

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
working for you*

Meeting Minutes

Wednesday, April 1, 2015

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 Robbie 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: Robbie.Berry@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 9:08 a.m. on April 1st, 2015 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Richard Ranzau, with the following present: Chair Pro Tem Commissioner Karl Peterjohn; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner James M. Howell; Mr. William P. Buchanan, County Manager; Ms. Jennifer Magana, Acting County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Kelly Arnold, County Clerk; Mr. Bob Neier, Ornamental Horticulture; Mr. John Schlegel, Director of Planning, Metropolitan Area of Planning Department; Mr. Thomas Stolz, Director, Metropolitan Area Building and Construction Department (MABCD); Colonel Richard Powell, Sedgwick County Sheriff's Office; Mr. Chris Chronis, Finance; Mr. Joe Thomas, Purchasing Director; Ms. Kim-Anh Do, Deputy Clerk.

GUESTS

*Ms. Penny Poland, Director, Fleet Management
Ms. Michele Gors, President/CEO, KPTS
Ms. Nancy Duling, American Heart Association
Ms. Victoria Lovato, 1809 North Columbine, Andover
Mr. Lonnie Wright, 1721 South Lulu, Wichita
Mr. David Calvert, 532 North Market, Wichita,
Ms. Shelly Hammond, Senior Vice President, Insurance Services*

INVOCATION: Pastor Daniel Syrcle, First Salem Church.

FLAG SALUTE

ROLL CALL

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

PROCLAMATIONS

- A** [15-0193](#) PROCLAMATION DECLARING VETERANS COMING HOME DAY.
Read by: Chairman Richard Ranzau.

RECOMMENDED ACTION: Adopt the Proclamation.

Chairman Ranzau said, "Commissioners, I have the following proclamation to read into the record:

PROCLAMATION

WHEREAS, veterans have stepped forward to serve our country and defend our way of life. With honor and distinction, generations of servicemen and women have taken up arms to win our independence, preserve our union and secure our freedom. From the Minutemen to our Post 9/11 Generation, these heroes have put their lives on the line so that we might live in a world that is safer, freer, and more just, and we owe them a profound debt of gratitude; and

WHEREAS, it is our obligation to serve our veterans as well as they have served us. We must ensure that every veteran has the chance to share in the opportunity he or she has helped to defend; and

[WHEREAS, veterans returning home from service have earned our respect and deserve our attention as they strive to reintegrate into the community they call home. Coming back to civilian life brings new challenges, new opportunities, and compelling stories of courage and accomplishment; and]

WHEREAS, we must come together as a community to support these Veterans and extend our commitment to welcome them home and provide resources and tools and assist them in finding their voice and telling their Stories of Service.

NOW, THEREFORE BE IT RESOLVED that I, Richard Ranzau, Chairman of the Board of Sedgwick County Commissioners, do hereby recognize April 1st, 2015 as

VETERANS COMING HOME DAY

"With respect for and in recognition of the contributions our service members have made to the cause of peace and freedom around the world."

MOTION

Commissioner Unruh moved to adopt the Proclamation.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Ms. Michele Gors, President/CEO, KPTS (Kansas Public Telecommunications Service), greeted the Commissioners and said, "A couple quick words about our

initiative we started and how this fits in. Veterans Coming Home Day is a mission all of its own. Like any mission, it requires careful preparation, disciplined execution and a contingency plans just in case things don't go as intended, because we all know that never happens. Regardless of primary objective for those who have served is to find appropriate support and resources once they return home. As part of a national partnership with PBS (Public Broadcasting Service), KPTS has created a localized website, KPTS.veteranscominghome.org. It's on your screen there, and you have cards before you, gentleman, with information about that website and address again. This is a place where veterans can find information and resources to assist in their reintegration back into society after service. These are tools they need to be successful upon their return, and it's a one stop place for everything they need. It includes stories of service, as well as resources and information for them. And it's all local. Community stories, community resources to assist our men and women of service right here at home. KPTS was very proud to be able to offer this service to our veterans. It's the least that we can do to support those that have sacrificed so much for us. So thank you very much for today's proclamation. We appreciate it, your time and attention and dedication to serving this community as well."

Chairman Ranzau said, "Thank you very much."

Ms. Gors said, "Any questions for me?"

Chairman Ranzau said, "I don't see any questions. Thank you very much. Madam Clerk, next item."

Adopted

B [15-0222](#)

PROCLAMATION DECLARING NATIONAL WALKING DAY.

Read by: Chairman Richard Ranzau.

RECOMMENDED ACTION: Adopt the Proclamation.

Chairman Ranzau said, "Commissioners, I have the following proclamation to read into the record:

PROCLAMATION

WHEREAS, cardiovascular diseases, including coronary heart disease and stroke, are the nation's leading cause of death and a leading cause of disability, accounting for about one of every three deaths of Americans per year; and

WHEREAS, the direct and indirect costs of cardiovascular diseases, including lost productivity, are an estimated \$320.1 billion, and obesity is a significant factor driving health care spending, accounting for an estimated 12 percent of growth in recent years; and

WHEREAS, regular activity can reduce cardiovascular disease risk and may increase life expectancy, but 50 percent of adults and 62 percent of children do not get daily vigorous physical activity; and

WHEREAS, regular walking has many proven benefits for an individual's overall health. Brisk walking for at least 30 minutes a day can help lower blood pressure, increase HDL "good" cholesterol in the blood, control weight and control blood sugar through

improved use of insulin in the body. All of these changes help reduce the risk of cardiovascular disease and stroke; and

WHEREAS, on National Walking Day, April 1st, the American Heart Association calls on everyone to wear sneakers, walk for 30 minutes and start a regular walking program and encourages Americans to become more physically active by walking.

NOW, THEREFORE BE IT RESOLVED that I, Richard Ranzau, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 1st, 2015 as

NATIONAL WALKING DAY

"In Sedgwick County and urge all citizens to show their support for walking and the fight against heart disease and commemorate this day by taking time to walk. Commissioners, what's the will of the Board?"

MOTION

Commissioner Unruh moved to adopt the Proclamation.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Ms. Nancy Duling, American Heart Association, greeted the Commissioners and said, "Thank you very much for the Proclamation. The American Heart Association is inviting the public to support the fight against Heart Disease by participating in this National Walking Day. This is a day that adults nationwide can make the pledge to start walking and become active and heart healthy. Here in Sedgwick County we have invited the public to bring their sneakers and hopefully it's on your calendar today, to join us at noon, just right outside here at Central and Main, and we just want to educate how easy it is to do a 30-minute walk, and so we have a great route planned for you to walk over to the Keeper of Plains. So we would love to have all of you down here at noon at Central and Main to join us for the National Walking Day. Thank you so much for letting us bring forward our mission to educate the Sedgwick County citizens."

Chairman Ranzau said, "Thank you very much, Nancy, for being here. We appreciate it. Madam Clerk, next item."

Adopted

CITIZEN INQUIRIES

C

[15-0192](#)

REQUEST TO ADDRESS THE BOARD OF COUNTY
COMMISSIONERS REGARDING NEPOTISM IN THE SEDGWICK

COUNTY EMPLOYMENT POLICY.

Presented by: Victoria Lovato, Andover.

RECOMMENDED ACTION: Receive and file.

Ms. Victoria Lovato, 1809 North Columbine, Andover, greeted the Commissioner and said, "I'm here today to address the nepotism policy held by Sedgwick County EMS. I'm a newly graduated paramedic from Hutchinson Community College and I am striving to get out and save lives. I've never known my path more than now than at this moment. My sister currently works for Sedgwick County as a paramedic and has for four years. I have looked up to her as a role model ever since I was little and especially now. Ever since I started my career path in EMS, I've always wanted to work for Sedgwick County. It's understood the policy was placed to avoid favoritism and conflict, and the difficult part of this policy is that EMS is a family-driven organization. I feel that the shared values, knowledge and morals between my sister and I will help contribute not only to our careers but in the EMS as a County as well. I as a paramedic strive to save lives and help others in their most vulnerable time of need, and I promise to do nothing but. I have had the honor of being inspired by two highly intelligent captains and paramedics from Sedgwick County. One of them being Tim Robin and the other being Kathy Baumert. I do have letters of recommendations from both of them, if I can present to you, if that's okay. I learned a copious amount of knowledge from the two captains and the other highly trained and experienced paramedics from Sedgwick County throughout my internship through paramedic school. I would be honored if given the chance to learn and share my knowledge through working with Sedgwick County EMS as they did for me. There is a wonderful system placed with the different shifts. There is x day and nights, and o day and nights. My sister and I could be placed on opposite shifts so I would never to be supervised or work along with her. This has proven to be successful in the past, and I care very much about my career and the people of Sedgwick County, and all I'm asking is to be given my chance to show my knowledge, perseverance, compassion through EMS in the County, Sedgwick County."

Chairman Ranzau said, "Thank you, Victoria. Commissioners, do you have any questions?"

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Howell seconded the motion.

Chairman Ranzau said, "If you want to give us any information for the record, that's fine, too."

Ms. Lovato said, "There's five each, recommendations."

Chairman Ranzau said, "Okay."

Ms. Lovato said, "And I thank you very much for your time."

Chairman Ranzau said, "Thank you for coming. We've spoken on the phone about this and had some e-mails, and I appreciate you taking the time and talking to us."

Ms. Lovato said, "Yes sir."

Chairman Ranzau said, "Madam Clerk, call the vote please."

VOTE

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

Chairman Ranzau said, "Madam Clerk, next item please."

APPOINTMENTS

- D** [15-0220](#) RESOLUTION APPOINTING GERI WATTS (COMMISSIONER DAVE UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.
Presented by: Jennifer Magaña, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Ms. Jennifer Magana , Acting County Counselor, greeted the Commissioners and said, "The Animal Care Advisory Board has been reestablished in 2015 and we're in the process of filling vacancies. This board has 10 members. Each Commissioner has two appointments. Each appointment is for a four year term. This resolution is for Commissioner Unruh, one which his appointments, appointing Geri Watts. This term would expire March 31st, 2019. I recommend you adopt the resolution."

Commissioner Howell said, "Mr. Chairman, I'd like to make a motion that we would put this item plus the next item together, if possible, appointing Geri Watts and Sandra Gritz for the same board."

MOTION

Commissioner Howell moved to adopt both Item D and Item E.

Commissioner Unruh seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>

Commissioner Peterjohn Aye
Chairman Ranzau Aye

Chairman Ranzau said, "Ms. Watts and Ms. Gritz are here."

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

Ms. Geri Watts, Appointee, Sedgwick County Animal Care Advisory Board, greeted the Commissioners and said, "Can't wait to get started. Thank you."

Chairman Ranzau said, "Madam Clerk, next item."
Adopted

E [15-0221](#) RESOLUTION APPOINTING SANDRA GRITZ (COMMISSIONER JIM HOWELL'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.
Presented by: Jennifer Magaña, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Item E was adopted with Item D.

F [15-0227](#) RESOLUTION APPOINTING DUSTIN NOE (COMMISSIONER JIM HOWELL'S APPOINTMENT) AS ROCKFORD TOWNSHIP TRUSTEE.
Presented by: Jennifer Magaña, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

MOTION

Commissioner Howell moved to adopt the Resolution.

Commissioner Peterjohn seconded the motion.

Commissioner Howell said, "May I make a couple comments?"

Chairman Ranzau said, "You may."

Commissioner Howell said, "I just wanted to let the Board know I did have a lengthy discussion with Mr. Noe, and I think he's a very good candidate for this position. He is truly committed to the position. He's going to pour himself into it. He has a long connection to the township. And I just think he's going to be a great appointment. So I'm looking forward to having you serve there, and seeing some of the problems you've had a township resolved today. Thank you for being here and for stepping up to the plate."

Mr. Arnold said, "I do solemnly swear that I will support the..."

Chairman Ranzau said, "I'm sorry we need to call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Howell	Aye
Commissioner Peterjohn	Aye
Chairman Ranzau	Aye

Chairman Ranzau said, "We're okay now, right? Now you can proceed. Sorry."

Mr. Arnold said, "I do solemnly swear I will support the Constitution of the United States, the Constitution of the State and Kansas and safely discharge the duties of the office of Sedgwick County Rockford Township so help me God. Congratulations."

Mr. Dustin Noe, Appointee, Rockford Township Trustee, greeted the Commissioners and said, "I do. I just want to thank the Commission, especially Mr. Howell, for their assistance to the members of the board of Rockford Township and the residents of Rockford Township in getting this matter resolved. It's been a long road, a little over a year, and I'm glad we can finally put this behind us and get to working on what really matters, and that's the continuous improvement of Rockford Township and the representation that the citizens deserve. Again, I thank you and I look forward to being an asset to the members of Rockford Township. Thank you."

Chairman Ranzau said, "Next item, please."

Adopted

NEW BUSINESS

G

[14-1930](#)

COUNTY EXTENSION QUARTERLY REPORT.

Presented by: Bob Neier, Ornamental Horticulture.

RECOMMENDED ACTION: Receive and file.

Mr. Bob Neier, Ornamental Horticulture, greeted the Commissioners and said, "First which all, Angela Jones, our County Extension Director, is taking a training session today and asked me to give this in her place. The extension service, Sedgwick County Extension service is a partnership with Kansas State University where we provide research based information for both rural and urban clientele and agriculture and horticulture family consumer sciences and 4-H and youth development.

"Today I am updating you on the Ornamental Horticulture Programs. Our extension agents, two of us in horticulture, we provide educational programming assistance to commercial horticulture industry as well as train 275 extension master gardener volunteers, and they provide the information and programming to the home gardeners. We are in our fourth year of drought. That's kind of hard to believe. It rains but still really dry out there. Wichita alone has lost over 38,000 trees in parks since 2000, and we're seeing that throughout the rest of the County, too. We emphasize drought tolerant trees in our educational programs for replanting. We've been provided educational support in the development of a new nonprofit group called I See Trees.

There is a flyer up there for you. This is developed by Barney Barnhart, one of our extension Master Gardeners. He got the idea about this through going through one of our volunteer training classes. I See Tree's purpose is to restore, promote and protect Wichita trees, and this will include working with Sedgwick County on some initiatives. We provide drought tolerant tree selection information at the outdoor living and landscape show. We handed out over 2,000 stratified acorns this spring, ready to grow, sponsored 20 hours of seminars at the outdoor living show with attendance of 1,304 at the seminars. We're holding our 14th annual Tree Festival, and you have the flyer on that at the extension office on April 11th. We'll be having seminars, demonstrations on planting and growing landscape trees. We do have two of the top people in the State from research and the community development on speaking on their four trees.

"Update on the courthouse landscape, the flowers in commercial areas and downtown, they add a quality of life to communities, and the plantings you've had out here for the last three years have been provided. You've been paying for them but all the labor and installation and maintenance by our extension Master Gardners, and Charlene Snyder, who had been leading that passed away this winter, but her crew will keep doing that. Our extension master gardeners will be receiving the top national award for Horticulture Therapy at the International Master Gardener Convention in Council Bluffs Iowa in September. This is for teaching assessable gardening programs to clients and activity directors at facilities for differently abled gardeners. This includes the ARC, Cerebral Palsy Research Foundation and Via Christi. Thank you for listening. I'm open to any questions you might have."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Quick question here, if I could on this report, it says the trees produce oxygen into the air. One mature tree produces all the oxygen for two people. Their leaves filter the air and reduce with air pollution. Can you give me more details on terms of what their pollutants..."

Mr. Neier said, "It mainly pulls out particulate matter that attach to that and go on down. And carbon dioxide, through photosynthesis, are plants bringing in carbon dioxide and release oxygen."

Commissioner Peterjohn said, "That's very correct. In fact, you and I are both exhaling carbon dioxide into the atmosphere at this very moment, as are all other mammals. I consider carbon dioxide part of the cycle of life, I do not consider it a pollutant. When we put out material that says air pollution, I think it's at best misleading and frankly at worst I think it's factually incorrect. If we had no carbon dioxide in this atmosphere, plants could not grow. If there were not plants, besides Bob and I not having a horticultural position, there wouldn't be any plants growing in Kansas and anyplace else in the world, and every life form that's dependent upon plants would be in a world of

hurt. So I have a problem with the politically correct notion that carbon dioxide, which is part of the natural cycle of life is a, per se, pollutant, and I urge folks who believe that to stop exhaling carbon dioxide into the atmosphere.

"But having made that as a comment, I wanted to try and get a better understanding here, because it's very important that the young people understand that natural cycle. Obviously horticulture is vitally important. We're an agricultural state in many ways right now, and being in a position to be able to grow plants is absolutely critical for our economy and I think our nation's future. Anything that we might put out that might create problems or might be misleading in that regard I don't think is helpful."

Mr. Neier said, "We will look at an edit on that, but there are things in addition to just animals breathing."

Commissioner Peterjohn said, "That's well and good, whether it's particulate matter or anything else that is out there, particularly vital organic compounds, but I've never seen that claim made, but I have seen the claim made on carbon dioxide. I appreciate you coming down and giving us the quarterly report. Thank you."

Chairman Ranzau said, "What's the will of the Board?"

MOTION

Commissioner Unruh moved to receive and file.

Chairman Ranzau seconded the motion.

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

VOTE

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

Chairman Ranzau said, "Thank you, Bob, very much, for your presentation today. Next item, please."

Received and Filed

H [15-0174](#)

DISSOLUTION OF JOINT CITY-COUNTY BOARD OF ZONING APPEALS (BZA) AND CREATION OF COUNTY BZA.

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

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Robert W. Parnacott, Assistant County Counselor, greeted the Commissioners and said, "This matter was placed on the agenda by the request of the Chairman so we prepared a resolution and are prepared to brief you on this. I don't necessarily have a staff recommendation to make but certainly will answer any questions after I'm done with my presentation. We do have to have a Board of Zoning Appeals. It is required as a condition of having our zoning code in place, because the Board of Zoning Appeals

provides a very valuable function of being a safety valve to the strict application of the zoning code. It might create an undue hardship on a property owner who wants to use his property for some purpose. The Board of Zoning Appeals is a necessary function of the planning and zoning activities of the County. We have had one since I've been here, of course, and even further back then. Prior to 2013, we had a County Board of Zoning Appeals that was consisted of five members. The Board of County Commissioners in 2013 decided to consolidate the County Board of Zoning Appeals with the City Board of Zoning Appeals and created a Joint City County Board of Appeals effective as of January 1st, 2013. This proposed resolution would go back to what we had in place prior to 2013. The five-member board, four-year terms, pretty much the same type of jurisdiction in terms of considering variances in appeals. We would also provide for them to hear exceptions, when and if exceptions are created as part of the zoning code.

"Fees can be set for the Board of Zoning Appeals. You currently have fees set for the Joint City County Board of Zoning Appeals. We would adopt those same fees as they were recently amended, of course, back earlier this year. We would have those in place, and the one interesting part of, or thing I should mention with the Board of Zoning Appeals is they are really a separate board from you guys and if anybody is unhappy with the decision of the Board of Zoning Appeals, that gets taken to the district court rather than going through you, so they are a separate board in terms of appellate jurisdiction to the district court. If I can answer any other questions, I'd be more than happy to, otherwise I'll turn it over to you for discussion and comment."
Chairman Ranzau said, "Thank you, Bob. First I'd like to ask if anyone from the public would like to speak on this issue. Please give us your name and address, as if we don't know it already."

Mr. Lonnie Wright, 1721 South Lulu, greeted the Commissioners and said, "I would prefer you not adopt the resolution. To me, it is moving away from our consolidation and it is moving towards a separate identity of the County from the City which I think a lot of our residents don't see that kind of distinction and it would give us two sets of rules. I prefer we try to work, you know, on the consolidation, and rely on the citizen boards granting variances when it's appropriate. Thank you."

Chairman Ranzau said, "Thank you, Lonnie. Anybody else? Commissioners, do you have any questions or comments for Bob? Commissioner Norton."

Commissioner Norton said, "Bob, over the last five years, how many times has the BZA met or maybe last year?"

Mr. Parnacott said, "Within the last two years, we've had one County Board of Zoning Appeals Case. Within the last five years, the three prior years involving the County run BZA, I can remember two or three, probably maybe four tops. So we run an average of one or two a year at best."

Commissioner Norton said, "It seems like it's much to do about nothing to change this. There are very few cases, and the citizens that have been appointed are legally responsible for the decisions, and it is our appointee, so it makes up folks that we have faith in. So I see no reason to put this back up, particularly depending on the ability to pull people together, have meetings. There's so few of them, it becomes hard to find people to serve, because they don't meet very often. So personally, I'm not going to support this today."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I appreciate the citizen input this morning, but I have a little bit different take on it. We've had this board in place, and Commissioner Norton is absolutely right, it hasn't met very often. But having said that, the structure that we put it into where it was, in effect connected to the appointees with the City Council, not just the appointees from the County, I view it as problematical. To make it even worse, in my opinion, you had folks who had City appointments, it becomes unclear where the responsibility lies. So even though it hasn't met very frequently, and I think that's a good sign in a sense in terms of the zoning system is working, I'd feel much more comfortable reverting to the system we had in place, and I will be supporting the measure this morning. Thank you, Mr. Chairman."

Chairman Ranzau said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Well, I understand the logic of separating these boards again, but this has been a joint board now just for two years actually, and the combining of these boards the, Metropolitan Area Building Code Department (MABCD), if I got that all right, was a long and arduous tasks to get those boards combined, and the Board of Zoning Appeals combined, and we wanted to have a unified system for everybody in Sedgwick County, and this is worked on real hard by the Trade Associations and by the Wichita Area Association of Builders and I think everybody was on board. I think dismantling that hard work after just a couple of years is not the right step to take. I think our citizens in general want us to have consolidations and combinations and efficiencies, and this was a step in that direction, and to dismantle it at this time I think would be premature without clear evidence of some problem that we're trying to solve. So I will also not be supporting this resolution."

Chairman Ranzau said, "Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. Bob, do you have any idea approximately what percentage of Sedgwick County is contained within the city limits of Wichita? Any idea?"

Mr. Parnacott said, "All of Sedgwick County is contained within the city limits."

Commissioner Howell said, "I asked that backwards. How much of our County is Wichita?"

Mr. Parnacott said, "I do not have a good number on that, to tell you the truth."

Commissioner Norton said, "It's about 75 percent."

Commissioner Howell said, "I heard a number much smaller than that previously. I don't know if anybody knows the answer to that question."

Mr. Parnacott said, "Mr. Schlegal is here from the planning department. He may have an idea."

Commissioner Howell said, "Thank you."

Mr. John Schlegel, Director of Planning, Metropolitan Area of Planning Department; greeted the Commissioners and said, "As of the 2010 census, it was about 75 percent of the Sedgwick County population lived in the city of Wichita."

Commissioner Howell said, "That's not my question. I'm talking about land mass. How much of the borders of the City of Wichita...?"

Mr. Schlegel said, "I do not know the answer to that question, sorry."

Commissioner Howell said, "I've heard somewhere around 25 percent to 30 percent. I guess my thought would be that the County ideology may be vastly different than those from the city. This is not negative towards them in any way, but I just think that people who live in a city and have a mindset of city standards and desires and visions might make different decisions than someone who is focused on County issues. So to me, I think this board separation actually does make sense. I understand it worked very well for many, many years. So I guess I would be supportive of the resolution. Thank you."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, Mr. Chairman, I wanted to just kind of touch base because I've heard differing number on the number of square miles in Wichita, but Sedgwick County is a little bit over 1,000 square miles, and I've seen slightly varying numbers in terms of that. I was just trying to pull up some information when you raised that question, because I thought it might be something I might be able to pull down from online real quickly. But the numbers I've heard have been more in the neighborhood of about 175 to 200 square miles. I only have about, not a huge, huge confidence in that figure. According to location I've just popped up on my screen, it says just a shade under 164 square miles is the City of Wichita. Do you know what, you said the County has how many square miles altogether?"

Mr. Parnacott said, "A little over 1,000."

Commissioner Peterjohn said, "So we're you talking about roughly 15 percent."

Mr. Parnacott said, "Between 15 percent and 20 percent."

Commissioner Peterjohn said, "I guess I would just see that a large portion of our County directed by those that happen to live within one of our cities that represents about 15 percent of our land mass to me is not the right policy. So again, in making the argument, I would support the resolution today. Thank you."

Chairman Ranzau said, "Bob, clarify. This BZA is related to the MAPC (Metropolitan Area Planning Commission) process? It's not going to hold up MABCD consolidation?"

Mr. Parnacott said, "It is separate. This has to do with the Planning and Zoning Department, not the Code and Building Code Enforcement Department."

Chairman Ranzau said, "That's my understanding. Those are two different issues. I think there's some confusion about this. This is not dismantling or disrupting anything to do with MABCD consolidation, which I think we have all supported here. The fact of the matter is, as it currently exists, half the people that vote on this are City of Wichita appointees. I'm not sure it makes sense to have City of Wichita appointees decide decisions for people out in the unincorporated area. There's often a different view point."

And I think how we had it before was working just fine for years and never should have been changed to begin with. I know my appointee to the BZA was very disappointed to see this change originally happen. So we'll just put it back to how it was, and this is a better way to address these issues. I will be supportive of this. We don't have a motion at this time, do we?"

Ms. Kim-Anh Do, Deputy Clerk, greeted the Commissioners and said, "We do not."

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

MOTION

Commissioner Howell moved to adopt the resolution.

Chairman Ranzau seconded the motion.

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

VOTE

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

Chairman Ranzau said, "Thank you, Bob. Madam Clerk. Next item please."

Adopted

I [15-0187](#)

RESOLUTION TO AMEND BUILDING CODE PROVISIONS OF THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE AND TO ADD A PROVISION REGARDING STANDARDS FOR ACCESSIBILITY WITHIN THE SEDGWICK COUNTY JURISDICTION. Presented by: Thomas Stolz, Director, Metropolitan Area Building and Construction Department (MABCD).

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Thomas Stolz, Director, Metropolitan Area Building and Construction Department, greeted the Commissioners and said, "I am here today to discuss a resolution which approved, would effectively remove the Sedgwick County Jurisdiction from certain ADA (Americans with Disabilities) plus amendments within the current Unified Building and Trade Code. Some quick background, prior to 2012, the City of Wichita's office of Central Inspection and Sedgwick County's Code Department operated independently of one another. Both jurisdictions operated under the exact same international code sets, but both had constructed certain amendments to those codes for their specific jurisdictions. During 2012 and the months leading up to the merger of the two departments, legal staff in both the County and the City worked with code staff to consolidate the City and County amount into one document, which became known as the Unified Building and Trade Code. This was quite an undertaking because MABCD is responsible for enforcing 12 different code manuals, including ADA and fair housing standards. Since the onset of the merger, MABCD has adopted new trade codes and are currently in the process of adopting new residential and commercial building codes.

During these adoption processes, staff and key community partners have been scrutinizing the hundreds of amendments contained within the unified code. Regarding the trade laws, which we adopted, some of the local amendments were kept and some were not, depending on various circumstances as we adopted the new code. We are currently going through a similar process with building codes, commercial building code.

"As we were reviewing the building code, Chairman Ranzau brought to my attention a series of code amendments under section 2 of the Unified Code pertaining to accessibility requirements. On face value, these amendments appeared to add regulation above and beyond those called for by the Americans with Disabilities Act. Upon closer review, four of the right questions amendments did add regulation over and above ADA and thus are termed ADA plus regulation. When County and City legal staff combined the code amendments back in 2012, these amendments were brought over from old City of Wichita amendment sets. Presently, the Chairman requested County legal staff and I create today's resolution to remove Sedgwick County from those ADA plus amendments and bring the matter before the entire board of County Commissioners to discuss.

"The germane amendments regarding today's resolutions are as follows and there are four. Amendment 2.21070, Title 3 of ADA gives an exemption for religious entities and private clubs. The current amendment in UBTC takes that exemption away, thus all religious entities should comply with ADA. The upshot is if the BOCC (Board of County Commissioners) passes this resolution today, it will grant the ADA exemption for religious entities and private clubs built in Sedgwick County, unincorporated County. Second amount is item 2.21080. ADA does not mandate the addition of unisex bathrooms in commercial buildings. It recommends it but doesn't mandate it. This amendment requires buildings with six water closets or more build a unisex bathroom. The upshot is if the BOCC passes this resolution today, unisex bathrooms will not be required in County jurisdiction. Amendment 2.21130, normal ADA regulations call for bar or counters where over 10 seats are available to modify and lower a 36-inch portion of the bar assembly to accommodate wheelchair accessibility. The amendment expands that to at least 60 inches so that a client in a wheelchair, plus one other patron can be seated together.

"Thus if the Commission passes this resolution here today, the extended bar modification will not be required in County jurisdiction. And finally, amendment 2.21140. ADA calls for universal design rules for parking in front of commercial businesses. The design calls for parking stalls that measure 8 feet by 5 feet with every seventh stall van accessible and those van accessible stalls measure 11 feet by 5 feet, 16 total feet. This amendment calls for every parking stall to be van accessible, the current amendment. Thus all parking stalls, ADA parking stalls, have to be 11 by 5, 16 total feet. Hence if the Commission passes this resolution today, the universal design standard would be held for County commercial projects as written in the ADA.

"In conclusion, after this resolution was drafted, I vetted it in front of two bodies. One was the Wichita Sedgwick County Building Codes and Standards Appeals Board. This group voted in support of the resolution by an 8 to 1 vote as a matter of simplifying the

current code followed in this jurisdiction. The dissenting member, who is a major commercial builder in this County voted not to support the resolution because he prefers code amendments to be the same in the City and the County. He indicated he would be supportive of the resolution if also adopted by the City of Wichita. I also discussed a resolution with the Wichita Sedgwick County Access Advisory Board. This group voted 13 to 0 against the resolution, with three abstentions, those being County employees. This group viewed this resolution as a setback to the rights of Americans with Disabilities and described the action to me as a policy of exclusion. At this point, staff recommends discussion of this matter and we will take whatever action deemed appropriate by the Commission, and I'd be glad to answer any questions."

Chairman Ranzau said, "First, I'd like to ask if anyone from the public would like to speak on this issue."

Mr. Wright said, "I oppose the concept of the County having a separate identity to the City, speaking about the previous issue and what continues. I don't feel most of our residents have that distinguishing thing going on. I feel like the County wants to fight against the city in the whole spirit of the consolidation. You know, 75, or most of the work on zoning is the city. Most of the people affected are the city people. And yet, they gave up a proportionate membership on the board. Half of it could be the County. So I am disappointed with that spirit. Secondly, the ADA proposal I think is unnecessary. These are typically the things that are technical, quasi-judicial, technical boards deal with, building, plumbing, mechanical, and electric. We regularly get, not monthly, but we regularly get requests for variances to the codes, because there needs to be exceptions. Our whole things with our technical boards are, when we get these national codes and stuff, we go through there, we see what we don't need, what's not appropriate, but still there may be instances where a strict application isn't appropriate. We don't need more government here. We don't need to make two different rules for the City and the County on ADA. It needs to be simplified, I feel, instead of enacting or doing this. We need to just let the boards do their job. Thank you."

Mr. David Calvert, 532 North Market, Wichita, greeted the Commissioners and said, "The ADA is the only reason that this podium is low enough for me to utilize when I'm speaking. I would like to tell you that I've been working on ADA work for about 20 years. I went to college at Emporia State University. Back then it was called Kansas State Teachers College. The reason I went to that college was that it was the only college, the only college in the State of Kansas that was accessible to people with disabilities. The next closest college for me to go to was in Illinois. No other college here was accessible. Fast forward to the ADA, which was passed in 1990, and now and since then, all colleges are accessible, and not only all colleges, all businesses. The ADA had certain regulations adopted by the Department of Justice. Those were adopted in 1992. They're called ADAAG.

"Those are the standards that we live with for about 18 years. Those standards needed some modification in order to make them really good for people in Kansas, and we have modified those a little bit for ourselves, and those are the ADA plus. Those are

the 8 in particular that you have on your agenda. Since that happened, the standards were changed. In the late 1990's, United States Access Boards started working on a new set of standards. The Access Board, which really doesn't have any power, adopted the new standards in 2004 and sent them over to the Department of Justice, which studied them, modified them a little bit, and finally adopted them in 2010, and those became the 2010 ADA standards. Those standards and the FHA, Fair Housing Act Standards, adopted four of these standards that you're considering today.

"So if the resolution passes, it won't have any effect on four of those standards. As to the other four, it will have a certain effect. The history of the ADA in Wichita is that in the 1990s and the early 2000s, there were difficulties with ADA enforcement and the ADA application by the City of Wichita. There was a lawsuit started in 2004 against the City, and that lawsuit was resolved by a settlement agreement. As part of that settlement agreement, the Wichita Access Advisory Board was created. I ended up being on that board and was elected Chairman of it, and I've been trying to get out of that job ever since and been totally unsuccessful, and I'm still the Chairman of it. Later in the 2000s, I had an occasion to meet with representatives of the County, including the County Manager, and the statement was made, we're going to comply with the ADA, and we're going to adopt it, and we're going to really get aggressive on it, because it's the right thing to do. And I think I'm quoting you correctly, Mr. Manager. And the Commission adopted that philosophy. The County hired a full-time ADA coordinator. The County eventually asked that they be allowed to join the Wichita Access Advisory Board. That was done. The board became the Wichita Sedgwick County Access Advisory Board with representatives appointed by each Commissioner, a representative, I think, by the County Manager, and plenty of representatives from the County. With that kind of history, it's been the philosophy of this County and this Commission, historically, that we would be a County of inclusion, not a County of the exclusion.

"This resolution is absolutely a step backward. I've written to each of you the same letter, and I am not going to read that letter to you at this point. I would like for it to be incorporated and become part of my remarks, but it addresses in particular those four areas that would be affected by this resolution. First is the unisex bathroom. You know, until you've spent time in a wheelchair, and I can almost assure you that if each of you live long enough, you will spend some time in a wheelchair. Most people die before they have that type of disability, but you've got that to look forward to, and it really isn't all that bad, because the seating in the arena is really great. But I want to tell you that there are people whose disabilities are so severe that they need assistance going to the bathroom, and many of those people have spouses or other family members of the opposite sex, and that's why they use unisex, which are also called family bathrooms. Check the turnpike bathrooms that have unisex bathrooms. There are plenty of times that you have to wait to get in to that bathroom. The proposed change on bars simply says that if I go to a place like Applebee's, like Bite Me Barbecue, which I go to when my wife is out of town, and they have a long bar

there, if they only have a bar for one wheel chair and that's all the wider it has to be in a lowered area, that means I sit there and my wife sits higher. We really do like to sit together. And the modification simply requires that it be 60 inches wide instead of 36 inches wide.

"As far as parking is concerned, the fact of the matter is existing ADA, the old one, simply said that a van accessible space was 8 feet wide with an 8 foot access aisle. Unfortunately, there are too many people that believe that the access aisle is a parking space, and I can't tell you the number of times that I've come out of a store to find that somebody has parked in the access aisle. I can't get the door open to the ramp, and all I can do is just wait for them. With the change made by the City, it's marvelous, because every space is an accessible space for ramp vans, and the use of ramp vans is growing in leaps and bounds. When the ADA came out in 1990, we didn't have ramp vans. Those are something that is a creature of new technology. The fourth area is to exclude churches from the building part. Now, keep in mind that the ADA consists of more than just the access. It consists also of employment regulations. Churches and private clubs will still be excluded under that, and they're excluded now from the application of the ADA. But I have yet, and I spoke with a pastor here this morning, I have yet to talk to a pastor who has said to me, we really don't want people with disabilities to come to our church, and every church I've been aware of, to the extent they are able to do it, financially do it, to the extent the church is physically able to be modified is modifying them. It's a no-brainer for churches, but to approve the exclusion of people with disabilities from churches is just beyond the realm of my way of thought. In short, which I have not been, this is a big step backwards, and I can't pick the right word now. I'm surprised that it even made the agenda, but it's not a step forward at all. It's not an improvement, and I urge all of you to vote in opposition to the resolution. I'd be glad to answer any questions you may have. You know, I'm talking for 38,000 people in this four-county area."

Chairman Ranzau said, "Thank you, Dave. I'll give this copy of your letter to the Clerk to enter it into the record, thank you."

Mr. Calvert said, "Thank you."

Chairman Ranzau said, "Commissioners, do you have any questions for Mr. Calvert? Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes. Let me walk through a couple of things, because you mentioned there are eight provisions and that four didn't change anything, but your letter, I think, cited, I'm looking through here trying to make sure. I think you cited five, four or five, at least four, and maybe five different."

Mr. Calvert said, "Four above my signature and four below my signature."

Commissioner Peterjohn said, "Well, I wanted to make sure when you said four really weren't off the table here, which ones fell into which category, and which of the four fell in."

Mr. Calvert said, "The ones that will be affected by this resolution are the ones relating to the exclusion of churches and private clubs, the one relating to shortening the bar area from 60 inches down to 36 inches, which is what the resolution would do. The one

eliminating universal parking, which is an 11-foot wide parking space with a 5 foot access aisle, and the one eliminating unisex bathrooms."

Commissioner Peterjohn said, "Okay. Well, I wanted to, there were a number of different sections alluded to, and it wasn't clear to me which ones fell in. Let me walk you through, just so I understand, you mentioned the history of the ADA when Congress passed it in 1992. Could you tell me about the amendments that Congress passed, did you say, in 1998?"

Mr. Calvert said, "The only amendment that has been to the ADA has been the ADA Amendment Act of 2008, which really applied to the definition of disability for the purpose of Title 1, which relates to employment. That's where that was really effective."

Commissioner Peterjohn said, "Our provision here wouldn't impact any of those."

Mr. Calvert said, "It doesn't impact that at all. So in 1990, the ADA was passed. The attorney general was asked to draw regulations, and those regulations were first drafted by the United States Access Board, and from the Access Board, they were then sent to the Department of Justice for tweaking and adoption, and then they became part of the law."

Commissioner Peterjohn said, "Congress doesn't pass it? The Department of Justice did?"

Mr. Calvert said, "Well, yeah, it's the regulatory process."

Commissioner Peterjohn said, "I'm one of those old-fashioned quaint folks who think under the Constitution I think it's Article 1, the powers are with the Congress to make law. It's not with bureaucracy, but okay. I'm listening. Okay. So Congress actually did act in 1992, and there were some changes enacted in 2008 in an area that we're not talking about here in terms of employment. In 1998, 2004, 2010, were basically administrative bureaucratic changes of some sort. Is that a fair statement?"

Mr. Calvert said, "Fairly. The ADA was passed as law in 1990 and signed by of President Bush. And the responsibility for drafting the regulations is set forth in the law. Congress said in the law, we want you to come up with the regulations and the Department of Justice did that. They did them with ADAAG in 1992 and then modified them, modernized them in 2010."

Commissioner Peterjohn said, "Well, I think it's important and I appreciate the history and the background of how we got here, because obviously the Americans with Disability Act has had a profound change in a whole number of areas, and as you pointed out, there are a number of changes that have occurred that have made things more accessible to folks regardless of whether they have, what type of health problem they may be facing, whether it's mobility or vision or hearing or whatever. I wanted to get a little bit better understanding of when you mentioned those changes kind of how we got here, because I'm trying to follow what Congress is doing, and have a better understanding of how we got here. Those are my questions for the moment. Thank you, Mr. Chairman"

Chairman Ranzau said, "Thank you, Dave. Wait. Commissioner Howell has some questions."

Commissioner Howell said, "Thanks for being here, Mr. Calvert. Just a couple quick questions for you. Do you know when did Wichita adopted the ADA plus regulations? When did that happen?"

Mr. Calvert said, "That was done before consolidation, and I think it wasn't all done at the same time, and I'm not really sure about the years that it was done."

Commissioner Howell said, "It seems like we've lost the history on that a little bit. I've asked that question to a few folks, and I've not yet got a good answer to the question. But to make sure I understand this, if this resolution does not change anything and if it was not to pass, then our code requirements would require that every ADA parking space would be a 16 feet wide space; is that correct"

Mr. Calvert said, "Sure."

Commissioner Howell said, "So right now the standard is one van accessible space, which is 13 feet wide for every six standard spaces, is that correct?"

Mr. Calvert said, "No, van accessible space now is 16 feet wide."

Commissioner Howell said, "And every other space is 13 feet."

Mr. Calvert said, "And every other space is 13 feet, if the parking space is eight feet. That's what is required. Most spaces that I see are really 9, 10, 11 feet."

Commissioner Howell said, "Do you know what the minimum standard space is?"

Mr. Calvert said, "Probably 8 feet. I don't know."

Commissioner Howell said, "I looked it up yesterday, and I think it's 90 inches, so it's 7 and a half feet. And so that's what I discovered anyway. So 90 is the standard space and the 96 inches, plus a 5-foot aisle for ADA, and 16 foot for van accessible. And that is one out of every six space, one van space and an extra five feet. Extra three feet, I apologize."

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

Commissioner Howell said, "So if this doesn't pass, then when someone goes to stripe the parking lots, they have to comply with reconfiguring those parking lots, is that correct?"

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

Commissioner Howell said, "Mr. Chairman, I would just like to make a comment, and that is I do appreciate what ADA provides for our people of special needs. I think it's extremely important, and I like the fact that our country has moved in this direction, and I appreciate the fact that we are sensitive to the needs of people who have special needs, and I appreciate what ADA is trying to accomplish and all of that. But I do have a principle, and that is I like small government and I do like to not create regulations at the local level. Really, that's, I guess, the underlying motivation for me to probably support this resolution today. The issue of churches, those are not businesses. Those

are essentially private property, which is why I believe they're exempted, the same as private clubs. They're not places that the broader public would necessarily access. They're considered private property, and so that may be why they're exempted. Can you answer one more question for me, Mr. Calvert? The issue with the unisex bathrooms, is it one unisex bathroom for every six fixtures?"

Mr. Calvert said, "It's not one for every six the way I read it. It's if there are six, at least there must be a unisex bathroom. So if there are 12, there must be one unisex bathroom."

Commissioner Howell said, "Is that six the total for men and women? Is that six total or six per...?"

Mr. Calvert said, "I'm not sure which it means. I think have you to ask Tom how they enforce it."

Commissioner Howell said, "I guess my thought would be probably six total."

Mr. Calvert said, "I would think so."

Commissioner Howell said, "So again, this is one of those issues that potentially for someone to have to comply with this one would potentially be pretty expensive as well."

Mr. Calvert said, "Well, it's only going to happen in new construction."

Commissioner Howell said, "I understand that. The bigger concern, I guess, for the issue of restriping parking lots is a pretty big deal. Mr. Calvert, thank you for your time. I appreciate your comments today."

Mr. Calvert said, "I will say the issue of restriping parking lot has not created any difficulty that I'm aware of. We've not had a complaint about it. You've just got to be there, Commissioner, to find out what I'm talking about."

Commissioner Howell said, "I understand. Thank you."

Mr. Calvert said, "I've got an extra wheelchair I've I'll loan to anybody that wants to try it."

Commissioner Howell said, "Thank you."

Chairman Ranzau said, "Any questions for Tom? Comments? Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Tom, it was made clear by Mr. Parnacott that this was not a staff-originated recommendation, but can you tell me in discussing the changes, has the Wichita Area Builders' Associations weighed in on it, have the Trade Associations weighed in on this?"

Mr. Stolz said, "On this resolution?"

Commissioner Unruh said, "Yes."

Mr. Stolz said, "The BCSCA has members that you guys appoint and the City Council, and some of those members belong to WABA and so they have had input through that

advisory board. I haven't taken this to the WABA body, and nor have I taken it to the Trade Advisory Boards."

Commissioner Unruh said, "Have you had comment from them? I mean, I know we've had comment from Lonnie this morning."

Mr. Stolz said, "The Advisory Boards speak in terms of unification, and they want to do things the same. They're supportive of this merger. All trade boards, all trades people, all builders, all the developers are all architects, speak frequently about this consolidation, how they appreciate it, and they want one set of rules, and they want them to be clear, and they want them to be consistent and enforced the same every time. They speak in generalities about that. We do have, I will mention, we do have in the unified code currently some separation between the City of Wichita and Sedgwick County. There are just times where things are different in the County or different in the City, and we have bifurcated that code to some degree. Now we're trying to over time minimize that to where we have one unified code, and there is no delineation between codes between City and County. We're not there yet. That will answer your question."

Commissioner Unruh said, "I think you have answered my question, and I appreciate it. On these codes, if we do not adopt this resolution and there is legitimate reason for a waiver, I mean, a project can apply for a waiver? If somebody has got a project out in a rural area and they say, hey, don't need certain, they can apply, and does that work?"

Mr. Stolz said, "Yes. We get frequent waivers. There are circumstances which we get waiver requests from the city. If they can show certain areas of work where someone with special needs could not perform that capacity and that area is not open to general public, they can come in and ask for a waiver for that particular area. We scrutinize those, look at it as a board. We have Bryan Coon that works for the City of Wichita. He's very knowledgeable in ADA, probably the second most knowledgeable following Mr. Calvert. And we talk about that, and we decide many times to grant waivers if there's just reason to do so, and that's allowed by code."

Commissioner Unruh said, "Okay. Well, this is a difficult decision for me, but I mean, I am generally very supportive and want to see the unification that you mentioned, and I know that all those professional groups and trade organizations are very much in favor of a unified system, you know, one set of rules, evenly enforced, and we do take a great deal of, we take our advisory board seriously, at least I always have. With this advisory board, Wichita Sedgwick County Access Advisory Board, it looks like it's pretty unanimous with all the different members who signed on to the letter presented by Mr. Calvert. They're all in favor of this unified code as it stands. But I do realize that in many cases the restrictions are, you almost call them oppressive, but I suppose that if there is a waiver process for that, then that eliminates that reasoning. So anyway, thank you, you answering my question. That's all I have."

Chairman Ranzau said, "Commissioner Norton."

Commissioner Norton said, "I'm not going to support this proposition. First of all, I think we have a mechanism for a waiver that takes care of any small amounts of this will happen. I've been a Commissioner for 15 years, and I get very, very, very few complaints about ADA regulations and what it does to business owners. The truth is, I think we have an obligation to that population in our community, just like we do to many other populations that struggle, that need help. It's tough enough, I think, to be disabled and have limitations without bifurcated regulations that a small city might have, a large city might have, a County might have, individual groups might have, businesses might have, and the more we can standardize it and push all the information through the filter of a very qualified group, which is the access advisory board, makes sense. The other thing is I look forward in society. We're an aging population. We're going to have more need for accessibility and regulations that accommodate that.

"We have more disabled veterans coming back through the wars than ever, and we're going to have to deal with that, and they're going to be in the general population. More than that, we have more rules and regulations and thought processes and values in this country to be inclusive for people to have limitations and disabilities. It's not going to be less numbers of people. It's going to be more, and the more that we can think about that, the better we'll be as a society. So I'm really for more accessibility, more accommodation. As you do for the at least of these, you do to me, also, and that will always guide my decisions. So I'm not going to be supportive of this. I think we're fine just where we're at. Thank you, Mr. Chair."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you. If you could help me out, have the building codes between Sedgwick County has, to the best of your knowledge, and the building codes that the City of Wichita has, have they ever been unified to the best of your knowledge? Have they ever been the same?"

Mr. Stolz said, "I don't believe so, not the amendments. The County and the City historically have mirrored what code they adopt. In other words, they'll adopt 2006 International Building Code, and both entities adopt that. It's the amendments that separated City from County, and that's what had to be unified back in 2012. To answer your question directly, yes, they have always had the same codes, mostly always had the same codes, but as far as I know, they've never had a similarity between amendments, and that's the challenge of 12, to take two sets of amendments, merge them together as best legal staff could and recognizing there are still some differences today in unified code between the City and County."

Commissioner Peterjohn said, "That was my recollection, too, and I wanted to get that on the record, because I think it's important, because we have to a degree, a nonstandardize system today, and to pretend that we don't I think is not realistic. And since there are differences between the City and the County versions, although we're

basing it, like you said, on roughly the same national codes, although those keep changing every couple of years, too."

Mr. Stolz said, "We are in sync with that, but we are now adopting national codes together in one. So when I approach you in a couple weeks about international residential code, it is going to be for City-County jurisdiction, so that piece is done. The amendment issue is still something that will come up every so often, and we should talk about them and determine whether they keep them or not. That will continue to be discussed for years."

Commissioner Peterjohn said, "Well, when you say amendments, it's basically our local version of what those national codes are."

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

Commissioner Peterjohn said, "And in a sense, that's kind of what we have today, and that's a challenge before me. I was considering looking at a report that recently came out looking at the cost of regulation, and the cost of regulatory burdens and local mandates, because they basically said, talking about regulated business and actually it's really, I don't know of any business in this country at this point that isn't regulated in one form or another. But looking at the mandates coming down at the local level and what we're facing and the challenges in terms of predictability, uncertainty that are put in place and also increased costs that are provided, and so my vote is focused on those issues. And having said we've got a national framework that the Americans with Disabilities Act has put in place, we want to provide for folks who are struggling, but if we're going to be creating extra burdens at the local level that aren't part of the law that's in place, that's not part of the Americans with Disabilities Act, we need to enter into this with our eyes wide open and being willing to understand what cost and burdens we're going to put on our local economy."

"There is a lot of effort and talk about we need to create jobs, we need to strengthen our local economy. If we've got additional regulations and burdens that have been put in place, whether it's bureaucratically, without any elected officials actually making a vote, or if they are cast by elected officials, like we're talking about today, it should be done with full transparency in the full light of day and with the public being able to see what's going on as opposed to having a situation where you've got a bureaucrat making some decision. Now, having said that, I would hope that the Federal Government, when they change their rules, they would do it in full compliance and have Congress act as opposed to saying, okay, we're going to delegate this to a third party and let them make the law instead of where we're at. But if we want to have a situation where we can be compassionate, we need to have certainty. We need to have structure that provides a basis. I'm concerned that if we get into the business of providing our own additional rules and regulations, adding costs, adding uncertainty, I think it creates a problem for this community economically going forward."

"And the question is, at what point do we go beyond that, go beyond what the national rules, what the national ADA has called out by statute. So I'm very much concerned about putting additional costs in place. We've got a challenge today. We've got two committees basically that are pretty much on both sides of this issue in terms of where we're at. And we've got to make a decision going forward in terms of should we put some additional local rules in place, and if so, where is the limit? How much would be enough? And that's frankly where I'm struggling with things at the moment, because I think we are a very compassionate community. We do a lot of things to help the folks who are struggling, and I think that's going to continue regardless of the way this vote comes out today. Thank you."

Chairman Ranzau said, "Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. I would like to echo the remarks of the previous speaker and add a couple of things as well. Do think that certainty is extremely important. We need to be sensitive and compassionate, but also have sensitivity for our business client, private property owners and things like that. I guess the idea of balance is really the key here. If we focus on one side of the equation more than the other, then things may get difficult in certain ways. Mr. Stolz, let me ask you one more question. If this resolution passes today, do you have the intent to, I guess, present the change to Wichita and ask them potentially to consider some of the same changes over there so we can, again, maybe be unified on these issues?"

Mr. Stolz said, "I'm going to, depending on what happens today, if it passes today, when I go to the Building of Codes Standards Advisory Board in the upcoming April meeting, we'll talk about that, and if they would like me to take that to 455 North Main, then I'll do that. So I'm going to get advice from the Advisory Board. I don't plan to do it myself, but if that's what their recommendation is, I would take it over to Wichita to consider."

Commissioner Howell said, "So it is possible to get back on the same page potentially even if we adopt this resolution today. I would agree with one of my other speakers that said this is difficult decision. I agree. This is a tough one. It's difficult to, it might seem cold, I suppose, to adopt this resolution, but I guess I looked at ADA as being the expert. The Americans with Disabilities Act is the guideline that we need to embrace. I asked Mr. Calvert yesterday is it possible to change the ADA law to recognize these changes, and I think the answer is yes. That has been amended a number of times and continues to be an option to amend the law so we have consistency and clarity across the entire nation, not just the local jurisdiction. I guess I would look to ADA as being the expert and lead us to this path of balance, trying not to be undue burden to those trying to comply with ADA while we try to provide sensitivity and passion to those with special needs. I look to the ADA as being the answer and would encourage us to adopt their viewpoint, regardless of what that is."

And I embrace the ADA to look at these issues specifically and encourage them to make an amendment to that law to adopt these ideas. I think these are good ideas, but it should just come from that level, not from a local level. Anyway, I think that's all my comments, Mr. Chairman."

MOTION

Commissioner Howell moved to adopt the resolution.

Commissioner Peterjohn seconded the motion.

Chairman Ranzau said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Tom, just so I'm crystal clear here, presently, we are operating under the Unified Building and Trade Code as a unified document for both City and County that includes these more stringent code requirements."

Mr. Stolz said, "Correct."

Commissioner Unruh said, "And how long have we been under that?"

Mr. Stolz said, "Since fall of 2012."

Commissioner Unruh said, "Since the fall of 2012. And that was approved or it met the satisfaction of our builder community and the trades folks. They all agreed, okay, we can live with this?"

Mr. Stolz said, "Correct. And it was voted on by both governing bodies."

Commissioner Unruh said, "And you indicated architects, engineers also understand all of this and they're working within these guidelines."

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

Commissioner Unruh said, "So our action today doesn't add to our code; it detracts from the codes or reduces the requirements?"

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

Commissioner Unruh said, "Our advisory board, clearly with all of its members, our Access Advisory Board is, I don't know how many members are listed here, are adamantly opposed to this action. And there are opportunities for variance, to achieve variances?"

Mr. Stolz said, "Yes."

Commissioner Unruh said, "Okay. That's all I have, Mr. Chairman. I think my vote today will be not to support this change. Thank you. That's all I have."

Chairman Ranzau said, "Okay, Tom, I have a few questions. So this was never a part of County code prior to 2012?"

Mr. Stolz said, "This amendment was not part of a County amendment."

Chairman Ranzau said, "Now, we talked about, this does not take away from ADA or our commitment to ADA, is that correct?"

Mr. Stolz said, "Correct."

Chairman Ranzau said, "We say ADA plus, which might give a misperception this is actually part the ADA, but it's above and beyond. ADA has about over 300 pages or so and maybe a couple thousands regulations associated with it?"

Mr. Stolz said, "Yes."

Chairman Ranzau said, "So in general, when we review building codes, we make changes, and we modify usually to make it more restrictive. I mean, we make them less restrictive is what we're generally doing? This is probably only one of the examples in which we've made it more restrictive?"

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

Chairman Ranzau said, "I do get complaints about the government regulations in general, ADA comes up a lot. For me, this is a matter of where do you draw the line? You can always make a justification for more rules, but right now we have the ADA, which we comply with which developers comply with that have thousands of regulations, and we're talking about removing some outdated. Where do you draw the line? I think I agree with Commissioner Howell. We draw the line with the ADA. They've amended it. Presumably all of these things are taken into account, and they come up with the rules, and there are a couple thousand regulations. If this motion passes today, I don't think it's accurate to say that we're no longer a community of inclusion. Clearly we are. We're talking about thousands of regulations that we enforced on our community in order to improve accessibility. I think we all support that. It's a matter of where you draw the line, and I'm somewhat hesitant to add more regulations on beyond what's already been recommended by ADA. So Commissioner Howell."

Commissioner Howell said, "I just have one more question for Mr. Calvert, and he can just give me a yes, no from there. If I understand correctly, I read some of this yesterday, and I believe that under the law it does allow local jurisdictions to add or subtract from ADA, is that correct?"

Mr. Calvert said, "No, sir. It allows local jurisdictions to add to the ADA."

Commissioner Howell said, "More regulation, more restrictions only. It creates more access?"

Mr. Calvert said, "When you say more, it allows a change, for example, a change from a 36-inch wide space at the bar to a 60-inch wide space at a bar. It would not allow a 36-inch to 24-inch."

Commissioner Howell said, "I think I read somewhere yesterday that these are some places called guidelines and some places called the law, but nevertheless, I read basically that local jurisdictions can certainly add to that to create more access for people with special needs. I believe I thought I read that they also sometimes have the authority to also take away. But let me just be very clear here. This resolution today is

not recommending or doing anything that's less than what ADA requires. We are embracing ADA, and everything that it stands for. Again, I believe it strikes the balance that we need to embrace, and I do that today. I embrace the ADA guidelines and law that creates compassion and sensitivity for those with special needs, but I'm not asking we detract or go less than those guidelines in that law. So I just want to be very clear that we are not asking for us to do something that's less than what ADA is asking us to do. We're embracing it today. I think that's the point."

Mr. Calvert said, "If that's a question, the observation I have is that this board does not have the authority to refuse to recognize the needs today. They don't have the choice about that. This board does have the choice about these four different areas that I discussed. And it is that choice that I intended to direct my comments to. There are not proposals to increase or to have any other amendments. If accomplished, we can manage to save these four that provide additional, it would be mission accomplished if we are able to save these four significant provisions. We don't propose any others, and I think any others would necessarily come before this board."

Commissioner Howell said, "Anyway, just to summarize and clarify, I want to be very clear that I am embracing ADA. I love what they are doing in our community, providing that balance, and I guess I would look to them to continue to guide us and I would encourage you to continue to work with people at the national level to make changes, and I certainly support that effort.

I think it's a great idea. I just really think that it works better coming from that stand rather than from the local government. Nevertheless, I want to be very clear we are embracing and complying with the ADA as much as is required and it's with compassion and sensitivity that we do so. Thank you.

Mr. Calvert said, "And I would be surprised to hear you suggest that what we need is more federal regulation and less local regulation."

Chairman Ranzau said, "Tom, just to clarify. There are two boards you took this before. One voted in support of and one voted against it?"

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

Chairman Ranzau said, "I would argue that by approving this amendment, we're actually adhering more closely to ADA than what we were previously. Commissioner Peterjohn."

Commissioner Peterjohn said, "Mr. Chairman, I would agree with you that if this proposal passes we will be adhering more closely to the ADA. Having said that, the federal government is involved, they're regulating this. That's not a question before us today. That entity is going to be there, and unfortunately, from the history Mr. Calvert provided to us, it appears that bureaucracy, whether it's in the justice department or somewhere else, comes up with new rules, then the law will be changed, which isn't the way I understood government was supposed to operate. I thought elected officials passed laws and then the governor or the President signed them into law or vetoed them and they became law without their signature. So if this resolution passes and there are three votes for it today, we will be in full compliance with the Americans with Disabilities Act.

"What we won't be is in terms of going beyond where the act is at this point in time. And the concern I have in terms of creating regulatory uncertainty and putting new

regulations in place is one of the reasons why I plan to be supportive of this measure today. This issue has already been, in effect, nationalized, and for us to go beyond it, I think, creates the uncertainty, confusion and additional costs I've seen reports, and I've got one here in front of me in terms of regulation, the regulatory environment and state we're in. It causes problems, and why our economy continues to struggle and why that's a problem that continues to get talked about, just like the issue before us today. So thank you, Mr. Chairman."

Chairman Ranzau said, "Seeing no other comments, Madam Clerk, call the vote."

VOTE

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

Chairman Ranzau said, "Motion passes 3-2. Madam Clerk, next item, please."

Adopted

J [15-0203](#)

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.

Colonel Richard Powell, Sedgwick County Sheriff's Office, greeted the Commissioners and said, "Brought before you this morning are two different items for your review and consideration, both of them dealing with the Exploited and Missing Children's Unit. As you recall, and that is contained in the packets that you have, the supporting information, the Exploited and Missing Children's unit is a partnership between ourselves, the Sedgwick County Sheriff's office, Wichita Police Department and the Department of Children and Families formally known as SRS several years ago. In your packet, first item we are going to discuss today is the memorandum of understanding that defines the staffing tables, the functionality and the duties of the exploited and missing children's unit. It is our recommendation today that you do the MOU as submitted. We have had this unit for quite some time now, as a joint operation between the three entities. Giving you historical information, just over the last year, I had the staff there repair some statistics for me, and we can see that over, the stats go back to 2009. But really just important to focus, I think, as you are all aware is the continuing growth in caseload at Exploited Missing Children's Unit, which also under its wings has the ICAC (Internet Crimes Against Children) unit also."

"EMCU between 2013 and 2014 noticed a 10 percent increase in sex crimes cases against children. Those sex crimes, the biggest category that we saw the most growth were aggravated indecent liberties against children and sexual exploitation of children. Under the abuse and endangered child cases, we saw a continual increase that went up every single year since 2009. We started in 2009 with around 550 cases of abuse and endangerment, and finished the year 2014 with 750. A significant increase and it has gone up every year for six years. Of course, as part of the EMC unit and the level of expertise in the quality of personnel, we do assist a lot of outside entities also in investigations, and have noticed a continuing increase of our outside investigation with other outside agencies. I thought I would give you a couple representative cases of some things that we have come across, just in the last year to show the circumstances of what we find when we investigate these children cases that end up involving law enforcement.

"I randomly picked out a couple cases that occurred last year. I will give you a quick synopsis of the things we have to look at and investigate. In 2014, the EMCU responded to a case where a registered sex offender was caught looking at a 5-year-old female victim with her pants and underwear pulled down. Detectives interviewed the victim who disclosed the suspect had sexually assaulted her and forced her to perform sexual acts on him. The suspect was interviewed by detectives, was arrested and booked into jail. The case was presented to the District Attorney's office, who charged the individual with two counts of aggravated indecent liberties. The suspect was found guilty in the Sedgwick County district court earlier this year, and is currently facing 40 years of confinement for his crimes against young children.

"Another case we pulled up. Again, last year, detectives and DCF social workers received a call from a school counselor about a young juvenile victim who said she was afraid to go home because of her uncle who also lived in that same house. In talking to the victim, it was obvious that there was a clear indicator there were things not right. Officers were sent to the home where they located five small girls, all under the age of 8, in the residence. All the young girls were transported to the EMCU unit, where four of the girls disclosed sexual abuse of some kind by the uncle over a period of the last three years. The fifth of the young girls was less than age 3 and was unable to effectively communicate with the detectives at that time. The uncle was located by detectives, transported to EMCU, where he was interviewed. He was then booked and charged by the District Attorney's office with one count of rape, one count of aggravated indecent liberties, four counts of aggravated criminal sodomy. He pled guilty to all the charges earlier this year. These are the type of cases, these are the types of crimes that EMCU is charged with the responsibility of following up on, investigating, and prosecuting people with the assistance of the District Attorney's office and other governmental agencies. The MOU you have in front of you simply defines everybody's part in the organization. You should have all the content in your

packets. I would stand for any questions you may have, but, again, recommend your approval of the document as submitted.

Chairman Ranzau said, "Chief Powell, I have looked through this. There is really no substantive changes."

Col. Powell said, "No sir. This is a renewal of an agreement we have had in place since 2010. It is just an ongoing agreement."

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

Commissioner Peterjohn said, "Real quick question. On page 6 of the interlocal agreement, the memorandum of understanding, it talks about this being located in the state office building 130 South Market, 3050. Does this lock us into that location for the duration of this agreement, or do you have the flexibility of being able to relocate. As I understand, that's being moved, isn't it?"

Col. Powell said, "Right. There is a plan, I can't speak of all the details, but I know some state offices are going to be relocating from that building to another location in the city. Now, currently right now, the EMC unit as we see it today, in its current configuration, will remain in that building as we understand it until such time as the Child Advocacy Center comes online. Once that comes online, the expectation is that EMCU will relocate from the State office building there on South Market over to the new CAC at Lincoln and Topeka Streets."

Commissioner Peterjohn said, "I wanted to make sure if this was going to lock us into that location."

Col. Powell said, "No sir."

Chairman Ranzau said, "Commissioners, what is the will of the Board?"

MOTION

Commissioner Unruh moved to approve the Memorandum of Understanding and authorize the Chairman to sign.

Commissioner Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Howell	Aye
Commissioner Peterjohn	Aye
Chairman Ranzau	Aye

Chairman Ranzau said, "Next item."

Approved

FOR CHILDREN AND FAMILIES TO FUND ONE-THIRD OF THE COST OF OPERATIONS OF THE EXPLOITED AND MISSING CHILD UNIT FOR CALENDAR YEAR 2015.

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

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

Col. Richard Powell said, "This is just a separate agreement that has dovetails back into the one we discussed. This is a separate agreement with the Department of Children and Families with the State of Kansas, just simply provides for them to provide for their one-third share of funding of the EMC unit. Again, this is no change from the previous agreements we've had in place since 2010. It does not require any change of budgetary authority or expenses. It simply allows them to contribute as a part of the agreement one-third of the operating expenses of the organization. I would recommend your approval of the document and stand for any questions."

Chairman Ranzau said, "Chief, the budget increased from 91 to 169."

Col. Richard Powell said, "Yes."

Chairman Ranzau said, "That's 77,000. What does that account for?"

Col. Richard Powell said, "I know we added on another support person in that particular organization, and then just, I believe, beyond that was operating costs, sir."

Chairman Ranzau said, "Okay. Thank you."

Col. Richard Powell said, "Yes, sir."

Chairman Ranzau said, "Commissioners, what is the will of the Board?"

MOTION

Commissioner Unruh moved to approve the amendments and authorize the Chairman to sign it.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Howell	Aye
Commissioner Peterjohn	Aye
Chairman Ranzau	Aye

Chairman Ranzau said, "Thank you. Next item, please."

Approved As Amended

FINANCIAL REPORT (CAFR).

Presented by: Chris Chronis, Chief Financial Officer.

RECOMMENDED ACTION: Receive and file.

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "I am very pleased to be here today to formally present our comprehensive annual financial report for the fiscal year that ended December 31st of 2014. This financial report and the County's financial activities during 2014 have been audited by the firm of Allen Gibbs & Houlik and following my presentation, Shelley Hammond, a partner with Allen Gibbs & Houlik who led the audit, will come up and give you the results of their audit of our finances. We place a great value on transparency. And this financial report goes a long way towards providing information in a very transparent fashion about County financial activity. But the value of transparency is greatly diminished if the information being presented is not timely. We are presenting this comprehensive annual financial report to you 90 days after the end of the fiscal year that is being reported. There probably is a government or two in the country that delivered comprehensive annual financial reports quicker than 90 days, but I am not aware of them. That we are able to do so is a tribute to the good efforts of the people who put this report together. That effort was led by Sarah Jantz, who is the County's Accounting Director under the supervision of Rick Durham, the Deputy CFO. As always I am just a pretty face up here taking credit for their work.

"We are going to spend some time this morning talking about some of the information that's contained in the comprehensive annual financial report. There are a variety of ways that we can look at public accounting information. First, we are going to talk about measures that identify the County's near term financing capabilities. To do that, we are going to be talking about data that's contained in the traditional fund statements that you are accustomed to seeing in governmental accounting. Following that, we will spend some time talking about the County's overall financial position, our longer-term ability to fund County operations. And to do that, we will be talking about information that is contained in the entity-wide statements. These are statements that are developed on a full accrual basis, and are the closest thing in public accounting to what you might be accustomed to seeing in the private sector with corporation accounting. And finally, we will spend some time talking about long-term trends. There is a section in the comprehensive annual financial report that is called statistics, and it generally provides ten years of data on key pieces of information and we will examine some of that data to give you a sense of where the County has been, and where it's headed, and talk about what the implications of that might be.

"And finally, we will talk about County services. Because, whereas in the private sector, the primary goal of accounting is to record and report the degree to which the business was successful in generating profit, since that's the primary goal of the business, in the public sector, we have different objectives. We certainly have economic goals, but more than that, government exists to provide services to a

constituency, and so we will spend some time talking about our success or lack thereof in providing services.

"So we will begin with traditional fund statements. And what you will see on this chart is an illustration of the total fund balance of the County's governmental funds for the past five years. The chart is segmented according to the funds or fund type in which the fund balance is contained. So what you see on this chart is that in 2014, at the far right of the chart, total fund balances of the County's governmental funds were \$236.5 million. You can see that that is a substantial increase over the 2013 fund balance of \$164.6 million. That increase is largely attributable to bonds that the County sold during 2014 to finance improvements at the Wichita State University innovation campus, and refunding bonds that the County sold to obtain debt service savings on debt that the County had issued some years previously. Looking down the chart, you can see in the green segment at the very bottom, the general fund balance, which has been essentially constant over this five-year period, but in 2014, it grew nearly 2 million to 68.6 million. The light gray segment is the source of the largest increase, that is captioned as all other funds, and what's going on there is that we are recording the impact of those bond issues that were sold by the PBC for Wichita State University.

"Now turning just to the general fund fund balance, again, in 2014, we ended the year with 68.6 million of fund balance, an increase of nearly \$2 million from the prior year. What you can see on this chart are the components of general fund fund balance each year for the past five years. Starting from the bottom, the dark red color is non-spendable fund balance. That is net equity, if you will, of the general fund which is tied up and can't be spent. And in this case, it is primarily the amounts that we are owed by the Sedgwick County Fire District, and the Sedgwick County Zoological Society for loans that the County provided to those two entities in prior years, and that are being repaid over a period of time. The bright green segment, \$5.3 million, in 2014, represents committed fund balance. And that is the amount of the County's fund balance that the Commission committed to the zoological society late in 2014 as a contribution for the elephant bond that is being constructed as a part of the new elephant exhibit. That money now has been paid to the zoo, but as of the end of 2014, it had not yet been paid, and so it was a commitment of County fund balance.

"The light gray segment represents assigned fund balances, \$15.5 million in 2014, up from \$12.6 million the prior year. That represents the portion of fund balance that management has designated a use for in the subsequent year budget. As you know, each year we budget a substantial amount of contingencies in the general fund that we don't expect to spend, but we need to have that budget authority available in case a crisis should arise, and because we don't expect to spend those contingencies, we don't want to levy current property taxes to fund them. So we fund them with fund balance. That is that \$15.5 million. And finally, the light green at the very top of the bar

represents unassigned fund balance. \$38.2 million in 2014, a decrease from \$47.2 million in the prior year.

"Unassigned fund balance is, in essence, all fund balances that don't fall in the bottom segment. It is what is left over. And that is the portion of fund balance over which at least, in theory, we have complete discretion. You have the ability to use that portion of the fund balance in any manner that you might choose.

"So we have \$68.6 million of fund balance. We have \$38.2 million of unassigned fund balance. And we have \$15 million of assigned fund balance. But some of assigned and unassigned represents unrestricted fund balance. And you have adopted a policy, a fund balance policy, that says that at any point in time the general fund unrestricted fund balance should be at least equal to 20 percent of budgeted expenditures and transfers out in the general fund. What you see on this table is the calculation that shows you that we have complied with that policy restriction, or policy threshold, as of December 31st of 2014. Our unrestricted fund balance, the sum of assigned and unassigned, was \$53,765,000. Our current year, 2015, budget, is \$196 million in the general fund, 20 percent of 196 million, the minimum target, set in policy, is \$39,212,000. Our actual fund balance, unrestricted fund balance of \$53,765,000, is 27.4 percent of the budget. And the amount by which we exceed the minimum threshold in the policy is \$14,553,000.

"Now, there are several ways of looking at the solvency of the government. And when we are talking about the fund statements, the near term financing capabilities, the way we do that, the way we examine solvency is by looking at the budget, is the budget solvent. Are we generating enough revenue to pay our bills on a year by year basis. What you see on this chart is a a line graph that indicates for ten years the County's governmental fund revenues divided by governmental fund expenditures. And a ratio of 100 percent or more indicates that we have generated more revenue than we had in expenditure. A ratio of less than 100 percent indicates that our revenues did not match our expenditures. What you see on the slide is that since 2008, sorry, since 2009, the ratio has been less than 100 percent. It has been in the past four years roughly 96 or 97percent, and that's where we ended 2014. That's looking at all activity of the government. And that includes the activity that is involved in capital finance. So what we are including here are expenditures for debt service, and capital projects and things of that sort, that really are non-recurring.

"Operating solvency is another way of looking at the fund statements and determining the degree of quality in the County's financial system. What we are looking at with operating solvency is the governmental revenues divided by expenditures, excluding those for capital projects. So we are excluding here the Public Building Commission expenditures and revenues, debt service and debt proceeds funds revenues and expenditures. We see we are a little below 100 percent. Revenues are not quite

sufficient to cover all our expenditures on a year by year basis for the past several years. But we are in better shape when we look at the overall financial activity. Here the ratio at 2014 was about 97 percent, down from 99 percent in 2013. Another measure of success in governmental finance is the degree of flexibility. To what extent is the money you have available to spend locked up on prior commitments. And so what you are looking at here is the total principal and interest on long-term debt as a percentage of County expenditures. As of 2014, it is about 6.75 percent of all expenditures took the form of debt service in 2014. That is down a little over 8 percent in 2013, but you can see over the ten-year period, it is consistently been between 6 and 7 percent, with the exception of 2013. That suggests that we have a good deal of flexibility in how we choose to allocate resources for government spending. Another measure we look at is liquidity. To what extent do we have trouble paying our bills over the short-term. What we see here are cash investments divided by liability. You can see that while it is declining, as of the end of 2014, we had about \$6 of cash on hand for every dollar of liability that we had. That is an extremely good liquidity position. It was much better earlier in this ten-year cycle, because you will recall at that time we had collected a whole bunch of Interest Bank Arena sales tax that was dedicated for that single project, but hadn't yet been entirely used for that project. And so our cash was abnormally high, and as a result, our liquidity was abnormally high.

"Another measure that we look at is the extent to which we choose to fund or have the ability to fund our government with resources that are provided by others. What we are looking at here are total intergovernmental revenues, as a percentage of all revenue. In 2014, intergovernmental revenue amounted to a little bit more than 14 percent of all the revenue that we had. It has been fairly constant over the past ten years, but it is on a slight downward trajectory. As the state and federal governments have reduced the amounts of money that they provide in the form of grants, or other monies to pay for other programs, you see that we have had to, we've become less reliant on those sources to fund the government.

"So now we are going to move into the entity-wide statements and change our focus. We are going to be talking now, not about the County's near-term financing ability, but rather about over the long-term, what do our finances look like. We begin by looking at this table showing the composition of the County's net position and my goodness, we have got a mess on the pie chart. And I apologize for that. The net assets for 2014 as indicated on the bar chart on the left were \$620.3 million as of December 31st. That is an increase of a little over \$5 million from the prior year. What you can see looking at the bars are the components of the net position. The bright green that represents the largest segment represents the amount of our capital assets that we have net of debt. So that's facilities and roads and things of that sort. The blue segment in the middle, \$69.2 million in 2014, represents restricted net assets. And that is a little bit up from the prior year. And the light blue at the top of the chart shows the unrestricted net assets. \$85.2 million at the end of 2014, down from \$89.3 million a year earlier. The pie chart that makes absolutely no sense is supposed to indicate the nature of the restrictions on our net position, and I have given you a copy of this that I hope has the labels, as it is supposed to. But I will tell you that the green segment on the pie chart, the largest segment represents assets that are restricted for capital improvements. The blue at the bottom represents assets that are restricted for debt service. And the light gray on the bottom left, represents assets that are restricted for grants. So essentially two-thirds of our restricted net assets are restricted for capital projects, the debt that financed capital projects, or grants that we receive to provide some specific service.

"So we look at a series of measures in the entity-wide statements to determine our degree of success. A key measure is the change in net position. By what percentage, up or down, did that net position change? Obviously we want net position to grow. And you can see for 2005 through 2009, it grew at a healthy percent, again, that is because during that period of time we were collecting the Arena sales tax and building that new \$190 million facility. When the economic downturn hit in 2008, there was a lag from the time the local economy started suffering to the time that suffering reflected in Sedgwick County finances, and you can see starting in 2010, Sedgwick County's net position decreased. And it has decreased for the past four years, although by smaller percentages each year, as we recovered, until 2014, when once again, we increased our net position by a very small percentage, you will recall that it was just a little over \$5 million. This chart shows why the net position changed by \$5 million. When we look at entity-wide statements, we are looking both at governmental activity and the County's business-type activities, which in our case represents the activity of Intrust Bank Arena. So what you see on this chart, on the far left is the beginning net position. The net position of Sedgwick County at January 1st, 2014. We had a total of \$615 million of net assets comprised of \$441 million of governmental assets, and \$174 million of business-type assets, the Arena. During the course of the year, we collected a total of just under \$325 million. \$324 million of that was for governmental activities, and 600,000, 6/10ths of a million, were for the Arena. We spent almost \$320 million, \$314 million for governmental activities, and \$5.6 million for the Arena. And for the benefit of Commissioner Peterjohn, before he asks the question, I will say that of that \$5.6 million of arena financial activity, expenditure, or expense, excuse me, \$5.2 million was depreciation on the arena. And so when we take the beginning fund balance, add the revenue, subtract the expense, we arrive at the ending net position, or ending fund balance. \$451 million of governmental activities, \$169 million for business-type activities, total of \$620.3 million.

"When we look at the various activities of the government, one of the things that we want to know, as financial managers, is to what extent does that activity pay its own way. Or conversely, to what extent are we required to use tax revenue, general County revenues, to support that activity. What you see on this chart, for each function of the government, the answer to that question. Light green represents the program revenue for each activity, the blue, the general revenue support for the activity, the sum of the two represents the total expenditure of the activity. So what does this slide show? It shows that far and away the largest category of expense in County government is public safety. And we spend just under \$140 million on public safety activities. Of that \$140 million, \$97.2 million, or 71 percent, of the total comes County taxes. The balance, about \$40 million, comes from program revenues. In the case of public safety, that means ambulance fees, municipal jail fees, and the like, that we collect from customers or consumers, if that's the right word in the public safety system. The activity of government that comes the closest to paying its own way, is health and welfare. You can see from the chart that we spend almost \$60 million on health and welfare. It is the second largest activity of the government. And of that, almost \$60 million, only \$12 million, 21 percent, was required to come from general tax revenue of the County. The balance, more than \$40 million, came from program revenues.

"Which in this case is consumer fees, Medicaid, and grants that we collect to support those activities. We look at the long-term financial position, solvency takes on a different form. What we are looking at to determine the government's long-term

solvency is net position divided by net assets. In this case, what we are looking at is a measure that indicates the extent to which we have complete control over our assets. And a high ratio is good. So we see here that we have been consistently above 50 percent on that ratio for the past ten years. It declined by what looks like a sharp decline, but in fact was only from 56 percent to 52 percent in 2014. That, again, is the function of the bonds that we sold for the WSU innovation campus. Another way of looking at solvency is to look at liabilities divided by total assets. This indicates our ability to pay off long-term debt. And here, we want the opposite of what we saw in the pie chart. Where there, a high ratio is good, here, a low ratio is good. And you see we have consistently have long term liabilities represent only about 20 percent the total County assets, meaning that we don't have a high ratio of debt to assets.

"Now we turn to the statistical section. And we are looking at this information to get a sense of the trends that are effecting County finances and also County services. The first chart shows governmental revenue and governmental expenses for ten years. The green is revenue, and what you want to see, obviously, is the green higher than the blue. In most years, that has been the case. During the economic downturn, 2010 through 2012, that was not the case. Our governmental expenses exceeded our governmental revenues, as we were drawing down fund balances to provide services during a period when revenues were dropping, and demand for services, because of the hard economy, were increasing. We ended the year with \$324.3 million of revenue, and \$314 million of expense. The expense increased about \$66 million over ten years. In 2005, it was \$248 million. This chart shows where that increase took place by activity of government. And this is a good indication of where the Commission's priorities have been over the past ten years. So total expenses of the government, for governmental activities, increased about to about \$66 million. \$46.5 million of that increase was public safety. \$16 million was Public Works. And you can see that general government activities and health and welfare activities actually decreased over that ten-year period. In 2014, we spent less money on health and welfare and general government than we did ten years previously.

"What we are showing on this chart is the relationship between program revenue, the self-generated income of the various activities that I described earlier, and the County property tax. What you see is that program income has dropped fairly sharply since 2008 and 2009. Once the economic downturn hit and the federal government started cutting back on grant activity and the state government ran into budgetary problems, started cutting back on some of the payments that they make, we received substantially less program income than we had been accustomed to receiving. That gap, that shortfall of revenue, that drop-off of revenue, from program sources, was made up by property taxes. And so what you see is that property taxes have been fairly constant during that same period of time. The problem with this chart is not just that program income has declined, it is also that property tax revenue has not increased to make up the loss. As of 2014, we collected \$157.7 million of property tax. That is virtually identical to the amount of property tax we collected in 2009, six years previously. During that six-year period you can see the drops that took place in program income. We received no more property tax income, yet the demand for County services and the cost of providing those services continues to increase. There was a fairly sharp spike in 2014 program income that you can see, up to \$130.9 million. That spike is largely a function of timing of state payments. In 2014, we received affordable airfare from the state that we should have received in 2013. In addition we received affordable airfare money in 2014 that was owed to us in 2014. So essentially we received two years of that funding source in a single year, and that's what caused that spike to occur. So since property tax is so important to us, and it's becoming more

important as program income has declined, we want to pay close attention to our success in collecting that revenue. And so you see the collection rates over the past ten years here. They have consistently been what I would characterize as good, above 95 percent. What we are looking at here is the percentage of current year levy collected in the year. So for what is labeled here 2013, that's the 2013 tax year, that funded the County's 2014 budget, we collected 96.8 percent of the taxes that were levied for that year. That is about the high point over the past ten years, and it represents a pretty dramatic recovery from the low periods that we suffered during the economic downturn when people were having trouble paying their property tax bills.

"The final financial chart that I want to show you is the County's total outstanding debt. And what you have on this chart is a series of bars, one per year, showing the amount of debt that the County had outstanding at the end of each year, and the bars are segmented according to the type of debt. The green at the bottom represents general obligation debt sold by Sedgwick County and backed by County property taxes in 2014 that amounted to \$67 million, which was a lower number than at any time during this ten-year period, and as a point of interest, is a lower amount than any time in a long time before that ten-year period. We are at a historic low point in outstanding general obligation debt. The blue segment, the small blue segment represents special assessment debt. \$3.3 million at the end of 2014. That is a decrease, it has been decreasing pretty steadily over the ten years, as you can see, and that's because we haven't been doing nearly as many special assessment projects as we used to do. Ten years ago we had a much higher level of debt that had been sold previously to pay for expansion of what then was the County sewer system. In 2000, the County sold its sewer system to the City of Wichita, so since then, we have been paying off the debt that had been issued prior to that point, but we haven't been issuing any new debt.

"The dark red segment shows debt issued by the PBC. At 2014 we ended with \$158.8 million of outstanding PBC debt. You can see that's a substantial increase over the prior year. That increase is attributable to two factors: first, as you know, in 2014, we sold bonds for the benefit of WSU to fund a building on the innovation campus. We being the Public Building Commission sold those bonds. Those bonds will be repaid solely with the proceeds of grants collected by Wichita State, and the proceeds of the special property tax levy that is imposed for Wichita State. It is not backed by a full faith and credit pledge of the Sedgwick County taxpayer. So that accounted for \$45 million of the increase. Another \$31 million of increase came from two refunding bonds that the County sold during 2014. And the nature of the structure of the refunding was such that we are double counting debt for a couple of years, 2014 through 2017, we will be counting the original debt that now has been refunded as well as the new debt that we have sold to refund it. So it's a factor, it's real, but it's misleading to think just because you are seeing a big change in the number there that the County has gone on a debt binge. So we ended the year in total with \$226.7 million of debt outstanding. Compared to \$165.1 million in the prior year. Setting aside the \$78 million that is accounted for by the WSU bonds and those refunding bonds that are double counted, our total outstanding debt would be a little over \$150 million at the end of 2014. So it would be down from the prior year. So I want to turn now to services. Because as I said at the beginning, in governmental finance, the finance is just a tool to achieve the ability to provide service. And service is what we are about. So what has happened with County services over the past ten years? In the comprehensive annual financial report, there are series of tables in the statistics section that provides this kind of data. I am

going to summarize some of it. For public safety services, in 2014, we provided responses to an average of almost 41,000 calls per month at the emergency communications center, the 911 center. That was a 13 percent increase over a ten-year period. EMS responded to an average of a little over 5,000 cases, clients, per month in 2014. And an inch crease of 44 percent over ten years. You have spent an awful lot of time over the past seven or eight years working with us to find ways to reduce the population in detention, both in the jail and in the juvenile complexes. And the next two indicators show the degree of success that you have achieved. In 2014 the average daily juvenile population was 62. A decrease of 47 percent over what it had been ten years previously.

"The average daily population in the custody of the Sheriff was 1,359, a decrease of 11 percent, over what it had been ten years previously. And we provided public safety services, these and many others, with a total of 1,406 employees in 2014. Virtually the same number of employees that we had ten years previously. Looking just at the fire service, in 2014, they responded to 91 structural fires, residential structural fires, for every 100,000 residences in the fire district. That's a decrease of 70 percent over the prior ten years. And to me, that's a pretty good indication of the success of fire prevention efforts that have been taking place for a long time within the fire district, as well as changes in the building codes and the like that have improved the safety of residential structures. As fires have diminished our fire service has followed the pattern of all fire services throughout the nation and has increasingly been required to devote its attention to medical services. The fire district is the medical first responder throughout most of the land area of Sedgwick County. And in 2014, they responded to an average of 415 medical calls every month, an increase of 92 percent over that ten-year period. During that ten years, the number of fire stations in the district increased by one to a total of nine. and I have already told you what the total number of public safety employees were, fire is a subset of that, but just as a point of information, the number of fire district employees decreased by two percent over this ten-year period.

"Turning to health and welfare services, in 2014, we provided services to 12,559 clients, provided mental health services to those clients. That was an 8 percent increase over ten years. There were 2,536 people in Sedgwick County who were eligible for developmental disability services, an increase of 40 percent over ten years. Those services, and other health and welfare services were provided with a total of 522 employees in 2014, a four percent decrease from ten years earlier. Public health is a subset of health and welfare, and by County policy, we have attempted to reduce the extent to which we are providing direct patient services in most of the areas of public health, and what you see on these statistics is the degree to which we have accomplished that. In 2014, the number of public health clinic patient encounters, what I would as a lay person call an appointment, was 155,316, 7 percent fewer than ten years ago. We provided 13,230 immunizations in from our Health Department. A 52 percent decrease over ten years, and we had 2741 tuberculosis encounters. A 64 percent decrease. The number of health employees which is a subset of health and welfare that I have talked about previously, number of health employees in 2014 was 123. A 10 percent decrease from ten years previously. We take great pride in our cultural and recreation services. At Sedgwick County Zoo, in 2014, almost 528,000 people passed through the gates, a 5 percent increase over ten years ago. At Sedgwick County parks, 959,000 people swept through the gates, an 18 percent increase over ten years ago. We provided culture and recreation services in 2014 with 96 employees, a 72 percent decrease from 10 years earlier. That decrease is largely a function of the closure of the Kansas Coliseum, and our action to privatized, if you will,

the operation of Intrust Bank Arena.

"At Intrust Bank Arena, we don't have ten years of history, but in 2014, 100 events were provided for the citizens of Sedgwick County and South Central Kansas and nearly 300,000 people attended those events. There is an organization called Polestar that is the professional trade organization for event management, and polestar ranks Intrust Bank Arena 60th in the nation for attendance in 2014, among arenas. And finally, since the Arena opened in 2010, SMG has returned \$1,625,000 of operating surplus to Sedgwick County.

"Turning to public works services, in 2014, we improved 97 miles of road, a 24 percent increase over ten years. We also maintained 603 miles of road, a three percent decrease, and the decrease is attributable to annexations during that ten-year period by various cities. And finally, public works disposed of 576 tons of household hazardous waste, a 73 percent increase over a ten-year period. And public works provided those and other services with 116 employees, 15 percent fewer than they had in 2005.

"Finally general governmental services. The Elections Commissioner and her staff registered almost 276,000 voters in Sedgwick County in 2014, a 20 percent increase over ten-year period. The Appraiser dealt with almost 213,000 real estate taxable parcels. Those form the foundation of the County's tax base. That was a 5 percent increase over ten-year period. The Register of Deeds processed almost 70,000 documents, 33 percent decrease over ten years. That decrease resulting from changes in state law that have determined what form documents that have to be registered, and how many pages they consume. The County Clerk processed 64,450 real estate records, a 1 percent decrease. All general government services were provided with 422 employees, a 6 percent decrease from ten years previously.

"That concludes the formal part of the presentation. I guess I would wrap up by trying to answer what those of us who were here when she served on the Commission, we understand as Betsy Gwin's 'So what' question. The conclusions I draw from this, Sedgwick County is in very sound financial condition. We have a substantial amount of net assets, and those net assets are not highly leveraged. We have extremely good liquidity. The liquidity has been dropping over the past number of years, but that drop is largely a function of the unusual circumstance of the limited term Arena sales tax we were collecting during the first few years of the ten-year period we looked at. We have a low level of restriction on your ability to direct resources to your priority. Less than 8 percent of all expenditures are committed to debt service. That means that you have considerable control over how you choose to allocate resources. We have a minor, what I would characterize as a minor but persistent structural imbalance between revenues and expenditures. We have known about that, and we need to deal with it, and we are dealing with it. We have an increasing reliance on taxes to fund the government. We rely on people to pay general revenues to us, rather than to pay directly for the services that they receive. Finally, looking at the ten-year trends, it is very clear that our focus, your focus, over that ten-year period has been to increase efforts in public safety and public works, and to decrease activity and expenditure in health and welfare and general government, and further, it's been your focus and we have succeeded in reducing County employment in all areas of the government over that ten-year period. With that summary, I would be happy to try and answer any questions about the comprehensive financial report, if you have them. If you don't have any questions, then I would ask Shelley Hammond to step up to the podium and talk

to you about the audit that Allen Gibbs & Houlik have conducted.”

Chairman Ranzau said, “Commissioner Peterjohn.”

Commissioner Peterjohn said, “Thank you. Chris, appreciate the report. I agree with you with Sedgwick County on the whole in good financial shape. I think the public would take that. On page 16, sorry, slide 16 of your presentation, where you were talking about expenses, and you had a 5.58 expense for business type activity that would be the Arena, would it be fair to say, Chris, including depreciation, that is kind of how, if we were working at the Arena as a business, that would be kind of the loss that occurred in 2014 for the operation of the Arena in terms of expenses over revenue?”

Mr. Chronis said, “Yes.”

Commissioner Peterjohn said, “Okay. We have had discussions and presentations and sometimes we get checks here. The Arena is obviously important, they have had great events, including one last night. But if you include depreciation and looking at it as a business, that's a significant figure and I appreciate you kind of providing that to us. I jumped to slide 23, I think it is. And you are showing on that slide, on 23, in terms of property tax revenue, almost \$158 million in 2014. So if the public wanted to get an idea how much 1 million would generate if I take that \$158 million and divide it by the mill levy, would that give me a ballpark number.”

Mr. Chronis said, “No, it wouldn't. Property tax consists of more than just that. It also includes motor vehicle taxes and other similar ad valorem taxes. The County's property tax levy, the one you are talking about, was more on the order of \$130 million, I believe.”

Commissioner Peterjohn said, “Okay. So the automotive, the car tax part of it, depending how you define property tax, here we are using it all together, but if you are looking at just the property ad valorem portion, it is a significantly smaller figure.”

Mr. Chronis said, “Yes.”

Commissioner Peterjohn said, “Okay. I think that's important when we talked about all property taxes differentiating there in terms of what we have. Like I said overall, the report, I appreciate very much the clarification in terms of debt. There's been some talk about trying to get, reduce our County debt, and obviously if you just look at the gross numbers, it is increasing, but with the understanding that we have done some refunding to take advantage of low interest rates, and this commitment this Commission made to Wichita State University in funding the innovation campus and providing the financial backstop for that, that kind of explains why that number seems to be going in the opposite direction. I think that's important to get on the record in any discussion we have for the County's indebtedness.”

MOTION

Commissioner Peterjohn moved to receive and file.

Chairman Ranzau seconded the motion.

Chairman Ranzau said, "Chris, could you go back to the slide 6."

Mr. Chronis said, "Sure. And if I might, before you make the motion, I would ask that you hear from Shelley Hammond with the results of the audit."

Commissioner Peterjohn said, "Okay. I assumed we would do that separately."

Mr. Chronis said, "That's fine, okay. Slide 6, you said?"

Chairman Ranzau said, "Yes. We have a \$10 million rainy day fund, a contingency, right? Where does that fall in the graph there?"

Mr. Chronis said, "Well, it would be funded with the \$15.5 million that is assigned fund balance, but there is not a direct dollar for dollar correlation. What you are looking at here is fund balance, equity in the general fund. This rainy day fund is kind of appropriation of these assets."

Chairman Ranzau said, "How do you get to the 15.5 then? Is that a discussion we can have?"

Mr. Chronis said, "It is a discussion we have had, and sometime in the recent past, and I don't recall exactly when or exactly what it said, one of you asked for a reconciliation of that very question, and I sent it to you."

Chairman Ranzau said, "Okay."

Mr. Chronis said, "I can dig that out."

Chairman Ranzau said, "Thanks. Commissioner Howell."

Commissioner Howell said, "Mr. Chairman, I have a couple questions. I would like to have your confirmation, going to slide number 8. I will go through a couple more. See if I understand this correctly. We have been below solvent since 2008, I guess; is that correct? Less than 100 percent since 2008?"

Mr. Chronis said, "Starting in 2009, yes."

Commissioner Howell said, "Starting in 2009. That's not a good position to be in. We should probably address that at some point. Go to slide number 9, same thing. There we are basically below 100 percent starting in 2010; is that correct?"

Mr. Chronis said, "Yes."

Commissioner Howell said, "Go to slide 11 please. Would you characterize this slide as trending in the wrong direction? This is, in your terms, financing. We are less flexible than we were before. So it was better in 2013 and worse in 2014, am I reading that correctly?"

Mr. Chronis said, "No, just the opposite."

Commissioner Howell said, "Better condition on this slide."

Mr. Chronis said, "Yes. Low percentage would be good. But having said that, any of these percentages that you see on this chart by normal standards, low."

Commissioner Howell said, "I am just looking at the trend. Better position, you are saying, in 2013."

Mr. Chronis said, "Than 2013, yes."

Commissioner Howell said, "What about slide 11, can you characterize that one? Are we in a better position on slide 11 or worse, so 2014 is the lower number on the slide."

Mr. Chronis said, "2014 is the lower number, and looking just at the chart, that would suggest that we are a little bit worse."

Commissioner Howell said, "Worse."

Mr. Chronis said, "We have \$6 for every dollar of liability instead of \$10 for every dollar of liability. The reason for that is the long-term liability that we have taken on for those two debt issues that I mentioned."

Commissioner Howell said, "In slide 18, that would be the same explanation, but basically, again, going in the wrong direction, if you want to look at it that way. What about slide 19? Are we less solvent than we were. I am trying to understand the slides."

Mr. Chronis said, "Same consideration once again. The increase, to answer your question, yes, this would suggest that we have less ability to pay off long-term debt in 2014 than we have had in prior years. The reason for that explanation, once again, are those two bond issues."

Commissioner Howell said, "Slide 23, look at the last two data points. You say we have got late payments and that kind of changed the direction. Can you look at 2013 and 2014 and average those together, is the money from the state trending upwards from 2012 overall? If I took 2013 and 2014 and average them together would that be above what we had in 2012?"

Mr. Chronis said, "I don't know. It would be pretty close. Yeah. Again, this is not just money we receive from the State. This is all program revenue. So it is grants that we receive from the State, it's user fees that we collect from consumers, or their insurers, it's money we receive from the federal government, money that we receive from other entities, for example, when public works does a road for the City of Clearwater and Clearwater reimburses us for a some of that, that goes in here. So it is more than just state revenue, but that's a big part of it."

Commissioner Howell said, "Trying to characterize the slide, we are not seeing a shortfall in that type of revenue. If you look at the two years together, overall it is trending upwards. With the explanation you gave us about the late payments."

Mr. Chronis said, "Yes."

Commissioner Howell said, "Couple more quick ones. Look at slide number, the first one of the service slides, I don't know the slide number. So the average daily population, criminal population in detention is 62. Does that include the population

outside of our County, currently?"

Mr. Chronis said, "It includes population in our custody. No matter where they are. And I guess that the answer to your question, I think, is yes and no. There are some juveniles who may be housed outside the County, but are in the custody of our Corrections Department. They would be included in this. I think you are talking about juveniles who reside in Sedgwick County but are sentenced to a facility outside of Sedgwick County, and they are typically in the custody of that facility."

Commissioner Howell said, "They would not be included. So if I wanted to understand how many of our Sedgwick County juvenile population, would that number might be today, it actually might be a little bit higher than the 62."

Mr. Chronis said, "Yes."

Commissioner Howell said, "The number I received recently was 30 Sedgwick County youth are stationed outside of our County. I want to take that into account on this slide. I would generally say overall I think the slides describe basically what things would look like after recession, you know, simply providing more services with less cost, and less employees, and it is overall a pretty impressive report. I do see a couple things in here unsustainable and certainly cause of concern. Thank you for the report."

Chairman Ranzau said, "No other questions? Okay. Turn it over to Shelley."

Ms. Shelly Hammond, Senior Vice President, Insurance Services, greeted the Commissioners and said, "Good morning. I looked at the clock and saw we are close to lunch, so I will try to keep my comments brief. We conduct the County's annual audit. That's what I am here to provide you a report on. We provide to you basically three piece of information, which I believe you have copies of. One of those is a page within the comprehensive annual financial itself. There is a financial section in here which has all the financial data that Chris just went over. The first page of that is our opinion that we provide as a result of our audit. And our opinion that we are providing is what is called an unmodified opinion, in layman's terms, that's also referred to as a clean opinion. That opinion basically says we as your auditors based on the tests that we perform during the course of our audit, are providing you reasonable assurance that the financial statement, this document, is free of any material misstatements. So at the end of the day that's usually what you want to hear from auditors, that your auditors are providing you with a clean opinion. That's the first piece of information, the opinion on the comprehensive annual financial report.

"We also then provide to you as a separate letter what we call a management letter. It also has other information for you about the conduct of the audit. For example, it has information in here about if there were any changes in accounting policies that the County adopted this year, we would explain those to you so you understood them. There were none of those this year. It also walks through if there are any estimates in the financial statements, what the process is, that we go through to evaluate those

estimates. There is a brief highlighted summary of each of those in here. It also talks about if we made any adjusting entries to the financial statements, and we did have a couple of those, that's very normal and common during an audit process to have a couple adjusting entries. Both of the ones we communicated I would characterize as being unique transactions, unique and unusual transactions are often difficult to figure out how to account for. So I would not characterize those as something unusual. I guess that's how I was trying to describe that.

"We also describe in here whether or not we have had any difficulties with management or any issues during the course of the audit process. The answer to both of those questions was no. We did not have any difficulties; no issues arose during the course of the audit. And we just generally didn't encounter any difficulties, as we have encountered in the past, all of the people in the accounting and finance group we work with, as well as really everywhere in the County, because we do go out to a number of different County departments throughout the course of our audit, and everywhere we have been, we have gotten great cooperation, had access to any information we needed, didn't have any issues getting information we needed. I also want to thank all of the folks that we encounter, especially in the finance and accounting department for the cooperation during the audit process.

"The third piece of information we provide actually is not related to the comprehensive annual report. It is a separate report that we provide to you, it is what we call a compliance report. It is a compliance audit that we do separately on the federal grants that the County receives. And, again, our opinion that we provide on what we call that grant compliance audit is also an unmodified opinion or a clean opinion. You will also find within that document the specific details of the individual grants that we tested, as well as any findings that we had as a result of those compliance test. I will tell you that we didn't have any findings this year. So you won't find much reported in that report, because we did not have any findings. That's also a very good report and good reflective of all the departments in the County that receives grant dollars and administers grant funds. They are doing a good job, at least based on the audit we did this year that did not have any findings. That's the high level summary. I know I went through that very quickly. And you have copies of our reports that we provided, so I would be glad to take any questions that you might have as well on our reports, or if you generally have questions about the audit process, the nature of what we do, I would be glad to answer those as well."

Chairman Ranzau said, "Commissioners, any questions? It doesn't look like there are. Thank you. Commissioner Peterjohn."

Commissioner Peterjohn said, "I am going to modify my earlier motion to receive and file these two audit reports and have them included in the public report."

MOTION

Commissioner Peterjohn moved to receive and file both reports.

Chairman Ranzau seconded the motion.

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

VOTE

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

Chairman Ranzau said, "Thank you very much. Next item, please."

Received and Filed

M [15-0230](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON MARCH 27, 2015.

Presented by: Joe Thomas, Director, Purchasing Department.

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

Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of March 27th for the Board of Bids and Contracts resulted in five items that we'd like for you to consider. Item one:

1. *TENDER/PUMPER TRUCK—SEDGWIK COUNTY FIRE DISTRICT #1
FUNDING – FIRE DISTRICT ADMINISTRATION*

"This recommendation is to accept the best proposal from pierce manufacturing incorporated in the amount of \$388,979.

2. *BRIDGE IMPROVEMENTS – PUBLIC WORKS
FUNDING – B470 183RD ST. WEST*

"Recommendation is to accept the low bid from King Construction Company incorporated, in the amount of \$388,932.48.

3. *POLICE TAHOE SUV—FLEET MANAGEMENT
FUNDING – CHEVY TAHOE/CHEVY TAHOE 2 WHEEL DRIVE*

"This recommendation is to utilize the state of Kansas contract number 39321, with Don Hattan Chevrolet incorporated in the amount of \$279,962.10.

4. *GAS CHROMATOGRAPH/MASS SPECTROMETER—REGIONAL
FORENSIC
SCIENCE CENTER*

FUNDING – RFSC EWMAS SPECT

“Recommendation to accept the low responsive bid from Thermal Electron North America LLC. Their option number 1, \$63,462.83.

5. *FINANCIAL ADVISORY SERVICES—DIVISION OF FINANCE
FUNDING – DIVISION OF FINANCE*

“This recommendation is to accept the best proposal from Springstead Incorporated at the contracted rates listed, effective through December 31st, 2015, with two additional one-year options to renew.

“I’ll be happy to answer any questions you may have, and I do recommend approval of all three items.”

Chairman Ranzau said, “Commissioner Peterjohn.”

Commissioner Peterjohn said, “Yes, Item number three, can you give me a ballpark idea. We just got a single bid on that one. How many firms did we solicit and were they restricted to GM products in terms of what the specifications were calling for?”

Mr. Thomas said, “I believe let I will let Penny Poland speak to that. She has more details regarding that.”

Ms. Penny Poland, Fleet Management, greeted the Commissioners and said, “We were utilizing the State contract. We did not solicit bids for this. We did specifically request a Tahoe for the Sheriff’s Department.”

Commissioner Peterjohn said, “Okay. So there was no way that if there was another Chevy dealership in town, we were just restricted to that State.”

Ms. Poland said, “This contract is with the State of Kansas.”

Commissioner Peterjohn said, “Thank you.”

Mr. Thomas said, “What we have done, Commissioner, excuse me. We have before looked at the State of Kansas contract and done just competitive price comparisons. The State of Kansas contract is very competitive.”

Commissioner Peterjohn said, “Can you tell me how many other local dealerships have that state contract? I was thinking there’s at least two that I know of. Is there any more than that?”

Mr. Thomas said, “There are currently six contracts with the State of Kansas that we are aware of on vehicles. Two are for Don Hattan Chevrolet, two are for Shawnee Mission Ford, one is for Ed Bozart Chevrolet, and we have another City of Wichita vendor.”

Commissioner Peterjohn said, “I was thinking Davis Moore.”

Mr. Thomas said, “Those are the six.”

Commissioner Peterjohn said, "That you know of. There could be more?"

Mr. Thomas said, "When we looked at the State of Kansas big contract page, they listed just six with vehicles. They were split. Three for outside of Sedgwick County, three within our area. That's the only number."

Commissioner Peterjohn said, "Help me out. You mentioned two. Is the third one..."

Mr. Thomas said, "There were two for Don Hattan."

Commissioner Peterjohn said, "Oh, two for Don Hattan. But both GM?"

Mr. Thomas said, "No, there's GM, there's Ford, there's Dodge. Trying to get what the others. I think those are the three major ones."

Commissioner Peterjohn said, "Okay. Thank you."

Chairman Ranzau said, "What is the will of the Board?"

MOTION

Commissioner Unruh moved to accept the recommendation for the Board of Bids and Contracts.

Commissioner Howell seconded the motion.

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

VOTE

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

Chairman Ranzau said, "Next item, please."

Approved

CONSENT

- | | | |
|----------|--------------------------------|--|
| N | <u>15-0198</u> | One (1) Right of Way Easement and One (1) Temporary Construction Easement for Sedgwick County Project 797-V-4060; Bridge project on 183rd St West between 47th St South & 55th St South. CIP# B-458. District 3. |
| O | <u>15-0202</u> | An Agreement with Poe & Associates for engineering design services for Sedgwick County Project 628-5-1671; Bridge replacement project on 39th South between 327th West & 343rd West. CIP# B-467. District 3. |

- P** [15-0217](#) Amendment to the Capital Improvement Program (CIP) for Consolidation of CIP Projects Work Release Security System Upgrade and Update Master Control and Related Peripheral Technology - Adult Detention.
- Q** [15-0092](#) Consideration of a Grant in the amount of \$290,941 for Enhanced Supported Employment of Kansas (ESEK).
- R** [15-0211](#) Cancel Hearing set for May 6, 2015 - De-Annexation Request Valley Center Annexation Ordinance 1145-07.
- S** [15-0210](#) Resolution to revise Sedgwick County Personnel Policy 4.2001.
- T** [15-0199](#) Plat
Approved by Public Works. The County Treasurer has certified that taxes in 2014 and all prior years have been paid for the following plat:
- Hedge Acres Addition
- U** **15-0206** Order dated 3/18/2015 to correct tax roll for change of assessment.
- V** [15-0194](#) General Bill Check Register for Mar. 18, 2015 - Mar. 24, 2015.
- W** [15-0195](#) General Bill Check Register for Mar. 25, 2015 - Mar. 31, 2015.
- X** [15-0196](#) Payroll Check Register for the Mar. 21, 2015 payroll certification.

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

Chairman Ranzau said, "What is the will of the Board?"

MOTION

Commissioner Peterjohn moved to accept the Consent Agenda.

Commissioner Howell seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Howell	Aye
Commissioner Peterjohn	Aye
Chairman Ranzau	Aye

Chairman Ranzau said, "Now we have arrived at legislative issues, which we added

recently. I don't have any updates on that. Commissioners have anything to discuss? We will move on to "Other." is there anything for the other portion of our agenda? Commissioner Unruh."

Adopt the Consent Agenda

OTHER

Commissioner Unruh said, "Thank you, Mr. Chairman. I just wanted, I guess, to announce or to reveal that last evening I had the opportunity to moderate a candidate forum at Bel Aire City Hall, and six candidates for two City Council positions, and two candidates for Mayor in the City of Bel Aire, and it was well attended, and I was really pleased that the demeanor of the candidates, they seemed to have a good grasp of the issues of that community, and were very passionate about the positions, and it was a good turnout. So I guess the main point is to say congratulations to the citizens of Bel Aire, because you have got a good group of candidates to select from. So a nice event. I might also just add that there's, another totally different item, there's been quite a bit of talk in the newspapers lately about Airbus moving out to the innovation campus, and I think they are going to have almost 400 engineers employed out there. With WSU coming back downtown to take the Airbus space, and I just thought it would be good to reveal a little bit of history that in the year 2010 Sedgwick County Commission unanimously approved \$200,000 dollar forgivable loan to Airbus to keep them in our community. At that time they had about 200 employees here, and promised to add 80. So now they have added well over 100 beyond that, and so it is a good example of how our efforts in economic development, and with that particular incentive, that tool, we were able to keep Airbus here and instead of moving to Mobile, Alabama, where their local CEO indicated that they had a lot of pressure to move. It was a 4-0 vote, I think Commissioner Norton was absent, but Commissioners Peterjohn, Commissioner Welshimer, Chairman Parks and myself voted on it. That's a victory in a sense, so we want to congratulate Airbus and tell them we appreciate their presence in our community. That's all I have."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. I hesitate to correct Commissioner Unruh, but in 2010, Commissioner Peterjohn was the Chairman of the Commission."

Commissioner Unruh said, "Forgive me."

Commissioner Peterjohn said, "The plaque is in my office if you want to see it. Let me point out April 1st is a very important day in American history, on a whole bunch of different levels. In 1789, United States House of Representatives held their first full meeting and elected Frederick Muhlenberg of Pennsylvania to be the first speaker of the House. In 1865 on April 1st, Union Army won the battle of Five Forks, because General Robert E. Lee sent a message to Jefferson Davis indicating that Petersburg and Richmond must be evacuated and it was beginning of the end for the confederacy. April 1st, 1945, American Army and Marines began the landing on Okinawa. Biggest land/sea battle of the second world war, more casualties than any other battle I believe, during the conflict, began on this date in 1945. On a more positive note, 1954, April 1st, United States Air Force Academy, Colorado Springs, Colorado was established. So April 1st, a very important day in American history, and Mr. Chairman, I appreciate you letting me get this on the record this morning."

Chairman Ranzau said, "Any other comments? Next is Executive Session. I do believe

we have a need for Executive Session. Commissioner Peterjohn."

MOTION

Commissioner Peterjohn moved to go into Executive Session for matters regarding consultation with Legal Counsel on matters privileged in the attorney client relationship relating to: pending claims and litigations, legal advice, and personnel matters of non-elected personnel. And that the Board of County Commissioners return to this room from Executive Session no sonner than 12:35.

Chairman Ranzau seconded the motion.

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

VOTE

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

Chairman Ranzau said, "We are now in Executive Session."

EXECUTIVE SESSION

The Board of County Commissioners recessed into Executive Session at 11:59 a.m. and returned at 12:50 p.m.

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:50 pm.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

*RICHARD RANZAU, Chairman
Fourth District*

*KARL PETERJOHN, Chair Pro Tem
Third District*

*DAVID M. UNRUH, Commissioner
First District*

*TIM R. NORTON, Commissioner
Second District*

*JAMES M. HOWELL, Commissioner
Fifth District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
