

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, May 20, 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 9:05 a.m. on May 20th , 2015 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Richard Ranzau, with the following present: Chair Pro Tem Commissioner Karl Peterjohn; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner James M. Howell; Mr. William P. Buchanan, County Manager; Mr. Mike Pepoon, Acting County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Scott Hadley, Director, EMS; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Ron Holt, Assistant County Manager; Ms. Marilyn Cook, Director, COMCARE; Ms. Adrienne Byrne-Lutz, Interim Director, Health Department; Mr. Mark Masterson, Director, Corrections Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Kim-Anh Do, Deputy County Clerk.*

#### **GUESTS**

*Ms. Cynthia Gardner-Meerian, 1133 South Pershing, Wichita  
Mr. Jeff Fluhr, 507 East Douglas Avenue, Wichita  
Mr. Lonnie Wright, 1721 South Lulu, Wichita  
Mr. Dave Sanford, CEO, GraceMed*

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

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES**

- A**      [15-0336](#)      REGULAR MEETING OF MARCH 11, 2015.  
All Commissioners were present.

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

#### **MOTION**

*Commissioner Peterjohn moved to adopt the Regular Meeting Minutes of March 11th and April 15th, 2015.*

*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."

**Approved**

- B**      [15-0337](#)      REGULAR MEETING OF APRIL 15, 2015.  
All Commissioners were present.  
*Action on Item B was taken with Item A.*

**PROCLAMATIONS**

- C**      [15-0317](#)      PROCLAMATION DECLARING EMERGENCY MEDICAL SERVICES  
(EMS) WEEK.  
Read by: Chairman Richard Ranzau.

RECOMMENDED ACTION: Adopt the Proclamation.

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

*PROCLAMATION*

*WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and*

*WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as streets, highways, bridges, drainage improvements, environmental services, household hazardous waste and noxious weed control; and*

*WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and*

*WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is especially dependent upon the efforts and skill of public works officials; and*

*WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is substantially influenced by the people's attitude and understanding of the importance of the work they perform.*

*NOW, THEREFORE BE IT RESOLVED that I, Richard Ranzau, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 17-23, 2015 as*

NATIONAL PUBLIC WORKS WEEK

*In Sedgwick County, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.*

*"The 2015 theme for EMS week is EMS Strong. I encourage the community to observe this week with the appropriate program, ceremonies and activities. Commissioners, what is the will of the Board? Commissioner Peterjohn."*

MOTION

*Commissioner Peterjohn moved to adopt the Proclamation.*

*Commissioner Unruh seconded the motion.*

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

VOTE

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

*Chairman Ranzau said, "We have Scott Hadley from EMS."*

*Mr. Scott Hadley, Director, EMS, greeted the Commissioners and said, "Good morning, Mr. Chairman, Commissioners. This year is a very special year for Sedgwick County EMS, as we are 40 years EMS strong. In late February, 1975, we made our very first call, and by the end of that year, we had responded to a little over 6,300 requests for service and transported approximately 5,400 patients with eight staffed ambulances. Fast forward to 2015, given our current pace, we expect to respond to over 63,000 calls and transport 42,000 patients with 19 staffed ambulances. All in all, we have responded to over 1.1 million requests for service, and we have transported over 900,000 patients in the past 40 years.*

*"This year's theme, EMS Strong, is what draws a special few together to do incredibly important work, often under difficult and chaotic circumstances, and many times with little thanks. This week it is about recognizing and thanking the professional women and men, past and present, often, for their selfless contributions to EMS, and communities they are proud to serve. We also need to recognize and thank those who are not on the front lines providing direct care to patients, but have a profound impact on EMS care that is delivered. The women and men who ensure our paramedics and emergency medical technicians are educated and well trained. Our logistics and support staff ensure we have a reliable fleet of ambulances, medical equipment, and supplies. Those in our administrative office, who ensure we are in compliance with rules and regulations, which maximizes revenue generation and all of our EMS system partners. I am humbled and blessed to serve alongside these special individuals.*

*"Last, but certainly not least, is the Board of County Commissioners. As policymakers, you have a tremendous influence on how emergency medical services*

*are provided to our community. On behalf of all of us in EMS, I genuinely appreciate your ongoing and continued support. Thank you."*

*Chairman Ranzau said, "Thank you very much. Thanks for all your paramedics and all the employees for everything they do on a daily basis. We really appreciate it. Commissioner Unruh."*

*Commissioner Unruh said, "Thank you Mr. Chairman. Scott, I want to give my congratulations and support for EMS Strong Week. As I said before, my family has had the occasion to rely on your services a couple of times during the latter part of my parents' lives, and when you need the service, you are really grateful for it, and I am also thankful for the high level of professionalism that all of your folks display in offering their services. So thank you very much, and we will celebrate this week with you."*

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

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

*Ms. Kim-Anh Do, Deputy County Clerk, greeted the Commissioners and said, "We have not voted yet and we do not have a mover or second, either."*

*Chairman Ranzau said, "I thought we already voted on it."*

*Commissioner Peterjohn said, "I made the motion."*

*Ms. Do said, "I apologize. I am on the wrong item."*

*Chairman Ranzau said, "Okay."*

*Ms. Do said, "I am sorry."*

*Chairman Ranzau said, "You are all right. Next item please."*

**Adopted**

### **CITIZEN INQUIRIES**

**D**      [15-0343](#)      REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING PROBLEMS FACING COMCARE.  
Presented by: Cynthia Gardner-Meerian, Wichita.

RECOMMENDED ACTION: Receive and file.

*Chairman Ranzau said, "Please give your name and address for the record."*

*Ms. Cynthia Gardner-Meerian, 1133 South Pershing, Wichita, greeted the Commissioners and said, "Each person that I meet is a living book with a story to tell. I enjoy talking with people and a majority of COMCARE clients cannot afford to take off work to come down here to these meetings because they work an hourly paid job or they lack transportation to appear before you. They are unable to write to you because they do not have the skills to do so or they do not feel that they can change anything."*

*"I am here to give these mental health clients/patients a voice. Hopefully in the past*

*two weeks, each of you has had an opportunity to look over the Fifty-Nine recommendations for COMCARE of Sedgwick County. By implementing these changes, then we would feel empowered rather than repressed by a system that we are forced into because we live in poverty and have no choice but to go to COMECARE. COMCARE is a broken system because the staff, especially the medical staff, is overworked. Look at the ratio of medical staff to client/patient in comparison to private practice. A five to eight minute med check is unacceptable. In private practice, it is around ten to fifteen minutes. The short med(ical) check appointment results in clients feeling that their medication prescribing authority does not listen to them. The mentality 'I am the doctor, you are just a consumer' is the feedback that I have been receiving. Clients/patients also feel over medicated.*

*"COMCARE needs to work with clients/patients by taking a holistic approach. Rather than asking, how are you feeling today? Why not ask something meaningful, such as how did you like the book I recommended? We need to feel as much as we can like a normal person while we may have paranoia, anxiety, mania, depression, mania, and other feelings that haunt us on a daily basis. How would you like fighting off the bugs that are crawling all over your body, or crying as you make plans for taking your own life?*

*"If you are willing to implement these recommendations, then this would start a two-way dialogue between COMCARE and the mental health clients/patients, as well as friends, family, staff and Sedgwick County community. Here are some questions for you. Are the AED's, (automatic external defibrillators) required on patient transportation vehicles? When somebody goes into cardiac arrest, they have a 10-minute window to receive intervention treatment. How do I know this? I went through EMT (Emergency Medical Technician) Basic Training. What are you doing to remove the clause in the contract between the County and Apple Bus Company that gives Apple Bus Company employees the right to override a qualified mental health professional on whether to put a patient in restraints? Is Apple Bus Company still being paid more when they transport a patient in restraints? What steps are you taking concerning the recommendations? Have you discussed these recommendations with COMCARE leadership?*

*"This envelope we are giving to KWCH Channel 12 News contains a letter to the Sedgwick County Board of Commissioners that includes e-mails, letters and other supporting documentation that proves that Ms. 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, where one of the psychiatric hospitals is located. This happened to hundreds of patients, before an advocate and attorney intervened. By the Board continuing to employ Ms. Cook, you are sending the message that mentally ill individuals are of little value, that their opinions do not matter, and that Ms. Cook's behavior is acceptable, and even encouraged by the majority of you. Thank you."*

*Chairman Ranzau said, "Thank you. Commissioners are there any questions or motions?"*

**MOTION**

*Commissioner Peterjohn moved to receive and file.*

*Chairman Ranzau seconded the motion.*

*Chairman Ranzau said, "I will say that we have instructed the staff to address and respond to each of those 59 issues that we were given, and we are in the process of doing that. Madam Clerk, 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."*

**Received and Filed**

## **APPOINTMENTS**

**E**      [15-0353](#)      RESOLUTION APPOINTING JEFF BLACK (COMMISSIONER RICHARD RANZAU'S APPOINTMENT) TO THE NEWLY RE-ESTABLISHED SEDGWICK COUNTY BOARD OF ZONING APPEALS (BZA).

Presented by: Michael Pepoon, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Mike Pepoon, Acting County Counselor, greeted the Commissioners and said, "This resolution is for appointment for the newly created Board of Zoning Appeals that was adopted last month, and this is appointing Mr. Black to this board. The first appointments will be staggered as you provided in the resolution. I believe his appointment will initially be for a three-year term. We ask you approve the Resolution."*

*Chairman Ranzau said, "Item E, F, and G are all three to the same Board. Can we take those at the same time?"*

*Mr. Pepoon said, "Yes you can."*

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

MOTION

*Commissioner Unruh moved to adopt Items E, F, and G.*

*Chairman Ranzau seconded the motion.*

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

VOTE

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

Chairman Ranzau said, "I believe Jeff is here. I don't know if any of the others are."

Mr. Kelly Arnold, County Clerk, greeted the Commissioners and said, "I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Board of Zoning Appeals Commission, so help me God."

Mr. Jeff Black, Appointee, Board of Zoning Appeals, greeted the Commissioners and said, "I do. Appreciate your faith in my service."

Chairman Ranzau said, "Thank you for your willingness to serve. Appreciate it. Madam Clerk, next item."

**Adopted**

**F**      [15-0357](#)      RESOLUTION APPOINTING JOHN MCKAY (COMMISSIONER DAVE UNRUH'S APPOINTMENT) TO THE NEWLY RE-ESTABLISHED SEDGWICK COUNTY BOARD OF ZONING APPEALS.  
Presented by: Michael Pepoon, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Action on Item F taken with Item E*

**G**      [15-0358](#)      RESOLUTION APPOINTING BILL JOHNSON (COMMISSIONER TIM NORTON'S APPOINTMENT) TO THE NEWLY RE-ESTABLISHED SEDGWICK COUNTY BOARD OF ZONING APPEALS (BZA).  
Presented by: Michael Pepoon, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Action on Item G taken with Item E*

**H**      [15-0335](#)      RESOLUTION REAPPOINTING TREVA LICHTI (COMMISSIONER DAVE UNRUH'S REAPPOINTMENT) TO THE SEDGWICK COUNTY MENTAL HEALTH ADVISORY BOARD.  
Presented by: Michael Pepoon, Acting County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Pepoon said, "This is Commissioner Unruh's appointment for the Sedgwick County Mental Health Advisory Board, Treva Lichti. Ask that you approve the resolution."

**MOTION**

Commissioner Unruh 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, "Is Treva here today?"*

*Commissioner Unruh said, "She is not."*

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

**Adopted**

I      [15-0352](#)

RESOLUTIONS APPOINTING AND REAPPOINTING MEMBERS AS  
DEFINED BELOW (BOARD OF COUNTY COMMISSION  
APPOINTMENTS AND REAPPOINTMENTS) TO THE FIRE CODE  
BOARD OF APPEALS.

Presented by: Michael Pepoon, Acting County Attorney.

RECOMMENDED ACTION: Approve the Resolutions.

*Mr. Pepoon said, "This resolution contains several appointments in it to the Fire Board, Fire Code Board of Appeals, Reappoints Gregg Wilhite, Reappoints Tim Leblanc, Appointing Ray Frederick, appointing Christine Brunner, and Reappointing Randall Coonrod. Resolutions are in good form, I ask that you approve the resolution."*

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

MOTION

*Commissioner Peterjohn moved to approve the Resolutions.*

*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."*

Approved

**PLANNING DEPARTMENT**

- J      [15-0341](#)      ZON2015-00011 - ZONE CHANGE FROM RR RURAL RESIDENTIAL TO LI LIMITED INDUSTRIAL ON PROPERTY LOCATED ONE-HALF MILE WEST OF NORTH 263RD STREET WEST AND ON THE NORTH SIDE OF WEST 61ST STREET NORTH (27132 WEST 61ST STREET NORTH) (DISTRICT 3).

Presented by: John L. Schlegel, Director, Metropolitan Area Planning Department (MAPD).

RECOMMENDED ACTION: Adopt the findings of the Metropolitan Area Planning Commission (MAPC), approve the zone change subject to Protective Overlay #297, and authorize the Chairman to sign the Resolution.

*Mr. John Schlegel, Director of Planning, Metropolitan Area of Planning Department, greeted the Commissioners and said, "The request before you today is for limited industrial zoning on the parcel which is pointed to by the arrow on the graphic before you now. That parcel is just shy of an acre in size, located along West 61st Street North, west of the City of Andale. It is currently zoned rural residential, as you can see on the zoning graphic before you. And it is developed with two metal buildings which have been used since 1976 as a welding or machine shop. Those buildings constitute about 8,200 square feet of floor area. And this business employs four full-time and up to five part-time employees. Since it was established before the creation of county-wide zoning in 1985, it is a legally non-conforming use of the property, although not permitted by the rural residential zoning classification.*

*"The applicant wants to expand the machine shop beyond the current parcel, which is this, to include this additional approximately half acre, just to the north. And its portion of property, is larger property that he already owns. So in order to do that, what we've advised the applicant is they would have to have a limited industrial zoning classification, and that's why this item is before you today.*

*"The item was heard by the Metropolitan Area Planning Commission at its meeting on April 16. There was no one else other than the applicant there to speak regards the request, and the MAPC approved the request unanimously, subject to two conditions, which are with the part of the protective overlay. In addition, the Andale Planning Commission heard the item on April 8th, and no one other than the applicant was present to speak on this request. And they also unanimously recommended approval subject to the protective overlay. Staff has not received any protests or any complaints about this request from any of the neighboring property owners. So with that, the recommendation is that you adopt the findings of the Metropolitan Area Planning Commission, and approve this request. I will be glad to take any questions."*

*Chairman Ranzau said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. One quick question, the protective overlay, is that the area in red?"*

*Mr. Schlegel said, "It would apply to the entire application area outlined in red. So is*

*would just a little over an acre and a half all together."*

*Commissioner Peterjohn said, "Okay. I wanted to get that clarified, make sure that was part of the record in terms of what exactly was covered.*

*Chairman Ranzau said, "I would like to ask if anyone in the public would like to speak on this issue. Seeing none, Commissioners, what is the will of the Board?"*

**MOTION**

*Commissioner Peterjohn moved to approve the findings of the Metropolitan Area Planning Commission (MAPC), approve the zone change subject to Protective Overlay #297, and authorize the Chairman to sign the Resolution.*

*Commissioner Howell seconded the motion.*

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

**VOTE**

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

*Chairman Ranzau said, "Motion passes 5-0. Next item please."*

**Approved**

**NEW BUSINESS**

**K**

[15-0281](#)

PUBLIC HEARING TO CONSIDER PETITIONS FROM LANDOWNERS, JAMES D. & TIFFANY D. DORNBUSCH, TODD & JANET K. LEIKER, DAVE A. & CHRISTI L. RIFE, AND DOUGLAS M. WENINGER, FOR THE INCLUSION OF THEIR PROPERTIES WITHIN THE BOUNDARIES OF THE SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE.  
Presented by: Michael Pepoon, Acting County Counselor.

RECOMMENDED ACTION: Open the public hearing; close the public hearing; adopt the Resolution and instruct the County Clerk to publish the same according to law.

*Mr. Pepoon said, "You have before you today a resolution which will be altering Fire District No. 1 by allowing four separate landowners to be included in the Fire District. These landowners have filed a petition to join the Fire District. The petitioners are James D. and Tiffany D. Dornbusch, who live at 14230 West 70th Circle North in Colwich, Kansas. Todd and Janet L. Leiker, 14201 West 70th Circle North, Colwich, Kansas. David A. And Christi L. Rife, 7025 North 142nd Street West, Colwich and Douglas M. Weninger, at 13360 West 53rd Street North, Maize, Kansas. These petitions were signed and submitted to the Court, or the County Clerk, you can see in the properties on the map, because these circles are three mile circle radius of the different property owners, and if these circles include areas that are involved with*

*cities, you can see the City of Maize is within the three-mile radius, which is called by statute a fringe area, and City of Wichita comes into one, and of course the City of Colwich. We are required to give notice to the various cities that we are altering this special district.*

*"As a result of that, you are going to have to have a 4-member vote on this issue, because if we are imposing on the City's fringe area, we have to have a three quarter vote, which would be four Commissioners. You also have various considerations because these are in a fringe area that you have to take into consideration, when deciding whether or not to allow these landowners to come into the Fire District, among the considerations you look at the size and population of each city, the city's growth and population business and industry during the past ten years, the extension of boundaries during the last ten years, the probability of growth toward the territory during the ensuing ten years, taking into consideration natural barriers and other reasons which might influence growth towards the territory. The willingness of the city to annex the territory, and its ability to provide city services in case of annexation, and 6, the general impact upon the entire community, all of these and other considerations having to do with the overall orderly and economic development of the area, and to prevent an unreasonable multiplicity of special district governments.*

*"Obviously the statute deals more when you are creating large districts and isn't as relevant when you just have a single property owner, or four separate single property owners like we have in this particular case. But anyway, the recommended action today is to open the public hearing, accept public comment, close the hearing, and we recommend you adopt the resolution.*

*"If so, it will be published for two consecutive weeks in the county newspaper. Then there is a 30-day protest period in which some landowners can change their mind and petition to withdraw from the district within that period. Deputy Chief Larry Tangney is here, if you have any operations questions relating to servicing these areas. I would be happy to answer any questions as well."*

*Chairman Ranzau said, "Any questions from Commissioners before I open the public hearing? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Mike, when you said certain people could withdraw during that 30-day period, is that limited to the four owners of the four parcels that are before us today, or is this some other group when you say people can withdraw?"*

*Mr. Pepoon said, "The way the statute is written, and it is not as artfully written as it could be, it deals more when you have a large area. We had City of Eastborough pull out of the Fire District a number of years ago. If you had a certain number of citizens in Eastborough to get into the Fire District and after your action, another group of citizens of the same area petitioned to get out at 19 percent, then that would nullify your action. It doesn't work as well when you are talking about individual families, because essentially what you have is a couple that wants to be in the Fire District, then the statute says if 19 percent of that couple wants to get out, then they can petition to pull out. Then they will be out of the Fire District within that 30-day protest period. Doesn't work smoothly for the kinds of alterations to the district we do. These happen every year, and just minor adjustments. Sometimes we have families that want out of the Fire District, sometimes we want them to petition in. This case, we have four families wanting to petition in to the district."*

*Chairman Ranzau said, "At this time I will open the public hearing, with respect to this issue, and ask if there's anyone from the public who would like to speak on this issue either for or against. Is there anyone from the public? Seeing none, I will close the hearing at this time. Commissioners, are there any further questions or discussion? What is the will of the Board?"*

**MOTION**

*Commissioner Peterjohn moved to adopt the Resolution and instruct the County Clerk to publish the resolution according to State Law.*

*Commissioner Howell seconded the motion.*

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

**VOTE**

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

*Chairman Ranzau said, "Motion passes 5-0. At this time we would like to take an off agenda item, I believe. Commissioner Peterjohn."*

**MOTION**

*Commissioner Peterjohn moved to take up an item entitled Resolution Granting the Chairman of the County Commission authority to provide notice to the greater Wichita Economic Development Coalition in the City of Wichita of its intent to terminate agreement.*

*Chairman Ranzau seconded the motion.*

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

**VOTE**

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

**OFF AGENDA ITEM**

*Mr. Ron Holt, Assistant County Manager greeted the Commissioners and said, "The Board of County Commissioners, as you know, entered into the funding agreement with the Greater Wichita Economic Development Coalition, also referred to as GWEDC, and the City of Wichita on the 11th day of December, 2013, to provide certain levels of funding for the years 2014, 2015, 2016, 2017, and 2018. Paragraph 12 of the*

*agreement states that either party may terminate the agreement by giving written notice to the other party by June 1st of each year, with the termination becoming effective January 1st of the following year. In order for the County to address the funding of GWEDC as part of the county's yearly budget process, which is not complete until early August of each year, you approved at your meeting last week an amendment to the funding agreement between Sedgwick County, the City of Wichita, and GWEDC to change the date for the termination notice from June 1 to September 1 of any year, with termination being effective January 1 of the following year. To become effective, the amendment to the agreement that you passed last week required approval by GWEDC and the City of Wichita. This would allow the funding of GWEDC as part of the County's yearly budget process which starts in February each year, but is not completed until the second week of August each year. At yesterday's City Council meeting, the council voted 6-1 against a change in the agreement, as such, this makes the action that you took last week, nullifies the action you took last week with respect to the GWEDC agreement. So the action before you today is a resolution granting the Chairman of the County Commission authority to provide notice to the Greater Wichita Development Coalition and the City of Wichita of its intent to terminate the agreement. Again, on your agenda the recommended action is adopt the resolution and authorize the Chairman to sign the letters of intent to terminate funding agreement to be delivered no later than June 1st, 2015."*

*Chairman Ranzau said, "Thank you, Ron. First I will start by asking if there's anyone from the public who would like to speak on this issue."*

*Mr. Jeff Fluhr, 507 East Douglas Avenue, Wichita, greeted the Commissioners and said, "I am just here to ask you to respectfully request that you not approve this item this morning. A lot of things we are working on in the community as a whole. One in particular with the partnership, Wichita partnership in alignment working with GWEDC, working with Downtown Development Corp., other initiatives of the partnership through Business Education Alliance, Entrepreneurship Task Force, it is really a concerted effort to have a collective, cohesive move, if you will, for economic development in our city. Earlier this week we saw a report coming out of WSU in regards to our growth, in that it is not hitting the forecast they thought it would be. You know, in terms like this, we need to invest in ourselves and move forward. I wanted to come before you, we are aligning and getting this initiative started with the Greater Wichita Partnership that you continue to be a partner in that capacity, as we move forward. Thank you."*

*Chairman Ranzau said, "Thank you, Jeff. Anyone else? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Yesterday I tried to catch the City Council meetings as much as I could on TV. We have had a lot of meetings conflicting up here. Did you or anyone with the partnership testify at the City Council meeting yesterday?"*

*Mr. Fluhr said, "No. We did not testify at yesterday's council meeting. We were working with both parties, working with the County and the City on this, and so we had conversations with all of our partners, yes, sir."*

*Commissioner Peterjohn said, "Okay. I wasn't sure, wanted to get that information. Thank you."*

*Mr. Fluhr said, "Yes, Sir."*

*Mr. Lonnie Wright, 1721 South Lulu, Wichita, greeted the Commissioner and said, "I wish you would not do this. Thank you."*

*Chairman Ranzau said, "Thank you, Lonnie. Is there anyone else from the public who would like to speak? Hearing none, we will reserve comments from the bench. I will say we have taken this off agenda item, because we have to. Well, because we thought we had an agreement to postpone this until September 1st, to look into this issue, and see exactly what our funding level would be, et cetera, but we didn't want to do that, so this is our option. It gives notice, and allows us to work through our budget cycle and decide exactly what we are going to do in the future. I want to make this very clear that despite what some people may say, this does not mean that we are not actively engaged or involved in the process that we don't want to partner with people and work with people. The fact is we need to evaluate where we are as far as our budget for a variety of reasons. We asked for time to work through that, and GWEDC did agree to do that, which I was grateful for, but it leaves us no alternative but this is just a small bump in the road as far as I am concerned. We are committed to working with GWEDC and having ongoing conversations and we will get to that point from a practical stand point, this really doesn't change where we will end up. It is kind of surprising that the City of Wichita took the action they did. But it is necessary because of that vote yesterday that we were committed to moving on, and continuing to partner with people in the future. We are all concerned about jobs and economic development, and this does not end our involvement in that in any way, shape or form. So Commissioner Howell."*

*Commissioner Howell said, "Thank you, Mr. Chairman. I would ask a question to the County Counselor. Our action today should we approve this resolution today, would this in any way impact Wichita city's relationship with GWEDC and their agreement, their five-year funding agreement they are currently under, would this affect them in any way?"*

*Mr. Pepoon said, "I think if your question is does this terminate the three-party agreement, I mean, it terminates it in the form it is right now, obviously the city could keep honoring that agreement if they wanted to. They could adopt, they could ratify that, adopt their own separate agreement. But as far as the three-party agreement that exist today, by giving this termination, that agreement will terminate January 1st."*

*Commissioner Howell said, "So they could essentially make a choice to honor that, but contractually, get right down to the technical requirements or obligation that they would have, this doesn't, they would, this would essentially free them as well, our action would nullify their agreement, so to speak. They could make it clear that they would want to continue that if they want to or establish an agreement, whatever they wanted to do, it is up to them."*

*Mr. Pepoon said, "I wouldn't pretend to represent them, but GWEDC could contend that they are bound by the agreement if they don't give notice by June 1st, too. But the nature of this three-party agreement would certainly be terminated from the county's perspective."*

*Commissioner Howell said, "Mr. Chairman, if you please, I would like to make a couple comments here. I am very disappointed that the City of Wichita took the action they did yesterday. We have worked with the three organizations that had funding*

*agreements in place. I think we initially had the opportunity to just terminate those funding agreements, and we compromised. We found a solution, I think that was agreeable to both parties. GWEDC, and the County, I think, worked together in saying that changing the termination date of that agreement made sense to move it to the part of the calendar that's after the budget cycle. It gives us our options. So the other two organizations embraced the idea as well, and we have no problem with them. They have agreed to that change, and in fact, they even praised the County Commission for making the decision. So it was surprising yesterday to find that Wichita made the choice they did, and I think it puts us in a position where we have only one option really left if we want to actually have all of our options on the table.*

*"I would say that we have had a good partnership with the GWEDC in the past. The funding is relatively small compared to the budget. I believe they have done some good things in our community, and this is not a judgment on their organization in any way. But this is really about our budget process, and our ability to get things back on the table. I would not be surprised if a similar agreement was drafted up and agreed to later this year. I would not be surprised at all. But that's not a discussion for today. That's for the future. I would say I am personally committed to economic development, I think many of my colleagues are as well. It might take different forms. We could have a discussion going forward on what that means, but it would have been better in my opinion for Wichita to approve the date change, and surprising to me that they would take the action that they did. But nevertheless, we are now left with one less option, so I would support the resolution and to terminate that agreement. Let us get to the budget cycle and we will pick up that discussion later this year. Thank you, Mr. Chairman."*

*Chairman Ranzau said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I am going to begin by saying some kind words about our colleagues across the street, because this wasn't a surprise to me, and I knew there would be an effort by members of the City Council to take the action they took. Even if we disagree on some things, I think it is important that we do try and communicate, and I want to give a public statement of appreciation to the Mayor and Vice Mayor for meeting with the Chairman and myself as the Chair Pro Tem last Wednesday so that we could discuss some issues. This is the last time since the top two County officials met with the top two City officials. I think that that is very important to try and work through to things in the County and work on joint issues. I want to also provide some commendation to the folks at GWEDC or the Greater Wichita Partnership, I am not sure when the transition point occurs, but their willingness to cooperate with the County to try and work through our budget challenges, because I think in my understanding of the agreement, we were going to have time between now and the end of the year, and we could put another agreement back in place if we take this action today to get out of the problems we had with three organizations, GWEDC was one of the three. Fortunately we are able to resolve two of those three. I think it was very unfortunate what the City Council did yesterday. We should be working to narrow and not widen Central Avenue between Main Street and Waco. I think widening Central hurts instead of helps strengthen local government in Sedgwick County. I think that's the goal, I'm certainly committed to.*

*"And Sedgwick County is committed to economic development. We had a past commitment. I think there is a present commitment and future commitment. This is a commitment with money, not just with rhetoric. I would be remiss if I didn't point out, I believe the figure roughly is about 3.4 million that Sedgwick County is paying on*



*principle and interest for Wichita Area Technical College, NCAT (National Center for Aviation Training), which provides work force training. Last year the Commission unanimously voted to help WSU (Wichita State University) proceed with their innovation campus, and while we have been divided somewhat on timing that was unanimous both for proceeding in this, this is a very important economic development effort going forward. Now we are looking at a new approach with the greater Wichita partnership, ended and I agree in the past we needed to do some things to try and strengthen it, and obviously some steps we took last year is part of it. Part of the reason why I think we need to go forward is due to issues that haven't gotten the attention that I think they deserve, and some of it is happening literally this week.*

*"A lot of us in discussion about the fiscal shortfall of about \$10 million that County staff presented to us earlier this year. Yesterday my understanding is that the Senate Tax Committee put in place, House Bill 2109, provisions that would dramatically reduce the automobile property tax revenues that local governments have been able to receive. Now, there was an original senate bill, and I just got the analysis of it yesterday in terms of Senate Bill 259, my understanding has been included in the new House Bill in the Senate. And the impact on Sedgwick County, according to the figures I have gotten, it was fully implemented, would be a \$7 million reduction in Sedgwick County property taxes. It would also include cities, too. I am going to share this with my colleagues, because we all have municipalities in our districts, and the City of Wichita, we all have a part in the City of Wichita, and the information I received indicates that the City of Wichita would lose over \$5.7 million in Senate Bill 259 once it is fully put in place.*

*"City of Haysville would lose \$163,000 a year. City of Derby would lose \$507,000. City of Bel Aire would lose \$132,000. City of Park City would lose \$118,000. So I am pointing this out because this is an identified concern that Sedgwick County has to deal with, and that's part of the reason we have sent out notices to 17 different entities concerning problems we have with the budget challenges going forward. In addition to that, this is the first year of legislation that was enacted in 2014 that begins phasing out the mortgage registration fee that had been a county revenue, and will have a significant impact, but these are the known changes, well, one is fully known in terms of the mortgage registration fee reduction. We are not sure what the legislature will come up with, if House Bill 2109 will go into place and how soon the impact would be. This is how much it could be. This is the best estimate I have in front of me at this point in time. So we have also what could pop up that we don't know about yet, and from my talking with folks in Topeka, I am not really sure that anyone really knows any more than I know, which is why we went through the process for the letters. I am not happy taking this action today, I think it is unfortunate that what happened at the City yesterday, and what happened at the State yesterday, too, is causing us serious and significant fiscal challenges going forward, so reluctantly, I am going to be supporting this motion, but with the full knowledge that with the timing that we have, we can get another agreement in place between now and the end of the year. Thank you, Mr. Chairman."*

*Chairman Ranzau said, "Thank you Commissioner, any other comments from Commissioners? Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. I will not be supporting the motion to terminate this agreement. In large part because of the comments that were just made by Mr. Fluhr about the progress we have made and the potential that is*

*directly in front of us. I think it's important that we maintain our partnership with City of Wichita and with the new Wichita partnership, and with the Chamber of Commerce. It's important, I think, that we maintain that, because as we consider economic development, whether it's a local company, or whether it's someone we are trying to recruit to this area, a sense of community unity, and a sense of partnership in trying to go forward with these economic development initiatives are very important. The GWEDC Wichita Partnership I think needs to be funded, because, at the very base level, provides a very important function as being the recruiter, the welcoming committee, the host for different folks to come and visit our community, at the very base function, that has to be taken care of, and that requires financial resources to do that. Whether or not we get involved in any other economic development incentives or not, that function needs to be taken care of. And it requires funding. So that's kind of the fundamental reason.*

*"I think that this partnership that we have is maybe better described as a collaboration which I think it means that the long-term relationship that's mutually beneficial to the partners. So we need to be collaborative and helpful in that position as one of the partners and collaborators, I think we have experience that these funding contracts we have, when we are required to make the modification, our partners have been willingly agreeable to that. We have had to make a change, they said all right, we understand your situation; we are willing to modify our budget, willing to make a change. Details, you know, I am not embarrassed to say we can't do it this year, we got to make a change, something has got to happen. I don't think that we have to terminate our contract in order to depend upon the trust we have and the mutual respect we have for one another and the cooperation we have under the terms of this agreement.*

*"I grant you that maybe in the most technically legal sense we need to do it on a certain date, then that's the date we have to do it. I also know that breaking contracts from my business experience is a really significant action to take. It is really important. It has to do with not only situations, it also has to do with your commitment, with my commitment, my integrity to keep a contractual relationship. And especially in light of the fact that we've had, times we've had to go to partners and say, hey, we are not able to fully fund our commitment, we need to make a modification, our partners have worked with us. So I think we need to keep this contract in place, if when we get a recommended budget we see that we have to make some significant changes, then we go to our partners and say help us out, let's work together, we are all part of this community and let's make it work. And I think that's what we have been, and can do. For those reasons I won't be supporting the motion. That's all I have."*

*Chairman Ranzau said, "Commissioner Norton."*

*Commissioner Norton said, "I am probably not going to support the motion, either. I am very sad that we have taken some of the actions we have taken recently. I am a real believer that when you work in a community, collaborate and you have partners, that you have trust, and I don't want to go down the path to becoming a trust buster with our community. I think it is important that we stay engaged, and this just separates us from the pack. I also think that we are using the budget as a smoke screen to get done some things that are on the checklist. We have already gotten rid of our relationship with NACO, which is the National Association of Counties. I was very active in that, in several steering committees. I am sad that I can't be active and learn about health and mental health and some other things I was active in. We are no longer part of REAP (Regional Economic Area Partnership). If we vote today, we will be out of GWEDC. We sent letters to Project Access, Child Advocacy Center,*

*Exploration Place, the River Festival, the Zoo, we are looking at COMCARE, and some privatization kinds of projects. All of these things have been enumerated and are on the checklist. They are on a list. They have been notified. To me, that starts to unravel many of the partnerships, many of the good things that I have worked really hard to integrate into our community and make a part of the fabric of our civilization. And I am very sad that we are starting down this path. Anybody that thinks this is just an isolated incident that we want to talk about economic development is very confused and doesn't understand what is happening in our community right now. And I would implore us not to go down this path today. It may be a foregone conclusion.*

*"I was at the very first meeting of GWEDC as we started to form that partnership and think about the greater good that a collaboration would do. Cheryl Woodford is here. I remember sitting next to her, and us writing on a napkin what we thought we would try to accomplish with this partnership. We've had ups and downs, but so has the community. But this is not the time nor the place, nor the avenue to dissolve that partnership. I don't think it makes good sense, as many of the really good business leaders in our community are embarking on the next phase of the partnership. And this is not the time to disintegrate that partnership, and to make Central Avenue so wide that we never close that gap again. So I will not be supportive of this. I don't think it makes good sense. I think we need to honor our partnership, and we haven't gotten through the budget yet, and I don't believe we are in a crisis. I have seen crisis since I have been here, and we are not in one right now. We don't need to overreact by starting to eliminate the good things in our community that we've done over the years. That's all I have."*

*Chairman Ranzau said, "Commissioner Howell."*

*Commissioner Howell said, "Thank you for the second bite at the apple. I want to respond to some of the comments my colleagues have articulated this morning. With respect to Commissioner Peterjohn's comments about the legislature, those are real. I generated a graph just to illustrate the point, I am not going to share that right now, but if you look at the property tax revenue for Sedgwick County, first of all, it is a small part of our overall budget. We don't have total discretion of the entire budget. We have the greatest discretion over the property tax revenues, and the funds like for GWEDC. Unfortunately property tax revenues have been flat. In fact the last five years between 2010 and 2014, about a million variation up and down. It has been very, very flat. Over the same period of time there have been reductions of revenue from the state, or actually legislative changes that have limited our ability to actually generate revenue within the County, which is what we are talking about with Senate Bill 259, or potentially House Bill 2109, limiting the ability for Sedgwick County to generate revenue for our own operations. So the job forecast is flat, revenue and property tax has been flat. We have had increasing pressures. In fact, there was a lot of spending that happened last December that reduced our ending balance quite a lot and made this budget more critical moving forward.*

*"Mr. Fluhr, would you be willing to answer a question for me? As he comes to the podium, I would like to relate to the audience that Mr. Fluhr and myself and Mr. Jeff Turner also, we met together in my office and discussed this entire issue recently, and as you were in my office, one of the comments I believe that you and Mr. Turner made to me, was essentially something like this, you said, we understand the budget pressures you are under. We are sympathetic to that problem, and we understand you have difficult decisions ahead. We understand that you may have to make some difficult decisions and we support whatever you have to do with respect to our*

*agreement, our funding, our arrangement. We want to make sure you have a seat at the table. That's the most important thing to us. We understand it is difficult, but we understand you have to make a difficult decision that we would not choose ourselves, however, we understand, and do whatever you have to do, we want you to remain at the table and have a seat at the table. Can you relate that conversation to us?"*

*Mr. Fluhr said, "We believe that it's important for our public partners to be at the table, as we work on economic development. There is an important role that the private sector has. There is a very important role for the public sector, so we do continue to believe that it's important that the public sector be in partnership as we move this city forward. And we understand budget concerns. We also understand the importance of investing in ourselves, because those are the times where we really have to bunker down and move forward. So what we would love to be able to do is preserve the relationship in its entirety, because it is important that we continue to move forward, not only from what we do together as policy, or projects, but also how we enable organizations to really fulfill the missions that are set up to do."*

*Commissioner Howell said, "So, yes or no, if we have a budget shortfall, would you rather have us raise taxes to fill that shortfall, or would you rather have us rebalance the budget by putting everything on the table?"*

*Mr. Fluhr said, "That's not a comment that I could respond to, sir. I am a staff that represents the private sector, and that would certainly have to be a discussion with that group."*

*Commissioner Howell said, "Anyway, I just want to be clear with our message today. That's all I have with you, Mr. Fluhr. Thank you very much. I was appreciative of the conversation we had in my office. I think it was spot-on. If I could reiterate and summarize what was said, they understand the problem we have, and whatever decision was made, they would be supportive of that, knowing that we are partners with them, we agree with them, economic development is important, creating jobs is important, and we have long-standing relationship with each other that's not going to change, regardless of this decision today. We are invested, we have been invested, in fact, I will make a point of clarity here. This is about 2016 funding and beyond. That is nothing to do with 2015 funding. That funding is already set in stone. Giving us the ability to make changes in the future if we need to is really what this is all about. It has nothing to do with our judgment, or our support for or against any of these economic development initiatives that are already in place. This has no bearing on that whatsoever. Simply puts things back on the table."*

*"Commissioner Unruh, you made a comment that our partners are willing and agreeable, and have worked with us. I would argue that's not true. Wichita is one of our partners in this agreement and they said no. We asked them to change the date, and they disagreed, which is why we have this issue before us right now. Had they made the right decision to change the date in the contract, we would have a contract moving forward. The reason we are here right now, because they chose not to let that happen. In my opinion, they made the choice to widen Central yesterday. That was not the best decision for us to collaborate with them as partners. The partnership is two or more parties and I expect we'll have a partnership with GWEDC and other economic development organizations in our community as we move forward, whether we agree completely with Wichita, now that that's done, it will be a three-way partnership or two-way partnership, that's to be seen yet. Anyway, unfortunately, they are not willing to*

*work with us, and that's the point I would make right now. Thank you, Mr. Chairman."*

*Chairman Ranzau said, "Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I want to start by expressing my appreciation to the folks who came and spoke to us today, as well as my colleagues' comments here, because I think it is important, and Commissioner Howell mentioned an item that I should have included in my earlier comments. And that is there is one other option on the table. I mean, the state cuts our revenues, and our revenue projections don't come in with some increases, the option is there to raise taxes. In the past, the majority of this Commission, sometimes even a unanimous Commission, has voted to raise property taxes. Now, my assessment is that I don't think there is a majority of this Commission to raise property taxes. I was certainly not elected by my constituents to raise the mill levy and I won't be supporting that option going forward. That is an option that is out there, and maybe it is an option some legislators want us to be placed in that position, maybe placing other local units in that position, too.*

*"But raising taxes, and this time, with this economy, in our efforts to try and strengthen our economic development efforts, I think would be a hindrance, and we do have time to work this out between now and the end of the year, but that is an option that's out on the table. And what my colleagues who might have a differing view than I have on raising taxes, that can be a continuing discussion as we get closer to the budget end, and I would be remiss if I did not include that that's certainly an option when it comes to the level of County spending that we have going forward. Because the 17 groups that received letters the County has been funding, those 17 groups are funded with property taxes almost entirely. I think they are almost 100 percent. So that restricts where the revenue is going to come for any funding we can do in those areas. I think that's important to include in the record today. Thank you Mr. Chairman."*

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

*Commissioner Unruh said, "Thank you, Mr. Chairman. I don't know where to start. Number one, there is nobody on this Commission that I can think of who has even thought about raising taxes, or that's even on our landscape at all. Our staff has not given us any information or indication that we've got a situation where we should even consider that. As a matter of fact, our staff has not yet given us a recommended budget that we are, I think perhaps part of this issue is the result of the fact that we are getting ahead of our budgeting process, and in previous years, when we have had the potential for a budget shortfall, as demonstrated in our February planning retreat, by the time we get to the budget recommendation time, that is essentially been managed through our management team, and our Finance Department to compensate for all that where we don't have that deficit. And I think before we start making decisions now that in my mind might be detrimental in our community, we should wait for that process to work and wait on the recommended budget. That's one thought that*

*comes to my mind as we have this discussion.*

*"Another thought that comes to my mind has to do basically with our discussion here about the potential challenges and damage the state might do to us by their actions, which it seems like State legislature in the last few years has been picking on local governments between the mortgage recommending station phase, which when been fully implemented, going to be \$7 million. We can go back several years to demand transfers. That's getting to be a little bit of a tired argument, but we are not being supportive with that. We are being cut in other areas. And now even on our local Senate Representative, one from our own County is implementing legislation that you will describe is going to bring tremendous impact to our County revenues. I don't understand that. I also haven't seen any information from our lobbyist on what he's doing lobbying on that. I don't know if those of you who have a closer relationship to our legislative delegation, if we have been trying to make an effort to stop that. I mean, maybe that's where we ought to emphasize something. How can we turn that around? I don't know if our lobbyist has done it. I know Commissioner Howell, Commissioner Peterjohn, you all have been pretty involved up there, I don't know if you are working on that particular issue or not, but we need to have a concentrated effort to let those folks know how detrimental that's going to be, not just to our core functions, but also to our valuable community partnerships.*

*"Third thought that comes to my mind is I recall when a group of us went to Dallas to talk to the folks at Southwest Airlines, trying to convince them that this is a good community for them to serve, and a bunch of us sat around the table, the Governor was there. We had our head of the delegation there, and folks from the City, and Chamber of Commerce. And Mr. Kelly, the CEO of Southwest Airlines, when he got up to speak, one of the first things he said was let me tell you, we know more about Wichita, Kansas, than you know about yourselves. And that has always stuck with me that people who are thinking about investing in our community, site selectors, different people who are potential recruits to our economic environment, they do their homework. They know what's going on here. They know the personalities, and they know the conversations we have at the Sedgwick County Commissioners bench. So all the things we say, I mean, I don't think we should be intimidated by that, but I think that we need to have that in our thinking that as we have conversations, and make comments about our City Council partners, when we make comments about the economic development agencies, when we take positions that are not taking us forward, different folks know that. They know our personality. So I think the action you are contemplating today can have a significant impact, a significant piece of how they view us. So as much as anything, what it is going to look like to potential people. How we are talking and what we are doing I think is really important, and I think that we should affirm and go forward with our partnerships, and if we have an issue, we go back to them and talk to them and work it out, rather than just terminate the contract. Mr. Chairman, that's all I have."*

*Chairman Ranzau said, "Thank you. Well, let me say this. Our partnerships with all these entities will continue in the future. That's not ending today. We are just saying we need to evaluate our spending, and at this point, we can't tell any of them what's going to happen in the future, and as has been stated, we gave notice to 17 different*

organizations, 14 of them by letter, two of them agreed to extensions in the contract to give us until September 1 to iron things out. We thought we had an agreement with GWEDC, but the City didn't want to participate, and partner in that decision, and so we are kind of backed into a corner. The fact of the matter is, no one has said, I have never said we are in a crisis here. People keep bringing up that word. I guess it's good for political rhetoric. The fact of the matter is, I never said we were in a crisis. But there is a reality of the situation when you are facing a \$10 million deficit, and some decisions that could be made in Topeka, could exacerbate that problem. So we need to have a choice. We can stick our head in the sand and pretend nothing is going on, or we can be proactive, notify everyone we partner with and say, hey, there may be changes ahead. Work to try to resolve those, which we will do. Because if we don't address them now, then we will find ourselves in a crisis. So it is not fun, nobody likes to make changes, or cut funding or change funding to anybody.

"But the fact of the matter is, that's the new normal. We can't spend money like we have in the past. We have reevaluated memberships in a few organizations that aren't providing tremendous value for this community, so we reallocate those dollars to something else. That's something that has to be done on an ongoing basis, so as I said it is not fun, we don't enjoy it. It is important to be proactive, be honest with everyone we partner with and say there are challenges ahead and let's try to address those. This is part of it. Unfortunately, I don't like where we are at today, either, but we thought we had a better solution, but we will move forward. This is just a temporary setback, so to speak.

"We will reevaluate and have negotiations and move forward, and as Commissioner Peterjohn said, the County invests millions of dollars a year in our community in the name of economic development. Some people just want to dismiss that and forget about that and act like the sky is falling today. And it's not. We will move forward, our partnerships will continue, and we will be actively engaged in economic development, I have no doubt about that. At this point, we don't have a motion, do we?"

Ms. Do said, "We do not."

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

#### MOTION

Commissioner Howell moved to adopt the Resolution, authorize the Chairman to sign the letters of intent to terminate funding agreement to be delivered no later than June 1st, 2015.

Commissioner Peterjohn seconded the motion.

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

#### VOTE

Commissioner Unruh	No
Commissioner Norton	No
Commissioner Howell	Aye
Commissioner Peterjohn	Aye

Chairman Ranzau

Aye

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

**Approved**

L      [15-0172](#)

A RESOLUTION ADOPTING THE INTERNATIONAL RESIDENTIAL CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., 2012 EDITION, AND AMENDING, DELETING, AND SUPPLEMENTING VARIOUS PROVISIONS OF THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE (UBTC).

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

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Thomas Stolz, Director, Metropolitan Area Building and Construction Department, greeted the Commissioners and said, "Last month at the April 22nd meeting of the Board of County Commissioners I presented information regarding the adoption of the 2012 International Residential Code, along with suggested local amendments to that particular code. A public hearing was allowed at that meeting. Since the meeting last month, there has been internal staff discussion concerning two of the amendments within the proposed resolution that we reached out and also discussed with local contractors and builders.*

*"The first issue dealt with section 23 of the resolution, which is the issue concerning requirement of carbon monoxide detectors in existing homes. After discussion with local builders, and communication with the International Code Council Staff, our staff, our local staff recommends at least for this code cycle adoption that Wichita/Sedgwick County delete section r315.3 of the proposed residential code. This would remove the proposed government mandated requirement of carbon monoxide detectors in existing homes. We will continue to research this issue before the next code cycle is adopted. Also, it is recommended to keep r315.1 in place, which requires carbon monoxide detector installation into brand new homes being built.*

*"The second issue revisited since last month's public hearing meeting considered the deregulation of hoop houses for residential properties. As you recall, hoop houses are a variety of small greenhouse structures which use solar power to grow plants. It is a staff recommendation that we add section 32 to the group of local amendments, which removes previous building code regulation concerning hoop houses. In the time period since April 22nd, the Commission meeting on that date, MABCD (Metropolitan Area Building and Construction Department) staff has not heard anything from contractors or general public concerning the proposed code adoption. The Wichita Area Builders Association and the Board of Code Standards and Appeals Advisory Board both support the adoption of the 2012 International Residential Code along with the local amendment in today's resolution. At this time, staff recommends adoption of the code, and the accompanying amendments. Mr. Bud Lett is with me. We would be glad to answer any questions."*

*Chairman Ranzau said, "Thank you, Tom. At this point I know we have had lots of public discussion, but I would like to open this up and see if anyone from the public would like to speak on this item as well."*

*Mr. Wright said, "I apologize to Commissioner Jim Howell. When he brought up some*



*questions concerning the carbon monoxide detectors, he made some good points, he wanted more information, and I sharply criticized him for putting concerns about money over safety. I was wrong. You know, you identified these alarms don't last that long. We've learned that it doesn't have the immediacy need that we have from the smoke alarms. I apologize to you. You were right, I was wrong."*

*Commissioner Howell said, "Thank you. I just want to say thank you for coming up to the microphone and speaking with us about this. You have been a good community partner, if you will, on bringing issues to our understanding as well. I think our relationship with you has been tremendous. I appreciate your perspective. No offense taken and I appreciate the dialogue you and I continue to have on this and other issues. I think that you are a good man and appreciate your opinion on these things. Keep it up. No problem. We will work together respectfully. It's okay. Thank you very much."*

*Chairman Ranzau said, "Anyone else from the public like to speak on this item? Seeing none, Commissioners, what is the will of the Board?"*

**MOTION**

*Commissioner Unruh moved to adopt the resolution.*

*Commissioner Peterjohn seconded the motion.*

*Chairman Ranzau said, "Commissioner Howell."*

*Commissioner Howell said, "Thank you, Mr. Chairman. I do want to make a comment about the very issue that Lonnie Wright brought up, and that is that I think it is not widely known, at least I did not know it, studying this issue, that these devices, although they are intended to provide safety, they are limited in their ability to do that over a long period of time. And it is comforting to know we have smoke detectors in our homes and carbon monoxide sensors in our homes, and we tend to trust those and want to believe that's providing an element of safety. The unfortunate thing, they do wear out over time. They get dust inside them, humidity affects them. The ability for the sensors to do their job is diminished over time. I am not sure what things we can do as a County to encourage citizens to know that these are limited devices that need to be replaced once in a while. I do think there is a public safety issue that requires education in the community, and personal responsibility for people to know, if your home was built like mine in 1991, that sensors that are now the age they are may not be providing the best safety for my family. It is important I take the time and effort and initiative and investment to change those sensors out to make sure my family is being protected. I think education is part of the key. In fact, Mr. Stolz, I was wondering, is part of the process here that we wrote provide educational handouts for the older homes and not new construction for, you know, issues of roofs and that type of thing, will we hand them a paper educating them on carbon monoxide sensors? Is that the plan?"*

*Mr. Stolz said, "I think we can make a policy decision inside of our department to do just that. We just didn't want to tie it to the code. I also think that what will happen, when this passes, this Commission, and I have to go to City Council on June 9th meeting, that we will use this as a marketing tool to talk about some of the things we have discussed with carbon monoxide detectors, and why we chose not to mandate them in existing homes. Some of what you just mentioned, and I think we talk about*

*that with the community. We have to notify the small municipalities that we are adopting new code. We will use that opportunity to bring it to the attention of people. And I have talked to both fire marshals, city and county, and we agree the education piece needs to be put out there. Fire is very diligent about smoke detectors, and they could easily add in some facet of carbon monoxide detector education as well."*

*Commissioner Howell said, "It's interesting, we do almost a media blitz every daylight savings time clock change, change the batteries in the smoke detectors. Of course many of the detectors are powered off house wiring, so that's not necessarily valid in those cases. They may have battery backup, but some of the sensors today have batteries lasting 7 to 10 years. So changing batteries is not even possible in some of these units. They are not designed to have batteries replaced. But it drives the issue forward that they are time limited. But we have what we call public safety announcements that happen on radio stations and TV stations and things like that. I just think the message ought to include the idea if you have detectors that are older than 5 to 7 years, you might consider investing in your family and replacing those as a matter of providing safety for them, because they are not to be trusted for 15 to 20 years as most of us probably do. That's part of the message and part of the education that I have gone through. I appreciate the subject coming up to, I think, it will bring safety to our community with a better understanding of education efforts going on. Thank you, Mr. Stolz."*

*Chairman Ranzau said, "Tom, thanks for your efforts. I know this has been an ongoing issue. I will take the time to talk a little bit. A time when we are passing more regulations, I want to talk about deregulation with respect to the hoop houses this is an issue that has come up a couple different times, and evidently is a growing trend in rural areas to do hoop houses. Sometimes it's related to agritourism, which is another issue we are addressing here. I appreciate the willingness to look at that and see if we really do need to regulate it. When we talk about economic development, one of the big things that a lot of businesses and developers and people are concerned about, or have problems with, are all the regulations. It seems to slow down or inhibit economic development in many areas request. We don't want to regulate things we don't have to. The hoop house issue is a perfect example of us taking an honest look at that and seeing if we need to, and come to the conclusions we don't need to, and I think that's, hopefully we'll have more of that in the future. I know when you guys go through this code here, you examine the code for the very same issues to minimize the impact it has on everybody. Appreciate those efforts. Do we have a motion and a second?"*

*Ms. Do said, "We do."*

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

**VOTE**

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

*Chairman Ranzau said, "Motion passes 5-0. Next item."*

**Adopted**

M [15-0239](#)

CONSIDERATION OF A SUNFLOWER FOUNDATION GRANT IN THE AMOUNT OF \$200,000.00 FOR GRACEMED AT COMCARE INTEGRATED CARE IMPLEMENTATION.

Presented by: Marilyn Cook, LSCSW, COMCARE Executive Director.

RECOMMENDED ACTION: Approve acceptance of the grant award and authorize the establishment of budget authority as provided in the Financial Consideration section of this request.

*Ms. Marilyn Cook, Director, COMCARE, greeted the Commissioners and said, "The item before you this morning is an exciting collaboration between COMCARE, your community mental health center, and GraceMed, a fully qualified health center in Wichita. GraceMed CEO, Dave Sanford, is here this morning. He will be making some comments, and he also has a couple of his guild members here he will introduce when he comes up.*

*"The item is a grant award for \$200,000 from the Sunflower Foundation to implement a primary care co-location site at one of COMCARE's programs. We have known for some time that individuals with severe and persistent mental illness are dying 25 years before individuals without a mental illness. The sad part, they are dying of preventable illnesses.*

*"We spend a strong ten nationally to integrate primary care and behavior health services with the goal of treating the whole person in one location. In 2012, COMCARE and our partner, GraceMed, received a planning grant from the Sunflower Foundation to develop a plan for GraceMed to place a primary care provider in COMCARE's outpatient program. It has been more common nationally to place therapists in primary care offices, but recent research shows that having what they call a reverse co-location model, such as the one that we will be developing, has a significant impact on those with a serious mental illness. That have physical health problems, that feel more comfortable receiving care where they have been receiving behavioral health services. During the planning phase, COMCARE and GraceMed leaders visited Cherokee Health Systems in Knoxville, Tennessee to see how they developed their integrated program. We worked with a consultant from Colorado who helped us in our planning stages.*

*"In 2014, you approved a remodel cost for the space in our outpatient program where the integrated program will be located. A contractor was awarded the renovation contract a couple weeks ago at this meeting and the renovations to start soon should be completed by late summer. Another significant modification to this space involves routing water to the exam room which was once therapy offices. There will be six exam rooms, a restroom, lab, nurses station, financial office, reception area, and a shared space that encourages team consultation. In order to integrate even further, COMCARE will place two of our medical providers in the space, two of our advanced nurse practitioners in the space whose close proximity to GraceMed will promote curbside collaboration and eventually promote a smoother transition to the primary care clinic for patients who are stabilized on medication, allowing our prescribers who are specialists to focus more on psychiatrically complex patients. The grant is going to be utilized to support two physicians for two years. One is a COMCARE employee we are calling this person a behavioral health consultant, the other a nurse practitioner employed by GraceMed. The grant money will pay 100 percent of behavioral health*

*consultants salary and 25 percent of the benefits of the consultant, and it will help fund part of the one full-time GraceMed nurse practitioner that's going to be working there. The behavioral health consultant that will be a COMCARE employee will be part of the GraceMed health team and do short interventions in the exam rooms, rather than having a therapy office which was more traditional. I would like to call Dave Sanford to come up here and share comments before I state the recommended action and to address any questions you might have."*

*Mr. Dave Sanford, CEO, GraceMed, greeted the Commissioners and said, "Two of our GraceMed supporters, are here this morning. We are happy to have them here. If you are not familiar with GraceMed, we are a faith based community health center. Last year we provided care for over 35,000 unduplicated patients in the Greater Sedgwick County area through 84,000 patient visits. If you do the math, that is about 8 percent of the total population of the greater Wichita area. For years we have been providing quality medical, dental, and vision service for the Community but one thing that we have lacked is providing behavior healthcare. We have had a great partnership with COMCARE in terms of referring patients who experience the need for behavior health services to COMCARE.*

*"That is a obstacle to many people and nationwide, as Marilyn indicated, it is certainty being embraced to provide integrated holistic care for people whenever they are already at a single location. In our conversations with Marilyn, she indicated that there are over 2,000 current COMCARE patients who do not have a primary healthcare provider. We are excited to provide that primary care experience for those folks at this integrated location over at Twin Lakes.*

*"Conversely, for the 35,000 unduplicated patients that we care for, many of those have certainly been identified to have mild or moderate behavioral issues. So this clinic, once it is open, will be available not only for COMCARE patients but the community at large, so we're excited to have that opportunity to refer patients there.*

*"We certainly encourage you to adopt this opportunity to work with the Sunflower Foundation. Obviously, it is not federal funds, it is private foundational funds. Those are the things that we try to do in this community to collaborate with our partners to make sure that we're bringing available resources from various foundations into Wichita to make sure that we can improve the quality of life of those that live in this community, so I would be happy to answer any questions or return the microphone to Marilyn."*

*Ms. Cook said, "Thanks. I just wanted to make the recommended action. We recommend you approve acceptance of the grant award and authorize the establishment of budget authority as provided in the financial consideration section of this request."*

*Chairman Ranzau said, "Commissioner Norton."*

*Commissioner Norton said, "Sorry. I didn't shut off my phone. Let me do that real quick. Just a few comments and I'll be glad to make a motion. Over the years I've probably been to several workshops and symposiums that talk about the best practices of integrating mental health and physical health and medical health together. I'm going to be very supportive of this. The question is, does mental health affect your physical health or does physical health affect your mental health? And I think it's both. So this integration not only in the clinics but in the mental health setting is going to be*

*vitaly important to the best practices because co-location is, I am very sorry. This co-location is a best practice around the nation. Okay. Very sorry. Usually I leave that on the desk in my office. Co-location is the best practice, and I very much support that from all the information and readings I've done over the years. This is going to be a powerful change in our community and I'm glad that GraceMed, first of all, has expanded to serve so many uninsured in our community, but now will offer those kinds of services, including mental health. We know that oral health affects your physical health, and that's important, and now we have that component of mental health."*

**MOTION**

*Commissioner Norton moved to approve the acceptance of the grant award and authorize the establishment of budget authority as provided in the Financial Consideration section of this request.*

*Commissioner Peterjohn seconded the motion.*

*Commissioner Peterjohn said, "If I may add to the comments on this agenda item. I appreciate the overview in terms of where GraceMed is at this point in time. In light of Commissioner Norton's comments, I'm not sure which leads, a chicken or egg situation, in terms of which came first. I'm not sure where it is, but I think this is a positive step forward today, and I'm happy to second this motion. Thank you, Mr. Chairman."*

*Chairman Ranzau said, "Commissioner Howell."*

*Commissioner Howell said, "Thank you Mr. Chairman. I just have a couple of questions. I notice on the source of funding there is a \$200,000 grant that is after the two year, so that is \$100,000 for year?"*

*Ms. Cook said, "Yes it is, sir."*

*Commissioner Howell said, "It also mentioned a cash match. That's a one-time expense, is that correct?"*

*Ms. Cook said, "That is the remainder of the benefits for the consultant for two years."*

*Commissioner Howell said, "So that money, we are approving additional budget authority of \$43,979 today?"*

*Ms. Cook said, "Yes."*

*Commissioner Howell said, "And that's not fee funded or anything that that's coming from Sedgwick County?"*

*Ms. Cook said, "It's coming from our grant fund."*

*Commissioner Howell said, "Now, you are going to be hiring two people?"*

*Ms. Cook said, "We're going to be hiring a behavioral health consultant who will really*

*be a clinician who will just use a different model. GraceMed will be hiring the other staff, an advanced nurse practitioner, a nurse to help with that practitioner, and then there is another staffer, and I forget what the terminology, a patient service representative will be a staff member that GraceMed will be hiring. We are hiring just one."*

*Commissioner Howell said, "Do you anticipate this grant would be something you would reapply for at the end of the two-year term?"*

*Ms. Cook said, "We would hope so. I'll tell you, one of the things that is encouraging to me is that primary care integration has really become something that has been embraced nationally. One of the issues that we have some terms of sustainability is right now Kansas only has two billing codes for behavioral health consultants. When we went to Cherokee, Cherokee and the folks from Knoxville worked with their state legislature and had eight codes that they are using. I was in a meeting a couple of weeks ago and Secretary Moser from KDHE (Kansas Department of Health and Environment) was interested in that, and she said send me those codes and we'll see if we can do something about making them codes that we will have access to as well.*

*"So we are working on billing codes, making them more accessible, and certainly the Sunflower Foundation has primary care integration. That's a very big item they have been supporting. So if the codes don't come through, we would probably ask for more funds if we don't make this sustainable on our own, and that would be our number one goal."*

*Commissioner Howell said, "So you hope this to become sustainable?"*

*Ms. Cook said, "Yes."*

*Commissioner Howell said, "That was one of my concerns that we have a temporary funding stream for new services, which is great. I'm just concerned about the temporary nature of the funding source, so as long as that's part of the plan, I think that's really good. I do appreciate what GraceMed does in our communities. I think they're a great partner, again, with trying to provide medical services to the people who have disadvantaged issues and they just need some extra help. GraceMed has done a tremendous job in our community providing that. I appreciate them and look forward to seeing this being passed and implemented. Thank you very much."*

*Ms. Cook said, "I would add in terms of the chicken and the egg question, Cherokee, who has been doing this work for well over 10 years believes that there is a behavioral component to any illness. When you don't feel good physically, it affects how you function and how you feel emotionally. That could be from a cold. It could be from a chronic condition. So they treat everybody that comes in who has a physical concern that's going on, they inquire about how they're feeling emotionally, and they're very short interventions. It's not like they're sitting down for 50 minutes for a therapy appointment. They believe there is a mental health component to almost any physical health issue, certainly the chronic ones."*

*Chairman Ranzau said, "What's the will of the Board? Or do we have a motion and a second?"*

*Ms. Do said, "We do."*

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

VOTE

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

Chairman Ranzau said, "Chairman Ranzau: next item, please."

N [15-0309](#)

CONSIDERATION OF A GRANT APPLICATION TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) IN THE AMOUNT OF \$146,895 FOR SUPPORTING ACCELERATED LOCAL PUBLIC HEALTH PREPAREDNESS PLANNING AND OPERATIONAL READINESS FOR RESPONDING TO EBOLA THROUGH THE SEDGWICK COUNTY PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM.

Presented by: Adrienne Byrne-Lutz, Director, Health Department.

RECOMMENDED ACTION: Approve the application of the grant; the electronic submittal of the application for the grant; and authorize the Chairman to sign all necessary documents; including the grant award agreement containing substantially the same terms and conditions as the application; and approve the establishment of budget authority as provided in the financial considerations section of this request at the time the grant documents are executed.

*Ms. Adrienne Byrne-Lutz, Director, Health Department, greeted the Commissioners and said, "Before you is supplemental funding from Kansas Department of Health and Environment in the amount of \$146,895. This funding is to assure and improve operational readiness in an Ebola type event. This funding historically is directed to local health departments. We had public health emergency preparedness as part of the Health Department until May 3rd when it merged, consolidated with our Emergency Management in Sedgwick County. It is now Emergency Communications and Management. So this funding will come to the Health Department, pass through us, and go to Emergency Communications and Management. The desired use of that money is to replace the expired personal protective equipment that we have in three or four trailers in designated areas in Sedgwick County. This personal protective equipment would be for our first responders to use. Our first responders do have their own personal protective equipment to be able to respond immediately, but this equipment would be able to sustain them if they needed to be continued to be active in an Ebola-type event. I ask that you approve the application of the grant, authorize the Chairman to sign and any other recommendations. I'll be glad to answer any questions."*

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

MOTION

*Commissioner Unruh moved to approve the application of the grant.*

*Commissioner Norton seconded the motion.*

*Chairman Ranzau said, "Any discussion? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Yes. Let me just ask at this point in time, is this part of a nationwide effort? Are these grants going out all across the country, or is this just within the State of Kansas, or any idea in terms of how broad the scope is? Because this kind of, the whole Ebola issue kind of popped up unexpectedly, and there was a lot of news about it, and then all of a sudden, it's gotten really, really quiet. I think it would be helpful to at least get some idea in terms of where we stand at this point from an epidemiological perspective."*

*Ms. Byrne-Lutz said, "This is pass through money from the Department of Health and Human Services, targeting local health departments, and it is expanded way beyond Kansas, and so this money is available to all states, most states."*

*Commissioner Peterjohn said, "Okay. Do we have any, are there any cases, let me rephrase this. I haven't heard of any cases in the United States recently. Are you aware of any?"*

*Ms. Byrne-Lutz said, "No."*

*Commissioner Peterjohn said, "This month or last month?"*

*Ms. Byrne-Lutz said, "No."*

*Commissioner Peterjohn said, "Thanks you."*

*Chairman Ranzau said, "Commissioner Howell."*

*Commissioner Howell said, "Can you tell me, how long will this PP (Preparedness Program) equipment last once it has been utilized? Say an event happens locally and someone uses their own that they currently have access to. How much time do they have before they have to have replacement equipment?"*

*Ms. Byrne-Lutz said, "Much of this equipment, to my understanding, is one-time use. Now, the gas masks, for example, themselves wouldn't be, but the filters, the canisters that go on the gas masks to filter whatever agent that they may be dealing with, those are going to be one-time use and have to be replaced."*

*Commissioner Howell said, "But is it like eight hours or something? How much time do they have to have before they have to have something changed for them to continue?"*

*Ms. Byrne-Lutz said, "I don't have that information. I will get that for you."*

*Commissioner Howell said, "I don't have any problem with applying for this grant, although I don't know that this is, if we had an Ebola event locally, I think there's going to be a lot of equipment in our community and across the state and maybe other states that would be available to be located quickly to the place that it's needed. We*



*don't have a large outbreak and widespread issues that happen all at the same time. Nevertheless, I guess I understand this equipment already exists. It's already basically out of date, and that's the point that you're making today. This would replace expiring equipment that's already in our possession."*

*Ms. Byrne-Lutz said, "That is correct."*

*Commissioner Howell said, "For that extent, I would support the grant, although I don't know that I agree with the idea that we would have an emergency trying to find equipment in the area that would be able to be utilized should an event happen. That's all I have, Mr. Chairman, thank you."*

*Chairman Ranzau said, "We have a motion and a second. Seeing no further discussion, please 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."*

O [15-0345](#)

CONSIDERATION OF A KANSAS DEPARTMENT OF CORRECTIONS (KDOC) GRANT APPLICATION IN THE AMOUNT OF \$837,781 TO STRENGTHEN PROBATION SUPERVISION, COMMUNITY SAFETY AND CLIENT SUCCESS BY INCREASING BEHAVIORAL INTERVENTIONS PROVEN TO REDUCE RECIDIVISM WITH ADULT FELONY OFFENDERS.

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

RECOMMENDED ACTION: Approve the application for the grant, and if awarded, authorize acceptance of the grant and establishment of budget authority as provided in the Financial Considerations section of this request and implementation of the staffing table changes identified in the Personnel Considerations section of this request.

*Mr. Mark Masterson, Director, Corrections Department, greeted the Commissioners and said, "As you know, Community Corrections is a state mandated program in the Adult Corrections system. It's an intensive probation that provides felony offenders a chance to avoid prison under strict conditions set by the court while they maintain employment, pay taxes, pay restitutions with crime victims and continue supporting their families. The Community Corrections program is state funded through an annual grant process administered by the Kansas Department of Corrections, KDOC. The State legislature also provides funding for Community Corrections through the Justice Reinvestment Initiative. Sedgwick County has received awards for these funds since November 2013. The grant application before you today is for state fiscal year 2016. These funds support behavioral health interventions and evidence-based programming*

*to reduce recidivism and reduce probation revocations where they go to prison.*

*"We're requesting funds to continue the current services that we receive, and I provided in here an option for expansion to deliver programming deeper within our population. The current behavioral health interventions are provided by three separate agencies with Community Corrections serving as the lead. We have a contract with COMCARE for specialized intervention and for a specialized intervention team to provide a variety of mental health services that you've just heard Marilyn talk about that are co-located and integrated at Community Corrections around behavioral health. We have a contract with Higher Ground, a licensed substance abuse agency, to provide recovery services and intensive support and mentoring to high risk clients while they're engaged in substance abuse treatment, and that continues for the duration of their term to support them of completing probation as do the mental health services. So that's a significant advantage to help our clients make it through the probation term.*

*"Community Corrections, my part of it also provides research-based cognitive behavioral programming to address criminal thinking values and attitudes. We use a group model for that. We target the highest risk persons that are predictive of committing new crimes while they're on probation and after. And so at any rate, through these collaborative and integrated services, we're starting to see an increase in client success, have been doing them, the grant came out, was issued in November of 2013, and this grant cycle, this puts this on a state fiscal year cycle and for a 12-month period. But we're starting to see success in that. The jury is still out on if it will reduce prison beds, but 72 percent of our population that's receiving these services have either completed successfully or they're still successful on probation receiving the services. So the preliminary results look like this is a positive thing. The research would say this is definitely the thing to do. What I included here is a request for the current services, which is a little under \$590,000 for state fiscal year 2016, and an enhancement request to add four program providers to my staff to expand the number of groups we provide and do more clients deeper, more clients will receive these services that are currently in our program.*

*"So the grant provides, if approved and the enhancement was approved, that's an additional \$248,000 in change. The total request is \$837,781. So it gives the state two options. There's \$3 million if the state budget passes as it is today for these funds. They are targeted to areas. They're not distributed evenly across the state. They're targeted to areas where you can have the most impact on public safety and reducing the prison population. The Community Corrections Advisory Board has approved this and recommends that you approve it, as do I. I would be happy to answer any questions.*

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

**MOTION**

*Commissioner Unruh moved to approve the application for the grant.*

*Commissioner Norton seconded the motion.*

*Chairman Ranzau said, "We have a motion and a second. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. Now, Mark you were kind enough to brief me on this, and I'm glad to see this getting on a 12-month basis, and I appreciate your explanation and do plan to be supportive this morning. Thank you."*

*Chairman Ranzau said, "Call the vote, please."*

VOTE

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

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

P [15-0359](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR  
MEETING ON MAY 14, 2015.

Presented by: Joe Thomas, Director, Purchasing Department.

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

*Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the Board of Bids and Contracts of May 14th results in six items that we're presenting to you this morning:*

1. CHFRS -2P EMULSIFIED ASPHALT—PUBLIC WORKS  
FUNDING – R175 PREVENTIVE MX-15

*"The recommendation is to accept the low bid from Ergon Asphalt and Emulsions Inc. for an initial purchase of \$199,640 and establish contract pricing for one year with two one-year options to renew.*

2. 2015 SUPER SEAL (R175-L) – PUBLIC WORKS  
FUNDING – R175 PREVENTIVE MX-15

*"Recommendation is to accept the bid from Andale Ready Mix Central Inc. in the amount of \$1,451,561.72.*

3. MS-1 EMULSIFIED OIL—PUBLIC WORKS  
FUNDING – R175 PREVENTIVE MX -15

*"The recommendation is to accept the bid from Ergon Asphalt and Emulsions, Inc for an initial purchase of \$159,750.00 and establish contract pricing for one year with two one-year options to renew.*

4. CITY SURFACE MIX—PUBLIC WORKS  
FUNDING -- R175 PREVENITIVE MX-15

*"The recommendation is to accept the bid from APAC- Kansas Inc. Shears Division for an initial purchase of \$96,500.00 and establish contract pricing for one year with two one year options to renew.*

5. DODGE CHARGER POLICE PACKAGE VEHICLES – FLEET  
MANAGEMENT  
FUNDING – AWD/RWD DODGE CHARGER

*"The recommendation is to accept the overall low bid from Landmark Dodge in the amount of \$398,980.00.*

6. ERGONOMIC TASK CHARIS—FACILITES DEPARTMENT AND RISK  
MANAGEMENT  
FUNDING – VARIOUS DEPARTMENTS

*"This recommendation is to accept the proposals from Midwest Single Source-Hon High Bask Task Chair, Contract Furnishings-Global Vion Mesh Mid-Back Task Chair, Scott Rice Office Interiors- Steelcase Leap Task Chair, John A. Marshall Co.-Herman Millar Mirra2 Task Chair, and establish contract pricing for three years 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. Dave, I have a question on the super seal. How many miles is that for?"*

*Mr. David Spears, Director, Bureau of Public Works, greeted the Commissioners and said, "That is for four miles."*

*Chairman Ranzau said, "Is the price going up on that?"*

*Mr. Spears said, "Commissioner Ranzau, we broke that down. There are some other things involved in that, which includes micro cracking of the super seal this year so that we can eliminate the big cracks, and this is something that we've looked into, so that's included in there, and also the sealing, we do the sealing, but then there is a fog seal we put over it, and it's called HA5 and it is another \$33,000 per mile, and that's in there. And then the markings, the striping, is in there, and that's another \$6,000 per mile. But overall, I do believe the price is going up. You look at the super seal along with the micro crack, and its \$277,000 per mile."*

*Chairman Ranzau said, "This is the only vendor that does this?"*

*Mr. Thomas said, "In this area. It's done by vendors worldwide, but right now, this is the only vendor in this area."*

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

*Commissioner Peterjohn said, "Similar questions to the Director of Public Works, if I could. So would it be safe to say that for a two-lane road the cost , the super seal is about \$320,000 per mile, excluding those extra costs that you added in that I think was*

\$33,000 and \$6,000 per, and that's for two lanes?"

Mr. Spears said, "I have \$277,000 per mile."

Commissioner Peterjohn said, "Can you walk me through those numbers again?  
Because I thought you said it was \$33,000 for the coating on top."

Mr. Spears said, "It is. It's \$277,000 for the super seal, including the micro cracking,  
another \$33,000 for the fog seal on top of that, which is different process, then \$6,000  
per mile for the markings."

Commissioner Peterjohn said, "Okay. But I'm looking at the total, this bid's just over  
\$1,451,000 for four miles, and so I divided that and came up with about 363,000 per  
mile. What did I do wrong with my numbers? Are there some other costs in there?"

Mr. Spears said, "There are other items in there."

Commissioner Peterjohn said, "Because I had the same sort of questions that the  
Chairman had in terms of ..."

Mr. Spears said, "Right. This is all the breakdown that I have. There may be other  
items in there also. I'll have to get back to you on that. I can't think of what they are  
right now off the top of my head."

Commissioner Peterjohn said, "Because I notice odd several of these we only had one  
or two bids, and that's always a concern, and I broaden that comment to Mr. Thomas  
as well as yourself. But if there's only one, there is only one, and I knew that was the  
case on the super seal, but I do want to get additional information on that. Thank you."

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

#### MOTION

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

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

#### CONSENT

Q [15-0344](#)

Use Agreement for the Third Annual Race for Hope: Race for Hope 5K  
on the Coleman Parking Lot.

- R      [15-0332](#)      Resolution rescinding Sedgwick County Resolution No. 102-2012 and authorizing an administrative process for establishing the yearly rate charged by Sedgwick County to cities for the housing of city prisoners in the Sedgwick County Adult Detention Facility.
- S      [15-0318](#)      Renewal Agreement with Heartspring, Inc. for Psychiatric Consultation Services.
- T      [15-0342](#)      Renewal Agreement with Horizons Mental Health Center for Psychiatric Supervision and Consultation Services.
- U      15-0331      Orders dated 4/30/2015 to correct tax roll for change of assessment.
- V      15-0340      Order dated 05/07/2015 to correct tax roll for change of assessment.
- W      [15-0350](#)      General Bill Check Register for May 13, 2015 - May 19, 2015.

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

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

**MOTION**

*Commissioner Unruh moved to adopt the Consent Agenda.*

*Commissioner Peterjohn seconded the motion.*

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

**VOTE**

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

**LEGISLATIVE ISSUES**

*Chairman Ranzau said, "We're now to the legislative issues portion of the agenda, and the only thing to bring up is there is the addition of Senator Donovan's tax plan. It's been percolating along, but as of yesterday it's been thrown in the mix, and I think we're all aware of that. Commissioner Unruh."*

*Commissioner Unruh said, "Thank you Mr. Chairman. Are we going to have our*

*legislative representative prepare some testimony, or are we going to make an effort about trying to illustrate how this might impact us? I mean, if we haven't given him that instruction, would you do that?"*

*Chairman Ranzau said, "Yes. They already are."*

*Commissioner Unruh said, "Okay. I haven't seen that."*

*Chairman Ranzau said, "Well they are working the issue. If the time comes and they can provide testimony, then they will do that. They are communicating with legislators."*

*Commissioner Unruh said, "Okay. Thank you."*

*Chairman Ranzau said, "Any other questions on Legislative issues? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. I did want to comment and follow up on some earlier comments we had, particularly relating to contacting legislators, because I have spent a lot of time in the last couple weeks, because I've been very much concerned about this Senate Tax proposal that was in Senate Bill 259, and I appreciate the information that I've been able to get, and I have been in touch with Jason Watkins, who is helping us on the legislative side of things, and I've been calling a lot of legislators, and I would urge everyone who has a concern about their county property taxes to make sure they first get informed and after they get informed, if they want to pass the information along. I won't walk through the data that I provided earlier in terms of the two bills. The version I got is with Senate Bill 259. I'm not sure exactly how the implementation would work on House Bill 2109 that was included in the Senate Bill 259 as I understand in some form was added to the tax package yesterday. But I think it could have a severe impact on not only Sedgwick County but the other 104 counties in the state. I gave some numbers for some of the cities but I think would affect every municipality in the State of Kansas and also I've been told that it would affect townships and other property tax receiving entities that are out there, too. I don't know of any in Sedgwick County that jump out at me, but we've got 26 townships, I believe, that are active at this point in time, and they would all take a hit also.*

*"So this legislation has some very important moving parts. I think it would be very negative for Sedgwick County in particular. Of course, my concern is what's after this. Obviously getting more information on it, the problem at this time of year is there aren't a lot of formal legislative hearings with testimony. There are often meetings at the rail, committees meet at the rail, and I would defer to Commissioner Howell who has had a lot more experience than I have. I have certainly seen the process, and it concerns me very much going forward, and I urge all of my colleagues who have influence with the legislators to make sure you remember the South Central Delegation knows where we stand on this and any other issues that could impact both County revenues as well as mandates for County spending. Thank you."*

*Chairman Ranzau said, "Commissioner Howell."*

*Commissioner Howell said, "Thank you, Mr. Chairman. I would like to just continue those comments and add to them a little bit. At this point in the legislative session, the committees are really not meeting at a committee level. There is a conference committee that meets, really just the three leaders of each committee from the house*

*and the senate. We get together and put different proposals into the package to both floors for consideration. At that point, it's really not amendable on the floor. It's really just an up or down vote. Once each body agrees, that becomes a solution to the revenue needs of the State. Having said that, our opportunity really is on an individual level, communicating with each legislator independently is really our best strategy. So e-mails and phone calls to them or even a visit to their office would be very beneficial. I would like to describe this bill just briefly, what Senate Bill 259 would do. It would lower revenues to local governments across the state by about \$179 million. Our portion of the state is about Sedgwick County represents about one-sixth of the state. So roughly \$30 million would governmental units in Sedgwick County. Of that, about \$7.5, maybe up to \$8 million would be Sedgwick County government itself. So if we're going to continue to provide services needed by the community, \$8 million-dollar change to our revenue stream would be a significant change.*

*"So I would agree with legislators that property taxes on vehicles in Kansas are too high and probably should be something that should be changed at some point in the future. This may not be the best time. I think politically there is an argument to be made that they're raising taxes potentially to close the budget shortfall for the state and politically it doesn't sound so bad when you're lowering property taxes someplace else. If you look at those things side by side, you might say maybe it's a wash or doesn't feel as bad if you're lowering property taxes in one area and raising taxes in another area. So politically it may be an easier sell this year to include the bill in the final solution. On top of that, they would be adding \$43 million for education, for schools, and that's always popular. I think politically, this proposal in Topeka has a serious likelihood of passing each year, and should it pass would be a \$30 million reduction of revenues for our County over all and about \$8 million for Sedgwick County government. That's certainly going to have an impact on the services that we can provide or, I guess the other option, of course, is to shift that burden to other sources of revenue for the County, which would be property taxes. I don't think that's likely to happen either considering our state of this economy. I just think with that explanation, this is the time for us to advocate to our legislators this is certainly an interesting issue that needs to be fixed. Maybe this isn't the right time to do that. So I encourage them to not include that language into this proposal. Mr. Chairman, that's all I have for now. Thank you."*

*Chairman Ranzau said, "Seeing no other comments, we'll move to the 'Other' portion of our agenda. Commissioners, do we have anything for the other portion? Commissioner Peterjohn."*

## **OTHER**

*Commissioner Peterjohn said, "Thank you, Mr. Chairman, in terms of, I'd like to provide a little bit of a report in terms of some important activities that have been going on here in Sedgwick County. There were four meetings. I think most of them were conducted last week. The one I attended was May 13th out at the Extension Office considering the new flash flood plain maps that are out there. Folks who are interested or have a concern in terms of their property, that continues to be an issue. Those are*



*in the process of being finalized. We did have public meetings, but if folks were unable to attend those I know there are both federal as well as county folks who we can get information from on that and get in touch on that issue. I would also like to mention that May 15th, I participated and several of my colleagues here participated in the Law Enforcement Memorial Program to honor the 29 law enforcement officers from four different agencies who have given their lives here in Sedgwick County. That was an event Chairman Ranzau and the Vice Mayor both spoke. A number of elected officials were present to honor those 29 officers and the departments. I think that is very important at this point in time that with the continuing controversies. Its law enforcement is continuing to try to keep us safe. I think that's important event that deserves as much attention as we can provide it.*

*"Also this was a fun event for me, the first time I've had the opportunity to do it, but last night I was participating in the Wichita Area Technical College National Center for Aviation Training graduation. There were close to 200 students that went through the graduation process, and that was a very positive event here in this community. I would also be remiss, Mr. Chairman, if I didn't mention, May 20th is an important day in American history. First I'd like to point out sometimes discussions about unintended consequences, and arguably one of the most unintended consequences that have been monumental in our history occurred on May 20th, 1506. Christopher Columbus died in Spain still believing that his journeys into the western hemisphere. He actually had discovered the east coast of Asia. Of course, he hadn't, but it had huge consequences going forward. May 20th is also an important day in American Technology. In 1873, Levi Strauss received his patent for his denim pants with cooper rivets. In 1899, taxi driver by the name of Jacob German became the first driver to be arrested for speeding. He was going 12 miles per hour on Lexington Avenue in New York City. But probably two most important events that have a direct connection here with Wichita, on this date, May 20th, 1927, Charles Lindbergh took off from an airfield on long island, Roosevelt Field, and flew into history, landing more than a day later, 33.5 hours later to be a little bit more exact, at the airfield in Paris. And to show you how fast the technology was moving at that time, on May 20th, 1939, regular Transatlantic Airmail service began with the flight of the Pan Am Clipper from Port Washington, New York to Portugal. So May 20th was an important date in American history. Wanted to provide that for the record, Mr. Chairman."*

*Chairman Ranzau said, "Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. I just wanted to take a moment to give a shout out to Mount Hope Mayor, Mayor Terry Somers. He was recently elected as the 2015 Mayor of the Year by the Kansas Mayor Association. My relationship with Mayor Somers is through the Regional Economic Area Partnership (REAP) where he served on the executive committee for many years. Mayor Terry Somers is a good guy, and I wanted to recognize him and say congratulations. That's all I have."*

*Chairman Ranzau said, "Okay. We do have a need for a fire agenda."*

*The Board of County Commissioners recessed at 11:11 a.m. and returned at 11:13 a.m.*

*Chairman Ranzau said, "Next in line is Executive Session. Commissioner Peterjohn."*

**MOTION**

*Commissioner Peterjohn moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider consultation with legal counsel on matter privileged in the attorney client relationship in terms of legal advice and the acquisition of real property for public purposes, and the Board of County Commissioners return to this room from Executive Session no sooner than 11:45 a.m.*

*Chairman Ranzau seconded the motion.*

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

**VOTE**

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

*Chairman Ranzau said, "We are now moved into Executive Session."*

**EXECUTIVE SESSION**

*The Board of County Commissioners went into Executive Session at 11:13 am and returned at 11:52 am.*

*Chairman Ranzau said, "We are now back from Executive Session. No binding action was taken. Is there anything else to come before the Board, Mr. Manager?"*

*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 11:52 am.*

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:

\_\_\_\_\_