

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, April 6, 2016

9:00 AM

BOCC Meeting Room

### **Board of Sedgwick County Commissioners**

*Pursuant to Resolution #007-2016, adopted by the Board of County Commissioners on January 20, 2016, members of the public are allowed to address the County Commission for a period of time limited to not more than five minutes or such time limits as may become necessary.*

*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 Crissy Magee, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203. Phone: 316-660-7056, TDD: Kansas Relay at 711 or 800-766-3777*

*Email: [Crissy.Magee@sedgwick.gov](mailto:Crissy.Magee@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 9:13 a.m. on April 6, 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. Ron Holt, Acting County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Dale Miller, Metropolitan Area Planning Department; Mr. Zach Simon, Agriculture Agent, Extension Office; Mr. Chris Chronis, Chief Financial Officer; Mr. Justin Waggoner, Assistant County Counselor; Mr. Joe Thomas, Purchasing; Ms. Kate Flavin, Communications; and Ms. Erika Hills, Deputy County Clerk.*

#### **GUESTS**

*Ms. Sara Green, 3416 East Pine, Wichita  
Ms. Becky Tuttle, Health ICT & Medical Society of Sedgwick County  
Ms. Carolyn Gaughan, Executive Director, Kansas Academy of Family Physicians  
Ms. Jennifer Thompson, Executive Director, Wichita American Heart Association  
Mr. Randal Hubert, Garden Plain Planning Commission  
Mr. Kent Winter, 7359 North 215th Street West, Wichita  
Ms. Shelley Hammond, Allen, Gibbs & Houlik, L.C.*

### **INVOCATION: Sean McCouskey, The Seed Church.**

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES**

- A**     [16-173](#)     REGULAR MEETING MINUTES OF FEBRUARY 3, 2016.  
Commissioner Norton was absent.

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

#### **MOTION**

*Commissioner Peterjohn moved to adopt the regular meetings February 3rd, February 10th, and February 17th, 2016.*

*Commissioner Unruh seconded the motion.*

*There was no further discussion and the vote was called.*

#### **VOTE**

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

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

- B**     [16-174](#)     REGULAR MEETING MINUTES OF FEBRUARY 10, 2016.  
Commissioner Norton was absent.

*Action for Item B was taken with Item A.*

- C**     [16-159](#)     REGULAR MEETING MINUTES OF FEBRUARY 17, 2016.  
Commissioner Norton was absent.

*Action for Item C was taken with Item A.*

**Approved**

- D**     [16-158](#)     REGULAR MEETING MINUTES OF MARCH 2, 2016.  
All Commissioners were present.

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

**MOTION**

*Commissioner Ranzau moved to approve the Regular Meeting Minutes of March 2, 2016.*

*Commissioner Peterjohn 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, "Alright, moving right along. Next item, please."*

**Approved**

## **NEW BUSINESS**

- E**     [16-202](#)     RESOLUTION TO ESTABLISH A GENERAL PROCLAMATION  
POLICY.  
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Approve the resolution.

*Mr. Chairman, Eric Yost, County Counselor, greeted the Commissioners and said, "Commissioners had asked the Manager and the Counselor to develop a written policy related to citizens or groups seeking Proclamations from us, and this sets out the criteria for obtaining a Proclamation. It also sets out the steps for obtaining that is pretty cut and dried.*

*"There's certain people who are qualified obviously for that. And these requests will be considered liberally. These Proclamations, once they are adopted are honorary, not legally binding, of course, the folks who are asking for the Proclamation need to submit that to us, they have to have a brief description in their request as to the event cause to be recognized, reasons for the Proclamation, and a call to action explaining how Sedgwick County citizens can support an event or an issue.*

*"Generally speaking the request needs to be made about three weeks in advance of when they want the Proclamation adopted. The request will be vetted by county staff, and they will be informed then if their Proclamation has been placed on the agenda. And they can either be here in person to receive it, or not. And it is up to the Chairman to decide who should read the Proclamation at the meeting. And of course the requesters, they communicate this to the County Manager's office, who do that early vetting, then the manager will have a system worked out with Commissioners, asking you whether or not something should be placed on the agenda."*

*Chairman Howell said, "Thank you for the explanation, Mr. Counselor. I also say thank you for the research you've done. I want to say we've looked at a number of governing bodies, and Proclamations are done lots of different ways. There is no standard out there. But Sedgwick County has never adopted an official policy regarding Proclamations, so this is just, I guess, formalizing what we do. I think we want to celebrate things in the community, things that are important to the Commissioners as well. And this lays out that process, whereby things get on the agenda. This is a really mostly administrative, trying to get things documented on our processes and procedures. Commissioners, do you have any questions regarding what we are doing here? Any comments? Commissioner Ranzau."*

#### **MOTION**

*Commissioner Ranzau moved to approve the resolution.*

*Commissioner Unruh seconded the motion.*

*Chairman Howell said, "We have a motion and second. I would ask the members in the audience, does anybody want to speak to this item before we take any formal action?"*

*Ms. Sarah Green, 3416 East Pine, Wichita, greeted the Commissioners and said, "I have one question about a line in the policy that deals with the majority of county residents, using that as some sort of yard stick to decide whether a Proclamation should be read? I just had a question about that. Thank you. I didn't bring it with me, but there was a line in there that said something about issues of relevance or interest to the majority of county residents."*

*Mr. Yost said, "I think the very first bullet point under who would be eligible to receive it states that the Commission will consider requests are timely, have potential relevance to the majority of the County's population, and either forward positive messages or call upon the support of the community. I think that's what she's referring to. It is general language. I assume that any Proclamation we would want to adopt would be something that would impactful to the people of this community."*

*Chairman Howell said, "I guess just the thought behind that, there are potentially some things that are very, maybe city centric type of topic that would be appropriate for one of our cities to adopt a Proclamation that maybe is really not something that the entire county would have knowledge of or an interest this. Really I think just in the judgment of the Commissioners if the item, I guess, fits these criteria, then we ought to hopefully support that. But this gives us some ability to, I guess, be more objective in saying this is something that really is not a county issue, it's really more of a small city, small city or city centric type of issue.*

*"So just a guideline. It is not a hard rule. I think this helps us develop, I guess, reasons as to why we might support or not support a Proclamation request. So it is not intended to be negative comment, simply saying Proclamations really ought to have county relevance, hopefully. Because we are the governing board of the county, we have got to make sure things we do here have relevance to people who live here and we serve.*

*"Any other members of the audience like to address the Commission on this agenda item? I see none. Back to the Board, any further comments or questions? All right. Seeing none, Madam Clerk, we have a motion and second. Please call the vote."*

VOTE

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

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

**Approved**

**PROCLAMATIONS**

**F     [16-153](#)**

**PROCLAMATION DECLARING NATIONAL PUBLIC HEALTH WEEK.**  
**Read by: Chairman Jim Howell or his designee.**

**RECOMMENDED ACTION: Adopt the proclamation.**

*Chairman Howell said, "Commissioners, I do have a Proclamation I would like to read. Becky Tuttle? You are here, very good. In just a moment I will ask you to speak, probably about a minute, to let us know your perspective on this. Let me read the Proclamation first.*

**PROCLAMATION**

*WHEREAS, during the first full week in April each year, the American Public Health Association brings together communities across the US to observe National Public Health Week; and*

*WHEREAS, this year's theme "Healthiest Nation 2030" encourages public health professionals, health care providers, decision makers and residents to partner together to spur the community to make the healthy choice the default; and*

*WHEREAS, National Public Health Week provides community members with an*

*excellent opportunity to make small changes that will have big impacts in their health;  
and*

*WHEREAS, communities can support behavior changes by creating environments  
that make healthy choices the easy choice through improved access to physical  
activity programs, fresh fruits and vegetables, healthcare and health education; and*

*WHEREAS, every day, public health professionals work tirelessly to reinforce these  
messages and do their part to influence change; and*

*WHEREAS, one of the Sedgwick County Health Department's public health  
champions, Dr. Doren Fredrickson, passed away in 2008 after dedicating his life to  
improving the health of the Sedgwick County community; and*

*WHEREAS, his legacy and that of many other public health champions, such as  
Carolyn Gaughan are commemorated through the Doren Fredrickson Lifetime  
Commitment to Public Health Award.*

*NOW, THEREFORE BE IT RESOLVED that I, Jim Howell, Chairman of the Board of  
Sedgwick County Commissioners, do hereby proclaim April 4-10, 2016 as*

*National Public Health Week*

*In Sedgwick County and I call this observance to the attention of all our citizens.*

*"What is the will of the Board?"*

**MOTION**

*Commissioner Unruh moved to adopt the Proclamation.*

*Commissioner Peterjohn seconded the motion.*

*There was no further discussion and a voice vote was called.*

**VOICE VOTE**

*After the voice vote was called, Chairman Howell announced the adoption of the  
Proclamation.*

*"Congratulations. Becky, I would like to ask you to speak for about a minute, if  
possible."*

*Ms. Becky Tuttle, Health ICT & Medical Society of Sedgwick County, greeted the  
Commissioners and said, "It is an honor to accept this Proclamation for National  
Public Health Week. Also to take this unique opportunity to present this year's Doren  
Frederickson Lifetime Commitment to Public Health Award.*

*"The individual is chosen that has shown a lifetime commitment to public health and  
has contributed to major achievements in the area of public health research,  
education and healthcare, and this year's recipient is Carolyn Gaughn.*

*"I want to just read a few words about Carolyn and let her say a few words. Carolyn  
has had an illustrious 34-year career, serving as Executive Director of the Kansas  
Academy of Family Physicians (KAFF), she has led the academy members and  
community partners during initiatives that both challenged the status quo and*

*advanced the mission to promote access to and excellence in healthcare for all Kansans through education and advocacy for family physicians and their patients.*

*"She's been passionate about tobacco control in our community, and also at the state level. She has made sure that academy members have been active in tobacco prevention for their patients. She has been a member of the Tobacco-Free Wichita Coalition since 2003, and she was honored with the Kansas Public Health Association Virginia Lockhart Health Education Award in recognition of her outstanding work in tobacco control in Kansas. She led the charge when the City of Wichita wanted to adopt a clean indoor air ordinance, and also helped with the state indoor clean air act that was adopted in 2010.*

*"She has also been a passionate advocate for immunizations and part of the Immunize Kansas Kids steering committee since 2016, whose goal is to protect kids from vaccine preventable diseases. Following her appointment, she was asked to be a consultant and subject matter expert for immunization related studies regarding primary care physicians for the Kansas Health Foundation-funded research project, completed by the Kansas Health Institute. The purpose of the study was to identify barriers to improving the state's immunization rate, and then developed an action plan to oversee the barriers in a unique and sustainable way.*

*"Her accolades are vast. We could speak for hours, but we will try and keep it brief. She has also been honored by Wichita Business Journal as a Healthcare Hero in 2012. Most recently, she led the charge for the Kansas Academy of Family Physicians to develop a public health ad hoc committee to help inform and engage family physicians and public health efforts, including local and state legislation to improve the health of all residents and increase access to healthcare.*

*"Congratulations Carolyn, you are truly deserving of this honor."*

*Ms. Carolyn Gaughan, Executive Director, Kansas Academy of Family Physicians, greeted the Commissioners and said, "Thank you so much for this honor. I am truly humbled, and honored to be selected. I would like to recognize my special guest, my husband, Pat, my parents, Bruce and Kay Cline, my sister with the camera over there, and many friends and public health people involved here in the audience today.*

*"As Becky mentioned, our organization is a membership association which represents the family physicians of the State of Kansas. We have about 1,650 spread across the entire state. You are probably more interested in how many are here in Sedgwick County, I am going to guess. There are 483 in this county, including active practicing members and students at KU School of Medicine and residents at both Via Christi and Wesley Family Medicine Program. I am in my 27th year as Executive Director of this great organization. I sincerely hope sometime soon I should know what I am supposed to be doing. It is unusual for a statewide association to be based in Wichita. Our board feels it is appropriate for us to be here, it is the home of family medicine in the State of Kansas here in Sedgwick County, because of our strong department of family and community medicine at KU Wichita and the residency programs that I mentioned earlier.*

*"It works well for me, as well. Pat and I have lived here over 40 years. He's been a business owner and we have raised our daughter here. So this award is one that I would like to share with our KAFP team. I respectfully point to the work of our physician leaders, my staff members and others who are all equally deserving. They just might have been at it as long as I have.*

*"The word lifetime in this award is a little bit intimidating, I'll just share with you. Let's talk about a lifetime for a moment. Did you know that in the year 1900 a man's average life expectancy was only 46.3 years? And a woman's, while better, was still only 48.3 years? And yet by the year 2012, a man's average life expectancy is 76.4 years. And 81.2 years for a woman. That's a 60 percent gain in longevity. To what do we attribute this huge gain? Medicine, you say? Yes. Medicine has made great strides. We have life-saving therapies, treatments, drugs, cures, amazing things that were probably not even dreamt of in the year 1900. But the fact is that 80 percent of the gains in life expectancy during the last two centuries are directly attributable to public health. The measures in public health, not literally advances in medicine, wonderful as they are.*

*"I am talking about some things that we may take for granted. Unless something goes horribly wrong, as it has recently in Flint, Michigan with the lead contamination there. I'm talking about clean air, clean water, sanitation, immunizations, tobacco control, and tracking and prevention of infectious disease. I stand here as a representative of the many physicians in private practice that I mentioned earlier to make this point to you; our private healthcare system depends upon a strong public health infrastructure.*

*"The Public Health Foundation is led by visionaries such as Dr. Samuel Crumbine in the early 20th century, and Dr. Doren Frederickson, in the later 20th century and into the 21st century, are the bedrock of our healthy community. So our family physicians and other physicians in Sedgwick County depend upon the county to support a strong health department. I was privileged to know Dr. Frederickson before his untimely death, and I am quite sure he would be very pleased to know that you have adopted this Proclamation and we are celebrating National Public Health Week in our city and county.*

*"This is a time as the Proclamation said, for community measures to take the opportunity to make some small changes, to make the healthy choice the default choice. And offers you the opportunity as well to celebrate challenges already met through great public health, and to look to the future. There is more to be done to support a strong public health system for Sedgwick County so our future will be a safe and healthy place for our children and grandchildren.*

*"Thank you once again to everyone involved in the nomination and selection process for this terrific honor. I accept it humbly, and gratefully, with recognition that the contributions of others have made it possible. Thank you."*

*Chairman Howell said, "Congratulations, Carolyn. Appreciate those comments. I have some Commissioners who want to say a few things. Commissioner Norton."*

*Commissioner Norton said, "Congrats, Carolyn. We really appreciate you being here today and representing what all of us want in our public health segment around our county. We want the community to be healthy and happy and stable, and it takes a lot of people hitching up to the wagon and pulling that to make sure that everybody gets a chance to have a healthy life and a happy life.*

*"I would be remiss if I didn't say that we are saddened that Ron and Pat Frederickson could not be here today, you know, they have been here, and that's Doren's parents. They've been here at every one of these Proclamations for many years, and they so honored their son's work, were so proud of him, and it added to the event and the Proclamation. I am saddened they are not here.*

*"My only comment is that I knew Doren pretty well. He was the Health Officer very*



early in my County Commission career. And I can remember very often, and I tell this story that he would whisper in my ear about how important public health is to our community, and he was a trained doctor, a pediatrician, a teacher, yet he knew that public health, even though medicine is critically important, and the medical community is much the foundation of a healthy community, so was public health. And he reiterated that to me over and over and over. In fact, he inspired me to go through the Kansas Leadership Program and then the National Leadership Program, which has given me a basis for really understanding public health at a deep level. And I wouldn't have had any of those experiences, that knowledge, that understanding, that care for public health if it hadn't been for Doren Frederickson.

"I am so honored that you have received this, and that you've dedicated your life, much like Doren had to public health in our community."

Ms. Gaughan said, "Thank you for your kind words."

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

Commissioner Unruh thanked the Chairman and said, "I just want to add my congratulations and second the comments of Commissioner Norton, but it struck me that one of the phrases that Becky used in her introduction of you, that you challenged the status quo. I think that's a good description of Dr. Frederickson's legacy that he left all of us, to challenge the status quo, to make our community better. It's good for us to remember the legacy of Doren, and good for us to recognize your efforts. Thank you very much."

Ms. Gaughan said, "Thank you. It is not always comfortable, but probably a good thing."

Commissioner Unruh said, "It is a good thing."

Chairman Howell said, "Again, congratulations and thank you so much for being here today."

Ms. Gaughan said, "Thank you."

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

**Adopted**

**G**      [16-171](#)

**PROCLAMATION DECLARING NATIONAL WALKING DAY.**

Read by: Chairman Jim Howell or his designee.

**RECOMMENDED ACTION:** Adopt the proclamation.

Chairman Howell said, "Commissioners, I have another Proclamation to read. Is Jennifer Thompson here today? All right. If you would come to the podium. I will go ahead and read this Proclamation.

**PROCLAMATION**

WHEREAS, cardiovascular disease is the leading cause of death in the United States and accounts for one-third of all deaths and stroke is the number 5 cause of death in the United States and is a leading cause of disability; and

WHEREAS, the direct and indirect costs of cardiovascular diseases, including lost

*productivity, are an estimated \$316.6 billion, and obesity is a significant factor driving health care spending; and*

*WHEREAS, regular physical activity can reduce cardiovascular disease risk and may increase life expectancy, but only 36 percent of children and 44 percent of adults get the recommended amount; and*

*WHEREAS, moderate physical activity has many proven benefits for an individual's overall health including controlling body weight, blood cholesterol, and blood pressure. All of these changes help reduce the risk of cardiovascular disease and stroke; and*

*WHEREAS, on National Walking Day, the American Heart Association encourages all Americans to take a 30-minute walk with family, friends and colleagues and to share their minutes walked on social media with hashtag #HeartWalkICT.*

*WHEREAS, on National Walking Day, April 6, the American Heart Association calls on everyone to wear sneakers, walk for 30 minutes and start a regular walking program and encourages Americans to become more physically active by walking.*

*NOW, THEREFORE BE IT RESOLVED that I, Jim Howell, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 6, 2016 as*

**NATIONAL WALKING DAY**

*In Sedgwick County and urge all citizens to show their support for walking and the fight against heart disease and commemorate this day by taking time to walk.*

*"Jennifer Thompson, thank you for being here today."*

*Ms. Jennifer Thompson, Executive Director, Wichita American Heart Association, greeted the Commissioners and said, "Thank you."*

*Chairman Howell said, "Let's get the Board's support here. Commissioners, do I have any motions on this?"*

**MOTION**

*Commissioner Unruh moved to adopt the Proclamation.*

*Commissioner Norton seconded the motion.*

*There was no further discussion and a voice vote was called.*

**VOICE VOTE**

*After the voice vote was called, Chairman Howell announced the adoption of the Proclamation.*

*Chairman Howell said, "Thank you. And I would like to ask you to say a little something if you don't mind.*

*Ms. Thompson said, "I just want to encourage everybody to take some time, lace up your sneakers. We have provided you with some shoelaces, and go for a walk today. Thirty minutes of exercise is great, if you are already physically active, and exercise is a regular part of your routine, do something extra today. Park a little further away*

*from the door, take the stairs instead of the elevator, do a little something extra to promote physical activity. Eighty percent of all heart diseases and stroke are preventable, and exercise is a key component to that. So thank you very much for this Proclamation, and if anybody has any questions for me, I would be glad to answer them."*

*Chairman Howell said, "Thank you. I will say congratulations, and thank you for coming out and sharing ideas with us. My wife and I do like to walk as much as possible. We have a family dog, and it has been her favorite thing to do, to go walking every day, if we get a chance to do that. It's been fun for us as a family to do that. Commissioner Peterjohn has a comment."*

*Commissioner Peterjohn thanked the Chairman and said, "Congratulations on the Proclamation. With the nice spring weather we have out there, it's a great opportunity for folks to step out at time, and there's a number of paths right here just stepping outside the courthouse. Around downtown, as well as parks throughout the community. And we've got some great trails at Sedgwick County, and Sedgwick County Park and Lake Afton."*

*Chairman Howell said, "Congratulations, let me give you a hand of applause. Madam Clerk, we have more business. Next item."*

**Adopted**

## **PLANNING DEPARTMENT**

H      [16-197](#)      DER2015-00007 - PROPOSED AMENDMENT TO EXPAND THE GARDEN PLAIN URBAN AREA OF INFLUENCE (DISTRICT 3).  
Presented by: Dale Miller, Director, Metropolitan Area Planning Department.

RECOMMENDED ACTION: Adopt the findings of the Metropolitan Area Planning Commission, amend the Garden Plain Urban Area of Influence boundary as recommended by the MAPC, and authorize the Chairman to sign the resolution.

### **VISUAL PRESENTATION**

*Mr. Dale Miller, Planning Staff, greeted the Commissioners and said, "This is a request by the City of Garden Plain to expand their existing urban area of influence. If you remember back in October, the Commissioners approved the urban area of influence and a map that shows the geography of each city's urban area of influence. That's what is shown on the slide, the geography outlined in red is the individual urban area of influence boundary for each of the cities and counties that have an area of influential. The significance of the urban area of influence is that if there are zoning cases that occur in that area, then that City's Planning Commission has to be given an opportunity to hear the zoning case as part of the official review procedure.*

*"As you see here, Garden Plain is here, to the west, it is one of the smaller, if not the smallest of those that were established back in October of 2015. This is a detail of what Garden Plain is requesting. If you can see, the area with the red dashed line is the area that Garden Plain is requesting. It's basically six square miles, in a rectangle. The dark line here is the existing city limits for Garden Plain. I did a quick calculation this morning and I believe it's approximately 610 acres inside the city limits of Garden Plain. Then the blue area is the area that was established as the*

urban area of influence back in October, and subsequent to that establishment, then, obviously they've asked for it to be expanded out to the area that's outlined in red.

*"This request did go to the Metropolitan Area Planning Commission (MAPC). After a hearing there, they Planning Commission recommended the area that is outlined in yellow, basically four square miles surrounding the city. Some of the data discussed at Planning Commission involved the fact that over the time period from 2005 to 2014, Garden Plain added in a typical period, in a typical year, three new dwellings. There was a shorter period of time there were approximately four dwelling units per year being added. The estimated 2014 population for Garden Plain, is 879. Ranks 14th in terms of the cities in the county. By 2035, it is projected they would add 121 people to grow to a thousand people. Assuming an average household size of 2.5 per household that projected need is 48 dwelling units over the next 20 years, or 2.4 dwelling units per year.*

*"Some of the environmental issues that Garden Plain has to deal with are flood plains, that's what's depicted in the blue linear lines and shows where they are relative to the city limits of Garden Plain and the proposed urban area of influence request. As you can see, on the west side of Garden Plain, there is a significant flood plain area as well as one going through the east side, and then once you get past that, there's a quite a gap there until you get to the next one.*

*"An aerial showing the same boundaries as you can see, the area being discussed, the existing uses predominantly agriculture, a few scattered houses in the area, but predominantly the land is zoned RR (Rural Residential) and is used for agricultural purposes. Inside the city limits, particularly down here in this addition here, you can see there are approximately 60 platted lots that are undeveloped at this time. There is also undeveloped land here in the northeast quadrant, and northern portion of the city limits of Garden Plain that are undeveloped.*

*"This subdivision is developing, there are a few lots left. That's a closer view of the Pretty Flowers Addition and the platted lots that, at the time of this photograph, have not been developed. I drove out there and looked at the site. It appears to be very similar in terms of the streets, there may be a few more houses in this area, but the streets are pretty much the same configuration as the photograph shows. This is the subdivision to the north that is a little more developed. There's highway 54 up here, and then that's the main approach to Garden Plain. This area is in the city limits and is undeveloped. That's part of the existing urban area of influence that was granted. That's what the blue line shows.*

*"Mr. Hubert is a member of the Planning Commission, here today, and would be able to make comments and answer detailed questions about their request, if you have any questions of me, I would try and take care of those now."*

*Chairman Howell said, "Thank you, Director Miller. I appreciate the good presentation. I have no comments. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "A question I would like to bring up. I understand this came up in front of the MAPC twice. Could you go into a little more detail on what happened, and why it was more complicated than your typical case in front of the Planning Commission?"*

*Mr. Miller said, 'Sure. As you may recall, the urban area of influence replaces what was the original zoning area of influence. That had been incorporated as a portion or part of unified zoning code text and the map was adopted by reference. So in order to make changes to the code that requires a super majority vote, in this case, eight out*

*of the fourteen Planning Commissioners. At the meeting the original vote was seven to two to approve. It was thought, at that time, that they needed eight votes to approve it, so even though it was a seven to two vote in favor of the yellow outline, Planning Commission and the applicants were advised that the request failed.*

*"After that legal staff did some more research and determined that when we converted the zoning area of influence to the urban area of influence, we did not make it part of the text. The map was not officially adopted, it was just referred to, and once they realized that, that made it to where just a simple majority to approve the request, and so we took it back to the Planning Commission for them to confirm they would not have changed their vote had they known that at the original vote, and their consensus was no one would have changed the vote. So a seven to two vote became an approval vote. And the vote today only requires a simple majority as well."*

*Chairman Howell said, "I will ask the public if they have any comments on this agenda item. Anybody want to address the Commission? Come up to the podium and state your name and address, please."*

*Mr. Randal Hubert, Garden Plain Planning Commission, greeted the Commissioners and said, "We are making this request for modification of the urban area of influence boundary for Garden Plain. Mayor Larry Lampe with Garden Plain submitted that to the Metropolitan Area Planning Commission right after we received word that the area had shrunk down. We did have 36 square miles, and the new urban area of influence was .7/10ths of one mile, so the council and the Planning Commission was rather surprised how that came out. I will talk about that in a little bit here as we proceed.*

*"This is the boundaries Mayor Lampe submitted to the Metropolitan [Area] Planning Commission. The purpose for our request is to protect the integrity of the lifestyle currently existing in and surrounding the city. And the community of Garden Plain, and that includes this outlying area. We want to provide a local government body for the local citizens to present issues affecting them, that's convenient. We meet at 7:00 p.m., rather than the afternoon as the Metropolitan Area Planning Commission does. We are also very close to those people in that area that will have issues, whether they are seeking changes, or whether they are opposed to it. And of course, whether it's a positive request, or whether they are opposed to it, they can speak to local members of the board, who are familiar with the area, and most likely people they probably know, and then those same requests can be forwarded to the Metropolitan Area Planning Commission.*

*"Lastly, to have formal input over infrastructure and development patterns that will impact Garden Plain government, the citizens there, and also the citizens surrounding that in future years. The changes were made in October of 2015. The new areas that were adopted were key to growth projections in the Sedgwick County community investment plan that was approved in August of 2015.*

*"And this is a map of the old zoning area of influence for each of the cities. Right here is Garden Plain, as Mr. Miller pointed out to you. And then this is the new map with the new urban area of influence, the new urban areas shown in the light blue, and you can see Garden Plain is extremely small. This is a little close up of the new urban area of influence. You have taken a look at this map. Our request was the area outlined in red, and then the Metropolitan Area Planning Commission staff recommended the yellow boxed in area. On this particular map, this area shown up top here north of Highway 54 was recently annexed along with this area on the south side of Highway 54.*

*"The comprehensive map was, in large part, based upon a nine-year-old published Garden Plain comprehensive plan. Those figures, that map was published in 2007, so the data for that would have been for the five to ten year period before 2007. And the council and the Planning Commission felt that it does not adequately represent our recent growth and changes in the area. There was some type of miscommunication; we never could exactly figure out what had happened, but the council, I don't think, or the Planning Commission, were not really aware of the drastic change that was going to happen, and that it was going to be based on the old comprehensive maps, and so we were caught somewhat off guard whether we should have or not, that may be another good question, but in any event, that's how we got into this position to start with. We felt that we weren't aware of what the representations that were made from the Clerk to the Metropolitan Area Planning Commission. I don't think the council or the plan Commission was aware of the statements that were made, and I think the Metropolitan Area Planning Commission had relied on those. We submitted our request again, we covered those boundaries, and I will just move forward on that.*

*"Garden Plain is acceptable with the Commission staff's recommendation that was made in February that was approved over there and sent forward to you. We are accepting of that recommendation. The Mayor made the boundary request that he made, it was right after the changes were originally made, so I just wanted to be aware of that.*

*"The basis for our request, we ask that you adopt the findings and recommendations in the metropolitan staff's report that's dated February 18th, and the recommendations and vote of the Metropolitan Area Planning Commission as they modified it on our eastern boundary. Our population growth has been 6.25 percent from 2000 to 2010, our 2000 population 797, in 2010 it was 849. Housing growth rate change cited in the report, based on the years from 2005 to 2014, out of 24 dwelling units. I believe they found the average on that to be three per year. We would note that from 2012 to 2015 in the last three years, we've added 18 new dwelling units. That's an average of 4.5 new units per year, and would be a growth rate of 5.2 percent, and that would be greater than the percentage cited in the staff report, if you look at the three most recent years of growth.*

*"We did annex in 2014 the 233 acres east and north of the city. And there are ongoing efforts with an owner on the west side of Garden Plain for an additional 36 to 40 acres. Those discussions are ongoing. That particular area is shown in the red right here, that's the 40 acres, and again, the 233 acres would be this area in here, annexed in 2014.*

*"Gas service, there are 36 dwellings outside of Garden Plains city limits that are on Garden Plains' gas line. Many of those are located on the Old Highway 54, which is Harry Street, and near 311th Street on the west side of the city. That's a little map of those homes west of Garden Plain. Water service, we have 22 houses outside of the city limits that are currently using Garden Plain water. Our sewer service, we would note that our new sewer plant on the southern border of the city was not included in the projected growth area we were given recently, and that was, I think, based on the 2035 growth map. There is another three dwellings just on the south side of the city that are on our sewer also and we have additional capacity of approximately 30 percent. The sewer plant is shown on this map, it is this little blue box at the bottom. And then the homes that are on our sewer line are in this area also are not included in the urban area of influence.*

*"Garden Plain's provides police protection to both the city and we assist Sedgwick County frequently in those outlying areas. There are three fairly large housing*

*developments, one directly on the south side of the city, and another one in that area near 311th Street to the west, and another older area that's approximately 20, I think about 20 to 25 years old on the southwest area. They assist in all those areas. And the older area I referred to on the southwest quadrant of the city that area has been there quite a while, with sewer lagoons and water, and there has been some rumblings that there may be a future pollution problems which may require them to go on city sewer and water. We will see what happens with that.*

*"Lastly, the city of Goddard recently has their new project which I think is going to cause a lot of growth in the Goddard area, but it is also going to enhance all the western portion of Sedgwick County. I think that will impact Garden Plain to some extent as the Wal-Mart did. We are just five miles from Goddard, so we are very close to them, and I think that will increase growth in our area also.*

*"Want to thank you on behalf of the Mayor, the City Council, and City Planning Commission. Thank you for allowing us the opportunity. I will try to answer any questions you might have."*

*Chairman Howell said, "Thank you, Mr. Hubert, for the comments and presentation. Since we are still asking the audience if they have any questions, anybody else in the audience want to speak to the Commission on this agenda item? Okay. Seeing none, I am sure we'll have questions for you, Mr. Hubert. Right now I want to recognize Commissioner Peterjohn."*

*Commissioner Peterjohn said, "I was going to begin with some questions. Thank you for coming down and doing the presentation. After we had gone through the urban area of influence mapping and you pointed out the fact that you did have the city sewage facility on the south side that was excluded, it wasn't intentionally, but since it's physically separate from the rest of the city that was not part of the map. I told the Mayor obviously we wanted to include all the incorporated areas into the urban area of growth. Question I have, we talked about housing. Do you have any idea at all, in terms of the number of plotted lots in the City of Garden Plain and how that number has changed at all from the time you have been on the Planning Commission and how that would change under the map that's before us today?"*

*Mr. Hubert said, "Well, I live out in Pretty Flowers Addition. It's about three quarters full in the first phase, and I know, I believe there's another, I want to say, 60 lots in that second portion. I am not sure where they are at on the development on that. One of the issues we have with the maps was the flood plain areas. I know the staff report talked about, there was 200 and some available acres, but large portions of two of those areas have flood plain in them. I did not recognize that the first time around. I got to look at the map and looked at the numbers. That's really going to adversely affect the ability to do much with any of those areas for a developer. I don't know that I answered your question. I can try to get you information if you would like me to."*

*Commissioner Peterjohn said, "The question I had was obviously, we were trying to down size and protect people's ability to control their own property and having a government, they can't vote on, having a say on what they can do with the property is one of the concerns. We were trying to come up with the right size on this, and we had a lot of discussion, and a lot of back and forth in terms of trying to figure out what the right dimension is. Since your city is less than one square mile, it is 610 acres, is that roughly correct?"*

*Mr. Hubert said, "I don't know exactly what that is. I will take his word for it."*

*Commissioner Peterjohn said, "Okay. If we adopt this, we would be expanding*

*roughly three square miles in addition to the mile where the city itself is located in that area. There is an awful lot of agriculture land and land that I have a hard time seeing developed anytime in the near future. Of course recent annexation is a lot of raw land, too. I didn't want to reopen this whole issue, since we settled it, but since we had excluded this one part of the City of Garden Plain, I wanted to explain to my colleagues why I told the Mayor that obviously we want to include anything that's incorporated into the city into that area and have it included going forward. I don't know if you have any comment on that, but that was my reason for when I spoke with, in front of the Planning Commission at Garden Plain, that was one thing I knew we needed to get right."*

*Mr. Hubert said, "We appreciated you coming out and answering questions, I think everybody understood a little bit better how we got to where we were, and that was very helpful."*

*Commissioner Peterjohn said, "Well, I wanted to get that on the record for this discussion today. Thank you, Mr. Chairman."*

*Chairman Howell said, "Thank you, Commissioner. I have a couple questions myself. Garden Plain, have they updated the comprehensive plan?"*

*Mr. Hubert said, "Well, we did it in 2007. That was when we updated it. And we haven't updated it since, but we are definitely talking about that now, that we have kind of got behind the eight-ball obviously, and that's where this problem came up."*

*Chairman Howell said, "The timing of this is curious to me, because we just finished our comprehensive plan. We have defined these boundaries just a few months ago. It's surprising to me that the request this soon. My understanding of the urban area of influence, we want to ensure, when cities have things happen just outside the city limits, they have some ability to weigh in on those projects so that they don't end up with something that's adverse to the city that may be annexed at some point in the future, or they are expected to provide services, for example, just something outside the city limits, for example, you mentioned there was some homes that have water and sewer service, and gas service that are actually outside the city limits right now. I think those are some reasonable reasons why the area of influence needs to exist, but I guess I would ask a couple questions on that. Have you had any development outside of city limits that you can speak of?"*

*Mr. Hubert said, "Well, definitely the housing unit on the south side. There are five-acre lots down there. I am going to guess on the number of homes, but I will bet I moved out there in 2011 and when I moved out there, there might have been three houses in that area. And there's probably 15 to 20 there now."*

*Chairman Howell said, "This is in the addition you live in?"*

*Mr. Hubert said, "No. This would be an area just outside the city limits on the south side of Garden Plain."*

*Chairman Howell said, "Okay. Not the Pretty Flowers Estates?"*

*Mr. Hubert said, "No. This would be the Heimerman Addition, but it is not within the city limits."*

*Chairman Howell said, "Anyway, I guess my thought is, I think the urban area of influence is intending to project where the city is going to grow, and to anticipate trying to coordinate things that might impact the city. Again, I don't know how many*



*square miles the city actually has homes. Again, the city limits are much larger than the area where the homes are right now, because the limits were just expanded as you mentioned."*

*Mr. Hubert said, "From that annexation, yes."*

*Chairman Howell said, "Right you can kind of estimate, if the city limits include, say, 50 percent of that is developed, half of this is non-developed, or can you? What I am getting to, I am just guessing at this, it looks to me like the city limits have a square mile of land within the city limits. Maybe I am off a little bit there. Of that one square mile, only half looks like it's developed right now."*

*Mr. Hubert said, "That's probably fairly accurate. You have got flood plains where a lot of that is, where you couldn't develop if you wanted to. I don't have that map, but both on the west side and on the east side. And on the very east side of Garden Plain, which goes through Pretty Flowers Addition that I live in, actually, there is a lake behind me, but that's part of the flood plain area. So significant portions you couldn't put homes in."*

*Chairman Howell said, "The entire one square mile on the northeast part of the proposed urban area of influence, as I looked at the aerial map, I don't think there are any homes in that one square mile, at all."*

*Mr. Hubert said, "That's the newly annexed area that you are referring to."*

*Chairman Howell said, "It even goes out beyond that. It goes a whole square mile of agriculture land that's being brought inside the urban area of influential, not a single home."*

*Mr. Hubert said, "Right, yes. And still zoned agriculture at this point. That just came in within the last year, year and a half."*

*Chairman Howell said, "I think the northwest quadrant is similar to that. I don't see any homes over there, either. Again, not confident about that. I was looking at the aerial maps."*

*Mr. Hubert said, "Again, yeah, part of that area, but part of that area is flood plain, too. I mean not the whole thing, but a fairly significant portions of that are low-lying areas. There's not going to be much anybody is going to be able to do with that."*

*Chairman Howell said, "I would agree with Commissioner Peterjohn, I think that the wastewater treatment plant really ought to be part of the urban area of influence. That makes sense to me. I guess my opinion is, you look at the unincorporated part of the body, the urban area of influence, considering the city limits includes a lot of undeveloped land, I think if you were to project rapid growth at the rate that you guys have been building homes, you said about 4.5 homes per year, roughly. If they grew in the same direction, I don't know if you would hit that limit in my lifetime. Seems like this is a long ways away from the city limits."*

*Mr. Hubert said, "I think there's some concern that the northwest area is between Old Highway 54 and Highway 54, where they would anticipate, I would presume, especially along 195th Street, that that would hopefully be businesses moving in to that area. Versus homes. The other concern is that the development I discussed, the Heimerman Addition on the south, you have got a lot of homes with five-acre lots. There's also the Koenigs Addition which is kind of southwest of town. At some point you end up with your town surrounded by homes on five acres, and then at some*

*point if they request to come in for sewer and water service your expenses for that is going to be extremely high."*

*Chairman Howell said, "Let me make one final comment. I will ask you to address my comment, I guess, but looking at the other cities across the county, it looks to me like they have irregular urban area of influence boundaries. Looks like they have been thoughtful, trying to figure out what's going to happen potentially. And they don't draw those boundaries in such a way, judiciously trying to bring in lands that they believe would have some type of influence, but they are very small amounts of lands, again, they think they are going to be able to grow out to those boundaries within ten to twenty years, and they are based on where they think they are going to grow around the city. In other words, they are not much larger than that, and they are not smooth boundaries, necessarily. They are jagged boundaries for the most part they encompasses the areas they think they will grow in. But this one is just four square miles. And I guess, this really stands out to me, the map that developed these lines was in my opinion seems less thoughtful. It wasn't based on where you think you are going to grow, it is simply just a large area around the city. I guess it appears to be a little different than what I see in other cities, how they developed those boundaries."*

*Mr. Hubert said, "Well, I think if you look at Cheney, I know there's significantly large areas they pulled in. Also Haysville, there were significantly large areas, and Goddard, there are significantly large areas. So I'm not sure that I agree with you on that particular point. One of the concerns was our most recent growth and the fact that our map was out of date. I agree with you on that. We would like to get that up to date. But the other concern that was expressed at the Planning Commission meeting was local citizens being able to have access to the Planning Commission at a local level where your citizens live near Garden Plains, rather than have to come down town to Wichita, address it to people that aren't familiar with that particular area. They are going to have a local government that can address the issues that they have. It is not going to be binding on them, because those members, they didn't vote for them or whatever. They can express their concerns, they can answer their questions, and that would then be included in the report, or the recommendation that would go down to the Metropolitan Area Planning Commission. I know at least one of the citizens expressed concern that her particular development, you know, that she wants to address it to a local board who understands what her concerns and problems and issues are, and know that those representatives are going to be hearing her concerns, not that the Metropolitan Area Planning Commission is not going to be open to hearing those, but that was one of the concerns, is having that local board."*

*Chairman Howell said, "You know, along that line, let me just say when the city chooses, say, to weigh in on some issue inside the urban area of influence, for that to be overridden, ultimately, it has to come before the Board of County Commissioners where it requires a super majority. A simple majority by the city and super majority by the County Commission. Again, the elected officials that represent those folks for the unincorporated part of the county requires a super majority of our Board to in fact go against the cities inside the urban area of influence."*

*"Again, if were a simple majority, I would be more inclined to grant a much larger area, but it's not. The city has more authority than the county does, in terms of what can happen and those unincorporated parts of the county happen to be inside that boundary line around that city. So I guess I am concerned about granting a large area that doesn't have any prospect of growing into that large area in the next two decades. That's my concern."*

*Mr. Hubert said, "My recollection was that, and maybe Mr. Miller can better answer the question than I, but I think actually, the Metropolitan Area Planning Commission*

*approved the request, it came to you and if you send it to them for additional information, when it comes back, it requires a simple majority again."*

*Chairman Howell said, "That is true, it takes a second round, we can send it back to MAPC and once it comes back to us a subsequent time, then we have a declining requirement for super majority. Super majority the first time we touch it, simple majority the last time we touch it. So you are correct, it is a declining vote requirement of the Board of County Commissioners. I agree with what you say. But initially, we allow the cities to determine what is good for them, requires a simple majority by the City's Planning Commission. It requires a super majority by the Board of County Commissioners, unless we want to go through a second round."*

*"Again, we go back to that term of regulation without representation. Essentially allowing a city to determine what is allowed and what is not allowed on people who, that they were not able to in any way vote for those people that sat on these boards. So I guess I have a concern about granting a large area around the city where that regulation is in place, when the Board of County Commissioners, again, it is up to us to determine at some point whether something should go forward or not, yet we've got a higher requirement, a super majority requirement for us to determine what we think is best. As far as the city having a simple majority. So again, to grant large areas is a concern of mine. I am a little bit sensitive to something that appears to be, you know this is 300 percent larger than the city itself, and in fact about half the city right now is undeveloped. So just by simple math, 600 percent larger than natural developed part of the city, the area we are talking about putting under this higher level of regulation. I am just concerned about that."*

*Mr. Hubert said, "You use the term that half the city is undeveloped, I guess I am not agreeing with you on that point. I think Pretty Flowers has 12 lots open in phase one. On the north end of the city, I think there might be ten or twelve out there. I know that developer went bankrupt, there were some sheriff's sale. There's the not that many lots in that end of the town."*

*Chairman Howell said, "That's not the area I am talking about. I am talking about the areas that were large agriculture pieces that were brought into the city recently. You said in 2014 they annexed large agricultural parts around the city and brought those inside the city limits. They are not developed at all. Those areas are not developed at all. If you count those areas being inside the city, the city looks like one square mile of land. Half of that has homes and businesses and stuff on it. The other half seems to be undeveloped."*

*Mr. Hubert said, "Now, I don't view the recently annexed areas as being anticipated probably more for housing growth, I think maybe part of it would possibly be, but I think more of that we are anticipating possible business growth in those areas."*

*Chairman Howell said, "Okay. Commissioner Ranzau."*

*Commissioner Ranzau thanked the Chairman and said, "You said, you talked about the five-acre lots around the city. How does that relate to this, the urban area of influence? You have five-acre lots, which appear to say weren't necessarily desirable by the city, so how does this help you by expanding this?"*

*Mr. Hubert said, "Well, I think basically, I am going to go back to a class I had in college, which had to do with planning or whatever. Talked about cities growing and having at least some ability to affect growth and where it goes and so forth, such that they don't end up with having huge high costs and eventually if they need to take sewer lines in or water lines into those areas, and you have got large geographic*

*areas between homes, those expenses are much higher than if you have platted lots with smaller lots or so forth.*

*"I think, you know, a developer is going to want to do what he's going to do. Basically you have a discussion between the city and the developer, then those points can be brought to the Metropolitan Area Planning Commission. I don't know that our vote is binding on the Metropolitan Area Planning Commission. So but you bring out the point. One thing I notice is most of the Planning Commission issues that come to us frequently are citizens coming to us, and really don't have any idea what they need to do, or not do, so they come to us with questions, I'm thinking about doing this, what are the regulations, what am I allowed to do, not allowed to do. So, to a large extent as a body, we provide a lot of information to those people to help them with the process and understand the process. Now, granted the Metropolitan Area Planning Commission will have the same ability, but they will have a lot more of those issues to deal with than they have in the past, I think, because of the smaller urban areas of influence that you have created."*

*Commissioner Ranzau said, "Okay. You didn't quite answer my question. You have this issue of five-acre lots which you are concerned about, the city is concerned about. How will having this urban area of influence change that? You could use this to influence the size of lots, keep them from building out there or what? How is this going to change anything?"*

*Mr. Hubert said, "You will be more aware of what the issues are that may affect the city."*

*Commissioner Ranzau said, "What is the end point? If they build it, they build it, right?"*

*Mr. Hubert said, "If you haven't annexed it, I don't know that you can prevent it. But as a city local homeowners, local property owners are going to get notice of any changes that they want to do as far as zoning changes. And this would give the city an opportunity to address any issues that they would see that might be related to the same things."*

*Commissioner Ranzau said, "Would their intent be to stop that from happening or what?"*

*Mr. Hubert said, "I suppose it would depend on what the development was."*

*Commissioner Ranzau said, "If they wanted five-acre lots, that's what you are talking about, you brought it up, said it was a problem."*

*Mr. Hubert said, "I am not saying it's necessarily a problem, I'm saying it could be an issue. Depending on what area they are developing in. I mean, there is a lot of factors you would have to take into consideration. But I think, you know, cities have an interest in trying to, you know, keep costs from being too expensive for possible extensions of sewer lines and water lines and so forth."*

*Commissioner Ranzau said, "If it costs a lot to extend sewer and water, then why would they do it? They could simply say no."*

*Mr. Hubert said, "I agree."*

*Commissioner Ranzau said, "So then it's not a problem, I mean, you have that choice to say yes or no."*

*Mr. Hubert said, "That's true. The cities would like to have some input on the growth and development surrounding their city in the event in the future those areas, let's say, because of all the lagoons, let's say they develop pollution problems. Those citizens seek to come in to the city, the costs of extending sewer and water to five-acre lots would be more than they would be for small acreage. That's what I'm trying to point out."*

*Commissioner Ranzau said, "Right. And if the homeowners want that, they could bear that burden if they choose, or the city could decide to say no. I am not sure there is a problem here. And I'm concerned that the intent is for the city to try and stop these things. We have an interest in protecting property rights and allowing people to develop their land, another option is for the city to annex five-acre lots and allow them to keep their existing sewer system and not install sewer or water. There's lots of options out there, I think."*

*Mr. Hubert said, "I agree."*

*Commissioner Ranzau said, "Okay, thank you. Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "Mr. Hubert brought up an interesting point I wanted to kind of throw out there in terms of why these boundaries vary from city to city. My intent had been to point out the fact that when we inadvertently, when the maps inadvertently excluded that one small portion of Garden Plain, obviously the area between it and the existing city, this Commission has been very generous to a lot of municipalities that have come in here requesting island annexations. I can think of several communities we've done that in the past, although Garden Plain is certainly not the most in that regard. We've had other communities that have done this much more so for varying reasons that go to each community and that's had an impact on the map. When you raise the point, Mr. Hubert, these maps vary community by community, and I know these island annexations, as far south as Clearwater and as far west as Cheney, have cases where we've done island annexations since I've been on this Commission. I think that's had an impact on those maps. I think that would be a factor, and I want to put you in the position if there was an area where we had, in the drafting portion excluded by accident, albeit a small part of the City of Garden Plain, from the urban area of influence, we wanted to get that back in, and look at the map."*

*"My intent was not to generally reopen this broader issue because I don't want to see a whole group of cities basically saying, hey, we want to revisit the whole issue that we just addressed a few months ago. So that's why I struggled a bit today. I'm glad you guys came down from moving west from Viola Road, because that really, you're talking pure farm country out there. I can't imagine Garden Plain being out there any time, we are talking decades and decades down the line. But to basically move this issue forward."*

#### **MOTION**

*Commissioner Peterjohn moved to adopt the findings of the Metropolitan Area Planning Commission, amend the Garden Plain urban area of influence boundary as recommended by the Metropolitan Area Planning Commission and authorize the Chairman to sign the resolution.*

*Commissioner Unruh seconded the motion.*

*Chairman Howell said, "Commissioner Unruh. Further comments."*

Commissioner Unruh thanked the Chairman and said, "I would make a comment, I will be supportive. It seems to me, there is a legitimate reason for this community to ask for revision of the urban area of influence. I probably could not support their original request, but I think after the compromise the Metropolitan Area Planning Commission came up with that I can support this compromised position. I think it is the size of their area is not inconsistent with the other communities of like size in the county, and it seems like this is a reasonable and equitable compromise position, so I will be supportive. That's all I have."

Chairman Howell said, "Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "I will just say that at this point, I can't be supportive of this resolution. Including the waste treatment plant is reasonable, but adding three square miles to a city that's only one square mile I don't believe is an area of influence which is inside of statute. It is outside of the state law. It is something that is redundant and unnecessary. Nevertheless, even if you were going to have an urban area, this one is going to be changed, it is much too large. I would argue that many of the cities around Sedgwick County have urban areas of influence that are too large as well."

"I'm particularly concerned about the idea of the city concerned about five-acre lots and apparently would want to use this as a way to forestall or prevent some of those developments, which is very problematic in a free society that values property rights, particularly if we talk about economic development. Some people want to build houses inside cities, some people want to build houses outside of cities. We should allow that choice freely to happen, and not create artificial and unnecessary impediments to that. With that, that being said, my vote will reflect those concerns. Thank you."

Chairman Howell said, "Thank you for those comments, Commissioner Ranzau. I guess as we finalize this, I would agree with Commissioner Peterjohn. I am a little uncomfortable with the proposal presented to us. I do think an adjustment is needed. I would prefer if the boundaries reflected, I guess, what they anticipate actually to happen. They say over the next two decades or so. To me, that's a reasonable approach to this, and in my opinion, I don't perceive that's what this is today. So I would be supportive of that if I had that presented to me. I think right now as presented I am probably going to vote no today. Further comments today, right now, motion and second, Madam Clerk, call the vote."

**VOTE**

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

Chairman Howell said, "That motion passes. Thank you for being here this morning. Madam Clerk, next item, please."

**Adopted**

I [16-198](#)

ZON2016-00005 and CUP2016-00004 - ZONE CHANGE FROM  
SF-20 SINGLE-FAMILY RESIDENTIAL TO LC LIMITED  
COMMERCIAL AND CREATION OF DP-339, THE REDMOND

COMMERCIAL COMMUNITY UNIT PLAN (CUP) ON PROPERTY  
LOCATED NORTHWEST OF SOUTH 119TH STREET WEST AND  
WEST PAWNEE AVENUE (DISTRICT 3).

Presented by: Dale Miller, Director, Metropolitan Area Planning  
Department.

RECOMMENDED ACTION: Adopt the findings of the Metropolitan  
Area Planning Commission (MAPC), approve the zone change and  
CUP subject to MAPC approved conditions; authorize the Chairman to  
sign the resolution and authorize the resolution to be published.

VISUAL PRESENTATION

*Mr. Miller, said, "This is a fairly routine request for limited commercial zoning on property there that's outlined in the blue on the northwest corner of Pawnee and 119th Street, currently zoned SF-5. It is over the six acre requirement, it is 8.38 acres for Community Unit Plan (CUP). They have submitted a Community Unit Plan that is consistent with particularly with the Community Unit Plan that's across the street to the south, DP-312. Very similar development standards proposed for the one to the north, at the Planning Commission, there were some neighbors there that expressed concerns, particularly wanting to know what the specific uses were, concerned about the location of dumpsters, where the parking would be in the height of the masonry wall that's required along the west and north property lines.*

*"The applicant agreed to an eight-foot-tall masonry wall along those two property lines, the requirement is six to eight foot, and they readily agreed to the eight foot to address the neighbors' concerns. Dumpsters are required to be located 20 feet away from property lines of single-family use, the neighbors were asked for 40 feet. They were also asking for parking to be required to be set back but those two proposals were not included in the MAPC recommendation, which approved the request eight to zero. The Agent is here for the applicant. He can answer detailed questions if you have any."*

*Chairman Howell said, "I would like to go ahead and ask the audience, is there anyone here that would like to speak to this agenda item? Seeing none, Commissioners, do you have any questions or comments? Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "Not so much a question for Mr. Miller as just comments that we have been briefed on this by staff and my understanding is that this was approved by the MAPC, if I am wrong on that, I will let Mr. Miller come up and correct me. I do plan to be supportive of the motion today."*

MOTION

*Commissioner Peterjohn moved to adopt the findings of the Metropolitan Area Planning Commission, approve the change and CUP subject to MAPC approved conditions and authorize the Chairman to sign the resolution and authorize the resolution to be published.*

*Commissioner Unruh seconded the motion.*

*Chairman Howell said, "Thank you, we have a motion and a second. Is there any other discussion? Commissioner Norton."*

*Commissioner Norton said, "Dale, what is across the street to the east? That's a*

*church, isn't that?"*

*Mr. Miller said, "Yes. There's a church here. Otherwise, the ground to the south is agricultural, and then the neighborhood to the north and west."*

*Commissioner Norton said, "Because it's a church, are there any restrictions of the sale of beer or alcohol? I know there is schools, but is there going to be any restrictions that might come up later?"*

*Mr. Miller said, "In the sense of a retail liquor outlet or a nightclub. A retail liquor store, we treat retail liquor stores as just a regular business. The state may have separation requirements from churches or schools, but the zoning code doesn't. But for nightclubs, which they have specifically prohibited from the CUP, there is a dance requirement for that."*

*Commissioner Norton said, "I think we talked about there would be some restrictions on some things that couldn't go in there, but a retail liquor store is not a nightclub, and it's treated differently."*

*Mr. Miller said, "Correct."*

*Commissioner Norton said, "I just know that church is growing and I think that all of that land is theirs and I anticipate that they may build larger. I would hate to think that we would later have conflict with some usages because some churches across the street."*

*Mr. Miller said, "From a zoning code standpoint, there isn't. Retail liquor stores are not treated any differently than any other retail business. Now, the state, again, like I say, in order to get a liquor license, they may have something, but the zoning code does not."*

*Chairman Howell said, "Thank you, Commissioner. Any other comments? Okay. We have a motion and a second. Please call the vote."*

#### VOTE

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

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

**Adopted**

### **NEW BUSINESS**

**J**      [16-204](#)

#### COUNTY EXTENSION QUARTERLY REPORT.

Presented by: Zach Simon, Agriculture Agent, Sedgwick County Extension and Kent Winter, farmer, Sedgwick County.

RECOMMENDED ACTION: Receive and File.

*Chairman Howell said, "I would like to welcome Zach Simon to the podium."*



VISUAL PRESENTATION

*Mr. Zach Simon, Agriculture and Natural Resources Agent, Kansas State Research and Extension, greeted the Commissioners and said, "I want to share with you guys today just a little bit of background about who, in general, my constituents are real quick. There are in Sedgwick County 1,344 farms, and currently, according to the 2012 agriculture census, 75.3 percent of our county is in agricultural production. And then for the 2015 report done by the Kansas Department of Agriculture, my general constituents, this is their outputs for 2015, that \$164.8 million. I'll break those down here.*

*"Oil seed crops which include sunflowers, canola and soy beans, \$34.1 million; grain which is wheat, corn, \$95.1 million; cotton, not a whole lot of cotton here; beef cattle, dairy cattle and milk, poultry and egg and other animals, which would be goats, sheep and equine, horses.*

*"I wanted to share a success story with you this morning. This past year, we have a new pest in Sedgwick County for the grain sorghum or milo growers; sugar cane aphids. I found them in Sedgwick County on July 29th. We had them in 2014, but very late in the growing season and they were of no concern because the crop was mature and dying down at that point. To find them this early was kind of nerve-racking for us. Our neighbors in the south in Texas had been dealing with this for a few years and had seen some extreme devastation of their crops from these things.*

*"So these aphids feed on the leaves of the grain sorghum here. They infest under the leaves and can go up the stalks. Some of the big concerns are, you can here that he produce their excrement honey dew on the left there, a shiny sticky substance. That honey dew grows mold, which you see on the right, which can inhibit photosynthesis of the plant, and they are sucking sap from these plants, reducing yields. And another big concern is harvestability. That is very sticky. It's like corn syrup. These are pictures of combines with aphids sticking to it. It makes the grain very sticky in the machine and inhibits the thrashing of the grain as well. These pictures, it's just amazing how much these things can coat. Here is another. In this picture, these are aphids stuck to the harvester. They just completely coated this.*

*"When we found those on July 29th. I worked with a specialist from Manhattan on K-State's (Kansas State University) campus, one of the entomologists, Dr. Brian McCornack, you can see on the left standing next to me. I worked with a local producer who was willing to let us have a meeting in his shed. Everything fell together and we had 86 people show up with only 20 hours of notice. We utilized social media, text messages and e-mails as well as some phone calls. But a very serious issue, so they are very interested in coming. The great part about having it at this farmer's shed, is right next to the shed, there was literally a field that had just been infested with this new pest. So we were not only able to go over a presentation and talk about this new pest and what we needed to do to treat this new pest, but we were able to actually go scout this field, show them what it really looked like in the field, and give them in hands-on experience.*

*"So K-State worked together when they realized this was a big issue with the extension Agents in each county, and we came up with this mapping system to highlight to give producers fair warning that they might be headed your way. This was the first map we produced on August 22nd. I'll show you how fast these critters spread. The next week, a few more counties lit up, and that was at the end of September. They spread like wildfire, but kind of the epicenter was here in Sedgwick*

County. We suffered some extreme losses.

*"Immediately, we set out to get some experiments out in the field. This is kind of an overlay of a plot that we had here in Sedgwick County in the farmer's field he donated a corner of his field for us to let us do research to collect data, because we had no data on this new pest in Kansas. There are two insecticides we can use to treat this pest, and so we put the different rates of those out and replicated this data, and they were sprayed at what we were recommending to producers is the optimum time to spray, and then we sprayed again a week later to show the difference. Here you can see, I talked about that mold. The farmer did treat his field. You can kind of see in this corner. I know the picture might be a little hard to see. You can see the plots in there that were treated, because that mold did not grow on the leaves. You can see in the darker areas and smaller lighter blocks. Here's a picture you can see in the foreground. Some very sickly looking plants and behind is where it was treated, some much happier looking plants. Once again, they just destroyed these plants.*

*"How much yield loss did we see in Sedgwick County? On the left there in that picture, you can see some heads from the untreated areas and on the right was the treated area. Here is some yield data we got together. Quickly I just wanted to point out along the bottom here we have the different herbicide treatments; Sivanto and Transform, and this UNT was the untreated plots. Trial one, we saw a decrease from here of 77 percent from the treated to the untreated, and here a 73 percent decrease in yield from this treatment from the untreated. Over here, a little bit less, 60 percent, and then down to 56 percent over here.*

*"This last year, according to the USDA, in Sedgwick County, we had 46,600 acres of grain sorghum planted. Of those, 4,400 were harvested and just over 2.9 million bushels produced last year. Today's crash price at roughly \$3.00, that crop from last year was worth nearly \$8.8 million. Doing some calculations of using some of that yield data, I figure roughly hopefully the Sedgwick County Extension Office saved Sedgwick County producers roughly \$5 million of income on her sorghum crop last year with the information we were providing them.*

*"With that Kent Winter, local agriculture producer is here to share some of his story."*

*Mr. Kent Winter, 7359 North 215th Street West, Wichita, greeted the Commissioners and said, "I'm a fifth generation family farmer, here in Sedgwick County. Mostly a dry land operation there. My mother's ancestors arrived on the first train to Wichita in May of 1872 and my operation is half wheat and the other half being summer crops with grain sorghum being a big part of that. Also, soybeans, corn and alfalfa. Grain sorghum, what's passed down to me, was that local producers began growing it in the 50s, following a five-year drought that my dad still talks about. When I was two years old, in 1957, was the first year that he raised it. He brought it in for two reasons; he need a crop other than alfalfa to rotate with wheat. Diversity is key with good agricultural production anywhere. The other reason is, and this goes for a lot of the other farmers in Sedgwick County, they had livestock operations they were feeding grain sorghum or milo was the grain we raised and fed to the land feeding operation that we had for a number of decades.*

*"Let me take you back. Let me set the tone here a little bit. Last summer, August, was a very, very wet, what I call corn belt style rains that we were getting. Our summer crops by no means were in the bin, but they were looking very, very good at that time. I remarked to my wife following a crop tour that season, Susan, I don't think we're in Kansas anymore, because of the green and the lush conditions that we had.*

*"Suddenly we get word that this critter called a sugar cane aphid was headed our*

way. In my mind up the I-35 corridor. It's an insect that I think has its origins down in Louisiana and South Texas, and as the name says, sugar cane aphid, that's what it was confined to, but for some unknown reason, it decided that it liked the taste of grain sorghum. Why, I don't know. Grain sorghum does happen to be a non-GMO crop, also gluten free. We're scratching our heads on that. You've got two reactions. Do you stand there like a deer in the headlights? Or do you pick up the phone? Who are you going to call? Sedgwick County Extension. And my hat is off to Zach and others for reacting like they did to get this meeting in place. I remember, and like he said in, less than 24 hours' notice, I pulled up to this farmstead north of Garden Plain on the day of that meeting and had to park a quarter mile away. Pickups lined on both sides of the road. The shed was full of farmers, and I remember distinctly Zach and his crew finding more chairs and dragging more chairs in to get everybody seated. This says a lot for guys that drop what they're doing in the middle of summer and come to a meeting like this.

"I won't say they were scared. Let's just say they were very concerned. They had a large amount of money invested in this growing crop that had good potential, and the expert he brought in from Manhattan, Kansas did an excellent job of presenting the best management practices for us to address this threat. It reminded me of the recurring line in the movie *The Deer Hunter*; you get one shot here to get it right. We're throwing \$18 an acre at this thing, and we learned that timing is key. You want to be spraying when 20 percent of the plants in the field have 50 aphids per plant. How many is 50 aphids? The size of a quarter is 50 aphids. These conditions, 100-degree heat and wind. These things were reproducing very rapidly. We're looking at a situation where the population was growing exponentially. Don't ask me to explain this, but these critters reproduce and produce almost all females, and those females are born pregnant, and so each adult is responsible for producing another one to three insects per day. So this thing gets out of hand very quickly if you don't treat.

"The other thing that we learned, that there were two insecticides available to use. One is better than the other, but it's going to cost more. It's going to give three weeks residual versus two weeks, and that happened to be the one that I chose. Another very important piece of information is that it's recommended highly that you use 15 to 20 gallons of water per acre to get this stuff on. Keep in mind we're dealing with a canopy that is four to five feet tall, lush and a lot of growth. The five gallons per acre that an airplane puts on is not enough. It's not good enough. So you've got to have ground rigs with a lot of extra hassle and expense putting on 20 gallons an acre to get it right. That's what we did.

"Fast forward to the fall. I also should mention, in addition to what Zach showed you, those plants that are affected, they don't stand very well, especially in the Kansas wind. They go down flat on the ground, and you don't get it all with a combine. You get a portion of it, and you have to slow way down and grind all that material through the machine and it's expensive. So fast forward to the fall, fall harvest.

"I had my best harvest on record as a producer, and I give a lot of the credit to that to the K-State Extension folks, populated statewide by good people like Zach Simon, who don't sit back and wait. They jump on things when it's time to get the necessary resources rounded up and get people involved in meetings to give us producers on the agriculture side a heads-up on how to do it and what to do right. Thank you. I'll stand for questions now along with Zach if you have any."

Chairman Howell said, "Thank you so much for the good story there. I'm really impressed that we have someone in the community that can respond quickly and dynamically to a problem that probably had never been thought of before. It's just

*tremendous to hear the way we responded. I'd like to call him Agent Simon, because I like the name Agent. If I were an agent, I would want to be called Agent Simon, too. Agent Simon is a smart guy, obviously, and he knows a lot about how to solve these kinds of problems, so I appreciate you stepping up and developing a really good plan on how to deal with this. Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "I appreciate the presentation. This is probably the most unusual and the quickest responding Extension report I can recall during the time I've had the privilege of sitting on the Commission. The question I might have, since a sugar cane aphid is originally assume tied in with the sugar cane plant and we don't have that here, what's the outlook for this year, in terms of this sugar aphid and what should anybody who is watching or seeing this think, do? I guess I'm going to try and see how many phone calls I can generate in your office, Agent Simon, but I'd like to get a better understanding, because obviously we've got some seasonal factors here that we don't have in the south. We've got normally a winter, although this was a very mild winter by comparison, but I want to get an idea what the forecast for [20]16 looks like for this. Could it go into other crops, like, say, corn, or other ones? I mean, there is not that genetically that big of a stretch between sorghum and corn. Please correct me if I'm wrong on that."*

*Mr. Simon said, "No. You're right. Kind of an outlook, the mild winter definitely was not a good thing with this. They are having issues with this pest right now in south Texas, so we are monitoring it. I plan to have an update meeting with Dr. Brian McCornack, the entomologist from K-State again, having him down to kind of brief producers on what all we learned again last year with the research that we had in Sedgwick County and across the state. One negative going forward this next year is we have lost one of the insecticides we were able to use. We are down to one. So that's a challenge that we're going to face. They pulled the label on that, EPA (Environmental Protection Agency), so that will be a challenge that producers will face this year. It's looking like we are going to have to deal with them. How soon? I don't know. So I'll be ready again and scouting fields and ready to hold meetings again if needed and to consult with producers if they need my assistance."*

*Commissioner Peterjohn said, "Is there any sort of biological pest, anything that eats that aphids people can use to rely on?"*

*Mr. Simon said, "Yes. Lady beetles, sweat bees or hover flies and lace wings are natural predators, as well as parasitic wasps. We did see a lot of lady bugs in the fall, however, it usually takes these predators several years to come up to speed with this new pest. They don't want to waste their resources laying eggs. It's generally the larva that feed on these aphids. They don't want to waste their resources and lay an egg by a new potential food host that they're unsure of how stable they will be and how long. I would say that we will see them catch up in a few years. Also, we're doing research on certain grain sorghum varieties that have shown some tolerance to these aphids much better than other varieties. So we'll be doing some research this year in Sedgwick County on that as well, seeing how different varieties stack up against this pest. We do expect them to be back this year, hopefully not as badly. A lot of it will depend on the winds coming from the south."*

*Commissioner Peterjohn said, "Do we think the other crops won't be effected?"*

*Mr. Simon said, "They have been reported on corn, but they don't see it as a host. They might land on it, try it and move on. I think, I can't prove this, but our thinking as of now is that they moved to sorghum just through natural genetic mutation but moved to grain sorghum because it does have a higher sugar content in its sap than*

*corn or other crops."*

*Chairman Howell said, "Thank you, Commissioner. Commissioner Norton."*

*Commissioner Norton said, "I don't have a lot of comments, although it flashes me back to growing up in the cotton country in Arkansas and trying to figure out how to take care of boll weevils when they became pesticide resilient, and continuing to test, whether you're going to spray it on or fly it on or what the newest thing was. Good work. I know we relied on our Extension Agents to come out to the fields and try to figure out what strain of boll weevil it was. If you've ever been a cotton farmer, you know, boll weevils if you let them go untreated, they will tear your crop up and ruin you for a season. So it's very interesting that it's a small aphid and you think it's not much, but it can be devastating to the farmers. So good work."*

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

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

*Commissioner Ranzau said, "What was the insecticide that you said you no longer can use?"*

*Mr. Simon said, "Transform. I forget who that is produced by. I would have to look that up. I'm sorry."*

*Commissioner Ranzau said, "And what was the rationale?"*

*Mr. Simon said, "I am not exactly sure. I think there was some concerns for bee health there. I know the state is trying to work to get a section 18, which would allow it to be an emergency use insecticide. They're trying to get that in place. That way, if we do have a severe infestation, they would like to have the two options for producers to use both insecticides."*

*Commissioner Ranzau said, "More intervention from an out of touch federal government, I would say. Thank you."*

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

*Commissioner Unruh thanked the Chairman and said, "Zach, I just want to thank you for the presentation, and say that I have a new appreciation for agriculture science. This is really an interesting story that you've told us. I appreciate your expertise and for both you and Kent, the way that you all have had a very significant impact on the economy of Sedgwick County. Sometimes we forget how important agriculture economy is to the economic well-being of our region. I know Kent, you've been a leader in the agriculture community for years and been before us appreciate your leadership. Zach, as I said, this is very interesting, and I'm glad that you put your time in and got the expertise necessary to help our citizens in Sedgwick County. So thank you all, very much."*

*Chairman Howell said, "Thank you, Commissioner. I was just curious, Agent Simon, can you talk about how you might use drones to track this type of infestation in the fields? Is that something you're using, doing aerial photography or figure out where the problems exist?"*

*Mr. Simon said, "Yes. A photo I had of the plots was from an unmanned aerial vehicle (UAV), we are using this. We plan to use them again. If you guys visit the Extension Facebook page, I've got a really cool video up there of us actually flying a sorghum*

*field with a UAV, using different filters on cameras to see if we can track infestation levels via flying a field in maybe five or ten minutes versus taking a long time to manually walk through a 160 acre field or something like that. We're doing that as part of our normal plot work as well. So we're trying to get a good handle on this and get as many useful tools as we can to producers."*

*Chairman Howell said, "Does the Extension Office provide that service to our resident farmers in Sedgwick County? They don't need to necessarily have that technology themselves? They can rely on you to help them with that?"*

*Mr. Simon said, "Currently, we do not. With the licensing needed, you know, you have to be a licensed pilot to fly at the heights that we're flying with these. These are very expensive aircraft, especially with some of the cameras and sensors, I mean we're pushing \$10,000. So currently, we just have ones coming out of Manhattan and K-State Salina. So, currently, no, we don't have it at the local level. And still, I don't know that we're quite up to speed with where we're at with the technology, knowing that we can give them useful information just yet."*

*Chairman Howell said, "I'm disappointed to find out I have to be a pilot and all that and the cost. I was hoping I could come out and fly the drone for you a little bit. But that's not going to happen."*

*Mr. Simon said, "Maybe we could work something out."*

*Chairman Howell said, "I would like to point out the first paragraph of your report, which I don't think that you actually read. I think that it is important for people to hear this. It says, there's 37 agricultural food and food processing sectors that you guys are tracking. Overall, they have a total direct output of \$2 billion and \$12 million supporting 6,212 jobs in Sedgwick County. Those are some big numbers. Again, you have this broken down in very much detail in this report, so thank you for that, and to me, that sounds like a really extremely important part of our local economy and I guess I am just glad that the Extension Office is aware of what's going on around us and to report these numbers once in a while. Thank you for that, as well. Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "I was just going to thank Mr. Winter and Agent Simon for this very interesting and unfortunately, disturbing trend we've got to address, but I'm pleased to hear how it's being addressed."*

#### **MOTION**

*Commissioner Peterjohn moved to receive and file the County Extension Quarterly Report.*

*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, "Thank you very much for being here. Madam Clerk, next item, please."*

**Received and Filed**

K      [16-164](#)

**UPDATE REGARDING HEALTH DEPARTMENT'S POTENTIAL USE  
OF AN IMMIGRATION STATUS QUESTIONNAIRE.**

Presented by: Justin Waggoner, Assistant County Counselor.

**RECOMMENDED ACTION: Receive and file.**

*Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "We have been asked to place this item on the agenda in light of our communications or lack thereof from the Kansas Department of Health and Environment, and Justin Waggoner, Assistant County Counselor is ready to make a presentation to you today about that, but you should know I did hear this morning from the KDHE by way of an e-mail communication, we haven't had an opportunity to, I got it right before the Commission was to meet, and I haven't had an opportunity to look at what they've actually said or what the response is, so it's going to be up to the Commission whether or not you wish to pass over this item until another time."*

*Chairman Howell said, "Well, the recommended action is to receive and file, so we're probably just receiving some information. With that in mind, I would probably want to go ahead and move forward a little bit. That's my opinion. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "I was just going to suggest in light of the Counselor's information, we just postpone this item a week and see where we stand in a week."*

*Chairman Howell said, "I'm open to that action as well. Commissioner Unruh."*

*Commissioner Unruh said, "I'd like to assume that that was a motion by my colleague, and I second his motion."*

*Commissioner Peterjohn said, "I appreciate that. I threw it out there just strictly for discussion purposes. If there's four Commissioners who agree, I guess I can turn it in to one."*

*Chairman Howell said, "Let's hold off for just a moment. Commissioner Ranzau."*

*Commissioner Ranzau thanked the Chairman and said, "Personally, I would like to proceed with the presentation. This started a month ago when Sedgwick County asked the State of Kansas to limit participation or prevent illegal aliens from receiving welfare benefits as permitted under federal law. We have sent multiple letters to them. They've refused to respond, and I think the people of Sedgwick County need to understand the efforts that we have gone to. They responded this morning, I think, because they found out that we're going to actually talk to the people and let them know that they haven't responded."*

*"Personally, I want the citizens to understand the history and all the effort we've gone into and how we've been patient. We were going to put this on a few weeks ago, and they said, give us some more time, and they've never done it. And so the only reason they're responding now it is very clear, because we're going to present this to the people, and I think the people deserve to hear this. It's something they're interested in. I'd like to get closure on this. We've been patient and waiting far too long to get a response from Topeka. The people deserve to get an answer, but that being said, that's my opinion and I'll support the will of the Board."*

*Chairman Howell said, "I also agree with the previous Commissioner's comments. I think the recommended action is just to receive and file, so we're just discussing, I guess, our status, what has occurred up to this point, and I don't see any harm in doing. That I think in light of the e-mail that you received, Counselor, I guess I'd like to see maybe some further updates in the future, but as to draw a line in the sand and get us updated as to where we are currently, I don't see any harm in doing that. I'd like to ask Counselor Justin to come on up to give us that information if that's acceptable."*

*"And just to let you know, I don't plan to spend too much time on this. I would just like to know what's occurred up to this point, and if you can kind of tell us the steps we've taken so far and that. I don't know that we necessarily need to have any action from the Board today other than to simply receive and file the information you're presenting."*

*Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "I am here today to present just a really chronological update as to what's occurred on this item since you all approved the grant back in October of last year."*

*"As you will recall, on October 7th of last year, you all approved that grant. Just to explain, the grant was to funds that would be used essentially pass-through funds from the United States Department of Agriculture. They passed through the Kansas Department Health and Environment to local agencies that administer the funds. In particular, the funds are used for to pay for Sedgwick County Health Department staff that handle matters Women, Infants, and Children (WIC) matters and other costs and expenses of the WIC program."*

*"During that meeting on October 7th, there was a very robust discussion both of the grant itself and then also Commissioner Ranzau had made a number of requests, two of which are reflected on this slide. The first was that he, Commissioner Ranzau, had asked the KDHE to limit WIC participation to U.S. Citizens, nationals and qualified aliens and have the staff develop a form asking about citizenship and immigration status for anyone who seeks benefits from the Health Department in an effort to gather data. During that meeting, a majority of the Board of County Commissioners expressed support for those two items."*

*"It is important to note Commissioner Ranzau's request about sending a letter to the KDHE, supported by a federal regulation 7CFR (Code of Federal Regulations) 246.7, subsection C3. That allows for a state or state agency to limit the receipt of benefits under WIC to U.S. Citizens, nationals and qualified aliens as they're defined in the immigration code. And neither the State of Kansas nor the KDHE has taken any action pursuant to that provision to limit the receipt of such benefits in Kansas. On the next slide here, I've included an excerpt from that regulation that has the specific language included in it. At this point, Kansas has not done anything to do that. Commissioner Ranzau sent a letter October 8th of last year, the day after you all voted on the grant, to the KDHE Secretary, requesting they take any and all action to limit participation as noted in that federal regulation to U.S. Citizens, nationals, and qualified aliens. That letter was followed up the next week by a letter from Commissioner Unruh that noted that the letter from Commissioner Ranzau was not necessarily representative of all five Commissioners, he also pointed out that it was not the result of any official action taken in terms of the vote by the County Commission, but essentially just a consensus of the Commission, a majority of the Commission."*

*"Fast forward to October 29th, there was an e-mail sent by USDA (United States*



*Department of Agriculture) staff. Again, they're the ones who originate with the grant funding. The email was sent to KDHE staff who then forwarded that e-mail to Sedgwick County Health Department staff. The subject of the e-mail was really indicating a whole list of potential negative repercussions to Sedgwick County, if it were to utilize a questionnaire asking about immigration status. It was very broad in its approach. It also didn't state the official position of the KDHE in the e-mail.*

*"Next, on November 3rd of 2015, Commissioner Ranzau received a letter from seven different interests and advocacy groups strongly urging that the County Commission not adopt the use of an immigration questionnaire, an immigration status questionnaire for any Health Department participants. I also again included a whole listing of potential legal consequences in a very broad fashion.*

*"On December 1st of last year, Sedgwick County Counselor Eric Yost sent a letter to KDHE's counsel. Really the gist of the letter was seeking feedback from KDHE on what its position was on some of these issues. It included a draft questionnaire that had not been utilized, has not been utilized. They're asking for information about that questionnaire in light of the e-mail that KDHE staff had passed along to Sedgwick County Health Department, asking for feedback, from KDHE's attorney, because they're the granting agency, who we have the contract with. Also, they are the grant partner with Sedgwick County Health Department on numerous other Health Department grants, so the thought was to get some feedback from them. As I said, it also included a draft questionnaire which had noted that it would be optional, it would not be required in order for someone to receive benefits. It would not be determinative for their ability to receive benefits. It would be kept from any of their medical records and would be, again, utilized only for informational purposes. There was no response from the KDHE.*

*"As we fast forward to February 19th of 2016, then again Eric Yost, Sedgwick County Counselor sent a follow-up letter to the KDHE counsel requesting a response to the December 1st, 2015 letter and requesting a response to the position of the KDHE on Commissioner Ranzau's letter that was sent back on October 8th, in terms of the potential for any limitation under that federal regulation that was cited earlier in the slides. Again, no response was received. The letter did ask for a response by March 5th so we can try to get some sort of idea what KDHE's position was.*

*"The Sedgwick County Counselors Office made numerous additional efforts after trying to schedule a telephone conference with attorneys from the KDHE. Those proved unsuccessful due to lack of responsiveness by the KDHE's counsel. The last line on there says no response. That's updated as Eric Yost noted. There was an e-mail received. I believe it was sent at 7:00 p.m., last night, received this morning. I will give a quick update on that. That e-mail was from one of the attorneys of the KDHE, and there are a few things worth noting. They recognized the federal regulation cited on the slides and they say before any participation could be limited, the KDHE would have to amend their procedures for participation and provide the USDA with amended procedures and essentially USDA has to approve those procedures. That's one of the steps. They also note, they made the statement that if the county proceeded with its plan to survey clients that could lead to the KDHE terminating the contract for WIC, as well. They also included, they attached in that e-mail, some comments that were passed along from the USDA regional office in Denver. They did note in that passing that along, state agencies have the option to limit participation in certain circumstances. In order to do this, the state agency must submit the change to the operating procedures for approval. The state must also be aware this will affect their funding levels as each state agency receives funds based on an allocation formula which calculates a state's fair share. These estimates are based on all eligible individuals, including non-qualified aliens, so an adjustment*

would be made to the state's estimated population.

*"So, we did get a response from the KDHE on this, albeit a little late in the game for this presentation, to make it in there. On this last slide, I have included contact information for the KDHE. This really summarizes what has transpired from October 7, 2015 to today, literally today, and our recommended action on this matter is simply to receive and file. Thank you."*

*Chairman Howell said, "Thank you. Let me just ask a clarity question. In our correspondence, we never suggested we were intending to limit benefits. We simply talked about I am implementation of a data collection questionnaire. We wanted to implement data collection. We did not necessarily indicate that we had any interest, at least at this time, to begin the process of not providing benefits to anybody in the population that would be qualified."*

*Mr. Waggoner said, "That's correct, Chairman Howell. There was no statement at any point that benefits were being limited. There was a suggestion made to the state that they take measures that they can take under the federal regulations to limit participation, but there was no action taken by the county to limit participation."*

*Chairman Howell said, "It sounds like their e-mail and I'm sure you'll give us a much more robust briefing. But it sounds like their assumption once again is that our intention is to limit benefits, and should that limitation happen, then there would be things that would happen from the federal government to the state and then from the state to us, but it sounds to me like they've connected the dots that we have not even necessarily proposed, that their assumption is that our end game was to limit benefits, and based on that action, our pass-through funds from the federal government to KDHE and to the local government would be impacted. Again, I see that they've taken a position that we've not even advocated for necessarily in our correspondence with them. Their assumption is that's where we're headed. And right now I think all we've asked for is for the ability to use a data collection form."*

*Mr. Waggoner said, "Commissioner Howell, I may clarify my comment just a bit. They're also saying that just using that form, it could lead to the termination of the contract. I think that's what you're saying, I just want to make sure that's clear."*

*Chairman Howell said, "The term they used was could lead to. It's not saying it would or shall lead to, but potentially would lead to. I've got other questions as well. Let's go to the Commissioners. Commissioner Ranzau."*

*Commissioner Ranzau thanked the Chairman and said, "Let me clarify. So they said that if we did do a questionnaire, there are two issues here that we are talking about. First of all, we asked KDHE to limit participation in WIC to legal residents, citizens and qualified aliens, as authorized under the state law. Did they respond as to whether or not they would be willing to do that or not?"*

*Mr. Waggoner said, "They did not give a yes or no answer. They just said if they did it, they then listed the steps. I did want to clarify. It's a federal law, a federal regulation that applies to state or state agencies."*

*Commissioner Ranzau said, "So here we are, six months after the original request. They've still not answered our letter or question. We simply need a yes or no answer. We've asked that they do it on behalf of the citizens of Sedgwick County, quite frankly, the State of Kansas. I think the vast majority of citizens in Sedgwick County, Kansas oppose the idea that illegal aliens should receive welfare benefits or taxpayer subsidies. We just need an answer. Are they willing to do this or not? We need to*

*know so that the people can know. I think that's important to bring out. Six months have gone by and we've not gotten a response. It is not that difficult.*

*"Secondly, they said that if we did this questionnaire, because we said at the very least, let's get some data on who is receiving benefits. Because some people say a lot of illegal aliens are getting taxpayer subsidies and some say they're not. One way to find out is ask questions. We're just going to do a questionnaire, not limit participation, just a questionnaire. They're saying that if we do that to WIC it could cause us to lose those funds, all funds, right?"*

*Mr. Waggoner said, "It says may result in termination of the contract. I think implicit along with that could be either a claw back to get any funds that have been provided the county or something along those lines, yes."*

*Commissioner Ranzau said, "Who would initiate that and what was the justification? Why would they do that? Why would they terminate the contract just because we want to ask questions?"*

*Mr. Waggoner said, "They do note in their letter that asking the questionnaire could be contrary to established laws, regulations, policies and procedures the state has put in place for their WIC program. It doesn't get into a lot."*

*Commissioner Ranzau said, "Does it say specifically the laws, rules and regulations that the state currently has in place?"*

*Mr. Waggoner said, "It doesn't go into much detail."*

*Commissioner Ranzau said, "We need to ask them what that is, because those laws and regulations could be changed. First of all, under federal law and regulation, you don't have to allow illegal aliens to participate in this program. So how can just asking questions on who is participating be a problem? I think it's very telling from the state's perspective that if they're willing to cancel the contract just because we ask questions to give information to our citizens, what does that say? They're willing to cancel the contract and pull the funding for all legal residents, citizens, qualified aliens in order to prevent us from gathering data as to whether or not illegal aliens are participating in this program.*

*"Since when are we afraid of the truth and data to the point that we will try to intimidate Sedgwick County, elected officials, the taxpayers? Taxpayers have a right to know. I think we need to understand that the reason they've not responded and with the response they finally have given is that they are supportive, apparently, in Topeka for illegal aliens to receive taxpayer subsidies in the form of welfare benefits. They just don't want to say it. If we try to find out how many people are receiving these benefits, they will try to intimidate us and threaten to cancel the contract. That's problematic.*

*"Can you put up that last slide again? I know a lot of citizens are concerned about this. Here is some contact information. There is a phone number for KDHE, an e-mail for the Deputy Secretary. We couldn't find an e-mail for the Secretary of KDHE. Had a lot of people asking this question. All we can do at the local level is ask the question, ask KDHE to exercise what they can do under federal law. They can either choose to do so or choose not to do so. As this point they've chosen not to do so and chosen to not even respond to this Commission's questions on behalf of the citizens.*

*"If you have a problem with that, you can call them, e-mail them, and I would encourage you to do so, because clearly the problem lies in Topeka. We can't even*

*get an answer. Instead, we're getting delayed responses to seek to really intimidate us from even asking the question and getting data and information on behalf of our citizens, citizens, and that's troubling to say the least."*

**MOTION**

Commissioner Ranzau moved to receive and file the report.

Chairman Howell said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "I would just like to get a better understanding in terms of I have not seen the response that they belatedly provided. I think it's obviously distressing that it's taken so long just to get to this point. I would like to try and get this information out there, because I think the public has a right to be concerned on a whole bunch of, on several different levels. The idea that we're going to become the, if you come to this country, automatically all these welfare programs become available. And for a large part of the world, all they have to do is manage to get across the border and their standard of living goes up dramatically, and we're in an interesting and challenging position, because I don't believe we as either a county, as a state or as a country can support the rest of the world, and it's unfortunate that we have gotten to this point today, because I find myself in agreement that the state and federal government needs to have better oversight and the operational controls here. We've just tried to set up, just collect a little bit of data. And that seems to be a huge, huge problem, and it shouldn't be, especially in light of the fact that in theory I don't think welfare should be provided to folks who have broken our law and come here illegally."

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

Commissioner Unruh thanked the Chairman and said, "I don't know if we have a second yet. I just had a question for County Counselor, Mr. Yost. Did you send us a note saying that pursuing this might consume a lot of staff time and research or do I have my issues wrong?"

Commissioner Unruh seconded the motion.

Mr. Yost said, "If we were to research all of the potential legal issues, it would take a fair amount of research to figure out, if we just tried to do it on our own without any assistance from either KDHE or some federal agency to give us some guidance on what we could do or not do. I provided that to you at the point in which we hadn't heard back, and we're just kind of on our own to figure out what the possible consequences might be, and so that is our position. It would require a fair amount of research for us to dig into it and figure out what we're looking at if we decide as a county to deny benefits or even possibly to just ask for this information."

Commissioner Unruh said, "Okay. I thought that you'd indicated there might be some cost, but maybe this e-mail you got this morning will modify that."

Mr. Yost said, "I'll take a look at it."

Commissioner Unruh said, "Thank you. That's all I have."

Chairman Howell said, "Just a couple comments from myself. It's interesting to me that on the presidential election going on, there has been a lot of rhetoric about solving illegal immigration in this country. If you can't understand the magnitude of the issue, how do you even begin to solve that problem? The candidates are very bold in

*discussing ways they're going to be aggressively solving this problem and frankly, if we can't even collect data when we hand out benefits, to me it seems that we've got a lot of barriers in place that we've got to solve before we can even begin to substantially solve the issues of illegal immigration. It's interesting also that private physicians ask lots of questions about things mandated to them by the federal government.*

*"One of the ones I've seen personally, that bothers me personally, is you're there to get your foot checked out, and they'll ask if you have any firearms. They're collecting data on things that are social, that are important to the federal government, and those things are mandated as well, so it is interesting to me that those questions are being asked by physicians that are completely unrelated to the services that are being provided. Let me also say that private physicians are also being required to collect data in terms of the country origin to the people they're providing services to, again, stating their race, their ethnicity, their country of origin. Those are questions that are routinely asked on doctor's forms. They're collecting data to understand the population that they serve.*

*"Again, I think that the assumptions by this community is that we've got an illegal immigration problem. I'm not saying we do or we don't. I'm saying we have no data to back up those sentiments. As long as we're providing benefits, we have the right to find out who the population is. It's a very simple question, and I don't think this necessarily leads to any action by the Board of County Commissioners in whether we would continue to provide benefits to the same population or make any changes or request to make any changes, but simply understanding the population we serve I think is the first step. I think this is a very minor thing, and yet it comes with consequences of threats of stripping funding. I just find that to be a very illogical outcome to a very simple question. So I was surprised at their response. Again, I wonder if they understand what we are actually asking for, I'm not sure they do.*

*"There's been a lot of discussion, apparently, at KDHE because Daniel Salazar at The Wichita Eagle did a Kansas Open Records Act (KORA) Request, and they were able to provide him e-mails between a number of people at KDHE talking about this issue. I've read this at length and there's lots of discussion between different people at KDHE, yet they don't respond to us. The response, I think, is needed. We are an important part of the state. We have one-sixth of the population that lives here in Sedgwick County. It seems like when we make a legitimate request for information from one of our state agencies, they have a responsibility to respond and six months is too long.*

*"I've made a number of requests to the Attorney General, in terms of Attorney General opinions, I've requested that. That's a very lengthy process, for them to research the case laws in the nation and state to determine what the Attorney General would decide on opinions and sometimes I ask a very simple question and get an eight or ten page response, because it's a very complex requirement that he has to respond, and that usually takes six months, so when we ask a very simple question to KDHE, they should not take six months to get a response, and yet this response today in my opinion, the timing is suspicious. They have only responded, simply trying to, I guess, maybe encourage us not to disclose to the public exactly what has happened up to this point. Commissioner Ranzau."*

*Commissioner Ranzau said, "Yes. Just to clarify, Mr. Counselor, I think we'll have some more discussions, but at the very least, I think the position should be back to them. When they refuse to respond to us, they're refusing to respond to our constituents, and our constituents still deserve an answer on the original question, and with respect to if we use a questionnaire, exactly, we want specific action they're*

*prepared to take and the regulatory and legal basis for those actions. Is that what we're seeking?"*

*Mr. Yost said, "I will take a look. As I mentioned, I haven't had an opportunity to go through their response, but if their response is lacking and if it is not responsive to the questions we put to them, I will ask again, and maybe now that we've actually heard from a real human being at KDHE, which is the first that this has happened, I will contact that person. I might even call him and go over it with him."*

*Commissioner Ranzau said, "Perhaps another option is perhaps we seek some sort of legislation from the legislature to essentially pass a law that forces them to do it. I would hope that we don't need to go that far, but that's an option that perhaps we should at least consider as we move forward. Thank you."*

*Chairman Howell said, "Seeing no further discussion, Madam Clerk, we have a motion and a second. Please call the vote."*

**VOTE**

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

*The Board of County Commissioners recessed from 11:28 a.m. until 11:33 a.m.*

**Received and Filed**

**L**      [16-187](#)

**RESOLUTION ESTABLISHING A SCHOOL SPEED ZONE ON 143RD STREET EAST FROM 700 FEET NORTH OF PAWNEE TO A POINT 2900 FEET NORTH OF PAWNEE (839-R), AND PROVIDING FOR THE ENFORCEMENT THEREOF. DISTRICT 5.**

**Presented by: David Spears, Director of Public Works.**

**Recommended Action: Adopt the Resolution.**

*Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "This resolution establishes a 40 miles per hour school zone on 143rd Street East between Harry and Pawnee, along the frontage of the Christa McAuliffe Academy K-8th school. The effective times will be coordinated annually with USD (Unified School District) 259 and for the remainder of this year the times of operation will be 7:30 a.m. to 8:05 a.m. and 3:00 p.m. to 3:30 p.m. Existing beacons that operate during the times just mentioned to alert motorists to the existence of a school in that area will be modified with the appropriate signage to provide for the 40 miles per hour school zone speed limit. This resolution is being offered for your consideration in light of the August opening of the new Southeast High School. Increases in traffic are anticipated during those times when students will be en route to and from school, and the school speed zone will raise awareness during those times. The request for the school speed zone was made by Pam Paulson, Assistant Supervisor of Field Services for USD 259. I recommend that you adopt the resolution."*

*Chairman Howell said, "Thank you, Mr. Spears, for that presentation. Is there any increased traffic at the lunch hour around this school, do we know? I know there's obviously a lot students riding in the morning and leaving in the afternoon, but is there any increased traffic in the afternoon with we know of, around lunchtime?"*

*Mr. Spears said, "We haven't taken counts on that. It's K-8th, so I imagine the kids stay there at the lunch hour."*

*Chairman Howell said, "And I would assume that as well. If we see a need, I'm sure we make an amendment to this if we ever needed to. Twice a day makes sense. The flashing lights that are being discussed here, they're already in place there, but they don't indicate a lower speed limit?"*

*Mr. Spears said, "We have those in several school areas around the county and these do not have a speed limit on it. So all we have to do is add the signs to those poles and lights. The signs are ready, and if you pass this, we will probably have them up this afternoon."*

*Chairman Howell said, "That's very exciting. Thank you for that. I'd like to say to Council Member Pete Meister and I met with a number of people in the community that were interested in discussions about traffic flows around Southeast High School that opens next fall, and there was a lot of concerns by constituents. So Council Member Meister and the public I think really encouraged us to take this action, and of course, I've asked you to present this and prepare this."*

*"I think we're just being responsive to the community, and I think this makes a lot of sense. You have a K-8 school. This is a county road, 55 miles an hour around the clock despite the fact that we have an elementary school right there on this road, so the traffic is very congested, trying to get in and out of that school around these hours, and if a 55 miles an hour speed limit, we've been, I think, very fortunate we've not had any terrible accidents there, so I think this is a very prudent and smart thing for us to do today."*

*"I appreciate the presentation. The cost is very small. I think we're doing the things that the people really want. Of course, when school is not in session, because these are controlled by flashing lights, the higher speed limit would still be available to the community around the school that isn't impeded by slow speed limits. This is a smart way for us to do this and a smart thing for us to do."*

#### **MOTION**

*Chairman Howell moved to adopt the resolution.*

*Commissioner Unruh seconded the motion.*

*Chairman Howell said, "I should ask, does anybody from the community want to speak to this item before we take action here. Seeing none. Any further comments or questions from the Commissioners? Seeing none. Madam Clerk, we have a motion and a second. Please call the vote."*

#### **VOTE**

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

*Chairman Howell said, "Thank you Mr. Spears. Madam Clerk, next item please."*

**Adopted**

M [16-195](#)

PRESENTATION OF THE 2015 COMPREHENSIVE ANNUAL  
FINANCIAL REPORT (CAFR).

Presented by: Chris Chronis, Chief Financial Officer.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

*Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "We have delivered to you the County's Comprehensive Annual Financial Report, this book, which contains about 150 pages full of numbers and texts describing numbers, and it makes for a great reading for people like me and not so great reading for most human beings. But it does provide very complete and accurate disclosure of the results of the county's financial activity for the 2015 fiscal year, which ended on December the 31st.*

*"Sedgwick County is required by state law, as well as by various bond covenants, to produce annual financial statements annually within six months of the end of the fiscal year. We are producing and delivering these three months after the end of the fiscal year, so we are well within that threshold. We are required, as well, to have those financial statements audited by an independent CPA (Certified Public Accountant) firm. That action has been taken by the firm of Allen, Gibbs & Houlik and Shelly Hammond who is the Account Manager for Sedgwick County's audit and just walked into the room will come up here as soon as I have finished this presentation and share with you the results of the audit that they performed on these financial statements.*

*"The financial report and, more importantly, the day to day financial accounting activity that was required in order to generate the numbers that go into the report were produced by our very excellent accounting staff under the direction of Sara Jantz, who is sitting in the room here, and a variety of members of her staff are in the room as well, and because this is very melodic, I'm going to take the opportunity to tell you that in the room from the Accounting Department, we have Sara, Brandy, Mandy and Sarah. And they do excellent work for us, as always. I can take no credit for the work of actually having done it, but I'm happy to stand up here and take credit for the good results.*

*"The county and any government accounts for its financial activity in two different ways. We are required to primarily answer questions about our near term financing capabilities. What do I mean by that? Well, in the private sector, the primary interest of the entity is to know whether or not they made a profit and what their overall financial position is. That's kind of a long-term view of the finances of an entity. In the private sector, we are not here to make a profit. We are here to deliver services that can't be delivered by private entities to our community, and in order to provide those services, we have to have the ability to fund those services, and so what we are interested in primarily in governmental accounting is the near term financing capability of the government, and for that, we use a basis of accounting called modified accrual, which produces traditional funds statements, and you're all familiar with those.*

*"For the folks who are viewing, what that means is that instead of consolidating all of our accounts and records, as, for example, General Motors does, when they produce financial reports, we maintain separate sets of books for the various separate dedicated funding streams that we have or for the various separate, specific activities*



*that we need to keep segregated. And so those funds statements produce information that I'm going to share with you today. We also produce information using what is termed a full accrual basis of accounting, which is the traditional ways businesses report their financial information. And for the statements that are done in that fashion, we provide what are called entity-wide statements, where just as General Motors is rolling up all of the activity of its various divisions into a single set of financial statements, we are rolling up all of the activities of those various funds that I mentioned and producing a single set of financial statements for the entity.*

*"Today I'm going to spend a little bit of time, I'm going to spend a lot of time talking about each of those different methods of accounting. I'm going to begin with the traditional fund statements. And for them, I'm going to begin, if you will, at the end, with the fund balance, the amount of net assets that we have on hand within our accumulated governmental funds as of the end of a year. And what you see on this chart shows five years of history so that you can get a sense of where changes have occurred over the last five years and what kind of changes have transpired. What this chart shows you is a different color representing a different fund or fund type for all of the county's governmental activities. The green at the bottom is the County's General Fund, which is far and away the largest single area of our financial system, and it's where most governmental activities take place. The General Fund ended 2015 with a fund balance of \$65 million. That was \$3.6 million less than the year previously, and you can see looking back across the time period that is shown here that our fund balance has consistently been between \$65 million and \$68 million during that period of time, so relatively flat General Fund fund balance.*

*"The blue segment immediately above the green represents our federal and state assistance funds. If you will, the grant funds, and you see again relatively constant fund balance across time. The gray segment, the next segment, represents all other funds other than the ones that I'm going to enumerate for you here, and it combines the fund balances of the highway fund and the EMS (Emergency Medical Services) fund and the COMCARE tax fund and so on and so forth. And you see that the fund balance for all of those other funds at was \$43.5 million dollars. Again, relatively constant over time, although somewhat of a decrease from five years ago.*

*"There's a thin blue line that represents debt service funds, \$3.1 million. And then there is an orangey-yellow color that represents our Debt Proceeds Funds. These are funds that account for bond proceeds from the sale of debt and the proceeds haven't yet been used either to pay for the projects or to refund the debt for which the bonds were sold. The fund balance for that set of accounts is \$44.9 million. Finally, at the top of the chart, you see the Public Building Commission (PBC) Fund, which had an ending fund balance of \$41.9 million and that is primarily money that was collected by the Public Building Commission to pay for a building on WSU's (Wichita State University) innovation campus, and the bonds that the PBC sold to pay for that building will be repaid solely with the proceeds of the Wichita State University mill levy that we impose.*

*"Now, turning to the General Fund, since that is the most important operating fund that we have, I want to spend a little bit more time delving into it, and what you see on this chart identifies each of those five years of General Fund fund balances, and it identifies the classification of fund balance within each year. The reddish-brown color at the bottom represents Non-Spendable Fund balance, net assets that are attributable to inventories and other things that can't be readily spent. The gray bar represents Assigned Fund balance. Every year when we adopt a budget, we anticipate and budget for a large amount of contingencies in case we get hit by a major storm event or we have some major crisis, and that's to provide legal spending authority. We don't ever expect that storm to hit or that crisis to occur, and so we*

*don't want to raise property taxes every year to fund those contingencies, and so we fund them with fund balance. When we do that, we are assigning that fund balance; we are designating a use for it in the subsequent year, and you see that the designated fund balance or the Assigned Fund balance was \$16.1 million. The green segment at the top of the chart is Unassigned Fund balance. That's the amount of the General Fund fund balance for which there has been no designated use.*

*"Now, the sum of the unassigned fund balance and the assigned fund balance, \$39.7 million and \$16.1 million, at the end of 2015 equals what in accounting terms is termed Unrestricted Fund balance. And our fund balance policy says that the Unrestricted General Fund fund balance should never be less than 20 percent of budgeted expenditures and transfers in the General Fund. What you see on this chart is a demonstration of our compliance with that policy limitation. We ended the year with \$55.7 million of Unrestricted Fund balance, the sum of the Assigned and our 2016 General Fund budget is \$195.5 million. The 20 percent threshold, the minimum of \$195.5 million is \$39.1 million, and so we are in excess of that as of December the 15th. Our Unrestricted Fund balance at the end of the year stood at 28.5 percent as compared to our 20 percent minimum threshold. And it exceeded the minimum threshold by \$16.6 million.*

*"Now, I'm going to spend a little bit of time talking about some indicators of financial condition within the fund statements. One of the key questions that we want to be able to answer has to do with the budgetary solvency of our governmental funds, and the first question is, are the county's annual revenues sufficient to pay for the annual budget? What you see on this chart shows ten years of history, and for each year, it identifies the percentage that revenues made of expenditures. What we want to see, ideally, is for those dots, those data points, to be right at or slightly the 100 percent line. What we see on the chart is that we have pretty consistently been below the 100 percent line. In 2015, our Governmental Fund revenues amounted to about 92 percent of Governmental Fund expenditures, and in fact, we had been below the 100 percent threshold every year since 2009. Now, that measures all governmental expenditure activity, which includes some capital projects and debt funded projects and the PBC's activity. To get a more reasonable picture of whether or not we are able to pay for our own operations, we use this indicator, which takes the same revenue base and compares it to the Governmental Fund expenditures excluding the PBC and Debt Service and Debt Proceeds funds. And so here we have more of an operating solvency measure as opposed to a budgetary solvency measure. Again, we would like to be at or above 100 percent, and again, we are below it, although we are closer. In 2015, we ended the year with revenues at about 96.5 percent of expenditures.*

*"Another question that we want to answer has to do with the flexibility of county finances. To what extent do we have full control over the use of our resources? And in order to answer that question, we look at the total debt service, the total principle and interest obligations that the county has incurred as a percentage of all expenditures that we incur. To the extent that we have debt service expenditures, obviously they take priority over everything else, because we have contractual obligations that we have to fulfill. And so to the extent that we have those expenditures, they're going to consume the available resources that we have. At the end of the year, of 2015, our debt service expenditures amounted to about 6.2 percent of all governmental fund expenditures. You see on this chart that we have consistently been around the six percent line except for the years 2011 through 2014, when our debt service expenditures spiked because we were engaging in a series of refundings, and so we were paying off bonds prematurely during those years.*

*"A final question that we want to ask is whether or not the county has any difficulty*

*paying its short-term obligations, and for this liquidity measure, we're looking at the total cash and investments that the county has on hand at the end of the year as a percentage of the liabilities that the county had on hand at the end of the year. What it shows is that the end of 2015, our cash on hand amounted to about \$8.80 for every \$1.00 of liability, and that's a pretty good liquidity situation to be in. You see that our liquidity was much better at the beginning of this ten-year period, and that's because that's when we were in the process of building Intrust Bank Arena. Recall that we had imposed a special sales tax in 2005 and continued collecting that revenue through the end of 2007, and during that period of time we collected a little bit in excess of \$200 million of revenue. We put that in the bank, and then starting late in 2007, we began spending it to build the [Intrust Bank] Arena. And so for those years, 2006 through 2010 really, our liquidity was elevated because we were sitting on that dedicated sales tax cash that hadn't yet been used.*

*"This is the final measure. How much are we relying on other governments to fund our activity? What is total intergovernmental revenue as a percentage of total revenue? And what we have seen over the past ten years is that intergovernmental revenue has consistently been between 14 and 16 percent of all revenue within our governmental funds. There was what appears to be a spike at 2015 from prior years. That was attributable to a \$5 million grant that we received to pay for one particular road project, an anomaly, if you will, over the long-term trend. But what this chart shows is that we are not heavily reliant on intergovernmental revenue to pay for our operations and it shows further that the extent of our reliance has been relatively constant over the past ten years.*

*"Now I'm turning to the entity-wide statements, the statements that wrap all of the County's financial activity up into a single set of statements on a full accrual basis, similar to what a private business would do. Once again, with these statements, we'll begin at the end and talk about the County's net position, in effect our net worth. The County had a net position at the end of 2015 of \$507.1 million, and that is identified by the series of bars on the left-hand side of this chart. Each bar represents a separate year, and so you can see that in 2015 that \$507 million was a good bit less than the level a year previously, when our net position was \$620.3 million. I'll get back to the cause for that in just a second.*

*"Within each bar, you can see the composition of our net position. The green segment identifies capital assets, net of any debt that is outstanding that was used to pay for those assets. And it has slowly risen over this five-year period to a total of \$472.5 million at the end of 2015. The blue segment represents restricted net position, and you see the nature of the restrictions in the pie chart on the right-hand side. Restricted net position is restricted primarily because of some dedication of funding streams. So you see that we have funds that have been restricted to be used for capital improvements. We have funds that have been restricted for debt service. We have grant funds, federal and state assistance funds that have been restricted, and so forth. You see the nature of those restrictions. All told, our restricted net position at the end of 2015 was \$64.1 million, about \$5 million less than the year previously. Finally, the light blue segment represents unrestricted net position, and that's where the change has taken place. In 2014 our unrestricted net position was \$85.2 million. In 2015, our unrestricted net position is a negative \$29.6 million. That is a swing, if you will, of about \$115 million. And that is attributable to a new accounting rule that took place for the first time in 2015, which required us to reflect on the county's financial statements, our share of the unfunded liability of the state's pension system, of the KPERS pension system. In the case of Sedgwick County, that unfunded liability amounts to about \$122 million, and so it is reflected on our financial statements for the first time in 2015.*

*"Now, that looks bad. Has the county's financial abilities, has our capacity to pay our bills changed? No. What that means, in effect, is that if KPERS shut its doors today, the amount of money that KPERS would have to pay to county employees for retirements that they have already earned would exceed the amount of money that Sedgwick County and its employees have paid into KPERS, thus far by, \$122 million more or less. We know that KPERS isn't going to shut its doors today, and so what we have here really is an accounting entry that has no real effect on the county's financial condition. Nevertheless, it doesn't look very pretty, and what you will see if you look at any general governmental financial statement in Kansas this year, you will see a similar kind of a picture for any city and county in the state. For example, the City of Wichita isn't a member of KPERS. They have their own pension system. But within their pension system, they also have some unfunded liability, which they now have to put on their books for the first time.*

*"So what we want to know with financial position, perhaps the most important question, is did it improve or deteriorate? And what I'm suggesting to you on this chart is that our financial position actually improved from the prior year by about 2.5 to 3 percent. How can that be? Our net financial position decreased \$115 million or \$120 million, and I'm suggesting to you that we improved even with that. Well, here is how that can be. What this chart shows is the causes of change in net financial position. We began the year with a total of \$620.3 million of net position, consisting of \$450.8 million of governmental activities and \$169.4 million of business-type activities, and in our case, that means Intrust Bank Arena. During the course of the year, we received \$335.3 million of revenue, and we incurred \$320.3 million of expense. Our revenues exceeded our expenses by \$15 million. That is the cause of me saying that our financial position improved year over year.*

*"The KPERS change is reflected on the accounting statements, on the financial statements, as a prior period adjustment, as if it didn't actually happen during the course of 2015. And that KPERS change amounted to, the total change amounted to \$128.3 million, and so it is what caused our beginning position of \$620 million to drop to \$507 million at the end of the year. But during the course of the year, the activity, the real financial activity of Sedgwick County is such that our financial position improved because our revenues exceeded our expenses.*

*"One of the things that we are always concerned with is the extent to which the various activities will of the county are able to support themselves with their own self-generated revenue. Now, we are not in a profit-making business. I've already said that, and so we don't expect governmental activities to be fully self-supporting, but to the extent that they can generate their own revenues, it means that we don't have to provide tax support in order to pay for those activities. So what you see on this chart are the various activities of the government, the functions of government represented by a bar, and within that bar, the total is the amount of expense that was incurred for the year, the green is the amount of program revenue or self-generated revenue that that activity produced to pay its bills and the blue is the amount of general revenue or tax support that was necessary in order to pay the bills of that activity. What the chart shows is that far and away the largest single activity of Sedgwick County, in terms of expense, is Public Safety. During 2015 we spent \$140 million on Public Safety activities. Public Safety was able to produce \$40 million of program revenue through municipal jail fees and various grants to cover those bills, but the balance, \$100 million, was required to be provided by taxes levied on Sedgwick County residents. So 71 percent of Public Safety activities were funded by taxes. Similarly, you can see that for each of the functions of government, the extent to which they were self-supporting.*

*"Now, the item that I think most people would be surprised by is Health and Welfare,*

*which is the second largest activity of Sedgwick County. In 2015, Health and Welfare activities COMCARE, the Health Department, CDDO, Aging Services, cumulatively incurred about \$58 million worth of expenses. Of that \$58 million, about \$48 million was paid for with program income generated by those activities, and here we're talking about fees that are imposed on clients of the Human Services Department and grant revenues that are collected to provide services to clients of the Human Services Department. The amount of tax support necessary to deliver human service activities or Health and Welfare activities was \$9.5 million, 17 percent of the total amount of money that we spent on those activities.*

*"Now, again, there are different measures that can be looked at to determine the adequacy of financial position and of entity-wide statements. What I'm going to focus on here is a solvency measure, which looks at the county's ability to pay off its long-term debt with its assets. So what we're doing is taking long-term liabilities as a percentage of assets, and what we see is that at 2015 we ended the year with long-term liabilities equal to about 36 percent of assets. In other words, 36 cents of every liability was covered by a dollar of assets. And so we are in very good condition to pay off our long-term debt. Now, you do see a spike in that measure over the past two years. The 2014 increase from what traditionally had been about the 20 percent threshold, the 2014 increase to 25 or 26 percent was attributable to some debt refinancing that we were undertaking. The 2015 spike, up to above the 35 percent threshold, is attributable to that new KPERS liability that we have to reflect on our books. But even with that liability, what this chart shows is that we have ample ability to repay our debts.*

*"Now, in the comprehensive annual financial report, there is a section called statistics at the end of the book and that section contains an awful lot of good information for anybody who might be interested in evaluating Sedgwick County finances. I'm going to spend a little bit of time showing some of the indicators, some of the trends that can be identified by looking at those statistics.*

*"First, what we'll want to look at is the ten-year history of governmental revenues and expenses. On this chart, the green represents revenue. The blue represents expense. You can see and you would want to see that the green revenue is higher than the blue expense, and in most years, it is. You can also see the extent to which revenues and expenses have grown over the ten-year period, which what the chart shows is that since about 2010, neither have grown very much and, in fact, during much of that period of time, expenses were decreasing yearly. We ended the year with \$334.4 million of revenue and \$315.2 million of expense. We can also determine where the county has been placing its emphasis over the past ten years by looking at the change of expenses over that ten-year period by function, and what this chart shows is the amount of expenses, the amount of increase of expenses in 2015 versus 2006, ten years previously. The greatest source of increase for county expenses over that 10-year periods has been Public Safety at \$23.8 million. That's kind of what you would want to see considering that the Board of County Commissioners consistently has said that their highest priority is Public Safety. So what this says is that they are not just talking about Public Safety being a priority, but that's where they're allocating their resources.*

*"Public Works is another area where the Board of County Commissioners has said it place as priority, and over that ten-year period, Public Works expenditures increased \$6.5 million. Culture and recreation expenses increased \$8 million over that ten-year period, but I want to point out that in 2015, the Commission contributed a little bit over \$5 million to the Sedgwick County Zoo for the new elephant barn, and that accounts for 60 percent of that \$8 million increase. If we took out that one-time expense, we would be at \$3 million of increase over the 10-year period. General government*

*activities actually incurred less expense in 2015 in 2006, and Health and Welfare experienced a substantial decrease in expenses over that 10-year period, almost \$10 million less was spent on Health and Welfare activities in 2015 than in 2006. That's a function of budget reductions that were made primarily in 2012 when the Health and Welfare activity incurred a 6.7 percent budget cut, and during this period of time also, there have been reductions in staffing at COMCARE and Aging, and additionally, in CDDO, there has been a change, a reduction, in the amount of state support for some of the CDDO activities. And those cumulatively amount to this decrease in total spending for Health and Welfare."*

*Chairman Howell said, "Chris, if you don't mind, I'd like to ask a question real quickly on that before we go on. Yesterday, I believe we talked about this. In the larger report there is more detail that's shows what spending happened in each of the years. The other cuts that happened, you said there was a large cut that happened in 2012, and that was what, 6.7 percent? And then another cut happened I think in 2014 of about \$2 million? Subsequently, another \$1 million cut the following year. Altogether, that constitutes the majority of that reduction in the three years. Do you recall what cut did we make last year in the 2016 budget deliberations? Can you remind me?"*

*Mr. Chronis said, "I'm sorry. I don't recall."*

*Chairman Howell said, "If anybody can look that up, I would appreciate that information. I'd just like to know that. I think it's important to the community to know where these cuts happened. Thank you, please continue."*

*Mr. Chronis said, "Within our revenues, I've talked before about the expectation that activities generate program revenue as much as is possible to pay their own way so that we don't have to levy general taxes on the citizenry, and what this chart shows is ten years of history of property tax revenue represented by the blue line and program revenue represented by the green line. Ten years ago, program revenue and property tax revenue were almost equal. Property tax was a little bit higher at \$128.9 million versus \$120.7 million. You could see over the 10-year period that program revenue increased initially at about the same rate as property taxes, but then starting in 2010 through 2013, there were decreases in program revenue, pretty consistently. And during that period of time, property taxes took a slight dip, but stayed essentially constant over that 10-year period. As a result, at the end of the ten year period, 2015, property taxes now are substantially higher than program revenue, \$160.4 million versus \$136.4 million. And so what the chart shows is that over this past ten years, the county has become increasingly reliant on property taxes as the principal funding stream to pay for county services.*

*"Because we're so reliant on property taxes, we pay a lot of attention to the collection rate. How effective are we at collecting the property taxes that have been levied? This chart shows ten years of history for collection rates. The most important thing that I think it county's collection rate, which is controlled principally by the activities of the County Treasurer, has never been bad. At its very worst over this 10-year period, the county collected 95.7 percent of all taxes that had been levied. In other words, unpaid taxes represented less than 4.5 percent of the total levy. If you look across the country, you will see that that is considered to be a very good collection rate. That was the worst that we performed over this 10-year period. You see that the collection rate from that low point in 2009 has steadily increased, and at 2014, and we're talking here about tax years, so the 2014 tax year funded the 2015 budget. We don't yet have the 2015 tax year data, because those taxes are still being collected. The 2014 tax year ended with a collection rate right at 97.5 percent, the highest collection rate that we have on record, and so this suggests that the Treasurer has been doing a very effective job of collecting property tax, which is very important for us, because*

*that's our primary source of funding for the county government.*

*"Finally, I want to talk about long-term debt and what you see on this chart is ten years of history for the county's outstanding debt, each year represented by a bar, and within each year, there are different colors representing different kinds of debt. In 2015, the county had \$64.4 million of general obligation debt. That's the green at the bottom. We had \$2.8 million of special assessment debt. That's the thin blue line immediately above the green. We had \$146.3 million of PBC debt. That's the reddish-brown color. And then we had a very slight amount, about \$1 million of lease debt represented by fire apparatus, and that's the black at the very top of the chart.*

*"What this chart shows is that the general obligation debt of the county has decreased steadily since its peak in 2009 at \$85.4 million, down to \$64.4 million now. The reddish-brown, the PBC debt, also started decreasing in 2012 and 2013, but then it spiked in 2014. That was caused by a refunding that we did in that year, so we sold additional debt for the refunding, and it was caused by the PBC's funding of a building for Wichita State University on the new Innovation Campus. That debt, as I said previously, that debt will only be repaid with the proceeds of the special property tax that is levied for WSU. And so it's not a general county obligation.*

*"What you see on the far right are two arrows. The top arrow identifies what happens if we take out that WSU debt and look only at the outstanding county debt. So we ended the year with about \$170 million of total county debt. That is about the same as we had in 2011 or 2012, but it also includes a substantial portion of debt that was issued to refund some bonds, and those bonds haven't yet been redeemed, and so we are currently, or as of December 31st of 2015, we had on hand the debt that was to be refunded, as well as the debt that we had sold to do the refunding. And so we were double counting some debt, if you will. If you exclude that, which amounted to another \$34 million, you arrive at a total real county debt number of \$136 million at the end of 2015. At 2013 that was about \$165 million. So within two years, we have reduced pure county debt from something on the order of \$160 million down to about \$136 million. And that is, I think, a reflection of the emphasis that you as Commissioners have paid on the reduction of county debt, and it's an illustration of the fact that we have been pretty successful in accomplishing that goal.*

*"Now, also in the statistics section, there are some charts that show ten years of data about county performance. Everything that I've said up to this point has to do with numbers and ratios and stuff that is important to people like me but not all that important to most citizens. What citizens are interested in is what do they get for their money. So what I want to talk about in the conclusion of this presentation is just that. What did the county do with all that money in 2015?*

*"Let's begin with Public Safety activities. In 2015, we averaged a little bit more than 47,000 calls per month in our emergency communications center, in the 911 center. That was a 16 percent increase over one year ago, and a 31 percent increase over ten years ago. Our Emergency Medical Service responded to 5,300 calls per month in 2015. That was six percent more than they did a year previously, and 39 percent more than they did ten years ago.*

*"In our detention facilities, in the Juvenile Detention Facility, the average daily population was 64. That was about three percent more than a year previously. It was 48 percent less than ten years ago, and that's a manifestation of the policies that you and your predecessors have adopted over the past ten years to intentionally try and reduce the need to house juveniles in detention facilities. It shows that you have been successful. Similarly in our Adult Detention Facility, in the jail, the sheriff had 1,406 people in custody on average every day of last year. That was three percent more*

*than a year previously and seven percent less than ten years ago. Once again, about ten years ago, you'll recall that the county was on the verge of spending about \$55 million or \$60 million for a major expansion of the jail because of overpopulation. Instead of doing that, the Commission elected to adopt a series of what we term alternative jail programs, new diversion programs that are intended to provide different ways of handling people who have committed crimes rather than housing them in the jail. And what this chart shows is that those programs have been very successful. They have reduced the average daily population at the jail seven percent over the last ten years.*

*"We have done those Public Safety services and others that I'm about to talk about with 1,326 employees as of the end of 2015. That was six percent fewer than a year ago and eight percent fewer than ten years ago. And so what this chart says to me is that the county is providing more service with fewer employees. You'll see that is a pretty common theme as we go through these remaining tables. In terms of fire service, the Fire Department reported that in 2015 they responded to 167 residential structural fires per 100,000 households. That is reported as an 84 percent increase over a year previously and a 46 percent decrease over ten years previously.*

*"Now, in talking with the Fire Department about that statistic, what we've learned is that in 2015 or perhaps at the end of 2014, they implemented a new reporting system, and so we think that the 167 fires reported for 2015 is an inflated number. We think it includes fires that weren't residential structural fires, and so we're not sure exactly that that's an accurate statistic. But to the extent that the 167 is overinflated, it means that the decrease over the past ten years is even greater than the 48 percent that is depicted here. That's a feature of fire services nationwide. As local governments have imposed tougher building regulations and stricter building codes requiring sprinkler systems and smoke detectors and things of that sort, what we have seen nationwide is that fire services are needed less and less to respond to fires. That's a very good thing.*

*"The flip side is that they have been needed increasingly to provide first responder medical services, and that's true in Sedgwick County as well. In 2015, the fire service, the Sedgwick County Fire District, responded to an average of 462 medical calls per month. That was an 11 percent increase over a year previously and 116 percent increase over ten years ago.*

*"In Health and Welfare services, and remember I said that that was the second largest expense activity of the county. In health and welfare services, COMCARE saw 12,940 mental health clients in 2015, an increase of three percent over one year and six percent over ten years. CDDO, the Community Developmental Disabilities Organization had 2,554 citizens of Sedgwick County who were eligible to receive its services. That was a one percent increase over one year and a 30 percent increase in their responsibility over ten years ago. And we provided health and welfare services with 520 employees, about the same number as a year ago, five percent fewer than we had ten years ago.*

*"In Public Health, in the Health Department, we saw we had patient encounters, appointments, if you will, with 107,960 clients, and that's not unique people. That's 170,000 appointments for clients. That was an 11 percent increase over one year, a 14 percent increase over ten years. We provided 13,285 immunizations, about the same as a year previously, a 54 percent decrease from ten years ago, and that's a function of a decision by the Board of County Commissioners some years back to get out of the immunization business for certain kinds of immunizations for certain kinds of clients. In tuberculosis encounters, there were 3,819 for the Health Department in 2015, a 39 percent increase over one year, a 52 percent decrease over ten years.*



*"In Culture and Recreation, the Sedgwick County Zoo had attendance of almost 582,000 people in 2015, a ten percent increase over one year, a 20 percent increase over ten years. Sedgwick County Park had annual attendance of 944,000 people, a two percent decrease, a slight decrease from a year ago, a 29 percent increase from ten years ago. And Culture and Recreation services were provided with 104 employees, eight percent more than a year ago, because of the addition of employees at the Sedgwick County Zoo to handle the new elephant exhibit, and a 23 percent decrease over ten years ago.*

*"At Intrust Bank Arena, we had 107 events. The building wasn't opened ten years ago, but over one year, that was a seven percent increase. It had attendance of almost 440,000 people, a 47 percent increase over 2014. It has continued to be very successful and its success is increasing over time. In 2015, the Poll Star Ticket Sales ranking, which means its rank in comparison to all other arenas in the United States, it was 35th of all arenas in the sale of tickets for events in 2015. That was a 52 percent improvement over its ranking a year previously. And most importantly to me as Chief Financial Officer (CFO), the [Intrust Bank] Arena returned as of the end of 2015 a total of a little more than \$2 million to Sedgwick County from operating gains by SMG, the operator of the facility. That's a 23 percent increase over the amount of money returned to Sedgwick County a year previously.*

*"In Public Works, you have said that you place a great emphasis on Public Works, that's one of your priorities in 2015, the number of road miles improved was 186, a 92 percent increase over one year and an 81 percent increase over ten years ago. The number of miles that Public Works is responsible for in Sedgwick County was 603, a three percent decrease from ten years ago, and that decrease is attributable to roads being annexed by cities over this ten-year period. The Household Hazardous Waste Facility handled almost 600 tons of waste, a 52 percent increase over ten years ago. And Public Works services were delivered with 119 employees, a three percent increase over a year ago and a ten percent decrease over ten years ago.*

*"Finally, in General Governmental Service, in 2015 we served almost 275,000 voters. That's a 17 percent increase over ten years ago. We dealt with 213,000 taxable real estate parcels, a four percent increase over ten years ago. The Register of Deeds processed almost 77,000 documents, a ten percent increase over a year ago and a 21 percent decrease over ten years ago. And the Register of Deeds and the County Clerk, together, processed 74,000 real estate records; a 16 percent increase over one year and an 11 percent increase over ten years. General Governmental activities were provided with 444 county employees, a five percent increase over one year and a three percent decrease over ten years.*

*"What we have here in these slides that I have just addressed, is a pretty common theme. Over the past ten years, the demand for and the delivery of service by Sedgwick County government has increased pretty dramatically. The amount of people providing those services has decreased equally dramatically. In other words, over the past ten years, Sedgwick County has become a much more efficient organization. I think that's very good news for our citizens and that's, perhaps, the biggest take away from this presentation.*

*"I would be happy to try and answer any questions that you might have about any of this information that I have given you. If you have no questions or once we are done with the questions, then I would ask Shelley Hammond from the firm of Allen, Gibbs & Houlik to come up here and tell you about the results of the audit that her firm has conducted on these financial statements."*

Chairman Howell said, "Thank you for the presentation. If you don't mind, I think we would like to do some questions right now and we will get to the audit in just a few minutes, because I think that's enough of a different topic that I would like to resolve any questions that we might have before we move on. Commissioners, what questions do you have that you'd like to ask at this time? I am shocked, lights are not lighting up. Let me just say, before we move on, I would like to thank Sara, Mandy, Brandy and Sarah and I notice that he didn't mention Rick earlier, but I would like to thank Rick too, I am sure he had something to do with this as well. It really is a great report and it's very impressive. I think anybody who would look at this would say that Sedgwick County is doing a pretty good job. I like to compare ourselves with other counties around the state and maybe even in a broader region, but I would like to think that we are doing things extremely well here and we ought to be very proud of Sedgwick County in so many different ways. We have great employees doing tremendous work that is very important. I know we ask a lot of them and I think that it's reflected in this data.

"Our services are going up, as you said, and moving towards efficient delivery of services is a great take away. This is a positive news story that we are doing more with less. We have to, I think, in this economy. I think that we are finding innovative ways to respond to the needs and adding more burden to the tax payers, as well. I think that we are doing a good job managing. Not to say that we haven't got other areas to improve. I am sure there are always was to improve things, but my take away is that I am very proud of Sedgwick County. Thank you for all of the great work on presenting this data. I am very impressed. Commissioner Norton."

Commissioner Norton said, "Well I have seen this presentation twice and there is a lot of information to digest. You have to really analyze and look at and think about. I am very pleased that over a ten year horizon, the prospects look pretty darn good. 2015 was good, but you talk about the ten year changes. One of the cautionary tales that I would talk about though is that services do continue to go up and need continues to go up and our budget and employees go down. That's okay for us to try and continue to improve and be efficient, but there will be a nexus somewhere that will start diminishing services and hurt populations and not deliver like we want to; like we have set standard to do; very high standards. I want to be sure that we are very cautious that we don't go too far with trying to be efficient and effective because then you start delivering less services, you don't do more with less, you do less with less. We have always tried to make that a cautionary tale but I want to be sure that we can continue to deliver these kind of numbers to the public and citizens of Sedgwick County, because they deserve it. It's not about taking care of just the indigent and folks that need help. When you talk about 911, EMS, Fire, Police, Public Safety they service everybody in the population. I think that we need to be very cautious to make sure that we can continue to deliver these kinds of results and part of that is good budgeting and not being afraid to invest and spend money where we really do need to. Thank you, Mr. Chairman."

Chairman Howell said, "I make another observation here. Looking at the data points in the back part of your presentation. I like to chart things and see if you can find any trend lines that make some sense. Let me just tell you, none of these charts have linear correlation between one year and ten years. There is really a snapshot that's hard to conclude any type of anticipation for which way we are headed, because what happened ten years ago and what happened last year are on opposite sides of the line. We might have seen a decrease ten years ago and an increase last year. Sometimes it would be a 50 percent change in one year and a 100 percent change in ten years. So, it's really hard to analyze those data points and come away with any conclusions, based on what to expect next year. I guess it would be nice if we had other years of data, maybe you can develop some type of a trend line on these types

*of things, but I think it would be very interesting do to that.*

*"I just want to say that the types of data that you guys have collected are very good things to collect, and I think that every one of these could solicit a lot of comments from Commissioners and others in the community as to what this means and how well we are doing. Commissioner Norton just mentioned a moment ago that 911 calls were 47,000 per month, that's just hard to wrap your brain around that number. It is tremendous and to have a 16 percent increase in one year, what does that mean? Is this going to happen again this next year? I don't know. If it is, we need to be able to respond to that and we want to make sure that service works very well, because our public depends on that for Public Safety, so we need to make sure we are responsive to that, if that were to double or even add another 16 percent next year, we need to be very sensitive to that need. Every one of these lines like that has that type of thoughtful analysis that might need to be considered. I guess I am concerned about how to do that, because the data points don't line up on the same line. If anyone that has prepared these charts has other data, I would like to see, additionally, yours added to these things and maybe we could help develop a better take away for what these things actually mean."*

*Mr. Chronis said, "If you will look at page E17 and E18, you will see the data points for each of the ten years on all of these statistics and others that I haven't provided in the presentation."*

*Chairman Howell said, "I probably will spend some time on that, but if you have those charts in electronic format, I would prefer to have those in Excel spreadsheets so that I can generate my own trend lines and I would like to do that. I would request it, if it's available. I would like to have that. Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "I am going to second the Chairman's remarks and thank staff. There is a lot of really good and particularly useful information in this document. Chris, is this available to the public, online, at the moment?"*

*Mr. Chronis said, "It wasn't as of the time the meeting started, but it will be before the end of the day, at [www.sedgwickcounty.org/finance](http://www.sedgwickcounty.org/finance)."*

*Commissioner Peterjohn said, "There is some great information in here and particularly, in terms of the details. I would be remiss and delinquent if I didn't ask you, in light of the comments about Intrust Bank Arena, about depreciation on that and the profit figure that you mentioned is without the depreciation factored in, I believe. Am I correct in that?"*

*Mr. Chronis said, "Yes, that is correct."*

*Commissioner Peterjohn said, "Do you know what the accumulated depreciation on the arena, at this point is, since it's been open since January of 2010?"*

*Mr. Chronis said, "I don't, off hand, but someone is going to whisper it into my ear in just a moment. It is \$30.8 million."*

*Commissioner Peterjohn said, "I think that's an important figure, because the county's balance sheet over overall is going to reflect the fact as that number continues to increase it's going to effect the county's overall position. It's interesting, I think, for folks interested in finance and numbers, but also in terms of understanding the highest single dollar value assets Sedgwick County currently has. This was an excellent report. Once again, thanks, staff, thank you, Mr. Chairman."*

*Mr. Chronis said, "For anybody watching that might be interested in seeing more information about the [Intrust Bank] Arena, that number that I read appears on page A26 of the document."*

*Chairman Howell said, "Commissioner Norton."*

*Commissioner Norton said, "I just wanted to follow up on your thoughts about trend lines. One of the very important decisions we had to make at one point was about building more jail space. As we started analyzing the trend lines that it was going to 25,000 population and above in a certain year, we finally came to the conclusion that we couldn't build our way out of the problem, that we had to seek other solutions, and we took money, and instead of investing in facilities and brick and mortar started investing in people's lives and change and rehabilitation and other kinds of programs and a lot of that conversation came out of looking at the trend line, thinking that if we built 300 more places for people to house, that would solve our problem until you looked at the trend line and found out that five years later you're going to have to build 300 more, and then maybe five years after that, 300 more, and you would never build your way out of the problem. That trend line set a conversation going. We changed our thinking completely from building jails to building programs in the community that might solve the problem, and today we look at instead of 2,500 people in jail, 1,400. Trend lines do tell stories."*

*Chairman Howell said, "Those are great comments, thank you, Commissioner. And they do lead us to try to stay ahead of our needs, and so it's really important. If you can find a trend line, it's important to acknowledge that, and so I guess I'll be spending some time looking at that data in detail and trying to develop trend lines and hopefully anticipate whatever needs may be embedded in those numbers. Commissioners, let's move on to the audit part of this presentation. Actually, I think it this is the right time to do that."*

*Ms. Shelley Hammond, Senior Vice President, Assurance Services, greeted the Commissioners and said, "We are the external auditors for Sedgwick County. I'm here to provide you a summary overview with the results of that audit. Chris just went through a very detailed summary, kind of explaining to you the operating results and financial position of the county for the year ended December 31st, 2015. What our role is as your auditors is not to tell you or to repeat what Chris has already done but rather to say through our testing and processes during the course of audit, are the numbers that Chris is citing reliable and accurate data? Have the financial statements as presented in your Comprehensive Annual Financial Report been presented fairly and in accordance with generally accepted accounting standards? That is what our role is."*

*"If you look at the Comprehensive Annual Financial Report, there is a tab called Financial Section. The very first page within that section is our report to you as a result of the external audit. And I'm not going to read it to you in detail, but just to kind of give you a summary version of what that report says, that report in summary says that we are providing you, as a result of our audit, reasonable assurance that the financial statements prepared by your team were free of any material misstatements. That's the summary version of that and that's what's called an unmodified opinion, that's the term for that. That is the highest level of opinion you can receive as a result of your external audit, and generally that's what you want to hear from your external auditors."*

*"So kind of what it's saying is that you can rely on the data, you and other use users of the financial statements can rely on the data as being materially correct that your*

management team is presenting and providing to you.

*"In conjunction with that part of our audit, that takes by far the most of our time, going through that Comprehensive Annual Financial Report, in terms of our audit process, but there are other pieces of our audit that I also need to report on. In addition to the financial audit, we do kind of a companion audit, if you will, for compliance purposes. Any entity such as Sedgwick County that spends more than \$750,000 a year in federal grant dollars, and you're well over that threshold, are required to have a compliance audit called a single audit. And you will have a separate report that's not in the Comprehensive Financial Report. That's a separate document that we issue, and it's a Compliance Review where we are auditing the county's compliance with the federal program requirements and use of those expenditures that you receive federal grant dollars for.*

*"Again, our opinion in our report that we're providing you on that compliance audit is what's called an unmodified opinion, so similar to what I just mentioned. We don't have any modifications or qualifications to that report. That, is again, the highest level of opinion you can receive on the compliance side as well. With that, though, we do occasionally have matters that we identify during the course of the compliance audit that are compliance deficiencies where we provide recommendations to the county on how they can improve in terms of the management of those financial dollars. I wanted to touch on those very briefly. We looked at three federal programs this year, and for your reference, those are listed on page six of that single audit report. That included what's called the Section 8 Housing Program, the Aging Cluster, which is a cluster of aging programs that are kind of combined together, and then something that's called the Formula Grants for Rural Areas that is a transportation program, just to give you a summary. So that is what we tested this year.*

*"Out of testing for those three programs, we did have some findings in one of those areas, and that relates to Section 8. The other two program areas we did not have any matters. Again in, that same report, if you want to follow along with me starting on page eight is where we report those findings. I'm just going to touch on each one of these very briefly. In the Section 8 program, the first issue we had relates to what are called housing quality standards. The compliance requirements outlined by HUD (U.S. Department of Housing and Urban Development) require the county to inspect properties the tenants live in on an annual basis. If there are repairs to be made, the owners of those properties are required to make repairs, and then the county is required to go re-inspect to make sure that those repairs were, in fact, made. That process has a timeline around it where that, from the point of initial inspection to re-inspection by the county is a 30-daytime window. We found three instances in our testing where that time window was exceeded, anywhere from three to eight days. So we're not talking about a lengthy delay in terms of the re-inspections getting done, but they were a few days late, so we were required to report that to you.*

*"The other thing I will point out, at the bottom of each one of these pages where we have the findings, there is a response from the county and in particular in this case the housing authority with their corrective actions that they plan to take forward and what steps they're already taking to address those issues, so I want to make sure that you were aware those are also listed within this document.*

*"The second issue on page nine relates to a requirement where HUD in conjunction with your financial institution where you deposit funds that come from HUD, there is a specific HUD form that has to be filled out that the bank has to agree to, and that form was not in place. The county did have an agreement with the financial institution as you do on a standard basis with all your depository institutions. It's just that this one particular HUD form was not completed, and I am aware that is, in fact, already being*

corrected.

*"The last item relates to utility allowances, individuals who participate in this program in addition to having some of their rent subsidized also get some utilities paid for. Those utility allowances are based on market rates within the community, standard water, sewer, natural gas rates, that sort of thing, for this particular community. And the county is required to do an assessment of those rates on an annual basis to make sure you're paying fair market rates for those utilities. That annual study was conducted. We were able to determine that. The supporting documentation for the conclusions that came out of that study was not thorough and complete, and so our issue that we identified was insuring that that documentation supporting that annual study be retained and on file to support the conclusions that come out of that annual study.*

*"Those were the three matters that came out of the compliance part of our audit. The third report to you that I wanted to touch on, there is a separate letter that kind of encompasses the entirety of our audit. It's addressed to the Board of County Commissioners it is sometimes referred to as our management letter or letter to those charged with governance. On the front page, you'll see it has a heading that says required communications. What this letter outlines is a variety of communications that under our audit standards that we are required to follow, we are therefore required to communicate certain things to you. I'm going to touch on a couple highlights, and if you have questions on something that I don't specifically touch on, you can ask those.*

*"So in summary version, this talks about the standards that we follow. It gives you a summary so you know what standards we're following. It does touch on if there were any new accounting standards adopted by the county during the year. We kind of talk about those a little bit and the impact they had. I'm not going to repeat that, because Chris already went through that discussion with you on the change related to KPERS and that new accounting standard Chris already touched on, but we touch on it in our letter as well.*

*"The letter also talks about some of the estimates within the financial statements. Not every number that's in that Comprehensive Financial Report is tied to a hard and fast number. Sometimes things have to be estimated. And so what we provide you in this letter is kind of just a very high level summary of here's our understanding of the process the county goes through to develop those estimates, and then the process we go through to evaluate the reasonableness of the assumptions or any data that's being used upon which those estimates are based. For each one of those, without getting into the detail of each one, I guess I would tell you that the outcome is our conclusion is that the county's process and data assumptions were reasonable and therefore, the development of those estimates was reasonable based on reasonable information.*

*"We also talk in here about any audit adjustments, things that we corrected during the course of the audit, and it is very common in any audit we work on, where there's usually a small handful of things we work on and identify during the course of the audit. For example, the KPERS adjustment, again, that Chris referred to, because that was new this year, we did work with the management team in making sure that those corrections were made correctly to implement that new accounting standard.*

*"Lastly but certainly not at least, it kind of gets tacked on to the end of this letter, but we always are required to let you know if we had any disagreements or difficulties during the conduct of the audit, and the answer to both of those was no. We had no difficulties or disagreements with management. As we have experienced in the past,*

*the finance team, as Chris already introduced, was very ready for our audit, prepared for us, receptive to answering our questions, getting the information we needed, and the other thing I would point out is that in addition to the finance team that Chris mentioned, we touch a number of departments here at the county. Not just in the finance area. We go to the Treasurer's Office, we touch the Clerk's Office, Appraiser's Office, the offices and departments that handle grants. So we're visiting with any number of people within the county outside of the finance area as well. And same thing we experience everywhere we go, full cooperation and great assistance during the course of the audit process."*

*Chairman Howell said, "Sounds like you've hit the end of the presentation."*

*Ms. Hammond said, "I have, yes, so I would welcome any questions that you might have on either the financial audit, compliance auditor other aspects of what we do."*

*Chairman Howell said, "Commissioners, do you have any questions from Ms. Hammond?"*

**MOTION**

*Commissioner Ranzau moved to receive and file the presentation of the 2015 Comprehensive Annual Financial Report.*

*Commissioner Peterjohn seconded the motion.*

*Chairman Howell said, "My only comment is I think Chris' presentation was much more interesting, and that's a good thing, right?"*

*Ms. Hammond said, "That is a good thing. You don't want me to talk, you don't want me to have too much to report."*

*Chairman Howell said, "I think what you're presenting is extremely important and worthwhile, and this is a final question before we go on. Can you describe for the tax payers and the viewers how many man hours or months does it take to prepare and present this?"*

*Ms. Hammond said, "Yes. So for the 2015 year that we just finished and that I just reported on, our base fee per our contract was \$141,812. We went back and looked and spent approximately 1,200 hours on this year's audit. I actually used over the last five years. We have averaged between 1,200 and 1,300 hours a year, so pretty consistent in terms of the total hours we are spending on an annual basis. How that translates into the number of folks we have here and the length of time it takes, we spend one to two weeks here in December each year doing preliminary work before the end of the year, and then when we come back in February, we're here for roughly five weeks, and during that five-week period, we have anywhere from, depending on the week, three to five staff on site or at different departments within the county doing work. So cumulatively, we went back and looked, and that's about 20 to 25 individual man weeks if you will. That's what we call them, person weeks, because we might have three to five people here at any point in time."*

*Chairman Howell said, "That's great data. Thank you for preparing those. I knew I was going to ask that question, so you were ready for it. And again, I think it's great that there's not really a lot of substance in terms of findings, and I think the findings you presented, although they are certainly things we need to fix, and I consider them to be fairly minor in nature overall. I'm glad we already have corrections in place for most of that, if not all of it. I'm grateful to the fact that Sedgwick County again is doing*

*a great job, as proven by the audit. So thank you for presenting that today.*

*"Commissioners, we do have a motion and a second. Seeing no other discussion, Madam Clerk, please call the vote."*

VOTE

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

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

**Received and Filed**

N [16-183](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR  
MEETING ON MARCH 31, 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 March 31st resulted in eight items we would like to present to you this morning:*

1. BRIDGE IMPROVEMENTS FOR PUBLIC WORKS (B474 135TH STREET WEST)

*"Recommendation is to accept the low bid from King Construction Company, Inc. in the amount of \$846,792.30.*

2. 2016 HOT IN-PLACE ASPHALT RECYCLED PAVEMENT FOR PUBLIC WORKS  
(R175)

*"Recommendation is to accept the low bid from Dustrol, Inc. in the amount of \$618,368.44.*

3. 2016 CRACK SEAL FOR PUBLIC WORKS (R175)

*"Recommendation is to accept the low bid from Pavement Pros, LLC in the amount of \$186,681.80.*

4. DARK FIBER INSTALLATION FOR THE DIVISION OF INFORMATION AND  
OPERATIONS

*"Recommendation is to accept the low bid from Phillips Southern Electric Company, Inc. in the amount of \$72,995.*

5. ON-CALL REMODEL SERVICES FOR FACILITIES

*"Recommendation is to accept the bid from Van Asdale Construction and Cherokee Construction, Inc. at the rates listed for one year with two one year options to renew.*

6. DODGE CHARGER POLICE PACKAGE VEHICLES FOR FLEET MANAGEMENT



*"Recommendation is to accept the low bid from Landmark Dodge in the amount of \$191,981.*

**7. AMMUNITION FOR THE SHERIFF'S OFFICE**

*"Recommendation is to accept the overall low bids from Armscor Cartridge Inc. and Accuracy Inc. dba Ultramax Ammunition and establish contract pricing for two years at the rates listed.*

**8. ELECTRONIC MONITORING SERVICE FOR THE DEPARTMENT OF CORRECTIONS**

*"Recommendation is to accept the overall low proposal from Core Monitoring, LLC and establish contract pricing for one year with two one year options to renew.*

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

*Chairman Howell said, "I only have one question on Item 6 with the Dodge Chargers, this went out to it looks like 6 potential suppliers on this."*

*Mr. Thomas said, "Twenty-six on the Dodge Chargers."*

*Chairman Howell said, "Landmark Dodge, where is that located?"*

*Mr. Thomas said, "Independence, Missouri."*

*Chairman Howell said, "Okay, I have no other questions. Commissioners, what's the will of the Board?"*

**MOTION**

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

*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, "Madam Clerk, next item, please."  
**Approved***

**CONSENT**

- O**    [16-179](#)                      Retail Dealer's Cereal Malt Beverage License Application for  
Sedgwick County- Lake Afton Store, located at 25313 W. 39th Street

South, Goddard, Kansas 67052.

- P     16-177     Order dated 3/8/2016 to correct tax roll for change of assessment.
- Q     [16-181](#)     General Bill Check Register for March 23, 2016 - March 29, 2016.
- R     [16-182](#)     General Bill Check Register for March 30, 2016 - April 5, 2016.
- S     16-180     Payroll Check Register for the March 19, 2016 payroll certification.

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

**MOTION**

*Commissioner Ranzau moved to approve the Consent Agenda.*

*Commissioner Peterjohn 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, "Madam Clerk, next item please."*

**Approved on the Consent Agenda**

**OTHER**

*Chairman Howell said, "Commissioners, any comments for 'Other' today?  
Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "I am going to cover a few items and I am going to try to do it fairly quickly."*

*"Out in the northern part of my district, in the City of Bentley, on Saturday morning, they will be having a Farmer's Market at 7:00 a.m. on Saturday, April 9, 2016 and it will be followed up later in the day at the Senior Center in Bentley at 5:30 p.m. with a meal and games, including Bingo. If anyone is interested in that area, you are welcome to and I urge you to get out. There will be some things happening in the City of Bentley."*

*"Mr. Chairman, I would be remiss if I didn't point out that April 6th is an important day in American history for a number of reasons. Transitions are often very, very important and interestingly enough a very sad transition. On April 6, 1841, we had the first Vice President become President when John Tyler was sworn in to replace William Henry Harrison who died in office."*

*"On April 6, 1917, the United States declared a war and entered the war in Germany and entered World War I.*

*"Something more of interest for folks who are interested in cooking. On April 6, 1938, a researcher by the name of Roy Plunkett discovered a substance called polytetrafluoroethylene, better known today as Teflon.*

*"So April 6th is an important day in American history and I wanted to get that on the record. I will also mention that if folks are out there are interested, you can sign up on the county website for the new e-newsletters that folks can receive. These are coming out from the Commissioners. My first one is out there and it's available to the public. Thank you, Mr. Chairman."*

*Chairman Howell said, "I just wanted to say that I did attend the Wichita City Council meeting, yesterday. It was a great experience and I plan on doing that more often. I would like to say that they do a great job across the street. Along that line, I wanted to mention this at every meeting until it happens, but on April the 18th, we will be having our first in district evening meeting for the Board of County Commissioners. I am excited about it. It continues to be a little bit of a public interest. I continue to get phone calls on this and more news stories. I think this is momentous and a big deal for Sedgwick County to start something new like this. It will be on April the 18th. We have a meet and greet that starts at 6:00 p.m. and the actual business meeting will start at 6:30 p.m. This will just be a regular meeting; whatever happens to be on the agenda, we will process as usual. It will be at the Derby Welcome Center at 611 North Mulberry Road in Derby, Suite 200. It's in the middle of the building if you want to attend that meeting, it's in the Derby Welcome Center. I will highlight that.*

*"Any other Commissioner comments today? Seeing none, I don't think that we have a need for a Fire District, but we do have a need for an Executive Session today."*

*Mr. Yost said, "We do, but I believe that we might be able to get it done, we have paired it down a little bit, if you'd like, we can do it in 30 minutes."*

#### **MOTION**

*Commissioner Ranzau moved that the Board of County Commissioners recess into executive session for 30 minutes to consider consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship, matters relating to employer-employee negotiations, and preliminary discussions relating to acquisitions of real property, and that the Board of County Commissioners return to this room from Executive Session no sooner than 1:35 p.m. The Executive Session is required to protect attorney-client privilege, and the public interest, and to protect the County's financial interest and right to confidentiality of its negotiating position.*

*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*

**EXECUTIVE SESSION**

*The Board of County Commissioners recessed into Executive Session from 1:28 p.m. until 1:38 p.m.*

**ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 1:38 p.m.*

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

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JAMES M. HOWELL, Chairman  
Fifth District

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RICHARD RANZAU, Chair Pro Tem  
Fourth District

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DAVID M. UNRUH, Commissioner  
First District

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TIM R. NORTON, Commissioner  
Second District

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KARL PETERJOHN, Commissioner  
Third District

ATTEST:

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*Kelly B. Arnold, County Clerk*

*APPROVED:*

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