

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
working for you*

Meeting Minutes

Wednesday, February 10, 2016

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

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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 9:02 a.m. on Wednesday, February 10, 2016, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman James M. Howell, with the following present: Chair Pro Tem Richard Ranzau; Commissioner David M. Unruh; Commissioner Karl Peterjohn; Mr. Mike Scholes, County Manager; Mr. Eric R. Yost, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Kelly B. Arnold, County Clerk; Mr. Joe Thomas, Director, Purchasing Department; Ms. Jill Tinsley, Manager, Corporate Communications; Mr. Jon Von Achen, Assistant County Counselor; and Ms. Laura Billups, Deputy County Clerk 1.

GUESTS

*Ms. Sein Lengeju, President, Keep Girls Safe Foundation
Ms. Diana Shunn, Child Advocacy Center; Wichita*

INVOCATION: Reverend Brent Johnston, First Presbyterian Church.

FLAG SALUTE

ROLL CALL

The clerk reported, after calling roll, that Commissioner Norton was absent.

CITIZEN INQUIRIES

- A** [16-0066](#) REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING CONSIDERATION OF SUPPORT FOR PASSAGE OF HB2358.
Presented by: Sein Lengeju, Wichita.

RECOMMENDED ACTION: Receive and file.

Chairman Howell said, "Commissioners, I would like to comment on this before we get started. We do have a presenter here this morning. I would like to welcome you to the Board of County Commission meeting today. As you come forward, I would like the people on TV to know, this is subject matter that's very difficult to speak about, and may not be subject to, may not be appropriate for younger viewers. Concerning it is 9:00 in the morning on a weekday, I like to let people know this is something they may want to be careful with. The subject matter with younger audiences especially. Please come to the podium, introduce yourself and let us know what you want to talk about today."

Ms. Sein Lengeju, President, Keep Girls Safe Foundation, greeted the Commissioners and said, I am the President of Keep Girls Safe Foundation (KGSF). KGSF is an organization that I formed in 2014 when I graduated with a master's in

social work. I have a master's in social work, two bachelor degrees, one in Social Work, and one in women's studies. I am also bi-satisfied, that's a board of immigration certification and also a certified expert on female genital mutilation (FGM).

"Today I'm here, and I want to thank you for letting me speak in front of you. I am not going to read what is in the packet. That's why it is in front of you. I am just going to go quickly, so I maybe have time for questions. KGSCF, our mission is really just to be able to get people together and set a conversation about female genital mutilation, and forced arranged marriages. I will go into depth what female mutilation is later. Our mantra is educate, empower, eradicate female genital mutilation and advocate.

"If you look at the power point, where it says advocate. We advocate both for policy changes, we also advocate for survivors and victims of female genital mutilation. We work in Kenya. I have a project in Kenya, and I also work in the United States, I originally came from Kenya. I was told by my grandfather long time ago, you never forget your humble beginnings. I thought to be able to eradicate female mutilation, it is not going to be fair if I don't start advocating it because it is in my roots. Then last year I was able to go to Kenya, and were able to save 25 girls from female genital mutilation. And towards the end of the year, the people that were touched by the work we did extend it, and now we have another house and dormitory being built, a safe house and dormitory for 100 girls. So let's get back to United States.

"In United States, female genital mutilation is a problem specifically in Kansas and our county, Sedgwick County. I don't have any numbers to give you for Sedgwick County, but I have numbers to give you for the State of Kansas, and Kansas City, Missouri.

"What is female genital mutilation? Female genital mutilation is basically altering at the vagina, intentionally altering the vagina of a woman. This woman's vagina is altered not because she wants it altered, she's being subjected to alter it. That's basically what female genital mutilation is.

"Female genital mutilation is a global phenomenon. It is found in 30 African countries. It's found in 11 Middle Eastern countries, south central Asia, and Asia, 12 countries, and south Columbia, one country. Female genital mutilation is also found in America, Australia, France, and this particular way of female genital mutilation is being brought from immigrants that come from those countries that practice this. You are going to be able to get statistics, you will get a copy of statistics, and if you like them, we will give it to you later, it will all be on the website.

"Female genital mutilation, nobody knows where it originated from, but the first mention of circumcision in general was mentioned in the bible, male circumcision. It's also mentioned in the Quran as male circumcision. Female genital mutilation is not mentioned anywhere apart from research that was first mentioned in 15 B.C., in Egypt.

"They say the reason why it originally began was for men to be able to control how women act sexually. Something I would like to note, female genital mutilation was legal in the United States until 1997, was covered by Blue Cross and Blue Shield Insurance. Now let's get back to what I really want to take a little time on.

"If you look at the statistics, the United States of America has 506,765 women and girls that are very high risk of getting mutilated. Kansas has 3,771. Kansas City, Missouri, has 3,048. The children under the age of 18, are 973. Please look carefully on the number 2,198. Those are women, older women that are over the age of 18. That's why I am going to talk to you about something that all of you can be able to

help me, so we can be able to save these women. So remember that number, because I am not going back to that power point, 2,198.

"What does female genital mutilation really do to women? It has both psychological effects, emotional effects, and it also has short-term and long-term effects. For instance, we have some immediate problems that happen to women when female genital mutilation has been performed to a woman. A woman definitely goes into severe pain. A woman is also injured genitally. It causes a lot of bleeding. Some of the long-term problems, the woman will continue having recurring urinary tract infections. This can lead to death. Women might, most of the women depending on the tier, this is what I talk to you how many tiers, you might have to have surgery before you have a child.

"Female genital mutilation, has four types. Type one, they just cut the entire clitoris. Type two, they cut the entire clitoris and I like to say the lips of the vagina. Then type three, they cut the entire "clitoris, all the vagina and cut anything that is inside and sew it back together. They can only leave a small hole to be able to urinate. So it is something that is not being supported by any science, anything scientific or medically. The reason it's done is basically because of cultural issues. Before we do that, let's talk about some social causes of female genital mutilation.

"Female genital mutilation, one thing it is not, it is not a religious problem. It is not a Muslim issue. It is not a Christian issue. I am a Christian and I am a survivor of female genital mutilation. It was done to me in my culture where I grew up. That's why I am really passionate about eradicating female genital mutilation, because I live daily with the consequences of female genital mutilation. Female genital mutilation is considered a rite of passage to adulthood. That will lead you to marriage. That's what my culture does and so many other cultures. Female genital mutilation is a link to premarital virginity and marital fidelity. Female genital mutilation is considered to help resist the illicit sexual acts, which it doesn't really do that. I mentioned a few minutes ago that female genital mutilation is not a religious issue. However, we have Christian pastors who agree with it, but it's not because it is in the Bible, because of their cultural beliefs. We also have Muslims that believe in it, it is not in the Quran, but it's because of the cultural beliefs.

"For instance, there is a word that I would like everyone to recite for themselves. This word is one of the names that it is called referring to female genital mutilation. Female genital mutilation is referred in so many different ways. Like female circumcision, to make it sound good and okay, because most people agree with male circumcision.

"Another name I want to bring to your attention is Sunna. That's s-u-n-n-a. Sunna, when I researched it is linked to respecting the will of Prophet Mohammed. I have tried to do my research, it is not going anywhere. I have been able to go to the mosque and spoke to the Muslims myself and ask them. I had the privilege of going with Commissioner Jim Howell, and we were able to ask them, and they say the Muslims of Wichita do not agree with the female genital mutilation. But, we have cultures that are the Muslim people that do it to protect something called Hana [sic], which is tied back to prophet Mohammed.

"So what would happen to someone that rejects to be mutilated? If a girl refuses to get mutilated, what happens to her, you're isolated, by your community. The entire community. You become like a bad omen for the community. The social norms are the ones that conform someone to be able to want to get female genital mutilation. We have males that want it to continue. We have females that want it to continue. So it is immovable.

"That's why I say the female genital mutilation is our problem. We have been looking at it for so many years as 'out there' problem, but listen to me very carefully. It's happening right here in Wichita. Can I pinpoint where? Not yet. But we are going to find out. We need statistics in our county to be able to know who the survivors are, because we need healthy citizens of Sedgwick County. Again, female genital mutilation is happening, and it's a private practice.

"It's very difficult to be able to get it, so we need to figure out critically how we can do that. Female genital mutilation is considered human rights violation. It is considered a constitutional right violation. For human beings, for children, for everybody that goes into it. The federal government recognized female circumcision, female genital mutilation is happening. They passed a law in 1997. They have also been able to enact the law twice. Now we have something called vacation cutting. Vacation cutting is when parents of immigrants will see they are not safe here to be able to take the children to have it happen here, and they will take the children abroad during summertime.

"To realize what we need to look in these children, or what do we need to do to be able to make sure these children are safe. If you look at the screen, you will be able to see the countries that practice female genital mutilation. I would like to bring your attention to Egypt. It has 109,205. Those are people living in the United States. I don't know how many people live in Sedgwick County, I don't know how many Egyptians live here. I have tried my best to look for statistics from Department of Human Services (DHS), from everywhere I can find, statistics broken out by country. I would also like to bring out another, 91,000 of Ethiopians. I don't know how many live here, but this is something that we should be worried about, because we have all these people here in Wichita, and in our Sedgwick County.

"Somalia people we have so many of them especially the newly arrived refugees, who don't have a lot of education in things like this. So it is really, really important, and I cannot stress this enough, for us to be able to know who our neighbors are, how can we help them. We cannot just assume that they know it's illegal. We need to be able to teach them what is right and what is wrong, because our cultures, when we come from different kind of other places, are completely different. If you look at Kansas at the bottom, I am not going to go over that because of time. If you look at Kansas metro, that's what I was telling you, 3,171. All these statistics are coming from the population bureau.

"So what am I telling you? This is what I am requesting my Commissioners to help me. The people of Kansas, the people of Sedgwick County elected you because they believe in you. They believe that safety is the number one thing that you care about. They believe you care about the community. Now that you care about the community, I need you, this is my request to you, to help me make sure that we can keep all our children safe. I have a bill in the house, its House Bill 2358. I would love if my Sedgwick County, my Commissioners, can be able to support me. I live in Sedgwick County. I voted for one of you. I need to know that my vote counted. I need to know that the people that were able to vote with me, and I talk to, they need to know that their vote counted, that you care for us. This is a women's violation. It is a children's violation. I need your support. We cannot continue to see women being violated like this. Basically, what I am asking is very simple. Remove the statute of limitations.

"We need to be consistent over board. The rape victims don't have a statute of limitations. Human trafficking, no statute of limitations. We can do that too, to female genital mutilation, because it is the same violation of women, just like anything else. We also need to get involved by teaching the professionals here in Wichita and Sedgwick County to learn about the key factors to identify a survivor or a victim of

someone who scared this is going to be happening.

"One thing that depresses me is last year when I pressed for this bill to be changed, I could not find a doctor. I called and called everywhere, that was willing to go speak about female genital mutilation. My question is, does that mean our doctors or treaters don't know what female genital mutilation is? Or does it just mean you are looking at it as an 'out there' problem. Do the doctors see patient of female genital mutilation, and how can we help them. I am not saying the doctors don't want to help, I am saying they need to get educated about these things that happening here, because for a long time, just like sex trafficking was perceived to be an 'out there' problem, but now we have statistics saying it is a 'right here' problem.

"What else you can do, please help us, go online, donate for KGSF. We take in kind donations. We are getting ready to launch our advocacy rights in Kansas. I've been doing it alone, but I can't do it alone. We are get ready to set up an office, very soon by April. We have a fundraiser coming on March 26th at Wichita State University. If you can help us, we are looking for partners that would really help us be able to. You can find us on Facebook. We have current statistics that were just shared yesterday by the United Nations, because Saturday was International day of zero tolerance for female genital mutilation. Go to our website and you can contact us via email. I am not going to be playing a YouTube video for the sake of time, but it will be on the website. I am also going to make sure it is on the website. If you have any questions, I would be glad to answer, and all my references are here where I got that information. Thank you very much for listening to me."

Chairman Howell said, "Sein, thank you for being here today, for presenting that information. Am I saying your last name, Lengeju?"

Ms. Lengeju said, "Lengeju, yes you're saying it right, thank you."

Chairman Howell said, "Sein? S-e-i-n?"

Ms. Lengeju said, "S-e-i-n., yes, sir."

Chairman Howell said, "Sein, I have a couple quick comments. House Bill 2358 is in the Legislature right now, it is waiting for a hearing. It is an exempt bill. It is in appropriations, where it received exempt status. It may move forward this session. They may not have time. It is one of those things where we "might be able to ask our legislative friends to move that bill forward. I don't think it will take a lot of debate, time or difficulty to move this bill forward.

"In fact, in 2014, House Bill 2217, when I was a legislator, I voted for that, and made comments, trying to move that bill forward at the time. That bill passed unanimously in the house and in the senate. All this bill does this year is take out the age restriction. Right now, the criminal act of FGM, I will use that phrase instead of the longer term, FGM only illegal for, if it's enacted on someone who is less than 18 years old. All this bill does is change that so it's a criminal act that applies to all females, regardless of age. To me it is a common sense thing to do. Also, you mentioned to me that, want to talk to you about this. This is done in primarily people's homes."

Ms. Lengeju said, "Yes."

Chairman Howell said, "Not necessarily in doctor's offices. So it is something fairly hard to know when it's happening, and we find evidence of that, people, sometimes you get services from Sedgwick County and we find evidence of that, we would like

to make sure we are aware of the law, and that we are willing to gather evidence. I did ask our Sheriff and our Health Department Director, and hopefully District Attorney, I don't know if they have someone here or not, and the child advocacy center, they do a lot of interfacing with children as they have them go through our Child Advocacy Center, they look for signs of abuse. Those are four places in Sedgwick County where I think there is a chance we might see evidence of FGM. I want to make sure they are fully aware of the law, currently, and then if this law was to change this year, how that might impact what they do as well.

"They are here in attendance. Thank you for being here. I appreciate you listening to all of this testimony. I would ask my colleagues, we will get to 'Legislative Issues' later today, to consider whether you would be willing to stand with me to support House Bill 2358, and if so, we would send testimony to Topeka to say that clearly. Without support of the Commission, I will be doing this individually. I would ask you to think about that for the rest of today's meeting. At the end of the meeting I will ask for your support on this bill. Commissioner Peterjohn, you have some comments or questions."

Commissioner Peterjohn said, "I'll save comments for when we get into discussing legislation. I do have some questions and appreciate you coming down and speaking with us this morning. Obviously, incredibly brave to talk about your own personal situation. I want to begin by asking a little bit about that. How old were you when this was performed on you?"

Ms. Lengeju said, "I was mutilated when I was 10 years old."

Commissioner Peterjohn said, "Where did this occur?"

Ms. Lengeju said, "This occurred in Kenya. But the reason why I am very concerned, and you should be concerned, is because when I moved to the United States, I brought all my cultures with me. If I did not get the education I have, I would have been able to mutilate my children. Not all Africans or people who come from those areas, get the education that I have, to be able to know it's not right. Because that's what our cultures tell them."

Commissioner Peterjohn said, "Let me ask you, both personal and generally, is this performed with or without anesthetic?"

Ms. Lengeju said, "There is no anesthetic. Would you like me to walk you through how it's performed, I would be glad to."

Commissioner Peterjohn said, "I am not going to get into the details, but I think it's important for people to know if it's performed without anesthetic. I mean, this is horrific, with or without, in my opinion, but it is even more horrific without in terms of what the pain might be. You're not the only person who has bravely come forward. I was reading a book by a former member of the Dutch parliament who was born in Somalia, Ayaan Hirsi Ali who goes into great detail when this procedure was performed against her when she was a young girl growing up. I can't remember if she was in Somalia at the time, or maybe it was Saudi Arabia. I know she lived in both of those countries. Let me ask you some questions from a public policy perspective. In terms of KGSF you mentioned, your website, www.keepgirlssafe.org, are you operating just in Kansas at this time?"

Ms. Lengeju said, "Yes, at this time we are operating in Kansas. It is an international non-profit operating in Kansas. However, Missouri has called me, I have been able to speak in many different places in Missouri. The State of Missouri is interested in

listening in what I could do and how I could help them, because they also have a lot of international people who are there. I was looking at it as if Sedgwick County was not going to take it, I will go to Missouri where they want to learn about this. But I love Wichita, it is my home. That's why I decided to come to you all."

Commissioner Peterjohn said, "My next question, and Chairman Howell mentioned as a legislator, he supported the bill in 2014, House Bill 2217, which outlawed it here in Kansas. I won't get into the enforcement side. Do you know in the other 49 states, how many other states besides Kansas have similar bills like 2217?"

Ms. Lengeju said, "Yes. We have 22 states that have passed a law against female genital mutilation. What we are doing as activists, we are basically only four organizations in the United States. Mine became the fourth that fights against female genital mutilation. What we are doing, we are trying to come together as activists to be able to push all the states. What I am looking at is going to like all governors meeting and trying to push it out from there. In the future, but first I have to take care of my home area, because we have a saying in my culture that says you cannot sweep somebody else's ground before you sweep your own. That's why I do this first in Wichita."

Commissioner Peterjohn said, "Question, I try and follow the local news media pretty closely. And was aware that the Chairman was going out to the mosque and you went with him last week, were the members of the media present, and did they discuss female genital mutilation after that visit?"

Ms. Lengeju said, "Yes. Actually, I have a meeting with the women of the Muslim Association this coming Sunday, because I would like to be able to talk to them about female genital mutilation, and make them understand because they are the ones who have a direct link to newly arrivals of refugees who are Muslims, especially a lot of Somalis. Somali people perform female genital mutilation. Most of them are Muslims."

"But we also have Christians. I am reaching out to churches, and I am reaching out to other Muslim religions to be able to see how we can be able to talk to these people so we can start teaching them about female genital mutilation and let them know it's against the law, and what would happen to them. But, the other thing, and I am glad you are bringing that into a policy question, the other thing I would like you all to consider is that, yes, we have the law against female genital mutilation. Yes, we can bring somebody in to justice because they have performed it. What about the survivors? What about the victims? What does our victim get? Do we have qualified staff in Sedgwick County that are culturally competent to be able to talk to them about that?"

"When I was going through my therapy from 2011 until 2014, my therapist was learning with me, and was in mutual agreement, we learn together. She was shocked, it was the first time she had heard about it. I know I have been called by several people. I am not going to say their names, companies that are very concerned about how the newly arrived refugees are doing, because they are not performing the way they are supposed to, because of cultural differences. What I'm saying is, we need to teach cultural competence. I respect what Commissioner Howell said, that he would like to know that his administration in general, like the police and everybody, who works with children, knows to be able to investigate. But do they know what to look for? That's another thing we need to think about."

Commissioner Peterjohn said, "Thank you for coming down and speaking with us today. I will reserve my comments for the legislative affairs portion on this, thank you, Mr. Chairman."

Chairman Howell said, "Thank you. Just another couple quick comments. I think we have, when immigrants do come to our community, they are supposed to receive some type of cultural briefing."

Ms. Lengeju said, "Yes, they are supposed to receive a cultural orientation, but I was an intern for my masters level at International Rescue Committee where they do bring the refugees. I covered the cultural orientation. I didn't cover female genital mutilation, because I was supposed to follow what the company does. That is something that needs to be covered."

Chairman Howell said, "I think you also said there are people who live here that go back to their country of origin and they have this procedure done there."

Ms. Lengeju said, "Yes."

Chairman Howell said, "Then they bring them back. They may not actually do it here. Legally speaking, I am not sure how that changes everything."

Ms. Lengeju said, "There is a law, there is a federal law against it. Actually, the law, 2217 that passed, has that inside the law. If you take your child outside Kansas, and get it done, you can still be held accountable here."

Chairman Howell said, "I will reserve the rest of my comments for the part of the meeting when we get to legislative issues. For right now, I am going to ask Commissioners, any other Commissioners have comments or questions? What is the will of the Commission?"

Chairman Howell said, "Seeing no other comments or questions, please call the vote."

MOTION

Commissioner Peterjohn moved to receive and file.

Commissioner Ranzau seconded the motion.

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

VOTE

Commissioner Unruh	AYE
Commissioner Norton	ABSENT
Commissioner Peterjohn	AYE
Commissioner Ranzau	AYE
Chairman Howell	AYE

Chairman Howell said, "Thank you, Sein Lengeju, for being here today. Next item."
Received and Filed

APPOINTMENTS

- B** [16-0071](#) RESOLUTION REAPPOINTING TOM RACUNAS (COMMISSIONER DAVE UNRUH'S REAPPOINTMENT) TO THE SEDGWICK COUNTY INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ADVISORY

BOARD.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Item B is the reappointment of Mr. Tom Racunas. He is commissioner Unruh's appointment to the Intellectual and Developmental Disabilities Advisory board. I would urge adoption of the resolution."

Chairman Howell said, "What is the will of the board, Commissioners?"

Commissioner Unruh said, "Mr. Chairman, I move that we adopt the resolution, and this is fully understanding that Mr. Racunas would be retiring and leaving the area here later this year, and so we'll have to find someone to fill his vacancy at that time. He is a valuable member of this advisory Board, and I'm pleased that he's willing to sign on at least for the next eight or nine months."

MOTION

Commissioner Unruh moved to approve the resolution.

Commissioner Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	AYE
Commissioner Norton	ABSENT
Commissioner Peterjohn	AYE
Commissioner Ranzau	AYE
Chairman Howell	AYE

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

Adopted

NEW BUSINESS

C [16-0070](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON FEBRUARY 4, 2016.

Presented by: Joe Thomas, Director, Purchasing Department.

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

Mr. Joe Thomas, purchasing director, greeted the Commissioners and said, "Meeting of the Board and Bids of Contracts of February 4th results in three items we would like to present to you this morning."

1. ANNUAL SUPPORT AND BATTERY REPLACEMENT FOR EMERGENCY COMMUNICATIONS AND DIO, DIVISION OF INFORMATION AND OPERATIONS.

"This recommendation is to accept the quote from Emerson Network Power, Liebert

Services Incorporated, in the amount of \$109,359.01.

2. SECURITY SYSTEM UPGRADE FOR THE JUVENILE DETENTION FACILITIES.

"Recommendation to accept the quote from Com-Tec Security, LLC. In the amount of \$112,745.

3. AGILENT MAINTENANCE AND SUPPORT FOR FORENSIC SCIENCE CENTER.

"Recommendation is to accept the quote from Agilent technologies incorporated for three-year total of \$224,894.88.

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

Chairman Howell said, "Commissioners, do you have any questions or comments?"

MOTION

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

Chairman Howell seconded the motion.

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

VOTE

Commissioner Unruh	AYE
Commissioner Norton	ABSENT
Commissioner Peterjohn	AYE
Commissioner Ranzau	AYE
Chairman Howell	AYE

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

Approved

CONSENT

Approved on the Consent Agenda

- | | | |
|----------|--------------------------------|--|
| D | <u>16-0061</u> | One (1) Right of Way Easement for Sedgwick County Project 608-27-1270; Bridge replacement on 45th Street North between Broadway & Hydraulic. CIP# B-460. District 4.
Approved |
| E | <u>16-0062</u> | One (1) Easement for Right of Way for Sedgwick County Project 636-10-3750; Bridge replacement on 71st Street South between 247th Street West and 263rd Street West.
CIP# B-466. District #3.
Approved |
| F | <u>16-0063</u> | One (1) Easement for Right of Way for Sedgwick County Project |

644-7-1080; Bridge replacement on 103rd St South, just east of 311th St. West (Ninnescah River).
CIP# B-487. District #3.

Approved

G [16-0064](#)

Resolution establishing parking restrictions along the 39th Street South Right of Way from 100 feet east of the east entrance to Lake Afton Park to 100 feet west of the west entrance to Lake Afton Park, and providing for the enforcement thereof. District 3.

Approved

H [16-0059](#)

Resolution authorizing the establishment and installation of traffic control devices at certain intersections of township roads within Illinois Township, and providing for the enforcement thereof. District 3.

Approved

I [16-0060](#)

Resolution designating and classifying certain roads to the Illinois Township road system. District 3.

Approved

J [16-0049](#)

Plat

Approved by Public Works. The County Treasurer has certified that taxes in 2015 and all prior years have been paid for the following plat: Steinke Second Addition, Sedgwick County, Kansas

Approved

K [16-0065](#)

General Bill Check Register for February 3, 2016 - February 9, 2016.

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I would recommend you approve the consent agenda items, delta through kilo."

MOTION

Commissioner Ranzau moved to approve the Consent Agenda, items d through k.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	AYE
Commissioner Norton	ABSENT
Commissioner Peterjohn	AYE
Commissioner Ranzau	AYE
Chairman Howell	AYE

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

Approved

LEGISLATIVE ISSUES

Chairman Howell said, "We have a number of legislative issues I would like to disclose or discuss this morning. We have Jon at the microphone. I will let you start off with this discussion."

Mr. Jon VonAchen, Assistant County Counselor, greeted the Commissioners and said, "We discussed some items at the staff meeting on Monday. One of the items, obviously, was House Bill [HB] 2358. There's Chairman's drafted testimony, we will discuss. That testimony in addition, we discussed House Bill 2543. Which is the audit bill, it was originally scheduled for hearing today. The audit of elections, that hearing has been postponed, but I know it will be rescheduled."

"Provided there is some testimony regarding the audit of elections. One of those issues where I don't think anybody would really be opposed to insuring that our elections are accurate. It is really a voter confidence issue. One of the other things I was asked to look into was, there's a couple of competing House Bills regarding what's referred to as sanctuary, counties or locations, and that has to do with illegal immigration and the ability to hold individuals in our local correctional facilities until such time as the federal government can come and obtain them on their holds."

"I do need some direction from the Commission on how to proceed, whether we are going to simply provide testimony or the possibility of presenting an amendment that would provide some indemnification for local government, for local chief law enforcement officials. Right now, if we were to hold these individuals simply on the word of a federal agent, then we could be subject to a federal lawsuit. Those can be expensive to defend, in addition to damages that could be awarded, the court can also award attorney's fees, which that would be an issue regarding budgetary constraints if we were to 'face a number of federal lawsuits regarding holding individuals without a warrant. Our office worked on some potential language to be added to the bill, if that's the will of the board to go forward with that."

"That would provide indemnification not only for the county, but for our chief law enforcement official, in our case the sheriff. I stand for any questions on these issues or anything else that you guys want to discuss."

Chairman Howell said, "Do you know what the bill number of the one you just spoke about a moment ago? What is the bill number for that?"

Mr. VonAchen said, "The last bill, there's two. I believe its 2437, but don't quote me."

Chairman Howell said, "We can confirm that later, that's fine. I understand the principle of what you are asking. The numbers are not that important right at the moment. I would agree that we need to add some language to that bill. I would like to show support to the bill with that addition. That's my perspective. I don't know what my colleagues think. I guess we will ask them for their input as well."

"Commissioners? Any comment? We need to instruct our Counselor to provide some testimony to encourage, some financial support or state legal support should anything come back to the county."

Mr. VonAchen said, "I think what we would be looking for is potentially to not only have some testimony out there to discuss the possibility or even possibility of us asking an amendment be introduced that would obligate the Attorney General's office to defend those lawsuits, obligate the state to pay for the defense of those lawsuits,

to pay for any damages, and to pay for any attorney's fees. This is essentially going to be a mandate on us to hold these individuals, there's federal case law out there saying, that has not been overturned yet, that says you can't hold them without a warrant. Sometimes federal agencies aren't exactly quick in getting you a warrant for those individuals.

"It puts the Sheriff's Office in a bind. They want to help enforce the law. They want to help enforce our legal immigration laws, but they are bound from a perspective of they may be sued, which has serious budgetary consequences."

Chairman Howell said, "If I remember correctly, I talked to some of the people who testified on this bill, and they were generally opponents surrounding that particular issue. I think you turn opponents into proponents if you add that language. I am supportive of that personally. I will ask Commissioners if they have comments. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Let me ask you, when you said there's federal courts, is that in any of the, quote, federal courts that cover Kansas?"

Mr. VonAchen said, "Right now, they are not aware of a Tenth Circuit case, which would be our circuit. There are cases in other circuits that have not been taken all the way up to the appellate route. Once a federal court makes a decision in a particular circuit, then other jurisdictions look at it and say, is it possible it could be applied in our circuit? In areas of the country, certain courts tend to construe federal law in one manner, and in other areas they may construe it in another manner. Those conflicts end up at the Supreme Court level and get resolved that way. As of right now I'm not aware of a Tenth Circuit case regarding this issue."

Commissioner Peterjohn said, "This County, and I am going to ask the patience of the people in the room and also the public, in the sense that we are not a sanctuary county. We have taken a position against giving special privileges in the form of driver's licenses to illegals who are here in violation of the rule of law and federal law. We've taken a strong position as a County Commission. I find myself perplexed there are organizations out there who say, Sedgwick County is a sanctuary county. It is not by any action this Commission has taken and certainly not any action that I would support. We are in this case where this continues to be an issue, and as the rule of law in my opinion continues to diminish nationally, I think this is going to be a challenge going forward."

"I'm certainly supportive of the idea of having Attorney General who has not been shy, I have commended him publicly in the past for this, willing to take on Washington [D.C.] when they are going in the wrong direction to give him some direction to take this on going forward. That would be my position going forward, Mr. Chairman."

Chairman Howell said, "Thank you for those comments. Commissioner Ranzau."

Commissioner Ranzau said, "Are you needing direction from us, we discussed this in staff. Where are we at?"

Mr. VonAchen said, "What I am asking, Commissioners, is for you to do today, to give us direction. Do you want us to draft testimony for your review and to change, to put this issue forward? Do you want us to go in the process of drafting an amendment to get it to our lobbyist for someone to introduce, when the second House Bill is heard. The first one was heard last week, which that was the kind of watered down version of this. The one I am referring to is much more

comprehensive. It gives definition and direction to the counties and their law enforcement officials.

"It actually requires that all law enforcement officers be given a copy of the statute when passed, as to what their obligations are. It gives the Attorney General the authority to prosecute for failing to comply with the law. That does cause some concerns simply from what happened with the hearing last week is what the Chairman said was correct, the concern is the lawsuit side of it. Not necessarily that there is an overwhelming opposition to the idea, it's the possibility of a federal lawsuit being filed which the state can't control."

Commissioner Ranzau said, "I'm supportive of the bill in general, and the recommendations you made earlier about obligating the Attorney General to defend and fight and pay for damages and all that other stuff, I would be supportive of authorizing the Chairman or his designee and staff to do testimony and write, draft legislation, whatever needs to be done to advance that in a way that we would like to see it move forward. I don't know if that's a motion, do we need to have a motion?"

Mr. Yost said, "As long as there is at least three people who have indicated that this is their position, I think we can do that, or we can do it with a formal motion."

Chairman Howell said, "Last week we talked about that and we decided to make a motion so it is clear. I don't want to be criticized for not being clear what we're doing here. Let's do it in a motion."

MOTION

Commissioner Ranzau moved to make a motion that we authorize the Chairman or his designee and staff to work on this legislation and to provide testimony in support of it, and suggestions to improve it, by requiring the State to defend and incur all financial liabilities that may result as a result of this legislation.

Commissioner Peterjohn seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>AYE</i>
<i>Commissioner Norton</i>	<i>ABSENT</i>
<i>Commissioner Peterjohn</i>	<i>AYE</i>
<i>Commissioner Ranzau</i>	<i>AYE</i>
<i>Chairman Howell</i>	<i>AYE</i>

Chairman Howell said, "We're still on 'Legislative Issues'. Any other issues you want to highlight while you are at the microphone?"

Mr. VonAchen said, "Mr. Chairman, the only other thing to kick off the 2358 discussion is doing a little research, Congress banned FGM in 1996. They added the vacation provision that our guest spoke about in 2011. They are including Kansas, there are 23 states that banned, the practice of "FGM. Five of those states, include our neighbor to the south, Oklahoma, banned it with no age limitation. We are one of seven states with a vacation provision, but in the research I found, there is no state that has both. A complete ban on the practice, with the vacation provision. To explain what the provision is, if you knowingly send someone out of State to have this procedure performed, you can be criminally prosecuted. If it's your child, if it's your

spouse, whatever the situation may be, if you have them transported out of the state to perform this procedure, you could be prosecuted in Kansas for that act.

"Again, there is no state that has both of those provisions, and the federal government does not have both those provisions with the complete ban from age limitation perspective and the vacation provision. I think that's important going forward, that be noted that the state of Kansas can take the lead on this issue."

Chairman Howell said, "Having said that, if we can get Commissioner support for this, I would rather have you help me write the testimony. I did write my own testimony, I would be glad to use on my own reconnaissance in Topeka however I can to urge this issue to move forward, but with the Commission support, I would much rather have the Sedgwick County government's perspective and have your assistance writing that testimony. What you just said, some states have provisions, but nobody has both provisions together. It would be the first state, if this was to pass, do I understand that correctly?"

Mr. VonAchen said, "That is correct. We would be the first state and as our guest pointed out, one step in the issue. Other states have provisions regarding, counseling for victims and providing for that. That would be the next step in the process. This is here and now, and we have got a bill up there, we need to address this first, and then discuss that in the process, potentially, of adding that either in the future or tacking that onto this bill."

Chairman Howell said, "I don't know why it took us to 2014 to move forward in the first step. Here we are considering the next step. I think this is a good step. I want to point out, Kansas history, has been fantastic with fighting for civil rights issues, and I see this as a civil rights issue as well."

"When someone is being subjected to something against their will that has life-long consequences, medical consequences, all kind of consequence, to me this is a civil rights type discussion. I'm proud of our state for the things they have done in the past on civil rights issues. In my mind, not different than that. I would like to see us lead and have the first bill that has both provisions in it. All we are talking about is adding the second provision that has passed in other states already. We would have the first, the most comprehensive bill with two of the biggest provisions that creates barriers to the vacation clause, and also no age restriction in that. Commissioner Peterjohn, do you have questions or comment?"

Commissioner Peterjohn said, "I am in support of this. I view it as going broader than what you describe. I call it basic fundamental human rights issue, and as hideous as female genital mutilation happens to be, in the 21st century, this wasn't something that I came across until I was reading the very compelling autobiography of Ayaan Hirsi Ali and what she underwent growing up in Somalia and Saudi Arabia, and what she went through. She had some family members who supported the procedures, others opposed. It was performed on her. When I look at how hideous this is, I have to put it in the context of we live in an age where slavery, unfortunately, we thought we put it behind us in the 19th century. In this world, it is alive and well."

"Sexual slavery. We see it discussed on the news, there was some federal discussion, because in the Middle East, it is a growing problem. Let's put it in the context of genocide. Ethnic cleansing, mass murder, these are all alive and well and part of life in the 21st century. As an elected official, I view it as what goes on overseas, Sedgwick County. Bringing female genital mutilation into Sedgwick County, into Kansas is an abomination which shouldn't have happened. If it has, if it is here, it needs to be stopped, and prevent any young women from doing it."

"It goes to the bigger question of multi-cultures. All cultures are equal, according to the academic institutions these days. I am sorry. If your culture has female genital mutilation, it is barbaric culture and we do not need it in the United States in the 21st century. I am going to be supporting this. Thank you, Mr. Chairman."

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

MOTION

Commissioner Ranzau moved to make a motion to be supportive of House Bill 2358 and authorize the Chairman or his designee and staff to draft testimony.

Commissioner Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	AYE
Commissioner Norton	ABSENT
Commissioner Peterjohn	AYE
Commissioner Ranzau	AYE
Chairman Howell	AYE

Chairman Howell said, "Any legislative issues from any of the commissioners? Commissioner Peterjohn."

Commissioner Peterjohn said, "Mr. Chairman, I was debating whether to say this during 'Other' or during this part of the meeting, but I know the issue of empowering voters at the ballot box, also known as the property tax lid, has gotten continuing attention. I think it is important for the public to know that Sedgwick County is strongly, in the form of the Commissioner position, legislatively, it is one the majority has been in place for a number of years and I have supported going back well into the last century, before I assumed elective office, in terms of fighting to require that voters have the same say at the ballot box when it comes to raising property taxes that they have when it comes to raising local sales taxes.

"In fact, I'd support it for all tax hikes, local, state, it can be applied to the state, too. The proposal before us that we have talked about in terms of property taxes, is not exactly my cup of tea, but it is certainly going off in the right direction, and I am certainly supportive of that effort, and I think as this discussion continues up in Topeka, Sedgwick County is playing an absolutely critical role, because we are one of the minority of local governments that are supporting empowering the people at the ballot box. That is long overdue.

"It is the reason we aren't as competitive in terms of economic development as a lot of our surrounding states. It's important going forward this Commission continue to work to get a workable, and that's the key, we've got to modify a number of other state laws, and we are going to have to work, Mr. Chairman, because of your legislative experience, and the work of staff, to be able to stay in close touch with legislative process on this issue, and I will offer publicly here, Mr. Chairman, any assistance that I can provide. I've got a little bit of legislative advocacy in my background.

"Certainly don't have the firsthand experience that you had, Mr. Chairman, but I think

this is a vital issue for making Sedgwick County and in fact the other 104 counties in Kansas competitive economically as we try and get out of the very weak economy. I cite this because we have had two significant layoffs, businesses closing here in Sedgwick County so far this year. It is a trend that I find incredibly disturbing, and I think we need to catch up with our neighboring states, three of our four surrounding states have these provisions in place right now, and have had them for decades.

"Kansas playing catchup, I want to commend our staff in terms of the quick turnaround to get some suggestions in place to make this workable. There's a lot of work left to be done. I wanted to get that on the record for our public legislative agenda discussion this morning. Thank you."

Chairman Howell said, "Thank you, Commissioner. I would like to point out we did work with our staff. We did have our staff work up a solution that seems to create the opportunity for an election to actually happen.

"The tax lid is not really a lid, it is intended to be, as commissioner Peterjohn said, voter empowerment. Unfortunately, as the language is currently drafted and passed last year, it is impossible to actually have an election. It is in a sense a de facto lid. What we have done, we have created an amendment to one of the bills, I think there's House Bill 2609, if I remember the number correctly and Senate Bill 316, trying to create some solution to the de facto tax lid. Neither one of them create an opportunity for an election. We are leaning forward and providing a solution to that problem, simply to make it where an election could be done, should the governing body want to do that. I think we are the only people, only entity that's actually talking about a real solution to that problem.

"As such, I believe in, one of these the bill will move forward, our amendment will hopefully be adopted on whichever bill moves forward. We've got some positive feedback from Topeka. I believe they are amenable to adopting the solution to make the bill move. Appreciate the good staff and those that got involved in helping us find a way to create that window of opportunity for the election to happen. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. Back on the sentiments on the previous issue, I fully support that. Sedgwick County is proud of the efforts they made to provide a workable solution. I would like to talk about House Bill 2612."

Chairman Howell said, "Go right ahead, sir." Commissioner Ranzau said, "We mentioned this, and it's been brought up in staff meetings, this is called the Refugee Absorptive Capacity Act. With respect to refugee operations within the State of Kansas, federal law already requires agencies to work with local municipalities, codifies that, and make sure that local municipalities have a say in the matter, to include law enforcement, and a variety of others to make sure we have say what our capacity is for bringing in refugees. To this point, Sedgwick County has not been invited to these meetings, but in the future I believe we will.

"This also gives local government recourse, or a way to work with the state, and if we think there are limiting issues that affect our ability to take in more refugees, whether it be jobs, unemployment, or security and law enforcement, variety of other issues. Also requires some reporting to be done, and so I'm supportive of this, and I am going to ask the commissioners to support that and authorize us to support this, because it gives the local municipalities more say and input in the process, which I think would be beneficial."

Chairman Howell said, "Commissioner Ranzau, is that a motion?"

MOTION

Commissioner Ranzau moved to take the position to support this idea in general, House Bill 2612, and authorize the Chairman or designee and staff to provide written testimony in support.

Commissioner Peterjohn seconded this motion.

Chairman Howell said, "Very good. Commissioner Peterjohn."

Commissioner Peterjohn said, "I state I am in agreement with commissioner Ranzau on this position, and I appreciate his work on this issue."

Chairman Howell said, "We have a motion and second. Any other comment or questions? Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. What is the number of this?"

Commissioner Ranzau said, "2612."

Commissioner Unruh said, "Can you once more say the main points briefly?"

Commissioner Ranzau said, "It talks about absorptive capacity. What happens at the state level, the state determines, if they are supposed to, work with local municipalities to determine what the capacity is of the community to absorb refugees coming in. It requires reporting, requires the state to coordinate with us locally and allows us to have some input in that. There are a lot of factors required to go into this."

Chairman Howell said, "We are talking about in concept, if we find things we have aversion to, I would welcome the commissioners to highlight those issues and give further direction as we move forward. Right now, as it was described in concept, I see this as a home rule issue."

"We have had no input whatsoever in the decisions that have been made to bring more than 500 refugees to the Sedgwick County area in the last four years. These are folks that we provide a lot of services to, many are very needy. They need a lot of our community support. It would be good for us to understand that and essentially coordinate with the state so we have input into these decisions. I see it as home rule issue. I would be supportive of the motion. Commissioner Unruh."

Commissioner Unruh said, "Thank you. I have said repeatedly that I am in support of home rule in this issue, and in taxation issues. Home rule is a principle that I think local government officials should strongly stand for and support."

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

VOTE

<i>Commissioner Unruh</i>	<i>AYE</i>
<i>Commissioner Norton</i>	<i>ABSENT</i>
<i>Commissioner Peterjohn</i>	<i>AYE</i>
<i>Commissioner Ranzau</i>	<i>AYE</i>
<i>Chairman Howell</i>	<i>AYE</i>

Chairman Howell said, "I think we are still on 'Legislative Issues'. This is an

interesting week up in Topeka. This is called turn around, a lot of bills moving forward. A lot of bills have impact on Sedgwick County. We will continue this discussion. Did you have anything else you want to bring up?"

Mr. VonAchen said, "No, Mr. Chairman. I thank the Commission for their ability to come forward."

Chairman Howell said, "I have one more I wanted to bring up. I handed out information to the Commission. It is on the legislative agenda. My interpretation means since we voted for that, we already have authorization to invoke our testimony into the process, legislative process, as those communities coming up. One of the issues that has come up, seems like it's getting traction, the issue with Medicaid expansion. I would like to make some comments as to why Sedgwick County has this on the platform, and share my opinion on that.

"I foresee there will be a vote expansion soon in the legislature. There have been some folks out there that are predicting it actually might pass this year. If we are going to talk about this ever, this is the best time to talk about it. We have never talked about it since I have been on this Board. We did talk about this as the Kansas association of counties brought this issue up as a number one legislative platform issue. I raised some concerns about that at the time, in fact, I voted against the platform because of this, and one other item. And I think I was one of two Commissioners in the entire state of Kansas as delegates of their respective counties, voted against that platform for various reasons. I think without understanding my reasons why, there's people who assumed lots of things about that, and some actually ridiculed me for proposing that platform.

"I would like to go through a couple points with my colleagues here to explain reasons as to why, hopefully the listeners will understand some of these arguments as well. I would ask for their support as well. Provide feedback, let us know what you think as well. Going through a couple things, I don't think that Medicaid expansion is really the solution to our nationwide healthcare problems. Medicaid expansion, I think, is a Band-Aid to the real problems. There are better solutions out there that many of the presidential candidates are talking about their solutions, and I agree with them. I think that putting a Band-Aid on this, more federal government intervention is not the answer.

"I believe when they passed the affordable care act years ago, their end game was a single payer government-run healthcare system, much like what we see in Europe and other countries. I do believe that is their end game. They are making where states have to expand Medicaid to receive all the assistance they need to fully implement the program. If the federal government really wanted to close the gap between Obamacare subsidies and the current Medicaid enrollment, if that was the goal, the federal government could certainly redirect money it wants to give the states off Obamacare subsidies income levels in the gap. They could do that right now without the states getting involved in Medicaid expansion decisions. In other words, if they wanted to provide more assistance to the lower income earners, they could do that right now. They are the ones that set the rules.

"They are the once ones that set the level of income requirements. They could simply move those limits very easily, if that's what they wanted to do. But they are asking states to partner with them, and of course when the states take federal money, they lose their sovereignty on these issues. In order to continue to get those benefits, they have to basically do whatever the federal government tells them to do. It is called maintenance of effort, MOE. Once the state takes the federal dollars, they have got to continue to take those dollars and to partner with the federal government, in terms

of state subsidies to make the program work. If the federal government backs off, as they have said they will do, the states are left holding bag and they have got to provide funding from the state of Kansas.

"This is not free money. No money we get from the federal government is free anyway. Really our taxpayer dollars. The idea is this is someone else's money and we are not using any state dollars is also incorrect. The better solutions are healthcare savings accounts, healthcare premium tax deductions for individuals, the sale of health insurance across state lines, and possibly the final action would be tort reform, and in other words, we've got litigation that increases the cost of healthcare, which is out of control. The litigation that happens is a tremendous burden to the cost of healthcare. Those are the main points.

"Let me read this also. Medicaid was created as a safety net for a vulnerable population. Children, individuals with disabilities, and others on an ongoing basis, Kansas addresses this to new Medicaid applicants. Medicaid expansion would add able-bodied adults who have no dependents. That's a different population than what the Medicaid program was designed to address. In fact, there is a brand new bill, HB 2366, it was just introduced a few days ago, House Bill 2319 was introduced, had a hearing last year, but they did not work the bill. 2366 is a more comprehensive bill, actually is built on the Indiana model and it sounds like they are getting support to pass House Bill 2366. It has not had a hearing yet, but again, there is a lot of misnomers about this bill.

"Medicaid is designed for vulnerable populations such as the poor, with dependents and disabled folks. They are using the term Kancare to make it more politically popular. Kancare was Governor Brownback's change for Kansas Medicaid. Currently there's 13 groups, I believe, that receive assistance from Kansas Kancare programs, Kansas Medicaid program. Some of those are women that are pregnant, or one year after birth, parents of children up to 38 percent of poverty level, on it goes. A number of categories that Medicaid is already available for. This bill if it were passed would add 150,000 able-bodied adults to our population of dependent people on the state's Medicaid program.

"As a matter of fact, it looks like 56 percent of those folks have other options, for example, the college healthcare plan is about \$100 per month. Many college students pass on that, they don't want to pay that money, they would rather have something that's free. They will advocate for free solutions, rather than personal responsibility of paying \$100 a month. Someone who is able-bodied adult would take a minimum wage job and work 31 hours a week, their income would be \$11,770, which is 100 percent of the federal poverty rate, and they are fully qualified under the ACA to receive a subsidy for all of the healthcare insurance, except for \$20 a month. The idea we've got to expand Medicaid to reach this population is completely mischaracterized. It already cost the state 1.22 billion in the next ten years to provide care to this new population, which is actually not the total truth. That was not a state neutral revenue plan, it adds a burden to the state of 1.22 billion.

"It is worse than that, because as the federal government continues to ratchet back subsidies, that cost will increase. Other states that have expanded Medicaid have had tremendous people in the program way above estimates. Ohio, for example, is 1.5 billion above the estimate, just in 18 months. Costs went up 1.5 billion above the estimate. In California, that cost is 2.5 billion. In Colorado, enrollment was 207 percent above what was expected. All states, if you look at the nationwide average, 91 percent increase for enrollment.

"Final thing I bring up, the Kansas Hospital Association has the biggest lobby for this

bill. 50 percent of the revenue that would be available to hospitals would go to the ten largest hospitals, not rural parts of the state. It's been advertised this will save rural hospitals. Not true. 25 percent of the money goes to the two largest hospitals, that's KU and Via Christi, but 50 percent goes to the top ten, and the remaining money goes to the remaining hospitals across the entire state, divided by population. Some of those will receive as little as \$5,000 in the first year, \$19 million split by remaining hospitals.

"I don't think this is a solution, there is a lot of negative things about Medicaid expansion. Real solutions are repeal and the free market. I just wanted to get that on the record to say I am going to dig in and say Medicaid expansion, I'm glad it's on our platform, we need to be active in Topeka to again move this issue forward and present against the county in testimony when that bill has a hearing. I would like to ask our counselors to prepare for that as well. Commissioner Peterjohn, you have comments or questions on that?"

Commissioner Peterjohn said, "No, I am just going to appreciate your comments, I second your remarks. I would only add that we have had a lot of incredible problems for American heroes, folk's retired military veterans from all branches with the VA (Veteran's Administration) scandals that started many, many years ago and have continued to this day.

"Basically that's government-controlled medicine. For the public out there who think there will be a free lunch, Uncle Sam would take over and we have what is called a single payer, or basically a socialized solution for all healthcare in this country, the template of VA is quite clear for everyone out there. It is not a pretty picture in my opinion. I appreciate the Chairman's comments, and I am hopeful the legislature will do the right thing and not expand Obamacare in Kansas. Thank you."

Chairman Howell said, "Thank you, commissioner. Commissioner Ranzau."

Chairman Howell said, "Thank you, Mr. Chairman. As a commissioner Peterjohn said it right, call it what it is. This is Obamacare expansion. Okay? The ultimate goal of eliminating all private sector involvement in healthcare, to get a fully single payer, socialized medicine. And remember, socialism is a lie. In order to advance socialistic principles people have to lie about it.

"That's what President Obama did over and over about Obamacare when he looked people in the eye and said you want to keep your doctor, your insurance, you can keep it. It was a lie then, it is a lie now. The idea that it's going to be revenue neutral, it will save hospitals is a lie as well. The fact that the government-run, centrally controlled medical system can provide a better and more cost-effective alternative than a market-driven economy is a lie that's been demonstrated to be false time and time again throughout history, and it's even ongoing today over in Europe. People like to put a lot of rhetoric out there, and say it's going to save the world and do all these great things. But in fact it doesn't. The more government gets involved in healthcare, the higher the cost gets. That's just how it is.

"I appreciate the remarks from Commissioners. You need to understand what the end game is. Like I say, it is to eliminate all private sector involvement. This is another step towards that incrementalism and I would hope that the legislators in Topeka would have the intestinal fortitude it takes to weed through the rhetoric and understand the facts and take the stand for what's best for our state. We've already had the largest tax increase in the history of Kansas last year. We can't afford to expand Obamacare any more. It puts a greater burden upon the taxpayers in this community. We have heard here recently, how the middle class is getting hammered,

and it's dwindling, and this will do nothing but exacerbate the situation, because all of these social programs that are inefficient and ineffective have to be paid for by somebody.

"After seven years of progressive policies, it should not be a surprise to anyone that the middle class is dwindling and getting smaller, because despite the false promises that progressivism and socialism, it actually destroys prosperity for the middle class, rather than create it. That's the myth. That's the great deception. I think it is incumbent upon us, those of us who understand the facts and the history, as the Chairman said, how can someone look at a legislator in the face and tell them that this will be revenue neutral, when we know that it hasn't been revenue neutral in any other state and is simply impossible, if you understand economics and how things work. It's absurd that someone would even say that. That's what happens when you get in legislative situations in Topeka and in Washington, D.C. Special interest groups. The hospitals made a deal with President Obama, now they don't like, especially the bigger hospitals, don't like the consequences. Now they want a bailout.

"They want to shift some costs to the taxpayer, and it is important to get the facts out. I hope the legislature stands strong and looks at the best long-term interest of our community, and weed through this political rhetoric and misleading information. Thank you, Mr. Chairman."

Chairman Howell said, "Thank you, commissioner. I think that's it for legislative issues this week."

Mr. VonAchen said, "If I May, Mr. Chairman, regarding the issue of Medicaid expansion, because of the timing, how things are happening at the legislature recently, there has been a lot of quick turn-around, and you know, the next time we all convene, maybe another week, there may be a hearing scheduled before the holiday, so be sure there is not a hearing on Monday. But if it's the will of the board to provide testimony in opposition on the issue of Medicaid expansion, I would ask that we have a motion on that issue in case something does occur between now and next time the Board convenes."

Chairman Howell said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Jon, this is in our legislative platform, approved by the majority of the commissioners. Is another motion necessary?"

Mr. VonAchen said, "It is. It is in our platform. The position, I believe our office has taken, is if it is in the platform, we will address it. There are other legislative issues that came up recently that for some of the departments where we have pushed things forward because it was on the platform. Because it is on the platform, I am going to rescind my request, I just want to make sure that we have the proper guidance and that, it's out here in the open, in the public. If the public has any concerns, they can raise it and address it with the commission. In turn, that can be addressed with our office."

Commissioner Unruh said, "With all due respect, Jon, I think it's pretty clear what the majority of this Commission wants to do. I don't care about another motion. I know the legislature says they are going to discuss it. I know they will have lobbyists up there on both sides of the issue. I sure wasn't at all confused about the majority of the Commission."

Chairman Howell said, "I don't mind necessarily having the motion if it makes things cleaner. I think the platform gives our lobbyists general directions on a lot of topics so

they are free to advocate for those positions on the things that we've outlined in our platform without necessarily talking to us about each one that comes up. Commissioner Ranzau."

Commissioner Ranzau said, "It is on our platform, and we did discuss it. I am willing to make a motion that behooves the Chairman."

MOTION

Commissioner Ranzau moved to authorize the Chairman or his designee and staff to provide testimony and opposition to Medicaid expansion.

Commissioner Peterjohn seconded the motion.

Chairman Howell said, "We have a motion and second. Commissioner Peterjohn, do you have further comments?"

Commissioner Peterjohn said, "I was just going to say, I am not sure whether we should proceed and specify specific bills, it may get confusing because the legislative sausage mill. Bismarck warned people two centuries ago, one should never watch sausage or laws being made. Sometimes the process gets more than a little messy with Senate substitutes for House Bills and vice versa and the process gets complex. If we need to have a motion that specifies opposition to specific legislation, obviously when we put the platform together, we didn't know what those bill numbers were. I am very comfortable with making that motion and if it helps our effort to communicate this with legislators, I think it is a good idea. That's why I provided that second, Mr. Chairman."

Chairman Howell said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I know it is in our legislative platform. I will abstain on this vote. I am not settled on the issue. The hospitals have made strong argument, the Sedgwick County medical society has a strong position on it. We heard the testimony from Commissioners today, which I don't refute in any way, I am not settled on the issue. I will cast no vote."

"Chairman Howell said, "Commissioner Ranzau."

Commissioner Ranzau said, "I agree with Commissioner Peterjohn, I think the motion gives flexibility to the Chairman and staff to deal with general issues. I will be supportive. For me, the issue comes down to this: you believe socialized medicine is a better solution than a market-driven solution, and I am settled on that issue. That's all I have."

Chairman Howell said, "Commissioner Peterjohn"

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Commissioner Unruh, just for clarification purposes, do you have a conflict of interest or some other reason for you to abstain?"

Commissioner Unruh said, "I don't think I have a conflict. No, I don't. I can't imagine how I would have a conflict."

Commissioner Peterjohn said, "I can't either. I wasn't sure. I thought I would try and understand your position a little bit better."

Commissioner Unruh said, "No. I am not settled on the issue."

Chairman Howell said, "Seeing no further comments, we talked about this for quite a while. Madam Clerk please call the vote."

VOTE

Commissioner Unruh	ABSTAIN
Commissioner Norton	ABSENT
Commissioner Peterjohn	AYE
Commissioner Ranzau	AYE
Chairman Howell	AYE

Chairman Howell said, "I think that wraps up 'Legislative Issues' for this week. We have a meeting next week on the 17th, we will probably have more discussion on legislative issues at that time. But for today, that's enough. Madam Clerk, next item."

OTHER

Chairman Howell said, "We are on 'Other'. We have a guest I would like to recognize. Represents the Child Advocacy Center. I know you've been waiting very patiently for a long time.

"I promised you a chance to come and wow us with some new information. By the way, please come to the microphone, introduce yourself. As you come up, let me say, I had the pleasure of spending about an hour in the Child Advocacy Center (CAC) this last week, seeing the new construction, and seeing the tremendous plans that you have there. I am very excited for the future, for Sedgwick County, in terms of the services we are going to provide. I think it is unfortunate we need a CAC. It is a little sad to see the magnitude of services we need to provide for children that are in these situations. Number of exam rooms, the number of detectives. Frankly, it is sad that we need that, but we do.

"I'm glad that we have it, because we need it. Introduce yourself and we'll have more comments in just a moment."

Ms. Diana Shun, Child Advocacy Center, Sedgwick County, Wichita greeted the Commissioners and said, "I serve as the Executive Director for the Child Advocacy Center of Sedgwick County. My pleasure to have a few moments to share with you exciting news. First, we have met our \$7 million goal in our capital campaign, and we continue with construction process. We are about halfway with the construction process and anticipate an early summer move-in. We have been blessed to have nearly 300 donors throughout the community that has assisted us in being able to reach this important goal.

"I think many of you are familiar, as you have toured or at least seen our current facility, we are in need of new opportunities for better serving children, to be able to allow them a place to start the healing process by providing them a safe environment to come in for the interview process and additional services that might be needed. Instead of having a family travel throughout the community to six to eight different places, they need through the investigation process, they can come to one central location and receive those services. We are extraordinarily excited about the continued progress, also the opportunity to continue to look at better ways of serving children and those who experienced abuse.

"Many of the things that you talked about today are certainly in regards to our

services that we're directly related to. It is unfortunate that we can't work ourselves out of a job, although I think all of us would like to be able to do that, unfortunately that has not been the situation. We serve a little over 1,800 children in Sedgwick County each year. Seventy percent of those children have experienced sexual abuse, and nearly seventy percent of those children are under the age of twelve. Many are pre-verbal and require us as adults to be able to be their protective factor. We continue to look at ways to provide education and training to all professionals. But, also to our public to be able to empower and engage the public in identifying signs and symptoms of abuse and being able to understand what it means to be able to make a report and what happens once that report has been made."

Chairman Howell said, "What is the date you reached your fundraising goal, was that last Friday?"

Ms. Shun said, "Last Friday is when we publicly announced it, correct."

Chairman Howell "That's fantastic. We are excited for this community, excited for what you bring to Sedgwick County, excited to have this brand new facility. A lot of synergy. A lot of efficiency. A lot easier for people to go for the services they need to navigate through the building. The building is set up in such a way that you are also dealing with perpetrators, or those who might victimize these children. They are in a separate part of the building with a separate entrance. There is a lot of carefulness of how you manage people inside the building itself. The building is very welcoming, a fun place to be when you walk in. It is an old USD 259 school."

Ms. Shun said, "Yes, that is correct the former Lincoln Elementary School building."

Chairman Howell said, "You completely reconstructed the inside. New walls and new bathrooms, all kinds of things in that building. A lot of offices, and exam rooms, interrogation rooms inside that building to make this a one-stop place. I'm glad this is coming to reality. Any other comments you want to make on that?"

Ms. Shun said, "We will be delighted to have an open house early this summer, and we will be extending an invitation to all of you. Certainly hope you can join us for that celebration as well."

Chairman Howell said, "Let me point out, Sedgwick County did donate \$1 million to this; is that correct?"

Ms. Shun said, "Absolutely. You are the second highest donor of all of our donations. Thank you very much. That has helped tremendously in our ability to be able to move forward."

"There are ongoing funds that you provide that helps with some staffing, and about 90 percent of that in regards to direct services. Then there are additional funds that you help with keeping the lights on and moving snow and all of those regular expenses that are shared between the city, county and state as well."

Chairman Howell said, "I'm glad to have that recognition, it's good for people to know how their tax dollars are being spent. For things that hopefully they will never need. But this is going on, and we need to have a way to deal with it. This is a model by the way. You saw in other parts of the country that you brought that vision here. Can you talk about that for a moment?"

Ms. Shun said, "We had a steering committee that work for a little over two years to be able to help identify other child advocacy centers in communities that were similar to us and be able to tour many of those to be able to get the grand best of the best"

ideas to bring back and determine what will really work for our community. We toured as you mentioned probably over 100 buildings in the city to be able to decide where was the most efficient and effective way for us to be able to service and have in two separate entrances and two separate address' was paramount for us to prove the safety we feel is absolutely essential for children when they come in for services.

"Having offenders have a completely separate address. Clearly that was part of that process, and I think that it's very exciting for us. As I look nationally at many of the other child advocacy centers, we will be a very unique model in regards to how we work together. Many are co-located as to the terminology we use, meaning law enforcement, social services, medical, health, advocacy, prosecution all on site.

"The functionality is different than ours with the benefit of having the missing and exploited child, the three way partnership between the city, county and state, already doing those teamed investigations has strengthened our ability to be able to enhance communication and really work through these cases in a different manner than many of the other communities.

"The incidents in human trafficking has made a significant difference in our community, and we continue to anticipate that opportunity to look at new ways we can continue to advance the services for children who have experienced abuse."

Chairman Howell said, "Where is this facility located?"

Ms. Shun said, "Our address is 1211 South Emporia. If you google the former Lincoln elementary school, its 1210 South Topeka. The Emporia side will be the main entrance for all families, children and general public."

Chairman Howell said, "That's approximately Harry Street between Emporia and Topeka right?"

Ms. Shun said, "Correct."

Chairman Howell said, "Then finally, what's the target date for the ribbon cutting or the final construction?"

Ms. Shun said, "We're anticipating an early summer move. I don't know that I have a good date for you yet. Once the move is completed, we're going to give folks several weeks to be able to unpack boxes. Then we'll open the doors and obviously be in business at that point, but do a formal ribbon cutting ceremony before we have a chance to move a few boxes out of the way and have the folks walk through the facility."

Chairman Howell said, "I know construction was going like crazy over there, lots of people in the building, and the date you gave me was the middle of May, a quick calculation, one hundred days or so, and I thought that was a lot of work to finish in 100 days. I hope that happens. I look forward to that. Finally, my last question is, if somebody wants to give to this, is there still a way to do that?"

Ms. Shun said, "Absolutely. We have ongoing needs through general operations or any campaign funds that we continue to receive at this point will go into a Capital Campaign Fund. If we have a pothole or leak in the roof, all of those wonderful things of owning a building, those can help offset those. We have a donate now button on our website. Our website is a little long. Its www.cacsckansas.org ."

Chairman Howell said, "That's all I needed for you today. Thank you for coming to our

meeting this morning and talking about that. I asked you to come, and you did that. You're very patient standing there. I guess as you walk away, I don't want you to spend a lot of time talking about this, the presentation we had with Sein Lengeju, that's something you're fully aware of and your staff is aware of and you're sensitive to that and will certainly, investigate when needed."

Ms. Shun said, "Yes, my background is nursing. I've been a nurse for nearly 30 years, 15 of those spent working as a sexual assault nurse examiner. Unfortunately, we have had cases come in where there has been prior female genital mutilation. Personally, I have not seen any where the mutilation has just occurred, but was something that had previously happened and there was an assault situation on top of that. I know from our forensic nursing education standpoint that that is something that I train on a regular basis statewide and locally."

"Certainly there's always that opportunity for continued new partnerships and ongoing education as well. I think that it is something that we need to keep in the forefront, and I'm excited that Kansas might be the first to have both of those recognitions in regard to making the mutilation illegal for all ages, as well as the participation in allowing for that to happen. We did certainly hear of other additional situations where that was. We have never personally evaluated a child in that particular circumstance."

Chairman Howell said, "That's all I need from you. Thank you so much for coming today."

Ms. Shun said, "Thank you for the invitation. I would certainly extend a welcome to anyone who would like to tour while we're still in the construction phase. Otherwise, we'll look forward to having you join us for the ribbon cutting."

Chairman Howell said, "I have one more comment for other. I'll reserve that for a moment. Any other commissioners have anything for 'Other'? Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. February 10th is an important day in American history, and for some interesting primarily cultural reasons, although one very important public policy, and I'm going to take these in verse order."

"February 10th, 1967, and there are a few people in this room, including myself, who remember that date. The 25th amendment to the U.S. Constitution was adopted. That deals with presidential disability and succession. A lot of people who don't look at American history, do not realize how close this country came to a leadership decapitation in April of 1865 with the assassination of President Lincoln. The close call that then Vice President Johnson had and the attack on Secretary of State Seward and other leaders in Washington under the assault of a group headed up by John Wilkes Booth."

"February 10th, going back to 1942, those of you who love music, the first ever gold record, selling 1.2 million copies occurred, and that was a Glenn Miller tune called Chattanooga Choo Choo. On February 10th, 1903, an iconic toy came into American stores. It was based on an event that involved with our 26th President, Teddy Roosevelt, had gone bear hunting in Mississippi of all places, and was given the opportunity to shoot a wounded bear, and the President refused. Because of that, some entrepreneurial folks decided that teddy bears, as they were called, based on the President and his actions, teddy bears appeared on store shelves on this date. February 10th is an important date in American history. I wanted to get that on the record. Thank you, Mr. Chairman."

Chairman Howell said, "Thank you, Commissioner Peterjohn. Any other comments? I'd like to raise an issue. It is very uncomfortable and very difficult to bring this up begin.

"I'm disappointed in the Wichita Eagle. They had a story that came out late last night, early this morning. They had some comments, number one, we have a brand new County Manager and he's doing a great job, Mike Scholes. I'm so proud of you for being here and coming to Wichita and choosing Sedgwick County. You're a visionary and you have a lot of great ideas, a lot of great experience.

"I appreciate your influence in Sedgwick County in forming our direction. So having said that, I think you're a great person for this position. We also have a new Counselor, Counselor Eric Yost, and he's done a great job. We've had some tremendous staff who have made choices to leave. It wasn't our choice. It was their choice. They left big shoes to fill. We got some great folks to come in and fill those positions. We have some other folks, our Assistant County Manager. He's chosen to hang on for quite a while. I appreciate that so much. He's a great man, Ron Holt. I love him to death. We need him.

"I'm glad he's here. Please don't leave, but I know he wants to leave. He's talked about his time is coming up, and at some point he'll want to move on to something else. I respect that. We have some other staff, one of our chief counselors has indicated his intention to go towards retirement sometime soon. I don't know what the date is. We're not pressuring him in any way.

"But these positions need to be filled. When people come into these positions, they bring in new ideas. We also have a new Planning Director. That was another difficult position to fill. We have a lot of senior staff making choices to leave, not because we're pressuring them, not because of anything from our side, but they make choices to leave. The reality is we've got some great staff, and we love what they do. When new people come in, they bring new ideas with them.

"My comment, in terms of personnel changes, to bring the new vision to Sedgwick County, I'm not referring to any plan to swap out people. That's the way it was written, however. The comment was written out of context, in my opinion. Every time someone comes in, they bring with them experience and vision and ideas. When they present ideas that are better than something we're doing now, it requires some restructuring. It requires some difference from what we've done in the past. We have to be willing to have those discussions and make those changes when it makes sense since it brings good things to Sedgwick County.

"This is not against anybody. We're asking our staff, the good staff we have now, and the staff that might be coming in, as those positions swap out, to bring those ideas with them and let's have discussions and let's pick the best ideas possible. This is not a negative comment. But that's the way it was written in the article. I'm sorry that got in the paper the way it did. It was not intended to be that way. I believe it was out of context.

"The reality is, we've got some great staff. I love what they have, what they bring to us. The new people that are coming in, by way of trying to keep these positions filled, everybody that's new brings new ideas with them, and we've got to be willing to allow them to work in those respective roles and embrace those ideas if they're good ideas. With that, I just wanted to clear the air on that. Nobody in positions of staff leadership needs to be in fear. There's no plan. There's no motive to do anything, to swap any of this out.

"As a manager sees opportunities to change something and it's a good idea for whatever reason, I support the Manager. I'd like him to have the right to be a manger, and as Commissioner, I wanted to let him know that I appreciate his expertise and vision, and I'd like to enable him to do what's best for the county. I don't see anything else for other, no other comments for Commissioners. I don't an Executive Session plan today or district meeting necessary today. Manager or Counselor, anything else for today? Seeing none, I guess we'll be adjourned."

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:18 a.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

JAMES HOWELL, Chairman
Fifth District

RICHARD RANZAU, Chair Pro Tem
Fourth District

DAVID M. UNRUH, Commissioner
First District

*TIM R. NORTON, Commissioner
Second District*

*KARL PETERJOHN, Commissioner
Third District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
