

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



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Meeting Minutes

Wednesday, April 16, 2014

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

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

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

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ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:06 a.m. on April 14, 2014 in the County Commission Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Commissioner Tim R. Norton; Commissioner Karl Peterjohn; Commissioner Richard Ranzau; Commissioner James B. Skelton; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Ron Holt, Assistant County Manager, Mr. Justin Waggoner, Assistant County Counselor; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Mark Masterson, Director, Corrections; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kristi Zukovich, Communications Coordinator, Communications; and Ms. Jill Bailey, Deputy County Clerk.

GUESTS

*Ms. Penny Olson, Account Manager, United Way of the Plains
Mr. Charles Peaster, 9453 North 131st Street West, Sedgwick*

INVOCATION: Pastor Daniel Syrcle, First Salem Church.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES

A [14-1226](#) REGULAR MEETING MINUTES OF MARCH 12, 2014.

All Commissioners were present.

Chairman Unruh said, "Commissioners, you've had the opportunity to review the Minutes of March 12 and March 19, 2014. Are there any additions or corrections?"

MOTION

Commissioner Norton moved to approve the Regular Meeting Minutes of March 12 and March 19.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

Approved

- B** [14-1235](#) REGULAR MEETING MINUTES OF MARCH 19, 2014.
All Commissioners were present.
Action on Item B was taken with Item A.

NEW BUSINESS

- C** [14-1242](#) PRESENTATION OF AWARDS IN RECOGNITION OF THE 2013
UNITED WAY EMPLOYEE CAMPAIGN.
Presented by: Penny Olsen, Account Manager, United Way of the Plains.

RECOMMENDED ACTION: Receive and file.

Chairman Unruh said, "Good morning."

Ms. Penny Olson, Account Manager, United Way of the Plains, greeted the Commissioners and said, "Good morning. I would like to recognize Sedgwick County Manager's office for a Pinnacle Award that is 100 percent participation. The Sedgwick County Commissioners office for the Silver Award, and the Sedgwick County Counselor's office for a Silver Award. And this is what your awards look like. We really appreciate all the departments and their participation.

"Lot of good works, we were able to add four new agencies this year. We were able to add Delta Daycare; Stepstones, an agency for long term transitional housing; a foster grandparents program; early childhood mental health, and Sunshine Children's Home in Butler County. So thank you very much, we greatly appreciate it."

Chairman Unruh said, "Well thank you, and Penny, would just say your name and your position, so that we have that for the record."

Ms. Olson said, "Sure, Penny Olson, Account Manager, United Way."

Chairman Unruh said, "All right, well thank you. We appreciate you making the effort to come up here and make these presentations. We're proud of our affiliation and support of the United Way, and proud of the great work that you do in our community. But we have a comment here from Commissioner Norton."

Commissioner Norton said, "We've had a pretty tough several years with the United Way, with the aircraft industry with a few layoffs and everything, those have always been great supporters. But, you continue to move it towards that goal, and you hit it again this year. Even under the tough times, and that really means a lot for the community. I sit on the United Way board and on the community planning group, and the work that the United Way does through their member agencies is incredible. So, these kind of fundraising efforts, and I'm glad the county rises to the level that we have in these different offices and different parts of our county because it is important work for our community, just convey that back to Pat and everybody at the United Way."

Ms. Olson said, "Thank you very much."

Commissioner Norton said, "Thanks, Penny."

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "Thank you. Thank you so much."

Ms. Olson said, "Thanks."

Chairman Unruh said, "And Mr. Manager, did you want to make a comment?"

Mr. Buchanan said, "I did have a couple comments, Mr. Chairman. The employees of Sedgwick County, for your information, the employees of Sedgwick County raised \$97,185 for the United Way, which is terrific. That effort was led by Jill Tinsley, who should receive a lot of credit for that. In the last couple years, since 2001, we've raised \$1.4 million for the United Way. So that's a contribution. We've provided a loan executive to the United Way, in the fall campaign, and we've done that consistently over the years. That was Daniel Kliewer this year, from EMS (Emergency Medical Services). And we've been a participant in the loan executive program."

"We've helped the United Way on a number of issues, been partners with them. The point in time count for the homeless, we've done that. With homeless management information system for our Shelter Plus Care, and our permanent is a combination of United Way and Sedgwick Counties efforts. A partnership with Emergency Management on the 211 during disasters that we are there with them. COMCARE allows tax site for earned income credits for the United Way. The staff help with, the United Way staff help with our veterans program. And Pat Hanrahan was very instrumental in helping create the Sedgwick County nonprofit Chamber of Commerce. So, we thank him and the United Way for that. I thought those pieces of information would help put these in perspective."

Chairman Unruh said, "Well, thank you for bringing that information forward and Mr., Manager, want to thank you for your leadership to our employees and all our department heads for finding creative ways for us to be supportive of the community and be involved in the United Way, so, and Penny, thank you again for being here to make this award."

Ms. Olson said, "Thank you so much."

Mr. Manager said, "Thank you, Penny."

Chairman Unruh said, "May we have a motion to receive and file?"

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item"

Received and Filed

D [14-1139](#)

A RESOLUTION MODIFYING CHAPTER 5 OF THE SEDGWICK COUNTY CODE PERTAINING TO ANIMALS AND ESTABLISHING THE ANIMAL CONTROL ADVISORY BOARD.

Presented by: Ron Holt, Assistant County Manager.

RECOMMENDED ACTION: Approve and sign the resolution.

Attachments: [Animal Control Resolution](#)

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "The resolution before you contains changes to Chapter 5 of the Sedgwick County code pertaining to animals. Resolution 17-1987 was adopted by the Commission on February 4, 1987. Resolution 270-1992 adopted by the Commission on December 2, 1992 provided the majority of the content contained in the current version of Chapter 5 of the Sedgwick County code pertaining to animals.

"Subsequent to those two resolutions, minor additions and modifications have been made to provisions of Chapter 5 of the code including, but not limited to Resolutions 22-1996, 29-1996, 35-[20]00, 189-2001, 142-2002, 63-[20]03, and 15-2007. As you know, for a number of years, Animal Control was located within the Sedgwick County Code [Enforcement] department. When Sedgwick County and City of Wichita code departments, code enforcement departments merged on January 1, 2013 and became the Metropolitan Area Building and Construction Department, we indicated that Chapter 5 of the Sedgwick County needed to be updated as well as having the Animal Control function located in a department more aligned with its mission, the health and safety of the citizens of this Sedgwick County.

"Effective January 1, 2004, as we reported to before, Animal Control transitioned from the Metropolitan Area Building and Construction Department (MABCD) to the Sedgwick County Health Department. Also, since that time, we have been working, and even before that time, working diligently to bring you updates to the code based on operational and legal considerations.

"Actually, Justin Waggoner, from the County Counselors office, along with Adrienne Byrne-Lutz, and from the Health Department, and Shawn Hornbaker, Animal Control, have done most of the heavy lifting and identifying and making the changes that are included for your consideration today.

"I also want to thank members of the current Animal Care Advisory Board, Mr. Charlie Peaster, whose a member of the board is here today as well. They've been very helpful by offering thoughts and suggestions with respect to the changes that are being proposed and even challenged some of the changes, which have been helpful in making sure that these changes were vetted very carefully and very thoroughly. While many of these changes were reviewed and the board over the past four or five, with the board over the past four or five months, all of the changes were sent to the Animal Care Advisory Board members on March 30, there was a robust discussion of the proposed changes at the boards regularly scheduled meeting on Tuesday, April 8, with the five members of the board who were in attendance. As you know, that five members does that constitute a quorum, and consequently, the discussion did not end up any votes because a quorum was not present. However, it did not take away from the good discussion that was had.

"The resolution before you would dissolve the Animal Care Advisory Board, and establish the Animal Control Advisory Board in its place. The new Animal Control Advisory Board would have different duties and membership requirements than the existing Animal Care Advisory Board. The resolution also includes a revised dangerous animal hearings procedure whereby the entire board, or a subcommittee of the board, would hear any dangerous animal matters in which the owner had requested, in an administrative review hearing from a determination by the director of Animal Control that the animal is dangerous.

"And lastly, the resolution contains additional changes that are meant to update portions of the [Sedgwick] County Code (Municode), examples of this include the expansion of the prohibition on dog fighting to all animals, and an enhancement as to the class of violation for such offenses. Commissioners, I would recommend you approve and sign the resolution. Justin, Adrienne, Shawn, or I would be happy to answer any questions that you may have."

Chairman Unruh said, "All right, Ron, thank you. We do have a comment from Commissioner Skelton."

Commissioner Skelton said, "Hey Ron, I'm looking at the membership requirements, and these are requirements, they're not suggestions, is that correct?"

Mr. Holt said, "They are requirements, but as they note, let me just read them to you, because it's important to note how that reads. Members of appointed by the Board of County Commissioners shall include the following: Five members shall be chosen from the following categories, with requirement that not less than one member must be a veterinarian, licensed in the State of Kansas. Now it could be that all five are veterinarians, is the point I wanted to make. And then these other categories, to make up that board, and then the other two members shall be at large members that are residents of Sedgwick County who did not fit into the criteria indicated for the other five members of the board. So, two members must be citizens at large, one member must be a veterinarian, and then the other four members made up from those other categories."

Commissioner Skelton said, "Okay, well, you know, when you say requirement is going to be that and employee that works for an animal advocacy organization operating within Sedgwick County, is that probably like the Humane Society."

Mr. Holt said, "That would be correct, yes."

Commissioner Skelton said, "Okay."

Mr. Holt said, "And again, I would say, it doesn't have to have that member on the board. That is one of the categories that you would consider. It could be, those five members could be all veterinarians."

Commissioner Skelton said, "Have we, right now our current board whether they show up or not, do we have, how many members now do we have that fit this criteria of membership?"

Mr. Holt said, "If my memory is correct, I believe we have one veterinarian, on owner of a, what does it say, a large pet store owner operating within Sedgwick County, we have three citizens at large, well, we really have four, but one of those citizens at large hasn't been to a meeting in quite some time."

Commissioner Skelton said, "Right, we're aware of that. Okay, well you don't anticipate any problems finding volunteers for this, because there is not paycheck, of course."

Mr. Holt said, "I don't anticipate any problems, because Adrienne and Shawn are going to be all over this. And they'll be bringing back and vetting with you, taking your, if you have folks that you want them to recruit, they will be bringing back to you though the names of folks who have, who would be agreeable to serving and would understand what serving would mean time wise as well as a time commitment wise."

Commissioner Skelton said, "Okay, so we, have you presented this to the board?"

Mr. Holt said, "The board got a full packet of information including the total redline version of the code, plus a copy of the resolution. In the mail, it was mailed to them March 30th, and then at the regular meeting on April 8th, all of that was reviewed. Justin attended that meeting along with Adrienne and Shawn attended that meeting. The five active board members were present and a good discussion was had on these changes."

Commissioner Skelton said, "Okay, so you're still going to require the board as, did you say four of the board members should be appointed to a quasi judicial animal hearing case to do that, is that what..."

Mr. Holt said, "All of the board members or a subcommittee of the board, which the board will work out, in their, after they're established will work out what those procedures are and who would be on that..."

Commissioner Skelton said, "The quasi judicial panel."

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

Commissioner Skelton said, "Now, okay, so how big do we want to make that quasi judicial panel?"

Mr. Holt said, "No more than seven."

Commissioner Skelton said, "No more than seven."

Mr. Holt said, "I suspect the board wouldn't want it to be any less than three."

Commissioner Skelton said, "So the board would vote on a recommendation with the majority prevailing. Is that correct?"

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

Commissioner Skelton said, "Okay, well, what would be the appellate court in this case? Would it be district court? I mean, how, okay, all right. Just like a BZA (Board of Zoning Appeals) case than, similar to that, all right. Okay, thank you, those are my questions, Mr. Chairman."

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Ron, and anyone else who's in the room who would like to answer this question I'd appreciate. When this was presented to the existing board, did they vote on this recommendation and did they have any suggestions or comments that we ought to include for record and have discussion on this morning?"

Mr. Holt said, "Commissioner Peterjohn, I sent you a copy, as I mentioned there wasn't a quorum at the board, although a vote was taken which was not technically able to be counted as vote, but I sent you copies, all of you copies of the minutes from the April 8 meeting, members present was Charles Fletcher, Preston Hickman, DVM, Debbie Parks, Charlie Peaster, Harold Prester, absent, Bob Dix, Julie Evans, which is a DVM, and then there are two unfilled appointments. A member from the public was there, Mr. John Daley, and then Shawn Hornbaker, Adrienne and Justin were there. A lot of discussion was had around the title and composition of the advisory board and a lot of discussion the words or the terms shall versus may, relative to the appointments, appointment of members.

"Then, as it notes in there, and I'll just read this, Charles Fletcher called for a motion on this wording. Charles Peaster made a motion for the wording to be made. Debbie Parks seconded the motion. The vote was 4-0-1, with Preston Hickman, DVM abstaining from the vote. He pointed out that this subject has been discussed repeatedly in past meetings, and the proposed code change allowed for two members to be selected by the BOCC (Board of County Commissioners) at large. It goes on then to talk about some discussion around the dangerous animal hearings that had a review as well. So the major consideration was shall versus may, relative to that wording in the code about members, appointment of members of the board."

Commissioner Peterjohn said, "Well let me, follow that up with a question, because in the section on membership it says that at least one member must be a veterinarian licensed in the State of Kansas, so in other words, this board would no longer be able to function if there was not a licensed vet on the board, regardless of the other members composition that's there, the way I read. Am I correct in that assumption?"

Mr. Holt said, "That would be correct. And of course the whole idea of this board would be to have not only the citizen input, but the professional input. And without that professional input, which a veterinarian would bring, I think that work of the board would be greatly diminished, was the thought in advising this."

Commissioner Peterjohn said, "I understand, in terms of having everyone there, but you know, we are also under other constraints. I mean, we have a, equal protection, I mean we're supposed to treat everybody, in a sense, equally. And we're kind of setting up two groups here. The public at large is available to go into two slots, but certain people who fit other criteria can fill the other five on here. And I can understand why there was a lot of discussion on it, and whether the word shall or may, or I would throw in should, be chosen. With our current composition on the board we've got three at large members at the moment, don't we?"

Mr. Holt said, "I don't whether they are designated at large or not, but there are four that I would say, I would say that there are four, if you want to refer to them as citizens at large, if you include Bob Dicks, who hasn't been an active participant."

Commissioner Peterjohn said, "Okay, I mean I'm, you know, looking at this, in a, just the organization, in terms of trying to make the appointments, have them filled in. And I was looking at the Metropolitan Area [Building and Construction] planning Department as kind of model, because we have similar situation where we've, the county appoints seven members to that board, and five of them are nominated by each Commissioner, and two are nominated by the Commission as a whole. And I'm just, if we go with the seven number, how we should have it worked out. I, personally, would feel like I have no problem with the idea of having this six categories. In fact, might even think about trying to expand it to, in terms of having a representative from the ag[ricultural] community specifically included because there is a lot of people, and whether they are, whether they've got beef cattle, dairy cattle, any other sort of livestock, I wouldn't want to limit it to just horse folks, folks with connection with horses, under that category for the six who are there.

"And frankly, for my colleagues up here, I would frankly feel more comfortable on this membership, instead of saying shall, replace the word shall with should, be chosen. And I would also like to include the idea that we'd had a person potentially from the ag community, because they would defiantly, for the area that this has responsibility maybe they'd have some exposure too. So, with those comments, Mr. Manager, I'll be interested to hear what my colleagues think."

Chairman Unruh said, "Thank you, Commissioner. Another comment from Commissioner Skelton."

Commissioner Skelton said, "Sir, we had, and I do appreciate this provision for requirement of attendance. Okay, so, let me put this in a hypothetical situation to you, and see how it plays out. So we adopt this ordinance today, okay, do reappoint everybody at that time, or do carry on with current members of the board, or is this retroactive, so to speak, as far as attendance is concerned."

Mr. Holt said, "If you adopt this resolution today, the current board is dissolved. The staff would work very diligently with you and with, from the community in bringing you recommendations for the new board. We would do that post haste, so that a new board could be up and running certainly within the next 90 days, if not sooner."

Commissioner Skelton said, "Okay, thank you."

Chairman Unruh said, "Thank you, Commissioner. Well, Ron, I noticed that you used the word in your description of the discussion, you used the word robust more than once. So I assume that we, you all have kind of hammered this out to a pretty thoroughly. So I appreciate the extra energy and effort by our staff and by the citizens in trying to work through this issue. I don't see any more questions from Commissioners, but I've been advised that one citizen wants to make a comment, I'm going to allow for that. So, Mr. Charles Peaster said that he had one comment that he wanted to make."

Commissioner Skelton said, "I just want one more question."

Chairman Unruh said, "Okay, we'll have, before we do that though, Commissioner Skelton has a comment."

Commissioner Skelton said, "Okay, Ron, when we have two at large members, and this member and that member and the other member from this industry, are we going to roll dice to see who gets to make that appointment? I mean, the at large appointments are going to be, in my opinion, you know there might be some, you know, more, commissioners may want to appoint more at large people, and you know, are we, so..."

Mr. Holt said, "We're going to make sure that..."

Commissioner Skelton said, "How are we going to decide who is going to appoint who?"

Mr. Holt said, "You would take a vote, of course, as a whole on who's appointed, but we will certainly work with you individually to recruit any folks or names that you would have, we would make sure, one of the job, staff would make sure is that whoever those folks are they would understand, if appointed, what there rolls and responsibilities were and what the requirements would be, especially that missed three meetings in a row, and you're no longer on the board. So, just like we do with the, we do with Code Enforcement, where the staff goes out and works the community to find the representatives to be on the board and then bring them back to you for your consideration. Any input that you give to that is certainly important and needed. And then as a vote, you would decide who those seven members are."

Commissioner Skelton said, "Okay, right, well an example would be is each one of us, all five of us want to appoint an at large member, that can't happen."

Mr. Holt said, "No..."

Commissioner Skelton said, "So then we have to arm wrestle."

Mr. Holt said, "No, you just have to..."

Commissioner Skelton said, "Figuratively."

Mr. Holt said, "You have to get three votes to which one you want to appoint. And the majority would win out on that appointment. Like you do on other items."

Commissioner Skelton said, "Well, yes, sure we could, and each vote could turn up no because we're all very passionate about our appointment. And if that happens, what then? Sorry."

Mr. Holt said, "We believe that goodwill will prevail."

Commissioner Skelton said, "Okay, I like faith, faith is good. Okay, thank you, sir."

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

Mr. Holt said, "I used the word robust, I wasn't at the meeting. Shawn and Justin and Adrienne were there. And this is meant as a compliment, but Mr. Peaster was there, so I didn't have to have any problems recognizing that it was a robust discussion."

Chairman Unruh said, "I understand. Mr. Peaster, if you would like to make a comment."

Mr. Charles Peaster, 9453 North 131st Street West, Sedgwick, greeted the Commissioners and said, "Yes, we did have a meeting on April the 8th. The six, five of the six normal people, there's actually three vacancies that haven't been filled of the ten of the original Animal Care Advisory Board. Six of us have been active in that, two of them are veterinarians, Dr. Hickman and Dr. Evans, three of us are not. We had a motion made, and it was voted on by four of the five that were there, to change the word shall to may. And the reason for that is shall is mandatory, may is you have an option. You can have four people from once place, and three people that can be at large, if you change shall to may. So you go from being mandatory to permissive on your choices.

"Of the six of us that have been active in the Animal Control Care Board, five of us there, and all five of us, three have been not qualified other than under other. We would agree to continue to be on this board without a problem. The problem is, between three of us, if you put this as shall, compared to may, then one of us is going to have to step down. The one good think about it is, is not matter which one of the three of us isn't appointed if you decide to appoint the people that are part of the board, the question was asked who are they going to recommend, and we weren't given an answer partly because it hasn't been approved by you. The other of it is is that they didn't, or if they have people that they know of that want to be on it, other than the current ones, we weren't make aware of it.

"I asked Dr. Hickman point blank if he was willing to serve on the new board, which he said he was. The other that is, the only one that wasn't asked is Dr. Evans because she wasn't there. Hale Prester is the oldest sitting member on that board, he's been there 15 years, and he's willing to serve. He doesn't live in Sedgwick County, he lives in Butler County, but his business is in Sedgwick County, which makes him ineligible to be on that board, my understanding.

"Justin Waggoner was there, and he explained to us, part of the problem that we had with this because if you have a board that hears a case, excuse me, our concern was that if one person, which is the way it was set up originally, heard a dangerous animal case and found with the county, because he's not a county employee, he could be sued by the owner of that animal. And we were told by Justin Waggoner that this is an administrative hearing not a court hearing.

"And yes, if the chairman of the board of seven people decided all seven people want to heard it, or five ought to hear it, or three ought to hear it, but there should be an odd number so there's not a tie vote on how to do it. And he also explained that we were covered, they would be covered under the [Kansas] Tort [Claims] Act.

"My recommendation to you and four of the five members of the board's recommendations to you current board would be to change the word from shall to may, for the appointment of the seven people to the board. There you have an option. We have yet to have anybody that knocked the doors down wanting to be on the Animal Care Advisory Board. And with that, I appreciate you letting me speak on this issue. Thank you."

Chairman Unruh said, "Thank you, Mr. Peaster. Commissioner Peterjohn, did you have comment?"

Commissioner Peterjohn said, "I've got a couple questions if Mr. Peaster will stand for a question or two. I threw out the idea of changing the word shall to should, could you kind of provide a direction of the intent in where we want to go, of course I also had the thought, in terms of trying to include eligible under that section, in terms of specific categories, someone who is involved in the ag community who's not animals, whether we're talking about, I mean, I could make it as broad in the ag community as you could have. Whether we are talking about large animals like beef or dairy cattle, or pigs or sheep, or geese, ducks, chickens, whatever, as that. And I would be interested in your comments, in terms of the idea of using the word should instead of shall, for that membership section."

Mr. Peaster said, "Well, Commissioner, in the unified zoning code book it gives a definition, and the reason I used may instead of shall is because, let me find it, I thought I brought it up here, I did, mandatory and discretionary terms, the word shall is always mandatory, the word may is permissive. And that's why I went for the word may instead of shall, or should. And I don't know that should would make any difference other than you could have four of one, and three of the other, which could be three citizens at large, if it was should instead of shall. Under shall, the way it's written, you're only going to have two at large. No more than that.

"Now, from time to time we've had meetings where Dr. Hickman wasn't there, or Dr. Evans, just like the last one, wasn't there. We were told that we didn't have a quorum. But we didn't have three people that were even appointed to that board. So if you take seven as the actual numbers, why would four not be a quorum? And four of the five of us voted to change the wording. Now, the previous board was set up with ten, with three vacancies.

"And I asked a Commissioner why it was, and he said he was waiting for the changes. Well the changes has moved the board from ten to seven. And I think the reason they've done that is since Mr. Stolz has taken over as the head of a lot of the boards, he's got seven people on the boards, and that's kind of why they wanted seven instead of ten, or maybe it's because they haven't been able, we haven't had three more people knocking down the door wanting to be on the board. But of the five of the six of us that are actually involved with it now, at that meeting, said we were willing to serve on the new board.

"And I think it's going to be up to you gentleman to decide who of that is or isn't going to get to be on that board. They may not give you any of the three of us that don't meet the qualifications of the first five. They may not even give you Dr. Hickman's name or Dr. Evan's name or Hale Prester name as being the board, we don't know that."

Commissioner Peterjohn said, "Okay, I appreciate that answer. I thought I would follow up with a legal question for either Mr. Euson or Mr. Waggoner. A legal question, in terms of a business owner, who doesn't reside in the county can participate in the old board, can they participate in the new board?"

Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "I didn't know if perhaps Rich Euson was wanting to address that?"

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Under the new code they have to be a resident of Sedgwick County."

Commissioner Peterjohn said, "So we would lose a member then, from what we currently have if we approve this in its current form. Okay, I stand by my earlier concerns and comments, I appreciate the discussion about shall and may. And the reason I picked should was it implied the intent in terms of what direction we wanted to take it, but I think it would keep us out of any equal protection and equal treatment under the law arguments if we had a word that was more permissive. I do have a concern that I think if pass this in its current form there would be some changes coming."

"But I'm not totally comfortable with this, and I would really would like to, under that first five member category that lists six different areas, I really would like to have the potential of having a person who's involved with the ag community, because frankly my experience as a Commissioner has been more tied to the cases where agricultural animals have gotten lose as opposed to, and that really wouldn't fit into any of these specific categories, except maybe the animal control officers. Although, frankly, with the ag community, the animal control officers are within municipalities, and the cases I'm familiar with these animals getting out lose basically occurred out in the, have occurred out in the unincorporated areas. Thank you, Mr. Chairman."

Mr. Euson said, "Commissioner, let me clarify that answer. The two at large members under the new code have to be residents."

Chairman Unruh said, "Repeat that, Mr. Euson."

Mr. Euson said, "The two at large members under the new code have to be residents."

Commissioner Skelton said, "Of Sedgwick County."

Mr. Euson said, "Yes."

Chairman Unruh said, "And so, Mr. Euson, that means then that the other five are not required, is that your answer?"

Mr. Euson said, "Yes, I don't see a requirement with that for the other five members."

Chairman Unruh said, "Okay, thank you for that clarification."

Mr. Waggoner said, "If I may, to clarify that a bit further. It says large pet store owner operating within Sedgwick County. So the pet store itself would need to be with the county, according to that reading."

Chairman Unruh said, "Thank you, Commissioner Peterjohn, did you have another question?"

Commissioner Peterjohn said, "Well then, yes, I want to make sure, just for the records, so if they are in the first five categories we could have a veterinarian who does not live in Sedgwick County, but who has maybe a veterinary practice in Sedgwick County would be eligible as would a large pet store owner who is operating in Sedgwick County could live outside of the county or a person who is running a horse boarding operation or kennel owners could own businesses here but live outside the county and still be eligible to be on this as this motion is currently written, correct?"

Mr. Euson said, "Correct."

Commissioner Peterjohn said, "Okay. Well I appreciate that clarification. And with that information I restate, repeat my interest in working on the membership, this membership section, Mr. Chairman. If there is an interest of any of the other Commissioners in proceeding down that, I don't want to waste a lot of time making motions that wouldn't have a second, but I do have some concerns, and I wanted to make sure they were on the record this morning, thank you."

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

Commissioner Skelton said, "Well, Ron, could it be said that, you know, the members that are showing now are at large members and how many of them are and they are the ones who are actually keeping this board somewhat limping along, is that correct?"

Mr. Holt said, "We do have, at the current time, three active at large members."

Commissioner Skelton said, "Right, okay, and then how, of five active people."

Mr. Holt said, "Correct."

Commissioner Skelton said, "All right, well, I have mixed feelings about it because I understand the reason for professional knowledge on this board. So I'm still thinking, and, what happens if we hold this up a week?"

Commissioner Peterjohn said, "We might have five Commissioners."

Mr. Holt said, "There would be no, I think Shawn, who is trying to run the program in the work group blood pressure goes up a little bit, but that's part of being a good staff member. There's no harm done in holding this up, if that's your desire."

Commissioner Skelton said, "Yes, well, I know about the blood pressure issue, that's, I get that here, too, sir."

Mr. Holt said, "Yes, it comes with the territory."

Commissioner Skelton said, "Okay, well I'll just listen to my other two colleagues. I'd like to hear what their desires are. I mean, I do find understanding in that, so, okay."

Chairman Unruh said, "All right, thank you, Commissioner. I'll make a comment, I'm ready to approve the resolution as it is, and take action today. I really appreciate the ongoing extra effort by both the Animal Care Advisory Board and our staff as we've, this has been going on for quite some time trying to get this just right, and a lot of people have spent a lot of hours. I think it's time for us to make a decision. The purpose of this new resolution is to provide the best administrative care of this issue in Sedgwick County. The purpose is not to grandfather in current members, and I don't mean to say that in any majority of manner at all, I mean I appreciate their service."

"But the point is, let's set up a structure that best serves Sedgwick County going forward. And so I think that this resolution does that, and I think that those members that are currently serving, I appreciate them, and they likely will find positions on this new board. And I have no objection to that, because I think they have experience that's valuable to us. I'm not in favor of changing the word from shall to may, it seems like doing that means that we might as well remove section 552b, because if we say they may, then we can do whatever we want at any time without any guidance at all. I'm not saying that we would ever do that, that we would also consider the guidance, but I believe the word shall gives it the structure that we need to provide stable expected ongoing good governance. So, Commissioners, my position is I'm ready to hear a motion that approves the recommendation and approves, sign the resolution."

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Skelton seconded the motion.

Chairman Unruh said, "Okay, we have a motion and second to approve and sign the resolution that modifies Chapter 5 of the Sedgwick County Code. Is there any discussion? And we have discussion from Commissioner Peterjohn."

Commissioner Peterjohn said, "Well thank you, Mr. Chairman, I appreciate the comments from my colleagues, and appreciate the comments Mr. Peaster and Mr. Holt and Mr. Waggoner. And I very much appreciate the hard work that's gone into this. I've stated my reasons why I have some concerns. I think we're going to get into the problem that Commissioner Skelton alluded to, in terms, you know he called it arm wrestling, albeit it figuratively, but..."

Commissioner Skelton said, "Oh yes, absolutely."

Commissioner Peterjohn said, "When we get into a situation, and we've got a model, and it's not a perfect model, but we have seven people on the Metropolitan Area Planning Department, we get to a point and each Commissioner nominates one person directly and we have to arm wrestle for the final two. And I think that that would be a much better model for where we are proceeding today. So I, it's not perfect either, but, and I frankly, I understand the intent, in terms of that's why I suggested the word should, I understand, from a legal point of view it may be closer to may than shall, but by saying shall, I think we've got an equal protection problem, and I doubt that anybody would want to litigate it but, who knows. But when it comes to legal predictions my crystal ball is pretty cloudy."

"But, having said that, you know, this is a board that does some significant work. It's very specialized, and there is a need for people who have specialized knowledge and skills to be on it. And we should try and get a board that's composed of that. It's been an issue where we've struggled with previously. I'm afraid that the proposal before us has some of the, is going to leave us with more difficulties down the road, so I won't be supporting this motion this morning. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank, Commissioner. And Commissioner Norton wants to speak, so I'm going to call on him next."

Commissioner Norton said, "Mr. Euson, is there any presumption that we could not, in six months, alter, change, revisit the board structure if we find it not adequate?"

Mr. Euson said, "You could change that any time you wanted to."

Commissioner Norton said, "Okay."

Mr. Euson said, "This is just legislative action."

Commissioner Norton said, "Thank you."

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

Commissioner Skelton said, "Well, I appreciate that. Well, and the thing that I don't want to see are the people who are showing up, doing their jobs, and are dedicated. Of course it's not the entire board, and you know, we would have an excess of at large members under the current board, or under this current revision, okay. And, you know, it would, you know I've been in this years ago when I was elected at a citizens participation organization. The city dissolved all that board."

"And, you know, I can remember the sentiment of all the members who had done the work and were dedicated to the board. They felt disgusted and ripped off, and I was one them. Okay. So, you know, I really don't want that to happen. I understand you're putting together a professional board based on criteria, but I think some of these members, as you said, would meet some of the other criteria, and that should happen. Because I feel strongly about keeping those members on board that are the ones that have been dedicated and who have been keeping the board operating. Because if it wasn't for them people, those people, excuse me, we wouldn't, we would have had a bigger mess then it is now, so to speak. So, maybe we can follow up on that later."

Chairman Unruh said, "Thank you, Commissioner. Any other comments, seeing none, Madam Clerk, call the vote."

VOTE

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

Mr. Holt said, "Thank you, Commissioners."

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

Approved

E [14-1208](#)

**KDHE PERMIT APPLICATION FOR CUSTOM WASTEWATER
TECHNOLOGIES OF WICHITA, LLC.**

Presented by: Susan Erlenwein, Director of Environmental Resources.

RECOMMENDED ACTION: Find that the proposed permit application is consistent with the Sedgwick County Solid Waste Management Plan and ask Chairman to sign the KDHE Solid Waste Processing Facility Certification.

Attachments: [Custom Wastewater permit app.pdf](#)

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, "The Kansas Department of Health and Environment (KDHE) requires that all state solid waste permits first come to the local government to make sure they are consistent with the local solid waste management plan. Before you today is a permit for Custom Wastewater Technologies of Wichita. They're located at 3458 South Hoover. This is for a solid waste processing facility permit application. This facility receives wastewater from other industries and businesses. They separate out solids and sludges from this wastewater. The wastewater is then sent to the Wichita Wastewater Treatment Plant, and the solids and sludges to go to Plum Thicket Landfill.

"All of this material is tested to make sure it meets standards. The company has worked with KDHE on this permit. The solid waste committee reviewed it last week at the meeting and approved that it is consistent with the solid waste management plan. Our plan does have a special waste section that addresses facilities just like this and the need for those in the community. In fact, we've approved two of these before for other companies. I recommend that you approve this permit application, and have the Chairman sign it. And I would be happy to answer any questions."

Chairman Unruh said, "All right, Susan, we do have a question. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Was the vote unanimous?"

Ms. Erlenwein said, "There was one person voted against it. Everyone else voted for it."

Commissioner Peterjohn said, "So the final vote was..."

Ms. Erlenwein said, "I was not at that meeting. So I don't know the exact final vote, there was a quorum, however."

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

Chairman Unruh said, "Thank you, Commissioner. I think we'd probably be ready to take a vote, but we no longer have a quorum at the bench, so I think that we'll pause for a moment here. And, Mr. Euson, can we even entertain a motion at this point?"

Mr. Euson said, "No, sir."

Chairman Unruh said, "Okay, with that being the case..."

Ms. Erlenwein said, "I could tap dance, anything you want."

Commissioner Peterjohn said, "No, no, Susan, you can stand at ease, is the way the legislature puts it, and relax till we manage to find out quorum."

Chairman Unruh said, "Okay, well let me, guess I'll see where....we now have quorum, so what's the will of the Board?"

MOTION

Commissioner Norton moved to take the recommended action.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Ms. Erlenwein said, "Thank you very much."

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

Approved

F [14-1227](#)

CONSIDERATION OF A GRANT APPLICATION IN THE AMOUNT OF \$3,261,528 FOR THE KANSAS DEPARTMENT OF CORRECTIONS - JUVENILE SERVICES (KDOC-JS) SFY15 FUNDING.

Presented by: Mark Masterson, Director, Sedgwick County Department of Corrections.

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

Attachments: [18th JD FY15 Grant Application-Final](#)
 [18th JD FY15 Grant Conditions](#)
 [18th JD FY15~ Original Workbook](#)
 [SFY15 JFS - ms](#)
 [SFY15 JIP- JC](#)
 [SFY15 JIAC - ms](#)
 [SFY15 KDOC-JS Prevention County Budget Form](#)

Mr. Mark Masterson, Director, Corrections, greeted the Commissioners and said, "Each year Sedgwick County must submit a funding application to Kansas Department of Corrections for state block grant funding to provide juvenile justice programming to prevent and address delinquency in our community. The application before you includes funding for two prevention programs, and three mandatory graduated sanctions programs. On March 7th, your Juvenile Corrections Advisory Board, Team Justice, gave their approval for the programs and funding amounts for this application. And they recommend that you approve it.

"The total planning allocation for our district for state fiscal year [20]15 is \$3,261,528. This amount is subject to change when the state budget process is completed when the legislature finishes. The funding recommendations for prevention include two programs totaling \$291,327. The programs have both been in operation for many years and both perform vital functions in the local juvenile justice system. The first is the DA (District Attorney's) Juvenile Intervention Program that provides juvenile offender diversion. The program provides first time offenders with minor offenses with an option to accept responsibility for their offense, be held accountable, and avoid having a formal criminal record, juvenile offender record. The recommended funding is \$124,000.

"Next is the detention advocacy service, provides attorney services to juveniles at detention hearings, and a case management detention alternative to facilitate release from the detention facility pending further court action. The program is provided by Kansas Legal Services, and the recommended funding is \$167,327.

"The remainder of the funding application is for the state mandated graduated sanctions programs. The programs are operated by my department, the Department of Corrections, and include the Juvenile Intake and Assessment Center, Juvenile Intensive Supervision Probation, and the Juvenile Case Management Program. The recommended funding amount is \$2,970,201. All three programs devote budgets based on the population that they have, and the need for staffing to serve that population. The recommended funding for [Juvenile] Intake and Assessment is \$780,310, [Juvenile] Intensive Supervision is \$671,618, and [Juvenile] Case Management \$1,518,273.

"Just a little update about juvenile justice in our community. The good news is juvenile arrests, detentions, case filings, out-of-home placements have been reduced significantly since 2009. Arrests are down 42 percent, detention population down 13 percent, case filings 15 percent, admissions to state custody from Sedgwick County down 25 percent. And the average population of kids from Sedgwick County that are in states custody as juvenile offenders is down 39 percent.

"Over the last four years, the total allocation for Sedgwick County has declined by 27 percent, 53 percent for prevention, and 20 percent for graduated sanctions. In the spots to reduce demand and funding, staffing in the graduated sanctions programs has been reduced by approximately 30 percent over this time period. I request that you approve the grant application, authorize the Chairman to sign all necessary documentation, including the grant award agreement. I'll be happy to answer any questions."

Chairman Unruh said, "Thank you, Mark, for the presentation and the update on those statistics. I don't see anyone asking for information. So, Commissioners, what's the will of the Board?"

MOTION

Commissioner Norton moved to take the recommended action.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

Approved

G [14-1249](#)

CONSIDERATION OF A GRANT IN THE AMOUNT OF \$4,068,475 FOR THE COMMUNITY CORRECTIONS ADULT OFFENDER PROGRAMS IN SEDGWICK COUNTY.

Presented by: Mark Masterson, Director, Sedgwick County Department of Corrections.

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

Attachments: [SFY15 KDOC Admin County Budget Form](#)
[SYF15 ARES County Budget Form 4-2-14](#)
[SFY15 AISP County Budget Form](#)
[SFY15 Comp Plan](#)

Mr. Masterson said, "Well, now we turn to the adult system. Mark Masterson, Corrections Department, for the record. As you know, Community Corrections is a state mandated program in the adult corrections system. Its purpose is to provide intensive community based supervision programs to punish felony offenders in the community instead of sending them to prison.

"These programs are valuable to offenders and to the state. They provide offenders the chance to avoid prison under strict conditions set by the court while they maintain employment, pay taxes, pay restitution to crime victims, and continue to support their families. Community Corrections is state funded through an annual grant process administered by the Department of Corrections, the state department. In order to continue to receive grant funds an annual plan must be submitted on or before each May 1st. The plan for state fiscal year [20]15 is before you today for approval. It reflects the continuation of existing programs.

"The programs are the Adult Intensive Supervision program, and the Adult Residential Facility. Within each program staff members provide close supervision and services to assist offenders in gaining and maintaining employment, accessing treatment and training, provide drug testing, and rehabilitative programming. In these programs we serve an average population of 1,600 a day, and over the past year served 2,700 individuals. Sedgwick County currently receives just over \$4 million from this annual state grant. For fiscal year [20]15, we were instructed to present no growth budgets for each program, as well as actual cost budgets needed to sustain current service levels.

"This before you represents the base grant award. Each year by department works to make up the difference between the actual costs and the base grant with other resources including income from client fees, other grants like Justice Assistance Grants (JAG) and Byrne Grants that we will apply for at a later time during the summer, and with some county funding. As you know, the legislature still is in session and the state budget has yet to be approved. Once the budget is approved, the process will involve our receiving notification of our actual allocation, and then we'll make adjustments in the plan to fit the available resources.

"The plan before you contains a great deal of data we use in managing our programs. I'm happy to report a seven percent improvement in the number of individuals successfully completing probation over the previous year. And this year, I checked it this morning, our results are about four percent better than that, at this point of the year.

"The most troubling data is the high rate of probation failures in Sedgwick County compared to the rest of the state. The difference is 21 percent. We've worked closely with Wichita State University and with our advisory board to understand the data. Contributing factors include the severity of criminal involvement in the population we serve, and the people that we serve are all assigned by the court, we don't get to pick and choose who we serve. The numbers of individuals impacted by substance abuse and mental health issues, higher unemployment rate than the rest of the state, but that's an improving number in our community, gang involvement and differences in judicial practices regarding probation violations.

"The plan contains strategies we're working on to address these issues. One promising strategy implemented this year is the use of offender risk assessment earlier in the court process. The potential benefit is identifying individuals who can be successful in the community on probation from those who pose too much risk to continue to commit crimes if granted probation. We've also expanded employment and behavioral health programming to address substance and mental health problems. The expanded behavioral health services are in the process of being implemented with other state funding that occurred, was made available midyear in November through the Justice Reinvestment Initiative.

"The Community Corrections Advisory Board participated in the development of the plan and approved it at their meeting on April 10th, it's their recommendation, as well as mine, that you approve the plan. I'll be happy to answer any questions."

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Mark, let me begin by asking you if there is a significant change in the final number from the state grants, including the one that's before right at the moment. If we approve at this point, would you have to come back us, and at what point would there be enough of a change that you'd have to do so?"

Mr. Masterson said, "The way that this usually operates is the funding is awfully close, so it's just technical adjustments. But if there is significant adjustment, a significant reduction in services, or reduction in personnel, we would come back and present that information."

Commissioner Peterjohn said, "Okay, well let me ask you this, since this the state grant that will begin July 1, and our budget year is calendar of January 1 to December 31st, when we approve this grant is half of it going to be the county's [20]14 budget and half in the [20]15 budget, or some other arrangement?"

Mr. Masterson said, "That's the way that it is, yes. The funding is through June 30, and so you really kind of have to divide this up into 6 month periods to look at, be able to say this is what we know that we have and this is what we're projecting and requesting."

Commissioner Peterjohn said, "Okay, because all I'd have to add to that is do they end up paying these quarterly, monthly, some other basis, or, in terms of the grant allocation would come from the state to us?"

Mr. Masterson said, "They pay us quarterly."

Commissioner Peterjohn said, "Quarterly, okay. Thank you."

Chairman Unruh said, "Thank you, Commissioner. This grant and this process is one we've been using for several years, is that correct, as far as the funding goes?"

Mr. Masterson said, "Yes, many years."

Chairman Unruh said, "So, we're not having to make any big adjustments."

Mr. Masterson said, "No."

Chairman Unruh said, "All right, the only question I have is the statistic that you gave that you gave that 21 percent at variance from some of the other counties. I guess I don't really have a question, I guess I have to process that. I know what sort of operation we run and how hard we work with these folks that I don't quite understand that variance, but I guess you're working on that, too."

Mr. Masterson said, "It's complicated. But, there's urban rural factors, there's differences in judicial practices, that means sentencing, and I'll tell you the most dramatic is sentencing of people where the presumption, based on sentencing guidelines, is that they be sentenced to prison unless there's a departure. We have a very high rate of individuals who are served in our program that could have gone to prison under sentencing guidelines that are departed."

"That's what this risk assessment process is looking at to provide the judges at sentencing with information about the risks and likelihood of succeeding on probation of that group of individuals. Those are the, that fall in the highest risk group have virtually no chance of succeeding on probation, and so we've done a lot of work to identify those differences and be able to make that information available to the court. Those that are lower risk that fall into that group succeed as well as the rest of the population, so it's a process we regularly look at to look at opportunities to make improvement to make improvements in that outcome."

Chairman Unruh said, "Well, thanks for that explanation, it really, I'm still going to be supportive of the recommended action, but I just, that's the number that stuck out to me, so thanks for the explanation. Commissioner Peterjohn."

MOTION

Commissioner Peterjohn moved to approve the application for the grant, and if awarded, authorize acceptance of the grant and establish budget authority as provided in the financial consideration of the request.

Chairman Unruh seconded the motion.

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

VOTE

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

Mr. Masterson said, "Thank you."

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

Approved

H [14-1247](#)

JAIL POPULATION COST SAVINGS REVIEW AND PROJECTIONS.
Presented by: William P. Buchanan, County Manager.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Mr. Buchanan said, "This PowerPoint was developed by Jeff Robbins, an intern, unfortunately, and he was going to do this presentation, unfortunately he needed to be this week in Lawrence for finishing up his degree, and so you're stuck with me. So if you really like this program, I had a lot to do it. If you don't like it, it's Jeff's fault."

Chairman Unruh said, "Okay, good."

Mr. Buchanan said, "Commissioner Norton last week, or I think it was last week, asked that we take a look at what were some of the projections and was there cost savings involved in the projections in the jail population. We have two projections, you'll see here that the blue line is the projection using straight line data from 1994-2004. And the red line was a revised projection that Bob Lamkey did, again, straight line, using the 2005, 2007. Now we used 2005, 2007 because if you'll see around 2004 and [200]5 you'll see the line starting to straighten out a little bit. And so we wanted to capture the reduction in how that all might work."

"Again, these are straight line projections; we know that the jail population and crime rates are affected by a number of factors: population, age of the population, poverty levels, all sorts of social economic factors, we didn't use, attempt to try to use any of those. We know if the arrest rate goes down there will be fewer people, because of the programs we have in place, we'll have fewer people in jail. So we're just assuming the past data is used to project what's going to happen in the future. And we know that that's not always accurate."

"So, having said those caveats, we'll see that the population projection in 2014, this year, 2013, [20]14, this would have been 1,993 in the earlier projection, and the population for the later projection, 2005, 2007, would be 1,688. You'll note that this is a depiction of those numbers in a similar, in a different way. But, you'll see that in the 2004 projections that the 1994 to 2004 we had 602 fewer inmates then are today. And you'll notice that today we have 297 fewer inmates then the second projection of 2005 to 2007."

"So, using those numbers, 1994 to 2004 projection, the first projection, again 602 people below the estimate. Using 602 times the \$67.72, the daily rate was \$40,767 per day. Times 365 days a year, and what Jeff did, and what we encouraged him to do was go back to take a look at what the addition of the jail would be, and just use the annual capital costs. So the annual capital costs would have been about \$3.6 million, we didn't try to, Jeff didn't try to go back and determine what the operating cost would, it would have been more than that. So, this is the best thinking that we could do at this point. So, you see the total would be, using that cost projection on a gross basis, \$18 million. Using the second projection, the [20]05 to [20]07 projection, remember those we made the line go down a little bit, we had fewer people, 297 difference between today and what it would have been. That annual savings, using the same method, that annual saving is \$10,974,045. Again, gross savings, this other cost saved, and we didn't calculate a transportation and opportunity costs. You'll know that we have some expenses that would offset those gross costs. You'll recall that in 2003 we did the ILPP (Institute for Law and Policy Planning) study which was the foundation for developing of all those programs."

"And those six we have the SCOAP program, and DA Adult Diversion, and Day Reporting Center, Pretrial expanded to include all municipalities in [20]07. Since 2008 we had a drug court and mental health court, both of which have significantly affected the numbers. And there's been many other no cost, for us, alterations, changes in cite and release policies by police departments.

"Once we started in 2008 charging municipalities a housing fee, they started to think about who needs to go to the booking. Remember the classic case of the guy spending four or five hours in booking because he was kayaking on the river. And so, people started thinking about that differently. And that had an effect. So the total cost for alternative programs in 2013 were \$3.5 million, you see that figure. So the net adjusted cost in 2013 only, the first projections, you'll see the \$18 million a week project cost, the \$3.5 million of alternate programs, gets a savings of \$14.9 million using the first projection.

"Using the second projection, we have fewer people in the jail, you'll recall. And we had projected less people. And so then that savings using that projection is \$7.4 million. So we arrange it somewhere between \$7.4 and \$14 million of savings in 2013 only. So, what's the \$7.3 million, we're using the lower figure. It's roughly equivalent to 190 full time employees. And for David's purposes it's performing asphalt service maintenance on 20 percent of the county's paved roads and protecting them, and that's at one year.

"So, the programs work. We've received significant savings, there's no doubt about, there's no doubt about that. Again, using the linear projections we think that a ten year population after the alternative programs will continue to remain stable. We expect somewhat of a slight increase, but pretty stable over the next ten years. Any questions?"

Chairman Unruh said, "We have, Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. First a quick clarification, Mr. Manager, on page, the fourth slide that you had, believe you used the word to talk about transportation and opportunity costs, but my copy here says transaction and opportunity costs, I just wanted to make sure, is it transportation or is it transaction?"

Mr. Buchanan said, "I don't know."

Commissioner Peterjohn said, "Okay, well I assumed it was transportation."

Mr. Buchanan said, "I do too."

Commissioner Peterjohn said, "But I wanted to just clarify that. At the very end, the \$7,400,000 figure, that translates to 1 mill, I'm sorry, about 1 mill generates about \$4.3 million, is that a pretty good rough estimate, Mr. Manager?"

Mr. Buchanan said, "It's close."

Commissioner Peterjohn said, "Okay, so that would be about \$1.7 mills, in terms of property taxes back, as I see it. And that is a significant figure, I think, for the taxpayers. I would point out, because I do remember shortly after becoming Commissioner, a few months, I think it was in the fall of 2009, we had some days where we had between 1,700 and 1,800 people being detained in the Sheriff's custody at that time, and I know we've expanded pretrial services, as well as obviously a whole host of other programs that have been in place prior to 2009, but I do know that the challenge we'd had had a significant drop in numbers. And, of course, that, just looking at a, you're looking at these figures that you're using here are all annual figures on the second slide, Mr. Manager, is that correct?"

Mr. Buchanan said, "Yes."

Commissioner Peterjohn said, "Okay, thank you, Mr. Chairman."

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

Commissioner Norton said, "Bill, if you go back to the slide on page nine, I think it's the next...you know, I think it's interesting that we're projecting now that we're going to stay relatively flat at the, at a certain number, but our projections over those other years just continue grow. And if you look like ten years out from now, which is about where your red dots end, there's a significant gap between both the other projections and where we now project. And it appears to me that there is a huge cost benefit savings for the investment we put into programs as opposed to more facility and more operating costs. And I think that's where I was going with this, because I think this is a compelling story of good decisions made, good programs created, good implementation to make sure that the taxpayer's money is being spent in the most advantageous manor.

"Particularly on an issue where I think most people would say safety, public safety is critically important, its job one. We want to save community. And not always do they say I want to save community at the lowest cost. And I think we've found ways to do some of that, through programmatic usage. Is there places, now that we've discovered that processes and programs make a difference, that we have not done our due diligence out around the nation to find other programs that might be, add to this leveling off of our population?"

Mr. Buchanan said, "If you recall the ILPP study was, there was some in excess of 90 or 100 different recommendations, and we implemented five or six. So there's plenty of time to review that and go back. There are some programs, we haven't seen the numbers go up, but there are programs like a day, it's almost a job center. Training people to get jobs in one thing. The Sheriff's instituted the mentoring program in the jail. So there's all kinds of, there are several different programs that we, we have looked at and continue to look at and it's a matter of resources at this point. The numbers are stable and we're pretty pleased with that."

Commissioner Norton said, "These numbers also don't indicate what Commissioner Peterjohn has talked about several times, and that's folks that are in state custody on felony charges that are housed here for sometimes long period of time. So that number has not come out of this number either."

Mr. Buchanan said, "Right."

Commissioner Norton said, "Are there legislative actions we should take to push to not house those folks in our jail?"

Mr. Buchanan said, "Yes, there's that. There's the suggestion that, like the corrections system at the state, the Sheriff should have the opportunity to release some of those folks for good behavior, or early if necessary. That's been resisted."

Commissioner Norton said, "There was also some, quite a few good recommendations I think that went before the court system and the DA (District Attorney). Have we revisited those, and, because we've got, at this point, a new Sheriff and a new DA that may be more warm to some of those changes, have we revisited some of those to be sure that those that might really work that have good longitudinal studies behind them, other places, are not implemented here."

Mr. Buchanan said, "Both the Sheriff and the DA have been engaged in conversations about how to make sure the system works, and works well, so that we have fewer people, that we have the people that need to be in the jail are in the jail, and we process those, and we can process at a faster pace, yes."

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

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I appreciate Commissioner Norton's comments. And a question, and I'll leave it kind of openended directed at the Manager, but if there's anyone else who can help out, I was thinking the state began the process of putting convicted felons and having them serve their sentences in county jail, sometime around 2008 or 2007, am I correct in that recollection, Mr. Manager?"

Mr. Buchanan said, "I think what occurred there were some changes, I think prior to that there always have been some folks in felony convictions in the jail, is that correct, Mark?"

Mr. Masterson said, "Yes."

Commissioner Peterjohn said, "So they just expanded the categories that at that time."

Mr. Buchanan said, "Yes, right, but prior to that time there had always been."

Commissioner Peterjohn said, "Okay, but then today the number has grown and those numbers are reflected in these numbers."

Mr. Buchanan said, "Yes."

Commissioner Peterjohn said, "Well I think that continues to be an important factor and a significant offset for, if convicted felons were serving their sentences in the state prisons where they would, we would have a much bigger savings figure then what the Manager has presented today. Thank you."

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

Commissioner Norton said, "I guess my last comment is that I would like to see us put some of this data on our website, for the public to access and to process. Because I think this is a pretty compelling story of how we've readjusted our thinking and we've looked outside the box, we've brought in experts and combined them with the experts that we have in house, and made some pretty darn good decisions that have saved quite a bit of money that we can use for other things in our community. So, I'd like to see it take a broader context then just today."

Mr. Buchanan said, "We can do that."

Commissioner Norton said, "Put it on the website if we could. That's all I have, Mr. Chair."

Chairman Unruh said, "Thank you, Commissioner. Well, my comment is I want to stand up and go yeehaw and do a pirouette say great job, I mean this is an absolutely fantastic report you've given to us. I mean, when you think from what we had considered and approved initially going forward with the expansion of the detention facility, before we did that, we thought let's just hold back a minute and have an expert fellow come in here and do a big study and make recommendations. And we have implemented many of those recommendations, and the success of them has been dependent upon a lot of people in our organization, and our corrections, and Sheriff, and COMCARE, and a lot of people in the community with cooperation with the City of Wichita, and also with all of the judges."

"So, as we used to say, frequently, back when we were considering these things, we used to say well there is not silver bullet, you know, this is a real shotgun approach to try and solve this issue. And the information that you presented to us kind of shows some of those buckshot pieces. And I'm really proud and happy to say, as being part of this whole process of conception and implementation over this period, you know, I'm really proud of my part, and I'm proud of our staff. I'm proud of our corrections people in making this work, because saving that amount of money, mill and a half, or whatever the number was a minute ago, is significant. And I think we should also underscore the fact that the alternative programs aren't free, as your slide indicated we've got \$3.5 million a year for these alternative programs."

"So, as we've worked our way through this and some of the mill levy increase that was approved for the jail expansion and at the same time also helped cover the National Center for Aviation Training, but as we gave back that mill levy as we saw these new programs are going to be working and be much more cost effective, to this point I'm really happy and proud of what are staff has done and the decisions this Board has made going forward to implement the programs. Not free, but nevertheless very effective. And I'm glad that I was part of the group that voted for the budgets that made these programs possible. Once again I can't say enough about our professional people who are actually making these programs work, and also enough about the judiciary, which is key, their understanding and their willingness to do this is key to being successful. So those are my comments, Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you, Mr. Chairman. I haven't seen a Commissioner pirouette before, but..."

Commissioner Norton said, "Is that a motion?"

Commissioner Peterjohn said, "I could make that, Mr. Chair Pro Tem...."

Commissioner Norton said, "You've got a second, I can tell you."

Commissioner Peterjohn said, "But, I certainly agree with the sentiment, and while I will make a motion to receive and file the report, I would like to add a little bit. Because, the Chairman's comments did allude to the potential for a jail expansion. And that was an issue, actually, I think that goes back two Sheriff's ago, and the county did spend money, and I'm glad it's money that we didn't have to spend for construction. And my recollection is, and if there's someone in this room who has slightly different, I would be interested in their numbers. But, we were looking at a jail expansion in 2008 of about 390 beds I believe, with price tags somewhere above \$50 million. And that was a cost of over, I think over \$125,000 per bed.

"And the bigger cost was one that wasn't seen, which would have been the operations for a, for that expanded facility if we had gone ahead with that construction. And the fact that in 2009, I believe it was, or maybe [20]10, we did a significant expansion on pretrial services, and we got, municipalities came on board, some of them more reluctantly than others on helping, have pick up their share on municipal prisoner costs. Those really did make a difference, and the fact that we didn't have to spend \$50 million in capital funds for a jail expansion, I think, would be an excellent addition, in terms of where this is. Because those plans for that expansion, I believe, are still gathering dust somewhere here in this building. And I'm glad they are."

MOTION

Commissioner Peterjohn moved to approve to receive and file.

Commissioner Norton seconded the motion.

Commissioner Norton said, "Just a final comment, I think we can't underestimate the power of the Criminal Justice Coordinating Counsel in this too. As I remember, as we went through the process to start this study, whether we should launch these programs, I think the Manager suggested that we create the Criminal Justice Coordinating Counsel. I know, over the years, they've met and have active participation from not only county officials, but the city and the DA, the Sheriff, and I think they've made a profound effect on the conversation. Maybe not all the decisions, because a lot of that fell to the County Commissioners, but having that group think about, look at, open up, all the programs that are out there, and try to decide whether they were workable, whether we could launch them, whether we could afford them, I think made a huge difference. So, I think we can't underestimate what that's done, or suggesting to the Commission what to do to make all of this happen. And I know, Chairman, you've been very involved in that for a lot of years too. So, we probably need to pass that on to them, a little bit. That's all I have."

Chairman Unruh said, "All right, thank you, I see no other request to speak, so Madam Clerk, if you would call the vote, please."

VOTE

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

Mr. Buchanan said, "Thank you."

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

Received and Filed

I [14-1246](#)

APPROVAL OF A RENEWAL AGREEMENT WITH MCCONNELL AFB TOP 3 FOR THE SEDGWICK COUNTY ADOPT A HIGHWAY PROGRAM ON ROCK ROAD FROM OAK KNOLL ROAD TO 47TH ST. STREET. DISTRICT 5.

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

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

Attachments: [Agreement](#)

Mr. David Spears, Director, Bureau of Public Works, greeted the Commissioners and said, "Item I is a renewal agreement with McConnell Air Force Base Top 3 for the Sedgwick County Adopt a Highway Program. They will be responsible for picking up litter along Rock Road between Oak Knoll [Road] and 47th Street South. I recommend that you approve the agreement and authorize the Chairman to sign."

MOTION

Commissioner Norton moved to approve the agreement and authorize the Chairman to sign.

Commissioner Skelton seconded the motion.

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

VOTE

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

Mr. Spears said, "Thank you."

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

Commissioner Skelton said, "Mr. Chairman, can I make a comment on that, real quick. I just wanted to thank the airman who serve our country, and you know, in turn help improve our community by keeping that stretch of road free and clear, and you know, that's an excellent way, an example of a partnership that we have. A small one, but an important one. So, my hats off to the people who volunteer for that."

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

Commissioner Skelton said, "Thank you."

Chairman Unruh said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, I was going to agree with Commissioner Skelton's remarks. There's been plenty of times when I've been critical of the federal government, but McConnell Air Force Base is a huge asset in this community. And the airman and women who are serving on it deserve all the public praise we can provide for them. And I appreciate Commissioner Skelton's remarks on that behalf this morning."

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

Approved

J [14-1253](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON April 10, 2014.

Presented by: Joe Thomas, Director, Purchasing Department.

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

Attachments: [Bid Board Minutes](#)

Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the Board of Bids and Contracts of April 10th results in two items that we would like to present to you this morning, Item 1;

1. 2014 ASPHALT SURFACE REJUVENATION (R175-A) – PUBLIC WORKS FUNDING – R175 PREVENTITIVE MAINTENANCE 2014

"Recommendation is to accept the bid from Cutler Repaving, Inc. in the amount of \$1,578,608.10, Item 2;

2. 2014 PAINTED PAVEMENT MARKING (R331) – PUBLIC WORKS FUNDING – R331 TRAFFIC CONTROL MAINTENANCE & CONSTRUCTION

"Recommendations is to accept the low bid from Traffic Control Services, Inc. in the amount of \$159,280.00.

"I'll be happy to answer in questions, and I recommend approval of both items."

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

MOTION

Commissioner Skelton moved to approve the Consent Agenda.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

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

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

Approved

CONSENT

- K** [14-1204](#) Year-end Transfer from the Auto License Fund to the General Fund.
- L** [14-1217](#) A resolution authorizing sale of unredeemed real estate after tax sale.
- Attachments:** [Resolution authorizing sale of unredeemed real estate after tax sale](#)
- M** [14-1231](#) Adopt a resolution authorizing the execution and delivery of all necessary documents relating to the sale of the securities acquired with the proceeds of the Sedgwick County, Kansas and Shawnee County, Kansas Single Family Mortgage Revenue Bonds (Mortgage-Backed Securities Program), 2004 Series A-1, A-2, A-3, A-4, A-5 and A-6; authorizing the execution and delivery of instructions relating to the defeasance and redemption of such bonds; and authorizing the officers, employees and representatives of Sedgwick County, Kansas, to do and perform all things necessary, appropriate and incidental thereto under the authority of the act.
- Attachments:** [SGDefeaseRes-1](#)
 [Defeas Docs-2004A-1 v1](#)
 [Defeas Docs-2004A-2 v1](#)
 [Defeas Docs-2004A-3 v1](#)
 [SGDefeaseMinutes](#)
- N** [14-1232](#) Use Agreement for the Second Annual Race for Hope: Race for Hope 5k on the Coleman Parking Lot.

Attachments: [Exhibit A - Coleman Parking Lot Photo.pdf](#)
[Exhibit B - Environmental Use Control Agreement.pdf](#)
[1340_0001.pdf](#)

O [14-1224](#) One (1) Easement for Right of Way for Sedgwick County Project 610-34-2974; Drainage Project on 37th Street North between 111th and 127th Streets East. CIP# R-264. District 1.

Attachments: [Attachment](#)

P [14-1237](#) One (1) Easement for Right of Way and One (1) Permanent Drainage Easement for Sedgwick County Project 803-W; Drainage project on 135th West between 55th & 63rd Streets South. CIP# R-259. District 3.

Attachments: [Attachment](#)

Q [14-1238](#) One (1) Easement for Right of Way and One (1) Temporary Construction Easement for Sedgwick County Project 787-U-2640; Bridge on 263rd Street West between 39th & 47th Streets South. CIP# B-453. District 3.

Attachments: [Attachment](#)

R [14-1239](#) Settlement and Mutual Release Agreement for Public Safety Building Glass.

Attachments: [Public Safety Settlement agree April 2014.pdf](#)

S [14-1250](#) EMS Post 9 Cross Lot Drainage Agreement.

Attachments: [EMS Post 9 cross lot drainage agreement.pdf](#)

T [14-1169](#) Payroll Check Register for the April 5, 2014 payroll certification.

U **14-1243** Order dated 4/7/14 to correct tax roll for change of assessment.

V [14-1155](#) General Bill Check Register for April 9, 2014-April 15, 2014.

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

MOTION

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Skelton seconded the motion.

Chairman Unruh said, "We have a motion and a second to approve the Consent Agenda as presented. We have a comment from Commissioner Peterjohn."

Commissioner Peterjohn said, "Well I just question, in terms of, last week we deferred an item from the Consent Agenda and I didn't see it on there today. And I just wanted, for the record, to try and, if anybody is really following this very closely what happened with that item, and where we stand with it."

Mr. Buchanan said, "Commissioner, its Item K."

Chairman Unruh said, "Yes, it's Item K, and we have extra backup with recommendations about Item K in our backup material. And this is relevant to Commissioner Ranzau's question about earmarking those funds in our general fund as they're transferred over from the Treasurer's Department. And, the motion, as it stands, would be just to take the transfer into the general fund without earmarking. And if there's support to do something different, well then we need pull Item K and discuss it."

Commissioner Peterjohn said, "Well, I appreciate getting that on the record. Because, with Commissioner Ranzau not being able to be here today, I can only speak for myself. But I did want to kind of follow up and there was an intent to have the Commission kind of push, at least on the part of some Commissioners, to have a, establish priority, this may be more of a form then of substance. But, I want to, I do want to get it on the record, and did want to have some discussion on it."

"So, we've got a motion on here with just approving it, and I don't have in problem, in terms of approving these routine transfers, but I did want to follow up with discussion on it, and I do believe, in terms of a priority, I would like to try and have an earmark, in terms of that for trying to get our facility upgraded and approved for the tag office. But, having said that, I will be supportive of this motion this morning."

Chairman Unruh said, "Thank you, Commissioner. I would just want to say that I did consider Commissioner Ranzau's perspective, and thought about the issue, and in light of the circumstances, the urgency of the, well, first what we're required to do by law, in the transfer. Secondly, the urgency, or the impending urgency of the need for facilities for the tag office, the amount of money that is being transferred, as I try to consider all that, I think it's the most, in my opinion, the prudent thing to do is just to transfer it to the general fund. So, I'm going to support the motion. Are there any other comment? Seeing none, Madam Clerk, call the vote."

VOTE

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

Chairman Unruh said, "Madam Clerk, next item is 'Other', I believe."
Approved

OTHER

Chairman Unruh said, "We don't have a Fire District [No 1] or Executive Session, so Commissioners, now is the time to bring up other issues that are pertaining to county business. Commissioner Norton."

Commissioner Norton said, "If people don't have anything to do Friday night at midnight, you're welcome to come the Haysville Library. I'll be reading selections from Edgar Allen Poe for their 24 hour read-a-thon. Twelve midnight has always been my slot, I've done it for almost 25 years at the library. And I start out at midnight with The Raven, because if you know the context of The Raven it says, 'Once upon a midnight dreary', so I've been an Edgar Allen Poe my whole life, but I read every year at this time during National Library Week for their read-a-thon. So if you don't have anything to do at midnight at Friday night, come to Haysville, to the brand new library, and participate in the read-a-thon with me. That's all I have, Mr. Chair."

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

Commissioner Peterjohn said, "Well thank, Mr. Chairman. I have several things that I wanted to touch base on. On kind of a lighter note I noticed Exploration Place would be having some programs on Friday and Monday, and if you have kids who are out of school, that might be a good place to have them doing some events. And, there was some interesting things going on in the skies this week, we had an eclipse of the Earth getting in front of the moon, and the Lake Afton Observatory is open on Saturday nights, and that would be an interesting and education place for folks."

"I also went on a, I've occasionally pointed out some history that's occurred. And I do have a case today. Harriet Quimby is not a well known name, but she has an interesting and unique place in aviation history. And being here in the Air Capitol, I think it would be significant to mention it, in a positive sense, because she was the first women to get a pilot's license. And she was inspiration for a person who followed her and who's a much better known Kansan, Amelia Earhart. Because, not only did Harriet Quimby be the first women to get a pilot's license, she was the first women to fly across the English Channel, and she did that on this date in 1912."

"On a more serious and somber note, yesterday was the first anniversary of the atrocities that occurred at the Boston Marathon. And, marathons are kind of a special spot for me, I've got my completion; my first marathon was here in Wichita. And the furthest I've ever run a marathon was down in Dallas. Never done Boston, and in my current shape, probably never will. But I mention it because of the atrocities, there's two aspects, couple of aspects I want to bring forth and mention today. Because one, obviously when we've got three people killed, many more maimed permanently, and over 250 injured, I want to wish that 'Boston Strong', and as marathoner, even though I've never done Boston, and like I said, never will, I wish everyone well. Especially there's a lot of folks from Kansas who do go there, do participate, and want to pass that along, because what happened a year ago this week should not be forgotten. And I know the folks in Massachusetts who will not be."

"I want to also give a positive shout out to two elected officials. Ones not from Kansas, one is, ones a democrat, and ones a Republican. And the two are Senator Joe Manchin, of West Virginia, basically came out on television recently and criticized the fact that in Washington some of our, what passes for national leadership, made references to prominent Sedgwick County resident as un-American. And specifically referring to the head of Koch Industries, Charles Koch, and Senator Manchin made a comment, 'I mean, I don't agree with their politics or philosophically, but you know, they're Americans, they're paying their taxes, they're not breaking the law, they're providing jobs.' And I want to praise Senator Manchin for, with the way things operate in this country, it's unfortunate."

"And I also want to praise Senator Moran of Kansas, because he took the comments, and this is readily available online, Charles Koch's comments that appear in the Wall Street Journal April 2nd, and he read them into the congressional record. And I want to commend both those gentleman for taking those actions at that time recently, because Koch Industries is a great corporate citizen, they're one of the largest private employers in this county, they've got thousands of employees, and they are a model for how business corporations and entrepreneurship, principled entrepreneurship should occur in this country. And I wanted to give a shout out and praise to both Senator Manchin and Senator Moran for recognizing their actions recently this month. Thank you, Mr. Chairman."

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

Commissioner Skelton said, "Well I just want to back up to what Tim was talking about, Edgar Allen Poe. I was wondering if you were going to read Tell-Tale Heart. Because if you were, I could come out and do the sound effects for it."

Commissioner Norton said, "I've read the Tell-Tale Heart before, of The Cask of Amontillado, I do Annabel Lee, I do a lot of his poetry, 'It was many and many a year ago, In a kingdom by the sea, [That] a maiden there lived whom you may know, By the name of Annabel Lee'. I probably won't go on with that, but I thank you for the offer."

Commissioner Skelton said, "Well, I'm just trying to help. Okay."

Commissioner Norton said, "And if you stay up that late you're welcome to come out and do some sound effects."

Commissioner Skelton said, "Well usually my bedtime is 9:30, but I'll ask and see if I can come."

Commissioner Norton said, "Okay."

Commissioner Skelton said, "All right."

Chairman Unruh said, "All right, I don't see anyone else asking to speak, Commissioners, so we will be adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:48 a.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

DAVID M. UNRUH, Chairman
First District

TIM R. NORTON, Chair Pro Tem
Second District

KARL PETERJOHN, Commissioner
Third District

RICHARD RANZAU, Commissioner
Fourth District

JAMES B. SKELTON, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
