. This past year, the budget for 2019 is \$29,427 used to support the operations of the fair as well as some of the 4-H programs that are offered by the association. The association owns the fairgrounds in Cheney, and today they're requesting, pursuant to this funding agreement, additional one-time funds of \$100,000 to raze a building that's on the fairgrounds and replace it with a new structure similar to one that exists there today. The building is used for vendor displays, and it's basically outlived its useful life and really isn't as safe or a desirable place to have vendor displays and public accessing that building during the fair. Should you approve the request, the new building would provide a better experience for vendors and attendees, reduce their maintenance and repair costs and be a better experience.

"The funding agreement is established to provide the funds in one payment. It would be proposed it would come from 2019 funding, a transfer from BoCC (Board of County Commissioners) contingency to culture and recreation community programs. To recognize the county for their generosity and their support, the Fair Association has agreed to install a plaque next to the overhead and the walk-through doors recognizing the county for making this improvement possible.

Mr. Shelton continued, "Before I turn it over to Valerie, we would recommend that you do approve the funding agreement, and authorize the appropriate signatures. Let me invite Valerie up at this time, and she'll give you more specifics about the project."

Ms. Valerie Kaster, Manager, Project Services, greeted the Commissioners and said, "As Brent mentioned, I'm here to briefly discuss the Sedgwick County Fair Building number two with you. Building number two was erected in the late 1950s. It's a wood-built structure on a concrete footing. The main space of the building is approximately 25 by 80 by 10 feet to the ceiling. There is an attached 12.5 foot wide lean-to running along the west length of the building. It is showing a fair amount of wear and age due to its age and the elements. The siding and roof have holes, tears and areas that have peeled back. The sliding doors have hardware issues and have begun detaching from the walls in some places, making them very difficult to use.

"The trusses are bowing due to a combination of age, reoccurring water penetration and over spanning. There are large water stains on the walls and ceiling as well as multiple areas of sag in the ceiling material. The building's electrical system is comprised of four different panels and is partially obsolete. Evans Building Company has provided a quote to the Sedgwick County Fair Association in the amount of \$67,470 for a 50 by 80-foot pre-engineered metal building. Its 12 feet to the bottom of the eaves. This is proposed to replace building number two. This price includes gutters and downspouts, four inches of thick insulation for the roof and walls, two steel man doors and two framed openings for the overhead doors.

"Additional estimated approximate costs for the structure include \$8,522 for an 8-foot liner panel, \$20,000 to install a concrete slab, \$15,030 for two overhead doors and \$21,000 for basic electrical functions. Combined, this adds up to \$132,000. If you look in the picture on the left, that's obviously building number two that's existing. On the right is their newer building number three, and this is a pretty good representation of what the new building would look like that they are proposing to replace building number two with. Bret Albers with the Fair Association is here, and he's going to talk to you about the space and the layout of the proposed new building and how it would be an asset to the vendors and the fair."

Chairman Dennis said, "Bret, welcome."

Mr. Bret Albers, President, Sedgwick County Fair Association, greeted the Commissioners and said, "Thank you. I want to start off by saying thank you to every one of you for considering this, hearing us on this and looking at what we're trying to do out there. We try to do as much as we can with as little as we can to provide the annual county fair. Building number two, we have gone in and tried to repair it several times. That building is used for vendor space. We call it indoor vendor space, but in July it's indoor/outdoor. It's still hot, but it is indoor vendor space.

Mr. Albers continued, "We've really gotten to the point where we can't do much more with caulking and screws and wood patches and things like that. The building on the right is a good representation, as Valerie said, of what we're trying to do. Evans actually built that building as well, so they're familiar with getting the project to that point. So, we feel like this would add value. We'd be able to add maybe some more vendors with some additional space. The lean-to on this building is really filled with stuff from 1954 to now. We would actually, with a new building, be utilizing that space as vendor space, and then we would create another little off-site maintenance shed somewhere else. So we would actually increase our vendor space with this project, as

well, over what we have now. So anyway, if you have any questions for me, I'd be happy to answer them, if I've left anything out. I do appreciate your support on all of this."

Chairman Dennis said, "Thank you, Bret. Do any of the Commissioners have any questions for either Bret or Brent or Valerie? I don't see any questions right now. I know before the two newest Commissioners came on board, we had a staff meeting that we've discussed this in the past, and it really came up as a discussion back during the last fair when you and I were having dinner one night talking about what the future of the fair was. Since that time, as I've said, we've had a couple of meetings where we talked about it. We've had a staff meeting where we've discussed it. The Sedgwick County Fair is a free fair for everyone in Sedgwick County, and we appreciate the Fair Board and what they've done each year to be able to provide a free fair for Sedgwick County. It starts out with a great parade downtown, and then ends up at the parade ground [fairground], where that over, I think, three days, we have a fantastic fair. So this is something that I believe is needed at our fairgrounds, and I don't really see any other discussion."

MOTION

Commissioner Dennis moved to approve the funding agreement and authorize the appropriate signatures.

Commissioner O'Donnell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Cruse</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Meitzner</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Well thank you very much for bringing this to our attention. We appreciate it."

Mr. Albers said, "Thank you. I would like to invite, I know you have some new Commissioners. All of you are welcome to come out, as Commissioner Dennis mentioned. We have dinner, and we're more than happy to buy dinner for anybody that wants to come out during the fair and kind of show you what we're doing out there, so there is an open invitation if you'd like. Thank you very much."

Chairman Dennis said, "Thank you. I appreciate it. Next item, please."

Approved

H [19-134](#)

QUARTERLY INTRUST BANK ARENA REPORT.

Presented by: Lindsay Poe Rousseau, Chief Financial Officer, and AJ Boleski of SMG, INTRUST Bank Arena General Manager.

RECOMMENDED ACTION: Receive and file.

Ms. Lindsay Poe Rousseau, Chief Financial Officer, greeted the Commissioners and

said, "I am here this morning, along with AJ Boleski of SMG, who is the General Manager for the INTRUST Bank Arena, and we will do our routine quarterly report for you. However, of course, we just finished the fourth quarter, so we're really going to be giving you an update on 2018. I want to just take a moment to say thank you to AJ and his team at the arena, particularly the folks who work so closely with me, and that includes Chris Whitney, Christine Pileckas and Ben Feekes for all their work, and then Dave Perricone, an intern in the County Manager's Office, who has worked very hard to prepare this report for you today.

"So 2018, of course, was an awesome year for the arena. We know that one of the driving forces in creating the arena in the first place and the way it is, was to bring basketball to Wichita, and we got to see that vision come to life this last year when the NCAA (National Collegiate Athletic Association) men's basketball, rounds one and two, were here in town. For anybody who was down and about in that area, it was just amazing, the energy and the enthusiasm from our community, and of course, being the CFO (Chief Financial Officer), I always want to talk about economic impact, right? So we know that Visit Wichita was able to have an economic impact study done that showed that we had \$5.5 million in new economic activity in our community in that four-day period from out-of-towners.

"We had another \$3.5 million estimated from our local folks, and then from a government perspective, for all of the municipalities, Wichita, Sedgwick County, we expect that that generated an additional \$0.5 million worth of sales tax revenues, hotel tax revenues, those kinds of things. So really a very exciting time for Wichita. Maybe not as high profile, but also on the sports front, we had the U.S. Figure Skating Synchronized Skating Sectional Championships.

Ms. Poe Rousseau continued, "We had all kinds of concerts from Pink to my favorite, Journey and Def Leppard, as you all got to hear about ad nauseam last year, plus Lindsey Stirling, Sugarland, James Taylor, Winter Jam, all kinds of great events. We know that in 2019, we have a lot to look forward to. AJ's going to come up and talk through that, so I don't want to step on his toes, but everything from Metallica to Kenny Chesney. We know in 2020, it is the 10-year anniversary for the arena being open. We know our colleagues at SMG are working hard to recruit some great events and shows for us. We know we get basketball back in 2021 and 2022, men's and women's. So lots to look forward to, and again, a great year for the arena.

"So as with all presentations we do, we'll focus on a few core areas. We'll talk through the SMG agreement, recap a little bit of that. We'll talk about the status of our arena event parking agreement with the City of Wichita, we'll look at sales tax reserves, and then AJ will come up and talk about all the really fun stuff, what do we have to look forward to and how SMG has been able, and the arena has been able, to support our community. Now, it is important to note that the information we're going to talk about is based on SMG's performance. This is a lot of SMG data. Of course, the facility itself is on the county's books, and so that information is recorded in our quarterly financial report that Rick delivered to you a couple weeks ago, but certainly can talk about any of that if we need to.

"So just to recap, SMG was hired back in 2007 to promote, manage and operate the operations of the arena. We do have a fairly unique agreement with them in that SMG has agreed to incur any operating losses in the course of a year, which thankfully, so far we have not experienced in the nine-year tenure of the facility. But then we also have an agreement that was entered into back in 2014 where the first \$400,000 of operating income is retained by SMG, and then the rest is split between the county

and the facility. The reason why I get to come here and talk to you about this is because I was appointed the contract administrator on behalf of the county back in 2016, and so I am a county employee, but I'm your primary liaison to AJ and his team at SMG, so that I can give you information, look at the CIP (Capital Improvement Project), kind of do that information, though you are involved.

"So in this, each quarterly report, we'll give you information on an annual basis. We'll talk about ticket sales, community affairs and then, you know, the bottom line, financial information. So this slide shows you 2018 annual data. So in 2018, the arena hosted 94 performances. More than 350,000 folks attended with more than \$300,000 tickets sold. In total, gross ticket sales were more than \$12.3 million, so that on average, the average cost per ticket sold was \$40.93. Now again, the NCAA tournament did not have necessarily the cheapest tickets, but again, you were in for two sessions each day, and so that did have the effect of increasing that average ticket cost just a bit.

Ms. Poe Rousseau continued, "Switching over to community affairs, we did have 183 groups that were able to volunteer at the concession stands at the arena during events. In total, that generated about \$240,000 for those groups, so almost a quarter of a million. Spending with Sedgwick County/Kansas companies, we always like to look at this information, was nearly \$3.9 million last year. Sales tax paid, which we all like too, particularly as government folks, was about \$1.3 million. You can see the number of presentation, too, tours and local events and activities. So certainly an active place.

"So going to the financial summary then. There's going to be a lot of terms, a lot of rows on this next slide, so it might be helpful to kind of flip back and forth between this slide and this next one, because it will kind of define what you're looking at. So in 2018, again, we talked about there were 94 performances. This shows how those were broken out, a number of concerts, family shows and sporting events. You can see the Thunder [Wichita Thunder Hockey] had a good year with 38 different events. The Wichita Force indoor football has always had 6 games. You can see some of those other self-promoted events, and then local community events that don't necessarily count toward performances.

"Between those events that are listed here, there was about \$3.6 million in income generated from those events. Then when we take into account the other operating income that's received by the facility, that brought in about \$5.5 million total. Of course, then we have to pay people to run the arena, do the administration, and so when we back that out, that total of about \$4.9 million, that brings us to net building income of roughly \$648,000. Now, this is where that profit sharing comes into play. So as we talked about before, under the current agreement, the county gets, well SMG retains the first \$400,000 of this, leaving \$247,634, and then the remainder is split equally between SMG and the county, which means that once their audited statements are completed and returned over to us, we will get a check to deposit in the sales tax reserve fund of \$123,817.

"This is particularly important because the agreement that was signed back in 2014, included an auto renewal trigger. What that trigger was, that if from January 1, 2013 through December 31, 2019, if the county received \$850,000 in total, then that contract would auto renew through 2025. With this number, we have now well exceeded that \$850,000 figure. We're at about \$940,000 now, and so once we get those audited

statements, it will be time for us to begin discussions about updating that agreement, so something to look forward to here in the next few months.

“So looking at the arena sales tax reserves then, we know that the arena was fully paid for in advance from a one cent 30-month sales tax. That generated about \$206.5 million. The cost of this facility was about \$191 million. So we were in the great position of being able to have a reserve of about \$15 million at the time the building was opened to make sure that we could update that building as it needed, do enhancements through a CIP.

Ms. Poe Rousseau continued, “So now that we do have final numbers for 2018, we’ll be updating those long-term projections for you, and at the same time we’re talking about the contract, we can talk through those figures. So that sales tax reserve can only be used for certain things. Again, because this was a voter approved sales tax. That includes major repairs or capital equipment. If we had to ever pay the City of Wichita to operate the parking lots, if maybe they lost money, that would come from this. We’ve never had to invoke that yet, thankfully. Then, of course, we know what we affectionately call the Coleman Lot was something that was constructed to help support parking at the arena, and so any maintenance on that lot could also be paid for out of this. So at the end of the year, the bottom line is that that reserve is down to about \$8.6 million, and you can see on this slide how that has gone up and down throughout the course of the year.

“Here is where you can see the revenues coming into that fund for the course of a year, about \$1.5 million, and all the various sources. Then the next three slides show you the expenses, the emergency repairs, the capital improvement projects, the ticket allowances and everything that we pay to the arena on behalf of our sponsors, and so you can see how all of those are broken out, so that while we brought in \$1.5 million to the fund, about \$2.5 million was expended, which is why if we go back to slide 10, you’ll see that that balance started at about \$9.9 million at the beginning of ’18, ended at about \$8.6 million beginning this year. So unless you all have questions for me, I’ll bring AJ up to the podium to do his portion of the presentation, or certainly, I’ll be happy to come back up after he’s completed as well.”

Chairman Dennis said, “Thank you, Lindsay. I don’t see any questions for you at this time.”

Ms. Poe Rousseau said, “Okay.”

Chairman Dennis said, “Good morning, AJ.”

Mr. AJ Boleski, General Manager, SMG, INTRUST Bank Arena, greeted the Commissioners and said, “Thank you for having us here, and thank you to Lindsay for the presentation. You’ll see in front of you kind of our quarterly report on as far as some of the nonprofit events that we’ve been involved in and service projects. Again, you’ll see a lot of ticket donations. We take a lot of pride in that. We try to never say no to nonprofit requests. I know the last time we looked at this, we were about \$40,000 a year in ticket donations that we make back to this local community. Fourth quarter for us, Kansas Food Bank was one of the service projects that we do. It’s become a tradition at the arena. The Salvation Army Angel Tree is another one, and then obviously United Way campaign in October that we annually contribute to and all of our staff are involved in.

“So those are a few of the things from a service project standpoint, and then we continue to, on a first come, first serve basis, use our marquee that faces Kellogg on the south side of the arena for nonprofits.

Mr. Boleski continued, “One nonprofit per month gets a rotation on that marquee, so we continued that throughout the fourth quarter as well. You will also see our upcoming events on this list. We just finished up, we had a pretty busy January, February, March in our past, and also coming up, we had four in a row in February. We had February 7, 8, 9 and 10, and we had Luke Combs, which was a sold-out event. We had the [Harlem] Globetrotters that weekend, Jeff Dunham and Winter Jam as well, which is a Christian show, it’s a \$15 admission at the door for that event. It’s become an annual event for us. Then coming up, we have Monster Jam this week, so the snow came in at a great time. We’ll bring in dirt right after the snow this week, and have monster trucks on Saturday, Sunday. Then coming up in March, we have three concerts in four days. We get excited about stuff like that. We have Dierks Bentley on March 1st, Kelly Clarkson, her first time ever in Wichita, I believe, on March 2nd.

“Then for the first time in many years, Metallica, which we’ve been talking about for a while. Actually, went on sale just about a year ago, and we’re excited to be bringing that on March 4th, and then we’ll follow that up with UFC (Ultimate Fighting Championship) on March 9th, again, their first time in the State of Kansas. So we’re pretty excited about that event, and then several other events following. So that’s kind of what things look like for us, really busy time of the year. Lindsay touched on 2018. Obviously some very exciting events culminating with the NCAA tournament. We also sold out Pink, and we sold out Imagine Dragons, so we’ve had a lot of focus on getting a diverse range of shows.

“We had Kevin Hart last year as well, so those are three examples of that, and the fact that we were able to sell out Pink and Imagine Dragons, those are great, and that will lead to more. It kind of skews to that younger audience, and we’re trying to get a mix of everything. So we feel like it was a good year for that, and I think we ended up with 13 concerts in 2018. We’ve already announced 13 concerts for 2019. So Lindsay eluded to it, but it does seem to be a very busy year from a concert standpoint. That’s kind of a budget driver for us, as we’ve noticed over the years. So we anticipate that being much the same in this upcoming year, 2019. As Lindsay also mentioned, we are getting ready, starting to prepare, starting to book shows for our 10-year anniversary in 2020. So that’s the end of my report, but definitely available for any questions that you might have.”

Chairman Dennis said, “Good, well thank you. First of all, we do have another event coming up that we’re going to vote on here in a little bit on figure skating, so that’s something that’s exciting. Do you want to expound on what the possibilities are on that?”

Mr. Boleski said, “Yes, so we have hosted, as mentioned, the U.S. Figure Skating, the synchronized sectionals in 2018. That’s coming back in 2020. That was a bid that we won this year along with the NCAA women’s regional. We won that this year, and then the ECHL (East Coast Hockey League) All-Star Game is going to come in 2020.

Mr. Boleski continued, “So we’ve hosted the synchronized sectionals, will have been twice after that, and then this bid is for the U.S. Figure Skating Championship, so this is kind of the marquee event for that organization. This is the event that you see on NBC (National Broadcasting Company) every year. I think it just happened in Detroit a couple of weeks ago, so we appreciate the partnership of Visit Wichita and Sedgwick County and the City of Wichita and working to attempt to try to bring this event to

Wichita. It would be a great event. You know, we have a couple of things that the figure skating really likes. Number one, they love our facility. When they first toured for synchronized sectionals, they said we want to bring the Figure Skating Championships here. We'd love to host that event. Then the other thing is, within about six blocks of us, we have two more sheets of ice at the City of Wichita, the [Wichita] Ice Center. Not a lot of cities and communities have that, and that's a great strength for us in this community as we go after the ice skating events. We're excited for it, and we appreciate your support of it."

Chairman Dennis said, "Good. Commissioner Howell has a comment."

Commissioner Howell said, "Thank you, Mr. Chairman. I have, I guess, one question for AJ, and then maybe one for Lindsay after that. First of all, thank you for the presentation. It's great to see INTRUST Bank Arena doing very well. I think that's the take away, it's doing very well, and I think the community really appreciates it. I am curious, though, with the baseball stadium going in, has anybody thought about how that might impact some of the events, whether they would happen at the baseball stadium versus INTRUST Bank Arena? What's the sense of how that might impact what's been going on over at the arena?"

Mr. Boleski said, "Well, there is obviously been a lot of different event centers that have come on board, and we feel like it all fits together very well when you look at all of this. There's a lot of arenas in this community. We have Hartman Arena and Kansas Star Casino Arena, Wichita State's, then you've got us. WAVE just came on board downtown as well, the club, so there's a lot of different sizes. The baseball stadium is another example of that. We feel like they kind of, it just creates this, you know, this great platform for us to host, for this community to host all kinds of different events, all different sizes, indoors, outdoors, whatever it may be. So hopefully, you know, it makes all of us successful, because each of us is, and that's what we see for the baseball stadium. I think they said 200 events a year, so a lot of that's in the summertime. We're a little slower in the summertime, so I think it fits, and it fits well."

Commissioner Howell said, "Very good. Alright, well that's a great answer. Thank you for that. Then I have a couple questions on the parking. I see on the report that the city does parking on lots A, B, C and D. But I see on the map that we also have lots, the ADA (Americans with Disabilities Act) lots straight to the south. We have lots one, two, three and four around the building. Regarding the lots around the building, are those, a fee required to park in those areas around the building?"

Commissioner Howell continued, "Not lots A, B, C and D, but lots one, two, three and four and the area that's straight south of the building, the ADA lot there."

Mr. Boleski said, "So the onsite lots at the building, we have, it's around 275 spaces, I believe. First and for most, those are for premium seat holders. So one lot is for suite holders, and the other one is loge box and club seats. Then we have a small lot that holds for our staff. When the premium seat holders are not using their tickets for a said event, we then are able to sell those spaces to the public, and so that's what we do now. The rate varies depending on the event, anywhere from \$10 to usually \$15. Then ADA is obviously part of that. We have about 36, I want to say, ADA spots onsite. Those are sold for the same going rate as the city lots, so it's a \$4 rate for the ADA spaces, and that's kind of what it looks like now. Now there are some events, when we have a sold-out event and every premium seat holder is coming that we don't have any onsite parking for the public with the exception of ADA, that exists for every single event that we have."

Commissioner Howell said, "Has the ADA charge been that way since the very beginning of the..."

Mr. Boleski said, "When we first opened, I believe the first six months, the ADA parking was free onsite, and then we changed that to \$4 to mirror exactly what the city was doing on all the city lots. So it's been the same ever since then, since probably fall of 2010. I think we started with the hockey season in 2010."

Commissioner Howell said, "How much revenue is generated from the \$4 for the ADA spaces? Do we know, kind of a summary, how much impact that is on our total budget here?"

Mr. Boleski said, "I don't have the number right off the top of my head, but I can tell you that parking, in general, for us is kind of a wash. By the time you, it takes about six staff to operate our parking lots for every event, so by the time you factor in that versus we're not really able to sell all that much public parking, because a lot of it is used by the premium seat holders, so it's a little bit of a wash. There's probably some income there. We'll get that number for you."

Commissioner Howell said, "That'd be great."

Mr. Boleski said, "It doesn't add up to a huge..."

Commissioner Howell said, "I've had the question a couple of times from folks in the community. I just wanted to understand it a little bit deeper, because, again, their opinion is they don't have any options, and I guess to them, it's a bit of a surprise that ADA parking would cost them money. But they could park further away to avoid the costs, but of course that kind of defeats the whole point. Anyway, it's just an interesting topic. I appreciate the extra information."

MOTION

Commissioner Howell moved to receive and file.

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "We have a motion and a second. We do have a couple more comments. Commissioner Meitzner."

Commissioner Meitzner said, "AJ, on that slide that you have up there, the U.S. Figure Skating, what year is that? Does that say '19? But that's not right, right? It was at '21, I thought."

Commissioner Cruse said, "I think it's January 15th through the 19th of 2019."

Mr. Boleski said, "Yeah, that should be in 2020. I think we just had a typo there, so it's in 2020. That's the synchronized sectionals in 2020. Then the U.S Figure..."

Commissioner Meitzner said, "That's we're bidding on is..."

Mr. Boleski said, "The one we're bidding on is the U.S. Figure Skating Championships, so it's different than the synchronized sectionals. That's eluding to the synchronized sectionals, and that's in 2020, so we'll get that fixed."

Commissioner Meitzner said, "Okay. Thanks as well to you and Lindsay. I know we had a wonderful couple hour meeting with the owners of the baseball organization. They toured your place, and you were very hospitable, and a lot of great dialogue about just what you were meaning about complimentary events that they may be hosting that are not INTRUST favorable and same with your events. But it was a good day, and thank you for, and I know they very much appreciated the time that you both spent and your staff, so thank you."

Mr. Boleski said, "Thank you for the opportunity."

Chairman Dennis said, "Thank you. Commissioner Cruse."

Commissioner Cruse said, "Thank you for the presentation. I love seeing all these donated tickets. Do you have an amount for how much you donated in 2018, total donation of tickets?"

Mr. Boleski said, "We can get that exact number for you. We've averaged about 40,000 a year in donated tickets."

Commissioner Cruse said, "Okay."

Mr. Boleski said, "We'll get an updated number for you..."

Commissioner Cruse said, "Okay, thank you."

Mr. Boleski said, "...for '18."

Chairman Dennis said, "Thank you. I don't see any other comments. One of the things that I always like to say when I come over, when we've got another event that's coming up that we're announcing, is that that wouldn't have been possible without the citizens in Sedgwick County voting for the sales tax that was a limited period of time. Things that are happening over there are completely as a result of our citizens in Sedgwick County. So I want to thank them again for everything that they do to make this a great place to live. The fact that we are getting a baseball stadium, I think, is great, but I think it's going to have a synergistic effect with all of the different events that we've got, because they're a little bit different, what they can do over at the baseball field and what we can do inside.

"Finally, well a couple things. First of all, we are going to talk about the U.S. Figure Skating Championship that you mentioned, and the place that they go next after that is the Olympics from what I understand. So that's an important event that'll be coming up for us if we can win that, and hopefully we can. I love going there. The concerts that we have and the events that we have there are something that enhances everyone's quality of life. I truly am very happy that I got tickets to Alan Jackson. The last time I mentioned that with the Mayor, he wanted to know which one of the Jackson brothers that was, so you can see he's not quite as sophisticated as some of the rest of us. Anyway, I don't see any other comments. With that, we do have a motion and a second to receive and file. Madam Clerk, call the roll."

VOTE

Commissioner O'Donnell II Aye

Commissioner Cruse Aye
Commissioner Howell Aye
Commissioner Meitzner Aye
Chairman Dennis Aye

Chairman Dennis said, "Thank you all for being here. I appreciate it. Next item, please."

Received and Filed

I [19-068](#)

PRESENTATION OF THE APPRAISER'S ANNUAL REPORT OF REAL PROPERTY VALUE TRENDS IN SEDGWICK COUNTY.

Presented by: Mark Clark, Interim County Appraiser.

RECOMMENDED ACTION: Receive and file.

Mr. Mark Clark, Interim County Appraiser, greeted the Commissioners and said, "This morning, I will be presenting the 2019 annual real estate mass appraisal report to you. The master appraisal was conducted for every taxing authority located within the boundaries of Sedgwick County, including Sedgwick County government plus the State of Kansas. Let's go over a few of the duties of the Appraiser's Office. We physically inspect every property within Sedgwick County every six years. We discover, list and value all property that had significant changes, and that includes new construction, sales, natural disasters, things of that sort, demolitions. Update appraisals each year to assure that all properties are valued at fair market value, and the statutory appraisal date is January 1st.

"Now, there are several key dates that I want to go over with you that impacts the Appraiser's Office in a major way. First, as we said, the appraisal date is January 1. March 1st, that is when we will mail the real property valuation notices. March 15th, personal property renditions are due to the County Appraiser's Office. March 19th, real property informal meetings begin. May 1st, personal property valuation notices are mailed. May 15th, personal property informal meetings begin, and June 1st, we certify real and personal appraised and assessed values to the County Clerk, and that is a lot of work from March 1st to June 1st. We're very busy, but we're handling it very well. July 15th, the County Clerk certifies the abstract to PVD, that's the Property Valuation Division of the Kansas Department of Revenue.

"August 25th, governing body certified budgets to the County Clerk, and November 1st, the County Clerk certifies the tax roll to the County Treasurer. Parcel growth in Sedgwick County, once again, increased for 2019. From 2018 to 2019, there were a total of 840 parcels, that we grew an addition 840 parcels, and that is a good indication that economic activity is moving forward in Sedgwick County. Sales activity actually decreased by 2.1 percent from 2017 to 2018. Rising interest rates have caused concern, and they have had a dampening effect. Nevertheless, some residential stratifications in the real estate market have definitely seen and enjoyed a lot of activity. We'll get more to that in just a minute. Residential property represents about 57 percent of the total assessed value in Sedgwick County.

"New dwelling construction. Now, this slide here, this is measured by single-family homes, duplexes, triplexes and fourplexes, and basically there was a decrease of 14.3 percent from 2017 to 2018. Interest rate increases and rising building costs and labor shortages definitely were major contributory factors in the decrease. Also, natural disasters across the nation, hurricanes and fires, increase costs, and it did pull skilled

labor out of our market.

Mr. Clark continued, "Skilled labor will always seek higher wages, and we definitely had natural disasters, and they're trying to rebuild in parts of Texas, Florida, North Carolina, and you had the wildfires out in the west. Median sales price for Sedgwick County in 2018 increased to \$160,000. That represents a 2.9 percent increase in the median sales price. Also, that price point is within one of the residential stratifications that has really been active, and if you have a home that is ready to go, people are ready to buy it. They move quickly, and so the residential market has been very active in that particular stratification.

"Commercial. Commercial property represents 31 percent of the total assessed value in Sedgwick County. Commercial property sales, they increased only slightly; however, there is pent-up demand, but it is heavily impacted by the fear or the concern of increased interest rates, and so that has dampened some sales activity. Nevertheless, they continue to watch the Fed to see what is happening, and it is impacting that market. Commercial building permit activity was down 3.9 percent. Rising interest rates and increased costs, shortages of skilled labor hampered that building permit activity. Also, projects continue to be bid on; however, the amount of time that it takes to get a project done in Sedgwick County is continuing to get longer. If you look at and go talk to various construction companies, they will tell you there is a major shortage of skilled labor, and it is having a very major impact.

"The 2018 preliminary appraisal sales ratio study. This is a study that is conducted by the Property Valuation Division, and they measure our performance based on this. Also, it is part of substantial compliance. Substantial compliance, you have statutory and procedure compliance, and that is worth 50 points, and then for the other 50 points, you have the appraisal sales ratio study. When we got this in late 2018, we knew that we were looking at having to raise values. If you look, you can see that the ratios for residential and commercial are below 90 percent. The law requires that those ratios be between 90 and 110. Both residential and commercial were below 90, and so we did, in fact, raise values. Our office uses a common sense, cautious and conservative approach of targeting a 95 percent ratio, and you don't want to overshoot and put it at target one and above. You don't want to undershoot and put it at 90, so you look at 1 to 90 median is 95 percent ratio. That makes sense. It is a typical methodology that is utilized by jurisdictions our size. Once again, that is a common sense and conservative approach for Sedgwick County.

"Agricultural. This slide always amazes me. 438,764 acres, or 68 percent of the land in Sedgwick County, is devoted to agricultural use. Agricultural property represents less than 1 percent of the total assessed value in Sedgwick County, and it is property valuation who sets the agricultural use values for the state. They get those values from K-State (Kansas State University). They work with K-State. They send those to us, and we load them into our CAMA System. CAMA being Computer Assisted Mass Appraisal System.

Mr. Clark continued, "So now we come to the slide that everybody is waiting for. The 2019 valuation summary. For residential parcels, 11 percent experienced a no change in value. Seventy-eight percent increased in value with a typical change of 4.5 percent. Eleven percent of residential parcels decreased in value. Commercial parcels. Forty-four percent of the commercial values had a no change in value. Forty-two percent of the parcels experienced an increase in value, and the typical change for commercial was 5 percent. Fourteen percent of the commercial parcels decreased in value. Agricultural parcels, one percent experienced a no change in value. Fifty-two

percent increased in value with a typical change of 1.5 percent, and 47 percent of the agricultural parcels decreased in value.

“Mailing real property value notices. Approximately 180,000 real property value notices will be mailed for 2019. That represents 81 percent of all properties in Sedgwick County. The Appraiser’s Office will not mail a value notice to everyone. There’ll be some property owners who will not get a value notice because they did not experience a change in the appraised value or the classification from 2018. So how do you go about getting your value notice, if one isn’t mailed to you? Property owners who do not receive a notice in the mail may view the appraisal information for their property beginning March 1 online at www.sedgwickcounty.org. After March 1st, they can go and print that notice off. It’ll have all the information on the back for appealing their value, if that’s what they wish to do, and it will look the same as if you actually got one in the mail.

“Now, the appeals process. If owners don’t think their values reflect fair market value, or if they would like an explanation of how their value was determined, they can turn the value notice over, fill out the back of the notice and return it to the Sedgwick County Appraiser’s Office within 30 days of the date indicated on the front of the notice. Appeal meetings begin March 19, 2019. Our information and assistant staff located at the fifth floor over at the Ronald Reagan Building at 271 [West 3rd], is ready to help people in preparing for their appeals, and appraisers will be actively listening and looking at people’s documentation to make their determinations.

“Customer service is paramount. Also, there is a statement that PVD usually likes appraisers to put out, so I will read this. ‘Please remember the County Appraiser is required by law to value property in a uniform and equal manner and should not be considered an adversary. An increase in value does not necessarily result an increase in taxes. The revenue needed for local services is set during budget hearings. Increase or decreases in property values do not change the amount of tax dollars needed for local services.’

“Customer service, as I said, customer service is a high expectation of mine. I do know that PVD has been stressing the need for customer service, and Commissioners, I know that you expect customer service as well, and it will be provided. So our information and assistance division is ready and willing to provide assistance. Property owners who are trying to decide whether they want to appeal, or are preparing for an appeal, they can physically visit our office. Mr. Clark continued, “They can go on the website. They can call us. They can e-mail us, and we will be glad to provide the sales and values in their neighborhood. The neighborhood number is located on their value notice, and we are ready to serve. In conclusion, I am pleased and proud of the work of the Sedgwick County Appraiser’s Office. Staff performed for the 2019 real property mass appraisal, and I thank them. They’ve worked hard. They’re a good staff, and I enjoy working with them. They’re very good. To the public, I thank the public for utilizing our services, and we encourage them to continue coming to us for assistance. Commissioners, I thank you for allowing me to come to you and present today. That concludes my presentation, and I will stand for any questions that you have.”

Chairman Dennis said, “Thank you, Mark. First question is from Commissioner Meitzner.”

Commissioner Meitzner said, “Thank you, Mark. Very helpful. I appreciate the last

month or so when I was able to come to your office and visit with you and the staff. It was very helpful."

Mr. Clark said, "Thank you."

Commissioner Meitzner said, "A couple of clarifications on your slides. Slide number five, the sales activity, that's not sales tax activity, or is it?"

Mr. Clark said, "No, that is the number of sales, residential sales, commercial sales, properties that have sold."

Commissioner Meitzner said, "Okay."

Mr. Clark said, "When properties are sold, SVQ's (Sales Validation Questionnaire) are logged with the..."

Commissioner Meitzner said, "Okay."

Mr. Clark said, "...Register of Deeds, and then they flow to us through the Clerk."

Commissioner Meitzner said, "Okay. Another question on slide 10. So that 566, that's just how many commercial properties were sold, just existing properties were sold..."

Mr. Clark said, "Correct."

Commissioner Meitzner said, "...compared to the next slide 11, is commercial property. We had 1,100 new commercial permits. Is that..."

Mr. Clark said, "That's permits, but that there doesn't necessarily mean new properties. It can mean..."

Commissioner Meitzner said, "Remodels..."

Mr. Clark said, "...remodels, all kinds of things that require building permits."

Commissioner Meitzner said, "Additions, whatever..."

Mr. Clark said, "Yes."

Commissioner Meitzner said, "Okay. Then my last question, finally, would be on slide 14. I appreciate that. That's a great slide. So for instance, the first section, 11 percent decrease in value. Do we have a typical change, was a decrease of [inaudible]."

Mr. Clark said, "Yes, I can get that for you."

Commissioner Meitzner said, "You did that in all three categories. I appreciate the increase, but I was just wondering what the decrease was, unless it was bad news that you didn't want to share."

Mr. Clark said, "No, no, no. I will be glad to provide that."

Commissioner Meitzner said, "Okay. If it's earth shattering, that's great. If not, that's just something maybe for the future."

Mr. Clark said, "Okay, thank you."

Chairman Dennis said, "Thank you. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. First of all, thank you for the presentation. I know this is a time where we're in the process of looking for a new Appraiser, so you stepped up in this role, and I think you're doing a great job, so I want to say thank you for presenting today and for managing the office. I think you're doing a wonderful job."

Mr. Clark said, "Thank you."

Commissioner Howell said, "With respect to the ratio study, the slide says less than 90 percent. What is the state requirement range? I thought it was 90 to 100, or 90 to 105."

Mr. Clark said, "It's 90 to 110."

Commissioner Howell said, "Ninety to 110?"

Mr. Clark said, "Yes, and that is the same as what IAAO, that is the International Association of Assessing Officers requires, and interestingly enough, we have a growing number of people in Kansas that now are on the board of IAAO, and the director of PVD has just been elected to that board. So yes, we are continuing to put more professional standards in the statutes."

Commissioner Howell said, "And we do this every year? This is a 2018 number?"

Mr. Clark said, "Yes."

Commissioner Howell said, "So right now, it's less than 90 percent."

Mr. Clark said, "Now it should be higher than 90 percent..."

Commissioner Howell said, "Okay."

Mr. Clark said, "...because we targeted 95."

Commissioner Howell said, "You made corrections in the values in the summary, I see that. One of the things in the summary that I think I may have seen in the past, but I'm not sure about that, was the average decrease number. Is that something that's available as well?"

Mr. Clark said, "We can definitely get that."

Commissioner Howell said, "That might be helpful to know what the average decrease was. I would ask for that if it's available. I would appreciate that information."

Mr. Clark said, "Yes, sir."

Commissioner Howell said, "Just as a comment, and I don't know that I've seen this slide before, but I've wondered about this in the past, and I think it's a very interesting take away here, that 68 percent, in fact, I do the calculation based on your number of acres, 67.94 percent of Sedgwick County is classified as agricultural property, which I

think is a very interesting number. I always guessed it was around 70 percent, but now I've been validated in that number. I know, as we talk about consolidation, there's actually a bill in the House right now that is asking for consolidation between Wichita and Sedgwick County. One of the things we always compare ourselves to is Wyandotte County, but just as a comparison, Wyandotte County I don't think has hardly any agricultural. I'm trying to find that number still, but it only has 160,000 residents and 152 square miles.

Commissioner Howell continued "We have 1,009 square miles, so we're much different than Wyandotte County in many different ways. That's just kind of a takeaway from this report, which I appreciate the information. Then I also wanted to just make a comment. I think one of the most difficult offices in Sedgwick County is the Appraiser's Office. Difficult in terms of difficult job to do or challenging job to do, because it's subjective in nature, but you try to do your best to make it objective."

Mr. Clark said, "True."

Commissioner Howell said, "That's the challenge. You're using lots of tools within your office to make it that way. So I appreciate what you're doing there in the office and the staff that supports all that goes on there. I do have another comment, and that is, and this might be for Mr. Pepoon. How long ago was it, or maybe it's for Patricia, I don't know. How long ago was it when we had the local appeals board?"

Mr. Clark said, "The HOPS [Hearing Officer Panel] Panel?"

Commissioner Howell said, "Yes."

Mr. Clark said, "I believe the last time that would have been '95, '96."

Ms. Patricia Parker, Assistant County Counselor, greeted the Commissioners and said, "I think so. I think it ended in the mid-90s."

Mr. Clark said, "Because if I remember correctly, small claims came online somewhere around 1997."

Commissioner Howell said, "Okay. Is there anything legislatively that would require for us to revisit that and consider reinstating the local appeals board?"

Mr. Clark said, "I believe that there is a piece of legislation out there that is pending, and to tell you the truth, my fear is if you continue adding, and I shouldn't say you, if we continue to add more levels of appeals, it gets so administrative, and it gets so expensive, and then not only do you get burnout from staff, you're going to get burnout from property owners, and everybody is just going to be frustrated."

Ms. Parker said, "If I could just..."

Commissioner Howell said, "Certainly, please."

Ms. Parker said, "Commissioner, the county could reinstitute the hearing officer panel, if it's so desired, and so that would not require, obviously it would require additional funding on your part, but it would not require a change in law for that."

Commissioner Howell said, "Well what I'm concerned about is, of course, if it's a local appeal, they can certainly do their appeal here in Wichita. We have roughly one-sixth of

the state's population here in Sedgwick County. Normally, the next step after that is a physical personal presence at the Board of Tax Appeals (BOTA) in Topeka. Am I saying that correctly? So I think there's two ways to address that. Number one, I'd like to see them start to allow a telephone virtual appeal in Topeka, in other words, not an in-person presence, but do it virtually at BOTA, but short of that, I think the local appeals board, we call it the HOP board, I think is something we ought to consider, because there's an awful lot of taxpayers here in Sedgwick County. To put the burden on them to have to go to Topeka, to me is, I guess I'm sensitive to that."

Mr. Clark said, "I understand. I would like to make a clarification, and that is, after the informal appeal meeting, residential property owners can go to small claims. Small claims appeals are handled locally. They are either handled at the [Sedgwick County] Extension Center, or sometimes they may be in El Dorado, or they may be at the Andover Library, but they can do phone hearings. It's not too far to drive. They don't have to go to Topeka for a small claims hearing."

Commissioner Howell said, "Alright, well I'll continue thinking about this and appreciate that information. I think, as a matter of discussion, we might want to consider what are the options for our taxpayers if they want to make an appeal, and if there's any interest in reinstating that board. I guess I'd like to have a discussion about doing that potentially. I think it's something we ought to talk about, so thank you for that."

MOTION

Commissioner Howell moved to receive and file.

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "Thank you. We have a motion and a second. Just a couple questions. One is, if I take a look at the total number of private dwellings, its 57 percent, and the commercial is 31 percent, and agriculture is 1 percent that adds up to, like, 88 percent. What's the other 12?"

Mr. Clark said, "Excuse me, Commissioner, where are you at?"

Chairman Dennis said, "If you look at your slide on, it's says residential property on slide number 6 is 57 percent, and then on slide 9, it says residential is 31 percent, and on slide 13, it says agriculture is 1 percent. That adds up to 88 percent."

Mr. Clark said, "Yes. I did take a slide out. I didn't want to make this too long. There are other classifications which do make up the other percentage."

Chairman Dennis said, "Okay, very good."

Mr. Clark said, "My misunderstanding. I'm sorry."

Chairman Dennis said, "I just wanted to make sure that I got to 100 someplace."

Mr. Clark said, "You didn't miss anything."

Chairman Dennis said, "Okay. The only other comment I make, and then remember our Commission needs to be departing in about an hour, so we can't spend too much time on any of the rest of the items today, but I just wanted to make a point. The 47

percent of agricultural parcels decreased in value, and there is a reason for that. It's because crop prices are way down."

Mr. Clark said, "That is true."

Chairman Dennis said, "That's what drives the value. The majority of my district, as far as square miles, is agricultural land, so that's something that we're very sensitive of in District Three, and since I also own a farm, it's sensitive to me personally."

Mr. Clark said, "I understand."

Chairman Dennis said, "Values are going down. That's totally the reason. It's a five-year rolling average."

Mr. Clark said, "It's an eight."

Chairman Dennis said, "Eight-year rolling average, I'm sorry. Thanks for the correction. But as prices keep going down, and I guarantee you this year prices went down again, that that's going to continue to have an impact on us."

Mr. Clark said, "Yes, sir."

Chairman Dennis said, "Anyway, we have a motion to receive and file, and we do need to move on, so Madam Clerk, call the roll."

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Cruse</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Meitzner</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Next item, please."

Received and Filed

J [19-149](#)

ACTING COUNTY APPRAISER CONTRACT WITH PROPERTY VALUATION DIVISION.

Presented by: Patricia J. Parker, Assistant County Counselor.

RECOMMENDED ACTION: Authorize Chairman to approve and sign contract.

Chairman Dennis said, "Hi, Patricia."

Ms. Parker said, "We're here this morning to approve and authorize the Chairman to sign an agreement for an Acting County Appraiser from the Division of Property Valuation. As you know, Mr. Clark has been our Interim County Appraiser for these past six months, and the law provides for a one-time six month appointment for an Interim. It does not authorize an extension of that appointment. It does not authorize reappointment. So in situations such as these, the Property Valuation Division provides one of their employees, who is a qualified appraiser, in this case it is Raelane Schnacker, to serve as an Acting County Appraiser to perform functions that the

County Appraiser would perform in managing and overseeing the County Appraisal Office.

"In this situation, perhaps that would be different in other counties, Mr. Clark will continue to perform all the functions he is providing right now. The only thing he won't really be doing would be official acts that the County Appraiser would be called to do, such as signing reports and that type of thing. So when Ms. Schnacker is acting as an Acting County Appraiser, she will be paid a sum of \$39.68 an hour. They will invoice, they meaning the Property Valuation Division, will invoice basically on a monthly basis to us for the time that she would spend in that capacity. The term of this agreement begins March 1, 2019 when Mr. Clark's Interim appointment ends, and September 1, 2019, and this period of time is what we believe will provide the county a sufficient amount of time to get the new County Appraiser hired and on board. With that being said, I would ask that the board approve the agreement and authorize the Chairman to sign. If you have any questions, I'll be happy to address them."

Chairman Dennis said, "Thank you. Any questions for Ms. Parker? I don't see any questions. Mark's done a great job for us as Interim for six months. We appreciate that very much, and we do have people out, a headhunter right now, working for Sedgwick County to find us a permanent appraiser, so we're working through that process, and this gives us an opportunity to comply with State law, and at the same time, have all of the t's crossed and the i's dotted."

Ms. Parker said, "I might also add quickly that Raelane Schnacker has an established relationship with the Sedgwick County Appraiser's Office and works with Mark and other staff members, so it's not like they're going to have somebody unknown to the county, so I just wanted to make that point."

Chairman Dennis said, "Good."

Ms. Parker said, "Thank you."

Chairman Dennis said, "Thank you. Commissioner Meitzner."

Commissioner Meitzner said, "No, I'll withdraw mine, thank you. I just had a question, but I see it. Thank you."

MOTION

Commissioner Dennis moved to authorize the Chairman to approve and sign the contract.

Commissioner O'Donnell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner Cruse</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Meitzner</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, "Next item, please."

Approved

K [19-132](#)

ISLAND ANNEXATION REQUEST FROM THE CITY OF WICHITA
(DISTRICT 5).

Presented by: Justin M. Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Find the proposed island annexation will not hinder or prevent the proper growth and development of the area or of any other incorporated city within Sedgwick County.

Mr. Pepoon said, "Justin Waggoner would normally be doing this, but he is in Topeka testifying and helping testify on behalf of the bill we have up there today. So I'll present this on behalf of the county. It's a proposed island annexation by the City of Wichita for property located on South Rock Road to the southeast of the intersection of Rock and 31st Street South. See if I can do this right. The property proposed to be annexed includes the 44 acres and is outlined in yellow on this slide. The purple coloring indicates property that's currently owned by the City of Wichita, and the rest of the property is the unincorporated area of the county. This is a zoom-out of the same area, this map is zoomed out a bit further. This time the annexed property is the greenish cross-hatching that you can see on the slide.

"This property is just to the east of McConnell Air Force Base. Again, the purple coloring there, or probably a mauve, indicates the City of Wichita. You see the City of Derby in pink below. The bottom of the map in the gray coloring indicates, once again, the unincorporated area. An island annexation is when the annexed land does not adjoin the City of Wichita, when you have a unilateral annexation, in most cases. State statute lays out the requirements in which an island annexation can occur, which includes, their land is required to be located in the same county as the city where it is, the owners of the property must petition or consent to the annexation, and in this case, the owner has petitioned for annexation into the City of Wichita. The Board of County Commissioners, by a two-thirds vote, finds that the annexation will not hinder and prevent proper growth and development of the area, or that of any other city within Sedgwick County. In our case, this requires four votes on behalf of the Commission.

"The City of Wichita submitted the request to the county to make the aforementioned findings for the proposed island annexation. The MAPD (Metropolitan Area Planning Department) review recommended that the Board of County Commissioners find that the proposed island annexation would not hinder the proper growth and development of the area, nor any other city in Sedgwick County. The property is within the City of Wichita's 2035 growth area. It is not located within the growth area of any other city in Sedgwick County. Derby is the closest city, and its city limits are roughly three miles from this area. This property is currently undeveloped land.

"There are subdivisions in the west of the property that have previously been annexed into the city, but those parcels do not adjoin the city's contiguous boundaries. Under Kansas law, you can't use an island annexation to have a unilateral annexation.

Mr. Pepoon continued, "The proposed annexation area, on December 27, 2018, the subdivision committee for MAPC (Metropolitan Area Planning Commission) approved the preliminary plat for the Rocky Ford Third Edition, which would create 113 lots for the development of single-family homes. Pursuant to the annexation, the city would

provide police and fire services, which are currently provided by the Sedgwick County Sheriff's Office and Sedgwick County Fire District No.1. It's our understanding the property owner has requested to be annexed into the City of Wichita in order to have city water and sewer services extended to this property. Pursuant to the county's annexation procedures, we have e-mailed relevant county staff of this action. In addition to the report from MAPD, Public Works also indicated they did not have any concerns with the proposed annexation. I would be happy to try to address any additional questions on this annexation, and Mr. Scott Knebel from the City of Wichita is seated over here, is also here to address any questions from the standpoint of the City of Wichita."

Chairman Dennis said, "Thank you, Mr. Pepoon. Each of the Commissioners have been briefed individually on this item. I believe it's in Commissioner Howell's district. Would you like to make a motion?"

Commissioner Howell said, "I just have a couple quick questions, then I'll make a motion, but just wanted to confirm. On MAPC, was that a unanimous vote over there, do we know?"

Mr. Pepoon said, "Do you know, Scott?"

Commissioner Howell said, "I couldn't find that in the back-up material. I would assume it was."

Mr. Scott Knebel, Manager, Metropolitan Area Planning Department, greeted the Commissioners and said, "At this point, the only thing that's going to the Planning Commission would be the plat of the property."

Commissioner Howell said, "Okay."

Mr. Knebel said, "So far, the only thing that's been filed is a preliminary plat which was approved unanimously..."

Commissioner Howell said, "Okay."

Mr. Knebel said, "...by the subdivision committee, but it's yet to go to the full Planning Commission."

Commissioner Howell said, "One of the maps in the back-up material shows the access to this 113 lots will be from the existing island annexation straight to the west, so it's not going to the 39th Street."

Mr. Knebel said, "That's correct. There are provisions for the plat of this property to make additional street connections to the northeast and south at some time that those properties develop and would, you know, create an existing street connection system. But right now, the only access is off Rock Road to the west."

Commissioner Howell said, "Alright, very good. I don't think I have any other questions. I guess, finally, was there any noted opposition from neighbors or anything like that? I didn't see..."

Mr. Knebel said, "There has been no noted opposition regarding the plat of this property, no."

Commissioner Howell said, "Very good. Was there notification sent out to anybody?"

Mr. Knebel said, "There notifications on plats is a sign that's posted on the property prior to the hearing."

Commissioner Howell said, "Alright. Well again, I have not received any concerns from the people that live out there. I would note that because of McConnell Air Force Base, base housing, which is straight to the north, to connect this to the City of Wichita would be very unlikely, unless they grow to the east first, which would be a significant amount of growth. So, this is going to be a very popular housing subdivision, and I do support it. I'm excited to see some houses go up in that area. I think it's the right thing for us to do today."

MOTION

Commissioner Howell moved to adopt the resolution finding that the proposed island annexation will not hinder or prevent the proper growth and development of the area or of any other incorporated city within Sedgwick County.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye
Commissioner Howell	Aye
Commissioner Meitzner	Aye
Chairman Dennis	Aye

County Clerk has assigned Resolution No. 039-2019

Chairman Dennis said, "Next item, please."

Adopted

L [19-173](#)

PRESENTATION OF COUNTY MANAGER'S EMPLOYMENT AGREEMENT.

Presented by: Michael D. Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Approve agreement.

Chairman Dennis said, "Mr. Pepoon."

Mr. Pepoon said, "I'd ask that you defer this item till later in the meeting."

MOTION

Commissioner Dennis moved to defer Item L until after the Executive Session.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye
Commissioner Howell	Aye
Commissioner Meitzner	Aye
Chairman Dennis	Aye

Chairman Dennis said, "Next item, please."

Deferred

M [19-109](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' SPECIAL MEETING ON FEBRUARY 13, 2019.

Presented by: Joe Thomas, Director, Purchasing.

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

Chairman Dennis said, "Good morning, Joe."

Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "We had a special meeting of the Board of Bids and Contracts last Wednesday, and there are three items that we'd like for you to consider for recommendation.

1. ON-CALL COMMERCIAL REAL ESTATE BROKER SERVICES –
FACILITIES DEPARTMENT
FUNDING -- FACILITIES DEPARTMENT

"This recommendation is to accept the proposal from Martens Commercial Group, LLC dba NAI Martens for the rates listed, and this is for a one (1) year period with four (4) one (1) year options to renew.

2. SAP MAINTENANCE RENEWAL -- ENTERPRISE RESOURCE PLANNING
(ERP)
FUNDING -- ENTERPRISE RESOURCE

"This recommendation is to accept the quote from SAP Public Services, Inc. in the amount of \$460,516.17.

3. ROAD IMPROVEMENT -- PUBLIC WORKS
FUNDING -- PUBLIC WORKS

"We're asking that you accept the bid for Alternate #1 from Andale Construction, Inc., and this is in the amount of \$586,920.30. Your acceptance of this request is contingent upon your approval of the CIP amendment, and that would be Item P in today's Consent Agenda.

Mr. Thomas said, "I'll be happy to try to answer any questions you have and recommend approval of these items."

Chairman Dennis said, "Thank you. Commissioner Howell."

Commissioner Howell said, "I just have one question. Thank you for the presentation. On the on-call commercial real estate broker services, on that one line, it talks about that the cost will be split equally between the buyer and the seller."

Commissioner Howell continued, "Is that true for the six percent, the four percent and the two percent?"

Mr. Thomas said, "It's for all of them, I believe. It's for all."

Commissioner Howell said, "All three of those?"

Mr. Thomas said, "Yes, it's for all three."

Commissioner Howell said, "Very good. Then, in terms of the proceeds from the auction, we did not use Martens for the Greyhound Park. Do we have the right to deviate from this if we want to use a different firm for auction purposes?"

Mr. Thomas said, "We can deviate."

Commissioner Howell said, "Okay, very good. I have no other questions, just to make a note that the ICM is going to get its road paved, and that's part of this as well."

MOTION

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

Commissioner Cruse seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye
Commissioner Howell	Aye
Commissioner Meitzner	Aye
Chairman Dennis	Aye

Mr. Thomas said, "Thank you."

Chairman Dennis said, "Next item, please."

Approved

CONSENT

- N. One (1) Easement for Right of Way for Sedgwick County Bridge Project
606 11 3000; Bridge on 53rd Street North between 231st & 247th Streets
West. CIP# B 471. District 3.

O. One (1) Easement for Right of Way and One (1) Temporary Construction Easement for Sedgwick County Multi use Path along Rock Road from Derby to Mulvane; CIP# R 343. District 5.

P. CIP Amendment to Project R346, paving of 61st Street North for the half mile east of 167th Street West (R346). District 3.

Q. Resolution designating and classifying 53rd Street North Court to the Sherman Township Road System per K.S.A. 68 506. District 3.

County Clerk has assigned Resolution No. 040-2019

R. Terminate the License Agreement for Farming on County Owned Property.

S. License Agreement for Farming on County Owned Property.

T. Intent to enter into a partnership agreement in support of the bid for the 2021 US Figure Skating National Championships.

U. Developmental Disability Affiliation Agreement with Winning Out Loud, LLC.

V. Year end Transfer from the Auto License Fund to the General Fund.

W. General Bill Check Register for February 6, 2019 February 12, 2019.

Mr. Thomas Stolz, Interim County Manager, greeted the Commissioners and said, "Recommend approval of Consent Items N through W."

MOTION

Commissioner Dennis moved to approve Consent Agenda Items November (N) through Whiskey (W).

Commissioner O'Donnell seconded the motion.
There was no discussion on the motion, the vote was called.

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye
Commissioner Howell	Aye
Commissioner Meitzner	Aye
Chairman Dennis	Aye

Chairman Dennis said, "Next item, please."

N [19-147](#)

One (1) Easement for Right of Way for Sedgwick County Bridge Project 606-11-3000; Bridge on 53rd Street North between 231st & 247th Streets West. CIP# B-471. District 3.

Approved on the Consent Agenda

- O** [19-148](#) One (1) Easement for Right of Way and One (1) Temporary Construction Easement for Sedgwick County Multi-use Path along Rock Road from Derby to Mulvane; CIP# R-343. District 5.
Approved on the Consent Agenda
- P** [19-131](#) CIP Amendment to Project R346, paving of 61st Street North for the half mile east of 167th Street West (R346). District 3.
Approved on the Consent Agenda
- Q** [19-146](#) Resolution designating and classifying 53rd Street North Court to the Sherman Township Road System per K.S.A. 68-506. District 3.
Approved on the Consent Agenda
- R** [19-140](#) Terminate the License Agreement for Farming on County Owned Property.
Approved on the Consent Agenda
- S** [19-141](#) License Agreement For Farming on County Owned Property.
Approved on the Consent Agenda
- T** [19-158](#) Intent to enter into a partnership agreement in support of the bid for the 2021 US Figure Skating National Championships.
Approved on the Consent Agenda
- U** [19-113](#) Developmental Disability Affiliation Agreement with Winning Out Loud, LLC.
Approved on the Consent Agenda
- V** [19-079](#) Year-end Transfer from the Auto License Fund to the General Fund.
Approved on the Consent Agenda
- W** [19-067](#) General Bill Check Register for February 6, 2019 - February 12, 2019.
Approved on the Consent Agenda

LEGISLATIVE ISSUES

Chairman Dennis said, "Mr. Pepoon."

Mr. Pepoon said, "I'll be brief. We were up in Topeka this morning. Had county staff testifying on behalf of House Bill 2238, which is our Eminent Domain Bill. Justin Waggoner, from our office, and Chris Labrum, Director of MABCD (Metropolitan Area Building and Construction Department) was up there, and with the aid of modern technology, I've got texts from him, and it apparently went very well. The only opposition, significant opposition was from the Kansas Livestock Association, and they offered three amendments which we were able to study, and I think agree to at that time. Now they're going to be neutral on the bill. So hopefully it'll continue and get adopted and moved on to the floor. Senate Bill 129 is our Election's Bill.

“Our county lobbyist, in Topeka, is asking that that bill be amended into Senate Bill 130, which there is a hearing on this morning. I haven’t heard yet how successful that is. In addition, our bill, Senate Bill 130, which would allow people to vote at any polling place is getting a hearing on Friday now in the Senate Ethics Elections Committee. So, we have those two things going.

Mr. Pepoon continued, “We’ve been tracking other bills. House Bill 2050, which was a bill that would have increased our inmate population and was opposed by the Sedgwick County Sheriff, and both the Sheriff’s Association and Sedgwick County testified against, has apparently now been amended in such a way that it’s not objectionable anymore, and it’s going to go to the House Floor, passed out of committee.

“The Fire Sprinkler Act, which we opposed, testified against, right now is not seeing any action. Senate Bill 3, which we’ve talked about before, about the appointment, larger counties appointing the Election Commissioner, is not having any action. House Bill 2308, which is the City of Wichita/Sedgwick County consolidation bill, which has gotten some publicity, also there hasn’t been any action on that bill. And a reminder, next Thursday is turn-around, so some of these bills don’t get any action, they’re going to just die up in Topeka.”

Chairman Dennis said, “Very good. Any questions for Mr. Pepoon? I don’t see any questions right now. There’s a lot going on in Topeka, so we will stay on top of it as things move forward. Okay, next item, please.”

OTHER

Chairman Dennis said, “Does any of the Commissioners have anything to cover during Other today? Seeing none, next item, please.”

EXECUTIVE SESSION

Chairman Dennis said, “Commissioner Meitzner.”

MOTION

Commissioner Meitzner said, “Mr. Chairman, thank you. I would like to move that the Board of County Commissioners recess into Executive Session for 15 minutes, until 10:45 a.m., for the purpose of discussing personnel matters of non-elected personnel to consider employment negotiations related to a county employee, and that the Board of County Commissioners return to this room from Executive Session no sooner than 10:45 a.m.”

Commissioner O’Donnell seconded the motion.

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

VOTE

<i>Commissioner O’Donnell II</i>	<i>Aye</i>
<i>Commissioner Cruse</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Meitzner</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

The Board of County Commissioners recessed into Executive Session at 10:30 a.m. and returned at 10:47 a.m.

Chairman Dennis said, "At this time, I'd like to state that during Executive Session, no action was taken. The other item that we deferred, Item Lima (L), during the regular session, at this time I'd like to make a motion that we re-open Item Lima (L)."

MOTION

Commissioner Dennis moved to reopen Item Lima

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye
Commissioner Howell	Aye
Commissioner Meitzner	Aye
Chairman Dennis	Aye

Chairman Dennis said, "Alright, Madam Clerk, call Item Lima, please."

Approved

PRESENTATION OF COUNTY MANAGER'S EMPLOYMENT AGREEMENT AS DEFERRED FROM NEW BUSINESS.

Mr. Pepoon said, "I have, in my hands, an agreement signed by Mr. Stolz that we discussed in Executive Session."

Mr. Pepoon continued, "I will go over the highlights of the agreement, but just by way of a little bit of background, on February 6th, the Board of County Commissioners directed me to negotiate with the Interim County Manager, and I will tell you that we spent quite a bit of time between that directive until now getting an agreement prepared and ready to be signed. I'm sure this will be reflected in Mr. Stolz' attorney bill. We've had the opportunity in two Executive Sessions to discuss some of the terms of the agreement. I've had an opportunity on several occasions to talk to you individually about different terms, but the Executive Sessions allowed us to have interactive communication in discussing the terms of the agreement. We have now reached an agreement, and again, I have his signed agreement. I'll go over some of the salient points of the agreement at this time.

"Under this agreement, which is, by the way, a public document, and as all employment contracts are for public officials, and it will be available to the press or anybody from the public that wants to see the terms of the agreement, but some of the more important terms of the agreement is that Mr. Stolz will work exclusively for Sedgwick County, except he is allowed to do some employment as an adjunct professor, if he has that opportunity. The initial term of this agreement is for a period of 18 months, or until August 31st of the year 2020. We will do a review prior to that time, and if it's a favorable review, then the agreement can automatically renew under the same terms and conditions for two years, or until August 31, 2022. After that, the agreement becomes a one-year agreement and would renew every year.

"The yearly salary that Mr. Stolz would get is \$180,000. He will, after that, receive the same salary adjustments that are given to other county employees. Additional compensation that he will receive is a car allowance in accordance with county policies and what other employees in similar positions and car allowances would get. He gets a cell phone allowance, same as other county employees in similarly situated positions. At the end of every term of the contract, we have agreed to give him \$5,000 to put into a retirement account of his choice. That's done within 30 days of the end of any term. He will accrue vacation at the rate of two days per month. If he remains County Manager for 3.5 years, or approximately the first two terms of the agreement, upon separation from the county, for whatever reason, he would get a lump sum of 80 hours of vacation to be added to whatever final lump sum payment was made to Mr. Stolz.

"Under the agreement, if we were to terminate the agreement early, if he were to be terminated for reasons other than for cause, we would owe Mr. Stolz health insurance for he and his wife until he turns 65 years old, unless he had access to another group plan or health insurance. He would be entitled to his \$5,000 retirement payment, and we would, for the first two terms, owe him one-year severance pay. No other benefits beyond that, but one-year severance pay, and once it converts to a one-year agreement, the severance would be six months of severance. I believe that are the highlights of the agreement. I'm prepared to answer any questions, and put it up for discussion by the bench."

Chairman Dennis said, "Thank you, Mr. Pepoon. Are there any questions from the Commissioners on anything that Mr. Pepoon mentioned? Seeing nothing, I'd like to open it up to public comment. One thing that we did do last week was we did have a public meeting, and had a number of folks attend that. But if there's anyone in the audience today that would like to speak on this item, now is an opportunity to do so. Seeing no one, I'll bring it back to the bench. Commissioner Meitzner."

Commissioner Meitzner said, "Yes. I'd just like to thank you for reminding us that we had the public forum. It was well attended, and Tom, you did a nice job there as well. Also, I just want to share that I know that we're very open to having dialogue about the pros or cons about Tom specifically, or about the position, and I continue to have numerous unsolicited positive comments about this direction, and I was waiting for the one negative comment to receive, but I never received one directly from anybody in the community. So I'm fully supportive of this. I don't know if you want to make the motion, or if anybody else wants to voice anything."

Chairman Dennis said, "Commissioner Cruse."

Commissioner Cruse said, "I just want to know if we can get a copy of that picture with your long hair. Can you please place that on the county website immediately? That's part of the contract. You know what, I should have wrote that in there."

Mr. Stolz said, "I'll get you a copy of it, but it won't go on a website."

Chairman Dennis said, "Very good. Other comments? I'd like to echo Commissioner Meitzner's comments, that after we started discussing this, having a great opportunity to go around and visit with folks in the community. That's one of the nice things about being a Commissioner is that we attend a lot of meetings with folks throughout the community. Without fail, ever since we started discussing this and the opportunity to have Tom Stolz as our permanent County Manager, unsolicited, because I made it a point to not ask anyone. Unsolicited, over and over and over again, they told us that we

were making the right decision.

“As I said before, we had a public meeting, so the comments have been very positive. I believe that we’re going the right direction. There’s been a completely different atmosphere in this courthouse in the last couple months than there had been in the past. I think that’s attributable to the leadership of Tom Stolz. So I think that we have two new Commissioners on board, and I believe that they agree with me, so I’m going to turn it back to Commissioner Meitzner and Commissioner Cruse. Commissioner Meitzner.”

MOTION

Commissioner Meitzner moved to approve the contract to hire Tom Stolz as the County Manager and authorize the Chairman to sign.

Commissioner Cruse seconded the motion.

Chairman Dennis said, “We have a motion and a second. Any further discussion?”

Mr. Pepoon said, “And approve the Chairman to sign.”

Chairman Dennis said, “Very good. Commissioner O’Donnell.”

Commissioner O’Donnell said, “Yeah. Well, I just want to thank Tom for your willingness to step up in this role, in the interim position, it hasn’t been fun. I think it’s been a rough year on a number of us, but you’ve done great. I’m very excited to support this motion, and more importantly, our staff is very excited for you to be taking on this role. So not only is it going to help the community, but the 2,500 to 3,000 people that we employ, they need your leadership. So we’re very, I know, myself and speaking for members of the Commission that have also expressed their positive feelings of your employment. This is very big for our community, so I just thank you for stepping up, and your family, because it’s going to be, obviously, a big time commitment, so thank you.”

Chairman Dennis said, “Thank you. Any other comments? Seeing none, Madam Clerk, call the roll.”

VOTE

<i>Commissioner O’Donnell II</i>	<i>Aye</i>
<i>Commissioner Cruse</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner Meitzner</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

Chairman Dennis said, “Congratulations, Tom Stolz. Does anything else need to come before the Commission today?”

Commissioner Cruse said, “I have one final thing.”

Chairman Dennis said, “Commissioner Cruse.”

Commissioner Cruse said, "I just want to remind everybody that the fundraiser for Exploration Place is this weekend, Death by Chocolate. So if you haven't picked up your ticket, please do. It should be fun."

Chairman Dennis said, "Sounds good. Anything else? Seeing nothing, we all have our luncheon."

Approved

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:57 a.m.