

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, March 2, 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

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 9:02 a.m. on March 2, 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 Commissioner Richard Ranzau; Commissioner David Unruh; Commissioner Tim Norton; Commissioner Karl Peterjohn; Mr. Michael Scholes, County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mrs. Karen S. Bailey, Chief Deputy County Clerk; Mr. Marc Bennett, District Attorney; Mr. Joe Thomas, Director, Purchasing Department; Mr. Brian Richey, Captain, Sedgwick County Fire District No. 1; Mr. Jon VonAchen, Assistant County Counselor; Ms. Kate Flavin, Communications; Ms. Laura Billups, Deputy County Clerk and Ms. Erika Rice, Deputy County Clerk.

Guests:

*Mr. Dwight Williams, Appointee
Ms. Holly Dyer, President, Wichita Bar Association*

INVOCATION: Pastor Kent Rogers, First United Methodist Church.

FLAG SALUTE

ROLL CALL

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

APPOINTMENTS

Approved

- A** [16-0116](#) RESOLUTION APPOINTING DWIGHT WILLIAMS (BOCC APPOINTMENT) TRUSTEE TO ROCKFORD TOWNSHIP TO COMPLETE THE UNEXPIRED TERM OF DUSTIN NOE.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Approve the Resolution.

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Item A is the appointment of Dwight Williams to complete the term of Dustin Noe as Rockford Township Trustee. The paperwork appears to be in order. I would recommend adoption of the resolution."

MOTION

Chairman Howell moved to approve the resolution and appoint Mr. Dwight Williams as a Rockford Township Trustee.

Commissioner Ranzau seconded the motion.

There was no further discussion and the vote was called.

VOTE

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

Chairman Howell said, "Dwight Williams is actually here, so if you'll come up to the podium. Right there. Thank you."

Ms. Karen Bailey, Deputy County Clerk, greeted the Commissioners and said, "I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Rockford Township Trustee so help me God."

Mr. Dwight Williams, Appointee, greeted the Commissioners and said, "I do."

Ms. Bailey said, "Very good. Congratulations."

Mr. Williams said, "Thank you. First of all, I'd like to tell Commissioner Howell I appreciate the opportunity. I am looking forward to working with our township. That's about all I have to say. I'm not good at speaking in front of people very well."

Chairman Howell said, "I think you'll do great. I have total confidence in you. I've spent a lot of time talking about your ideas and your experience and background and your connection to the township, so I have no doubt you'll do a great job. Thank you for stepping up to fill this position. This was actually a very hard position to fill. I am so grateful for you doing this today. Thank you."

Mr. Williams said, "Thank you."

Chairman Howell said, "I've asked for a presentation on the thing called the Clean Slate Day. I think we have a presentation I'd like to insert into the agenda this morning."

Mr. Jon VonAchen, Assistant County Counselor, greeted the Commissioners and said, "At the staff meeting on Monday, you asked if we could have someone from the Clean Slate Expungement Program to speak to today. I actually got two people to come speak today. Holly Dyer is the President of the Wichita Bar Association for this year, and she's been instrumental in putting the program together along with District Attorney Marc Bennett who is also here. I will ask that they come up and give you a short presentation on the activity that will be happening Friday here in the courthouse."

Chairman Howell said, "That's great. Thank you. Welcome, District Attorney, Marc Bennett."

Mr. Marc Bennett, District Attorney, greeted the Commissioners and said, "In case you wonder why there may be 3[00] or 400 people in the courthouse Friday, I think I'd give you a quick explanation of how this got started and turn it over to Holly, because she's got the details."

"In January and February of 2013, Commissioner Unruh and I went with Chief Judge Fleetwood, Mark Masterson and I can't remember who else, went to Long Beach, California to the meeting of the National Association of Counties, and one of the speakers there was the Clerk of the District Court of Cook County, Chicago. She was a JD (Juris Doctor), held a law degree, and one of the things she discussed was what she called their expungement parties. I wasn't terribly fond of that term, it seemed a little cavalier, but I got it.

"What she discussed was the fact that they have an expungement law under Illinois law that allows people to come in and seek the remedy of expungement. It means they can come in and say, I'm a convicted felon. I've been convicted for a crime that is eligible for expungement. I am off of paper. I am off supervision. I have moved forward for a period of time, depending on the number of years and the crime. I now want to seek the remedy of expungement which allows me to say to perspective employers that I am not a convicted felon, so it's a chance for them to move forward with their lives, hopefully gain employment and become productive citizens again.

"As I listened to that, I knew we had a law similar in Kansas, Expungement Law, and I knew that people would sort of piecemeal in into the office of the District Attorney seeking expungements and our staff would go ahead and talk to them, but we can't offer them legal advice, so it was a very difficult conversation to have. You need to fill this out. I can't help you, but you did it wrong. It was cumbersome, not very effective and took a lot of my staff's time to do that. When I listened to the conversation in Long Beach, I thought, man, it would be nice if we could get something like this in Wichita, maybe not a party but get the local bar involved in this process.

"I first breached the subject with the Criminal Law Committee Bar Association. Within a few months of returning, there was interest, but there are costs associated with this. There are the costs of time, attorneys are paid by their time. There are costs associated with filing fees and that sort of thing that someone would have to incur in order to get this off the ground. And so my idea never really got anywhere other than planting a seed. That seed then was picked up by Ms. Dyer, and she will come up here in a moment and explain where it went from there, but I'd like to commend the [Wichita] Bar Association, Robert Moody, an attorney here in town, Ms. Dyer, other members of the [Wichita] Bar [Association], and we've had at least two people who have come forward or two entities, one person, I believe, and an association come forward and offer monetary support for this, to get it off the ground to pay for the filing fees and that sort of thing.

"The big picture here is people might find it a little incongruous that the District Attorney would be standing here in support of wiping away convictions. But the goal of the criminal justice system should be that we punish ill behavior, hopefully we take steps to correct that behavior, but ultimately, we're all better served by people who re-enter society, able and willing and prepared to become productive members of society again. If they're paying their taxes, working jobs, taking care of their kids and not committing new crimes, that's the goal, and this is a step toward that.

"Further, this is the law. We do have it on the books that people shall be given expungements absent a few exceptions, and to be sure, not everybody is eligible. Homicide, sex crimes, that sort of thing, you're not eligible for expungement. That's not what we're talking about here. But folks who have convicted other, typically, nonviolent crimes are the ones who are going to seek this remedy, and hopefully it will do them some good. With that, I'll turn it over to Holly."

Ms. Holly Dyer, President Wichita Bar Association, greeted the Commissioners and

said, "We started work on this project about a year and a half ago after Mr. Bennett had come to the [Wichita] Bar [Association] and had mentioned that it was something that maybe we wanted to look into. At the time we were planning for our 100th anniversary, which I spoke with you about last September, and after many meetings and lots of hard work and getting all of our moving parts kind of working together, we came up with a plan for how we think we can do this.

"Mr. Bennett told you that they did it one way in Chicago. One of the challenges is that every jurisdiction does it a little differently, even down to how Wichita City Court handles it versus how the District Court handles it here. So we took advice from other places on how they did it, but we really had to kind of build this from scratch. We have never done it before and we hope it works.

"Just briefly, Clean Slate Day will be this Friday, March 4, 2016. It will be here at the Sedgwick County courthouse, and it will last from 9:00 a.m. to 2:00 p.m. it is a pro bono service project. It's designed to offer low income individuals an opportunity to have eligible convictions expunged at no cost to them and ideally we will be able to handle most of these in a day. There will be a few that may not be able to be handled in a day because they require certain notifications to be made. But that is the idea. We have streamlined the process so that folks can come in, turn in an information sheet, have a background check run, and if they're eligible, they will then be able to talk with an attorney who will help them prepare the pleadings that day, go before the judge and have their conviction expunged.

"There are some limitations that we had to impose just so we could make this whole process move quickly, and one is that we are only handling uncontested expungements, meaning that the DA (District Attorney) or the city prosecutor will have to say that they are in favor of the expungement. If, for some reason, the DA or the prosecutor says no, it doesn't mean that that person can't try to get an expungement. They just can't do it this Friday through our project.

"There are a few other limitations. We are limiting these expungements to convictions, arrests or diversions that occurred over at the City of Wichita building or here at the Sedgwick County courthouse. So we cannot handle a misdemeanor that occurred, say, in the City of Mulvane or City of Valley Center or something in Butler County. In order to make this work, we have to keep it limited to these two jurisdictions. As Mr. Bennett said, there are certain crimes that are simply not expugnable, so we obviously can't handle that, felony crimes, felony convictions are not expugnable.

"We are not handling juvenile adjudication on Friday. There is another way to do that. And we have information we can give to folks on our website that will help them get help for a juvenile adjudication.

"I do want to note that this could not have happened without the hard work of a lot of individuals and the generous support of individuals and organizations, and I want to recognize them right now. Volunteer Kansas, Koch Industries, Stand Together, Kansas Legal Services, the City of Wichita, the Sedgwick County District Attorney, and the Wichita Bar Foundation. Without their help and, particularly, I do want to note that the District Attorney has taken on probably the greatest load of just about anyone in getting this together, and they are devoting a lot of resources.

"An expungement can open the door to a new job, a better job, better education, a new home and a better life. So we are very happy to be able to offer this opportunity to folks here in Wichita and Sedgwick County and hopefully offer them a fresh start, and I'm happy to answer any questions you might have."

Chairman Howell said, "I'm sure we'll have some comments and questions from Commissioners, at least I think we will. Commissioners, anybody? Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you. I appreciate the hard work of folks with the [Wichita] Bar [Association] and yourself, Ms. Dyer, and also the District Attorney and his office. The question I'd like to throw out, there's been a lot of comments about eliminating checking the box. Could you talk about, for a moment, I think it's important to get the information out to the public for folks who might be eligible who might be viewing this right now, how this would work in terms of the whole idea in terms of boxes, employment, and how the expungement would work and relate to that, please?"

Ms. Holly Dyer said, "Sure. I want to give a disclaimer, expungements are not my normal area of practice, so I've had to rely a lot on my criminal defense brethren. I will try to explain it as best I can. What the Expungement Law does is it allows one to be able to say to the public, I was not arrested. I was not convicted of this crime. And so when asked on the box that Mark Holden, for example, from Koch Industries discusses a lot about banning the box, the box on your application form that says have you ever been convicted, unless there is a certain circumstance that says you have to still disclose it, you don't have to say that you were convicted when you apply for that job.

"There are certain exceptions under the statute, and the statute lays them out. For example, I as a member of the [Wichita] Bar [Association] could not apply to take the bar exam unless I disclosed everything. That's one of the exceptions. But if it's not an exception, you are able to go out and represent to the world, I was not convicted of that crime. And it opens the door. It's more than just employment. One of our District Attorneys told the story of a person who needed a mortgage and needed the expungement because there was some question about getting the mortgage application that held him back from getting that.

"It's more than just getting a job. It can have a broader impact on a person's life."

Commissioner Peterjohn said, "Let me ask you, do you have any idea how many folks might be eligible for an expungement here in Sedgwick County?"

Ms. Dyer said, "Well, as we went through this process, we asked for some statistics, which neither the city nor the county had really been tracking this. I know approximately maybe 150, last year, obtained an expungement in Sedgwick County through normal channels. I think that's about right. We've had great response at our public information sessions. We had 75 people turn out at 3:00 p.m. on a Monday at the Wichita Library, which was a good turnout in the middle of the day. So I'm not sure how many are eligible. I know we are expecting a very good turnout. I wish I had better statistics for you, but we think we can help, you know, dozens, if not scores. I don't know if we can do hundreds between 9:00 a.m. and 2:00 p.m., but we're going to help as many people who qualify."

Commissioner Peterjohn said, "How long does it take to do an expungement?"

Ms. Dyer said, "Well, theoretically, we can do one in a day. The way our process is going to work is we will have a person will come in and fill out an information form. The DA and investigators will run a background check, which will take a little bit of time, review the circumstances, and then if those circumstances are okay, it will be just a matter of filling out the paperwork, which we have forms set up, and once that

paperwork is done, we can walk in, and if everyone is in agreement, it can be done that day. Whether that takes an hour or two hours will depend very greatly on the person's individual circumstances and how many people we have appear at 9:00 a.m. on Friday."

Commissioner Peterjohn said, "Thank you."

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

Commissioner Unruh thanked the Chairman and said, "First of all, thank you all for being here and allowing this opportunity for some publicity for this effort. I think it's a reasonable and a right thing to do, to help those folks who have, in one way, earned the right to have their records cleared and has a profound impact on their life and their ability to be more productive citizens in our community. So I appreciate it. It is remarkable, I think, how a seed of an idea can germinate and result in great benefit here in our home county. When we went to Long Beach, California, it was actually a result of an invitation and conferences put together through the Justice and Public Safety Committee of the National Association of Counties. And when I saw that information, I thought I need to get the right people to go with me there who can actually make something happen. So, I really appreciate that District Attorney Marc Bennett was there and picked up on this suggestion and then brought it back and [Wichita] Bar [Association] has brought it to fruition here in our community."

"We need to especially be thankful to those partners that you mentioned earlier, to Colby Sandlian, Koch Industries and to others who their generosity is making this possible. I think it's a good effort for our community. It shows that we're willing to help people do the things it takes to make our community better. I appreciate all of your hard work, and I'm just expressing gratitude on behalf of those folks who are going to get this expungement. Thank you very much."

Chairman Howell said, "I would just like to say I really believe in second chances and forgiveness. Those are ideas I think the community should embrace. The scriptures are full of that doctrine of forgiveness. I think the community needs to have that as well. We've all made mistakes. We're embarrassed about our history sometimes, and this is a way for people to, I guess, lighten their step and feel like they've done well and to move past something that's happened in their past. So the idea of mercy and grace from government is a good thing. Again, as long as we continue to have public safety that makes sense and do things that are very careful, to make sure we hold people accountable when public safety is the issue, that's certainly important, but a lot of these issues we're talking about today are really just personal mistakes people have made in the past that really have nothing to do with public safety. In that regard, I believe this is a good program and I appreciate you all, the many of you that worked very hard for a very long time to put this together. I think this is exciting and the reason that I asked about this Monday was because I just heard about it. I think this is something we need to get as much attention as possible, so I'm really grateful for you coming today and explaining this to you. Thank you so much. Let me say, also just real quickly, if somebody has a question about their conviction, can they call? I have a number and I just want to make sure this is right, 316-263-2251."

Ms. Dyer said, "Yes, that is the phone number for the Wichita Bar Association. Just as a note, they cannot give legal advice, but they can provide just general information about the day. I would also want to give you the website. It's www.wichitabar.org, and there is a link on there to Clean Slate Day, and people can go there and they can also download the information form that will be asked of them when they get there on Friday morning, so they can fill that out in advance or they can fill it out when they get there."

Chairman Howell said, "Because I speak quickly, I'll say this a little slower. [316] 263-2251. Extension 102. If they want to come up here to take advantage of this opportunity, it's this building, County Courthouse, northwest corner of Central and Main Street and it's the fifth floor, and they show up there at 9 a.m. and start the process; is that correct?"

Ms. Dyer said, "Yes, that's right. And they can come in any time between 9 a.m. and 2 p.m. Our funds are very generous, but they are limited, and so because the filing fees are determined by per case, if people have multiple cases to be expunged, that's more money that will be taken. I don't want there to be a crush at 9 a.m., although I think there could be. I would advise people to arrive early. There may be waits. Since we have not done this before, there may be a wait, and I want people to understand that before they come that day."

Chairman Howell said, "Do you anticipate, if this is hugely popular and maybe we don't get to everybody because this is a one-day event, do you anticipate this happening again in the near future?"

Ms. Dyer said, "We're going to assess that after we're done on Friday. That has been in the back of our minds. It's very dependent on funding. It's very dependent on whether we can get all the resources together again another time and how often we would do it and where the project would live, whether its best place to live is with the [Wichita] Bar [Association] or perhaps another entity. We are going to ask some exit questions when we're done that will give us feedback on whether and how we might do this again in the future."

Chairman Howell said, "Of course, people can still do expungement efforts, but not as streamlined as this Friday."

Ms. Dyer said, "Absolutely. We have many lawyers in our bar association who are very good lawyers who can help with expungements for a reasonable fee. The forms are all online at the District Attorney's Office and at the City of Wichita and at other places. If those folks want to try to do it on their own, they can do that."

Chairman Howell said, "Do any other Commissioners have any other comments or questions? Ms. Dyer, thank you for being here. Marc Bennett, our District Attorney, thank you for coming up and explaining this to us. I really, really appreciate you taking the time to do that today."

Ms. Dyer said, "Thank you."

Chairman Howell said, "This is important stuff. We'd like to promote Sedgwick County opportunities wherever we can, and this was a great one. So thank you, thank you, thank you. Madam Clerk, we have more items, so next item, please."

Approved

NEW BUSINESS

B [16-0107](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON FEBRUARY 25, 2016.

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 February 25th resulted in eight items we would like to present to you this morning:

1. IBM FILENET MAINTENANCE AND SUPPORT FOR THE 18TH JUDICIAL DISTRICT COURT

"Recommendation is to accept the quote from International Business Machines Corporation (IBM) in the amount of \$70,818.94

2. BRIDGE IMPROVEMENTS FOR PUBLIC WORKS ON 71ST STREET SOUTH BETWEEN 247TH AND 263RD STREET WEST

"Recommendation is to accept the low bid from Klaver Construction Company, Inc. in the amount of \$270,688.85

3. BRIDGE IMPROVEMENTS FOR PUBLIC WORKS ON 103RD STREET SOUTH BETWEEN 295TH AND 311TH STREETS WEST

"Recommendation is to accept the low bid from Mies Construction Inc., in the amount of \$311,963.80

4. PRE-FABRICATED RESTROOM FACILITY AT SEDGWICK COUNTY PARK FOR FACILITIES DEPARTMENT

"Recommendation is to accept the low bid from UBC Precast Concrete Products in the amount of \$102,900.00.

5. COMMUNITY CRISIS CENTER FOR FACILITIES DEPARTMENT

"Recommendation is to accept the low bid with alternates from Van Asdale Construction in the amount of \$211,850.00

6. TENDER/PUMPER TRUCKS FOR SEDGWICK COUNTY FIRE DISTRICT NO. 1

"Recommendation is to accept the proposal from Pierce Manufacturing, Inc. in the amount of \$805,274.00

7. BUNKER PANTS AND COATS FOR SEDGWICK COUNTY FIRE DISTRICT NO. 1

"Recommendation is to accept the low responsive bid from Danko Emergency Equipment and establish contract pricing for one year, with two one year options to renew.

8. PUBLIC SAFETY UNIFORMS AND WEB-BASED ORDERING SYSTEM FOR VARIOUS COUNTY DEPARTMENTS

"Recommendation is to accept the proposals from Ed Roehr Safety Products (Ed Roehr) lines 303, 304, and 317, and Galls, LLC (Galls) for all remaining items and establish contract pricing for one year with two one year options to renew.

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

Chairman Howell said, "Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "Joe, item number six, the tender/pumper trucks, I know we're not accepting the lowest bid, it's about \$70,000 higher. I have some questions I'd like and get some more information on this. Is it possible to approve everything except this one and put this off for a while?"

Mr. Thomas said, "I would like to see if the fire department has no issues with the timing. I think there is a timing issue of having the pumpers ready by the end of the year."

Mr. Brian Richey, Captain, Sedgwick County Fire District No. 1, greeted the Commissioners and said, "To answer your question, we could delay it. We did put a December 31, 2016 time frame on this truck to be built, so any time we delay it, it delays the whole process. We could delay it, if that's what your wish is. It does have some effects on the delivery time, being delayed, yes. Are there any other questions? Thanks."

MOTION

Commissioner Ranzau moved to approve the report of the Board of Bids and Contracts, with the exception of Item 6, to be postponed until a later date.

Commissioner Unruh seconded the motion.

There was no further discussion and the vote was called.

VOTE

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

Chairman Howell said, "Commissioner Unruh."

Commissioner Unruh said, "Just a follow-up question on that last item. If it's anticipated that we might have this back for next week, can we know those answers so it doesn't delay the Fire District?"

Chairman Howell said, "We can try that. The agenda, of course, has to go out, I think, this Friday, probably, so I'm not sure that gives us enough time or not. I don't know. We can try to do that, if we can get the information quickly enough, we'll try to get it on next week's agenda. If not, it might be the week after."

Commissioner Unruh said, "Okay. I'm just trying to make sure we don't hinder the delivery."

Chairman Howell said, "I understand, and I agree. Thank you. Madam Clerk, next item, please."

CONSENT

- C** [16-0105](#) Approval of a renewal agreement with McConnell AFB TOP 3 for the Sedgwick County Adopt a Highway Program on Rock Road from Oak Knoll to 47th St. South. District 5.
- D** [16-0106](#) Approval of an agreement with McConnell AFB Route 56 for the Sedgwick County Adopt a Highway Program on 47th Street South from Rock Road to Greenwich. District 5.
- E** [16-0114](#) Request to Hire an Engineer at a Starting Salary Above the Minimum Pay Rate.
- F** [16-0094](#) Contract between South Central and COMCARE for funding to provide services at the Community Crisis Center.
- G** [16-0096](#) Agreement with Substance Abuse Center of Kansas (SACK) for Detox and Sobering Services Provided at the Community Crisis Center.
- H** [16-0089](#) A Resolution to Authorize the Destruction of Treasurer Tax Records (DISP 2016-245 TRS-Tax 2001-2012).
- I** [16-0090](#) A Resolution to Authorize the Destruction of Treasurer Tag Office Motor Vehicle Records (DISP 2016-246 TRS-Tag 2012).
- J** [16-0091](#) A Resolution to Authorize the Destruction of COMCARE Records (DISP 2016-247 HS-Comcare 2005-2010).
- K** [16-0092](#) A Resolution to Authorize the Destruction of Finance Accounting Records for the Period 1993-2012 (DISP 2016-248 Finance).
- L** [16-0093](#) A Resolution to Authorize the Destruction of Juvenile Intake and Assessment Center Records (DISP 2016-249 PS CORR-JIAC 2010).
- M** [16-0108](#) General Bill Check Register for February 17, 2016 - February 23, 2016.
- N** [16-0109](#) General Bill Check Register for February 24, 2016 - March 1, 2016.
- O** **16-0110** Payroll Check Register for the February 20, 2016 payroll certification.

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I recommend you approve the Consent Agenda items Charlie through Oscar."

MOTION

Commissioner Ranzau moved to approve the Consent Agenda.

Chairman Howell seconded the motion.

There was no further discussion and the vote was called.

VOTE

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

Chairman Howell said, "Commissioner Norton, you have a comment or question?"

Commissioner Norton said, "Well, I do. Any time that we are destroying documents, I like to make sure, even though they're on the Consent Agenda, that the public knows we have policies at hand and we follow them very stringently about authorizing the destruction of all kinds of records, from tax records to COMCARE and health records, but I think it's always appropriate to let the public know that we have a policy and we're following it."

Chairman Howell said, "That's a great comment. Thank you for that. Thank you for the reminder. Appreciate that. Madam Clerk, next item."

Adopt the Consent Agenda

PUBLIC AGENDA

Chairman Howell said, "Is anybody signed up to speak since earlier in the meeting? Lonny says thank you for the Clean Slate Day."

LEGISLATIVE ISSUES

Chairman Howell said, "We are at 'Legislative Issues' and there are a couple of things that we want to talk about this morning. Commissioner Ranzau."

Commissioner Ranzau said, "I just wanted to talk about Senate Bill 425. I think we've all gotten e-mails on this. This is a bill being sponsored, at least in part, by the Kansas Natural Resource Coalition which we're a member of, with respect to conservation. It gives county commissions some say in the matter to perform increased local control over this issue, and we're having continued hearings I think today and possibly a vote next weekend. So I would like to just discuss this and see if the Commissioners are supportive of this idea and be willing to provide testimony in support of this issue. I personally am."

Chairman Howell said, "Let me just speak up and say, I think this is a good bill, and I would like to see the County Commission provide supportive testimony, and I would be glad to entertain a motion in that regard. Commissioner Peterjohn."

Commissioner Peterjohn thanked the Chairman and said, "I have been under the impression that with the legislative schedule, that this was not likely to move or get consideration very quickly. If that's not the case, I'm certainly willing to consider it today. I wanted to get some information and maybe Jon can help me in this regard in terms of, when we talk about a conservation easement, part of the statute seems to say, shall be limited in duration to the lifetime of the grantor and may be revoked at the grantor's request. Is that the case under current law? Or are there any limitations on the duration of a conservation easement under both the current statute and what's proposed here, please?"

Mr. VonAchen said, "The current status of the law is that at the time of a transfer, conservation easement can be granted. The grantor in that transaction, unless they put a limitation regarding time in there, the easement will last for the lifetime of the grantor unless the grantor revokes. So that's the current status of the law.

"What Senate Bill 425 would do, is it would allow County Commissioners to set restrictions on these conservation easements. And when we're talking conservation easements, we can be talking an entire parcel of land or parts of a parcel of land itself. Structures are eligible for conservation easement. I believe the Kearney Library in Lawrence is under a conservation easement. The Prairie Fire Development in Overland Park had a conservation easement attached to it where the developer is required to maintain certain wetlands and bike paths. Those items are out there. I haven't looked specifically into the length of those, whether or not they're limited by the document themselves or whether it's simply from the grantor, but the bill would allow county commissioners to set guidelines.

"When we're talking about easements, easements will survive subsequent transfer. So for example, you can have an easement that is granted by someone who is very young, and the land can transfer several times, but the easement will remain under the current law. So there can be some encumbrances as to usage and value for the land. It's not really a problem between the two parties that originally discussed the conservation easement, but it can be a hindrance to any subsequent party who either wants to develop the land or sell it because it's diminished in value because of the easement itself. So this bill would allow the county commission to set guidelines if they so choose, and it's an optional thing. You don't have to do it. But it will allow you to sit guidelines and say we are going to put limitations on conservation easements as to time, as to transference of the property subsequent to the original granting. There's a number of things you'll be allowed to do under the bill."

Chairman Howell said, "Thank you, Commissioner. That was a good explanation. Thank you, Jon."

MOTION

Commissioner Ranzau moved that Sedgwick County take the position in support of the principles within Senate Bill 425 and authorize the Chairman or his designee and legal staff to provide testimony supportive of this bill or any other bill that deals with this issue, in this regard.

Chairman Howell said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "I wanted to get into some discussion on it, because a question may come up, in terms of how this is popping up and where it's a concern. My understanding is that there are a number of places in the state where these easements have gotten involved in broader issues in terms of land control and land use, and also in terms of impacting the tax base. I don't think that the tax base issue in particular would be an issue here, but I could see the other items being a question and a concern, particularly if we get into a situation. I think this Commission has talked a number of times about animal-related issues and whether it's a spotted skunk, long haired bats, various minnows in the stream, all the rest of Marlin Perkins' Wild Kingdom. That's been a concern because my understanding is that, for instance, a parcel of land can be created as a wildlife habitat, but of course, the wildlife don't obey property lines, and when they wander off, they can impact neighboring properties and impact their ability to control and use their property if whatever the creature happens to be decides to take up residence outside the designated conservation easement area that was established. So unfortunately, this

is an issue where there is a great deal of complications because of the biological realities that are out there. So I do plan to be supportive of taking this position today."

Chairman Howell said, "Very good."

Chairman Howell seconded the motion.

Chairman Howell said, "Let me go ahead and just also say, I checked on the legislation this morning. It looks to me like the Senate National Resources Committee had planned a hearing this morning at 8:30. I assume that's happening now or may be just wrapping up. It looks to me like there is intent in the Senate to move this bill forward. It's not an exempt bill. So they'll have to touch the committee at some point to get blessed to move forward, but I think that if the Senate has the intention to move this bill forward, they'll find a way to make that happen. So we have a motion and a second. Any other discussion? Commissioner Ranzau."

Commissioner Ranzau said, "I just wanted reiterate. This bill does not require counties to regulate conservation easements. It just allows them the option to have some say and have a bit of local control. Some of our colleagues and friends out west that had some issues with this, they provided testimony to that effect, and I think we want to be good partners with them and support them and allow commissioners who understand the issues and the land use issues in their county to have some say on these particular issues, and so I just wanted to clarify and make sure everybody knows this does not require counties to do anything. It just gives them the option to have a say as things move forward, and I'm supportive of that."

Chairman Howell said, "Commissioner Norton."

Commissioner Norton said, "Based on the motion that was made, I can support the language that's in the bill right now, but I think the motion said that we support anything else that came up that's similar. I'm just afraid if something is added on here and the way things go right now with gut and goes, and everything else they do that we might end up with some language that I don't find acceptable. So I would certainly be in support of the language that's in here right now, but to give it kind of a carpet okay, which came in the motion, I believe, I can't go with that."

Chairman Howell said, "Let me speak to that. The intent is to support the principles within this bill. The legislative process, if anybody has ever been up there and watch what happens, these provisions will switch bill numbers. They'll insert these as amendments to other bills. The principles are what we need to provide support to, because the bill numbers are very dynamic at this point in the legislature, and the exact language may be tweaked in minor ways that doesn't substantially change the principles of the bill."

"Some organizations want to be very, very careful and read the exact language and provide support to exact language and then when something changes minorly within those provisions, they want to have the chance to go back and review those, and subsequently vote to provide support testimony each time the bill makes a little change. The problem with that is, this legislative process is very dynamic. We only meet once a week generally to discuss these types of items. We do have our staff meetings Monday mornings to discuss these as well. I guess the intent is, because the process is so dynamic in Topeka we'd like to have the latitude to provide support to the provisions, the ideology within the bill rather than the exact language or the exact bill number. Commissioner Ranzau."

Commissioner Ranzau said, "I just want to reiterate what the Chairman said. In the

last several weeks, we've been talking about legislative issues. We've tried to avoid specifically stating supporting a specific bill so that we can give the Chairman and our legal counsel flexibility to meet the changes as we move forward. That being said, if there are changes to a bill to this or any other issue we have that substantially changes what we do, I would expect the Chairman or legal council to bring that to our attention. I don't want to tie their hands and make it more difficult for them to provide testimony should the bill change and morph. There are a lot of moving parts and we need to be able to move quickly. I think this is consistent with what we've done with past bills over the last several weeks."

Chairman Howell said, "Good comment. Seeing no other discussion, please call the vote."

VOTE

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

Chairman Howell said, "We are still on 'Legislative Issues', and just a point I wanted to give a little update. Senate Bill (SB) 316, known as the Tax Lid, I guess is having a hearing next Tuesday and Wednesday for SB 316, and then the sister bill was introduced by KAC (Kansas Association of Counties) and we'll have a hearing on the 10th and 11th, I believe next week. Is that right?"

Mr. VonAchen said, "I believe, and then as it was relayed to me, it wasn't placed on the calendar because the information was provided that actually Senate Bill 316 was going to be two days' worth of hearings today and tomorrow with a day for proponents and a day for opponents. We did provide, the county provided an amendment to that bill to make an election possible under Senate Bill 316. The House Bill, the sister bill from KAC, you know, does change some of the fundamentals. It would make the election subject to opt out under home rule. It would be an election by petition rather than an automatic election. That does create some problems as far as actually conducting an election as well.

"It's not quite as easy to fix that problem as it was the Senate Bill 316 problem, because you've got to figure out, timing-wise, when a petition would occur. You've got to give enough notice to the County Clerk and to the Election Commissioner regarding the election, if it's to be held. But those are the two bills that are being heard. I'll expect movement on one or the other moving forward, one or the other getting out of the house of origin probably either the end of next week or first part of the week after."

Chairman Howell said, "Do you recall the Bill number for the KAC Bill? Is it 2609?"

Mr. VonAchen said, "I believe that is the correct Bill. Let me double-check here."

Chairman Howell said, "It's interesting we have a Senate Bill and a House Bill that are being put together, I guess, in the same committee room at the same time. So it's a little different than usual."

Mr. VonAchen said, "It is unusual, and I know that there's going to be some movement on this concept. It's not going to remain as it currently is. The question is, we don't know exactly what it's going to look like at the end of the session. It's going

to be something different."

Chairman Howell said, "Did you say you believe those hearings are happening today and tomorrow?"

Mr. VonAchen said, "I believe the Senate Bill 316 hearings were scheduled for today and tomorrow and the House Bill rescheduled for next week. It was unusual because the Legislature has been off for a week and it was not on the calendar when they left. There were certain items added to the calendar in the interim, which actually showed up that they happened today even though they were listed as happening three or four days ago, which I guess they have a time machine in Topeka."

Chairman Howell said, "I probably am wrong on this, but I'll just say I received an e-mail blast last night from I think the KAC or someone. But when I read it, as I remember, they have two meetings scheduled and I heard the first one was for SB 316, for the 9th and the 10th. Proponents first on the 9th and opponents on the 10th, and then following up with that in the afternoon would be another hearing I think in the House. Actually two different committees, and the proponents on the 10th and opponents on the 11th. That's what I remembered from yesterday."

Mr. VonAchen said, "That's more information than I have. There was a KAC e-mail that went out at the end of last week that kind of indicated that the hearings were going to happen this week, but they hadn't made any changes to the calendar that they are going to make today. I am sure when I review all of that, there will be information out to the County and to the Commissioners about the remainder of the schedule, as well as the schedule for next week."

Chairman Howell said, "Commissioner Unruh."

Commissioner Unruh thanked the Chairman and said, "Just for clarification, that House Bill is 2609, and it is a hearing on the 9th and 10th. That's the bill that both the League of Kansas Municipalities and the Kansas Association of Counties support, contrary to Sedgwick County positions."

Chairman Howell said, "To be clear, our position on Senate Bill 316, we're going to provide an amendment that creates an opportunity for election. It really is a repair to the language that was passed last year that really prevents an election from happening because our current deadlines just don't have that time in the calendar for that to happen. So we're creating a window of opportunity for an election to happen so that the immediate fiscal year, the January following that vote would be able to be impacted by any election that would happen rather than a whole year later, as it would be right now."

"So I believe we have an amendment that solves that problem and seems to have some support from the realtors and from the Senator that created the bill in the first place. So I think this is likely to have some support in Topeka. We'll have to see what happens. Is there anything else, 'Legislative Issues', that anybody wants to bring up this morning? Did you have anything else that you wanted to raise this morning?"

Mr. VonAchen said, "I know I got an inquiry from the Sheriff's Department regarding Senate Bill 403, which really as I reviewed it would not have county impact. It would affect the cities that have a large portion of revenues from municipal courts through traffic infractions. That would tend to affect the smaller cities than it would the larger ones. For example, the City of Wichita, they would essentially have to be running traffic court 24/7 to be able to hit that number. But a smaller community, if they did what I would call active enforcement, could potentially hit the number. The problem

that the bill does create as it sits right now is that even though we don't have infractions through county court, and it specifically addresses infractions that are done through municipal code, not through state statute, all the stuff that runs through district court is by state statute. That even though we don't have any revenue that fits under that, that finance would potentially have to report that to the state, subject to regulations from the Secretary of Revenue. So I'm going to keep an eye on that, and then also if it progresses forward, maybe at that point we'll discuss engaging the Secretary of Revenue for the municipalities where it's not going to affect, for example in County Court, we don't do traffic infractions, but we shouldn't also have to report every year that we don't do traffic infractions. It's another burden on the Finance Department to have to generate another report to the state for something that we don't do."

Chairman Howell said, "Is that a bill that's an exempt committee? Do you know?"

Mr. VonAchen said, "It's in Senate Ways and Means, and it is being heard today at 10:30 a.m."

Chairman Howell said, "Very good. Any other 'Legislative Issues' from anyone? Seeing none, Madam Clerk, next item, please."

OTHER

Chairman Howell said, "Commissioners have anything for other today? Commissioner Peterjohn."

Commissioner Peterjohn thanked the Chairman and said, "Obviously a lot of attention going on in terms of states that are involved in the process of selecting delegates to the two major party presidential conventions, and we're going to have caucuses here in Kansas, Saturday, and for the Republicans and Democrats who are hearing my voice and registered to vote, a huge opportunity to go forward and participate."

"Mr. Chairman, I would be remiss if I didn't point out that March 2nd was an important date in American history for two areas that are actually, I think, very important for those who love liberty and what's right."

"First, obviously, the stain on the original founding of this country, of course, goes back to the colonization times with slavery, and the second is aviation. I'd like to point out that on March 2nd, 1793, one of the most important Americans was born on this date, Sam Houston. An interesting connection in that approximately 43 years later in 1836 on this date, March 2nd, the Republic of Texas declared its independence from Mexico, and Sam Houston played a critical, crucial role at that point. Houston was born in Virginia, but ended up becoming Governor of Tennessee before he ended up out in Texas and became the Chief General in the Texas Army that defeated Santa Ana, one of the most important battles that ever occurred in this country, the Battle of San Jacinto. Worked very hard to get Texas admitted into the union. It's interesting."

"Sam Houston's finest hour, so to speak, came at the very end of his life when he was the Governor of Texas and it was the battle between to secede or not came to Texas. Houston was strongly opposed to a secession and literally was threatened by an armed man. At this point, Houston is 68 years old. Houston did not back down, he never backed down in any way, shape, or form. When Texas legislators demanded that then Governor Houston swear loyalty to the confederacy, Houston said, 'in the name of my own conscience and manhood, I refuse to take this oath', and in doing so, he knew this ended his public career. He had supporters who were offering to take up arms to fight control of the Statehouse in Texas at that time. Houston turned

them down, and he retired brokenhearted and died in 1863 during the Middle of the Civil War.

"Also on this date, March 2nd very important on the aviation side. On this date in 1949, a B-50 Superfortress named the Lucky Lady II, became the first plane to fly nonstop around the world, refueling four times, in the air, along the way.

"Mr. Chairman, I wanted to point out that March 2nd is an important date in American history and get that on the record."

Chairman Howell said, "Thank you, Commissioner. I just wanted to add a few comments regarding the atrocious acts that happened in Hesston last week. I wanted to highlight that Sedgwick County did provide some services to the incident there, and I wanted to praise our service providers and our first responders that were involved in dealing with the aftermath of what happened in Hesston. It is, in my opinion, a horrific event that happened.

"I would like to point out that the County Commissioners, most of us, I believe, visited Excel Industries' plant just about 75 days ago at a county meeting that we had there. We were able to see the manufacturing plant and meet some of the employees there and the tremendous facility, awesome employees, tremendous management and owners and folks there that are just really great people. We were very impressed with the entire facility and all the things they did there.

"It was an atrocious act that happened last week, and I just wanted to give our condolences to the victims and I guess highlight the fact that we, as Sedgwick County, were able to provide many support services and actually are continuing to do so, but I really wanted to highlight the first responders that were there. I guess, Manager, you are aware we had one employee that, I guess, had a unique opportunity there that day. Do you mind just sharing that with me real quickly, reminding me what you know."

Mr. Scholes said "We had one of our EMS personnel, a paramedic, who was coming to work and just happened to be driving by the plant, and he saw people running out of the plant, and he knew something was wrong. So he went in there and actually saw some of the wounded coming out of the building, and he started triaging right there in the parking lot while the shooting was still occurring. So he did have a direct effect on that."

Chairman Howell said, "Just happened to be in the right place at the right time to provide that help. I'm grateful for that employee who did that. I'd like to maybe learn a little bit more about that later on. We also had, of course, our EMS provide ambulances to the scene. We had people from the Incident Management Team that were there helping, and we also, of course, our Regional Forensic Science Center is providing investigative work there to figure out exactly everything they can regarding the incident itself. So there's a tremendous connection there from the Forensic Science Center and the things they provided as well. And of course, we have COMCARE providing mental health services support teams to the employees and the victims. So I just wanted to say I'm thankful to our county, our services that we provide, that we have been involved.

"I guess just a final comment, you know, I'm very concerned about organizations that have large numbers of the employees that have not implemented adequate security measures, and it continues to be an attractive thing to perpetrators to find large numbers of people that are defenseless. This person going into this plant, there's thousands of employees in this building, and I'm very grateful to the police officer that

was very aggressive, went in after the perpetrator to stop the violence. He is a true hero in my mind.

"The violence could have been much worse. The number of victims could have been much higher. But this law enforcement officer did a tremendous thing by going in after the perpetrator and to stop the violence. He did what he needed to do. He is a true hero. Having said that, every organization needs to plan ahead on safety, to implement safety measures and plan for things like this. Gun-free zones are very attractive to perpetrators who want to commit this type of violence.

"Sedgwick County is leaning forward and we have been doing this for a while, working on developing safety strategies for our employees and our organizations, throughout county. Thank you, to Managers Scholes, for thinking ahead and providing this training opportunity for our employees. We like to make sure we remain safe. That's really enough discussion about that. I just wanted to highlight the fact that we were involved and are involved and send our condolences to the victims especially there in Hesston. Commissioner Ranzau, do you have some comments?"

Commissioner Ranzau thanked the Chairman and said, "I want to talk a little bit about the county's efforts to improve our messaging. There's been some discussion recently. I want to say I wholeheartedly support the Chairman's efforts to improve our messaging, to get the word out about the good things we're doing here at Sedgwick County. Unfortunately, not everyone in the community is on board with getting that out. All the more reason why we need to speak out, I believe, and do a better job.

"Specifically, I know the Eagle Editorial Board had an editorial a few weeks ago I'd like to address, because you know I think that came out on a Thursday. The next day, on Friday, I went to Park City, as I do almost every Friday and met with some constituents there at Leeker's, and this issue come up about the editorial. The people told me, well, the [Wichita] Eagle is at it again, they're criticizing you. That must mean that you're doing something right. Keep it up. Don't back down. And so I'm going to encourage the Editorial Board to come down out of their ivory tower and meet some of those people, because I believe the Editorial Board is out of touch with a large segment of this community.

"That's okay. They're entitled to their opinion. I think the majority of people in this community, we don't have an image problem. We do have a messaging problem. We've done a lot of great things over the last a little over a year. Some of them don't even get reported at all. Two weeks ago, we had an agreement with the [Kansas Department of] Wildlife and Parks, first in the state, to help reduce regulatory burdens for our Public Works there. I don't believe I've seen a single media report on that.

"The County Commission does something good, and it doesn't get reported. Other things that we do get distorted and misreported. Many of the budget things from last year were misreported. The Editorial Board eludes to Health Department decisions, the recall against me, based on a false notion that we cut WIC, which didn't happen. That's biased on media reporting, I think.

"We can agree to disagree on a lot of issues, but I think we all want to move this community forward. I believe our community deserves a government that is effective, efficient and accountable, and that's what I try to provide them. I also think they're entitled to the truth. I hope we can at least agree that the truth is important. We shouldn't be afraid of the truth and the facts, Commissioners or media outlets. Don't be afraid of the truth to, report the truth. One of the things they're particularly concerned about is how we as Commissioners speak up for the people. They don't like it that we talk about local issues, national issues, international issues that affect

our community. They want us to be quiet, which I think is very troubling for a newspaper to try to silence speech, speech of elected representatives who represent the people.

"While I understand that not everyone agrees with everyone's belief, I've been elected twice. Commissioner Peterjohn has been elected twice. Commissioner Howell has been elected once here, twice in the state Legislature. Somebody agrees with what we're saying. We have an obligation to speak for the people, and if we want to speak to issues in this building or elsewhere, that's our responsibility. And for the Editorial Board to try to silence that speech, it's incomprehensible, it's indefensible. Commissioner Peterjohn warned the community about the threat of terrorism, and he's called a racist by the Editorial Board, and they don't want us talking about a variety of issues that affect our community.

"I, for one, am not going to be silent. That's why we have a messaging problem, because not everyone in the community is on board with getting the truth out. We're going to continue to work hard on behalf of this community. We're going to work on improving our messaging, because you know when we get out there and we talk to the people and we say, this is what's happening, I can't tell you how many times people say, well, why didn't I hear that on the news?

"You know, we have a messaging problem. We understand that. We're going to do better. We're not going to be silent. We're going to continue to speak up and do good things. We work very, very, very hard here to gather facts and data and to make good decisions, and we've made some tremendous decisions. We have a lot of projects that are moving forward and getting done, and you're going to see the culmination of a lot of hard work here within this year. It's been going on for a while. And I appreciate all my colleagues. If they want to speak up during this, whether I agree with them or not, I encourage everybody to speak, and I would never tell anyone to be silent or to not say what they think they need to say on behalf of their constituents.

"Beyond that, I would challenge those and all media sources to at least be willing to commit to the truth. Don't be afraid to report the truth. I also know that it's not always the reporter's fault. We have editors and producers who take stories and change them. We have reporters who come out and ask us questions and we try to give them the truth, and they basically say, I was told by my producer to take this angle. I'm sorry. Sometimes decisions are made back at the station or back at the newspaper that change the stories and leave things out. We all have our positions and our ideology, and that's fine. Let's not be afraid of the truth and be afraid of the facts, and let's at least agree on this, that our community deserves the truth, because you can't have an honest dialogue or debate about anything if you try to silence the truth. That's all I have to say, Mr. Chairman. Thank you."

Chairman Howell said, "Thank you for your comments, Commissioner. Commissioner Peterjohn."

Commissioner Peterjohn thanked the Chairman and said, "I hadn't planned to expand my remarks but I'm in agreement with Commissioner Ranzau's comments. I wanted to point out a couple things that I think would expand his remarks. It was interesting. We had some criticism of this Commission because supposedly we were uncomfortable with the use of the word breast, and some members of the media highlighted the fact that when we had that discussion quite a while back, but I thought it was quite interesting that just a few weeks ago we had a member of the public come in here and speak to us during the public agenda and give a rather, in any view, horrific discussion about female genital mutilation, and I was interested to see

the news coverage that would follow from those remarks and was rather surprised at the lack of coverage from a variety of media outlets. So I think it follows and expands upon the remark of Commissioner Ranzau this morning, and I would only add one quote that I think is very important. The author of 1984, Animal Farm, George Orwell, had a comment once saying, 'in a time of universal deceit-telling the truth is a revolutionary act.' I may be paraphrasing this just a little bit. But I think in the times that we live, the solution, in terms of issues, I think that we need more speech, not less, and I'm glad we in the legislative process up in Topeka, as messy as it is, there are a lot of people up there talking, and whether they're for or against whatever issue of the day happens to be. The solution to a lot of our problems, we need more speech and more public discussion and I'm glad to have a little bit of it today. Thank you, Mr. Chairman."

Chairman Howell said, "Thank you, Commissioner. Again, we've been very active in talking about legislation this year, so I think this may be a change for the County Commission to have so much discussion about legislation in Topeka, but I think it's important because there are a lot of issues that will impact the county and actually impact our constituents in the state of Kansas, and so we need to be engaged wherever we can and wherever makes sense."

"With respect to Commissioner Ranzau's comments earlier, I would just highlight once again that the county is actually creating what they call a Public Information Office, a renewed effort to communicate in a more effective way. So in that line, we're going to see a stepping up to do a lot more things with communication, enhanced greater than ever. I'm looking forward to seeing things the Public Information Office will help us to get our communication, our messages out to this community. That will be part of the effort to do that to be our newsletters, which are still being developed, trying to find a way to communicate more effectively and regularly with people who are interested in hearing from the county as well it's a having some evening meetings and actually rub elbows with our constituents in the evening around the county. Those ideas are still being developed and will be coming up very quickly."

"I just wanted to just remind the audience and remind ourselves that we are doing some things to really try and get our messages out. Any other comments for Commissioners on other today? Seeing none, Madam Clerk, next item please."

EXECUTIVE SESSION

Chairman Howell said, "Commissioner Ranzau."

Commissioner Ranzau said, "Yes. Is this correct, 60 minutes?"

Mr. Yost said, "You can make it 45 minutes, but I'm not sure we can get everything accomplished in that time frame."

Commissioner Ranzau said, "No, that's okay. I just wanted to make sure."

MOTION

Commissioner Ranzau moved that the Board of County Commissioners recess into executive session for 60 minutes to consider consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship, and that the Board of County Commissioners return to this room from Executive Session no sooner than 11:15 a.m. The Executive Session is required to protect attorney-client privilege, and the public interest."

Chairman Howell seconded the motion.

There was no further discussion and the vote was called.

VOTE

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

The Board of County Commissioners recessed into Executive Session from 10:13 a.m. until 11:35 a.m.

Chairman Howell said, "We are back from Executive Session. No binding action was taken. Anything more from the Commissioners today? Mr. Manager is there anything else to come before the Board?"

Mr. Scholes said "Nothing else."

ADJOURNMENT

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

**BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS**

*JAMES M. 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:
