

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, May 6, 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 9:07 a.m. on May 6th, 2015 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Richard Ranzau, with the following present: Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner James M. Howell; Mr. William P. Buchanan, County Manager; Mr. Mike Pepoon, Acting County Counselor; Mr. David Spears, Director, Bureau of Public Works; Sheriff Danny Bardezbain, Undersheriff, Sedgwick County Sheriff's Office; Ms. Jill Bailey, Deputy County Clerk; Mr. John Schlegel, Director of Planning, Metropolitan Area and Planning Department; Mr. Marvin Duncan, Director, Public Safety; Mr. Rick Durham, Deputy Chief Financial Officer; Ms. Lindsay Poe-Rousseau, Budget Director; Ms. Krista McGovern, Senior Purchasing Agent, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Kim-Anh Do, Deputy County Clerk.*

#### **GUESTS**

*Ms. Cynthia Gardner, 1133 South Pershing, Wichita  
Mr. Ompal Chauhan, 31 Lauren, Wichita  
Mr. Steven Walters, Appointee, Wichita/Sedgwick County Access Advisory Board  
Mr. Larry Oxendiny, 334 South 339th Street West, Cheney  
Mr. Joshua Price, 3300 South 343rd Street West, Cheney*

### **INVOCATION: Moment of Silence.**

### **FLAG SALUTE**

### **ROLL CALL**

Roll Call

### **CONSIDERATION OF MINUTES**

#### **A      [15-0282](#)      REGULAR MEETING OF FEBRUARY 18, 2015.**

All Commissioners were present.

*Chairman Ranzau said, "Commissioners, you have the item before you, as well as items B and C.*

#### **MOTION**

*Commissioner Unruh moved to approve the Regular Meeting Minutes of February 18th, February 24th, and March 4th, 2015.*

*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, please."

**Approved**

**B**      [15-0283](#)      SPECIAL MEETING OF FEBRUARY 24, 2015.  
All Commissioners were present.  
*Action on Item B was taken with Item A.*

**C**      [15-0299](#)      REGULAR MEETING OF MARCH 4, 2015.  
All Commissioners were present.  
*Action on Item C was taken with Item A.*

**PROCLAMATIONS**

**D**      [15-0265](#)      PROCLAMATION DECLARING POLICE WEEK.  
Read by: Chairman Richard Ranzau.

RECOMMENDED ACTION: Adopt the Proclamation.

*PROCLAMATION*

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

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

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

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

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

*NOW, THEREFORE BE IT RESOLVED that I, Richard Ranzau, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 10 – 16, 2015 as*

POLICE WEEK

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

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

MOTION

Commissioner Peterjohn moved to adopt the Proclamation.

Chairman Ranzau 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

*Mr. Danny Bardez Bain, Undersheriff, Sedgwick County Sheriff's Office, greeted the Commissioners and said, "On behalf of the men and women of Sedgwick County Sheriff's Office and all officers in Sedgwick County, I want to express our appreciation for this Proclamation and I will accept it on their behalf. We all enjoy our jobs, we are proud to wear this uniform, and I want to point out that a lot of people think of us out there on the street, but there is a big brown building west of here, and there is a lot of dedicated people, men and women, working in that facility as well. And they are there serving the public and making sure that the people that are incarcerated are safe and secure. Going through some tough times right now, but we are holding our head high. We are proud of what we do, and we will continue to serve in that capacity. Thank you."*

Chairman Ranzau said, "Thank you. Please extend our gratitude to all the deputies. Commissioner Norton."

Commissioner Norton said, "Thank you for being here today, Danny. I think we all know that those that put their lives on the line and are in harm's way serve us at the highest level in the community. There is a memorial service for those individuals coming up. You have the details."

Mr. Bardez Bain said, "Yes."

Commissioner Norton said, "Maybe the public would like the details."

Mr. Bardez Bain said, "I'm glad you reminded me. I was going to mention that. May 15th, Friday, there is a memorial service, Law Enforcement Week, where we honor our

*fallen here in Sedgwick County, and it will be held over at the city building at noon, and the public is invited to attend."*

*Commissioner Norton said, "And the folks that we honor go back into the turn of the century, I think."*

*Mr. Bardezbain said, "Yes. That's correct. I was on the Committee that put that memorial together, and even when we were well into the project we were still researching history, local history, and we discovered that the first actual fallen officer was a sheriff's officer who was killed in the line of duty in Newton. How's that? Well, at that Newton was in Sedgwick County. So Carlos King was his name. It was 1876, I believe. So we've been around a long time."*

*Commissioner Norton said, "And the new memorial, I say it's new, it's been there several years, at the corner of Central and Main."*

*Mr. Bardezbain said, "Yes, sir."*

*Commissioner Norton said, "On the city corner."*

*Mr. Bartmam said, "Yes, sir."*

*Commissioner Norton said, "And it memorializes all those officers, either Sheriff's Department, or Wichita Police, or small city police."*

*Mr. Bardezbain said, "Yes, officers from Clearwater and Derby on there as well. All officers in Sedgwick County are honored there."*

*Commissioner Norton said, "Thanks for being here today and reminding us of the service that these men and women have given us over the years."*

*Mr. Bardezbain said, "Thank you, Commissioner."*

*Chairman Ranzau said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I would just make a few quick points. Danny, if you have any comments I would appreciate you throwing them out. But I wanted to mention that the state also has a memorial where the fallen officers from Sedgwick County are memorialized on the state house grounds, too. I think they have ceremonies in the spring also. I don't know if there's one coming up in the near future, but I would also like to commend the New York Mets at this point, I notice that they were memorializing Officer Moore, who was killed in the line of duty this week on the streets of New York, and I think that needs to be mentioned and commended at this point in time under these circumstances."*

*Mr. Bardezbain said, "Yes like I said, it is trying times for us right now. Any of my staff, do you know where that is in Topeka? Same Friday? Oh, this Friday, okay. So the one in Topeka is this Friday, the 8th. And it is usually around noon as well. There at the state capitol grounds is where the memorial is located."*

*Commissioner Peterjohn said, "Thank you very much for coming in."*

*Mr. Bardezbain said, "Thank you, Commissioners."*

Chairman Ranzau said, "Next item, please."

**Adopted**

### **CITIZEN INQUIRIES**

- E**      [15-0294](#)      REQUEST TO ADDRESS THE BOARD OF COUNTY  
COMMISSIONERS REGARDING COMCARE.  
Presented by: Cynthia Gardner-Meerian, Wichita.

**RECOMMENDED ACTION:** Receive and file.

*Ms. Cynthia Gardner, 1133 South Pershing, Wichita, greeted the Commissioners and said, "First, we are not consumers. We are clients or patients. We are individuals, not people or persons. We are human beings. I am one of the fortunate ones, because I have a formal education with a Bachelor of Science in Aviation Technology, and a Master of Arts in Communication. For every high-functioning bipolar like myself, there are hundreds that lack the education, the opportunity, and confidence to appear before you today. Today I stand here as an advocate for myself and those clients and patients with mental illness. If privatization will remove Marilyn Cook as the Executive Director of COMCARE, I am 180 percent for it. COMCARE is way overdue for confidence, compassionate and caring leadership that will choose care over an office with a marble entryway.*

*"An example is Miss Cook not only knowing about, but endorsing the use of steel handcuffs, leg irons, and shackles while transporting psychiatric patients from Wichita, Kansas for a three-hour ride to Osawatomie, Kansas. COMCARE knew, Greg Valentine, the superintendent of Osawatomie State Hospital knew, and the Via Christi Medical Center knew. And no one did anything about it. Imagine your hands being cuffed behind your back for a three-hour ride. My husband was one of the many that endured this inhuman treatment. It took an advocate and an attorney to get the County contract changed. It is awful that it would take such measures to do the right thing. To this day there is still no AEDs (automatic external defibrillators) on the patient transport vehicles. The terrain between Wichita, Kansas, and Osawatomie, Kansas, is mostly rural, with small towns fortunate if they have a volunteer fire department much less ambulance service. Patients who are manic have increased heart rates and are already having a medical emergency, which is why they are being transported to a psychiatric hospital for treatment. This upgrade would show us that the County actually cares about its most vulnerable population, the mentally ill.*

*"I ask that you not privatize COMCARE. Because after privatization has been in place, it will only be a matter of time that a couple of individuals will reduce services in order to take money for themselves. I ask that you create a search committee to search for leadership talent that will create an atmosphere that encourages medical staff, therapists, case managers, families and friends of clients and patients, as well as the clients themselves, to speak up and advocate for change. I ask that you change the word consumer on the COMCARE website, as well as COMCARE forms, to reflect the word client or patient. You do not feed us anything. How would you like to be known as something as degrading as mental health consumer? This can be turned around. However, it starts at the top. And I am looking at the five people who can make this happen.*

*"This is an opportunity to do the right thing for the right reasons. 14,621 client/patients,*

*family and friends and 393 current COMCARE employees are counting on you, as well as the Sedgwick County community. I would like to submit 59 written recommendations for COMCARE; 59 changes that include solutions to problems facing COMCARE at this very moment; 59 ideas that have the ability to transform COMCARE into an organization that provides the best care that money can buy. If the five of you privatize COMCARE, you will lose any opportunity that you have to turn COMCARE around and implement changes where COMCARE can become the flagship of the fleet. Before you make such a drastic change as privatization of COMCARE, I ask that you consider changing COMCARE's leadership, and give the new leadership an opportunity to take corrective action. While that leadership is being sought out, I am requesting that you reassign Jason Scheck, the Director of COMCARE's Crisis Intervention Center, as the temporary Director of COMCARE. Thank you for your time and consideration."*

*Chairman Ranzau said, "Thank you, Ms. Gardner, for your comments. Are you going to leave something with us?"*

*Ms. Gardner said, "Yes, I will."*

*Chairman Ranzau said, "We'll enter that into the record. Commissioners, what is the will of the Board?"*

#### MOTION

*Commissioner Unruh moved to receive and file.*

*Commissioner Peterjohn seconded the motion.*

*Chairman Ranzau said, "Madam Clerk, make sure we get a copy of what she has, and make sure each Commissioner gets a copy, please. Thanks."*

*Ms. Gardner said, "Do you want these now?."*

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

#### VOTE

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

*Chairman Ranzau said, "Next item, please."*

#### Received and Filed

F [15-0310](#)

REQUEST TO ADDRESS THE BOARD OF COUNTY  
COMMISSIONERS REGARDING PROPOSED FIRE ALARM AND  
CARBON MONOXIDE CODE CHANGES.

Presented by: Ompal Chauhan, Wichita.

RECOMMENDED ACTION: Receive and file.

*Mr. Ompal Chauhan, 31 Lauren, Wichita, greeted the Commissioner and said, "I came here to talk to you about the proposed fire alarm and smoke alarm ordinance. I really don't have any problem with the smoke alarm ordinance the way it has been written, but I work in the field practically, and when we ignore the problem not with the general public, but in the lower income area, every time I go, they have taken out the smoke alarm. Even though we have documentation to show that smoke alarm was there, and then they call the city inspection. And they write us that it is your problem because it is your house. I think the people who are in violation, they should be held accountable. When we have the proof that when we went there the fire alarm was there when the people entered the property. 90 percent of the time. When the smoke or anything, or the fire alarm goes off, they get frustrated. What they do, they pull it out. Sometimes they beat it with brooms. So every time I go into a change of tenant, I have to change the locks, so I suggest that the accountability should be on the people who commit the violation of the code, and not on just the property owner.*

*"On the smoke alarm, I think it is a good requirement. It is a safety requirement. And whatever we can provide for safety, I think we should do that. But the way it has been written, I don't think it makes too much sense. They are saying that the smoke detector should be installed outside each bedroom. We have to see, what is the source of the carbon monoxide? It is the furnace or other combustible equipment. And they are talking about the garage, you know, I think it has to be from the exhaust on the cars if you leave it running. So my suggestion would be to revisit and I think we need to do what makes sense. We install the smoke alarms outside the garage, the door that enters from the garage to the house, so that way we can catch the problem right away, instead of each bedroom which may be, you know, upstairs, downstairs, anywhere else. The other thing is the current mechanical equipment they are installing, it has built-in safety requirements, so they turn themselves off when we have a carbon monoxide or they lose fluid. This mainly happens from the flue being disconnected from the system, otherwise we have requirement that the flue be exhausted outside. So I believe it is a good idea to revisit, and make the requirement that makes sense. Instead of just blindly putting the requirement that you put outside every bedroom. And I think I will answer any questions you might have now."*

*Chairman Ranzau said, "Let me clarify. You are talking about the placement of the carbon monoxide detectors outside of bedrooms."*

*Mr. Chauhan said, "Yes. And the smoke alarms. The smoke alarm ordinance is okay. I think the way it is written the problem is people take them out. How are you going to make them safe?"*

*Chairman Ranzau said, "I see no other questions. Thank you for your time. What is the will of the Board?"*

#### **MOTION**

*Commissioner Peterjohn moved to receive and file.*

*Commissioner Unruh 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, please."  
**Received and Filed**

## **APPOINTMENTS**

**G**      [15-0300](#)      RESOLUTION APPOINTING STEVEN WALTERS (COMMISSIONER JIM HOWELL'S APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD.

Presented by: Michael Pepoon, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Mike Pepoon, Acting County Counselor, greeted the Commissioners and said, "You have before you a resolution appointing Steven Walters to the Wichita/Sedgwick County Access Advisory Board. I believe it is his reappointment, the first appointment for Commissioner Howell. These are one-year appointments. I will answer any other questions you might have."*

### **MOTION**

*Commissioner Howell moved to adopt the Resolution.*

*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, "Mr. Walters is here today to be sworn in."

*Ms. Jill Bailey, Deputy Clerk, greeted the Commissioners and said, "Please raise your right hand. I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the Wichita/Sedgwick County Access advisory board so help me God."*

*Mr. Steven Walters, Appointee, Wichita/Sedgwick County Access Advisory Board, greeted the Commissioners and said, "I do. First thing I would like to say thank you to*

*all the Commissioners for agreeing to reappoint me to the Access Accessibility Board. The Accessibility Board is a Board that deals with a lot of tough issues that deal with disabilities, and I would like to say that if there is anybody that has an opportunity to serve on the Board, I would encourage you to serve on the Board and get your feet wet and see what all the Accessibility Board deals with. We deal with stuff like mobility, tough issues like different type of codes that have to do with disabilities. I would just encourage you if you can serve, I would encourage you to at least serve on the Board, and see what you can do to help, if you can. So thank you very much."*

*Chairman Ranzau said, "Commissioner Howell."*

*Commissioner Howell said, "Thank you, Mr. Chairman. Thank you Mr. Walters for serving. You have done a good job. And we have had a long discussion about moving forward and I believe you have served very well. Thank you for your service and stepping up and being faithful to the appointment. Thank you very much."*

*Chairman Ranzau said, "Next item, please."*

**Adopted**

**H**      [15-0293](#)

RESOLUTION APPOINTING CHARLES BROWN (COMMISSIONER JIM HOWELL'S APPOINTMENT) TO THE SEDGWICK COUNTY STORMWATER MANAGEMENT ADVISORY BOARD.

Presented by: Michael Pepoon, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Pepoon said, "You have before you a resolution appointing Charles Brown, another appointment by Commissioner Howell, to the Sedgwick County Storm Water Management Advisory Board."*

MOTION

*Commissioner Howell moved to adopt the Resolution.*

*Commissioner Unruh 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, "Is Mr. Brown here today?"*

*Commissioner Howell said, "I don't see him."*

*Chairman Ranzau said, "We will get him sworn in at a different time. Next item."*

**Adopted**

- I      [15-0261](#)      RESOLUTION REAPPOINTING KELLY ARNOLD TO THE ELECTED OFFICIAL POSITION, SCOTT HADLEY TO THE ALTERNATE DEPARTMENT HEAD POSITION, AND APPOINTING RICHARD VARGAS TO THE ALTERNATE CLASSIFIED EMPLOYEE POSITION (BOARD OF COUNTY COMMISSION REPOINTMENTS AND APPOINTMENT) TO THE SEDGWICK COUNTY GRIEVANCE BOARD. Presented by: Michael Pepoon, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Pepoon said, "Commissioners, you have before you a resolution reappointing Kelly Arnold to The Elected Official Position, Scott Hadley the Alternate Department Head Position, and Richard Vargas to the Alternate Classified Employee Position to the Board. This is by Sedgwick County Resolution. We had the department head and elected official and an employee that is from our classified employee pool. Two of these are alternates and one obviously is the elected official position. So I ask that you adopt the resolution."*

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

**MOTION**

*Commissioner Peterjohn moved to adopt the Resolution.*

*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, "Are any of those individuals here today? Scott is. Okay. Does he need to be sworn in? I think they left. We will get them sworn in later. Next item, please."*

**Adopted**

**NEW BUSINESS**

- J      [15-0305](#)      CON2015-00011 - CONDITIONAL USE TO PERMIT AN ACCESSORY APARTMENT ON PROPERTY ZONED RR RURAL RESIDENTIAL (RR) GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH 343RD STREET WEST AND WEST 32ND STREET SOUTH (3300 SOUTH 343RD STREET WEST) (DISTRICT 3). Presented by: John Schlegel, Director, Metropolitan Area Planning Department.

RECOMMENDED ACTION: Adopt the findings of the Metropolitan Area Planning Commission (MAPC), approve the Conditional Use subject to the conditions recommended by the MAPC, and authorize the Chairman to sign the resolution.

*Mr. John Schlegel, Director of Planning, Metropolitan Area of Planning Department; greeted the Commissioners and said, "Before you today is a request for a conditional use for an accessory apartment on the property that you see displayed on the graphic before you now? The clerk indicated its location out in the western part of the county, in Commissioner Peterjohn's district. The property shows up on this aerial photo that I put up. It is currently developed with a single-family residence, which is off on the western side of the property toward the 343rd Street, and there are variety of other accessory buildings and animal enclosures on this 11-1/2 acre parcel. What the applicant is intending it do is convert an existing structure more towards the eastern side of see the structures on the property into an accessory apartment into which his parents will move.*

*"You can see that from the zoning map that the surrounding zoning is entirely rural residential. On the aerial photo you can see the nature of the property in the vicinity of this application area. It is primarily agricultural in nature, although you can see that there are a number of home sites in the immediate vicinity. As part of the request, for the accessory apartment, they are asking for the waiver of two supplemental regulations found in the zoning code for accessory apartments. One of those has to do with the appearance of the accessory buildings. The requirement in the zoning code is that accessory apartments have the same general appearance as the main dwelling on the property, and in this case that would not happen. And then the other waiver that they are requesting is to the regulation that requires that the sanitary sewer service be provided off the same system as the main house, and because of the location of the house on the western side of the property, you can see it labeled on the site plan as house, and the fact that the accessory apartment is off further to the east, that would not be possible. They also need, because the accessory apartment is attached to what is labeled as the Garden Store Kitchen on the plan, that requires a separate sanitary sewer connection. So in addition to the conditional use approval today, they are asking for those two waivers. In all other respects, what they are doing on the property conforms to the zoning requirements for accessory apartments.*

*"The request was heard by the Metropolitan Area Planning Commission (MAPC) at its meeting on April 2nd. There were several property owners from the neighborhood that spoke at the meeting expressing their opinions that the applicant's property was overdeveloped with accessory buildings, that the exteriors of the accessory buildings appeared to be mostly salvaged materials, and the concern about requesting the waiver to the two standard conditions of approval. Following the public hearing the MAPC did vote by 8-1 to recommend that you approve this request, including the two waivers. In addition the request was heard by the Cheney Planning Commission on April 23rd. It is in that city's zoning area of influence, so it was heard by them as well. We do have protest petitions. You can see the properties that submitted protest petitions on the graphic before you now. They represent a little over 17 percent of the total area, that's less than the threshold that would affect your vote today. So the recommendation from the Metropolitan Area Planning Commission is for you to approve this, including the two waivers that are being requested. With that, I will take*

*any questions that you might have."*

*Chairman Ranzau said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "I would like to get on the record, Mr. Schlegel, you said that this whole area is zoned rural residential. There is a lot of agriculture out there, and can you kind of go into the difference between rural residential and where agriculture fits in, and under our zoning?"*

*Mr. Schlegel said, "Well, rural residential is the zoning designation that requires a minimum of two acres in order to develop a dwelling unit on it. Agriculture uses are permitted uses on rural residential. It is predominant zoning classification throughout the unincorporated area."*

*Commissioner Peterjohn said, "Okay."*

*Mr. Schlegel said, "I don't know if that answered your question."*

*Commissioner Peterjohn said, "It does, because when we said rural residential basically that is basically all of the farm ground in Sedgwick County that's not, that doesn't have other classes of zoning would fall in, and isn't agricultural, per se."*

*Mr. Schlegel said, "There is no agriculture zoning classification, correct."*

*Commissioner Peterjohn said, "That was my point, thank you."*

*Chairman Ranzau said, "Thank you, John. Even though this isn't a formal public hearing, we would like to allow anyone who wants to speak on this issue to come you up. Is there anyone from the public who would like to speak? Please give us your name and address."*

*Mr. Larry Oxendiny, 334 South 339th Street West, greeted the Commissioners and said, "One of the lands that was a protest. The planning commission gave a very brief part there. All of the buildings since the mobile home were moved in; none were built with permits or planning. They were all built without any permits. About a year ago I went to see what permits I needed to build a fence around my property. And I was told none, but at that time I asked them how many permits have been pulled on this property, and they said none. Not since the mobile home had been moved in."*

*"According to the zoning code that this is supposed to follow, Section 3-B, Use Regulation 6 supplementary use regulation, no permit shall, and I emphasize the word shall, be issued for any development or use of land unless the activity is in compliance with all applicable supplementary use regulations specified in this section. Two of those regulations are what they are waiving. I won't read those, because we know what they have already been spoken to. However, as I said, I emphasize the word shall. Per article two, rules of construction and definitions number seven, mandatory and discretionary terms. The word shall is always mandatory. To me, that means all the supplementary use regulations are mandatory to be followed. Not waived. To me, the structure being considered has also been termed the Garden Store Kitchen. A term which suggests not only the process of food products, and in this case specifically chickens, is what's been stated in the planning commission, but it's also referred to it as a store. Per the chart on page 138 of the County Unified Zoning Code, lists that*

*agricultural sales and service in rural residential is only allowed by conditional use permit. Has the conditional use permit for this been applied for, or is that another one that's going to be forthcoming? Again, we'll have to argue and fight against. The biggest concern I have is not that it's an accessory apartment. That's fine. If they had gone through proper planning and procedure, permitting, that building would not have been allowed to be permitted and built for an accessory apartment in its place under the conditions.*

*"Next item. As a licensed, master plumber within Sedgwick County, I have worked for almost 20 years now following codes and regulations. Per zoning code page 46 of the same regulation, the minimum lot size for uses served by sewage lagoons or private sewage systems shall be 4.5 acres. Now, they bury that, you can allow for, if I am not mistaken, 2.5 acres. To get to the height of the location that they could have a sewage system private for this secondary building is less than three acres. You are going to end up with two private sewage systems on less than what is the normal required for one sewage system. Per the UPC code 2012 edition, which I don't know if the appendix H which follows the private sewage system has been adopted by the County. I know the 2012 UPC code has been. Per that appendix, when there is insufficient lot area or improper soil conditions for adequate sewage and disposal for the building or land use proposed, an authority having jurisdiction so finds no building permit shall be issued and no private sewage disposal shall be permitted where space or soil conditions are critical. No building permit shall be issued until engineering data and test reports satisfactory to the authority having jurisdiction have been submitted and approved. I ask, has any of that been done? To allow a secondary sewage system on a private land in that size?*

*"Another portion. All private sewage systems shall be designed that additional seepage pits, subsurface drain fills equivalent to not less than 100 percent of the required original system shall be permitted to be installed as the original. Basically, you have to have 100 percent of what your original designed system space allowed for possible future addition. If you look at this and all the buildings around, to meet that criteria, I don't see how they can fit that much sewage system spills in that area. I would like to see someone prove me wrong. Again, I say I am not against the fact that they could have got an accessory apartment, I am against the fact all these buildings were built, no permit, and yet it seems like the planning commission has bent over backwards to give whatever variances they can to allow this to occur. I am not against the owners, I am from the farmer. I lived a mile north growing up on a hog farm. We don't do that anymore, but I do like the agricultural area. But this is gone beyond what is normal. I ask you to please deny this request.*

*"Another, in closing I asked in an email to you, Karl Peterjohn, to visit the site, because nothing, this does not give a good representative without visiting the site and looking at it yourself. Either you or your staff, did that occur."*

*Commissioner Peterjohn said, "I will respond at the appropriate time. The quick answer is yes, I drove by earlier this week."*

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

*Commissioner Peterjohn said, "I do want to get into more detail. I don't want to get out of the process and procedure here."*

*Mr. Oxendiny said, "That's fine. I just wanted to ask. I thank you for your time. Is there*

*any questions for me?"*

*Chairman Ranzau said, "Seeing none, thank you very much. Is there anyone else from the public who would like to speak on this issue? Please give us your name and address."*

*Mr. Joshua Price, 3300 South 343rd West, Cheney, greeted the Commissioners and said, "As far as building permits, when I discovered I needed all that stuff, I went immediately down to the building code guys. Immediately called and talked to them. We started it right off the hop. I went over there on my lunch break and started it, and then we had Willy and Larry, they both took time off from work, walked through all my buildings, did what we need to do to get it up to par and get everything done. As far as for the septic stuff, Tim from the building code place did come out. We had a test dig done by him, by sideward diggings and he gave us recommendations on how big the sewer system would be, and that it would fit in that area. Only thing I have to move, there is a water line, has to be within ten feet away from the stuff. It started out as a garden kitchen. We do canning at my house and this and that, and it kind of takes over the kitchen, when we do that and we have three little kids. So one thing led to another, we just thought it would be easy to do what a garden kitchen is suppose to do, canning and process poultry. I can't say I've processed very many. I have processed 150 in three years. So as far as for the concern of me becoming a baroness of the poultry processing business is pretty much a joke as far as that goes.*

*"The accessory apartment came along, my mom and my stepdad got injured at work and hasn't worked for two years. Mom is trying to retire from Castle Metals. They can't afford to keep renting a house. So that's why we are kind of, one thing led to another. So the buildings may be used out of recycled, repurposed materials, but I do work for the zoo, and I do believe in repurposing, recycling things. There is an end game. I want to paint the buildings eventually and make it nice and neat, and I don't know when you drove by. You are more than welcome to come out. A couple of the neighbors, when I heard Larry had a problem and went around with a petition, I invited neighbors to come over and look at it. I do want to set up a CSA (Community Supported Agriculture), and sell vegetables and produce. My greenhouse has tilapia right now. I want to try to provide vegetables and produce, poultry and meat to people. I don't know if you have heard of CSA, community-supported agriculture. So people would sign up for a box of produce or food, and then that would be what they would get on a weekly subscription.*

*"With all my research doing that type of stuff, I found out that you need kind of a variety. You can't just concentrate on tomatoes or this or that. So I kind of have just a hodgepodge of things, but you need to have a well-balanced CSA in order to be successful and be able to support people so my mom and stepdad want to do the gardening and supplement their income with that. I have got a picture processing honey in my kitchen, which took over the whole kitchen, if you want to see. That's kind of the reason why, I just find it a lot easier to have a spot to do that kind of stuff, than do it in the house."*

*Chairman Ranzau said, "How many acres total?"*

*Mr. Price said, "I think its 11.5 acres, something like that."*

*Chairman Ranzau said, "Commissioners, any questions? Seeing none, thank you for your time. Anyone else from the public who would like to speak? John, is everything squared away as far as permits and everything?"*

*Mr. Schlegel said, "Yeah. That's what we have been told by code enforcement people. They have taken care of all the permits that are needed to get them where they need to be."*

*Chairman Ranzau said, "Okay. And we have the authority under this code to waive certain requirements related to."*

*Mr. Schlegel said, "The code does give you the authority. Not the planning commission, but the Board of County Commissioners, the governing body, the ability to waive the supplemental regulations, if you think that's appropriate."*

*Chairman Ranzau said, "We are not doing anything inconsistent with the zoning code"*

*Mr. Schlegel said, "No, you would not, if you would approve this."*

*Chairman Ranzau said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Some technical comments were made regarding plumbing and sewage side of it that seems to be tangential from an accessory apartment, per say, except they have to have a sewage system. Could you provide any clarification on that point."*

*Mr. Schlegel said, "The issue before you today is the conditional use for the accessory apartment. And the review of the sanitary sewer systems that would be necessary for the main house and the accessory apartment is a technical issue that is dealt with by your staff, and as the applicant indicated, he's already had them out to the property, and they have done the soil tests. And I don't know where you are with putting in the second system, but I assume that that will get it done properly."*

*Chairman Ranzau said, "To clarify, the MAPC, they recommended it and Cheney planning commission unanimously recommended approval?"*

*Mr. Schlegel said, "Correct."*

*Chairman Ranzau said, "Including the two requested waivers?"*

*Mr. Schlegel said, "Correct, yes"*

*Commissioner Peterjohn said, "Mr. Chairman, I am going to say for the record, because my understanding is we are sitting as a quasi judicial entity. I had received a communication, communications from Mr. Oxendy, and I think it is appropriate at this point in time to amplify to the question he posed to me. Earlier this week I did drive streets in that general area, took a look at the area, in terms of what type of residences were in that area, what type of AG uses were there. From looking at the map, a lot of 5 to 10-acre parcels, and that's a pretty good-sized lot, although as the applicant said, his lot is a little bit larger, but it is wedge shaped, which is unusual compared to most of those immediate neighbors in terms of that because of the railroad track. I did take a look in terms of trying to get a feel for the neighborhood and how this might fit in, and did try and do due diligence to have a better understanding*



*what everything looks like from the ground. I did not visit the applicant's property per se, but I saw him working on it when I drove by. At least somebody was out there working. I do want to get that on the record, and we are in full compliance of all the rules and regulations we have to use on these types of zoning issues. If I am wrong on that, Mr. Counselor, please correct me. This is quasi judicial procedure isn't it?"*

*Mr. Pepoon said, "I believe it is."*

*Chairman Ranzau said, "Commissioner Howell."*

*Commissioner Howell said, "Thank you. I just wanted to ask you, Mr. Schlegel, can you confirm or let me know, is it fairly common that we see larger tracts of land out in the County that end up with multiple residences on there, going through the process of either replatting or through conditional use, is this fairly common?"*

*Mr. Schlegel said, "I wouldn't call it common, but you do get several of these a year, you know. One or two."*

*Commissioner Howell said, "So it is not normal?"*

*Mr. Schlegel said, "Oh no. I wouldn't call it common at all. And usually it is associated with somebody having parents or other family member that they would like to keep closer to them, like in this case with the retirement or for medical reasons."*

*Commissioner Howell said, "Did I hear you correctly say that rural residential, one of the requirements to have the residence, two acres or something?"*

*Mr. Schlegel said, "Minimum of two acres, yes."*

*Commissioner Howell said, "So if they wanted to replat this, for example, they could potentially put as many as five residences on this tract if they wanted to? Is that possible?"*

*Mr. Schlegel said, "They could, yes."*

*Commissioner Howell said, "Okay. So this is certainly big enough to have two residences. If they wanted to go through the process of replatting, that would be an option. It would be complicated and time-consuming, but that would be the end result if they wanted to go that way."*

*Mr. Schlegel said, "They could do that."*

*Commissioner Howell said, "That's all I have, thank you."*

*Chairman Ranzau said, "I will say that I have had no ex parte communications relating to item. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Second those comments, thank you, with the exception of the one that I cited earlier."*

*Chairman Ranzau said, "Commissioner Norton."*

*Commissioner Norton said, "John, go back to the picture of the aerial photo. Yeah."*

*What is on the piece north, directly north? Is there any structure on that at all?"*

*Mr. Schlegel said, "On the other side of the tracks? It just looks vacant."*

*Commissioner Norton said, "Is it farmed? Is it anything?"*

*Mr. Schlegel said, "Hay, actually."*

*Mr. Price said, "I hay that property there. And then Jerry, he lives north of that, and he has watermelon there. And I hay part of his, too."*

*Commissioner Norton said, "Is the property just north of that piece in the protest area, do you know?"*

*Mr. Price said, "I think so. I think it was part of the protest. Yeah."*

*Commissioner Norton said, "Okay. So the piece just north of the wedge piece, though, is the owner of the wedge piece, and you farm that for him?"*

*Mr. Price said, "Yeah."*

*Commissioner Norton said, "How much of a buffer, John, can you tell is the railroad track, how wide is that? How much of a buffer?"*

*Mr. Schlegel said, "Usually about 100 feet wide. I think that shows up somewhere. Hold on."*

*Commissioner Norton said, "I think it is 100 feet, 50 off center."*

*Mr. Schlegel said, "You can see a little bit further east of his property where it does widen out a bit, but I am going to take an educated guess that's 100 foot right-of-way."*

*Commissioner Norton said, "So safely we are maybe a thousand foot from, or even more than a that from the first protest to the north."*

*Mr. Schlegel said, "Well, the protest, the notification area was a thousand feet. So you could see, that green line is a thousand foot line."*

*Commissioner Norton said, "Okay. And there was no protest from any of the contiguous properties around this property. Is that correct?"*

*Mr. Schlegel said, "Correct."*

*Commissioner Norton said, "They were all separated in some way?"*

*Mr. Schlegel said, "Correct."*

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

*Chairman Ranzau said, "I don't see any other questions. Commissioners, what is the will of the Board?"*

*MOTION*

*Commissioner Peterjohn moved adopt the findings of the MAPC, approve the Conditional Use subject to the conditions recommended by the MAPC, and authorize the Chairman to sign the resolution.*

*Commissioner Howell seconded the motion.*

*Chairman Ranzau said, "Commissioner Norton."*

*Chairman Norton said, "Mr. Counsel, what kind of a vote does this require to pass?"*

*Mr. Pepoon said, "I believe it takes a simple majority."*

*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, "Motion passes 5-0. Madam Clerk, next item, please."*

**Adopted**

**K**      [15-0312](#)

**AGREEMENT FOR SERVICES AS EMERGENCY MEDICAL SYSTEM SERVICES DIRECTOR.**

Presented by: Marv Duncan, Director, Public Safety Division.

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

*Mr. Marvin Duncan, Director, Public Safety, greeted the Commissioner and said, "Here with me today is John Roselle from the Medical Society, and Scott Hadley is here somewhere. Probably still out getting sworn in or something. Anyway, today you have before you an agreement to hire a physician to fill our EMSS (Emergency Medical System Services Director) Medical Director position. To maintain an integrated unified system of free hospital care in Sedgwick County, hiring full-time Medical Director with oversight of all the major components, which is EMS 911, County Fire and Wichita City Fire Department. It is critical to have a full-time medical director. This was recognized in the 2002 study by health analytics that found a full-time Medical Director was a major component needed to achieve seamless system function and consistency of training and quality assurance in medical direction. Medical Society of Sedgwick County strongly endorsed and still does this recommendation, and this study went on to be the foundation of a service agreement, the EMS service agreement in 2003 between the City of Wichita and Sedgwick County, and it also called for a full-time EMSS Medical Director funded by the County. To begin the process to replace our*

current Director, a vacancy was posted in early January, and it ran through March of this year, also advertised nationally in a couple of venues. Applicants were subjected to very deliberate, in-depth screening and selection process through all the participating agencies, senior management from Wichita and Sedgwick County, the Medical Society.

*"The physician selected is currently a practicing EMS Medical Director, maintains an emergency medicine practice at a local hospital. He is board certified in emergency medicine and has a passion for EMS since he was in high school. He completed specialized EMS track during residency, and he was mentored by the Pennsylvania State EMS Medical Director. His initial salary rate will be \$193,576, which is currently the amount we are budgeted. Upon the execution of this agreement the county agrees to buy out the remainder of the physician's financial obligation under his current employment contract with a one-time lump sum payment of \$47,732.69 to the physician. Since this was put on the agenda, we have a minor pen and ink changes to it.*

*"Commissioner Howell, you recommended I go back to the physician to see if we could get an extra year of payback time, and so where it says three years, it is now going to be four years. He's agreed to give us, although he anticipates to be here a very long time. That means if he leaves before the four-year point, he will pay us back \$994.43 a month. And after four years, then he would be forgiven. The next sentence would change the three years to four years, and also be some moving, relocation expenses of up to \$13,000 that would be provided. I would be happy to answer any questions, and I would request that the Board approve this agreement, and authorize the Chair to sign."*

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

**MOTION**

Commissioner Unruh moved to approve the agreement 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, "Thank you, Marv. Next item."

**Approved**

**L**      [15-0295](#)

**PRESENTATION OF THE QUARTERLY FINANCIAL REPORT.**

Presented by: Rick Durham, Deputy Chief Financial Officer.

**RECOMMENDED ACTION:** Receive and file.

*Mr. Rick Durham, Chief Financial Officer, Sedgwick County, said, "And at the end of each quarter the Division of Finance reports on Sedgwick County's financial condition in the following financial report provides an analysis of the first three months of fiscal year 2015. This report has been delivered to you, and will be posted on the web today. I want to take a little time, as is done at the end of every quarter to provide highlights of that report, and, again, this report was prepared by the staffs of the Budget Department led by Lindsey Rousseau, and the Accounting Department led by Sara Jantz. I am just the pretty face that gets to present to you.*

*"So let's begin with an overview which is really key to the assessment of our financial conditions. So what you see here is a slide that identifies what we project year-end revenues, expenditures and fund balances to be in the County's governmental funds. That's categorized by group. If you start on the left, and it is the general fund. If you go down by column, we show projected revenues, expenditures, net transfers and the result, and the net change in fund balance, and that is results in any fund balance on a budgetary basis of \$59.9 million. If you follow the chart across to the right, you see results for the debt service funds. We project a net change in fund balance of \$364,000. And the ending fund balance will be \$2 million. The other County funds that receive support from property taxes, project an ending fund balance of \$6.6 million. Operation that is not funded by property taxes, projected an ending fund balance of \$26.9 million. The Fire District projects an ending fund balance of \$3.29 million. And if we aggregate that together, we see for the entire governmental fund group, the ending fund balance of \$98.3 million, and, again, those are projections made with the data through end of the first quarter.*

*"So move from projections to actual now. We look at just the first quarter information for property tax. At the end of the first quarter we receive \$96.4 in revenues. That's essentially the same amount that we received in 2014, same period. County expenditures at the end of the first quarter in the property tax funds totaled \$64 million. That is an increase of 8.5 million, or 15 percent. Year to date, compared to the first quarter. The increase is largely due to one-time payment to the Sedgwick County Zoo to fund the capital project. There were increases in transfers to other funds that increased \$2.2 million. That accounts for that increase from 2014 to 2015. So if we combine the revenues and expenditures for the first quarter, County revenues increased 2/10ths of a percent, while expenditures increased 15.93 percent.*

*"And as you saw on the prior slide, revenues are greater than expenditures, and that's due to the first half of the year we received a full year's worth of property tax, then we spend that down throughout the year. So this shows the net income on the property tax supported funds of \$ 32.4 million, that is down \$8.4 million from 2014. Here I show the top ten revenue sources that provide the greatest amount of funding for Sedgwick County: ad valorem taxes are the largest amount of taxes because of the timing of the tax collection cycle. For the first three months, we receive \$73 million in County property taxes, or an increase of 3.8 percent. Sales and use taxes, the second largest revenue source. And then after those top two, top three, those amounts drop off fairly rapidly, and then so the total of all revenues for the first quarter are \$96.42 million or an increase of 2/10ths of 1 percent.*

*"Moving from revenues to expenditures, personnel represents the largest single category of expenditures that the county incurs. What is being show is a breakdown of the various components of the personnel cost. Salaries and wages for the first three months of the year, \$19.1 million, and that's a 3.6 percent increase over first quarter of 2014. Insurance premiums decrease nearly 4.8 percent. That is because there are 27*

*pay period postings this year as opposed to a normal 26. So that is the representing of that. Pension contributions continue to increase, and are up 10.8 percent. That's a function that the State continues to try and improve the position of KPERS. And you can see the total personnel cost through March 31st, \$29.5 million, or 3 percent greater than total personnel costs during the first three months of 2014.*

*"Continuing on, looking at expenditures, turning away from personnel costs, you can see that the grant awards funding that we provide to other agencies is the largest there. And we incur for the first three months an increase of \$10.7 million, and that's where the funding for the Zoo payout came from that grant award. So if you look down our total non-personnel expenditures for property tax stands at \$34 million, or an increase of \$5.4 million from the first quarter in 2014. Move now to the non-tax special revenue funds for the first three months of the year, and we look at those in the same manner we looked at the tax funds in that we received \$20.5 million, or a decrease of 2.1 million in revenues from a year ago, but looking back historically, you can see that it remains in a pretty narrow range. First quarter expenditures, \$23.9 million, or \$5.3 million more than a year ago. That significant uptick is as a result of encumbrances that we have and not true spending. If you allow me to explain, it is the way that people are using PPS, it is a greater understanding and a better use of the purchasing system, so what we are seeing is an increase in users having annualized PO's or contractual, and what is allowing them to do that is the way that we give budget authority. It used to be done on a quarterly basis. Now what we have done is change the policy to allow the budget director to have discretion on how we allocate authority. As an example, personnel dollars were released at 25 percent, while tax fund dollars for contractals, commodities and equipment were released at 75 percent. That's why you are seeing that dramatic uptick. So if you combine the two there, we see that there was a decrease in revenue of 9 percent. And that increase of 21.9 percent in expenditures again explained by the use of the purchasing system.*

*"Again, we will look at the top ten revenues, the non-tax revenue funds. So Medicaid fees are the largest source of revenue in the non-tax revenue funds. And as you draw, as your eyes go down the percent change, you will notice the largest percentage change is the last item there for the affordable air fares, and that's a reduction of 99 percent. But as you recall last year, we received two fiscal years' worth, the way the state distributed that money to us. That's just a reflection of receiving two fiscal years worth of funding last year, and then it balancing out this year. So it is not a reduction in the amount of that we receive. Expenditures in the non-tax fund, again, salaries and wages are alarming single source in this group and increased 7 percent. Again, there's significant percentage increases if you look to the right in grant awards, 146 percent increase, and on the bottom line, management services, 172 percent increase, but both of those attributed to the use of the PPS, the purchasing system and the way they are doing encumbrances now. It is not true expenses it is a reservation of funds.*

*"So if we look now back to just the general fund, we look at the total fund balance based on a gap basis or true accounting basis here. So if you scan back in the fund balance, it follows a clear cycle through each quarter of every fiscal year, as you can*

see. So at the end of the first quarter, the fund balance was \$93 million. And as you look forward, by looking back, you can see it is going to follow a clear cycle. We will see that balance increase in the second quarter, and then we will spend that balance down in the third and fourth quarter, which was where it will hit its low point. Staying with fund balance, the county has a fund balance policy that states we expect undesignated fund balances to be at least 20 percent of budget expenditures. So this chart shows that we have remained by the red numbers, which are the first quarters of each of those fiscal years, you can see the County stays in a fairly narrow range between 45 percent and 50 percent.

"Looking now at the County's investment portfolio, at the end of the first quarter, the County had about \$225 million invested. And that's represented by the tan bars there. And then you can identify the County's cash flow cycle by those tan bars, you can see it is a very predictable cycle, going back. The solid blue line represents the return on those investments. Right now we are getting about, just shy of 7/10ths of a percent return. However, when you compare that with the bench mark, which is the dotted line at the bottom of the chart, which is the one-year Treasury bill, just over 1/10th of 1 percent, can you see that while the returns aren't great, they are pretty good when you compare it against the benchmark. Brandi Baily, who manages our investment portfolio I think, has done a pretty good job. There she is. She does a really good job in pretty tough market conditions. So this chart shows you some of the significant capital projects that are active and open and the statuses of those. This is but a small list, and the complete list is actually in your quarterly report. And this is data that was shown last quarter or so, the updates are the same.

"So we will move now and look at some indicators of financial conditions. What you see here is the Sedgwick County financial condition for 2014. And as you can see, by most indicators, we are either stable or improving with just a couple exceptions. Liquidity is the amount of cash we have on hand to pay bills. Flexibility pertains to the unreserved fund balances that we have, and then the property tax reliance at the bottom then shows the levy as a percentage of government funding expenditures, those are the three items that are not improving. This chart then compares Sedgwick County's information with benchmark counties. We obtained those counties from a database from GFOA (Government Finance Officers Association). We take that financing information from those counties in the Country that received the award for financial reporting, which means they are all providing financial information the same way that we do, so we have confidence we are comparing apples to apples. We single out counties that have populations between 250,000 and 750,000, so we are correlating with the population of Sedgwick County. So if we look at those counties that are similar to ours, and we presume that they have similar financial circumstances and requirements, because the population and reporting information the same way we do.

*"So as you see, we are improving or better than our benchmark counties in all but two categories, and the one are property value, and we've known about that for some time, and that is not new information to you: then that percentage difference is really only 1 percent, so we are looking good as we compare ourselves to benchmark counties. The Center for Economic Development and Business Research at Wichita State publishes a leading economic indicators index, among many other indexes. This is a series of economic indicators that is intended to depict what they expected to happen in the next 6 to 9 months. You see looking back, this is a slide that you see every quarter or so, it should be familiar to you, the steep incline from 2003 to 2007 when the economy was booming, the sharp decline from 2007 into 2009 during the recession. And then the very slow growth as the economy recovers very slowly. Some key metrics when we look at our long-term, this slide shows annual data, again, you can see that most of the, all of the measures are either improving, with the ex-exception of the number of mortgages registered, and that number has been declining over the last three years.*

*"Here we compare the results quarter by quarter going back, so this chart compares the first quarter of 2014 back through 2015, quarter by quarter. You can see that there are a lot of red arrows on this, when we look at this, new home permits are down, sales and use tax, and employment numbers. Some examples of things that we see as potential threats to the County's fiscal position or financial condition, the state programs are looking to local funds to fill the gap. An example of that is the vehicle title processing process. The state budget is projecting deficits again this year. State legislation, motor vehicle tax changes, and the local economy, while growing and recovering, it is growing and recovering at a slower rate than the national economy. So what are some of the key points. What are the takeaways here. What does it all mean?*

*"Sedgwick County is currently in sound financial condition, even though we project a deficit in 2015. Minor but persistent imbalances between county's revenues and expenditures. There is an increasing reliance on taxes to fund government. And the focus over the ten-year period has seen an increased efforts in public safety and public works, while decreased efforts in health and human services and general government. More key points, legislative action to phase out mortgage registration fee is driving a significant decline in the revenues that Sedgwick County receives. Modest growth in other revenues, that is not sufficient to offset that reduction. Potential legislative actions in 2015 pose a threat to the County's financial condition. Revenue growth modestly, or is decreasing in some cases, cost of doing business continue to increase. And we still recognize that the State poses a threat to our fiscal health. So in conclusion, through the first quarter, financial performance is consistent with our expectations. Our fundamentals continue to reflect a strong financial position. There is more work to do, with projected deficits in 2016, and once again, that ten-year focus as we look back shows increased efforts in public safety and public works, and decreased efforts in health and human services in general government. With that, I would be happy to take any questions that you have. If there are none, I would ask that*



*you receive and file."*

*Chairman Ranzau said, "Commissioners, are there any questions? Commissioner Howell."*

*Commissioner Howell said, "Thank you, Mr. Chairman. It was a great report, thank you for putting this together. Really enjoyed seeing some of the details you have presented this morning. I do have a couple questions, though. On slide number 2, I would like a clarification. On slide 2, you talked about the ending fund balance, I guess the correct number in the general fund is 59.4, is that correct? How much of that is discretionary? How much of that can we not touch, or can you describe how much of that is actually available to be considered to be spent by County Commissioners. How much is basically out of our hands, so to speak?"*

*Mr. Durham said, "Give me one second. I will defer to my expert. Thank you."*

*Ms. Lindsey Poe-Rousseau, Budget Director, Sedgwick County, greeted the Commissioners and said, "Commissioners, right now the fund balance policy for the general fund is 20 percent of budgeted expenditures, and that is \$39.2 million."*

*Commissioner Howell said, "So 39 are what we have access to, so to speak."*

*Ms. Rousseau said, "That would be the minimum. So what you would have access to is the difference between our projected ending fund balance, and that 39.2."*

*Commissioner Howell said, "So about 20 million. Okay. I want to make that clarification. It's been in the news that we have lots of money. I want to make sure the media understands we don't have \$59 million to spend. It is really about \$20 million. That's a good point. And slide 3, the property tax supported funds are not really growing. They are basically flat. I think you made that point already. I want to go through a couple other slides quickly. Make a few more points here. The State of Kansas of course has a lot of challenges ahead. We have no certainty right now exactly what is going to happen. We won't know until we basically get past the session, right? There are a lot of things that might happen. We heard a lot of different ideas around, and we have no idea what is going to happen at this point, as far as some of these bills that might impact the County. Okay. Some of those are fairly significant. I think there's one bill I've heard that would cut local governments across the state by about \$170 million, \$30 million of that would be to Sedgwick County. And about 8 of that, \$8 or \$9 million would be directly to our Sedgwick County Government. The rest would be to all the cities in the county. So that is certainly a concern. I think we ought to have one, I have one or two more questions here. On slide number 17 we talk about the investment yield. Is that per year or per quarter? What is that? The percentages on*

*the right side of that chart."*

*Mr. Durham said, "I think it's annualized, is that right? Yes, it is annualized."*

*Commissioner Howell said, "Very good. All right. Couple other questions, if I have time. I will stop for now, thank you, Mr. Chairman."*

*Chairman Ranzau said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you. Very much appreciate the report. And you said it is online. Help me out. The slides that you presented today, or is that full report that is in my left hand?"*

*Mr. Durham said, "It would be the full report in your left hand."*

*Commissioner Peterjohn said, "Okay. Appreciate you clarifying that. Reading through this report, it's very cautionary in nature, in my opinion, because the employment trend numbers are not good, and the macro economy side of it looking accounting wide, and that's definitely the problem we have, people have asked me how is Sedgwick County doing, and our population is growing, and often that's considered a good indicator, but the fact that the property value per person is heading in the wrong direction based on these numbers. And the fact that we have an increasing reliance on taxes as part of the base I think is cautionary going forward. I would like to second a little bit of Commissioner Howell's remarks in terms of what fiscal challenges we may face depending on what happens in Topeka, because I would remind everyone who is watching or listening and hears my voice that the 2014 legislature with the changes in the mortgage registration fee continues to be a challenge for us, and I know in particular for the Register of Deeds office, they are in the front lines day-to-day on trying to work through this. But it is also obviously having an impact on what has been a stable and significant sources of revenue. I would also point out that the data you presented here shows that the volume of new home construction remains down. It's also a cautionary signal and it's a significant one for me and part of the challenges we face fiscally. I think every time we turn the corner and things are looking brighter, the clouds roll in."*

#### **MOTION**

*Commissioner Peterjohn moved to receive and file.*

*Commissioner Howell seconded the motion.*

*Commissioner Howell said, "I have another question. Slide number 7, could you clarify out of approximately \$420 million annual budget that was passed last year, how much of our revenue is actually from property taxes. Look at this chart, ad valorem tax shows as \$73 million, bottom of that column shows \$96.4. What is the actual revenue to the County in terms of property tax revenues, can you?"*

*Mr. Durham said, "I don't have that right now. I will get you that later."*

*Chairman Ranzau said, "Thank you very much. Rick, I have a question. Legislative action, driving significant decline in revenues in Sedgwick County. Back on page 7,*

*registration fees look like it's gone up .9 percent. There is something that we are missing here. I know they made some changes. This doesn't seem to indicate that at least for the first quarter there's been a change."*

*Mr. Durham said, "What I think it has to do with, I am not 100 percent, but while the registration fees themselves are declining, they charge now per page, and there's revenue from that, so as this is being implemented and I am trying to recall something I heard that was said that mortgage registration fees are coming down, then they are charging a per page fee, so those have balanced out. In the future we will see significant decreases in that. So I think that explains the first quarter amount there."*

*Chairman Ranzau said, "We need to clarify that. This seems to infer that this declines revenues now, but I do want to track this over time, because I know that, I mean, we can go back, very simple. We need to have a spread sheet from before and after, and so we can at some point those numbers should diverge for the revenue amounts we expected and gotten in the past. Let's verify that and make sure we have a correct statement on that. Any other questions from Commissioners? We have a motion and second, Madam Clerk call the vote."*

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

*Chairman Ranzau said, "Next item, please."*

**Received and Filed**

**M**      [15-0200](#)

**PRESENTATION OF THE JUVENILE JUSTICE REPORT.**

Presented by: William P. Buchanan, County Manager.

**RECOMMENDED ACTION:** Receive and file the report.

*Mr. William Buchanan, County Manager, greeted the Commissioners and said, "We have gone through rather than monthly reports, quarterly reports for the Juvenile Justice report. We have seen this slide a bunch of times and we know that there is stair step to jail and what we referred to and we know that we are in this area. We do prevention and intervention and graduated sanctions. We don't primary programs, but we do have secondary at risk for children at risk and tertiary programs to follow arrests and intakes to make sure people stay out of the system.*

*"You will see that the number for Juvenile Intake and Assessment (JIAC) these numbers are pretty stable. A little lower than they have been in the past, but going up in the last quarter or so. Intake and assessment, these are placement dispositions. You will see that they fluctuate seasonally but the lines are pretty steady throughout the course of 2013-2015. And again, these are admissions. The admissions for the last quarter, January and February, have been relatively flat, so a little 80 admissions in that period. The Juvenile Detention facility, the present JDF population, you will see has been increasing slightly and we think we know the reason for that. Some of those children in need of care and some of the young women caught in some difficult*

*situations have no other place to place them. And so they are in our facility. Again, the residential facility, this is only a capacity of 24 residents. And you'll see the month of March was way down. That was because one of the dorms was closed for a deep cleaning that was required. So we didn't have anybody in that dorm. Home based supervision. We'd like that to increase, and we see that judges are talking to judges about continuing to try to use that a little more. This is an effective way to keep recidivism at a rate that's lower than what it is now.*

*"Weekend programs are growing, and that's good. We don't need to be incarcerating people for long periods of time unless it's necessary, and I'm glad to see that program being used in the last quarter. Again, the graduating sanctions, we have juvenile intensive supervision. We have case management corrections and residential facilities and two programs operated by other agencies, the diversion program and juvenile probation, and let's look at those numbers. You'll see that the intense supervision on these numbers are gone down since 2012, but about the same as they have been in the past, gone up a little bit in February and March. Not significant. You'll see that the juvenile case management, these are the people in state custody, managed by the state, and you'll see that number is relatively flat, also. Again, there's nothing shocking in these numbers. There's our SKYP (Sedgwick County Youth Program) program. We see an increase in that in the last little bit, and that's to be expected.*

*"Grant funding, you see the grants are \$3.2 million, corrections \$9 million. We have maintenance of \$1.3 for the facilities. So the grand total is \$13,700,000 for these programs. And the cost of the mandated programs, these are programs that are mandated. Grants for JIAC we received from the state, for JDF, Sedgwick County pays for the corrections and maintenance of JDF. Intense supervision is another grant, and custody management is a grant from the state. Cost of other programs, prevention program grants, we see that. Residential alternative, \$1.4 million. Home based alternatives, \$200,000, and that was in 2014, and you see both of those programs are not funded in this year, as is JRBR and the SKYP is funded. So that's the end of the juvenile report. If you have questions, I'll try to answer them, if not, I recommend you receive and file."*

*Chairman Ranzau said, "What's the will of the Board? Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. I had a question on the community. You indicated we weren't using community based programs as much as we wanted to, and you said you're working with the courts."*

*Mr. Buchanan said, "Home based programs."*

*Commissioner Unruh said, "Home based programs."*

*Mr. Buchanan said, "Yes."*

*Commissioner Unruh said, "And the reason that we don't have a larger number there is due to the fact we don't have enough programs, is that..."*

*Mr. Buchanan said, "I don't know the answer to that, but I will find out."*

*Commissioner Unruh said, "Okay. My question is driven a little bit by, I think I had notified my colleagues that I was going to make a trip to Topeka to speak to the*

*Secretary of Corrections, specifically regarding our juvenile corrections efforts here in Sedgwick County, and one of the main reasons I wanted to go was to find out what was his perspective. What direction was he going to take from the state level in terms of home based counseling, home based programs, community programs as opposed to out-of-home placements and putting young offenders in confinement. He clearly indicated, as a result of in large part of a study that was performed by the 2014 legislature, and I think Commissioner Howell was one of the legislators particularly asking for that study, and so they did a study with the council of state governments in conjunction, I think with MacArthur Foundation. Also he referenced in my discussion with the Secretary, charitable trust report they did. They indicated that out of home placements have been effective, not just in the State of Kansas but statewide, and the best practices now is to use family engagement counseling, multi-system therapy and multi-systemic therapy, and some other phrases I'm not familiar with. And he said his focus going forward was going to be on family therapy and community programs.*

*"I just wanted to report back to the Commissioners what his comment was and that he said future strategies from the Department of Corrections and by the way, Terri Williams, who I believe is the Deputy Director for Juvenile Justice, was also there, indicating their deliberate strategy of trying to develop these family-focused counseling and this multi-systemic therapy, those extort of programs. He said there would probably be State resources committed to that if we wanted to become involved in that. He said he would not recommend that funding if it was in conjunction with out-of-home placements, he said, because that is not the way they're heading from the State perspective. So in light of the fact that we've talked about having a conversation with him and I committed to go and talk with the secretary, I just wanted to bring that information back, that from two significant research efforts, the evidences-based practices that they've found was that out-of-home placements were not effective and that there is a declining demand for that and that in light of the fiscal challenges we all face, this new strategy was easier to handle on a financial basis than out-of-home placements. I just wanted to bring that report back.*

*"One important detail that he gave in this conversation was that the State of Kansas, I believe he said, we rank eighth highest in out of home placements of juvenile offenders. There are only seven other states in the United States that put more young offenders in confinement in out-of-home placements than the State of Kansas does, and it's very expensive, and he said the recidivism rates don't support it. And so that's the way that the Department of Corrections is going forward. And so as we consider our challenge with juvenile justice, I think his perspective and what the State is going to help us support would be important to us. So that's all my comment."*

*Chairman Ranzau said, "Commissioner Howell."*

*Commissioner Howell said, "Thank you, Mr. Chairman. I have a question for the Manager. Can you confirm, do we still have a number of Sedgwick County kids still being placed out of Sedgwick County in other residential programs, like Salina, Topeka."*

Mr. Buchanan said, "Yes."

Commissioner Howell said, "With all due respect to my colleague, I'd like to make a couple of other points. The JDF has actually increased in population. There are kids that, I think, are unable to be treated or taken care of in the home that are now being taken care of, I guess, at JDF. I believe that's possibly the reason for that. We're kind of tapering off at placements it's a JRBR for a period of time. The study that I ordered in the legislation last year, which I'm grateful that the legislation passed, and I'm grateful for the study, but they did use a Council and State governments study as the basis in that report. I believe the report actually misses some of the points I was trying to get data on. One of the things I would point out was that Judge Riddel Boys Ranch closed July 1st and the study did not begin until after that date. So it was not really included in the data that was collected and presented back to us in that report. I do know for a fact that the 22 or 23 of these facilities YRC facilities are criminogenic, meaning medium to high risk youth offender homes. Number one, they're not confinement facilities. These are voluntary facilities that families and the people placed in those facilities are doing this because they choose to be there at the discretion of a judge that gives them that opportunity. Also, I would say that what made Judge Riddel's Boys Ranch different was we provided programming options that are not available really to other ones in the state. Without the programming, they are somewhat infective. If you look across the nation, I don't think we actually have any data to know whether or not these facilities actually provide programming or not. I just know Judge Riddel's Boys Ranch has an exceptional historically effective option for our kids. It does require more money. It does require programming. One of the things I asked for in that study was actually in the legislation, was to provide funding for programming for the other YRC's in the State. As a consequence, they have shut many of them down. So there are actually less of these in the State of Kansas. What we're doing right now, I believe, is either trying to do the at-home counseling and at home treatments or we're going to lock them up. These are our only two choices so we have less tools in the toolbox as a result.

"I believe the decision to go towards residential is primarily economy based, not necessarily the best answer, but because of tight budgets, it is the less expensive option for the state and for the communities that are try to provide services to these kids. It's my intention that we would see Judge Riddel's Boys Ranch reopen. Hopefully it has opportunities for girls as well. It may not be a ranch. My theory on the name might be Judge Riddel's Boys and Girls Home. Whether that would be at Lake Afton, or not, I would like to see that resource open up, and I think the County needs to fund it for the programming options. We also mentioned Johnson County just opened at their own cost a home very similar to Judge Riddel's Boys Ranch that it does provide programming and does provide the out-of-home options for these kids. I don't think that we want to take kids out of the home, that but sometimes home is the issue, and so it gives them an opportunity to find a way to reevaluate their life and their opportunities and where they get effectively treated with programming and come out engaging their opportunities and become, many of them will graduate from high school and have jobs or have families or even own businesses. There are many examples in our community from kids who come to this program. It was a great program while it existed. I think the reason we closed it down in Sedgwick County, the decision to do

*that was, again, economy-based decision. The arguments were made to support the decision to close down JRBR was that it was too expensive, it was a state program, and the County did not have the money. And so based on those arguments and those comments that were made, I completely disagree with that decision, and it's my intention to see that reopen. Thank you, Mr. Chairman."*

*Chairman Ranzau said, "Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chair. I appreciate Commissioner Howell bringing up the Johnson County facility. They did recently open one with 20 beds. In comparison to Sedgwick County the information from the Council and State Government reports indicates that just over 100 beds in Sedgwick County now. Johnson County is a more populous County than Sedgwick County now, and with 20 beds, it just seems like we probably have sufficient number of beds for our population, and especially in light of the fact that these individuals have been given to the Department of Corrections, and so having those programs on Sedgwick County taxpayers is a consideration. If we can do these programs that really help the kids and their families get their lives turned around and we already have the YRC2 capacity, and if we can do these programs in as part of our working juvenile justice and we can have financial support from the State, as the Secretary indicated, I think it's a way to satisfy the whole spectrum of having a YRC2 for those individuals that need to be there. We have 100 beds now, and we can become more involved in those programs that are really evidence-based as proving helpful to these young offenders. That's all I have, Mr. Chair."*

*Chairman Ranzau said, "Thank you, Commissioner. Are there any other comments?"*

#### **MOTION**

*Commissioner Unruh moved to receive and file.*

*Chairman Ranzau seconded the motion.*

*Commissioner Peterjohn said, "Just a procedural question, because I think the Manager has a second report. I didn't know if we wanted to cover both."*

*Chairman Ranzau said, "I think they're separate items. We'll finish with this one. Just to clarify, Mr. Manager. The Commission has instructed staff to include funding for Judge Riddel's Boys Ranch in next year's budget."*

*Mr. Buchanan said, "Yes sir."*

*Chairman Ranzau said, "Thank you. Call the vote."*

#### **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."*

**Received and Filed**

N [15-0201](#)

PROGRAMS IN THE CRIMINAL JUSTICE SYSTEM.

Presented by: William P. Buchanan, County Manager.

RECOMMENDED ACTION: Receive and file the report.

*Mr. Buchanan said, "This is the quarterly report for the Criminal Justice review. You'll see that in the quarter we have bookings up in the first quarter of 2015 as were the detention population. Work release is about stable. It was down in January and February and up a little bit in March in comparison to the year before on account it fluctuated, and the total January was down. It was up in both February and March. This is municipal inmates. There are 13 percent in the quarter, two months were 13, the other month was 14. This is what the average has been over the last several years when we bring the report. Preponderance of those is clearly in the City of Wichita. Municipal inmate hours fluctuates, as you can see, it's gone down once we started instituting the charge for jail fees, and it fluctuates from 13 through 15, pretty much fluctuates in terms of what we see in jail populations, depending upon the weather and seasonal.*

*"The bookings and releases, bookings, again, you can see that these were down in 2015. Releases are correspondingly down. Length of stay, housing only is the top line. It's pretty stable over the period, and you can see it fluctuate a little bit in terms of the combined housing and booking. The length of stay and average stay on booking went down in March, was considerably higher in January, and there's not a clear explanation for that. The length of average stay, you'll see how those numbers correlate to each other, pretty stable. The housing days, however, the third line down, you'll see were up in January and down in February and March, which is a good thing. The trends and booking. We only have three months of operation in 2015, but the numbers are looking pretty good, and we'll see what the rest of the year looks like. Total monthly average daily populations, it was down in January, up in February, and back down in March a little bit, but clearly below the trend line. Excuse me.*

*"The adult supervision snapshots, you can see what we're doing there in pretrial services and the DA (District Attorney). Adult supervision snapshots, let me go back. Pretrial services are up. DA diversion is up and SCOPE (Sedgwick County Offender Assessment Program) is up in the quarter, and that's all good. That's dealing with issues on a continuum rather than putting people in incarceration. So the adult supervision snapshot mental health court for the city is up. Wichita drug court is up. Wichita drug court and probation and Wichita probation all up. DUI diversion is about the same. 18th Judicial District is slightly down. Corrections is about the same as is adult residential. BICE (Bureau of Immigration and Customs Enforcement) holds fluctuates depending what's going on, and you can see what they are for the period. And then felon inmates have fluctuated. The trend line surprised me. We need to find out a little more. I'm curious why it's gone down, which is a good thing, because they are the State's responsibility and not ours, and I know some of them are our responsibility based on state law, but the trend line, obviously, has been going down. Long-term inmates, we have 69. These are a year plus. 67 are males, two are females. You can see most of all are in the detention facility. Some are out of County and work release. That's the end of the presentation. Commissioners, if there are questions, I would try to answer those. If not, I recommend you receive and file."*



*Chairman Ranzau said, "What's the will of the Board? Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman, I just wanted to make a comment about the, I think, evidence success we've had since we've tried to initiate these programs and kind of compare that with the recent publicity by Koch Industries and their chief council. I think its Mr. Mark Holden, I believe. I heard him speak at Rotary on Monday about their efforts in trying to do some criminal justice review as far as at the national level and at the penitentiary level and state prison level. And I talked to Mr. Holden after it was over and told him that one of the comments came from our staff that has really been helpful in trying to understand the goal, was that we need to differentiate between those individuals that we are afraid of and those individuals that we're merely angry at, and he agreed that that was their focus from Koch Industries and that they're trying to reform criminal justice practices much along that way. So I was proud of the fact that we've kind of got ahead of that curve and implemented these programs here in Sedgwick County. That has proven to be the right way to deal with these offenders. It's been financially prudent for us to do these things. We've had good success, and I'm happy to see that a major community partner like Koch Industries is now trying to focus on this at the national level. That's all I have, Mr. Chair."*

*Chairman Ranzau said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. This is another good report, but I would point out to my colleagues, on page 10, I noticed that we popped back above the trend line. We did that again in 2013 and came back down, but if we've reached kind of the bottom of the curve and may be close to that, that's a trend we need to continue to monitor closely and hopefully it will stabilize. I would love to see the numbers continue to decline. I appreciate Commissioner Unruh's comments about keeping the dangerous people locked up and the folks that we're frustrated with working through other programs that hopefully can reduce recidivism and keep the community safe but not break the bank at the same time. I would also hasten to add that in terms of the criminal justice side, one other factor to consider is that my understanding is the State did address the copper theft bill and that will be taking effect some time soon. I know for some of my constituents, that passage of that is a significant accomplishment."*

**MOTION**

*Chairman Ranzau moved to receive and file.*

*Commissioner Unruh 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

**Received and Filed**

MEETING ON APRIL 30, 2015.

Presented by: Joe Thomas, Director, Purchasing Department.

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

*Ms. Kristen McGovern, Senior Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "The meeting April 30th resulted in seven items for your consideration."*

1. SIX WHEEL BROOM STREET SWEEPER- FLEET MANAGEMENT  
FUNDING – STREET SWEEPER

*"The recommendation is to accept the bid from Key Equipment & Supply Co. in the amount of \$318,990 and establish contract pricing for labor and parts for three years."*

2. ON CALL ELECTRICAL SERVICES – FACILITIES DEPARTMENT  
FUNDING – FACILITIES DEPARTMENT

*"Recommendation is to accept the overall low proposals from Advance Electric Incorporated and Southwestern Electrical Company Incorporated and establish contract pricing for one year with two-one year options to renew."*

3. 2015 NOVA CHIP OVERLAYS (R175-B) - PUBLIC WORKS  
FUNDING -- R175 PREVENTIVE MX-15

*"Recommendation is to accept the low bid from Cornejo & Sons in the amount of \$3,589,200.50."*

4. 2015 ASPHALT SURFACE RECYCLING (R175-M) - PUBLIC WORKS  
FUNDING -- R175 PREVENTIVE MX-15

*"Recommendation is to accept the low bid from Dustrol Incorporated in the amount of \$922,487.20"*

5. PRE-CAST REINFORCED CONCRETE BOX AND END SECTIONS-  
PUBLIC WORKS  
FUNDING – PUBLIC WORKS

*"Recommendation is to accept the overall low bid from Wichita Concrete Pipe Company and establish contract pricing for one year with two one- year options to renew."*

6. AB-3 ROCK- PUBLIC WORKS  
FUNDING -- R175 PREVENTIVE MX-15

*"Recommendation is to accept the low bid from Southwest Butler Quarry, LLC., for the initial purchase amount of \$87,120 and establish contract pricing for one year with two one-year options to renew."*

7. CM-G CHAT- PUBLIC WORKS  
FUNDING – R175 PREVENTATIVE MX-15

*"Recommendation is to accept the bid from A Plus Logistics LLC., doing business as A Plus trucking in the amount of \$91,600 and establish contract pricing for one year with two one-year options to renew.*

*"I'll be happy to answer any questions you may have and I recommend approval of these items."*

*Chairman Ranzau said, "Thank you. First of all, does anyone from the public like to speak on this item? Seeing none, Commissioners, what's the will of the Board?"*

**MOTION**

*Commissioner Unruh moved to approve the recommendation of the Board of Bids and Contracts regular meeting of April 30th, 2015.*

*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**

**CONSENT**

- P**     [15-0311](#)     One (1) Right of Way Easement for Sedgwick County Bridge Project 839-X-1800; Bridge on 143rd Street East between 63rd & 71st Streets South. CIP# B-468. District 5.
- Q**     [15-0316](#)     Amendment to the 2015 Capital Improvement Program to Increase Funding for Traffic Control Maintenance and Construction (R-331). All Districts.
- R**     [15-0298](#)     Amendment to Real Estate Purchase Contract 4078-11 - EMS Post 15.
- S**     [15-0291](#)     Agreement with Wheelchair Sports, Inc.
- T**     [15-0287](#)     A Resolution to amend Resolution #175-2014 disposal by destruction of Department of Housing records for the period 1995-2010.
- U**     [15-0289](#)     Set for public hearing on May 20, 2015, four inclusion petitions for the alteration of boundaries of the Sedgwick County Fire District Number One and authorize the publication of a Notice of Public Hearing in the

official County newspaper pursuant to K.S.A. 19-3604(b) and K.S.A. 19-270(b).

- V      [15-0297](#)      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:

Rustic Timbers Addition

- W      **15-0278**      Order dated 04/10/2015 to correct tax roll for change of assessment.

- X      [15-0306](#)      General Bill Check Register for April 22, 2015 - April 28, 2015.

- Y      [15-0307](#)      General Bill Check Register for April 29, 2015 - May 5, 2015.

- Z      [15-0308](#)      Payroll Check Register for the April 18, 2015 payroll certification.

*Mr. Buchanan said, "Commissioners, you have the Consent Agenda before you, and I recommend you approve it."*

*Chairman Ranzau said, "Is there anyone here from the public who wants to speak on anything on the Consent Agenda? Seeing none, what's the will of the Board?"*

**MOTION**

*Commissioner Unruh moved to accept the Consent Agenda.*

*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, please. Actually that brings us to legislative issues. Nothing?"*

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

*Chairman Ranzau said, "Other? Commissioners, do you have anything for the other portion of our meeting? Commissioner Howell."*

**Adopt the Consent Agenda**

**OTHER**

Commissioner Howell said, "I just wanted to take this opportunity to highlight one of the resources in our community that I was able to visit this last Monday, and I was completely blown away. I was so impressed with what I saw, and I just wanted to share that with the public and just encourage them to be aware to use it if they need it and to support it. I would like to just share this with you, if you don't mind. It's a facility out there on 37th Street North, 1441 East 37th Street North. It's called His Helping Hands Incorporated. Last year, they helped 49,085 people that they served just last year. They gave away food items to 13,000 different people who came and requested food. They are a faith-based organization. They do share the gospel with people, and people who responded to the gospel and made decisions, 658 people last year. The stats going on down are just extremely impressive. Voluntary hours, 66,254 people volunteered their time, I'm sorry, that many hours were volunteered last year. The cost per person helped was \$10.90. This is completely supported through donations and volunteer help by churches and individuals and our community. I'm just very impressed.

"The mission statement, if you don't mind, I'd like to read. It says 'His Helping Hands is a Christ-centered benevolence ministry set up to assist families and individuals primarily in the Wichita area who are facing insufferable hardships for helping and encouraging those in the Body of Christ and helping in evangelizing those who are not yet in the Body of Christ by being the hands of Christ and helping others. We show the love of Christ in a practical way, ministering to the clients and donors by helping people help people and responding to their evangelistic efforts is not required.'

"They'll help people regardless of whether they respond or not. They're just interested in helping people at the spiritual level and the physical level, and next to that is another organization called Fresh Hope. It's fairly new, and their mission statement says it's a hands-on hand in hand program that is hands up, not a hand out. And it's designed for women seeking a fresh start and are ready to work harder than they ever have worked that need some help getting started. They have helped several hundred women with this program so far and continue to do that. They have 81 percent success rate for the ladies who have gone through this program. It's about a four-month program. It's a little bit expensive, but again, it's supported through their gift shop. Again, it's the same location. If people want to support this organization, they can buy items out of the gift shop, and that would support this as well by donating food items or appliances and even vehicles to this organization. 81 percent of the women who have gone through this program have completely gotten off of government assistance entirely and have gotten jobs and become on a track of success and self-support. It is just a great community resource. If people have needs, certainly be aware that there is an opportunity out there for them. If they have the ability to give, to be aware of that. And hopefully they would be committed to helping this group grow and be effective as they have been, and I just want to say thank you to what they do. There are a couple of people out there that I would like to highlight. I probably should have done this before. Pastor Phil Smith and Paul Dome are the two people I spent a lot of time with on Monday that I just want to give them a thank you for what they do for our community and appreciate their servant heart. With that, Mr. Chairman, that's all my comments."

Commissioner Howell said, "Thank you. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I just thought I would take the opportunity to congratulate our winner of the Excellence in Public Service Award. Ms. Jill Tinsley was the one awarded that from Sedgwick County. It's an annual program where the DeVore Foundation provides recognition and a cash stipend for outstanding folks in both the County and the City and the USD 259. And so last evening, Jill was officially recognized, and I just wanted to bring that to the public's attention, that she deserves her recognition, as did the others from the City and USD 259. But also I just want to reveal that a majority of our Commissioners were out at WSU Tuesday morning for breakfast with President Bardo, and it's consistent with the Excellence in Public Service Award we just gave to Jill, but they talked about the Hugo Wall School and how it developed individuals to help in public service in all areas of public service and the success they've had, so graduations, not just to the President Bardo but also to Nancy McCarthy-Snyder and the rest of the staff out there for the great work they do. And lastly, I just want to remark that I missed the ribbon cutting for a new rail spur out in the Sunflower Commerce Park out in Bel Aire where they just cut the ribbon on that day for a shipping company out there that needed that. I believe their building facility is up ready to go. It's a great addition to the economy of South Central Kansas. That's all I have, Mr. Chair."

Chairman Ranzau said, "Anything else from Commissioners? Seeing none, we do have a need for an Executive Session. Commissioner Peterjohn."

#### MOTION

Commissioner Peterjohn moved that the Board of County Commissioners recess into Executive Sessions for 20 minutes to consider consultation with legal council on matters privileged in the Attorney-Client relationship relating to legal advice and contract negotiations and the Board of County Commissioners return to this room from Executive Session no sooner than 11:30 a.m.

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, "We will now move to Executive Session."

### **EXECUTIVE SESSION**

The Board of County Commissioners recessed into Executive Session at 11:08 a.m. and returned at 11:30 p.m.

Chairman Ranzau said, "Okay. We are back from Executive Session. So at this time I'll call back to order the Regular Meeting of the Board of County Commissioners and no formal action was taken. Is there any other business to come before the

*Commission?"*

*Mr. Buchanan said, "No Sir."*

*Chairman Ranzau said, "Seeing none, we are adjourned."*

### **ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 11:37 a.m.*

*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:*

---