

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, April 23, 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

Phone: (316) 660-7058, TDD: Kansas Relay at 711 or 800-766-3777

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

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:10 a.m. on April 23, 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. Jeff Easter, Sheriff; Mr. Greg Baker, Training Manager, Human Resources; Mr. Tom Stolz, Director, Metropolitan Area Building and Construction Department; Mr. Justin Waggoner, Assistant County Counselor, Colonel Richard Powell, Chief Deputy, Sheriff; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kristi Zukovich, Communications Coordinator, Communications; and Ms. Amanda Lee, Deputy County Clerk.

GUESTS

*Mr. Sheldon Lawrence, Grand Master, Albert Pike Masonic Lodge No. 303
Ms. Andrea Corcoran, Teacher, Northwest High School
Ms. Sheila Officer, Chair, Racial Profiling Advisory Board of Wichita
Dr. Walt Chappell, Vice Chair, Racial Profiling Advisory Board of Wichita
Lieutenant Chris Bannister, Exploited and Missing Child Unit, Wichita Police Department*

INVOCATION

Led by Pastor Tim Lytle, Unity Church of Wichita.

FLAG SALUTE

Chairman Unruh said, "Pastor Lytle, thank you for being with us this morning and I think Commissioner Norton would like to make a comment."

Commissioner Norton said, "Well, I just wanted to thank Pastor Lytle. I participated in an Interfaith dialogue a few weeks ago and then I went to an Interfaith dinner at WSU (Wichita State University) and Pastor Lytle was on a panelist and represented his faith and his thoughts very well there. But, it was a great time to come together. Try to understand the many faiths that make up America, and I appreciated that, Pastor Lytle. That's all I have."

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

ROLL CALL

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

PROCLAMATIONS

A [14-1266](#)

PROCLAMATION DECLARING WSU MEN'S BASKETBALL DAY.

Read by: Chairman David M. Unruh.

RECOMMENDED ACTION: Adopt the proclamation.

Attachments: [WSU Men's Basketball Day](#)

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

PROCLAMATION

WHEREAS, Wichita State University has had a long and prestigious men's basketball program that has never failed to invoke a sense of pride and passion from the citizens of Sedgwick County; and

WHEREAS, the WSU Men's basketball program furthered this laudable tradition of excellence by reaching an impressive 35-1 record in the 2013-2014 season; and

WHEREAS, the 2013-2014 Men's basketball season was marked by many moments of success including going undefeated in the regular season, being ranked second amongst all division one basketball programs in the nation, once again winning the regular season Missouri Valley Championship and winning the Missouri Valley Conference Tournament Championship for the first time in St. Louis; and

WHEREAS, the players, staff and coaches contributed to the success of this program and Coach Greg Marshall was recognized for this success by being awarded Missouri Valley Conference Coach of the Year for the third consecutive year, USBWA District VI Coach of the Year, Henry Iba Coach of the Year, UPS National Association of Basketball Coaches Coach of the year and Naismith Coach of the Year among others; and

WHEREAS, all of the players of WSU Men's Basketball team represent WSU and Sedgwick County in the best possible way and have received honors including Missouri Valley Conference Defensive Player of the Year, All-Conference First Team, Larry Bird Missouri Valley Conference Player of the Year, USBWA District VI All-District Team and many All-American First Team and other awards.

NOW, THEREFORE BE IT RESOLVED that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby recognize April 24, 2014 as

'WSU MEN'S BASKETBALL DAY'

MOTION

Commissioner Norton moved to adopt the proclamation.

Commissioner Skelton seconded the motion.

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

VOTE

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

Chairman Unruh said, "And Kristi Zukovich will receive the proclamation on behalf of the team."

Ms. Kristi Zukovich, Director, Communications, greeted the Commissioners and said, "I will this morning, Commissioners, just because, excuse me, they are, of course, busy. School is still in session, but they are having a celebration event tomorrow evening, and as you recall, just a few weeks ago we had the WSU women's proclamation for their basketball team and their outstanding season, and Commissioners attended their celebration for the women's basketball team. This is now the celebration for the men's basketball team tomorrow evening at Charles Koch Arena.

"And they asked that we share with folks to let folks know that doors would open at 6:30 [p.m.], and the program will begin at 7:00 [p.m.] and they will have their yearly awards program, they'll have comments from Greg Marshall and other coaches and players, and it will also be a time for them to recognize the spirit squad, the dance team and the band, because, of course, you know, you've got to have all of those folks there as well. That's what makes the game fun. And they will have concession stands open and the souvenir shop. So, Commissioner Peterjohn, if you get a chance to go, you can pick up your Fear the Wheat shirt.

"But they'll have highlights of the tournament on the video board. So it's just going to be a great celebration. Of course, there's probably going to be a whole lot of people there, so it's not really an autograph event, but a great celebration and a great time for us to all once again think that we are happy to be Shockers and I believe Commissioner Norton, you are going to attend this event tomorrow evening?"

Commissioner Norton said, "Yes indeedy-doo."

Ms. Zukovich said, "Okay, very good. Well I know the Chairman is attending a [Wichita] Chamber [of Commerce] event that conflicts with the same time, but we definitely invite other Commissioners to join you and, of course, any of the folks who are here and of course the people who are watching. So, go Shockers!"

Chairman Unruh said, "All right. Thank you, Kristi, well done. And we just seem not to tire of celebrating and enjoying the great success the Shockers had. Commissioner Norton."

Commissioner Norton said, "I said it earlier in the meeting, but to me, the benchmark of this team was, their record was phenomenal, their play on the court was beyond reproach, but the way these young men and young ladies at WSU carried themselves and represented our community at the highest level, not only of their game, but of their character, is what impressed me the most. I do have season tickets.

"I went to almost every game. We went to the Missouri Valley, went to the NCAA's (National Collegiate Athletic Association) in St. Louis, and nowhere was there a chink in the armor with the coach, or the team or the staff that represented WSU.

"I mean, they held up Wichita and Wichita State [University] at the highest levels and I think we should all applaud that. As much as we love good sports and winning, we should also love that men and women can have the character to lead their lives in a certain manner, and I think they did that for Sedgwick County and Wichita and Wichita State."

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

Adopted

B [14-1221](#)

PROCLAMATION DECLARING POLICE WEEK.

Read by: Chairman David M. Unruh.

RECOMMENDED ACTION: Adopt the proclamation.

Attachments: [Police Week 050714](#)

Chairman Unruh said, "Commissioners, I have another proclamation for your consideration:

PROCLAMATION

WHEREAS, in 1962, the United States Congress first passed Public Law 87-726 designating May 15 of each year as 'Peace Officers Memorial Day,' honoring Federal, State and local officers who have been killed or disabled in the line of duty, and the corresponding week as 'Police Week;' and

WHEREAS, over the years, devoted law enforcement officers of America have courageously sacrificed their personal safety, while working on behalf of the people; and

WHEREAS, because of their steadfast efforts our laws, we as citizens can enjoy a system of peace and order; and

WHEREAS, Sedgwick County desires to honor the valor, service and dedication of, not only its own Sheriff's deputies, but peace officers everywhere.

NOW, THEREFORE BE IT RESOLVED that I, David Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 11-17, 2014 as

'POLICE WEEK'

In Sedgwick County, and call upon our citizens to show their sincere appreciation for the many law enforcement officers of Sedgwick County, past and present, and their legacy of humble, dedicated service to the community.

"Commissioners, you've heard the proclamation, what's the will of the Board?"

MOTION

Commissioner Skelton moved to adopt the proclamation.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Unruh said, "And accepting the proclamation today is Sheriff Jeff Easter."

Mr. Jeff Easter, Sheriff, greeted the Commissioners and said, "We appreciate this, all the men and women of the Sedgwick County Sheriff's Office, appreciate you taking the time today to talk about Police Week. We also have Corrections Week, which is the week before, and with the Sheriff's office will be celebrating both of those on May 7th. We'll be doing a barbecue out in the parking lot for all of our the employees to be able to partake in this.

"I do want to take the opportunity to say, you know, this year, or in 2013, fortunately, we didn't have any police officers or Sheriff's deputies that were hurt or killed in the line of duty. This past year, which means we don't have to go up to Topeka and place anybody on the memorial up there, which is always something good. So, we do appreciate the fact that you have taken the time to recognize law enforcement officers here in Sedgwick County. So, thank you."

Chairman Unruh said, "Sheriff, thank you for being here to accept the proclamation. This is something that we like to participate along with you each year as we recognize the braveness and the sacrifice by our law enforcement folks who serve in that capacity. It's a primary function as the Board of the County Commissioners, one of our primary things is to help provide public safety, and your folks and your leadership help us do that. So, thank you very much."

Sheriff Easter said, "Thanks again."

Chairman Unruh said, "Next item."

Adopted

C [14-1234](#)

PROCLAMATION DECLARING ANDREA CORCORAN DAY.

Read by: Chairman David M. Unruh.

RECOMMENDED ACTION: Adopt the proclamation.

Attachments: [Andrea Corcoran Day 042314](#)

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

PROCLAMATION

WHEREAS, the Worldwide Fraternity of Free and Accepted Masons has long championed the need and responsibility of a lifelong and virtuous education; and

WHEREAS, Albert Pike Masonic Lodge No. 303, in Wichita Kansas, in continuing its dedication to the community and public schools, has set out to distinguish Wichita's finest educators in the selection and promotion of the Albert Pike Lodge – Teacher of the Year Award; and

WHEREAS, our teachers keep democracy alive by laying the foundation for citizenship and demonstrate to the community and the world their commitment to our future; and

WHEREAS, the selection committee, comprised of men and women from various backgrounds and vocations have unanimously selected Andrea Corcoran for her dedication in teaching art students at Northwest High School, USD 259;

NOW, THEREFORE BE IT RESOLVED that I, David M. Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 25, 2014 as

'ANDREA CORCORAN DAY'

In recognition of her service to this County, the Wichita School District, Northwest High School and the many students and peer faculty that she has impacted through her dedication and fortitude in the discharge of her duties; in commendation of the qualities, capabilities and commitment that she brings to promote academic excellence, in building internally motivated confidence and teaching self-reliance to her students and all those around her.

"Commissioners, you heard the proclamation. What's the will of the Board?"

MOTION

Commissioner Skelton moved to adopt the proclamation.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "And Mr. Sheldon Lawrence is here to receive the proclamation and make a presentation to the recipient of this award."

Mr. Sheldon Lawrence, Grand Master, Albert Pike Masonic Lodge No. 303, greeted the Commissioners and said, "The Albert Pike [Masonic] Lodge would like to thank the Board of County Commissioners for their support over the past 15 years for our Teacher of the Year ceremony. Each year we pick from the nominations submitted from the various school principals in USD (Unified School District) 259 school district. As in the past, it's always a hard job to choose, and each nomination is really worthy of the title.

"This year, our judges selected the teacher submitted by Gil Alvarez, the principal at Northwest High School, with attached letters from the Northwest High [School] staff and students. Our teacher is a fine arts department chair, art teacher, advanced placement art studio teacher, pottery teacher and MTSS (Multi-Tier System of Support) team member from Wichita Northwest High School, USD 259.

"She is more than just a teacher. She is a leader, a mentor and a role model. It is my pleasure to introduce, representing Northwest High School, Assistant Principal Tom Perkins and our Albert Pike Masonic Lodge Teacher of the Year for 2014, Andrea Corcoran. Andrea."

Ms. Andrea Corcoran, Teacher, Northwest High School, greeted the Commissioners and said, "Well, I would like to say thank you so much to everyone involved here starting with the members of the Albert Pike Masonic Lodge. As a WSU graduate, too, I would like to thank WSU for giving me a great education through the arts program and their Transition to Teaching program. I'm very fortunate to work at Northwest, which I think is the best school, you know, I love it. And I think that USD 259 is the best district to work for, because we do educate all students, and we do it very well. I am fortunate to have a very supportive faculty and administrative and support staff that this couldn't be an award I could receive without recognizing everybody and my family. So, thank you."

Chairman Unruh said, "Andrea, we want to congratulate you. I mean, it's clear from the list of accomplishments and your involvement that you're a very worthy recipient of this award, and we recognize that folks don't do this alone, and you've appropriately identified those that help you, but appreciate your dedication to help making our kids appreciative of the arts and making us just a better community. And I see that you have many members of your family here to celebrate with you, so we appreciate that they've come along to give you that support. Congratulations to you and to Northwest High."

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

Chairman Unruh said, "And we have a comment from Commissioner Norton."

Commissioner Norton said, "Andrea, while this is an individual award, you also stand as the hallmark for all the public school teachers in this community that we should honor public education, we should honor those that dedicate their lives to educating our children and making sure that our democracy and education goes on. I think everybody here probably can go back to beyond their parents, that somebody that had influence in their life at some point was a teacher.

"Whether it was K[indergarten] through 12 or in a college setting or a technical setting, an educator at some point made a difference in so many people's lives, beyond their family. And you honor that today by your dedication to your craft, by your education, and by taking care of those kids that need a little bit of a push and a little bit of education to have the American dream. Thank you very much for what you do."

Ms. Corcoran said, "Thank you so much. I appreciate that."

Chairman Unruh said, "Well, thank you and congratulations once again."

Ms. Corcoran said, "All right. Thank you."

Chairman Unruh said, "Mr. Lawrence, thank you."

Mr. Lawrence said, "Thank you very much."

Chairman Unruh said, "Next item, please."

Adopted

D [14-1273](#)

PROCLAMATION DECLARING NATIONAL TRAVEL AND TOURISM WEEK.

Read by: Chairman David M. Unruh.

RECOMMENDED ACTION: Adopt the proclamation.

Attachments: [National Travel and Tourism Week 042314](#)

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

PROCLAMATION

WHEREAS, the travel industry ranks as the third largest industry in Kansas and is among the largest private-sector employers in the United States; and

WHEREAS, visitors to the Wichita MSA contribute \$985 million in economic activity each year, generating nearly \$89 million in tax revenue for city, county, and state governments, providing employment for 12,000 people in the Wichita MSA; and

WHEREAS, 95 percent of travelers to Wichita are satisfied or very satisfied with their Wichita experience and 98 percent of visitors intend to return to Wichita in the next year; and

WHEREAS, leisure travel, which accounts for more than three-quarters of all trips taken in the United States, spurs countless benefits to travelers' creativity, cultural awareness, education, happiness, productivity, relationships and wellness, and;

WHEREAS, business travel serves as a catalyst that moves the national economy forward through meetings, convention and events, which are core business functions that help companies strengthen business relationships, align and educate employees and customers, and reward business performance.

NOW, THEREFORE BE IT RESOLVED that I, David M. Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 3-11, 2014 as

'NATIONAL TRAVEL AND TOURISM WEEK'

And encourage the people of Sedgwick County to join in this special observance with appropriate ceremonies and activities.

"Commissioners, what's the will of the Board?"

MOTION

Commissioner Norton moved to adopt the proclamation.

Commissioner Skelton seconded the motion.

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

VOTE

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

Ms. Zukovich said, "We've got a little timing, because we won't be having the meeting on May 7th, which is when Go Wichita would normally come for this proclamation, but they will be having an event on Friday, May 9th. And it will be a come and go kind of coffee celebration to promote all of the really good things going on in our community for tourism. And Chairman Unruh, I believe you will be there to read the proclamation and share our congratulations to them to keep doing the good work and glad that we can be part of tourism through the activities that we provide through Sedgwick County with the [Sedgwick County] Zoo and Exploration Place and Intrust Bank Arena and the parks and all the good things that are going on. So, I will pass this on to you to take on the 9th."

Chairman Unruh said, "Thank you. We'll look forward to it..."

Commissioner Skelton said, "I've got a...excuse me, I have a question."

Ms. Zukovich said, "I might have an answer."

Commissioner Skelton said, "I don't have time to do multiple choice, but you can just pretend its multiple choice."

Ms. Zukovich said, "Okay."

Commissioner Skelton said, "Okay, so where is the best place to go in America for a vacation?"

Ms. Zukovich said, "Well, of course, it's Sedgwick County, Kansas."

Commissioner Skelton said, "Okay. Well, golly. You got it right. I just thought I would return the favor."

Ms. Zukovich said, "You know, you never know what you're going to find when you get here, right? You don't know what the weather might be. There's just so many open spaces. You can look up and you can see all around you, you don't have buildings stuck in your eyesight. Why not?"

Commissioner Skelton said, "We have variety and surprises."

Ms. Zukovich said, "That's right."

Commissioner Skelton said, "Thank you very much."

Ms. Zukovich said, "Okay. Thank you."

Commissioner Skelton said, "Have a great day."

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

Adopted

CITIZEN INQUIRIES

**E [14-1271](#) REQUEST TO ADDRESS THE BOARD OF COUNTY
COMMISSIONERS REGARDING THE RACIAL PROFILING ADVISORY
BOARD.**

Presented by: Sheila Officer, Wichita.

Recommended action: Receive and file.

Chairman Unruh said, "Ms. Officer."

Ms. Sheila Officer, Chair, Racial Profiling Advisory Board of Wichita, greeted the Commissioners and said, "I wanted to thank you for this opportunity to speak, and Commissioner Peterjohn, happy birthday."

Commissioner Peterjohn said, "Thank you."

Ms. Officer said, "The Racial Profiling Advisory Board has been in existence since 1999. We were first called Citizens for Equal Law Enforcement. Dr. Chappell is our chair, our vice chair, and I am the chair. Dr. Chappell started this organization in 2005 with the help of local legislators, then Senator Donald Betts, Oletha Faust-Goudeau, and Gail Finney, we were able to pass the Senate Bill 77, which is now the Kansas Statutes, Kansas Statute Annotated 22-4606 through [22]-4610. That is the racial profiling bill on the books in the State of Kansas. We're very proud of that. Of course, racial profiling, as you know, is the act of a law enforcement agency or an officer targeting a particular race, person based on their sexual orientation, their ethnicity or religion for undo searches or police investigatory activities. That is racial profiling.

"Our mission is in eliminating racial profiling as well as eliminating violent, fatal excessive force. We also attempt to educate our communities by presenting workshops every year. We do at least three workshops a year, empowering our community through education. We will be sponsoring three workshops this year starting June the 21st. We definitely invite you all to attend. This one will have to do with the civil process and how it is done. That will be presented by an attorney out of the [Depew Gillen] Rathbun [& McInteer, LC] law firm. I do have brochures and cards here that I would like to pass out for your reading, if you would, and then I'll relinquish my time and turn it over to Dr. Chappell, if you will. Thank you."

Chairman Unruh said, "Bring those forward, please. Were there more comments to be made? Okay, Mr. Chappell."

Dr. Walt Chappell, Vice Chair, Racial Profiling Advisory Board of Wichita, greeted the Commissioners and said, "Thank you for your time, Commissioners. This is a wonderful opportunity for us to kind of bring you up to speed on what our Racial Profiling Advisory Board is doing here not only in Wichita but in Sedgwick County. As you know, many things are interrelated. As I listen to the pledge of allegiance and as an elected official myself, I've many times thought of the final phrases, 'liberty and justice for all.' Now let that sink in a little bit, because all of us of course want that for each of us. Each citizen in this county and in this city. Liberty and justice for all is not something we can count on without vigilance, without each of us making sure we work hard for that determination.

"One of the things I'm going to pass to you is a document entitled, Why Stop Racial Profiling in Wichita, Kansas. And why it's important for you, as Commissioners here at the county level, is because obviously you have a lot of interaction between the various cities in your jail. It costs the county taxpayers, and you as the Commissioners, tremendous amounts of money to handle a problem that is frequently created by your largest city. We have done now four studies showing the number of stops of people within the City of Wichita.

"Two of those were done by the police department itself, 37,000 stops were analyzed over a 6 month period, and it was found that you're twice as likely if you're black to be stopped in Wichita, Kansas, than any other race. You are three times more likely to have an arrest, a search of your vehicle or your person or to have a physical altercation with the officer at the time of the stop. Those data is from 2001 and 2004. The police foundation did a study for the state legislature funded by the taxpayers of the state to the tune of \$250,000. They found the same thing in Wichita as well as across the State of Kansas, twice as likely.

"And recently, we've taken data from every stop within the 2012-2013 period of time, and the same statistics shows. You're still twice as likely. And we see an increase in the Hispanic population, as well, being stopped, and particularly in the evenings and at nighttime. Now, how does this impact you? Obviously any time a person is stopped, many times they may or may not just get a ticket. They may also end up in your jail. And when that happens, they're sitting there waiting for a hearing. That costs you time and money obviously to fund the jail and make sure that they are taken care of, fed, slept, have a place that's safe and so forth. Many times people who do not have a lot of money do never get out of jail. They can't bond themselves out. They're stuck there. And some people have been in there for months for minor infractions.

"The data on a snapshot of the jail population shows about 38 percent of the male inmates are black and 34 percent of the female inmates are black. And most of those started with a traffic stop. You have, of course, other reasons why people are in jail, and we know that. But it is making no sense at all for us to assume that black and Hispanic drivers are just poor drivers and that they should therefore receive twice as many tickets as any other population. Now that translates in the City of Wichita to approximately \$2 million more in excess fines, \$2 million a year, and statewide, \$7 million a year more in excess fines, disproportionate.

"So when we come back to our pledge of allegiance, we say 'liberty and justice for all,' we're really, as an advisory board, trying to do our best to bring this issue to the forefront, to meet with people such as yourselves, and when we first started with Citizens for Equal Law Enforcement, we brought in the people from the county as well as the city. We had Sheriff Steed there at the table as well as Mike Watson.

"This was back in 2000, and the problem still exists.

"And until we deal with this issue in America, it's not just a Wichita problem, not just a Sedgwick County problem, it's an issue throughout our country. The disproportionate number of people in our jails and the disproportionate stops and how that impacts the economy of our state when people cannot afford to pay their fine, they're picked up, their car is impounded, they lose their license. It's a snowball effect.

"And then those people are on welfare. They can't afford to feed themselves. They end up in a variety of different social programs. I want to bring another issue to you as part of the problem. It's our schools. There is national data now, as well as here in Wichita. In 2012, when I was on the [Kansas] State Board of Education, I was able to find that we have 5,500 students suspended or expelled from Wichita's public schools; 2,000 of those were black students, twice the number, twice the percentage of those in our classrooms.

"So we have now a school to prison pipeline. You see it in your juvenile facilities. You've seen the number of students who come into that facility is disproportionate, and so we're trying to deal with it from that standpoint, as well, make sure we're not taking out the zero tolerance policies of the school district and assume that if there's a minor infraction of discipline that they just kick them to the curb and now they're on the street.

"Now kids don't have any supervision perhaps from the parents or the schools, and they end up in your facilities as well as in the jail at some point. So this is a major issue, and we're very glad to have an opportunity to bring you up to speed. We wanted to put it into perspective and give you an opportunity to ask any questions that you might have."

Chairman Unruh said, "All right. Thank you for that information. I don't see anyone requesting to ask a question or speak, so thank you for your...."

Dr. Chappell said, "All right. I'll pass this information to you, and you'll have a chance to read it at your leisure. Thank you very much."

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

Chairman Unruh said, "Commissioner Peterjohn."

Chairman Peterjohn said, "Yes. I realize we voted on the last item, but I just wanted to mention that the Chairman, yourself and I both serve on the citizens, Criminal Justice Coordinating Council. We'll have a meeting tomorrow morning, and we discussed the jail-related aspect of the issues, so, and that is an open meeting that's available to the public, and it's held over at the second floor in the jail facility. I just wanted to get that on the record. Thank you."

Chairman Unruh said, "All right, thank you. Thank you, Commissioner. Madam Clerk, next item."

Received and Filed

APPOINTMENTS

F [14-1272](#) RESOLUTION APPOINTING MITCHELL COFFMAN (BOARD OF COUNTY COMMISSIONERS APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY COMPREHENSIVE PLAN STEERING COMMITTEE.

Presented by: Richard A. Euson, County Counselor.

RECOMMENDED ACTION: Adopt the resolution.

Attachments: [Mitchell Coffman 042314](#)

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "Commissioners, we prepared this resolution of appointment to serve until this board has completed its tasks, and I would recommend that you adopt the resolution."

MOTION

Commissioner Norton moved to adopt the resolution.

Chairman Unruh seconded the motion.

Chairman Unruh said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Just a question. How long is this appointment for?"

Mr. Euson said, "Commissioner, this appointment is until this board has made its recommendations and therefore completed its tasks."

Commissioner Peterjohn said, "Okay. Do we have any sort of an idea in terms of length? Is it a short or long-term appointment, or, does anybody have an idea?"

Chairman Unruh said, "I believe this is contemplated for about a year, Mr. Counselor, until it's completed. It's been going on for some time now, and Commissioner Norton served in this position along with Commissioner Ranzau as our other appointment, and Commissioner Norton is going to be leaving the board, so this is an appointment to replace him."

Commissioner Peterjohn said, "Okay, well I was just wanting to get an idea, in terms of duration. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you."

Commissioner Peterjohn said, "I assume the answer is about a year then."

Chairman Unruh said, "Is there any other comment or question? Madam Clerk, call the vote."

VOTE

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

Chairman Unruh said, "Next item, please."

Adopted

NEW BUSINESS

G

[14-1252](#)

PRESENTATION OF CAREER DEVELOPMENT CERTIFICATES.

Presented by: Greg Baker, Training Manager, Division of Human Resources.

RECOMMENDED ACTION: Recognize the certificate recipients.

Mr. Greg Baker, Training Manager, Human Resources, greeted the Commissioners and said, "Today we're here to recognize employees for achieving their career development certificates. In 2014, we've actually had 16 employees to date who have earned their career certificates, and today we'd like to recognize 6 who were able to attend today's meeting. These employees have demonstrated both hard work and dedication to career development. It is an extensive process for some. It takes quite a bit of time to attend the number of classes. They complete both required and elective classes, in-class training and online as well.

"We are here to issue certificates either in Supervisory[/Management] Development, Transitioning to Supervisor, Diversity, or Professional Development. The employees who are here to receive are Brad Ashens, Supervisory/Management; Sherry Brace, Professional Development; Cristina DeBeni, Professional Development; Emily Graf, Transitioning to Supervisor; James 'Monte' Munyon, Supervisory Management; and Carrie Seyam, Diversity. Thank you for recognizing these individuals, and congratulations again to all the recipients."

Chairman Unruh said, "Well, to each of you, we want to express our appreciation for your extra effort and your dedication to trying to improve your skills and your management abilities. Sedgwick County is a complex organization, and we need folks who are able to handle that complexity and exercise their leadership. So we're very proud of the energy and effort that you've put in to elevate yourself and also elevate the organization of Sedgwick County. So thank you."

Ms. Baker said, "Thank you."

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

H [14-1276](#)

A RESOLUTION FINDING THAT THE RESIDENCE ON PROPERTY LOCATED AT 5006 S. ELMHURST ST., WICHITA, SEDGWICK COUNTY, KANSAS, IS UNSAFE, DANGEROUS, AND ABANDONED AND ORDERING THAT SAID STRUCTURE BE REPAIRED SUCH THAT IT IS MADE SAFE OR DEMOLISHED.

Presented by: Tom Stolz, Director, Metropolitan Area Building and Construction Department ("MABCD").

RECOMMENDED ACTION: Approve and sign the resolution.

Attachments: [Nuisance Abatement Resolution Approved as to Form 5006 S Elmhurst](#)
[Stolz Letter to BOCC](#)
[2014 Health Officer Designation Letter - 01152014](#)
[Public Health Assessment - 5006 S. Elmhurst](#)
[5006 S Elmhurst Photos](#)

Mr. Tom Stolz, Director, Metropolitan Area Building and Construction Department, greeted the Commissioners and said, "Here this morning to give an update regarding the unsafe structure located at 5006 Elmhurst in unincorporated Sedgwick County. As you recall, the status of this property was discussed in some detail at the April 2nd BoCC (Board of County Commissioners) meeting earlier this month. During that meeting, the Commission allowed public comment and voted to defer a decision regarding the proposed resolution to give the property lien holder, identified as MidFirst Bank, an opportunity to take rehabilitative action on this property.

"The Commission granted the deferral until today. Over the last three weeks, the following actions have been taken by the lien holder that we are aware of; they replaced an original out of state contractor with a second contractor who is in this jurisdiction. With some prompting by MABCD (Metropolitan Area Building and Construction Department) staff, the second contractor pulled building permits for the structure late last Friday, April 18th. At that time, he advised staff that demolition and cleanup work would commence on the property on Monday, April 21st. As of this morning, no work has been accomplished at the property, and it is still in the same unsafe condition.

"At this time, staff recommends that the Commission approve the proposed resolution and attain proper signatures and initiate publication. Five days after the publication of this resolution, staff will again check the property. If work has started in earnest MABCD will allow a reasonable time, which is currently proposed at 60 days in the resolution before you, and continue to allow the contractor to render the structure safe. If, however, there is no work ongoing or any sign of work initiated, MABCD will place a stop work order on the property and initiate demolition to insure safety of the structure using funds already obtained through the property insurance provider. I don't believe, I don't know if anyone is here from MidFirst [Bank] today, but I stand for any questions regarding this matter if there is no one else here."

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

Commissioner Skelton said, "Well, Tom, you know, clearly when I look at this situation, I see what I would call just a lack of competence, all right. To have something like this in that condition sitting there, to me, is unacceptable and, frankly, outrageous and it just amazes me that some people have it in their head that this is not such a big deal, but to me it is a huge deal. It's junk. It's C&D (Construction and Demolition) rubble standing with three walls that is affecting the neighbors and the neighborhood area.

"So you know, being that you're the one who has been driving the train on this, you've been trying to get response, they haven't responded, you know, I will blame both the incompetent bank and the incompetent contractor for this disaster and unfairness they are placing on these people over there. So definitely in my opinion, the victims is the neighbors and the neighborhood area."

MOTION

Commissioner Skelton moved to approve and sign the resolution.

Commissioner Norton seconded the motion.

Chairman Unruh said, "We have a second. So, we have discussion among the Commission. Commissioner Ranzau."

Commissioner Ranzau said, "Tom, how long will it take for this to be published?"

Mr. Stolz said, "Generally five days, sir."

Commissioner Ranzau said, "Five days and then they have additional five days after that?"

Mr. Stolz said, "They have five days from publication day, that's correct, sir."

Commissioner Ranzau said, "From the publication date, and 60 days still. So they still have the opportunity to get going and get it cleaned up?"

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

Commissioner Ranzau said, "That's all."

Chairman Unruh said, "Thank you."

Commissioner Skelton said, "Mr. Chairman."

Chairman Unruh said, "Commissioner."

Commissioner Skelton said, "The fact that they are telling Sedgwick County government that they are going to do something and then turn around and not doing that is another thing that I found unacceptable about this situation. I mean, they obviously don't think we're serious or there is some kind of misinterpretation of Mr. Stolz's and the Commission's intention, in my opinion. And, you know, when a professional organization says something to a governmental body and doesn't follow through on that, I just put that on the list of incompetence."

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

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Tom, let me ask you, has there been a change in the responsiveness? I thought initially the folks who were planning to take the action to remediate the situation had been responsive to the county. Has that stopped or changed in some way?"

Mr. Stolz said, "We've had, early on, after the first of the year, good communication with MidFirst Bank, either through their staff or through their attorneys all the way through the April 2nd meeting, and there was, in fact, a gentleman here from MidFirst at that meeting, as you recall. Since that time, I think the lack of communication that we're experiencing is from the actual contractors, and the first one that we worked with was not responsive, so they replaced him with someone local. And I felt like when we had a local contractor that maybe the work would get done, but we've had some lack of responsiveness from him, as well."

Commissioner Peterjohn said, "Okay. Well, I appreciate the additional information, because obviously, we would rather have this resolved informally as opposed to going through the formal resolution. It does need to get addressed, and I do recall, like you said, that we had a representative from the financial institution the last time this came up, so I'm kind of disappointed that we're at this point this morning. But I wanted to find out if some other fact had come into play or if there was something else that had changed."

Mr. Stolz said, "Not that I'm aware of."

Commissioner Peterjohn said, "Thank you."

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

Commissioner Ranzau said, "Yes, just one quick question. After this is passed, will this be, you know the conditions of this, will this be communicated to the contractor and the bank?"

Mr. Stolz said, "Yes, yes. As a matter of fact, we had communication with them early this morning and told them what was going to happen. We'll have communication again with them all through this process."

Commissioner Ranzau said, "Thank you."

Chairman Unruh said, "Okay, Commissioner Norton."

Commissioner Norton said, "Tom, is the 60 days, is that regulated in our statutes, our resolutions, or is that a number you picked?"

Mr. Stolz said, "It is a number we picked that is in this resolution. It is...it can be altered or changed, but it is, what we considered a reasonable time with the scope of work being done out there to accomplish, and not necessarily total remodel, just make the structure safe. So it is a time that we just chose as reasonable, but it's not driven by any statute or law. It's in this resolution, and if you vote on it today, it becomes our law then."

Commissioner Norton said, "I guess for me, less time for them to respond is better. I mean, 60 days stretches it out another 60 days, and I agree with Commissioner Skelton. I know he dealt with a lot of these at the City of Wichita. I've dealt with them when I was Mayor of Haysville and in other scenarios. And people will stretch it out as long as they can to get to the last minute and then ask for a reprisal. I'm okay with taking it down to 30 days or something less and pushing them to get something done.

"Because first of all, I have a little problem with out of state landowners. They don't have to drive up and down that street and talk to the neighbors and understand that they're debilitating a neighborhood. They're out of sight and out of mind. I would just as soon send a message that we're not going to tolerate that here, and particularly after they've said, we're going to be on site, we're going to take care of it, we care about you, and that's very hollow when they haven't done anything yet.

"I mean, I agree with Commissioner Skelton, that rings very hollow when somebody tells me I'm going to be there tomorrow, I'm going to do this for you and then have another excuse the next day and another excuse the next day. So, I don't know what the Commission wants to do, but I could go along with 30 days as opposed to 60 days and really put some pressure on them to do something."

Chairman Unruh said, "Thank you, Commissioner. Tom, from what you've said, we can change, we could change that right now and make it 30 days?"

Commissioner Skelton said, "Yeah, Mr. Chairman."

Chairman Unruh said, "Sir."

AMENDED MOTION

Commissioner Skelton moved to amend the resolution to reflect 30 days instead of 60 days.

Commissioner Norton seconded the motion.

Chairman Unruh said, "We have a motion and a second to amend or change the vote from 60 to 30 days. I'm looking for the right word here, change the language in the resolution from 60 to 30 days. Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes, a question, so they've been informed that we're taking up a resolution today and they would have 60 days to take action, correct?"

Mr. Stolz said, "They're aware of the resolution in its entirety, yes."

Commissioner Peterjohn said, "But with 60 days and not 30?"

Mr. Stolz said, "Yes."

Commissioner Peterjohn said, "Okay, well, the concern I have with the amendment on this, in terms of going forward, we've told them they're going to have 60, and if this amendment gets approved, we're going to cut that in half, and they're not going to be aware of it until after the fact. They had the opportunity to be here, so I'm, and they aren't.

Commissioner Peterjohn continued, "So I have a concern on that end, but I think changing this to 30 days without the notification and without, with having told them a different figure initially I don't think is a good way to proceed."

"So, I understand the frustration that Commissioner Skelton eloquently expressed, in terms of how this impacts the part of his district where the structure is located, but I would feel a lot more comfortable if we just would stick with the initial resolution. If we wanted to make this change, we probably should have done it before we got here. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Tom, the process was though, a couple weeks ago, they had had, whenever we made the, today was the deadline, wasn't it?"

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

Chairman Unruh said, "So they've had notice for a substantial time before even today, and they're not unaware of this, and if they've contracted with another contracting firm, it seems to me that to have substantial progress in the next 30 days is not unreasonable. I mean, I can support the 30 day motion I guess is what I'm saying. Commissioner Skelton."

Commissioner Skelton said, "Well, I appreciate that. You know what? I think it is wrong to let that structure sit in its open, vacant, dilapidated condition and have the neighbors tolerate it. I think it's wrong the longer this goes on. You know, this has all been just a series of irresponsibility after irresponsibility after misstatement. Nobody has done what they have told us they would do. Okay? You know, when somebody does that, I kind of lose faith in them, and that just compounds my desire to rid the neighborhood of that disgusting structure."

"You know, the longer that goes on, the more the neighborhood suffers. The longer chances exist for people that break in there, smoke crack, vandalize, whatever the heck it is. The lady next door is absolutely up in arms about this situation, and I have no problem at all shortening the time of distance, because it's fair and reasonable, and it serves to me as justice for the citizens that have to tolerate this kind of irresponsible, and the decay of property and the decay of irresponsibility. So there's two types of decay here. One, we've got somebody that's not following through on what they tell us. And two, we've got a horrible piece of crap in a neighborhood that is affecting people's lives."

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

Commissioner Norton said, "Counselor, can we take action to just demolish today after notice? Five day notice in the paper?"

Mr. Euson said, "I'm actually not sure. Justin Waggoner's is here, and he may know the answer to that. I do not."

Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "To address your question, there is no reason the Board of County Commissioners couldn't make a decision to just demolish the structure today with the insurance funds that are on hand. Their notice has already been provided leading up to the April 2nd hearing and then also along with that to today's hearing."

"So there is no reason this Board could not vote to have a resolution put in place to do that. The only potential hang up I would mention on that is this Board doesn't meet again until May 14th, and so getting that language into a resolution that could be in front of this Board by that time frame may be an issue."

Commissioner Norton said, "I guess where I'm going with that, they've had plenty of time. Today, we could have taken action just to demolish and be done with it, but we're giving them another five days to publish, another five days after that. We were planning on another 60 days after that. How long do you stretch these things out before you say enough is enough? I've watched these issues for many, many years as an elected official. They never get any better, particularly when people don't jump on it and actually do something, whether it's a fire, a tornado, an abandoned property."

"We struggle with that in our community, and we should not allow it to drag on and on and on, particularly when you have people that are not sincere in their actions. And so far, I haven't seen much of sincerity in getting this taken care of. Now, I'm not advocating that we go to demolishing today, but to go to 30 days, they've had quite a few days. I'm not sure of the first date we knew about this, but it's dragging on as far as I'm concerned. With our new building commission and Tom here, we've got to start giving him some teeth to be able to do his job. He can spend a lot of time languishing over something that can be pretty darn simple. Give the notice. Tell people what we expect them to do in our community and get it done. I don't have a problem with the 30 days."

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

Commissioner Skelton said, "Well, we have MidFirst Bank. Where is their location?"

Mr. Waggoner said, "They're an Oklahoma bank."

Commissioner Skelton said, "They're an Oklahoma bank."

Mr. Waggoner said, "Correct."

Commissioner Skelton said, "Okay. MidFirst Bank, where does their closest representative live?"

Mr. Waggoner said, "Their counsel is local. In terms of anyone we've had communications with at MidFirst Bank, as I understand it have all been people in Oklahoma."

Commissioner Skelton said, "Who is their counsel?"

Mr. Waggoner said, "It's South & Associates. It was the same people who represented them on the foreclosure, Blair Gisi and Mark Mellor."

Commissioner Skelton said, "Well yeah, I hear all that. And lawyers, their job is to make excuses for their clients and I don't buy their excuse from their client. Their client is being irresponsible, and I am not tolerating this. Okay? And I'm glad we have shortened the time frame, and maybe we should sit down and discuss a way to be more aggressive when it comes to total irresponsibility in maintenance of property. Okay? We need more teeth. We need a better system in the county."

Commissioner Skelton continued, "Okay. We have, the Wichita ordinance have more teeth in them, so to speak. So I don't know if I can say anything else to really articulate how I feel. So, thank you, Mr. Chairman."

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

Commissioner Peterjohn said, "Well, thank you, Mr. Chairman. I realize we've got the amendment before us. I'm just concerned that if we make a number of these changes on the fly and whether it's take action immediately or 30 days, you know, I still believe that we ought to be in compliance with what we had talked about earlier. I wouldn't have nearly the problem with this motion if we had mentioned that when this initially had come up. There was a representative for the bank who was here at that meeting, to go forward with this in whether it's 30 or immediately."

"I just have a concern that there is an appropriate way that the government needs to proceed, and if we've told them 60 days, if we had told them at that time, we're going to do 30 days or that we're going to take it up on this date, April 23rd and if you haven't taken action at that point, we may move immediately, then I'd look at it a little bit differently. But since that didn't happen, I've got to look at where we are today, and I realize some of you may have had more experience having served in municipal government on these issues than I have had in that regard, but if we're going to have substantive due process and proceed accordingly, I would feel more comfortable with the resolution as we originally had before us, and whether we change it to 30 or we change it to some other number, I'm not comfortable at this point. So I just wanted to get that on the record."

Mr. Waggoner said, "And Commissioner Peterjohn, if I could offer a slight point of clarification on this. The resolution that's before the Board as worded at this time, and again I realize there is a motion pending on the 60 or 30 days, would be for after publication within five days work is to start, and it gives discretion to the director of the MABCD, Mr. Stolz, to make that determination. It also requires the contractor to diligently prosecute making the property safe in removing the dangerous conditions, and then at the end, it gives 60 days for that to be completed. It also grants discretion to Mr. Stolz to grant extensions. So it doesn't mean that work has to start within the 60 day time frame, it requires them to diligently prosecute them along with that requiring them to start within five days."

Commissioner Peterjohn said, "Mr. Chairman, if I may clarify, the motion we have before us is an amendment that would change it from 60 to 30 days, which I assume that was the latter part of the timeframe that you outlined?"

Mr. Waggoner said, "That's correct, Commissioner Peterjohn, as I understand the motion."

Commissioner Peterjohn said, "Well, I just wanted to make sure that we fully understood where we were and what timeframe we're talking about here. Thank you."

Commissioner Skelton said, "I just...Karl, I just wanted to let you know..."

Chairman Unruh said, "Did you want to speak?"

Commissioner Skelton said, "I'm sorry, I thought I...you turned it off, and I turned it on again, and then you turned it off, and I turned it on."

Chairman Unruh said, "Excuse me, sir. If you turn on your light, I'll call on you."

Commissioner Skelton said, "You know, I just ask that the reason that this needs to happen, in my opinion, at an accelerated rate is because of the people living around there and what's going on inside that house while it's been, the whole back side has been burned off and vacant. So, that's where my heart is, sir."

Chairman Unruh said, "Okay. Commissioner Ranzau."

Commissioner Ranzau said, "Just a point of clarification. Do we have to vote on an amendment first and then pass it?"

Mr. Euson said, "That is your normal practice, Commissioner, yes."

Commissioner Ranzau said, "So we'll vote to amend it from 60 to 30 and then vote on the overall adoption of the resolution. Correct?"

Mr. Euson said, "Correct."

Commissioner Skelton said, "Of the amended resolution."

Commissioner Ranzau said, "Of the amended version."

Commissioner Peterjohn said, "Assuming the amendment passes."

Chairman Unruh said, "Is that all? Okay, Commissioner Norton."

Commissioner Norton said, "One of the counselors, does any action to shorten that circumvent due process? It seems like to me we've gone through due process. And just because we have told them of a resolution that contains certain information, until we vote on it, it is not law. It's not statute. It's not a resolution. It's not a binding action. So even though we tried, staff tried to communicate a date and a time to them, they have gone through due process, have they not?"

Mr. Euson said, "Commissioners, I think so. I think there is plenty of due process all around here."

Chairman Unruh said, "Okay. Thank you. I see no one else asking to speak, and we have a motion for an amendment to this resolution that we change item...in the resolution 1-3-b from 60 days to 30 days. I see no further discussion, so Madam Clerk, call the vote."

VOTE

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

Chairman Unruh said, "So now we have the underlying motion for us to vote on the resolution saying 30 days."

Commissioner Skelton said, "Yes, sir."

Chairman Unruh said, "Do we have a, we have a motion already and a second for that. So Commissioner Peterjohn, do you have a comment?"

Commissioner Peterjohn said, "Yeah, I would just for the record make sure everything is clear here. Justin, would you walk through the timeframe where we're at now with the amended motion?"

Mr. Waggoner said, "Correct. What will happen is, presuming the resolution passes, it will then be published. After publication, it directs the work is to be within five days. If work has not begun within five days from the date of publication, the director of MABCD can order that the repaired demolition or any other work be completed. The resolution also allows that in order to complete that work, the insurance proceeds that the county has on hand can be utilized for that purpose.

"But now that it's been amended to 30 days, 30 days is the timeframe during which the work, the property itself needs to no longer be dangerous or unsafe. Now, Mr. Stolz can grant extensions on that. Also, for example, if work were to begin and then there would be a lag in work where it's not diligently prosecuted, he has the ability to essentially stop work and demolish or repair the property. So it requires the property owner lien holder or the contractor to begin work within five days of publication, complete work within 30 days of publication to where, maybe not complete work, but to make it where it's no longer dangerous or unsafe with potential extensions that could be granted by the director of the MABCD. It does give him discretion in this matter."

Commissioner Peterjohn said, "Mr. Chairman, if I could continue."

Chairman Unruh said, "Please."

Commissioner Peterjohn said, "You know, I very much appreciate that clarification, and I think it's important to have that on the record. I'm not quite as sanguine as other folks, in terms of the due process aspect of this. While I will support the overall motion, I just want to get on the record that for these types of proceedings, I think it would be, I would certainly be more comfortable that if we have notified people we'll be taking action and they're in kind of an adversarial position with us in some way, to make the changes, that this is something I have a concern about, but I am going to be supportive of the motion at this point, but I do appreciate getting the details and clarification on the record. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. I see no one else asking to speak, so Madam Clerk, please call the vote."

VOTE

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

Chairman Unruh said, "Thank you, Justin. Thank you, Tom. Next item, please."

Approved As Amended

I [14-1214](#)

MEMORANDUM OF UNDERSTANDING REGARDING THE
WICHITA/SEDGWICK COUNTY EXPLOITED AND MISSING CHILD
UNIT (EMCU).

Presented by: Col. Richard Powell, Sedgwick County Sheriff's Office.

RECOMMENDED ACTION: Approve the memorandum of understanding
and authorize the Chairman to sign.

Attachments: [EMCU 2014 MOU-w signatures](#)

Colonel Richard Powell, Sedgwick County Sheriff's Office, greeted the Commissioners and said, "I've brought before you this morning two items, both dealing with the Exploited Missing children [Child] Unit (EMCU). The first is a Memorandum of Understanding (MOU) before you requesting your review and approval. This MOU explains the staffing, the functions and the duties to be performed along with the policy and the overall scope of operation within the Exploited and Missing children's Unit. The documentation, you've already received. The MOU has been reviewed by the executive committee members prior to submission to you for approval.

"The executive committee members that reviewed it have accepted its content and also request your review and approval. The members of the executive committee for review include the Regional Director of the Kansas Department of Children and Families (DCF), the Mayor of the City of Wichita, of course the Chair of the BoCC is also a standing member of that executive committee, the Police Chief for the City of Wichita Police Department, Sheriff Easter with the Sheriff's office, the Executive Director of the Child Advocacy Center, and the District Attorney, Mr. Bennett, and/or representatives of those respective affiliates that were mentioned appropriately.

"This is a joint operation between the [Kansas] Department of Children and Families and Wichita Police Department and Sedgwick County Sheriff's office. This is an annual MOU that we review every year for your review and your approval, and we're simply asking that. There are a lot of aspects of this particular operation, the budget itself is coordinated through the Sheriff's office, through the Chief Deputy, myself, that oversees the overall budgetary functionality of that organization.

"From the operational aspect, the Wichita Police Department provides a commander, who I'll introduce to you shortly, that serves as the director of operations on a daily, ongoing basis. We also have DCF that provides a supervisor to oversee all the activities of the DCF personnel. We also have a Sheriff's office supervisor and a Wichita Police Department supervisor that share duties in assisting the operational director in operations on a day-to-day basis, and then, of course, varied social workers, et cetera.

"EMCU has some very clear responsibilities and mission. They investigate cases involving allegations of sexual assault where the victims are under 16. They investigate cases involving allegations of incest where the victim is under, again, the age of 18, cases involving allegations related to missing children where the child is under the age of 18, and cases involving allegations of physical abuse where the child is under the age of 18.

Colonel Powell continued, "As you're all well aware, there is also a subset of the Exploited Missing children Units called ICAC the Internet Crimes Against Children [Task Force Program] unit, which investigates predatory crimes against children that come across the internet and of course we have other agreements that fall into play with that. This is the all encompassing agreement, there are no real significant changes from last year, there are no budgetary adjustments required, just simply your review and approval for the request. I'll stand for any questions that you may have."

Chairman Unruh said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I appreciate the information that you had. Could you talk for a minute about the volume of cases and any trends that are occurring and maybe open it up to..."

Colonel Powell said, "Sure."

Commissioner Peterjohn said, "Broader discussion, in terms of what we're seeing, since this is obviously important area in the criminal justice system and one that doesn't, I think, get discussed as much in the public realm as I think it needs to be."

Colonel Powell said, "Yes, sir. Thank you. I apologize for the interruption. We continue to see on a regular annual ongoing basis the caseload just continues to grow exponentially within the EMCU unit. This is not a situation where the crimes are going away. They continue to escalate on an ongoing basis. We see that, without any particular order of appearance here, the crimes of rape for children 13 years of age and under, we've seen an increase in 2008, there were 45; 2010, they went up to 54; 2012, they were at 66 and that same number, 66, carried over in, actually went up to 73 in 2013, and continued on up.

"Aggravated indecent liberties, started off in 2008, there were 182 reported cases; 2010 went up to 207; 2013, we ended up with 253, significant increase, 2.5 times almost. Aggravated incest, that was something we've actually seen a decrease in. There were five reported cases in 2008. We ended up in [20]13 with zero. If we looked at abandonment cases, endangerment cases, abuse cases, abandonment, we've only recently started tracking those with great reliability in the last few years. We've had one case in 2012, one in 2013. Endangerment cases, from a low of 153 in 2009 up to 193 in 2013.

"Runaway cases, a low of 1,283 in 2008 up to a high of 1,505 in 2012. Total law enforcement cases where there has been law enforcement intervention, just taking all cases inclusively, adding them together, 2008, we were at 2,333 cases. We finished up 2013 with 2,939, so an increase of well over 600, so about a, you know, ballpark about a 30 percent increase or more in cases. Lots of big numbers.

"So as we can see, the EMCU unit is not one where they sit around and look for things to do. They continually have a case backlog. As a matter of fact, later on in our budgetary presentation, you'll actually see, maybe you've already read it, where we're actually requesting a person to put down there as an additional headcount because the caseload continues to grow."

Chairman Unruh said, "Okay, thank you."

Colonel Powell said, "Yes, sir."

Chairman Unruh said, "Commissioners, what's the will of the Board?"

MOTION

Commissioner Norton moved to approve the memorandum of understanding 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	Aye
Commissioner Skelton	Aye
Commissioner Norton	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item, please."

Approved

J [14-1256](#)

AMENDMENT OF A CONTRACT WITH THE KANSAS DEPARTMENT OF CHILDREN AND FAMILIES TO FUND ONE-THIRD OF THE COST OF OPERATIONS OF THE EXPLOITED AND MISSING CHILD UNIT FOR CALENDAR YEAR 2014.

Presented by: Col. Richard Powell, Sedgwick County Sheriff's Office.

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

Attachments: [EMCU 2014 Budget\(up\)](#)
 [EMCU 2014 DA146a2012](#)
 [EMCU 2014 Renewal of 2010 Contract for Operations and Finance April 2014](#)
 [EMCU 2014 MOU-w signatures](#)

Colonel Powell said, "This is a continuation of the previous item. Where previously we looked at the all encompassing MOU. This is one-third of the MOUs, this is one dealing with the Department of Children and Families. There simply was a change, a small change to the verbiage on the previous MOU to where they wanted to have a more explicit definition of what the costs were going to be to DCF in lieu of just simply shared expenses, one-third, one-third, one-third, and there was a definitive dollar amount put into the MOU with DCF, that says their funding will equal \$39,365 for the calendar year 2014 for their part of the one-third of operational expenses. Again, just further definition per their request. I would request your review and approval for this MOU also."

Chairman Unruh said, "Thank you, Colonel Powell. Commissioners, any comment or questions?"

MOTION

Commissioner Skelton moved to approve the amendment and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Colonel Powell."

Colonel Powell said, "If I may quickly for the Board, please, I would like to introduce our new commander from the Wichita Police Department in charge of our Exploited Missing children Unit. Most of you are familiar with Lieutenant Jeff Wiebel who had been there for several years, Lieutenant Wiebel was recently promoted to captain within the Wichita Police Department and has moved elsewhere in the organization. And by virtue of his promotion, we now have Lieutenant Chris Bannister in the back. Lieutenant Bannister is a 20 year veteran with the police department. He assumed command here just in the last, less than a month or so of the EMCU, and will continue heading up the organization from a law enforcement organization standpoint. So, I present to you Lieutenant Chris Bannister."

Chairman Unruh said, "Would you like to make a comment?"

Lieutenant Chris Bannister, Exploited and Missing Child Unit, Wichita Police Department, greeted the Commissioners and said, "If I may, just real briefly."

Chairman Unruh said, "Sure."

Lieutenant Bannister said, "Commissioner, thank you. As Colonel Powell mentioned, my name is Chris Bannister. I've been with the police department now for 20 years, and my new assignment is to carry out the MOU you have before you as the Director of Operations of the Exploited and Missing children's Units as well as the ICAC unit. I wanted to come here today so you could put a face and name with who is responsible for carrying out that MOU. With that, thank you for your support, and I'll stand for questions if you have any."

Chairman Unruh said, "Thank you. We do have a comment from Commissioner Norton."

Commissioner Norton said, "Not really a question, but a comment. you take on some very important work, and Lieutenant, anything I can do to help with that, I've been very involved with the Child Advocacy Center, EMCU, ICAC, human trafficking. I've worked with Bill Gale as he takes on the Department of Children and Families, but please keep us in the loop, because this is important work. One thing the public needs to understand is, we talk about going from 2,300 to 2,900."

"All the longitudinal studies show that we're only between 25 and 40 percent of the potential of cases.

"Many people don't report them. They're scared to. The children are scared to report, because they think they'll get their parents in trouble. Neighbors are afraid to report. There is a huge, huge number out there. We don't know what it is. So, important work. Hopefully we can start to stem the tide on this, but I'm not hopeful in the next few years that this won't continue to grow exponentially until our community understands the gravity of this problem in our community. So thank you for taking that on. You have our 100 percent support."

Lieutenant Bannister said, "Thank you very much, and in honor of the quiz you guys took this morning, I will work angry. Thank you."

Chairman Unruh said, "Thank you, Lieutenant. Colonel Powell, thank you, also. Next item, please."

Approved

K [14-1254](#)

APPROVAL OF A RENEWAL AGREEMENT WITH COLWICH LIONS CLUB FOR THE SEDGWICK COUNTY ADOPT A HIGHWAY PROGRAM ON 167TH STREET WEST FROM 61ST STREET NORTH TO K-96. DISTRICT 3.

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: [S50C-114041408381](#)

Mr. David C. Spears, Director, Public Works, greeted the Commissioners and said, "Item K is a renewal agreement with the Colwich Lions Club for the Sedgwick County Adopt-a-Highway Program. They will be responsible for picking up litter along 167th Street West between 61st Street North and K[ansas Highway]-96, and I recommend you approve the agreement and authorize the Chairman to sign."

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

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

MOTION

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

Mr. Spears said, "Thank you."

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

Approved

L [14-1265](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON APRIL 17, 2014.

Presented by: Joe Thomas, Director, Purchasing Department.

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

Attachments: [BMIN 0417 2014](#)

Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the Board of Bids and Contracts on April 17th results in one item that we present to you this morning. This item is:

1. 2014 NOVA CHIP OVERLAYS (R175-B) – PUBLIC WORKS FUNDING—R175 PREVENTIVE MAINTENANCE 2014

"The Recommendation is to accept the low bid from Cornejo & Sons, LLC in the amount of \$3,093,395.00.

"I'll be happy to answer questions and I recommend approval of this item."

MOTION

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

Commissioner Skelton seconded the motion.

Chairman Unruh said, "Motion and a second to approve the recommendation of the Board of Bids and Contracts. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. A question, maybe this is more for Mr. Spears than Mr. Thomas, but I wanted to compare, in terms of how this bid compares to what we had for last year? On a per mile basis or whatever, as much of an apples to apples comparison."

Mr. Spears said, "Right. We did calculate that. This year it's about \$32,400 per lane mile, and last year it was \$32,800 per lane mile. So it's cheaper this year, but I would add we're doing more miles this year, which could make a difference in the price, too. It's kind of like McDonald's hamburgers, the more you do, the less it costs per unit. So we're doing 47.75 miles this year. Last year we did 33.25."

Commissioner Peterjohn said, "I think it's good to note when we've got a little savings and it ought to be recognized. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you. Seeing no further discussion, Madam Clerk, call the vote."

VOTE

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

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

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

Approved

CONSENT

- M** [14-1202](#) Renewal Affiliation Agreement with the Mental Health Association of South Central Kansas.
- Attachments:** [COMCARE MHA Affiliation Agreement.pdf](#)
- N** [14-1203](#) Contract renewal for Community Based Services with the Mental Health Association of South Central Kansas.
- Attachments:** [COMCARE MHA Community Based Services.pdf](#)
- O** [14-1206](#) Work study agreements for COMCARE employees.
- Attachments:** [COMCARE Work Study - Candace Staker.pdf](#)
 [COMCARE Work Study - Amanda Maupin.pdf](#)
- P** [14-1240](#) Second amendment to the lease agreements between Keith Bomholt and Sedgwick County for apartments for COMCARE's Permanent Housing Project.
- Attachments:** [Bomholt Safety Net Lease for BoCC.pdf](#)
 [Bomholt Samaritan Lease for BoCC.pdf](#)
- Q** [14-1245](#) Agreement between Sedgwick County and USA Triathlon for controlled access of certain County Roadways.
- Attachments:** [Agreement with USA Triathlon for Controlled Access to Certain County Road](#)
- R** [14-1262](#) Agreement with Newman University for the Wichita Gladiator Dash.

Attachments: [Agreement with Newman University for Wichita Gladiator Dash](#)

- S** [14-1264](#) Retail dealer's cereal malt beverage license application for Newman University-Gladiator Dash event located at Sedgwick County Park: 6511 W 21st. Street North, Wichita, Kansas 67213.

Attachments: [Gladiator Dash Event.pdf](#)

- T** [14-1255](#) 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: [S50C-114041408380](#)

- U** [14-1263](#) Payroll Check Register for the April 19, 2014 payroll certification.

- V** [14-1157](#) General Bill Check Register for April 16, 2014-April 22, 2014.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, you have the Consent Agenda before you, and I recommend you approve it."

MOTION

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Skelton seconded the motion.

Chairman Unruh said, "A motion and a second to approve the Consent Agenda. Comment from Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes. We moved really quickly on this one, but I noticed in Item P, we have a change in how HUDs (United States Department of Housing and Urban Development) operating what had been a transitional housing program and making it permanent. I really would like to get some more information, because if HUD is turning this program into a permanent housing rather than transitional, that raises a whole host of questions that I can think of, and while I'm a little bit late coming in on this, in terms of raising some questions on it, I would like to have some further discussions from staff going forward, in terms of how this is changing, because we have a separate, for permanent housing, I want to really have a better understanding of how HUD is operating here. And Item Q, I would just mention, I'm delighted to hear that there's going to be another triathlon agreement accessing county roadways, too. I wanted to make those comments concerning these items that are on the Consent Agenda this morning, Mr. Chairman."

Chairman Unruh said, "All right. Thank you, Commissioner. I see Marilyn is here in the room, and she can probably meet with you later to discuss some of those questions unless you had a specific question now."

Commissioner Peterjohn said, "Well..."

Mr. Buchanan said, "I think she sent an email around explaining it and if there is more information that you need then she'll be more than happy to talk to you."

Chairman Unruh said, "And I think we all saw the e-mail. So, Commissioner, did you need anything else?"

Commissioner Peterjohn said, "We can go ahead."

Chairman Unruh said, "Okay. Thank you. Is there any further discussions? Madam Clerk, call the vote."

VOTE

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

Mr. Buchanan said, "Thank you."

Chairman Unruh said, "Next item."

Adopt the Consent Agenda

OTHER

Chairman Unruh said, "Commissioners, are there other items of Commission business that you'd like to discuss? Commissioner Norton."

Commissioner Norton said, "The only thing I've got is that on Monday we'll have a Station 34 Fire Station opening in Haysville, and I would invite the public to stop by and particularly folks in Haysville south of county and south Wichita area to stop in and see the new station. It's a beautiful station located on Main Street in Haysville, and that's our highest volume station, so it covers a large area, and provides a lot of medical coverage, first responder medical coverage."

"It's interesting to note, on the day of the punch list a city employee in Haysville passed out, had a heart condition, and the fire folks down there provided a response and used their training to make sure that he was taken care of, so before they even got the station opened, they were responding to citizens in Haysville. So I thought that was pretty good. But I would invite the public to come by and be part of that."

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

Commissioner Peterjohn said, "Well, thank you, Mr. Chairman. I just want to mention a few interesting points in what has occurred on April 23rd as well as pointing out that we have the discussion on tourism and both the Sedgwick County Zoo and Exploration Place have a number of interesting worthwhile exhibits going forward. On this day on April 23rd, in 1791, the 15th President of the United States (U.S.), James Buchanan was born. And for those who are veterans, the U.S. Military Reserve was created 106 years ago, in 1908. In 1962, Ranger 4, the first U.S. Spacecraft to reach the moon's surface, was launched. And on lighter note, in 1914, for baseball fans, Wrigley Field opened for the, what eventually became the Chicago Cubs. It is now one of the older baseball diamonds in Major League Baseball. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. I would just like to make a point about our sympathies and condolences go to the family of Barton County Commissioner Don Cates who was killed in an ultralight plane crash at the beginning of the week. I think he was a relatively new County Commissioner but was really committed to serving his community, by all accounts, we know he will be missed, so we just want to send our condolences to his family and to the residents of Barton County. Commissioner Skelton."

Commissioner Skelton said, "I just wanted to provide some historical information for myself, and I appreciate Karl's interest in history, as I share his interest in history. And I have a, I'm fortunate enough to have a place out in Eastern Kansas, and I'd like to tell you that on this day in 1803 out there in Toronto, nothing happened. Okay. That's it."

Commissioner Peterjohn said, "Are you sure it's 1803 and not 1903?"

Commissioner Skelton said, "I got my date right, brother."

Chairman Unruh said, "Okay, gentlemen. Well, I see nothing else coming before the Commission, so we will stand adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:31 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:
