

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, November 18, 2015

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

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

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

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

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

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:08 a.m. on November 18, 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 James M. Howell; Mr. Michael (Mike) Scholes, County Manager; Mr. Ron Holt, Assistant County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Adrienne Byrne-Lutz, Director, Public Health Department; Ms. Eileen McNichol, Director, Human Resources; Mr. Gregory Harlan, Fire Division Chief, Fire District No. 1; Mr. Justin Waggoner, Assistant County Counselor; Mr. Joe Thomas, Director, Purchasing Department; Ms. Marilyn Cook, Director, COMCARE; Ms. Kristi Zukovich, Director, Communications; and Ms. Erika Rice, Deputy County Clerk.

GUESTS

*Mr. Paul Gunzelman, Assistant City Engineer, City of Wichita
Ms. Kim Neufeld, President, Bike/Walk Wichita, Inc.
Ms. Kathy Walker, Wesley Medical Center
Mr. Kim Springer, Kiwanis Club of Wichita
Mr. Justin Thaw, Adoption Supervisor, St. Francis Community Services
Ms. Heather Gilbert, Adoptive Parent, Wichita
Dr. Michelle Lewis, 2551 Wilderness Court, Wichita
Mr. Justin Givens, City Administrator, City of Clearwater*

INVOCATION: Sister Joan Burger, Sisters of St. Joseph.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES

- A** [15-0751](#) REGULAR MEETING MINUTES OF OCTOBER 14, 2015.
All Commissioners were present.

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

MOTION

Commissioner Unruh moved to adopt the Regular Meeting Minutes of October 14, 2015 and the Regular Meeting Minutes of October 21, 2015.

Commissioner Howell seconded the motion.

VOTE

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

- B** [15-0753](#) REGULAR MEETING MINUTES OF OCTOBER 21, 2015.
All Commissioners were present.

Action for Item B was taken with Item A.

Approved

PROCLAMATIONS

- C** [15-0754](#) PROCLAMATION DECLARING NATIONAL PUBLIC HEALTH THANK
YOU DAY.
Read by: Chairman Richard Ranzau.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Ranzau said, "Commissioner Norton will read the Proclamation into the record."

Commissioner Norton thanked the Chairman and said, "I have the honor of reading the following Proclamation into the record:

PROCLAMATION

WHEREAS, public health organizations around the country are celebrating National Public Health Thank You Day. This eleventh annual celebration honors local public health heroes for leading daily efforts to make Sedgwick County healthier; and

WHEREAS, Paul Gunzelman has been instrumental in making the Wichita community more walking and bicycle-friendly. Paul is the Assistant City Engineer for the City of Wichita and has been a true advocate for building an environment to support healthy lifestyles and has also fostered relationships with community organizations focused on health, such as the Health & Wellness Coalition of Wichita; and

WHEREAS, Wesley Medical Center is the first Medical Center in Wichita to receive the Baby-Friendly Hospital Initiative (BFHI) designation that was launched in 1991 by the World Health Organization and the United Nations Children's Fund to encourage and recognize hospitals and birthing centers that offer an optimal level of care for infant feeding and mother/baby bonding; and

WHEREAS, Kim Neufeld has spent the last 10 years of her career working on prevention programs in Sedgwick County, including serving as the current Board President of Bike/Walk Wichita, Inc., which is a non-profit organization dedicated to the safe active transportation within Wichita and South Central Kansas.

NOW, THEREFORE BE IT RESOLVED that I, Richard Ranzau, Chairman of the

Board of Sedgwick County Commissioners, do hereby proclaim November 23, 2015 as

NATIONAL PUBLIC HEALTH THANK YOU DAY

In Sedgwick County and gratefully acknowledge the dedication of these awardees for leading the way to protect and improve the health of Sedgwick County's residents."

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

MOTION

Commissioner Unruh moved to adopt the Proclamation.

Commissioner Peterjohn seconded the motion.

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 Adrienne here to accept the Proclamation."

Ms. Adrienne Byrne-Lutz, Director, Public Health Department, greeted the Commissioners and said, "It's my pleasure to accept this year's Proclamation for National Public Health Thank You Day. Each year the Monday before Thanksgiving, leading public health organizations around the country take time to recognize public who work tirelessly every day to protect us. From the ordinary to the extraordinary, these public health heroes educate our community on the importance of maintaining a healthy lifestyle, preparing for public health emergencies, and keeping our children healthy. Here in Sedgwick County, we are privileged to have many partners who collaborate with us to join resources to improve the health of community. National Public Health Thank You Day provides us the opportunity to extend our gratitude to a few individuals and organizations who have demonstrated exemplary public health service this past year.

"Our first is Paul Gunzelman. Paul has been instrumental in making the community more walking and bicycle friendly. Paul is the Assistant City Engineer for the City of Wichita and a true advocate for building an environment to support healthy lifestyles. His collaborative work style helped facilitate the City of Wichita's robust efforts to encourage multi-modal forms of transportation and to bring in many community partners. Both the bicycle and pedestrian plans provide the framework for how the community will encourage and support walking and bicycling as a viable form of transportation for the next ten years. While Paul is seen as an expert in his field, he is always willing to share what he knows, in a manner that is easy to understand by those in the community. He is respected by his peers and those with whom he collaborates with. Congratulations, Paul."

Mr. Paul Gunzelman, Assistant City Engineer, City of Wichita, greeted the Commissioners and said, "Thank you, Adrienne. I want to thank the health and wellness coalition for the nomination, Mim and Becky, and also for providing some

funding for the design of some of the bike paths that we have recently put in.

"It's been a learning experience for me, going through the design and through construction. We've changed a few things as we went through construction, and we will continue to, I will continue to learn as we do more of these and finish some of these up and then do some studies after they are completed. Next spring, we'll do some traffic counts. I also want to thank Scott Weddle with the Metropolitan Area Planning Department. He was instrumental in working with me for these designs. I drug him out there on occasion as we've gone through some of the construction of them to run some things off, bounce some ideas by him. And lastly, I'd like to thank my wife. I've drug her out there on a couple weekends as we went through design, I kind of ran some things through her. After they've been completed, we've ran a few of these paths, and I think we've seen people use them, so it's a great deal. Appreciate it, thank you."

Ms. Byrne-Lutz, said "Our second is Kim Neufeld. She has spent the last ten years of her career working on prevention programs in Sedgwick County. In her free time, she serves as the Board President of Bike/Walk Wichita, Inc., a nonprofit, charitable organization and a dedicated the promotion of the safe act of transportation within Wichita and South Central Kansas. Kim recently represented Bike/Walk Wichita, at the 2015 National Open Street Summit Conference in Atlanta. Bike/Walk Wichita's calendar is packed with events, including but not limited to major events, like the Bike and Beautiful Fashion Show and Bike Month, Bike/Walk Wichita events promote everything from a leisurely ride with your family to active commuting to and from work.

"As a certified cycle instructor and passionate cyclist, Kim goes above and beyond to make cycling safer and more accessible to all citizens in Wichita."

Ms. Kim Neufeld, President, Bike/Walk Wichita, Inc., greeted the Commissioners and said, "I just want to say thank you so much. I'm honored for this recognition, and I do want to brag on Bike/Walk Wichita just briefly. We're a smaller nonprofit organization, a couple thousand supporters of people, locally, who bike and walk, and we are completely grassroots. We have no staff. So, it's volunteer planned, led, implemented, evaluated and driven, and so I think that allows us to really meet the needs of the residents and work with local government entities and stuff to really make sure we're operating safely.

"I would also just like to say I actually started biking and walking when I worked for Sedgwick County. Your Worksite Wellness Program actually encouraged me to go purchase my first bike, a big heavy cruiser, which I don't necessarily recommend as your first bike, unless you're just looking to always go slow. But really the work site wellness program is what encouraged me to go purchase a bike and start commuting my five miles to the Health Department, and it really transformed my life. I was pre-diabetic and obese, and I am no longer pre-diabetic without any medical interventions. So it definitely allows me to work in many ways and to really improve my life. And I appreciate all that you do, and thank you for the award."

Ms. Byrne-Lutz said, "Next and our final is Wesley Medical Center. Wesley Medical Center received their Baby-Friendly designation in June 2015 and became the first medical center in Kansas to receive this standing. Becoming a Baby-Friendly facility is a comprehensive detailed and thorough journey towards excellence in providing evidence-based maternal care with the goal of achieving optimal infant feeding outcomes and mother-baby bonding.

"The process compels facilities to examine, challenge and modify long-standing policies and procedures. It is challenging, creates opportunity to develop high performance work teams, and builds leadership skills among staff, thus promoting employee pride, enhancing patient satisfaction and improving health outcomes. Kathy Walker is here from Wesley Medical Center to receive this award."

Ms. Kathy Walker, Wesley Medical Center, greeted the Commissioners and said, "On behalf of Wesley Medical Center and our many community partners, I would like to thank you for this honor."

Chairman Ranzau said, "Thank you, Adrienne, and congratulations to all the recipients today. Next item, please."

Adopted

D [15-0699](#)

PROCLAMATION DECLARING NATIONAL FARM-CITY WEEK.

Read by: Chairman Richard Ranzau.

RECOMMENDED ACTION: Adopt the proclamation.

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

PROCLAMATION

WHEREAS, the prosperity and well-being of this community and area is dependent upon cooperation between two great elements of our society: farmers and urbanites; and

WHEREAS, America's farms have long been vital to our nation; we must continue supporting this relationship between American farms and families, and work to ensure that farming remains an economically, socially and environmentally sustainable way of life for future generations; and

WHEREAS, the Wichita Downtown Kiwanis Club Farm-City Week provides an unparalleled opportunity for farm and city residents to become reacquainted, and also brings recognition to the myriad of contributions our nation's farmers and ranchers make toward furthering the health and well-being of our country; and

WHEREAS, Doug and Sherri Hess are being honored as the Kiwanis Club of Wichita - Downtown Outstanding Farm Family in Sedgwick County for 2015; and

NOW, THEREFORE BE IT RESOLVED that I, Richard Ranzau, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim November 20-26, 2015 as

NATIONAL FARM-CITY WEEK

In Sedgwick County and encourage all citizens to remember the contributions and cohesion of farmers and urbanites.

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

MOTION

Commissioner Peterjohn moved to adopt the Proclamation.

Commissioner Howell seconded the motion.

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 Kim Springer of the Kiwanis Club of Wichita here to receive the Proclamation."

Mr. Kim Springer, Kiwanis Club of Wichita, greeted the Commissioners and said, "Thank you, Commissioners. I greatly enjoy being here, this morning. I loved the quiz ahead of time, being a thankful person and being a farm boy. If there is a follow up quiz with that or a show-and-tell, I want to come back and watch Commissioner Norton do the Turkey Trot there.

"Nonetheless, the Kiwanis Club of Wichita for 63 years has recognized a farm family in Sedgwick County and this relationship and the values that they bring to our community and also providing the economical stimulus to agricultural production and then being leaders in their own community.

"We're honored this year to recognize Doug and Sherry Hess. Doug arrived into Sedgwick County in the mid 1950's. His father moved out here from around Yates Center, Kansas. There wasn't enough of a farming size there to support all of the families that had come up within that family, and so they left the grandfather behind and they came out here to Sedgwick County. Arriving here, trying to get into farming was too much of a challenge, so Doug's father actually began doing trucking business, and eventually then founded the Hess Trucking Company, which was owned for a number of years in the family. Doug and his brother Edward had begun purchasing farm ground. Today, Doug operates all that land plus additional land for about 1,300 acres.

"It's located just west of Valley Center. And he's been innovative with his farming techniques, a real proponent of stewardship, conservation practices and just this last few years has begun to incorporate what's known as no-till farming to conserve the soil and then also began utilizing cover crops, which has a number of benefits on enhancing the soil tilt, maintaining the nutrients on the field and keeping those from getting into our water supply system. And so we will be recognizing him today at our noon luncheon, and we appreciate the County Commissioners' support and with the Proclamation as you've done for a number of years. Thank you very much."

Chairman Ranzau said, "Thank you. Thank you for being here. Madam Clerk, actually, we have one more. Next item, please."

Adopted

E [15-0758](#)

PROCLAMATION DECLARING NATIONAL ADOPTION MONTH.
Read by: Chairman Richard Ranzau.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Ranzau said, "Commissioner Peterjohn will read the Proclamation into the record."

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

PROCLAMATION

WHEREAS, the State of Kansas recognizes the importance of giving children permanent, safe and loving families through adoption; and

WHEREAS, today there are approximately 350 Kansas children who are waiting to be adopted, which is a small portion of the more than 100,000 children who need matched with a loving adoptive family; and

WHEREAS, some children who wait the longest for an adoptive family are those who have suffered abuse and/or neglect, and may have medical, emotional, and/or developmental needs; and

WHEREAS, brothers and sisters who are separated in the foster care system yearn to be adopted by the same family; and

WHEREAS, many older youth living in foster care feel they may be too old to be adopted, yet they want a sense of belonging that adoptive parents can provide; and

WHEREAS, these children need families who can provide unconditional love, "No Matter What" and help the children reach their full potential; and

WHEREAS, adoption brings unique opportunities to forever transform a child's life and enrich the life of the adoptive parent or family that welcomes them.

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

NATIONAL ADOPTION MONTH

In Sedgwick County in the hopes that the people of this great state will open their hearts and homes to Kansas kids in the foster care system.

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

MOTION

Commissioner Peterjohn moved to adopt the Proclamation.

Commissioner Howell seconded the motion.

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Howell	Aye
Commissioner Peterjohn	Aye

Chairman Ranzau

Aye

Chairman Ranzau said, "We have Justin here today."

Mr. Justin Thaw, Adoption Supervisor, St. Francis Community Services, greeted the Commissioners and said, "I'm here on behalf of St. Francis Community Services. We work in the community with hundreds of children and families in the foster care system as well as adoption. This month, annually, we celebrate National Adoption Month. And with that, we generally, on the Saturday prior to Thanksgiving, we have a celebration at Exploration Place to complete several adoptions. This Saturday we will be finalizing 42 adoptions at the Exploration Place of children in this community and throughout the State of Kansas.

"And so here to accept the Proclamation on behalf of all those children and families is Heather and Ronmel Gilbert, a family who is adopting this Saturday two of our children, who they have fostered for the last several years. And so I would like to introduce them and let them say a few words."

Ms. Heather Gilbert, Adoptive Parent, Wichita, greeted the Commissioners and said, "We just want to say that we are truly blessed. When you're told you can't have kids but you know you have a loving heart, it's time to open up your home, and there are several kids out there that still need families to support them, provide safety and security, and we're just blessed that we were able to do that, and we're blessed that for the last three years and three days, we have had these beautiful children with us, and we finally get a chapter closed in their lives so they know they have that sense of security, a place to sleep at night, food to eat, and they have the most loving hearts. Many times they do come with mental issues because of neglect, because of sexual abuse and things like that, but you can work past that, and it's just an honor for us to be able to open our home and be able to provide that security for these two beautiful girls and let them know that they no longer have to be afraid and that they know they have a roof over their head and food on their table every single night."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Gilberts, I really appreciate you coming down today. I was honored to be able to read this Resolution as an adoptive parent myself. We spoke a little bit earlier about our new county manager Mike Scholes who also is an adoptive parent, too. So we have a number of folks here in Sedgwick County who have been there, who are in the adoptive parent process, and I hope the Manager won't mind me throwing that in since the Chairman threw so many other items about his resume in. I wanted to add that today and also add that I've been honored and privileged to be able to attend this event in the past, and I know a number of the County Judges. I'm not sure who, in the judicial side, will be attending this Saturday to help with the finalization, but I suspect there will be more than a few, and I want to give a shout out to them. This is a wonderful event, and I urge the public, anyone who hears our voices, to take on your words, Ms. Gilbert, because there are a lot of kids out there, and I think every child deserves a loving family; a two-parent household with a mother and father. Thank you, Mr. Chairman."

Chairman Ranzau said, "Commissioner Norton."

Commissioner Norton said, "Thank you very much for being here today. Your actions close out the loop for what we do in our community to protect our children, our

vulnerable. We have worked real hard recently on a Child Advocacy Center. We work with the Department of Children and Families, consistently. We honor what the Kansas Children Service League does for our children. St. Francis Community Services kind of fill in that last gap to try to find permanent residence and families, and all of this is so important to the system that we try to create in our community to protect and love and value the children that are going to be the future of our community.

"So, thank you for taking on your piece of it and being proud to do that and taking some kids that otherwise would be in foster care for many, many years and not have a loving family and a place to put their head on a fresh pillow every night, and we really honor you for that. Thank you very much."

Chairman Ranzau said, "Thank you very much for being here, and congratulations. Now, I think we have a need to an off-agenda item, Commissioner Peterjohn."

Commissioner Peterjohn thanked the Chairman and said, "At the staff meeting yesterday I talked about bringing two additional Resolutions in light of recent events on to the agenda for today's meeting. I worked with the Counselor's office to draft language. I don't know that I've got a formal copy of the revised draft in front of me, but a Resolution concerning the atrocities that have been committed, involving civil aviation with Russian aircraft as well as the events, the multiple, the assault in Paris, France last Friday."

MOTION

Commissioner Peterjohn moved to bring two Resolutions to the Board.

Chairman Ranzau seconded the motion.

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, "Do you want to go ahead and introduce the first one?"

Commissioner Peterjohn said, "Yes, I will. I'm going to preface it just a little bit. In October of 2002, my wife and I began our adoption journey, and we were flying into Sheremetyevo International Airport in Moscow at a time when Islamic terrorists had taken over a theater and were holding approximately 800 people hostage, of whom approximately 150 ended up getting killed. Neither my wife nor myself had ever been east of France at that time, I had never been east of Maine, and to be literally flying into a city that was literally under siege was more than a little intimidating at the time.

"In light of the events of the last week, I would point out the fact that there are, I think 224 is the most recent number of men, women and children who were killed during the bombing of the metro jetliner. In that context I'm going to have this Resolution regarding terrorist attacks against Russia.

A RESOLUTION REGARDING TERRORIST ATTACKS AGAINST RUSSIA

WHEREAS, Sedgwick County is the second most populous county in the State of Kansas with over half a million citizens and residents, and

WHEREAS, Sedgwick County is aware of the alliance that the United States and Russia enjoyed during the defeat of the threat of fascism during World War II from the Axis powers of Germany and Italy, and

WHEREAS, Sedgwick County as a governmental body is dedicated to preserving and protecting the precious freedoms enshrined in the Constitution of the United States and the amendments thereto, and

WHEREAS, Sedgwick County government is also dedicated to preserving and protecting the precious freedoms enshrined in the Constitution of the State of Kansas and the amendments thereto, and

WHEREAS, freedom loving and civilized people in our county, in our country and around the world were appalled at the latest aviation atrocity being committed by Islamic savages that resulted in the death of over 200 Russian citizens in the November Metrojet bombing over Egypt, and

WHEREAS, Islamic terrorists have slaughtered Russian citizens in the Moscow theatre attack of 2002 and the assault on the school in Beslan two years later that killed 331 people, and

WHEREAS, the leadership of the federal government is unable, or unwilling, or is too ignorant to call "Islamic terrorism" by what it is: "Islamic terrorism".

Now therefore, be it resolved by the Board of County Commissioners of Sedgwick County, Kansas, that:

Sedgwick County expresses our deepest condolences to the people of Russia and in particular all of the citizens who lost loved ones, friends, or neighbors in this hideous bombing;

Sedgwick County extends these condolences to all of the families of the victims, who were slaughtered in this despicable and vicious act;

Sedgwick County stands with the people of Russia in protecting civil aviation against this barbarian horde.

Sedgwick County is working to protect the people of this country, and this state, and is dedicated to making sure that the evil events created by Islamic illegal combatants will not occur here.

"Mr. Chairman, I move we adopt this Resolution. I'm going to say for the record, for this and the following Resolution, I am the primary author of. For all of my colleagues who do vote with me on this, I am in the forefront on this and want that on the record, too. Thank you, Mr. Chairman."

MOTION

Commissioner Peterjohn moved to adopt the Resolution.

Commissioner Howell seconded the motion.

Chairman Ranzau said, "Commissioner Norton."

Commissioner Norton said, "Well, I'm probably not going to vote for this Proclamation. I have some issues with some of the language. When we talk about this world view and that we call our own leadership at the national level ignorant, I have a little bit of a problem with that. The issue here is that we mourn for the families and the communities that were dealt these atrocities. I certainly do that. My heart goes out to the world that we live in. It is incredible to me that we watch man's inhumanity to man for whatever reason, but trust me, I understand most of the tenants of this Proclamation.

"People that know me know I have a loving heart for all humanity, and that doesn't change today, but some of the language in here is a little inflammatory towards the leadership of our own United States which, to me, is not at issue here. It's random acts of violence around the world that none of us condone, but this goes a little too far for me. It's a sad day for the world. It's sad day for the individuals that have suffered. It's sad that our beliefs and our ideologies and the word love cannot come together. So, whereas there's most of the language in this that I would support, there are parts of it that I just cannot because I think it goes a little too far.

"It's inflammatory, and in my mind, today is a time to put your head down, think about those that have lost their lives, pray for our world and not making it worse than it needs to be. So, with all due respect to my colleagues that may vote for it, I cannot go that far in accepting all the language in this Proclamation, and I will not. I'm sure people will disagree with me. It is not about death and inhumanity, it's about some of the language that I think it goes a little too far. That's all I have, Mr. Chair."

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

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>

Chairman Ranzau said, "And do you have your second Proclamation?"

Commissioner Peterjohn said, "Yes, Mr. Chairman, I have a second Proclamation, entitled a Resolution regarding the terrorist attacks in Paris.

A RESOLUTION REGARDING THE TERRORIST ATTACKS IN PARIS

WHEREAS, Sedgwick County is the second most populous county in the State of Kansas with over half a million citizens and residents, and

WHEREAS, Sedgwick County is aware of the long alliance that the United States and France have enjoyed going back to the American Revolution, and

WHEREAS, Sedgwick County as a governmental body is dedicated to preserving and protecting the precious freedoms enshrined in the Constitution of the United States and the amendments thereto, and

WHEREAS, Sedgwick County government is also dedicated to preserving and protecting the precious freedoms enshrined in the Constitution of the State of Kansas and the amendments thereto, and

WHEREAS, freedom loving and civilized people in our county, in our country and around the world were appalled at the latest atrocities being committed by Islamic savages in the streets of Paris on November 13, 2015, and

WHEREAS, the leadership of the federal government is unable, or unwilling, or is too ignorant to call "Islamic terrorism" by what it is: "Islamic terrorism".

Now therefore, be it resolved by the Board of County Commissioners of Sedgwick County, Kansas, that:

Sedgwick County expresses our deepest condolences to the people of France and in particular the citizens of Paris;

Sedgwick County extends these condolences to all of the families of the victims, including the United States citizens, who were slaughtered in this despicable and vicious act;

Sedgwick County stands with the people of France in support of their principles, "Liberté, Egalité, Fraternité," against this barbarian horde of illegal combatants.

Sedgwick County is working to protect the people of this country, and this state, and is dedicated to making sure that the evil events created by Islamic illegal combatants will not occur here.

MOTION

Commissioner Peterjohn moved to adopt the Resolution.

Commissioner Howell seconded the motion.

Chairman Ranzau said, "Commissioner Norton."

Commissioner Norton said, "The language in this Proclamation is almost exactly the same as the last one. I think I've said what my feelings are. I would add to it that I believe that we want America to be safe, we want the world to be safe. In fact, my family right now is supporting a son-in-law that's in Qatar, helping protect America's future and America's safety, abroad. So, I am very supportive of many, many actions we take, as a Government, to try to protect our nation, but some of the language in here, once again, goes too far.

"There's so much in this country, right or wrong, that we don't know about what is happening in the world. And sometimes making broad statements about what we do or do not know from the information that we get in so many different media sources, some verified and some not, does not make sense to me. Once again, I do mourn the families in Russia, the families in France, the families around the world have suffered

because of ideologies and beliefs and hatred and anger, but I cannot support the full language of this Resolution or Proclamation today. Thank you, Mr. Chairman."

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

VOTE

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

Chairman Ranzau said, "Next item, please."

Adopted

RETIREMENTS

F [15-0740](#) PRESENTATION OF RETIREMENT CLOCK TO GREGORY HARLAN.
Presented by: Eileen McNichol, Director of Human Resources.

RECOMMENDED ACTION: Present the clock.

Ms. Eileen McNichol, Director, Human Resources, greeted the Commissioners and said, "We have the privilege this morning to honor and thank Greg Harlan, Fire Division Chief from Fire District No. 1, for his 28 years of service to our community. Serving with dedication, commitment and pride.

"Chief Harlan will be retiring December 1st. Congratulations on achieving the employment milestone of your retirement."

Chairman Ranzau said, "All right. I get to talk a little bit about his career here. First of all, Greg first started in the fire service in 1986 in Ark City, Kansas. Very good. I have a brother in the fire department down there. However, he almost went to truck driving school instead of being a Fire Marshall, later on. Is that right?"

Mr. Gregory Harlan, Fire Division Chief, Fire District No. 1, said "Yeah, I had my first meeting with the Board of County Commissioners and rethought what I was doing, maybe I should maybe go to truck driving school."

Chairman Ranzau said, "Well, we're glad you changed your mind. He started with Sedgwick County in 1987, promoted to Lieutenant in 1999, promoted to Captain in 2002. He became a state certified Fire Investigator in 2003, and then became International Association of Arson Investigators (CFI) in 2012. He moved to fire prevention in 2011 and promoted to Division Chief in 2014. He was a real go-getter, wasn't he? Weren't you? He's also been involved in a lot of incidents here in the county that you all know about.

"He was on duty at Station 34 when the Andover tornado struck Clearwater and moved to Hayesville and then towards Andover. He participated in the extraction of Baby Jessie in Mulvane, he was first on the scene for Sedgwick County Fire Department. He participated in the DeBruce grain elevator explosion, as well as the Haysville tornado in 1999. He was also an original member of the Sedgwick County Fire Technical Rescue

team and was a VFW Fifth District Award in 1999.

"He had a very long and distinguished career with Sedgwick County. Now he gets to spend some time on self-employment jobs and catch up on all the honey-doo's. With that, congratulations, and thank you."

Mr. Harlan, greeted the Commissioners and said, "I'm very proud to be here today. It's been a long career that I'm very proud of. I'm proud to work for Sedgwick County. We have one of the finest departments in the country, and I say that not because I'm biased, but because I've been traveling to different venues to, classes, and everybody knows who Sedgwick County Fire is. We're very well respected throughout the country, not just the state. It's your responsibility to keep it that way. You have the purse strings. So, keep that in mind and thank you very much."

Chairman Ranzau said, "Commissioner Norton."

Commissioner Norton said, "Greg, we go back a long way. In fact, some of those things that were he numerated; the DeBruce grain elevator and the two Haysville tornadoes, I was intimately involved with. I just recently saw a picture on Facebook of five retired Station 34 guys, I guess we'll have to photo shop you into that picture now."

Mr. Harlan said, "I'll have to grow the beard first."

Commissioner Norton said, "I think they're all riding America on their bikes. Are you going to do that too?"

Mr. Harlan said, "I just might. You never know."

Commissioner Norton said, "Well, we're proud of you and one of the reasons that Sedgwick County Fire is so well known and respected around the nation is because of guys like you that have put in the time, that have gone for certification, that have learned their craft at the highest level, and we honor you for that. Congratulations, enjoy your retirement, and come back to see us every while. We'll be gentle if you come to the meetings."

Mr. Harlan said, "Thank you. I'm smiling a little more now than I was the first time."

Chairman Ranzau said, "Congratulations, Greg, and thank you for all of your service."

Mr. Greg Harlan said, "Thank you."

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

CITIZEN INQUIRIES

G

[15-0729](#)

REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE USE OF E-CIGARETTES ON SEDGWICK COUNTY PROPERTY.

Presented by: Michelle Louis, DO., Wichita.

RECOMMENDED ACTION: Receive and file.

Dr. Michelle Lewis, 2551 Wilderness Court, Wichita, greeted the Commissioners and

said, "Thank you, Commissioners for allowing me to speak to you today. I'm here to address the topic of allowing electronic cigarettes to be used in all county buildings. As a local family physician, the issue of encouraging e-cigarette use concerns me for many reasons. At my clinic, I have specific protocols in place to address tobacco use with each of my patients. With the recent increase in cigarette use, it has become necessary to also address these e-cig products.

"Put simply, our lungs are designed to breathe air. Our lungs are designed to take in clean, fresh air. Adding anything beyond that causes health problems whether it happens immediately or later in life. Studies have already shown that people using e-cigarettes are more prone to lung infections such as bronchitis and pneumonias. I have seen some of these issues in my practice already. These added illnesses contribute to the health care costs of their place of employment. In this case, Sedgwick County, which ultimately places the burden directly on our taxpayers.

"I am not only concerned for users of vaping devices. I am concerned about people around users being exposed to harmful substances. Secondhand emissions have also been found to contain many of the same chemicals that are inhaled by users, such as nicotine, heavy metals and cancer causing agents. People in close proximity to e-cigarette users will have direct contact with these chemicals without their choice.

"The county buildings are meant for public use. They belong to the public. This situation is not the same as before the clean air act was being implemented where people could choose whether or not to visit a restaurant that allowed smoking. People don't have a choice of whether or not to pay their car tags or property taxes.

"I am also concerned about the renormalizing smoking in the eyes of children. Children who witness smoking are themselves more likely to start. The same is true for e-cigarettes. Already, national surveys have shown use for middle school and high school age children have tripled from 2013 to 2014. These are kids who had never even tried smoking, so they definitely aren't using these devices to help them quit. These kids are developing a nicotine habit at an early age that will most likely lead them to tobacco use as an adult. Do we really want to encourage a new generation of smokers who visit our public buildings?

"It is much easier to prevent tobacco use. On average, it takes 7 to 9 quit attempts for a person to give up tobacco. E-cigarettes are not the answer to this problem. A 2014 study of Kansas e-cigarette users found that the vast majority also smoke cigarettes. They obviously do not help people break the nicotine addiction, which leads users to continued smoking. The American Academy of Family Physicians (AAFP) recently concluded that the current evidence is insufficient to recommend electronic nicotine delivery assistance for tobacco cessation in adults, including pregnant women. The AAFP recommends we direct our patients who smoke tobacco to other FDA (Food and Drug Administration) approved cessation interventions with established effectiveness and safety.

"I have had many patients try the e-cigarettes, and I think I've only had one be successful. Recent studies, as recent as 2014, have shown that there is serum, which is the blood cotinine. Cotinine is the byproduct of tobacco smoke. Serum was found in non-smokers sitting in a chamber, it was a study chamber, was similar for cigarette smoke and e-cigarette aerosol exposures. There is definitely evidence that there is nicotine in the vapor.

"Any thoughts of increased claims of productivity by employees not leaving their desk will be dramatically off-set by many fellow employees leaving their work areas to avoid the toxic vapor, and what about the increased doctor visits, especially for asthmatics being exposed? And I can't imagine being present and being forced intake anyone's toxic vapor. Please, let us not go backwards with this issue. Lets prevent the renormalization of public tobacco use. Thank you so much for your time."

Chairman Ranzau said, "Thank you, Dr. Lewis, for being here. I'm sorry you had to wait so long. Normally it doesn't take quite so long to get through this. Commissioner Howell I think has something."

Commissioner Howell said, "First of all, Dr. Lewis, thank you for being here today and for making some comments for us to consider. I appreciate that. I will be making a motion that we receive and file her comments. I'd like to make some comments as well."

"You made a comment earlier that we're encouraging their use. I would like to disagree with that. I don't think that's the intent of the discussion we've been having at all. In fact, I've been very, very clear that I am not a proponent of e-cigarettes. That's never been my goal. Let's be clear that our current position with our current policy was written before e-cigarettes even existed. They're trying to apply a policy that's not very clear and what does that mean in terms of e-cigarettes? We have some choices before us today: whether we should do anything at all, which is certainly an option; we can do nothing, which is an option; we could clarify exactly what this policy means with our employees and customers; we could move, like 7 other cities have done in Kansas so far to, ban their use in government places. So, we have some options available to us."

"I think that many of the doctors have made the assumption that they know where this is headed, and I think that's premature. Yesterday we had a very thorough presentation by both sides of the issue, and many questions were asked, and there were many ideas that were given to the Commission here for us to consider. And I think that the policy, should it change, is going to be based on education, science and data. I don't think we know right now exactly where this is headed. I don't think it's fair for anybody to assume that they know exactly what our motives are or what our goals are, because I don't think we've stated those."

"Again, I have never smoked anything, and I'm not a proponent of smoking anything. I would encourage people not to start another bad habit. And so that's not something I would encourage in any way. But I have recognized some things going on in our community that I think ought to be recognized by the medical establishment. They have not given it much consideration. I know that the people at the tops of these organizations, the Cancer Society, the Heart Association the Lung Association, as well as the American Medical Academy, I believe it's called, what's it called? I forget."

Dr. Lewis said, "The AMA."

Commissioner Howell said, "The AMA, thank you. They, of course, have not gotten onboard with this and they continue to make comments about these, in terms of they're not regulated, they're not FDA approved know what's in them and they may be harmful. They never have been proven to be not harmful to others. So, those are the comments I keep hearing from those groups, but what I've seen has gone on, and there are now 2.4 million users of e-cigarettes. First of all, they're really not cigarettes at all. They don't use anything related to tobacco. The only thing they have in them, if

you look at what's being sold predominantly amongst the shops that provide these things or sell these things, four main ingredients. Those ingredients are propylene glycol, vegetable glycerin, flavor and nicotine.

"I understand that doctors prescribe nicotine as a way to help people get off of tobacco cigarettes. So nicotine itself is not the issue. I would say anything anybody could use to get off of tobacco cigarettes is a step in the right direction. What happened in Sweden, I guess, more than a decade ago, was the entire country actually started encouraging their citizens to use alternate forms of nicotine delivery, and the entire country is now reaping the benefits of that encouragement.

"My position is, knowing that there are 2.4 million users of e-cigarettes and that correlates very nicely with the reduction, sudden reduction in cigarette use, something is going on in our community. And the reality is, I would call these nicotine delivery systems that are providing them an opportunity for people who are addicted to cigarettes, using all the tools in the toolbox that the medical establishment promotes, things like nicotine patches and Chantix, which does have some harm, including suicide. There are about 500 people each year that are committing suicide that are on Chantix. Now, whether that's a correlation or causation, we don't know, but I'm very concerned about that. We have about 480,000 Americans each year dying from cigarette use and 5.4 million people in the entire world dying from cigarette use each year.

"Trying to consider what's going on in our community right now, people are naturally through the free market making choices to go to something that's not regulated, that we don't understand the harms. I understand your concerns about the issues, but knowing those four ingredients are the main things that are in these things, and they have been studied for nine years now, I am actually very excited and happy for people who make a choice to get off of actual cigarettes, and if they're using e-cigarettes or some other method to get off actual cigarettes, I'm happy for them. The reality is that e-cigarettes are about 10 times more effective in moving people away from actual tobacco cigarettes. And so something is going on in our community and should be recognized by the medical establishment, and it's not been.

"Unfortunately, even Dr. Richter, yesterday, she conceded that only about one-third of her customers are successful in getting off of smoking given all the tools in the toolbox, and she's a very high expert in this subject. The data I've looked at is somewhere between 6 to 9 percent successful nationwide. So given all the tools in the toolbox, people trying to quit smoking are 6 to 9 percent successful, which means there's about a 90 percent failure rate. And with e-cigarettes, the success rate is more like 60 to 70 percent.

"In fact, I talked to some of the folks who use these things and said, how many of you were former smokers, and they almost all raised their hands. The reality is the audience that is using these e-cigarettes are nearly, almost exclusively, former cigarette users. Some are dual users, you're correct about that. But I think, again, any time they don't smoke a tobacco cigarette is a step in the right direction.

"I think the community needs to be educated. We need to recognize there is potential to actually save a lot of human suffering and death and for us to treat these things like actual cigarettes is missing an opportunity. There is a game changer that's gone on right before our very eyes, that is potentially saving tremendous amounts of human suffering and death, and it's time for the community to understand this issue and to get

onboard at some level and say, we would encourage people to get off tobacco cigarettes any way they can do it, and this is certainly one of the tools that should be in the toolbox.

"I have got testimonials in my office that I show people of people who were addicted to tobacco cigarettes for decades, who have tried numerous times to get off of tobacco cigarettes and they are unable to do that, and they tell me they were able to, within a short period of time, a week or so, transition from tobacco cigarettes to e-cigarettes, and they can breathe better, they can sleep better, they have more energy and they're reaping the been benefits of getting off of tobacco.

"I'm very, very concerned about people. I don't stand any financial gain by this issue. I think everybody else, the tobacco companies, let's be honest, the vaping retail outlets, obviously have a stand to win or lose on this issue, and certainly the pharmaceutical companies do as well as the doctors do. I am not biased because of financial gain. I have no, I don't care about this issue with regards to benefiting any particular entity. I am neutral, because I have personal gain attached to it, but I am willing to say that the seven cities that have taken position, I think have done so under political pressure. United Kingdom has led the world in regards to finding ways to get people off cigarettes, and they've recognized these as being a tool in the toolbox.

Dr. Lewis said, "Am I allowed to speak?"

Commissioner Howell said, "I think you are allowed to speak at the end here. I would just like to finish my comments, if you don't mind. Again, I think, understanding human suffering and death and knowing the mission of these organizations as well as the doctors, the Hippocratic Oath that you have taken, to reduce human suffering and death. It is time to get past the politics of this and to recognize there is a game changer in the community, that people by their own testimonies, have said they have finally found the answer. It's ten times more successful than everything else you can offer them. The things you're offering them also have harms associated with them. I think it's time to get past the politics of it and encourage people to do what is right.

"Now, having said all of that, I'm not saying we should necessarily allow these things without restrictions in the workplace or in our customer locations. I've never said that. We need to study this thing and be very, very careful. The policy has not been changed yet. We have some things to consider. I'm still developing my ideas on how we could do this in ways we can really help people and still be sensitive to the people who don't want to be around the secondhand vaping smoke. I think there is a way to get there. I think what we ought to do, my opinion is find a way to not demonize these things, try to help people, encourage them to get off actual cigarettes, make a policy that considers both sides of this issue and is very careful to not miss this opportunity to actually help people. I'll stop talking. Thank you, Mr. Chairman."

Chairman Ranzau said, "Dr. Lewis."

Dr. Lewis said, "Thank you. My concern, and again, I appreciate your thoughts, Mr. Howell. My concern is that you base your facts on testimonials. I'm basing my facts on medical studies, and there's more and more coming out monthly, and I have e-mailed each of you gentlemen some of the conversations that I've had with Mr. Howell. I haven't heard back from anybody, so I don't know if my stuff went to junk mail, but I'll provide that again. We have everything backed up by studies, and the big concern is you're taking away someone's choice. This is a county building. I'm a taxpayer. I don't

want my patients; I don't want to be in there. These are based on facts. The most recent studies show there is continine in the vape. We have a study that shows that. That's not bogus. That's not a testimonial. That's study based on science. Again, that's a nicotine by-product. I don't know what Mr. Howell is basing his facts on. But I'd like to see his studies and I'd like to share my studies. Thank you very much."

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

MOTION

Commissioner Howell moved to receive and file the comments.

Commissioner Peterjohn seconded the motion.

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

H [15-0755](#) RESOLUTION APPOINTING GEORGE DEAN (COMMISSIONER TIM NORTON'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt Resolution.

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Item H is a Resolution appointing the Honorable George Dean to the Sedgwick County Advisory Council on Aging. He would be Commissioner Norton's appointment. It's necessary to appoint Mr. Dean to fill the unexpired term of Mr. Black who needed to step down. The paperwork all appears to be in order to me, and I would urge adoption of the Resolution."

Chairman Ranzau said, "Commissioner Norton."

Commissioner Norton said, "Well, I'm appointing George Dean, who has been in the legislature, is very active on the south side, has advocated for seniors and for many years has been part of the Silver Haired Legislature. I'm sad Theron Black had to step down. He's been very active for senior issues for many, many years. He's been a great steward of that appointment, but because of his health, his age and his mobility, he has to step down. I'd like to applaud him for his service today. But I'm very honored to make the motion to appoint George Dean to the Council on Aging."

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Peterjohn seconded the motion.

VOTE

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

Chairman Ranzau said, "Is Mr. Dean here, to be sworn in? We will get him at another time. Next item."

Adopted

I [15-0771](#)

APPROVE THE RESIGNATION OF CHARLIE STEVENS
(COMMISSIONER KARL PETERJOHN'S APPOINTMENT) FROM THE
SEDGWICK COUNTY PUBLIC BUILDING COMMISSION.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Accept the Resignation.

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn thanked the Chairman and said, "I had a recent conversation with Mr. Stevens, and we decided that it would work out best that we postpone this item until our next meeting. I'd like to take this opportunity at this time to thank Mr. Stevens for his service on this board and continuing service for at least the next two weeks until our meeting on December 2nd. There are a couple of issues that make this timing on this such that on mutual agreement, we talked about postponing this until the first meeting in December."

SUBSTITUTE MOTION

Commissioner Peterjohn moved to postpone Item I until the Regular Meeting of December 2, 2015.

Commissioner Howell seconded the motion.

VOTE

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

Chairman Ranzau said, "Next item, please."

Deferred

NEW BUSINESS

J [15-0760](#)

QUARTERLY INTRUST BANK ARENA REPORT.

Presented by: Ron Holt, Assistant County Manager.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION.

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said "This is the Third Quarter Intrust Bank Arena Report, if I can get it on the screen. This is our year to date (YTD) established report, which is the end of the third quarter, and then we'll give you some year over year 2015 numbers as well. Again, the goal, we just want to keep it before us so we don't lose sight of where we've come from. As you know, the Arena is owned by Sedgwick County, operated by SMG. This is the timeline and plan that was used to develop the project. Today we'll be talking about Arena management quarterly reports, the Arena event parking commitments that we have funding-wise, and the annual sales tax or the Arena sales tax revenues and where we are with the uses of those and any upcoming events. Again, just background information, we will move right into ticket sales community affairs and financial summary reports.

"Looking at the third quarter, 2015, ticket sales, we had third quarter, seven events, 11 performances, 39,880 in attendance, 36,977 tickets sold for \$1,556,415, in gross ticket sales for an average cost per ticket sold \$42.09. The average attendance per performance in the third quarter was 3,625 for those 11 performances. Year to date, September 2015, we've had 262,193 in attendance. Of those, 239,573 tickets sold; \$7,609,567 in gross ticket sales. \$31.76 in the average ticket cost. You will see an asterisks by each of those, that's because two of the events, during this timeframe, the ticket sales were not handled by select-a-seat, they handled by the promoters and not select-a-seat. The average attendance performance; 3,800. Year to date, 2015, September 2015 over year to date September 2014, we see there were 18 additional performances, 64,920 more in attendance, 56,522 more tickets sold, \$2,205,801 more in gross ticket sales, and the average cost per ticket sold was \$2.24 more year to date 2015 versus 2014.

"Third quarter community affairs report, \$673,287, Arena paid in employee benefits and wages; net employee benefits and wages. Employment, full time employees range from 41 to 42. Part-time employees range from 326 to 350. Those pretty consistent numbers from quarter to quarter. September 2015 report year to date. The net employee wages and benefits, \$2,028,031. Full-time employees range from 37 to 42. Part-time employees range from 326 to 374. Year over year, September 2015 compared to September 2014, we had \$127,357 more in wages and benefits paid. The employees fluctuated as you see there on the report.

"Third quarter, 2015, there were 47 community groups volunteering in concession stands. Again, some of these groups are repeats or individuals. Some of these are counted multiple times, so it's not an individual number. Amount paid to community groups for volunteering in concession stands during the third quarter was \$38,673. Spending with Sedgwick County and Kansas companies during the third quarter was \$514,350.78. Sales tax paid during the third quarter by the Arena 2015, \$190,138.69. There were four Arena presentations and tours and seven local events or activities.

Looking at those same numbers, year to date, 2015. We have 172 community groups that were volunteering, and concession stands. They were paid a total of \$252,711. Spending with Sedgwick County and/or Kansas companies during the first nine months was \$2,050,648.29. Sales tax paid during the first nine months of this year, \$806,540.83. There were 26 Arena tours, presentations, 26 local events and activities.

"Year over year, 2015, September 2015, September 2014, we had 33 more groups, paid an additional \$58,669. Spending with Kansas companies was up over \$700,000. Sales tax paid: \$224,528.91, sales tax paid more this nine months, compared to last year. Arena tours: 13 more tours, one more local event or activity.

"You see some of the community service projects. Most of those are ticket donations. Just scroll through those. You see there is a food and beverage donation in addition to ticket donations that the Arena provides for various groups in the community, and then the marquee usage there on this page.

"Getting into the financial summary, third quarter financial summary, going down to the total numbers, the number of performances, there were 19; 14 events. Going clear over to the right-hand side on total, on that total line, net event income \$661,956. Other operating income: \$458,977 for \$1,120,933, total gross building income. Expenses: \$1,000,221. So there was a loss in the third quarter of \$100,069. Looking at this same information year to date, September, the total performances, 96; events, 72. Again the net event income over in the last column totaled \$2,740,493. Total other operating income, \$1,150,232 for a gross billing income total of \$3,890,725. Expenses, \$3,796,764. Year to date, September through the first nine months, net billing income is a positive number, \$93,961.

"Looking at those numbers, year over year, 18 performances more this year than last. 10 more events. Going to the far right column, an additional \$782,917 this year over last year.

"I'll just scroll through these numbers, you can see they speak for themselves. When we get to the bottom line there, the difference this year over last year was \$339,521 better this year, net billing income than we were nine months, 2014. Event parking, we have the agreement with the city on four parking areas, lots a, b, c, and d. And if we have a commitment up to a certain dollar amount, those parking lots don't prove profitable, and we see that through the third quarter, the net there is \$4,483.66. So again this year I think through the next quarter, we won't have any problems having those as a positive number at the end year. Certainly looking at the year to date number, \$16,102, we won't have any issues.

"Arena sales tax reserves, those are the authorized uses listed here, major repairs, capital equipment for the Arena. This is that commitment on the parking lots up to \$225,000 annually for the city to provide parking operations and maintenance on lots a, b, c, and d, and parking operations and maintenance at the 2nd and St. Francis parking lot, that the county owns.

"The operating maintenance reserve, o and m reserve, as of September 30th, 2015 stands at \$12,859,619 and some change. You see there, the intake revenue intake during third quarter was \$295,000. Those are the naming rights of payments and you see the expenditures during the third quarter, \$26,095 and some change. Again, the o and m reserve this year over last year is down \$453,071.59, that's after having paid out the capital improvements for the Arena. And you can see for the rest of this year and

even into next year there are pretty full schedules of events at the Arena. That concludes the report. I'd be happy to answer any questions that you might have."

Chairman Ranzau said, "Commissioners, questions to Ron? Commissioner Peterjohn."

Commissioner Peterjohn thanked the Chairman and said, "Ron, I wanted to get a better understanding. I think it was slide 14. I take that back, sorry. Slide 9. You talked a little bit earlier about how there was some different handling because the money went through select-a-seat. I was curious in terms of the quarterly report; did a payment come in from promoters in lieu of what would normally be paid, and would that show up like in slide 9 or is it somewhere else or how is that handled?"

Mr. Holt said, "The payment would come in through, and it wouldn't show up here on slide 9, it would show up on the event income. They would have paid for the use of the Arena. Their ticket sales would have been taken into consideration as a part of that facility rental."

Commissioner Peterjohn said, "Because slide 7 talked about ticket sales and I was kind of treating that as gross ticket sales, but those two events were basically, there were no dollars report there, so I was trying to understand where that comes in. I am pleased with the increased amount of revenue, but I was hoping there would be a more positive difference on the bottom line, with the increase in revenue, but I wasn't sure if we were counting everything coming in or how that was being handled because of the way those two events were being treated."

Mr. Holt said, "If you look at slide 22, the numbers for the events you're talking about would be reported in net direct event income or net food and beverage. Other net income would certainly come up in that net event income number. It just didn't come through as ticket sales."

Commissioner Peterjohn said, "So, basically looking at the net event income line we lost a little over \$100,000 for the third quarter financial summary."

Mr. Holt said, "But, for nine months, we are at \$93,961 to the good and compare that to last year, we are \$339,521 better at the end of nine months, this year, than we were last year."

Commissioner Peterjohn said, "My bottom line that I am looking at is slide 33 and looking at the fact that our O and M reserves have continued to drop and are now a little over \$450,000 lower this year, than at this time last year, even though we still have not quite \$13,000,000 in O and M reserves, that number is down from \$15.5 million, that we started with when the facility opened and if that continues to shrink, at some point that becomes a challenge for a future Commission when that reserve fund gets depleted."

Mr. Holt said, "We have taken a look at capital improvements plan for the Arena for the life of it, over the 20 years, and Mr. Chronis has run those numbers and that reserve, with the inflows and the out flows each year, and what it stands at now, should certainly be sufficient going past the life of the Arena, more than 20 years."

Commissioner Peterjohn said, "Actually, for a facility like that, I would hope that it has a much longer life span, but you are absolutely right, in terms of slide 32, the third quarter there is a lot more revenue on that side of it for the fund, as opposed to

expenditure, but it's usually been the other way around. We need to be in a position where we can have the facility operating in a way that hopefully we can have stronger financials in the future, at least as far as I can tell. Thank you, Mr. Chairman."

Mr. Holt said, "I would just mention that even though we talk about a life span of 20 years, how we maintain and upkeep will certainly extend the lifespan beyond the 20 years. The standard lifespan for facilities like this is about 20 years."

Commissioner Peterjohn said, "But, you know, I think that we're depreciating it over 40 years, aren't we?"

Mr. Holt said, "I don't recall and I can get that number for you."

Chairman Ranzau said, "Commissioner Howell."

Commissioner Howell thanked the Chairman and said, "Curiously, on slide 28, the revenue for these lots; a, b, c, and d, is that taking into account the \$225,000 we pay the city?"

Mr. Holt said, "We don't pay the city anything."

Commissioner Howell said, "Okay."

Mr. Holt said, "The County contributed funding at the very beginning, to expand and upgrade those lots and then the agreement with the city is that they will make them available, exclusively, for the Arena when they're needed. They will manage, operate, and maintain them. Should the net income become a negative, the county would pay up to \$225,000 to the city. To date, and we're in the fifth year of the Arena operations, we have not had any expenditures towards those parking lots."

Commissioner Howell said, "Let me be clear then, on slide 29, that \$16,000 of revenue, is that going to the city then?"

Mr. Holt said, "That is the city's."

Commissioner Howell said, "Curiously, on slide 33, I am going to have to go back in my memory on the last couple of reports I've seen here, but it seems to me that we've had a consistent negative difference on slide 33. Is that true?"

Mr. Holt said, "It is true, and we're beginning now to expend anywhere from \$500,000 to last year, a \$700,000 capital improvement number. This year, another \$700,000, we're going to be \$800,000 and some in 2016. With those capital improvement numbers, you can see that we are receiving, of course, income from naming rights that help offset those numbers so that the total decrease every year is not the full amount of the capital improvements, because we have other income to help offset that."

Commissioner Howell said, "You're basically saying that, if I understand correctly, that it's expected that the expenditures might increase, as we go forward, because the building is aging."

Mr. Holt said, "That's correct. For instance, one of the things we have built in, or we're looking at for 2017, we're expecting the NCAA (National Collegiate Athletic Association) first and second round basketball tournament here, in 2018 and we're

looking at the access and egress from the Arena, especially on that north side, because we're getting more people from the Old Town area, congestion over there. We're looking at how we might put in some additional stairs or escalators on that side, so in 2017, we're projecting almost a \$3 million capital expenditure."

Commissioner Howell said, "Do we have any plans for when this number crosses, basically gets to zero? What are we going to do down the road? Obviously, if it continues this trend, we are going to hit zero at some point."

Mr. Holt said, "The timeframe for that hitting zero, right now, is about 23 or 24 years out in the future."

Commissioner Howell said, "So we don't have a plan right now, but that's something that we'll figure out later on."

Mr. Holt said, "That's something that whoever is in your seat and in this chair, after about 20 years, can begin to think about. I will also say that's the life of the Arena and we will have fulfilled those obligations and commitments that we had under the sales tax campaign."

Commissioner Howell said, "I will just say, one final comment before we go on here, I just want to make one comment. I continue to get complaints from folks who say I would like to go to the Arena, or sometimes they do go to the Arena and they feel unsafe. I have asked for SMG to consider a way for us to put gun lockers at the Arena. I think there are some folks that are not willing to go there because if it's late at night, when they leave the Arena they have to walk many blocks back to their cars. Maybe it's not one of these lots that is nearby, but it's over at Lawrence Dumont Stadium, for instance, after a show at the Arena and I know there are some folks that are very concerned about that. We have been very aggressive to ensure that people have the right to defend themselves, with the Second Amendment rights, in our government buildings and this one stands out as an exception. I know it's privately operated, which is why they have the signs on the doors, but having said that, I think there ought to be some way for us to provide an opportunity for people not to leave guns in their car, which by the way can get broken into and that's another problem, but also giving them a way to get to the Arena and not feel unsafe between their car and the Arena, allowing them the right to defend themselves. I think we need to dust off that issue and develop a plan to have some gun lockers at the Arena, so that people can have the opportunity to defend themselves."

MOTION

Commissioner Howell moved to receive and file the Quarterly Report of Intrust Bank Arena.

Mr. Holt said, "I have had more than one conversation with AJ Boleski, by the way he's out of town today or he would have been here, about talking to his counterparts; SMG facilities around the country about what if and how we might be able to do that. The only other thing that I would add, in talking to the police department, the safest place in Wichita is in a six or seven block radius, surrounding the Arena, during an event night."

Commissioner Howell said, "That conflicts with some data that I saw earlier. I thought. I asked for some crime statistics about things going on around the Arena and what I

remember was that there was a lot of break ins and stuff like that going on around the Arena."

Mr. Holt said, "Again, I didn't say that it was crime free or no activity, I said the safest when you look at the overall crime statistics, especially in the core area of the city."

Commissioner Howell said, "Even if that's true, I think that people still have the right to defend themselves and they may feel safer, knowing that they have an option with them. I would still like to see this issue addressed, by SMG. I understand that they have adequate security measures, so we aren't talking about people bringing these devices, these defense tools into the Arena, we're talking about giving them a place to store them during the show. It should, hopefully, have no impact on their policies of what happens inside of the Arena. Thank you, Mr. Chairman."

Chairman Ranzau said, "Commissioner Unruh."

Commissioner Unruh thanked the Chairman and said, "Ron, I am pleased to hear your report that according to the opinion of our law enforcement folks that we have a secure and safe place for our citizens to enjoy our entertainment venue. I have not heard people tell me that they feel unsafe around there. I also have not heard any reports of violence, burglary, or vandalism to their vehicles. Most people, I think, that attend the Arena are having a good time. There are usually large groups of people and they are usually within three to five blocks of the Arena and they're enjoying themselves. I haven't heard of that. I want to not give the impression that there is any danger in going to our Intrust Bank Arena and enjoying the activities that are put on there."

"My other comment, as I have commented before at these report times, I am just really pleased that the operation of the Intrust Bank Arena has a positive effect on community groups and individuals. On slide 15 it shows that we had 172 community groups involved and I think that's a positive thing. Intrust Bank Arena paid out \$254,000 to those groups. Spending with Sedgwick County businesses and companies, in order to supply whatever they need, \$2.5 million this year, so far. They've paid \$800,000 in sales taxes. I think those are significant numbers that we need to be aware of, to measure the impact and value of this particular entertainment and cultural event center in our community. Thank you, that's all I have, Mr. Chairman."

Chairman Ranzau said, "Where are we at, Madam Clerk? Did we have a motion and a second?"

Ms. Erika Rice, Deputy County Clerk, greeted the Commissioners and said, "Just a motion, Mr. Chairman."

Commissioner Unruh seconded the motion.

VOTE

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

Mr. Holt said, "Mr. Chairman, Commissioners, if I might, as you know, Garth Brooks

announced two shows and they have sold out six shows. Thursday night, December the 3rd will be one show, about 13,000 people; December 4th, one show, about 13,000 people; December 5th, Saturday, there will be two shows, 13,000 people each show; Sunday, two shows, 13,000 people each show. The point that I want to make is that we have been actively working, we pulled back together the original parking planning team and we've been actively working. In the next couple of days the community will be hearing announcements about what that parking plan is, so that people will know how and where to park, especially on Saturday and Sunday nights, the second round of shows on those two nights. Thank you, very much."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Ron, I very much appreciate the report. I think that those six concerts are very exciting and it will be a wonderful event. We had a huge, incredibly successful series of concerts with Garth Brooks, I hate to say it, almost 20 years ago, but I do definitely remember that, maybe only 18 years ago, but it's really exciting that he's coming back and I hope we can be as successful this time as we were back then."

Mr. Holt said, "He had five shows then, with an Arena that held about 10,000 people. He has six shows now, with an Arena that holds, for those shows, about 13,000 people."

Chairman Ranzau said, "Thank you, Ron. Appreciate it. Next item, please."

Received and Filed

K [15-0767](#)

**ISLAND ANNEXATION REQUEST FOR CITY OF CLEARWATER
PURSUANT TO CITY OF CLEARWATER RESOLUTION NO. 13-2015.
Presented by: Justin Waggoner, Assistant County Counselor.**

RECOMMENDED ACTION: Make the required statutory finding as set out below and direct the County Counselor to prepare an appropriate resolution to be placed on the next available consent agenda for approval and signature by the chair.

Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "Referring to the map that is up on the screen, in regard to the property that's in red, you'll notice that there are several other parcels or portions of the City of Clearwater that are in blue. There are also several other properties around this property that have been annexed by the City of Clearwater by island annexation. For the sake of clarity, an island annexation is when an annexed land does not adjoin the city's boundaries. State statute lays out some specific requirements under which an island annexation can occur: the first is the land is required to be located in the same county as the city, in this case it is; the second, the owners of the property must petition or consent to the annexation, in this case the owners petitioned for the annexation; third, the Board of County Commissioners, by a two-thirds vote, would need to find that the annexation would not hinder or prevent growth and development of the area or that of any other city within Sedgwick County, and that's a finding that you all are tasked with today, making that determination. The City of Clearwater approved the annexation of this property by unanimous vote of it's City Council. By what I understand, the property owners petitioned for this annexation, so that they can connect to the City of Clearwater's water supply and it's also come to my attention that the reason that these annexations for this sub-division, as you can see there are several of them that have

occurred here, is each time a new home is built in that sub-division, they end up petitioning to annex, because there is not a good water supply for that sub-division. This is, as I said there have been several other properties here that have already annexed, the latest in that.

"The Metropolitan Area Planning Department (MAPD) included the staff review of this annexation and they recommended that the Board of County Commissioners find the proposed island annexation would not hinder the proper development and growth of the area, no any other city in Sedgwick County. A copy of review is included in the backup materials. The City of Clearwater does have their City Administrator here, today, and I believe that he would be present to answer any questions that you all might have about services that will be provided to this particular property and it is also worth noting that a city is prohibited by statute from unilaterally annexing a property off of a property that has already been annexed through an island annexation. I would be happy to answer any additional questions that you might have and if you do not have any additional questions, I would yield to anyone else who would like to speak on this matter."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "I do have some questions, but perhaps the Clearwater Administrator might be a better person to answer them. This is not the first time that we have had these types of annexations come up and I just wanted to get kind of an overview, in terms of what the future plan is, from the Clearwater perspective for this annexation and how you go about providing services since it looks like there is a good deal of distance between the property that is up for discussion today, but nearby properties, some of which are already in Clearwater, and how this is going to work in the future."

Mr. Justin Givens, City Administrator, City of Clearwater, greeted the Commissioners and said, "In 2005, I believe, the city ran a water main up to this area to provide water service. The domestic water supply table wouldn't support residential structures, some of the houses can have sprinkler systems, but the majority of them do not have sprinkler systems in them right now. So, when the city did that, they basically made arrangements with the developers of those two developments, to require petitions for annexation when they came into this city. Since that time, we have arranged for road maintenance with Ninnescah Township. We have an ongoing agreement with them that they will provide the road maintenance on a per-parcel basis, basically. Our police officers routinely patrol the area. I believe in the last numbers that we got, in 2015, we have responded to four calls in the Prairie Grass edition, which is the subject of today's annexation. Total, over the last several years, probably about 20 to 30 calls in those areas, but we do routinely patrol that area. Those residence are able to take care of our Vacation Watch Form, and obviously Clearwater Fire and EMS respond in that area. Additionally, in discussing this with our police department, we also responded, since 2013, 203 calls just in the unincorporated area as well. We are going out of our jurisdiction to assist with Sedgwick County in those areas as well. We do routinely go through there and do patrols."

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

Chairman Ranzau said, "Any other questions, Commissioners? Commissioner Howell."

Commissioner Howell thanked the Chairman and said, "I just wanted to confirm. Is there an agreement for someone to do road maintenance when you have a mixture of

city and unincorporated homes, side by side?"

Mr. Givens said, "Yes, we have an agreement with Ninnescah Township to provide that."

Commissioner Howell said, "Okay, so that's not a problem. What about 9-1-1, if someone should call 9-1-1 that's in one of the city homes, versus the non-city homes, is there any difference in how that's handled?"

Mr. Givens said, "There are no non-city homes. The white parcels that you see are not developed yet."

Commissioner Howell said, "They're vacant properties."

Mr. Givens said, "Yes, vacant properties. Once those properties become, hopefully next month or in January I'll be back in front of you and we'll have another house. The arrangement that the previous developer and City Council and everyone that was involved, made it as these houses are developed, they request water service, we provide water service and then they petition for annexation."

Commissioner Howell said, "Okay, that sounds like a good answer. Thank you."

Chairman Ranzau said, "Commissioner Norton."

MOTION

Commissioner Norton moved to approve the annexation, finding that it will not hinder or prevent proper growth and development of the area or that of any other incorporated city located within Sedgwick County.

Commissioner Howell seconded the motion.

Chairman Ranzau said, "We have a motion and a second that has been properly worded. 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, "Thank you for being here today."

Mr. Givens said, "Thank you and I appreciate it and I hope to see you again on this."

Chairman Ranzau said, "Absolutely, thank you. Next item, please."

Passed

L [15-0779](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR
MEETING ON NOVEMBER 12, 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 November 12th results in two items we would like to present to you this morning:

1. NORTH YARD FABRIC MEMBRANE SALT STORAGE STRUCTURE FOR PUBLIC WORKS

"Recommendation is to accept the low bid from Greystone Construction Company in the amount of \$342,457.06.

2. AGREEMENT WITH THE ASSOCIATION OF COMMUNITY MENTAL HEALTH CENTERS OF KANSAS FOR COMCARE

"Recommendation is to execute the agreement with the Association of Community Mental Health Centers of Kansas for an estimated five year cost of \$257,320.14.

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

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

Commissioner Howell thanked the Chairman and said, "I have a couple of questions. The lease cost for this building seems a little bit high, do we have options should we not want to continue this for let's say six months? In six months, let's say that we change our mind. Do we have options to get out of that contract?"

Mr. Thomas said, "This is software."

Commissioner Howell said, "I apologize. I was expecting one about leasing a building. Never mind, I apologize for the confusion. My only other question was, for the north yard fabric membrane salt storage structure, was that a budgeted item? Did we budget for that?"

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "Yes, sir, we did budget for that, it was in the Capital Improvement Program."

Commissioner Howell said, "Thank you, that's all of my questions, Mr. Chairman."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn thanked the Chairman and said, "I was just curious, in terms of five years is a long time. I am just curious, in terms of the duration, especially in terms of exactly how this agreement works out between us and them. So is it a one year agreement with annual options to renew or is it for five years or some other time? Help me out on the time frame."

Mr. Thomas said, "It's a five year, I believe it's a five year agreement. I am looking to see if anyone from COMCARE is present. Here's Marilyn."

Ms. Marilyn Cook, Director, COMCARE, said, "Yes, that is a five year cost."

Commissioner Peterjohn said, "Okay, I was just curious, software changes and locking us in for that period of time makes me a little nervous. Anything that you can do to make me less nervous I would sure appreciate, Marilyn."

Ms. Cook said, "I am not sure how I would do that, but if I could, I would. This is a company that has been doing analytics for a number of years. They're going to help us sort the members in our health home, in a more productive way. So, if the software changed, we could get out of the agreement."

Commissioner Peterjohn said, "Okay, I am just, well when we have a sole source contract and they're the only ones that responded to the bid, I know in the tech area that happens more often than I would like, but I just wanted to try and understand because for five years, I mean, in the tech world, I don't know how many versions of Windows we will go through between now and five years from now."

Ms. Cook said, "To my knowledge, these are the only folks that do this kind of analytics product, currently."

Commissioner Peterjohn said, "Okay, thank you."

Chairman Ranzau said, "Let me clarify, so is this automatically for five years or is it for one year and then it renews automatically or do we have any grounds to terminate that contract, like most contracts?"

Ms. Cook said, "There will be grounds to terminate it. The actual contract is between our association and this CMT ProACT and our association is paying this for the seven centers that are engaging in this product. We have this agreement with our association community mental health centers, so we would certainly have a way out if we wanted to get out of the product. In fact, we are trying it for six months to see if it is something that will be beneficial to us."

Chairman Ranzau said, "So, how much notice do we have to give them if we decide we don't want to do this?"

Ms. Cook said, "I left the copy of the contract in the other room, but I will get back to you with that."

Chairman Ranzau said, "Okay, thank you. Is there anyone from the public that would like to speak on this item? Commissioners, what is the will of the Board?"

MOTION

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

Commissioner Peterjohn seconded the motion.

VOTE

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

Commissioner Howell Aye
Commissioner Peterjohn Aye
Chairman Ranzau Aye

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

Approved

CONSENT

- M** [15-0761](#) One (1) Real Estate Purchase Contract for Sedgwick County Project 608-33; road project on 45th Street North between Webb Road and Greenwich. CIP# R-324. District 1.
- N** [15-0759](#) Eighth Amendment to Lease Agreement between Sedgwick County and Bruce J. Kouba and Edward J. Hund for leased property at 934 N. Water (COMCARE Administration).
- O** [15-0722](#) Agreement with Westar Energy Murray Gill Employees for the Sedgwick County Adopt a Highway Program on Hoover between 47th & 55th Streets South and 55th Street South between Hoover and Ridge Road. District 2.
- P** [15-0733](#) Approval of Community Programs' Delegate Agency 2016 Funding Agreements.
- Q** [15-0730](#) Resolution to establish a Capital Improvement Fund.
- R** [15-0769](#) Third Amendment to the Funding Agreement Between Sedgwick County, Kansas and Explorations Place, Inc.
- S** [15-0768](#) A Resolution Granting the Chairman of the County Commission Authority to Provide Notice to the Zoological Society, Inc of its Intent to Terminate Funding Agreement.
- T** [15-0747](#) Renewal Agreement with Child Advocacy Center and Sedgwick County.
- U** [15-0723](#) Crossover Youth Practice Model Services Agreement.
- V** [15-0734](#) Agreement for the Health Department to participate in the Data Application Integration Solution for the Early Years (DAISEY) through the Kansas Department of Health and Environment (KDHE) in efforts to streamline the mechanical reporting process of tracking and recording the data collected per grant requirements.
- W** [15-0749](#) Consideration of a Grant in the amount of \$297,743 from the Kansas Department for Aging and Disability Services (KDADS) for Enhanced Supported Employment of Kansas (ESEK).

- X** [15-0748](#) Clinical Supervision Agreements for two COMCARE employees to obtain licensure as a Licensed Specialist Clinical Social Worker (LSCSW).
- Y** [15-0731](#) Transfer portion of District Attorney Media Coordinator Position to the General Fund.
- Z** [15-0757](#) Hire a Principal Accountant above vacation policy minimum.
- AA** [15-0763](#) Waiver of policy to hire an IT Architect above the pay range minimum and offer starting vacation and sick leave above new hire policy.
- AB** [15-0776](#) Staffing table adjustment for the County Clerk's Office in the County Clerk's Technology Fund.
- AC** [15-0745](#) Resolution amending the Board of County Commissioners meeting agenda policy.
- AD** [15-0736](#) Resolution to authorize the destruction of Health Department Records 1984-2009 (DISP 2015-233 HS-Health).
- AE** [15-0737](#) Resolution to authorize the destruction of Division of Information and Operations Records 1999-2012 (DISP 2015-229).
- AF** [15-0738](#) Resolution to authorize the destruction of Department of Corrections Records 1998-2012 (DISP 2015-230 Corrections).
- AG** [15-0739](#) Resolution to authorize the destruction of Human Resources Records (DISP 2015-232).
- AH** [15-0741](#) Resolution to authorize the destruction of Aging Department Records 2003-2009 (DISP 2015-231).
- AI** [15-0742](#) Resolution to authorize the destruction of Regional Forensic Science Center (RFSC) Cremation Permits 2003-2009 (DISP 2015-234).
- AJ** [15-0743](#) Resolution to authorize the destruction of Fleet, Facilities, and Parks Records 1986-2011 (DISP 2015-228).
- AK** [15-0764](#) General Bill Check Register for November 4, 2015 - November 10, 2015.
- AL** [15-0765](#) General Bill Check Register for November 11, 2015 - November 17, 2015.
- AM** **15-0766** Payroll Check Register for the October 31, 2015 payroll certification.

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I recommend you adopt the Consent Agenda before you; Items M through AM."

Chairman Ranzau said, "Commissioner Norton."

Commissioner Norton said, "I am willing to make that motion with the exception of Items R and S. I would like to pull them off. I am not warm to renegotiating, in terms of the Exploration Place and Sedgwick County contract."

MOTION

Commissioner Norton moved to adopt the Consent Agenda, with the exception of Items R and S.

Commissioner Unruh seconded the motion.

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>

MOTION

Chairman Ranzau moved to adopt Items R and S on the Consent Agenda.

Commissioner Peterjohn seconded the motion.

Chairman Ranzau said, "Staff has worked diligently with these two entities to work out these contracts and issues, so I will be supportive. Commissioner Unruh."

Commissioner Unruh thanked the Chairman and said, "I think that you just made the comment that I was going to make, and that is that we are in the midst of negotiations and this is an ongoing discussion. I think it's something that we need to do in order for both sides to be contractually protected, I guess is what I'm looking for."

Chairman Ranzau said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "I find myself in agreement with both Commissioner Unruh and Commissioner Ranzau on this issue and I will be supportive, thank you."

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>

Chairman Ranzau said, "We will now move to Legislative Issues, which we have none. We do? Other."

Commissioner Unruh said, "I just would like to make a comment about the Consent Agenda."

Chairman Ranzau said, "Yes."

Commissioner Unruh said, "There were many items on there for disposing of records and any time that we dispose of that many records, it's good to announce to the public that we have a policy that we follow stringently. We have a records keeping department that really takes a lot of time and effort to make sure that we are following all of the rules and regulations of the State of Kansas, as far as destruction of public records. I think we need to let that be known. That's all I have. Thank you."

Chairman Ranzau said, "Keep me honest here, Mr. Manager. We have no Fire District No. 1 meeting, nor do we have a need for Executive Session, so we will move to the 'Other' portion of our meeting. Commissioners do you have anything for 'Other'? Commissioner Peterjohn."

OTHER

VISUAL PRESENTATION

Commissioner Peterjohn thanked the Chairman and said, "I am going to provide a public warning for citizens and it's going to be politically incorrect, so some folks may be uncomfortable with it, but I took an oath of office when I came here; I take it very seriously to preserve, protect and defend the Constitution of this country, as well as the State of Kansas from all enemies foreign and domestic. We have talked about it, in terms of practical terms, trying to keep us safe at as reasonable of a cost as possible and in light of the, I've heard some folks say we've got an enemy at the gates, in light of the most recent Muslim atrocities committed against Russian civilian aircraft and the people in Paris, including at least one American citizen lost their life. We have a, in my opinion, there is a clear and present danger in our own country. Now, I have heard some folks say well not all Muslims are terrorists. True, but irrelevant. Not all Russians were Communists; not all Germans were Nazis. We have plenty of incidents and I am going to mention one, I wanted to speak out on this, but I have held my breath for quite awhile.

"We have a Muslim American, here in Wichita, who tried to blow up the airport. Fortunately, he failed. Didn't say anything at the time he was arrested; didn't say anything during his court proceedings; was appalled that there are politically correct folks in the community that treated this like a one day car accident on Kellogg. I mean it was here today, gone tomorrow and didn't raise the underlying question of what would have happened if he had gotten lucky? What if he'd been able to succeed? No national news media on that, of course there have been other incidents in the Midwest too, we had an incident up in Northern Kansas, recently, involving Fort Riley. We actually had a fatality down in Oklahoma City where a woman was killed and beheaded by another American Muslim. Fortunately, there was a good American, a Patriot, with a concealed carry permit who ended that Muslim attack before there were others, others were injured, but before they could be killed too.

"Recently, the Director of the Federal Bureau of Investigation (FBI) has said and warned that there are terrorist investigations going on in all 50 states. The Islamic State of Iraq has basically said hey, the sweetest blood is American blood. We now, at least, politically correct are, they are now calling it by it's proper name, Daesh which

is the Islamic term for the Islamic State, but what isn't being covered; there is an ongoing ethnic cleansing and genocide against Christians, against Yazidi, and other non-Muslim minorities throughout the Middle East and North Africa. This is an outrage; it's a crime against humanity. It can't be covered by our news media, because frankly, they'd be just as happy to chop off the news media's head as any other American, so it largely gets ignored. Well, evil should not be ignored, it cannot be ignored.

"There was a very evil man in the 20th Century by the name of Trotsky, Leon Trotsky. He was a Bolshevik and there's a quote attributed to him and, unfortunately, it's all too true. Trotsky, quoted 'You may not be interested in war, but war is interested in you.' Looking at the sad, vicious and millions of people who are killed in the 20th century, I regret this quote, attributed to Trotsky, may be correct. I will add that I think that reality can be ignored, but it cannot be denied.

"I want to assure the public there are many excellent county employees that are working hard to keep our community safe and to keep this county safe and there are a lot of excellent state employees and state leadership who are doing the same and I would add that I believe there are many federal employees at the working level who are trying to do this, but at the most senior level, we have President that is more critical of his Republican opponents, in this country, at least by his rhetoric, than Islamic Butchers of Paris and we've got a President and Secretary of State who cannot utter the words Islamic Terrorist, Muslim Jihadist or even illegal combatants or any other accurate description of those people who crave the opportunities to kill, kill us, kill Americans.

"When an Islamic regime threatens death to America and our President turns around and gives them \$150 billion as part of his agreement, I look back and think this is a 21st century form of tribute that America tried to give to the Barbary Pirates in the days shortly after the end of the Revolution in 1783. They were elected officials, I am an elected official, the President is an elected official, but you know, unlike the President, I am just a County Commissioner and there are roughly 350 of us in the State of Kansas. The President is elected by the entire nation, it's the highest office in the land and unlike the President, my father was a Christian, not a Muslim. I didn't have a Muslim step-father or educated in a Muslim school, overseas. So, and I never hung around with the scum of the 1960s people like Bill Ayers and Bernadine Dohrn and Rashid Khalidi and others, other political extremists. I want the public to help understand the existential threat this country faces and we've got refugees who, basically, the Islamic State said we're going to infiltrate people into this country and we now have opened borders, we've got plenty of criminals, I mean thousands have been released and thousands more. The only area, the only area I see is, I heard a news report today, literally, where our immigration laws are being enforced is against Iraqi Christians, a small community managed to get into California and the federal government is trying to expel them.

"Now, I have been told and my study of Islam that the Islamic State folks, that any picture or depiction of [Prophet] Muhammad is beyond the pale. Well, I have some Muhammad pictures that I would like to show as part of my comments today. Now, let's begin with the first Muhammad picture that I want to show. I hope it shows up on the screen here.

"This is Mohamed Atta. He was one of the ring leaders that helped kill almost 3,000 of our citizens. Think about the butchery we, we talk about September 11, 2001, but people were faced with the hideous choice; be burned alive and killed by smoke

inhalation or jumping off from the 100th and some story of the, one of the World Trade Center buildings. Almost 3,000 died. We had the brave people from United [Airlines] flight 93 who basically came out and they'd been disarmed; no concealed carry on aircraft, can't even take a pocket knife, but they prevented and saved a major building in Washington D.C., whether it was the Capital or White House or any other building. That's my first Muhammad picture.

"Let's get to the second Muhammed picture. Shortly after the September 11th [2001] assault, we had John Allen Muhammed, who was very successful as a murderer and assassin. He managed to kill a number of people in the Washington, D. C. area and literally put that community, the fear factor because of his success at butchery, that's another Muhammed. I hope that our President and Secretary of State might study this Muhammed, too.

"Let's go on to the next Muhammad, because this Muhammad hated our freedom of the First Amendment, free expression. He tried to behead, and almost succeeded, but he did fatally stab a Dutch movie director, who produced a movie that he didn't like. Well, that's...

"Let's go on to the next Muhammad. Here's another American Muhammad, Hesham Mohamed Hedayet, who was involved in killing people in the Israeli El Al airport counter at the Los Angeles airport. There seems to be an aviation connection and for the Air Capital, we ignore this, we take a big risk if we ignore this.

"Let's go on to the next Muhammad. Now, this Noordin Mohamed Top was involved in the, several dozen people were killed, but it didn't get as much attention here, because Bali is in Indonesia; interestingly enough, a country that is predominately Muslim, but Bali is one part of Indonesia that is predominately not Muslim and set off some bombs there and killed a lot of folks.

"Let's go on to another Muhammad. This one managed to get by Israeli's security, Asif Mohammed Hanif, suicide bomber that blew himself up and tried to injure as many people as he could in Tel Aviv, Israel.

"Now, we've got another Muhammad, I believe. This Ali Mohammed was particularly successful in his butchery, in a sense that he was involved in killing a couple hundred, mostly Kenyan and Tanzanian citizens, but he also killed a number of Americans at the bombing at the United States Embassies. This Muhammad, another Muhammad.

"Let's go on to the next Muhammad. Now, this Muhammad was more focused on rapes in Sidney, Australia and Mohammed Skaf was a part of a gang of rapists, in Sidney.

"Let's get on to the last picture we have, this is one of three Muhammads. Now, the names vary, but this is the only picture that we had, who was involved in a plot to bomb Ottawa, Canada and assassinate the Prime Minister of that country.

"Now, I do not have all of the, there are other Muhammad pictures, in fact, during this meeting, in fact, news reports, apparently there's been some arrests and more Muhammads being arrested and I would mention that Sheikh Khalid (Khalid Sheikh) Mohammed is probably the most, he was the mastermind of the 9/11 attacks. He's been in our custody and we don't treat illegal combatants like we used to. Like George Washington, FDR (Franklin D. Roosevelt) and General Eisenhower did, but he's not included in this picture. I will admit that there are other non-Muhammads who are

involved in some outrages, Islamic, Islamic terrorist attacks on us. I have heard some news reports that the Tsarnaev Brothers who were behind the Boston Marathon attack and bombings. They had both applied for, and I think one had been granted, United States citizenship, according to a news report that I saw and then went on to commit their hideous attacks as refugees into our country. We want to bring in more refugees we can't properly vet.

"The enemy is not at our gates, the Islamist threat, in this country, is inside our gates. Someone said these are random acts, well sorry, but these are not random acts. I want to assure the public out there that the local and state government, I believe, is doing everything we can to keep us safe, but the enemy is cowardly and they prefer to attack women, children, old men, they're too cowardly to take on our military. For our citizens out there, I want to give you, to close with a public warning. I am an Eagle Scout, been a long time, from the gray in my beard it's been a long time since I was involved in scouting, but Boy Scout motto and I urge this for all of the public; be prepared. Thank you, Mr. Chairman."

Chairman Ranzau said, "Thank you, Commissioner. Thank you for your efforts in the Resolutions today and thank you for bringing this information to light and reminding us of what's going on. For some, it's difficult for them to listen to this information, in fact we had one Commissioner that didn't want to hear it, so he left, that's disappointing. If we all stick our head in the sand, it's not going to help things. I think there's a quote by somebody that says evil will succeed if good people do nothing. With that, Mr. Manager, do we have anything else to come before the Commission?"

Mr. Scholes said "No, Mr. Chairman."

Chairman Ranzau said, "Seeing none, we are adjourned. Thanks, everyone."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:08 a.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

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RICHARD RANZAU, Chair Pro Tem
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*DAVID M. UNRUH, Commissioner
First District*

*TIM R. NORTON, Commissioner
Second District*

*KARL PETERJOHN, Commissioner
Third District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
