

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, September 7, 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, 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

INVOCATION: Pastor Brent Warkentin, First Mennonite Brethren.

FLAG SALUTE

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:04 a.m. on September 7, 2016 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman James M. Howell, with the following present: Chair Pro-Tem Commissioner Richard Ranzau; Commissioner David Unruh; Commissioner Tim Norton; Commissioner Karl Peterjohn; Mr. Michael Scholes, County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Bureau of Public Works; Mr. Kelly Arnold, County Clerk; Mr. Dan Pugh, Deputy Director, Emergency Management; Mr. Steve Claassen, Director, Operations Support Services; Mr. Tim Kaufman, Assistant County Manager, Department of Public Services; Mr. Thomas Stolz, Assistant County Manager, Public Safety and Code Enforcement; Mr. Jason Scheck, Director of Outpatient Services-COMCARE; Mr. Joe Thomas, Director, Purchasing Department; Mr. Justin Waggoner, Assistant County Counselor; Ms. Keturah Austin, Corporate Communications Manager; Ms. Heddie Page, Deputy County Clerk; Ms. Laura Billups, Deputy County Clerk.

Guest:

*Ms. Marilyn Bower, 156 North Sedgwick, Wichita
Ms. Nicole Fenoglio, LMSW, Co-Chairman Sedgwick County Suicide Prevention Coalition
Ms. Nicole Klaus, Assistant Professor, Kansas University School of Medical-Wichita
Ms. Sheree Utash, WATC, President
Mr. Brent Dome, Sunrise Rotary Club
Mr. Joel Rodell, Sunrise Rotary Club
Ms. Sue Wenger, JP Weigand and Son, Inc., P O Box 247, Mulvane
Mr. Tim Holt, Golden Realtors, 9225 West Central Avenue, Wichita
Mr. Charles Peaster, 9453 North 135th Street West, Wichita
Ms. Stephanie McCurdy, 13616 East Ayesbury St, Wichita
Mr. Richard Marshall, 170 West Dewey, Wichita*

ROLL CALL

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

PUBLIC INFORMATION ANNOUNCEMENTS

PUBLIC AGENDA

Chairman Howell said, "Alright, I do have a sign-up sheet, and I have two people that signed up to speak. But, the first one I think wants to talk about Item L, so if it's okay to Sue Wenger, I can call you up to speak when we get to Item L, which is the item on the agenda dealing with the property title transfer issue. And so with that, I'd like to go to the next person that signed up to speak. That's Ms. Bower, if you're here.

Thank you."

*Ms. Marilyn Bower, 156 North Sedgwick, Wichita, Kansas, greeted the Commissioners and said, "Anything else I forgot?"
Chairman Howell said, "No. You're good."*

Ms. Bower said, "Okay. Fine. I want to address something that, I was out of town when it was passed. To delete the item for overseas inoculations. It was considered a very small program, and it got mostly paid back. It was less than \$500 the county actually had to finish paying. And that we go to telling folks to go to the little clinics in some of the big, like Dillons, and Walgreens, and CVS, and then they could get their serum from the CDC [Centers for Disease Control]. Well, that's probably, that's not how they get it. They get it from their suppliers, and they're all different. What I found initially was, I don't know it has the Health Department, where you get your shots by Riverside Hospital, has that always been closed until noon on Tuesdays and or Thursdays? That's been cut back, I think. Okay. Monday, Wednesday and Friday, they're open from 8 o'clock in the morning 'til five. On Tuesdays and Thursdays, they're open only from noon 'til five. So that cuts back on that.

"The other ones are, there's a lot of different things going on with them. I spent a week and a half going to, a lot of interviewing and figuring out just what was what. It looked like a huge can of worms to start out with. What I found out was that Walmart and Sam's pharmacies, they don't, they do local shots for in country, but they don't do overseas shots at all. But they do all of the, I should say the Malaria pills. You get those first check with your doctor. Find out what you need. There's 250-milligram, there's 500-milligram, and there's two different kinds, depending on how long you're going to be gone, and then go to anyone you want, any pharmacy you want, and they will fill it. It's all the way from \$151 to over \$200, depending on what you have. So there's quite a bit of change in that.

"I found out that in Typhoid pills, most of those will do Typhoid pills, and you don't have to have, you just get those from your pharmacy, okay. So I found a difference of here's one for \$74.89 at the Health Department, to \$79.99 at Walgreens, \$84 at CVS and \$109 at Dillons. Now, the difference is that Dillons always has, for all of their Little Clinics, they always have a nurse practitioner on duty, okay, and its doctor, physician assistant, nurse practitioner, okay. So they add \$25 to each one of their shots, okay. So they are a little bit more expensive, but you know that you're getting a certified person.

"The others were, I had really dig, and go to different ones and ask the same questions. Finally, I got it answered. They, in their protocol at CVS and Walgreens, I wondered I had a comment from somebody, maybe one of the Dillons, I don't know, anyhow, well, you know, pharmacists really should not be giving these kind of shots, so there's kind of a controversy there. So apparently what they do is there's a doctor who, they're under this protocol; the pharmacists take a course and then they are considered certified, and that is okay'd by a doctor. Maybe the same doctor for the whole CVS and Walgreens. I don't know about that okay. The Health Department, of course, they just they have the people there that really are certified. So they don't need to worry about that.

"Yellow fever is a strange thing right now. Everybody's a little upset, I got some different things, and they're changing quickly. You need to know that all the prices that I gathered were just for that time, and they change constantly. Anybody that's going overseas needs to check with whoever they're going to get their shots from early, because sometimes they take a while to get in your system, so you'll be covered, okay. When I first saw the article in the paper, it was about, I'd been in

Oklahoma.

"It was \$118 at the [Sedgwick County] Health Department. It jumped up to \$182.02. Then I don't know, I've got strange things, CVS, they were saying \$300 to I can't give them. Walgreens it was \$159 or maybe \$300, Dillons had \$175 plus \$25, so that would be \$200 for them, okay. So what's happened is there's a huge, can y'all hear I guess there's a huge epidemic of yellow fever in the Republic of Congo and also Angola. They just gave, they had to call in all the extra yellow fever, that people all over the world to send them, and they just immunized five million people. So that was, that may change a little bit, hopefully.

"The typhoid shot, the only place that really gives it is the Health Department is \$125, \$121.85, but that's only good for two years. Boy, the first time I got that, my arm hurt for a month. The pills are good for five years, and that's \$74.89. And it's pretty consistent \$84, \$79.99, \$109. The higher one is always the Dillons one, and Hepatitis A, \$45, \$53, \$59, \$119: Hepatitis B, \$59, \$53, \$59.95 and \$109."

Chairman Howell said, "Ms. Bower, if you don't mind I would like interrupt you, if that's okay. We've been going on quite a while. I'd like to ask you to summarize and finish up."

Ms. Bower said, "Yeah. This is the last."

Chairman Howell said, "Thank you."

Ms. Bower said, "The Meningococcal Meningitis, it's as bad as it sounds, okay. They finally admitted that the ones that the little clinics are giving are the strain that is used for the colleges. When you go to college, you get one of those, but if you're going to the Meningitis belt in Africa, you get one at the Health Department. It's the right stuff. It's \$198.61. And the others are \$133 about that, it's the same. Japanese encephalitis (JE), there is one place in town, they don't give it, at the Health Department because it's so expensive. It's plus \$300, and that would be at Walgreens. They've been giving them for a long time. But they said they were about \$400 apiece, but now they're \$600 apiece, you to have two. But that's, not everybody has to have those, but it's an Asian thing, okay. So my, I think Dr. Tom Moore of Infectious Disease Consultants said it's kind of short sided to just cut them off, the Health Department off, for giving those. I kind of agree, but these others are very good and they do have other times. You know, they would be open longer. Some of them are open 24 hours. You have to check. You just have to check, each one of them, but I think that it's kind of important for us to keep that open. It's not that much money and you get it back. I guess if you could jack the price a little bit if you want to make sure it's just a straight across thing, but we need it. This is our public health and we need it. I'm not the only one. I talked to some big churches that are sending out 30, 50 and more you know and they were shocked. They were very shocked, that would be happening, okay. So that's just my recommendation. I think that you know, if you're going to do that, I think I'll have to get mine in Kansas City because they do have the right ones. They do work with their Health Departments, okay. Thank you."

Chairman Howell said, "Well, thank you for your comments this morning Ms. Bower. Thank you so much. Madam Clerk, next item, please."

APPOINTMENTS

A [16-573](#)

ACCEPT THE RESIGNATION OF KENT HIXSON, CITY OF
MULVANE REPRESENTATIVE, FROM THE SEDGWICK COUNTY

STORMWATER MANAGEMENT ADVISORY BOARD.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Accept the Resignation.

Chairman Howell said, "Alright. Go ahead, sir."

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Actually, the next six items are either acceptance of resignations, for appointments, and they tend to fall into groups. So I'm going to recommend, we kind of, take them up maybe as pairs. If it's alright with you. Item A, is the resignation of Mr. Kent Hixson as the City of Mulvane representative from the Sedgwick County Stormwater Management Advisory Board, and Item B is the appointment of Mr. Kevin Baker to that board by the City of Mulvane, and Mr. Baker is present I understand. So I would urge and the paperwork is in order on both A and B, and I would urge adoption of the recommended action."

Chairman Howell said, "Commissioners, this is in the fifth district, so I would pleased to make the motion to accept the resignation and to appoint, Mr. Kevin Baker, to the position of the Stormwater [Management] Advisory Board."

MOTION

Chairman Howell moved to accept the resignation and to appoint, Mr. Kevin Baker, to the position of the Stormwater Management Advisory Board.

Commissioner Ranzau seconded the motion.

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

VOTE

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

Mr. Yost said, "Do you want to do the swearing in of Mr. Baker first or do we want to wait?"

Chairman Howell said, "No, let's go ahead and do that now. So if he's here."

Mr. Kelly Arnold, County Clerk, greeted the Commissioners and said, "Alright. Please raise your right hand. I do solemnly swear that I will support the constitution of the United States, the constitution of the state of Kansas and faithfully discharge the duties of the office of Sedgwick County Stormwater Management Advisory Board so help me God."

Mr. Kevin Baker said, "I do."

Mr. Arnold said, "Congratulations."

Mr. Baker said, "Thank you. It's a pleasure to be appointed by the City of Mulvane, and hopefully we can serve the board in a positive and aggressive manner, to manage our stormwater."

Chairman Howell said, "Thank you, thank you for being willing to serve on this board. I appreciate you very much. By the way, we do have an advisory board meeting on that."

Mr. Baker said, "Today at 3:30 p.m."

Chairman Howell said, "Today, the first one we've had in a long time. So, I look forward to seeing you there. I plan on attending that myself. So we'll see you then."

Mr. Baker said, "You bet."

Chairman Howell said, "Thank you."

Adopted

B [16-572](#)

RESOLUTION APPOINTING KEVIN BAKER (BOARD OF COUNTY COMMISSION APPOINTMENT) AS NOMINATED BY THE CITY OF MULVANE, TO THE SEDGWICK COUNTY STORMWATER MANAGEMENT ADVISORY BOARD.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Action on this item was taken with Item A.

C [16-583](#)

RESOLUTION APPOINTING CHIEF DARRELL ATTEBERRY (BOARD OF COUNTY COMMISSION APPOINTMENT) TO THE SEDGWICK COUNTY REGIONAL FORENSIC SCIENCE ADVISORY BOARD IN THE CHIEF OF POLICE OF 2ND /3RD CLASS CITY POSITION.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Yost said, "Mr. Chairman, Item C, is the appointment of Chief Darrell Atteberry, to the Sedgwick County Regional Forensic Science Advisory Board in the Chief of Police position for cities of the second or third class, and Item D, is the reappointment of Dr. Ronald Varner to that same board in the business of, I'm sorry, in the position of an organization outside the county doing business with that science center. Mr. Varner I understand, is not present, but Mr. Atteberry is. I would urge that you accept the recommended action in both C and D."

Chairman Howell said, "Thank you for the recommendation. Commissioners, what's the will of the board?"

MOTION

Commissioner Ranzau moved to accept the appointment Chief Darrell Atteberry and reappoint Dr. Ronald Varner to this [Sedgwick County Regional Forensic Advisory] board.

Commissioner Unruh seconded the motion.

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

VOTE

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

Mr. Yost said, "Do we have Chief Atteberry?"

Commissioner Ranzau said, "I don't think so."

Mr. Yost said, "Okay. We'll get back to that."

Adopted

- D** [16-584](#) RESOLUTION REAPPOINTING DR. RONALD VARNER (BOARD OF COUNTY COMMISSION REAPPOINTMENT) TO THE SEDGWICK COUNTY REGIONAL FORENSIC SCIENCE ADVISORY BOARD IN THE POSITION OF AN ORGANIZATION OUTSIDE OF THE COUNTY DOING BUSINESS WITH THE FORENSIC SCIENCE CENTER.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Action on this item was taken with Item C.

- E** [16-589](#) ACCEPT THE RESIGNATION OF TOM RACUNAS (COMMISSIONER DAVE UNRUH'S APPOINTMENT) FROM THE SEDGWICK COUNTY INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ADVISORY BOARD EFFECTIVE IMMEDIATELY.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Accept the Resignation.

Mr. Yost said, "Mr. Chairman, Items E and F are also somewhat related. Item E is the resignation of Mr. Tom Racunas, who is Commissioner Unruh's appointment, to the Sedgwick County Intellectual and Developmental Disabilities Advisory Board and in his place Commissioner Unruh is requesting that Judy Whiley be appointed to that same board. The paperwork on both of these seem to be in order and it's my understanding Ms. Whiley is present to sworn in I would urge adoption on both of these recommended actions."

MOTION

Commissioner Unruh moved to accept the resignation of Tom Racunas from the [Sedgwick County] Intellectual and Developmental Disabilities Advisory Board and in his place appoint Judy Whiley as a representative to the IDD Board [Intellectual and Developmental Disabilities].

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Chairman Howell said, "I think Commissioner Unruh also has some further comments."

Commissioner Unruh said, "Well, I just wanted to make the comment that we sincerely appreciated Mr. Racunas' service. He was actually going to resign some time ago, but instead at our request stayed on until he's I believe leaving our community but, he did a great job in serving the community, and we truly appreciate it. Ms. Whiley is here, and I appreciate her willingness to step in and take his place. This takes time and energy out of a person's daytime to do this job. So it's really a commitment on the part of the one willing to serve. We take your service seriously, so I just wanted to take the opportunity to express my appreciation."

Mr. Arnold said, "Please raise your right hand. I do solemnly swear that I will support the constitution of the United States, the constitution of the state of Kansas and faithfully discharge the duties of the office of Sedgwick County Intellectual and Developmental Disability Advisory Board, so help me God."

Ms. Julie Whiley said, "I do."

Mr. Arnold said, "Congratulations."

Ms. Whiley said, "Thank you. Thank you very much. I look forward to serving."

Commissioner Unruh said, "Thank you, Judy."

Chairman Howell said, "Alright. Thank you, Madam Clerk, next item, please."

Adopted

F [16-591](#)

RESOLUTION APPOINTING JUDY WHILEY (COMMISSIONER DAVE UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ADVISORY BOARD.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Action on item F was taken with Item E.

Adopted

PROCLAMATIONS

G [16-562](#)

PROCLAMATION DECLARING NATIONAL SUICIDE PREVENTION 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 this morning. It says,

"Whereas in the United States one person dies by suicide every 12.8 minutes, with 41,149 deaths by suicide in our country during 2013. And,

"Whereas in our country, suicide is the second leading cause of death for 15 to 24-year-olds and is the tenth leading cause of death for people of all ages.

"Whereas suicide is a tragic act. It is estimated that for every suicide there are at least six survivors, immediate family members, relatives, friends and coworkers who try to understand the pain, confusion and grief following the loss; research shows that during the course of our lifetime, 85 percent of us will lose someone we care about to suicide. And,

"Whereas far too many Sedgwick County residents in Kansas die by suicide each year, and most of these deaths are preventable.

"Whereas, the mission of Sedgwick County Suicide Prevention Coalition is to promote and implement evidence based approaches, local research and community change to reduce the impact of suicide with the ultimate goal of zero suicides in Sedgwick County.

"Whereas in Sedgwick County, help is available 24 hours a day, seven days a week, by calling the Sedgwick County Suicide Prevention Hotline at (316)660-7500.

"Now, there for be it resolved that I, Jim Howell, Chairman of the Board of Sedgwick County Commissioners, do here by proclaim the week of September 5 through the 11, 2016, as National Suicide Prevention Week.

The topic of suicide will continue to challenge us all to increase our awareness and education and I call upon the residents in our community to join me in learning to recognize the signs of someone at risk, taking those signs seriously and knowing how to respond.

MOTION

Chairman Howell moved to adopt the proclamation.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Howell said, "And to receive the proclamation this morning, we do have, I believe Nicole Fenoglio. How do you say your name?"

Ms. Nicole Fenoglio said, "Fenoglio."

Chairman Howell said, "Fenoglio. Alright, thank you. Oh, it's actually phonetically pronounced, I just didn't read letter, the paper correctly my fault. So, Nicole Fenoglio, thank you for being here this morning and I'd like to give you a few minutes to say something about this."

Ms. Nicole Fenoglio, Co-Chairman Sedgwick County Suicide Prevention Coalition, greeted the Commissioners and said, "Yes, we greatly appreciate this proclamation today, and on behalf of the Sedgwick County Suicide Prevention Coalition and all of the residents of Sedgwick County, this is a very important issue. That I think affects all walks of life and so we greatly appreciate this and continue to work in Sedgwick County to try to prevent suicide. Thank you."

Chairman Howell said, "Thank you for being here, for raising the awareness this morning. Appreciate that. Madam Clerk, next item please."

Adopted

NEW BUSINESS

H [16-585](#) SEDGWICK COUNTY SUICIDE PREVENTION COALITION 2016 ANNUAL REPORT.
Presented by: Dr. Nicole Klaus, Assistant Professor, KU School of Medicine-Wichita.

RECOMMENDED ACTION: Receive and File.

PUBLIC COMMENT

VISUAL PRESENTATION

Dr. Nicole Klauss Assistant Professor, KU School of Medicine-Wichita, greeted the Commissioners and said, "I am the chair of the Methodology Committee with the Sedgwick County Suicide Prevention Coalition, and we analyze local data. I appreciate the opportunity to be here with you this morning, to share some of the data regarding local suicides in 2015. The data is available to us through a partnership with the Sedgwick County Health Department and the [Sedgwick] County Regional Forensic Science Center.

"So we appreciate their role and their efforts in that. Last year, there were 68 suicide deaths in Sedgwick County, which is a rate of 13.3 per hundred thousand. This is actually a decrease from 16.4 per 100,000 in 2014. So on this chart, you can see that the yellow bar is the national suicide rate, and that always lags a couple of years behind our local data, but this decline we saw last year brings us back down to about where the national rate was a couple of years ago. Our local rates vary from year to year, so we'll want to continue to monitor this over the next several years to see whether this is a trend or not, and as we'll see in the coming slides this, decline in 2015 was accounted for by fewer deaths among males over age 35 by firearms.

"So here you can see that firearm continues to be the most common method of suicide, but I would note that this has decreased from 55 percent of suicide deaths in 2014 to 44 percent in 2015. So this chart shows several years of rates per hundred thousand, and here we can nicely see how those gunshot deaths declined in 2015, whereas hanging deaths have risen over the last few years in an in-state study. The greatest number of suicides occurred in individuals between the ages of 25 and 54 in

our community. These are the gray and yellow pies on this chart. If we look at this by rates, over here in 2015, we can see that younger people, age 15 to 34, this is the red and green bars, had the highest rates in our community, whereas all the age groups over 35 declined from the previous years.

"Males continue to die by suicide at the highest rates. However, we can see a slight decline in deaths among males in 2015. Whereas our deaths in females have remained steady and non-Hispanic white individuals have the highest rates of suicide. A history of mental illness was noted in 54 percent of the autopsies in suicide deaths in our community. The majority of these individuals suffered from depression and/or anxiety, which are treatable conditions. So there were some declines in 2015, which is great news. But we at the Sedgwick County Suicide Prevention Coalition feel that any suicide is too many, and so, our ultimate goal is to reach zero suicides in our county.

"The community can help us reach this goal by recognizing the warning signs and knowing the resources that are available in our community. We have a 24 hour crisis center, and the phone number for that is shown here. There are also several events coming up in the next couple of months that the community can get involved in, and those are, more information about all of those is listed at the website there. Thank you."

Chairman Howell said, "Dr. Klaus, am I saying that right?"

Dr. Klaus said, "Yes."

Chairman Howell said, "Thank you for being here this morning for the report. I have a couple of questions, but before we get to my questions, Commissioner Unruh."

Commissioner Unruh thanked the Chairman and said, "Well, I just want to express appreciation for you to at least each year remind us of this tragedy that infects our community. And I know that this is not just an opportunity for statistical analysis. I know that we really have a heart for this and want to try to teach our community to respond when we see those signs. You don't have to be a psychologist to know when someone's talking in a way that is not helpful, or their behavior has changed, their mood has changed. We just need to be encouraged repeatedly. That we should take the opportunity to respond, talk to these folks, and when appropriate get to the right professional care. Even though we're not professionals, most of us, we can be helpful. So I just appreciate you being here and that you encourage us to take the opportunity to be good neighbors, good citizens and help those who need help. So thank you."

Dr. Klaus said, "Thank you."

Chairman Howell said, "Further comments from Commissioner Norton."

Commissioner Norton thanked the Chairman and said, "Thank you for being here today. I find it very interesting that the rates have gone down. I think the bigger question is we know that everybody has a mental health state in our community. Just like you have physical health, you have a mental health state. Are there any indications that there's a rise in more mental health cases that could lead to suicide in our community? Do we track that? Do we start to look at a little more prevention as opposed to, I mean this is the ending to a mental health problem not the beginning of it"

Dr. Klaus said, "Absolutely. I don't have those data. Does COMCARE collect any

data about not the general population? Yeah. I don't have those data. But I agree that it's very important to intervene much earlier."

Commissioner Norton said, "I find it interesting too, that males are so more prevalent. Do you think that's because they don't seek services? They have a little bit different idea about, taking care of their mental health and maybe women do. Is there any studies on that?"

Dr. Klaus said, "I think there are several factors involved. Part of it is the stigma around seeking help for males. Another part of that is males are more likely to choose more lethal means, when they attempt suicide, whereas females have much higher attempt rates."

Commissioner Norton said, "Have we seen the dynamics change a little bit since we started the Community Crisis Center and the hotline and everything. Where people can talk it out, seek some services, find help? Do you think that changes the dynamic or have we had that open long enough to make a difference?"

Dr. Klaus said, "I will let Jason Scheck address that."

Mr. Jason Scheck, Director of Outpatient Services for COMCARE, greeted the Commissioners and said, "We have seen through the Community Crisis Center. We've seen overall the increase in demand for that service. We've seen folks being able to choose local voluntary treatment as an alternative to hospitalization, so I think we've seen increase in willingness to accept treatment and not wait for things to get to the point where it requires involuntary commitments through the courts or law enforcement intervention."

Commissioner Norton said, "Remind us of how to get in touch with the Community Crisis Center."

Mr. Scheck said, "Sure."

Commissioner Norton said, "And how to seek those services, if somebody would need them."

Mr. Scheck said, "The phone number for the crisis center is (316)660-7500, and that's answered 24 hours a day by COMCARE staff. We also have walk in services available 24 hours a day, and that's at 635 North Main in Wichita."

Commissioner Norton said, "Thank you."

Mr. Scheck said, "Thank you."

Commissioner Norton said, "That's all."

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

Commissioner Peterjohn said, "If I could throw out couple of questions. I'm not sure who to direct them to. So whoever wants to catch this? A lot of good demographic information here, and I was curious if you add any information in terms of people more likely to commit suicide, certain income groups and talk for a minute in terms of whether there's new data I saw here relating to ethnic or racial backgrounds? I was curious if you had any insights in those two categories of people?"

Dr. Klaus said, "Sure, I can address that. We do know that suicides are most likely to

occur in non-Hispanic white males in particular and so we do have a chart on that in the slides. In terms of income groups, we know that suicide cuts across income groups. But we don't have that data currently. We are working with the State Department of Health to get death certificate data for these individuals that would provide us with additional information regarding employment and veteran status and some other information that may be useful in guiding our suicide prevention efforts."

Commissioner Peterjohn said, "Well, I was curious when you mentioned also the employment status in terms of where people were. I remember once a publication wanted to make a point about gun violence in the United States, and about how so many people were being killed by firearms and they tried to get pictures of everybody during a certain period of time who had died due to firearm violence. They were rather surprised that the discovery was that a large percentage of the people who were basically suicides and whether they were people who had underlying health problems or a family member with health problems or other factors involved and sort of an unexpected outcome. So I was interested in terms of if you had other information that might be helpful too."

Dr. Klaus said, "Yeah. I'm trying to remember the statistic. I think about twice as many individuals die of suicide by arms than by gunshots by another individual."

Commissioner Peterjohn said, "By hanging or by taking pills or it's a cultural thing. When I was in Japan I had some unique ways that was an honorable way of departing in that culture which would be antithetical to what we're discussing here today. Thank you."

Dr. Klaus said, "Thank you."

Chairman Howell said, "Thank you for being here. I just have a couple other quick questions, and this might be more fitted to Director Sheck. I'm not sure. So if he wants to answer the question. I'm just curious because it seems like everybody goes through times of their life where life gets tough and so they go through maybe a period of depression. But it's just a temporary acute issue, rather than a chronic lifetime issue of depression."

"If someone is feeling depressed and they decide to call this hotline. What's going to happen to them? I mean, I think the fear of the unknown, people don't know what's going to happen. Are you going to send a police officer to the house? Are they going to be taken someplace against their will? I mean, people don't know what's going to happen. So, the curiosity is, if they were to call this number they might fear that they lose control of the situation. That gives them incentive not to call the number. So, can you please talk about when they call the number?"

Mr. Sheck said, "Sure, and so, as you said many times suicidal crises are time limited. So, I think that is an important point to make and to recognize that support and help during those times of crisis really can make a difference. When folks call our suicide prevention hotline, it's answered by a trained COMCARE staff, and people can call that hotline anonymously. We're able to provide more help and coordinate services better. Sometimes if we have a name, but certainly calling anonymously would be one option. So mainly what we do is listen, try to understand the problem and help folks identify pathways forward in their life. So, that service is confidential."

"We do involve emergency responders when it's clear that somebody's life is in jeopardy, but that's always as a last resort. We always encourage that person to seek their own help, to be in control, as much as possible or to have other people around them help them through that situation. But, if we get information that there's an

eminent threat to safety then we do have an obligation to work with our partners at 911 to get emergency assistance. So, an example of that would be a suicide attempt that's already occurred or is in progress. Those are times when we would request 911 help us in responding to that emergency situation. But the vast majority of those calls are handled at just a direct level, supportive listening, problem solving, counseling and providing some direction and resources to help that person, again through that time limited crisis.

"I'd also comment that in addition to just individuals who are suicidal calling that number. Concerned others can call. So many times the person around the individual in crisis has a clear picture of the crisis, and they're needing help or resources to support that individual. And so those folks are welcome to call as well."

Chairman Howell said, "May I ask, in terms of the people's privacy, do you keep records of people's phone calls if they call several times? Do you guys keep track of the history of the person that has called in? What I'm getting to, I guess, is there may be some worry that this is going to connect their electronic health records, maybe career limiting, if they perceive this might be something that will follow them around that might discourage them from making the call? So, do you have access to electronic health records and do you ever keep track of phone calls that people make?"

Mr. Scheck said, "We keep track of phone records in the same way that a doctor's office might, and those are protected, that's protected health information. It's kept in a secured medical record and so that's not shared without the person's written consent typically. Unless there's some other, you know, court order or something that would require a release of records. So that kind of information is not shared with employers. And as I mentioned earlier, it's possible to call that line anonymously, as well."

Chairman Howell said, "Okay, I think, that people understanding exactly what would happen to them if they make the call, again, helps them not worry about losing control, and not worry about things that might happen to them in the future as a consequence of just making a call because they are having a bad day. They're depressed and need to make a call, then make that call. But I don't want them to worry about the consequences that might be created and let that discourage them from making the call. I mean, getting help is the most important thing."

Mr. Scheck said, "Right, and I think of it as a way to, to be in more control. So it's a tool, it's out there, it's a resource at folks' disposal to use to regain control in a situation where they may feel like their mental health condition is spinning out of control."

Chairman Howell said, "Alright. Well, thank you, Director Scheck and Dr. Klaus. Any other comments from Commissioners? Alright."

MOTION

*Commissioner Unruh moved to receive and file.
Commissioner Norton seconded the motion.*

Chairman Howell said, "I do see on my agenda. I do accept public comments. Is there anybody here that would like to speak to the agenda item before we vote? Seeing none."

There was no discussion on the motion, 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 so much, both of you, for being here today. Next item, please."

Received and Filed

I [16-561](#)

WICHITA AREA TECHNICAL COLLEGE UPDATE.

Presented by: Sheree Utash, WATC, President.

RECOMMENDED ACTION: Receive and File.

PUBLIC COMMENT

Chairman Howell said, "I'd like to welcome, President Sheree Utash, from WATC [Wichita Area Technical College]. I asked you to come and make this presentation this morning, because when I was at WATC recently, for a, for one of the board meetings it was a tremendous presentation. I was so excited, I wanted you to come and share some of the information with the full board and public as well. So, thank you for being here this morning."

VISUAL PRESENTATION

Ms. Sheree Utash, President of Wichita Area Technical College, greeted the Commissioners and said, "Thank you, for the opportunity to share some of the great work that's happening at Wichita Area Technical College. I just am finishing, I just finished my first year in the president's role, and was able to provide an update. An overview of this first year to our board a few weeks ago and Chairman Howell is a member of our board, and asked me to come do that. So I'm delighted to be able to share what we're doing.

"Academic year '15-'16 was a great year for our college, and we worked under this mantra of let's imagine success all year. So I want start with just a couple of things. If we imagine success, this last year we became the number one of all two-year colleges in the State of Kansas for the highest wages earned by students graduating with an associate of applied science degree. We also became the number three college of all two-year colleges in the State of Kansas for the highest wages earned by students graduating with a technical certificate. So out of 27 two-year colleges in the state, we're number one and number three in degrees and certificates for wages earned by our graduates.

"We also had an enrollment year that we were up 9.1 percent from the previous year for last year. We are, we had an employee satisfaction rate of 94.7 percent, and we had a 76 percent return and that's an increase of three percent from the previous year. And the previous year, we only had a 54 percent return. So we feel really good about that. We're happy about that. We have fiscal stability because we have ended our year over our budget projections. We were able to provide performance merit based bonuses, and we have created a merit based bonus system in education, which is pretty unique to education.

"We have had 1,053 unduplicated headcount graduates. Earning a total of 1,395 awards, which would be degrees or certifications or certificates. Our fall to fall retention rate is 55.8 percent. The national average for that is 59 percent. So we have some work to do there. But I think it's important to note that many of our students are fall to spring persistence and not fall to fall, because most of our programs are completed in one year or less. We continue to have a really great placement rate, 93.9 percent of our graduates, either went into employment in their discipline area, continued their education or were part of the military.

"So just to show how WATC is representing Wichita and our community on a national level. This year for the first time, you know, we always have, we have many students that compete in SkillsUSA at the state level. We had 23 medals, earned by WATC students at the state level. But this year at nationals in Louisville, Kentucky, we had our very first gold national winner in Architectural Design. First time ever and then a silver award to one of our Airframe and Powerplant students. So on a national basis, they competed nationally across the nation with all other two-year college students. One gold, one silver, first time we've ever gotten national metals for our programs at SkillsUSA. Very proud of that. This is a great slide. There's a lot on this slide, but this is really truly what I would consider as return on investment for the work that we do.

"So on the left side of this, you see all the different programs of study. But what's really important is if you look at 2011 through 2015, and you can look at credentials, and the credentials have increased for our students from 979 credentials in 2011 to 1,621 in 2015. Graduates, 1,006 they've increased to 1,381. Our job placement has increased from 84.4 percent to 86.7 percent. So we continue to create more graduates. We continue to create higher job placement, and we continue to create more credentials for our students, to be able to take to the workplace.

"These are just some things that have happened this last year, that I think are kind of hallmarks of the work that we've done. Our Dental Assisting pass rates increased from 70 percent to 97 percent. Our Surge Tech students improved their pass rates for their national credentialing to 93 percent this year, and they will receive a certificate of merit from their national accreditation association. We had the highest pass rates in Surge Tech in the nation this last year.

"We have new programs that we're building in Vet Tech, Massage Therapy, Patient Care Tech and Construction Science. We were awarded a \$2.5 Million Title III Department of Ed (Education) Grant. And that will help expand our health care offerings. We created a new climate and energy control lab, so that is the new thing for HVAC (Heating, Ventilation and Air Conditioning). So it is now called Climate and Energy Control, and it is a state-of-the-art lab at our Grove Facility. We've also done a face-lift on our Auto Service Program. Also at our Grove Campus, we have created a new IT [Information Technology] Center of Excellence, where we are starting to, we've been doing some work in help desk for IT and creating two brands new degrees, one in Hardware, one in Software, that are going through the process at KBOR [Kansas Board of Regents] for approval as we speak. So that will really create a new area of education for us at the college as we work in the IT area and work with our local employers that need that so bad.

"We had three open houses that attracted 2,000 potential students. We participated in National Manufacturing Day, which is the first Friday in October, every year, And also in National Signing Day. I don't know whether you know what that is, but we decided to take concept of national signing for athletes and do it for career Tech Ed students. So what happens is they come in with their families. They get a hat. They get all kinds of accolades and they actually sign a proclamation that they're being, that they are coming to signing day to attend Wichita Area Technical College as a

career Tech Ed student. Just like you would with athletes. Bring their families, take pictures, all that kind of thing.

"So some other things we did is we created some dedicated classrooms for our news Police Science Program. We have expanded our Nursing Program at south side. We have created a new way to teach developmental education, and I think this is really an important piece, 60 percent of our students have to take at least one developmental class in math, reading or writing. What we have done is the old traditional way was you set in a classroom for 16 weeks, even if you just need two weeks of fractions. Today you come in and we analyze what you need, and you take that in a parallel remediation to your program courses. Then you just pick up what you need and it's self paced, but it's facilitated by instructors. We've had, just after one year, we've had really great success with that. So that will change way that we move students through developmental education.

"We were recognized as an innovation leader in best places to work by Wichita Business Journal. You probably know that we have a partnership with Goodwill, that created next step, which is our GED [General Education Diploma] Adult Literacy Program, and we increased the number of GED graduates this last year by 59 percent. We are successfully sun setting our five year National Aviation Consortium Grant, which is a \$14.9 million grant from the Department of Labor. You may remember that WATC was the lead institution with four other states to create some new curriculum in aviation and some new industry recognized credentials that are now out on the market.

"The other thing that we did this year, another major project, was we created a new strategic plan for the college which we implemented July 1. It's called Vision 2020, designing for your future. It was a study that we created, a plan that we created, with input from the community, from business and industry from internal and external stakeholders. So we're really excited about that. It's a great roadmap for the college for the next five years.

"Some of you have probably heard about the Wichita promise. I just wanted to give just an update on where we were at with that. We were able to accept 67 students that started August 20th, 22nd in the Wichita promise. Those students, as you can see down below are in Machining, Patient Care Tech, Aviation Manufacturing, Industrial Automation, Vet Tech, Automotive, Composites, Carpentry, Pre-Nursing, and Pre-Medical Assisting and also Aerospace Coding and Painting. So we chose some high demand, high wage programs that are really needed in this community. What we did was we offered the Wichita promise.

"The promise was four things, number one, we would pick up the tuition and fees of those students after their Pell grants kicked in. Number two, we would provide them the training and get them the certificates and the degrees they needed to be work ready. Number three, we would provide some, what we were calling intrusive coaching on how to get the job, but more importantly, how to keep the job. Number four, they have guaranteed interviews with at least one organization, if not multiples upon graduation. So this is a new program that we started. We've had great success with it so far, and we have been able to engage the community in some donations as well to help with this project.

"I think the other thing that everybody is very interested in is what's going on with the WSU [Wichita State University] merger. So I'll just give you a real quick update on that, you know, WSU and WATC have a pretty powerful partnership already through the National Center for Aviation Training (NCAT) and also through the Shocker Pathway that was created in 2015, which provides WATC students a pathway for an

Associate of Arts Degree from WSU. So in this merger, you know, we believe there's nothing like it out there in the nation anywhere, so we're really number one. We're establishing a new model for higher education. We think secondly, it will serve as an economic driver for the greater public good for our community, and third, it'll create a better trained workforce by working together instead of separately.

"So the idea is to transform WATC into a new school of applied sciences and technology at WSU. It's important to note that WATC in this new school will retain its ability for open admission, open access, affordability and degree options. So all of the degrees that we offer will continue. Our pricing for our tuition will still remain at a lower rate than what WSU has at that point in time, and it will be open admission, open access.

"So what do we need to do to go forward with this? We have to get the support of the Kansas Board of Regents (KBOR), which we did get last April. The next thing that we're working on is to get legislative support in the spring legislative session. We're working on legislative language right now for that. There are a lot of, as you might understand, there is a lot of specifics to work out between the two institutions. The list grows longer every day as we really dig in to what it takes to truly merge. Then we are doing a lot of consulting between our own campuses, each of our campuses, and with our community constituents, and business and industry partners, to make sure that we are on the right track to make this be a win for everybody.

"The final thing would be approval by the Higher Learning Commission, which is our accrediting body for both Wichita State [University] and WATC. So the timeline for this looks like probably, we're looking at an implementation date of July 1 of 2018. And that's, kind of, where we're headed right now. Lots of, lots of milestones between now and then to get us to that point. The last thing I wanted to share with you is we just created a video, and it talks a lot about the merger, and so I'd like to just share that with you, if I could.

"So in closing, I just would like to thank the Commission, for your continued support of Wichita Area Technical College and to allow us to be a microcosm of this community to create economic development through a skilled workforce. So I would ask, I would answer any questions if you had them."

Chairman Howell said, "Thank you, President Utash, for being here and for the information. That was an awesome video."

Ms. Utash said, "Thank you."

Chairman Howell said, "I'm really glad we got to see that this morning. How do you plan on using that video in terms of getting that to an audience that will see it?"

Ms. Utash said, "We just, we just finished it. So you are actually one of the very first people to see the video. But we will be using it in presentations. We'll be using it as we try to explain the merger to governmental legislature entities, and also business and industry, and we'll just use it in our presentations, for both Dr. Bargo and I as we continue to spread the word about this and create an understanding of really what we're trying to do."

Chairman Howell said, "I know that Sedgwick County has a long history of being invested in both Wichita State University as well as WATC, in terms of workforce development. So we, or I think, I'm proud. I hope the County Commission would agree with me that we're proud of having that connection. I think, we're doing a good job as an organization, as different organizations working together in partnerships. I

think it's awesome. So anyway, my only question would be can WATC students play WSU football? That was a joke. Okay. Any other comments from, Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Sure appreciate you coming in, and sure appreciate being among the first to get a chance to see this video. I think it's very important to get the report since Sedgwick County is so deeply involved both with helping to fund Wichita State University as well as WATC. I mean we're providing millions of dollars a year for both institutions. Sheree, to get into the question side of it you mentioned certifications. You also mentioned credentials. Could you, kind of, differentiate the difference between the two? I'm trying to understand when we have, you've got people graduating with two-year degrees. How many of them leave WATC not only with a two-year degree but with either a credential or certification or both?"

Ms. Utash said, "So credentials are industry recognized credentials. I would use, for example, in the world of automotive. There are ASEC, which is Automotive Service Excellence Certifications. So each of our students, we have worked really hard to make sure that all of our students when they're graduating, they're leaving with at least one if not multiple industry recognized credentials. So those are just those are resume enhancers for them. That's a value add that they take to the workplace. In welding, it might be the American Welding Society credentialing. Certifications, are a certificate of completion or a technical certificate. So those are two academic awards. Just as the Applied Science Degree is an academic award. So that's kind of the difference. So on their resume, they're going to have either the certificate of completion, technical certificate or applied science degree. In addition, they're going to have work ready industry recognized credentials from all of their programs. Then from our Health Care Programs, of course they have state board accreditation that goes on their resume as they complete their programs and take state testing."

Commissioner Peterjohn said, "So you've got a lot of you would have a lot of, graduates with two-year degrees who are leaving with both credentials and certifications."

Ms. Utash said, "That's right."

Commissioner Peterjohn said, "Probably."

Ms. Utash said, "Yeah. The beauty of that is it builds on each other. So a certificate of completion is a short-term, and then an exit to the workplace or go to the next level to get your technical certificate. So it's called stackable curriculum. What it is it is a way to get people trained and in the workforce, and then continue their education towards that technical certificate or that two-year Applied Science Degree. Then also have these value-added industry recognized credentials that make them more job ready."

Commissioner Peterjohn said, "I think it would be definitely a value to any employer. On your fifth slide, you had a job placement percentages and that had gone up. I was curious in terms of, you've got students who complete their first two years and then maybe decide they want to go on and go for a four-year degree. How do you handle, I mean job placement isn't becoming a junior in college, is it? How did you handle students who would be moving on in that direction or also I think you've got some 11th and 12th grade high school students who are attending too, and how you work through on that percentage figure?"

Ms. Utash said, "So job placement is defined when we report job placement. We define it in three ways. You are either going into the field of work in the discipline that

you took your training in. You're continuing your education, once you graduate, so you're moving on to WSU or someplace else, or you are actively involved in the military. Either you came from the military and you've gone back or you're going into the military. So we define that with those three criteria. That's how we base those numbers.

"Now our Juniors and Seniors in High School are a very growing market for us, particularly because of Senate Bill 155. So that particular group, often times they, can receive a credential or a certificate of completion or even a technical certificate at the time that they graduate. So at that point in time, if they continue on to an Associate of Applied Science Degree, they're counted as continuing at their education. If they go to the world of work, they're counted as going to the world of work. So that's how we define that."

Commissioner Peterjohn said, "I'm curious then, in terms of, for those Senate Bill 155 Juniors and Seniors. Do you have any sort of an idea in terms of what sort of credentials and certifications they're leaving high school with?"

Ms. Utash said, "Yes. It kind of depends on their programs, but I'll give you an example. For all of our Juniors and Seniors that are in our construction program. Let's just say our Carpentry Construction Program. They're leaving with an OSHA (Occupational Safety and Health Administration) certification. So a safety certification and also a couple of what they call NCCER (National Center for Construction Education and Research) certifications, which are construction related and recognized by the construction world. The same thing if they were in as a Junior or Senior and taking a welding class. Taking welding classes. They would be eligible for maybe one certification in one specific type of welding that they've had the chance to be trained in while they were in high school."

Commissioner Peterjohn said, "Thank you."

Chairman Howell said, "Thank you, Commissioner Peterjohn. Further comments from Commissioner Norton."

Commissioner Norton said, "Well, I can only start out with w-o-w, wow. The first time I got involved with WATC and technical education was probably ten years ago. Our conversation was what we are going to do now that it's come out from under [USD] 259. If we were going to continue as a college and not just as a technical school. What was going to happen? I'm very proud of Sedgwick County for stepping up, creating the technical authority, looking to the future. A couple years later, we created the idea of National Center for Aviation Training and put, plug WATC in there as the managing partner. Today it looks to me like it's widely successful and the future is so bright.

"So way to go. Everybody that's had their fingers on WATC and now the future, because it is going to be so critical to the future of our community. Not only in aviation and the medical fields, but in technology and all the advanced materials and probably entrepreneurship kind of ideas coming out of the innovation campus that we don't even know about yet, and it can be created as a business enterprise. The curriculum can be developed, and if it's technical, it's plugged right into WATC and trains our young people. So it's critical to our community and to keep our young people here. We continue to hear about brain drain and it just is so sad for our community.

"I wrote down a whole checklist of things I was hoping you would cover, and by the way, you hit most every one of them. The curriculum development for aviation. We were the national expert and leader on that. How many times do you get to be the

national leader for curriculum development for a whole industry? WATC was that. I'm very proud that Shocker Pathways is doing so well. That connection between two of our learning institutions that have a synergy now that allows kids to get their stackable credentials but also move on to an academic setting and degree. The Wichita Promise, which now is plugging in kids and young people into those jobs that are so critically needed in our community and you articulated that. Then career pathways and stackable credentials. The idea that you can get a couple of credentials and get into the workforce and then come back and stack some other things on top of it and get a two-year degree with it and move on with your learning.

"Talk a little bit, I'm President of the [WATC] Foundation. You need to get a plug in here for this. There's a Foundation where people, if they want to provide scholarship money for kids, operating money for the future of WATC, money that can be an endowment to build over the next 20 years to create a sustainable future of WATC and their connection with WSU. Talk about that a little bit, Sheree, because it's critical to the future of the college."

Ms. Utash said, "You're right, it is, and we do have a Foundation at WATC. It's a 501c3. We have a new Foundation Director that was hired the first of the year that's really concentrating efforts on building our Foundation. We have a growing board, Commissioner Norton is the President of that Board, but the idea behind the Foundation is it gives us the ability to do two things.

"Number one, it gives us the ability to search for and seek out dollars for scholarships. We have several people that have stepped up and given, you know, small amounts to large amounts for Wichita Promise. To help students be successful in the classroom, to provide them a pathway. It's important to understand the Wichita Promise students are adult working students, and we've removed a barrier of costs for them. Otherwise, they can't come. They're all adult working students, and that was our purpose.

"Our purpose is to take them from the minimum wage job to a higher wage job and be able to have them be able to that work in their life. So the foundation is a great place to make a donation for students for scholarships. It's also a place where we get a lot of, we account for all of our indirect in kind gifts. We get a lot of those from industry for materials, because the materials that we use in these programs is very, very expensive, particularly in composites and welding and sheet metal. So we do get some donations from industry for those, and so we document those gifts there.

"Our foundation is alive and well and growing, going to become a much bigger part strategically of the college. That foundation will be maintained as a, as a development office within the new merger, as well. So thank you for bringing that up."

Commissioner Norton said, "That's all I have, Mr. Chair."

Chairman Howell said, "Thank you, Commissioner. Other comments and questions. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Well President Utash, thank you for being here today. It's also great to hear a report like this and it's so positive in every aspect, you know when we, when we originally got involved as a County Commission, in the National Center for Aviation Training, this is the type of success that we imagined, and you are bringing that dream to fruition out there, and we truly appreciate your efforts. WATC has been the managing partner of NCAT since the initiation of that effort. It's built to respond originally primarily for the needs of the aviation industry, but you have kind of expanded your horizons a little bit, and doing a

more thorough job in preparing folks for health care careers and also the other trades. But you're doing a great job, and I think this is what our citizens want and expect as we invest in this asset in our community.

"Workforce development is just absolutely critical to our economic health and job growth and stability here in South Central Kansas, and WATC is just a tremendous part of that. But how many, do you know yet what your fall enrollment is, how many students you have?"

Ms. Utash said, "We're still doing some enrollment because of high school students, so won't have final counts until September 19th. But as of this morning, we are trending towards the highest record in both credit hours and headcount that the college has ever experienced in 52 years."

Commissioner Unruh said, "Excellent. Well, congratulations, and then on the other end of this student life out there as they find jobs, are most of the students graduating taking jobs here in South Central Kansas or are they leaving for Disneyland?"

Ms. Utash said, "You know the brain drain thing is really interesting, because I think the brain drain is probably more focused on four year degree completers. Because at the two-year level for our graduates, the vast majority of them stay right here. They do not leave. Even more important, the people that come from other parts of the state or even out of state and come to our Airframe and Powerplant Program for instance, they stay in this area and go to work in Wichita. So I think, that's an important thing to note, is that we don't have quite the brain drain at the two-year level at WATC as we may in some other sectors."

Commissioner Unruh said, "Okay. Well, that's also good news. We want to keep all of our folks here in South Central Kansas."

Ms. Utash said, "That's right."

Commissioner Unruh said, "Well, I noticed from the video, which repeat what some others said, that was an excellent video, great, great work. It really communicates. But I notice there were some folks in the aviation industry, folks from the finance, folks from health care industry and education. All working together in harmony, all on the same page and trying to move forward for this merger. I think most of us want innovation and new things and new successes, and this is a way to help us drive to that goal. So thank you for your hard work, and congratulations on this success."

Ms. Utash said, "Thank you, very much."

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

Commissioner Ranzau said, "Thank you, Mr. Chairman. You may have already answered the question, but I'm interested in the dual enrollment with the high school as far as numbers of credit hours. Do you have numbers yet and how that's going?"

Ms. Utash said, "We don't have final numbers yet, but the numbers look really very, very good. So I don't really have that yet. But I'd be happy to provide that to you in an enrollment report after September 19th, which is our 20th day reporting to the state. In our high schools the enrollment is a little different. We have all of our full-time students or our WATC students, our regular college students are all enrolled before the first day of class, which is August 22nd. But, as we enroll high school students that actually takes the first three weeks of, first three full weeks of high school classes

in session for us to get that all done. So it will actually be being finished up the night before the 19th to have it final. But I can share with you this, the numbers, the projection is very good for high school students. And we continue to build that high school opportunity in career Tech Ed across Wichita, but across our community with Valley Center and Derby, Campus High School, Clearwater, Goddard, and Maize. So we're really kind of surrounding this whole county and providing that opportunity. That opportunity is really, it is growing, and many, many students are taking advantage of that at a young level."

Commissioner Ranzau said, "Earlier you talked about Juniors and Seniors. Is this program just limited to those kids? If Sophomores, for example, or younger kids that are capable, is that available to them or is there some sort of single prohibition?"

Ms. Utash said, "It can be available to a tenth grader based on several different criteria, which is grades, their academic performance and how on track they are to graduate. So the majority of our students are Juniors and Seniors, but there is criteria that was built in to acceptance into the Senate Bill 155 program, which is really kind of an interesting thing, because now we're finding that we're going into the middle schools and talking to students and ninth graders. Also, in talking about this opportunity, and, you know, we're saying, your grades have to be good to be able to do this. So work hard, because here's what's going to happen. You know, the parents are certainly very, very vested in this because it's a huge savings for parents, and it will truly help offset student loan debt for these high school students if they take advantage."

Commissioner Ranzau said, "And that brings me to one of my other questions, because I think you're right. That's a big advantage of a lot of people using it. If you merge with WSU that option will still be available."

Ms. Utash said, "Yes, sir."

Commissioner Ranzau said, "At the cost savings?"

Ms. Utash said, "It will still remain the same, yes. Because with the merger, everything all the, everything that we benefit from as a two-year institution, which one of those is Senate Bill 155, that will all move over to WSU as a whole entity. So we will still be funded as a two-year institution through the State of Kansas."

Commissioner Ranzau said, "Thank you."

Ms. Utash said, "Thank you."

Chairman Howell said, "I don't really have any other questions. I just, a couple of comments real quickly and I'll be done. Senate Bill 155 I would say that you continue to or WATC continues to develop more programs under that as well as even outside of [Senate Bill] 155. You guys are, WATC is developing other programs dynamically responding to, I guess, the market needs."

Ms. Utash said, "That's right."

Chairman Howell said, "So again, I think that just shows the tremendous strategy that is working fantastically. I have a connection to Senate Bill 155, as you know. I'd like to state that real quickly. I was in the legislature when this was debated in the House Education Committee. I served on that committee and actually got language into that Bill that I felt was important at the time, and it did pass to the Governor's desk and has become law. One of those provisions deals with private institutions, including

homeschools. This is available to everyone. If you're a student and you have good grades and you want to take advantage of Senate Bill 155. There's opportunity for our entire community, regardless of where you go to school, so that needs to be stressed I think.

"I would like to also point out that the placement rate for graduates is a tremendous statistic. I think that is exciting. If someone is concerned about getting a job, go to WATC, because there is a direct pathway almost, almost one to one of getting education connected right to an actual career. A career-type job.

"Lastly I'd like to say, we are also invested in GED completion programs through WATC. I know there was some criticism last year that we weren't doing that. I made the point we are doing that through WATC, very successfully, by the way. It's going, your stats there are going up tremendously as well. I'm glad to see the partnership with Goodwill, on that as well. I'm just excited about that. I could talk for another hour, but I don't think I need to do that. If I have any other questions, I'll just talk to you privately, when I see you at the next board meeting. So I'll wrap up my comments with that. I think final comments from Commissioner Peterjohn."

MOTION

Commissioner Peterjohn moved to receive and file.
Commissioner Ranzau seconded the motion.

Chairman Howell said, "I appreciate all you've presented today. It's exciting for Wichita and for Sedgwick County for all that you've been talking about this morning. So thank you, for everything."

Ms. Utash said, "Thank you very much. We are just thrilled to be doing the work that we're doing. It's been a wonderful year. Thank you."

Chairman Howell said, "We have a motion and a second. Any other discussion? Seeing none, 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, "Alright. Thank you. Next item, please.

Received and Filed

J [16-541](#)

AGREEMENT TO UPDATE BOUNDLESS PLAYScape AT SEDGWICK COUNTY PARK.

Presented by: Steve Claassen, Director, Operations Support Services.

RECOMMENDED ACTION: Approve the Agreement.

PUBLIC COMMENT

Mr. Steve Claassen, Director of Operations Support Services, greeted the Commissioners and said, "This agenda item, which we've visited with each of you

beforehand about is a request for an updated partnership agreement with west Wichita Sunrise Rotary Club for the Boundless Playscape at Sedgwick County Park. The agreement outlines the necessary terms and conditions of expansions and enhancements, that they propose to make of the next three years. At this really tremendously popular Sedgwick County Park attraction.

"The first agreement with Sunrise Rotary [Club] was entered into in 2007. Where they came up with the exciting new vision. They raised \$1.5 million of project budget and really made the Boundless Playscape a reality. This agreement is very similar to the previous one. Condensed language it does the following: it formally authorizes the Sunrise Rotary Club to provide, plan, construct the new additions and enhancements to Boundless Playscape that we've discussed. Our Park Superintendent has final authority to approve placement and the details that those enhancements. Mark Sroufe is here with us.

"It commits the [Sedgwick] County to participate in the following ways: first, by assisting the Sunrise Rotary group with reviewing and offering consultation services with respect to their grant solicitation effort. Second, by paying for the required architectural and engineering fees that will detail and facilitate the necessary permits for the new added features. This commitment is capped not to exceed \$7,750.

Then lastly, we would purchase the first piece of new equipment at the Boundless Playscape, which is a family swing not to exceed cost of \$1500. There will be more detailed information what that will look like in just a minute.

"The agreement states that consistent with the 2007 agreement the playground equipment once installed becomes the property of Sedgwick County, and Sedgwick County is responsible for necessary maintenance and repair at Boundless Playscape. But I should mention this is our responsibility, but over the last several years Sunrise Rotary Club has had annual workday efforts and they participated with us in the effort of keeping Boundless Playscape well maintained.

"We have with us a room full of supporters from the Sunrise Rotary Club supporting Boundless Playscape. We thank all of them for being here. Brent Dome and Joel Rodell are also here and would like to make a presentation that outlines, gives a little bit more background to this park."

VISUAL PRESENTATION

Mr. Brent Dome, representative of Sunrise Rotary Club, greeted the Commissioners and said, "On behalf of Sunrise Rotary Club and numerous community volunteers, we want to thank you for the opportunity to present this morning. I want to give just a very brief history on this [Boundless] Playscape, and mainly for those that are unaware of what's going on in the past, to bring people up to speed.

In 2002, Rotary International, as a world organization was celebrating their 100th year in existence, and they placed forward a challenge to every rotary club around the world to come up with a community service project that provided a positive light in the name of rotary. So our small club of mighty but small club of 40 members came up with the idea of a Boundless Playscape, where people and children of all abilities would be able to access play equipment within the park, and be able to communicate and play together. So with that in 2003, we received permission from Sedgwick County Commission, at that time to utilize space within Sedgwick County Park. This is a picture of that area where the Boundless Playscape sits now and the old equipment that was there prior to us prior to this project.

"At that time traffic count tallied about a 550,000 visitors a year to the park. According to Mark Sroufe, the Park Superintendent, traffic counts after our playground was installed, grew to over one million visitors a year. To say it is highly utilized, I think, is an understatement. You can go there any day of the week and it is packed full of kids and patrons. So we're pretty happy with that. In 2008 the park opened and really the question is, who is utilizing it. It's pretty much everybody. It doesn't matter what ability or disability you may have. You can access over 70 percent of anywhere in the park. It really creates an opportunity for everyone to interact and play together.

"Basically local agencies such as Starkey, Catch Rainbows came together. The Arc of Sedgwick County, the M.S. [Multiple Sclerosis] Society and Heartspring utilize this park extensively. According to the Director of Transportation for USD259 [Unified School District], they have sent over 70 buses to the park as their destination within the year of 2015-2016. So the general public overall has a huge use for this playground. The Wichita/Sedgwick County Access Advisory Board last month adopted a resolution stating that they are in full support of our play it forward campaign, to raise over \$1 million over the next three years to help with phase two of this project, and expand the playground.

"This is a lady that is a special education interrelated teacher with USD 259, Tiffany Nickel. When she first visited our playground when it was first opened up, it inspired her to write to one of our members within the [Sunrise] Rotary Club about her experience within the park, and you can read her quote there, but I also wanted to add that her visit led to her organizing an event for Wheelchair Sports Incorporated, both participants and their families. And she continued to write that the event allowed wheelchair users of all ages to use the playground, whether they were parents of non-disabled children, youth in wheelchairs or friends of children they could access the park and they could be involved 100 percent with the activities of others.

"This is an aerial view of the playground. We've had a very, very strong public/private partnership with Sedgwick County. While the playground was being built, Sedgwick County came in and committed to new parking space area for playground attendees, and also a new restroom facility for all those attending. We appreciate your support on that. The Rotary Club on the original project, as Steve was saying, we raised \$1.3 million in cash, and another \$200,000, in kind, goods and services.

"We do organize a biannual cleanup of the park, which involves our Rotary Club members and also volunteers from the public. We pay for annual lawn applications for weed control. Have done that since 2008. But I think what's important is moving forward. We have 30 community volunteers that have amassed over 600 hours since January 1st of this year, in an effort to develop the future vision for the Playscape, a capital campaign and a food truck rally.

"The food truck rally. We would like to invite you and also the general public, to join us on September 30th, from 5:00 to 8:00 P.M. We are going to utilize this event to kick off our capital campaign. Again, to raise \$1 million over the next three years for phase two of the project. We are going with the theme of "Play It Forward." We'll have eight food trucks that are going to participate, and organized fun and games for everyone. More information on this event and also opportunities for donations can be found at www.SunrisePlayscapeWichita.Com. And we invite you to visit us at that site, and also throw us a little "like" out on social media. At this time I would like Joel Rodell to come up. You have a map of the future plans for the Playscape, and Joel is going to review that with you."

Mr. Joel Rodell, representative of Sunrise Rotary Club, thanked the Commissioners and said, "Rita asked that I would have all that are in support of the Boundless

[Playscape] playground expansion to stand up. So those that are here, stand up before I roll forward. Yeah, we've got a decent little group up here. Yeah, we're a mighty force. We meet often. So the changes that we decided to make at the playground, a lot were based on what is the public telling us, what do we see when we go out there with our kids. So I have a 16 year-old and an 11 year-old, and so we spent a lot of time out here. I have seen what the kids like, what they don't like. We've also gotten feedback. One of the worst areas is the sand area. If we were to do anything differently, we want to put sand out there. So that started this conversation which led to the idea of another million dollar expansion.

"So I won't take a lot of your time to go through each individual piece, but there's an area that's currently, it's called an Alpinesteen landscaping wall. It was an idea that we had that we thought could just beautify the area. Well, we since found out a lot of weeds like to grow within this Alpinesteen wall. So we had this idea, this wall, it's elevated, let's turn it into a berm we can slide down and climb up. This is an example of what we plan to do with that area.

"Another area that we got a lot of feedback on, we believe that there is a lot of opportunity for, nature play, really been around for about ten years. But there is a lot of commercial manufacturers that are using really robust wood materials to create play places. So this is actually a wood. It is called Robinia wood. So this is just an example of how we might utilize that as well. This is an interesting piece. This is an ADA-accessible merry-go-round. It sits at ground level. You can put accessible and non-accessible children, parents, families, on there, it holds six people. So this is a piece that we've learned a little bit more about, and we have a place for it on the playground. This is the generational swing that we are asking you to provide for us, \$1,500 investment. It would actually connect right onto one of the existing bays, so it would be a really clean installation. Then to close, we made a short video of our friend Ginny. With that any questions?"

Chairman Howell said, "Alright. Commissioner Norton?"

Commissioner Norton said, "Well, Margaret Mead once said a small group of very dedicated people can change the world; indeed, that's the only thing that ever has (sic). Thank you for Sunrise Rotary for changing our world right here in Wichita, Kansas. Made such a difference to Sedgwick County Park. But for the people of our community, with abilities and disabilities, it's made a powerful message of how we care about every citizen. So thank you for bringing that to Sedgwick County. I'm in total support of what we will do to help to continue your mission. So thank you very much to all of you here. I appreciate it. A small group of dedicated people can change the world and you're showing that. I appreciate it."

Mr. Rodell said, "Thank you."

Chairman Howell said, "Alright. Thank you, Commissioner. Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you Mr. Chairman, I sure appreciate all the great work that Sunrise Rotary has performed in the past, and bringing this presentation to us this morning. Every time I have been at the park, it's one of the facilities that gets tremendous amount of usage. and I know we've brought sand out there earlier this year to help out a little bit."

Mr. Rodell said, "That's right."

Commissioner Peterjohn said, "Sand is one of the opportunities, from what I've been

told about the facility. But having said that, I just am delighted to see how that has come together. There is so much usage since this Sedgwick County Park is in the Third County Commission District, and gets tremendous usage from folks both in and outside my district. Wanted to thank you all for coming out this morning. Thank you."

Chairman Howell said, "Thank you, Commissioner. I would just say the sand we brought out there was by request. So the sand was there originally, but it went into people's homes in little kid's shoes, I think."

Mr. Rodell said, "We're going to use the sand for future construction, so it's perfect. Yeah, for concrete. We're going to concrete the sand area in, but use your sand first."

Chairman Howell said, "Recycling, that's fantastic. Anyway, I am thankful to be able to get the sand out there, and it was by request. The current design needs to have sand. It needs to have sand at least as long as you have that part of the playground set up the way it is currently. So, glad to do that. I didn't actually catch your names. Could you please provide your names for me?"

Mr. Rodell said, "My name is Joel Rodell, and then Brent Dome, just like it sounds."

Chairman Howell said, "Thank you, both of you for your comments, as well as Steve. I want to say thank you to all the volunteers. This is a tremendous investment in this community. Wouldn't have happened without your vision and without your dedication, without your time and sacrifices. So it's just fantastic. You made this happen. I want to say thank you for me, appreciate you very much. I am sure everyone feels the same way, thankfulness to you and all you've done. Other comments from Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "I just want to echo everything my fellow Commissioners have said. Thank everyone that's been involved."

MOTION

*Commissioner Ranzau moved to approve the agreement.
Commissioner Peterjohn seconded the motion.*

Chairman Howell said, "Alright, thank you. Any other comments? I would say that I believe, I do need to ask, is there anybody from the audience who would like to speak on the agenda item before we vote? Public comment on the agenda? Alright. Seeing none, we have a motion and second. I think, I just want to say final comments. I want to say appreciate once again, all you've done bringing this to our attention, giving us a chance to be partners once again on this, this playground. Motion and second. 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, "Thank you, again. Next item, please."
Approved*

K [16-568](#)

CONSIDERATION OF GRANT IN THE AMOUNT OF \$939,527 FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE SHELTER PLUS CARE HOUSING PROGRAM.

Presented by: Tim Kaufman, Assistant County Manager, Department of Public Services.

RECOMMENDED ACTION: Approve the application for the grant, if awarded approve the acceptance of the grant, and authorize the Chairman, or his designee, to sign all necessary grant documents; and establish additional budget authority as provided in the Financial Considerations section of this request.

PUBLIC COMMENT

Mr. Tim Kaufman, Assistant County Manager for Public Services, greeted the Commissioners and said, "Before you today is a grant application for housing program that is part of a larger community response to the HUD (Housing and Urban Development) super notice of funding availability process or super NOFA (Notice of Funds Available) process. This is a renewal application for shelter plus care funds, which are funds targeted to three specific homeless populations. Those experiencing a severe mental illness, persons with substance abuse disorder, or persons with HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome). This program partners with three referring agencies. COMCARE, Miracles Inc. and the University of Kansas School of Medicine, Wichita.

"These three organizations will be responsible for referrals, for housing vouchers, and for providing the care component of the program through Case Management Services to those receiving the housing vouchers. The goal of this program is to provide the participants with safe and adequate housing while working on skills to increase their income and self-sufficiency. A long-term goal is for participants to successfully address any barriers that have contributed to their homelessness, and to graduating into some other type of self-directed housing. For 2015 and 2016, 38 percent of program participants met that goal. This is, that's very significant considering the barriers that individuals in this program face.

"You may recall that each year United Way [of the Plains] leads an effort to take a snapshot of homelessness in the community. This past January the point in time count showed that there were 571 persons identified as homeless, up 10 from the 561 last year, 39 of those individuals met the definition of chronically homeless, which was a reduction from 94 the previous year. This program specifically addresses individuals that meet the chronic homeless definition. So we've seen significant impact there. The number of homeless veterans also decreased from 59 to 46.

"While the typical shelter plus care program participant is a single adult household, this program also allows for families to participate. The income guidelines for this program are similar to many other federal programs and limit program participate income to less than 185 percent of the federal poverty level based on household size. For those with an income it is a program expectation to pay up to 30 percent of that income towards rent. The grant request of \$939,527 represents 112 housing vouchers at fair market rent as determined by HUD and administrative fees that fund one position that works with applicants and tenants, landlords and case managers from the participating programs. The shelter plus care component is the largest portion of the community grant application representing approximately 38 percent of

the total request. I would like to recognize Dr. Louella Sanders, with United Way, the lead applicant for this community grant application. Also with us today are some program staff Maggie Flanders and Kristin Sampomurphy, and Lynn Tatlock a community partner with Salvation Army. I recommend that you approve the application for the grant, authorize the Chairman to sign all necessary documents, including the grant award and any necessary budget adjustments. Be happy to answer any questions."

Chairman Howell said, "Alright, thank you for the presentation. Any comments or questions from. Commissioner Norton."

Commissioner Norton said, "I happen to be on the review committee of this grant. And it's an arduous, arduous process for I think, 11 or 12 different agencies to try to come together, piece it together, make their part of the proposal. It is a critical need in our community. So it is valued because it is a collaborative effort between a lot of folks that are trying to solve this issue of homelessness, but not duplicate any services. But to work together to solve it. So I'm going to be very supportive."

MOTION

Commissioner Norton moved to approve the application for the grant and authorize the chairman to sign.

Commissioner Unruh seconded the motion.

Chairman Howell said, "We have a motion and second. Any other comments? Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Tim, would you speak for a minute. You gave us some of the data in terms of how in the homeless count, how we performed and how things have changed. But, you mentioned the difference between homeless and chronic homeless. Can you differentiate, how they're different, and how that impacts these numbers?"

Mr. Kaufman said, "Certainly. The definition of chronic homelessness includes an individual who's experienced homelessness for a total of 12 months or four times, experienced homelessness four times in the past three years, and has a disability of one type or another. So that's the definition of individuals that are chronically homeless. Then, other individuals that were identified in the count are considered literally homeless. That means, they did not have a home to go to that night."

Commissioner Peterjohn said, "Okay, when you say disability, are you talking about people with drug and alcohol problems? You talking about people with who are physical, like paraplegic or what is the disability?"

Mr. Kaufman said, "Yes, to those and a mental illness would also qualify to meet that definition of disability."

Commissioner Peterjohn said, "For the people who kind of graduate from this program, how many would you count as successful and how do we measure that?"

Mr. Kaufman said, "In the 2015 year, we had 45 separations, 25 of those were positive, out of that universe of 112. In the 25 that were positive, were individuals that had either had developed some kind of income that allowed them to leave the program, so they were able to self-select their housing. They were able to move into a different level of housing, that didn't necessarily require the treatment, because they had gone through the treatment process and had addressed that particular issue

that had potentially led to homelessness, or they had reunited with a family member. Often times individuals that are experiencing homelessness have a family that the treatment that is paired with this housing voucher helps them reconnect with that family, and they're able to move home."

Commissioner Peterjohn said, "Thank you."

Chairman Howell said, "Thank you, Commissioner. I would like to ask, does anybody from the audience would like to speak on the agenda item? Seeing none. Any other comments from Commissioners? Motion and second. Alright. Seeing none, Madam Clerk, call vote."

VOTE

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

Mr. Kaufman said, "Thank you."

Chairman Howell said, "Okay. At this time, I would like to I am going to take a five-minute recess. We've been going about two hours at this point. I anticipate a number of people interested in speaking on the next agenda item, especially, so let's go ahead and take a five-minute recess. Be back here at exactly 11:01. Thank you."

The Board of County Commissioners recessed at 10:54 a.m. and returned at 11:01 a.m.

Chairman Howell said, "Alright folks, we're back from, back from recess. I would like to call us back to order again. And with that, Madam Clerk, next item, please."

Approved

L [16-479](#)

REPEAL OF THE PROPERTY TITLE TRANSFER INSPECTION CODE.

Presented by: Thomas Stolz, Assistant County Manager, Public Safety and Code Enforcement.

RECOMMENDED ACTION: Take the action deemed appropriate by the Board of County Commissioners.

PUBLIC COMMENT

Mr. Thomas Stolz, Assistant County Manager, Public Safety and Code Enforcement, greeted the Commissioners and said, "Here this morning to present a potential deregulation item, in what is known as title transfer inspections, currently performed by the staff of the Metropolitan Area Building and Construction Department (MABCD). As a point of history, on May 10 of 2006, the Board of County Commissioners adopted the regulation creating title transfers inspections via Resolution 7406. This resolution mandated that all sellers and or buyers of homes within the unincorporated area of Sedgwick County must arrange for an inspection of water well and wastewater systems on properties at the time of property sale. This regulation currently resides under Section 27 of the County Code.

"Several weeks ago Chairman, Commissioner Ranzau, requested this item be brought before the Commission body. To discuss the possibility of removing this regulation from county code and allowing the real estate industry the choice of regulating itself by hiring a third-party private inspector, or simply to no longer require the inspections. In the ensuing days following this request staff has compiled the following information and met with representatives from the real estate industry.

"Here's some data to consider: MABCD averages roughly 500 of these inspections per year over the last five years, though this number is trending upward with the improving economy. About 40 percent of these inspections show some type of issue. Everything from a total failure of a system, to minor adjustments. That number is also trending upward as systems in Sedgwick County continue to age. Within Sedgwick County there are 43 wastewater installers, a half a dozen septic system pumpers, and 15 water well installers. Any of these providers are capable of inspecting systems. Additionally, there are several home inspectors who could be trained to provide these inspections.

"In concerns to our meetings with stakeholders in August, this matter was placed in front of the Sedgwick County Wastewater Advisory Board. They did not support the deregulation. Also in August, I presented this matter to the Realtors of South Central Kansas Association Board. They did not support the deregulation, and both of these groups there was satisfaction with the existing system of regulation and some concern who would take over the inspections if Sedgwick County would no longer inspect. There was a general consensus by both groups that inspections should continue, even if not performed by Sedgwick County.

"This operation within MABCD is generally viewed as cost neutral. The user fee is collected for this service represents a portion of the revenue collected by the department. If the county continues to provide this service however, it will be necessary to conduct cost analysis concerning fees, since they have not been reviewed since the inception of the regulation ten years ago. It is likely fees will have to be raised to properly cover costs of staff and commodities to perform these inspections and the subsequent reinspections in instances of failure.

"At this point I would stand for questions and will take whatever action deemed by the Commission as appropriate. I also believe there are some people present in the audience today who would like to make public comment."

Chairman Howell said, "Alright. Before we go to the audience, I would like to allow Commissioners to ask questions or whatever at this time, and then we will go to the audience after this. Commissioner Ranzau."

Commissioner Ranzau said, "Just real quick. I want to clarify. We'll still do inspections when they are installed or repaired, modified, things like that?"

Mr. Stolz said, "Yes, sir."

Commissioner Ranzau said, "Just eliminate the requirement when it's sold. Right now, the regulation says the inspection has to be done by the government and can't be done, there's no provision for private sector inspections."

Mr. Stolz said, "That's correct, Sir."

Commissioner Ranzau said, "Okay. Thank you. I may have more questions later."

Chairman Howell said, "Alright. Any other questions or comments from Commissioners at this time? I anticipate there may be some later on. So, at this time I would like to take this to the audience. I've got four people signed up to speak, and I will also allow others to speak, if you did not sign up I will allow that as well. So, let me call you up in order and we'll hear from you first. So first person to speak this morning on this agenda item, Sue Wenger."

Ms. Sue Wenger, greeted the Commissioners and said, "Thank you, Tom, for being so tall. We have had, as Tom mentioned, discussions throughout the association and with others, and we bring to the table our concerns and some thoughts. The health and safety of the general public may be compromised with the repeal of this particular item. County mandated inspections do help in educating the public about potential health and safety issues when dealing with private water wells, failing sewer systems and alternative waste systems. Because of Sedgwick County's leadership in this area for over a decade, inspections with a standard measurement are completed and environmental, health and safety concerns are addressed at a minimal and affordable cost, either to the purchaser or to the seller, unless the systems have not been maintained and according to recent numbers, approximately 40 percent of the inspections which Tom mentioned completed resulted in a failed inspection report.

"Private water wells, as the sole water source for property and sewer systems within lagoons, septic, alternative systems, lateral beds, lateral fields and so forth, may not affect just one particular property, but can have devastating effects on adjoining properties or those within the water flow lines or natural drainage. Groundwater contamination, whether coming from agricultural run-off, feedlots, unsealed water wells located too close to septic lagoon waste lines or corroded or broken waste lines. Contamination does not simply stay on that one property. Radon and wood-destroying insect remedies are normally single property issues. Groundwater spreads a long way.

"Number two: the environmental health of our community, county, as a leader in a minimally four county area surrounding Wichita, Sedgwick County has been looked to for the guidance, for knowledge, for how-to's of many local environmental concerns. Repealing this inspection code and making health and safety a negotiable item for the public does not seem like a good answer. Many people, including some of the licensed persons who called on to represent buyers and sellers in real estate transactions, do not understand the implications of the failing wastewater system. The sometimes prohibitive cost to replace, the unexpected cost to health and welfare of existing and future county residents, who could potentially be put at risk with contaminants, not being identified because an inspector has been paid an additional amount of dollars to take a water sample from the house next door, whose owner has an automatic water chlorinator in place, due to high levels of bacteria and nitrates in the area. Excuse me, the Benadryl is kicking in.

"Since the casing of private water wells is not indestructible, and since there continues to be sandpoint wells as water sources located in basements, which are subject to contaminants from rising water tables and weeping cracks in the concrete floors and walls in basements, with no requirement for inspection coming from the governing authority. As one lady told me recently, this water never made me sick, so why should I allow anyone to take a sample? If the elimination of government overreach is the ultimate goal for the Commission. The question must be asked, then, whether this is the platform and if so what would be the expected result?

"Repealing, rescinds, implementation, if you should decide to move forward. As we hope you can see the individually licensed brokers and agents here take their responsibilities to the public and to each other very seriously, when it comes to

education concerning health and safety issues. We also hope that you will understand that no two properties identify or inspect alike when it comes to private water sources and private wastewater systems. We hope that when considering the long-term effects that repealing an authoritative nod from our county that has to do with the health and safety of its rural residents. East to west, north to south, you will weigh heavily in chaos and the tremendous amount of adjustments that would have to occur in order to move forward.

"Licensees, lenders, appraisers who make requirements for securing financing, buyers, sellers, insurance companies, all have a huge stake in the decision that you're preparing to make. We have approximately 1,840 real estate licensees who serve the public in our area. Given the magnitude of that number alone, given the time involved in getting the word out to brokers and licensees concerning the repeal, and how they move forward safely and with minimal liability. Given that there are few industry persons at this time who would be willing to take on the responsibility of making and signing a statement concerning the functionality and safe usage of a private well or wastewater system that would be defensible in court action. The amount of time between repealing the code, and the implementation date would need to be extended far into the future.

"We are not asking for more government regulation. Most of us would prefer to have as little government in our lives as possible. We are simply asking for the county to maintain its capacity to do the inspections when properties transfer. Something as important as the health and welfare of county citizens as they choose to live their life in Sedgwick County should not be considered government overreach.

"Consequences to actions, the failure to have an educated public. If there is no governmental resource. Increased liability for all involved in a rural transaction. Deep pockets rule. Substantial increase in the initial cost for inspections and startup training for those responsible for inspecting, whether to be licensed or certified. Whose responsibility will it be for failure to implement and where are the teeth for the lack of action. Long-term environmental liability for the Commission's actions, concerns about health and safety of the county, and residents should be a priority for the future growth of the county. Deregulation of codes that deal with health and safety area residents can have far reaching effects over our personal desires and ambitions for government, and with that, I need a drink of water. But do you have questions or would you prefer that others speak too."

Chairman Howell said, "Yeah, if you'd be willing to stand for questions at the end. I would like to go ahead and hear from the other speakers as well. Then we will ask you to come up and answer any questions. If the Commissioners would want to call you up. Is that okay?"

Ms. Wenger said, "Very good. It's perfect, thank you."

Chairman Howell said, "It's going to give you a chance to get the drink you need. Call up Sandy McCray."

Ms. Sandy McCray said, "I decline comment."

Chairman Howell said, "Okay. Doesn't need to speak, and then how about Richard Marshall?"

Mr. Richard Marshall said, "Decline at this point."

Chairman Howell said, "Okay, thank you so much. How about Tim Holt?"

Mr. Tim Holt, greeted the Commissioners and said, "Sue and I talked last night about this is the first time we had a chance to talk about what each one was going to say. She went first. I said I will go up there and say whatever she says is what I say. She pretty much covered everything. But I want to cover a couple things differently. You know normally as a group, realtors are in favor of no government interference or regulation. In a lot of cases for deregulation, but when you are talking about health and safety issues. It's really for all the residents in the county and the state, but particularly Sedgwick County.

"Contaminated wells and faulty septic systems, they don't really affect just that property. Contaminated water or groundwater doesn't know property lines. It doesn't know it is supposed to stop at the property line. With the age of our systems in the rural part of the county, there is a lot of failures as they saw from the 40 or 50 percent. I would say at least 40 percent, probably higher if we got to testing on every system out there. But they just don't know the boundaries. So it is going to affect your neighbors. It could affect miles away. An example would be what we just dealt with the, with the Tyler [Road] and Maple [Street] issue. Over there where a host of homes had to go on city water. Then I don't know the report they had came out last night. Where we're talking about Maple [Street] and Maize [Road] over in the Dell. Now there's contaminated and granted that's not ground water but that's groundwater contamination, not necessarily from septic systems, but that's an example of how ground water has no boundaries, has no property lines, and so we need to be concerned about it.

"With the ordinance, who knows how many problems with this ordinance will be discovered. You know being fiscally conservative, we are usually for any cut in savings and cost savings to taxpayers. But from what we understand or from what was explained to us, there is no budget savings for the county. There is no positions are going to be eliminated. Those people will still be there doing something. They will be part of the budget, and the fees charged right now, it's been zero balance. I mean, whatever they charge covers the cost to the county. So it's not like we're asking taxpayers to bear the burden of the transfers. So, if the fees need to be increased, I think rather than go through the turmoil and have the unknown. I think, if we had to, we probably would rather have the fees be increased and have it still done by a government entity.

"We don't have because we've had people. I've had people, all of us have had people say well, why do we have to do this inspection? The biggest hammer we have is, it's a government requirement. They can't say, well I really don't want to do it. Like the one lady. I had another one say, well, my system is fine. I have laterals and everything, so I don't need to get an inspected. The biggest hammer we have is saying it is a government regulation, and it is required for health and safety. So, it eliminates a lot of our arguments that we would have with buyers or sellers. Because they are looking to cut their costs. Sellers in particular are looking for ways to cut potential costs. Particularly in some cases if they know the system is on the borderline anyway. So like I said, we are really in favor of limited government oversight. But when you are talking about the health and safety of people, and the taxpayers, it's really a factor that government oversight and regulations is necessary. I think if you, we deal with a lot of government regulations. There are a lot of them we would like to see go away in other areas of our business, that aren't going to go away. But, this is one we really feel it is important that you guys maintain, and we appreciate your time."

Chairman Howell said, "Is it H-O-L-T, Mr. Holt?"

Mr. Holt said, "Yes, H-O-L-T."

Chairman Howell said, "Alright, thank you Mr. Holt. Appreciate your comments. Is there anybody else in the audience would like to speak on the agenda item this morning? Alright. Please state your name and address for the record."

Mr. Charles Peaster, 9453 North 135th Street West, greeted the Commissioners and said, "Which is in the county. I would like to know the people that are here to speak today. How many of them live in the county? None of them probably. I've got people up here telling me you live in the county? I've lived at my house since 1979. It was the old Combs poultry farm, originally built in 1918. When we bought the house it had a well and a septic system. Because the Combs poultry farm was still in place and still working. For four years they continued to raise chickens and sell them, and then they quit."

"There was 30 acres of farm ground there. A realtor came in and bought the farm ground and split it up into one and a half acre, to two and a half acre lots. In order to sell those off and put modulars or trailers on them, they had to have the county come out and perc (percolation) test the ground to see if it would handle septic systems, which it did. Those people there are living there. I think the poultry farm closed, well in about four years after I bought my house, which was in '79."

"I've lived there during this period of time. I live across from a dairy farm. They milk a hundred head of cattle. There's a corn field, a milo field, a wheat field, or a bean field right across from my house. Because that's part of their farm ground and depending on what they plant year to year, they plant there. And then they spray herbicide. These people want me to have to pay if I want to sell my house. They want to come out and it is my understanding at one time, if they came out and checked it and you didn't sell it within 90 days, they had to come back out and inspect it again and it cost you to do this."

"Now, these people live in the county. I would like to know, I live on the aqueous beds by the way, never had a problem with my septic system. Had a problem or two with a well pump, never with a well. But yet they want to keep this in place, and it's the realtors who want to keep it in place, why? As an individual living there, if I decide to sell my house or one of my kids take it, does that mean that they are going to have to come out and check the system? If the kids come to live in my house or take over, and they decide to pay me, that's a sell in my opinion. Why do we have this? This is another government infringement on my ability to do what I do."

"When I bought the house I didn't have to have the system checked. I didn't have to have the well checked. But when they sold the 30 acres off and split it up into acreages, they had to have the ground perc tested. The number of houses now, you got 1, 2, 3, 4, 5, 6, 7, 8, 9, 15. Fifteen other properties, behind my property on 30 acres that was farm ground or the poultry farm. I would like to see this repealed. I live in the county. Does it directly affect me? No not unless I go to sell my house. But this is another government regulation."

"Farm Bureau, which is my insurance company, from time to time offers to test my water for free at the Sedgwick County Fair. If I'm having a problem with my water because of the farmer across the field, across the road that has a dairy farm. The one thing that I know about them is that if he decides because his farm is still in the family. If they decide to sell the dairy farm, the next dairy farmer that comes in there because he didn't originally own it, the state is going to force him to create an area for the runnage out of the milk barn to a, not a septic system, but a lagoon, and the state is going to do that. As long as it's in the family, it goes the same way it has for 40"

years.

"I appreciate the ability to talk on this. A lot of these people, they say they live in the country. When is the last time they had their septic system pumped? When is the last time they've had their water well checked? I get mine done on a regular basis. Only two people living there is myself and my wife, and both of us are elderly. If you call 70 elderly. Thank you, appreciate the chance to talk."

Chairman Howell said, "Alright, thank you, Mr. Peaster. Is there anybody else in the audience this morning would like to speak on the agenda item? Alright, seeing none, I will bring it back to the board. Commissioner Peterjohn."

Commissioner Peterjohn thanked the Chairman and said, "I'm glad to get a clarification. First, we were handed out some information that just said our concerns. So, I want to understand exactly who I've got, if it's representing Mr. Holt, or..."

Ms. Wenger said, "Mr. Peterjohn, those were my thoughts. That I put together yesterday afternoon. In order so you'd have something in front of you in case I lost my voice."

Commissioner Peterjohn said, "Okay. Well, I just wanted to, ok for the record, to have it listed here. And I wanted to know when it says "our concerns", I wanted to know exactly who 'our' trying to get 'our' an understanding, and are you representing anybody besides yourself here this morning?"

Ms. Wenger said, "I do work for J.P. Weigand Company. I am a member of the Kansas and local Association of Realtors, National Association of Realtors. So 30-some, 37, 38, I don't have my calculator with me. Lots of years of experience come with these thoughts."

Commissioner Peterjohn said, "Are you representing J.P. Weigand as a corporation?"

Ms. Wenger said, "I am not."

Commissioner Peterjohn said, "Okay."

Ms. Wenger said, "I have though, been in touch with the President of the company, Vice President of Residential Sales, and who forwarded our information to Mr. Weigand, but I have not talked with him. I just wanted to make sure I wasn't going to embarrass him too badly."

Commissioner Peterjohn said, "I think you're doing fine."

Ms. Wenger said, "Well, thank you."

Commissioner Peterjohn said, "Thank you. I wanted to understand because for the record, Mr. Stolz and myself had met with a number of realtors, and I was interested in terms of everyone who is involved in title transfers and whether it is in the financial side of it, or the real estate side, or buyers or sellers. Wanting to understand exactly who is here. Who is testifying and whether they have an official position on this or not. So just wanted to get it on the record, because I think that's important regardless of what way this Commission goes forward with the decision this morning. Thank you."

Ms. Wenger said, "Thank you."

Chairman Howell said, "Thank you, Commissioner Peterjohn. Any other questions? You can have a seat, unless we call you back up. Thank you again, Ms. Wenger. Commissioners, any other questions or comments? Commissioner Norton."

Commissioner Norton said, "Well, I was around in 2006 when we adopted this, and we had about a eight-month, as I remember, an eight-month conversation. We had wastewater specialists, our own environmental staff, we had realtors, we had folks that were part of the title transfer continuum. We had a lot of dialogue about why this was important. Then we put it through the filter of our Health Department, and folks that were concerned with the environmental part of it. We came to the conclusion that number one, our staff could do those inspections and be a moderation for this process, and we've done it for ten years.

"I've had virtually no complaints from realtors or practitioners of wastewater treatment systems, alternative plans, lagoons, laterals, whatever, over all these years. In fact, just the opposite, practitioners that put them in the ground, that have to service them, that work on them are very pleased with Sedgwick County staff. With Tim Waggoner and his group on how they do the inspection, how quick they are to do the inspections, how thorough they are with the inspections, and how they work with the Health Department to ensure the health of people. I live on the south side and represent the south side, and if ever there's ground water issues, and lateral issues, and water issues, and failures. I know all about it. There could be in the future, because of high ground water tables, many, many failures on the south side.

"I would just as soon have health and safety practices embedded in a code to be sure that it's standard for everyone as opposed to putting it out so that we don't have that standard of operation and procedure. So I'm not going to be in favor of going away from what we are doing presently. If we're repealing this. I think it's served our community well. I think our realtors that I've talked to certainly believe that, and many of the practitioners that I've talked to both casually and formally, are not for this. So I am not going to be for it today. Thank you, Mr. Chair."

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

Commissioner Ranzau thanked the Chairman and said, "I've got several issues. First of all, I appreciate the comments from everybody who spoke today. I think for me, the primary stakeholders in this issue are really homeowners and home buyers, prospective home buyers. I have had multiple people complain to me about this issue, and how they have been treated by the county when they tried to sell their home. Quite frankly, they just feel like they've been victimized by the government at times and forced to do things that are unreasonable, and I have been involved in some of these things. And I think, they are right on some of these occasions. People are being forced to spend thousands of dollars, unnecessarily.

"We really have an inconsistent model of how we do inspections when homes are sold. Now, I want to make this very clear. We're going to continue to do inspections when things are installed or remodeled. You have to get permits we do that, just like you do any other thing. But right now when you buy a home, the home inspection is done by the private sector. Then the buyer and seller negotiate what is going to happen. I fully expect that same process to happen here. I don't believe there needs to be a law that forces the government to do it, and the private sector being able to do it. I don't understand, seems like they have a little bit of a double standard when it comes to inspection with respect to plumbing and electricity and a variety of other things with the home. The private entities can do that and the buyer and seller negotiate. I think that should be the same model across the board. There are lots of people out there that do these home inspections and do them well. It is not that

complicated.

"You know, very cognitive of health and safety concerns that are out there, if I thought this would hurt the health and safety of the community, then I would not be supportive. But I don't see how that's going to come to fruition. If I am a realtor, I'm going to make sure my buyer or my seller, gets a good inspection done. That work will continue to happen. I think we will continue to be, the community will continue to be safe and protected in that regard."

"But at the same time, I think the homeowners, sellers and buyers, will negotiate what will happen in the cost, et cetera, and hopefully these complaints that I continually hear about, people saying that the government has been unreasonable with them that probably won't be there. I think the health and safety will continue to be protected. I trust the private sector, just like I do with the other home inspections. As far as the electric, plumbing, et cetera."

"There are lots of good, quality people out there that they can do this. So, that's kind of what motivates my position on this. I think we are prepared as a county to provide some classes. We've talked to some people, there will be a transition period, have some classes, show people how to do these inspections. So I think, that the model that works in other areas, I think would work in this particular area as well. I don't really see any reason why it wouldn't. Thank you, Mr. Chairman."

Chairman Howell said, "Alright, thank you, Commissioner Ranzau. Mr. Stolz, I have a couple questions for you. Can you, you mentioned two statistics at the very beginning of your discussion this morning. One was 40 percent of those inspections have some type of failure that needs to be remedied. Then another thing you said, how many inspections are done per year?"

Mr. Stolz said, "We do, we studied the last five years, and five years ago it was about 450, 475. We're up to, on pace this year to, probably about 530. So over the last five years, we averaged 500. Then, let me qualify that 40 percent number is not necessarily failures, it is issues brought up. Now that includes failures, but it includes some maintenance issues that the homeowner has to go in and remedy. It don't mean systems failing, it means modification. So on 40 percent of the inspections. We are seeing something come up."

Chairman Howell said, "I'm going to put you on the spot, but if you could break that down further, in terms of like, is it lagoon, weeds need to be mowed down, fence needs to be reput back up around the lagoon, or is it, or maybe septic tank needs to be pumped out, for example. Are those the types of things we're talking about? Are we talking about potentially reconstructing the entire system? I mean, can you please describe that 40 percent?"

Mr. Stolz said, "The minimum number of those would be reconstruction. There's three waste systems used in Sedgwick County. Mr. Holt mentioned them. There's alternative systems of which we hardly see any failure. Those are good systems, relatively new. Maintained properly they will last a lifetime. Then there's lagoon and septs and the failures and the issues that we begin to see generally fall into one of those two categories."

"We all know, you have to maintain lagoons, and both of these systems, lagoon systems, and septic systems are not meant to last forever. They have a life and a death. Average septic system in Sedgwick County, 20, 25 years and then it's time probably for renovation. So when the inspectors go out, they see a number of things, we do on a septic system, part of that inspection requires the tank to be pumped, so

the inspector can look and inspect the inside of that tank. So that's happening at the same time we are doing inspection.

Then maybe there is a water line issue, maybe there is a tank issue, improper drainage of the laterals, and on lagoons, cattails or other types of environmental issues in the lagoon that have to be modified, or taken care of. So when we talk about the 40 percent of the issues. We're mostly talking about lagoons and septic systems. Between those two Commissioner, I can't, I don't know which is more or less."

Chairman Howell said, "So within that 40 percent, okay, a lagoon is designed, especially the older style that didn't have an inline septic tank. But normally when you have a lagoon, simply in a dirt surface and it contained everything goes into that lagoon system. Is there anything that, so one of these systems have been around for a long time. Is there, I'm trying to formulate my question here. Would you consider that to be a system that needs to be updated in order to be transferred from one owner to the other? In other words, does that system pass the test?"

Mr. Stolz said, "I think it's a good idea that these systems, when we have go from point A to point B. We're transferring title, if I'm a buyer, I think, it is a good idea to look at those systems. The question that I have. I think we are talking about today, does government have to do that? Or can private entities do that? I think it's a good idea. Off of what these speakers brought up I don't disagree with anything they said. There's health ramifications for potentially, and we have to take care of our systems. The very first victim on a failure of these systems is the homeowner. That's why when we are buying and selling cars or houses, its buyer beware. You have to pay attention of what it is you are purchasing. I think it's prudent to check those systems, because the very first victim, before it victimizes neighbors, it's going to victimize that household. So I think, from a public safety perspective it makes sense to check these systems. It's just, I wasn't here in 2006, but the question would have been, should it be government or should it be private entity. I think that's the part that we are discussing today. To answer your question I think it makes sense to check the systems, sir."

Chairman Howell said, "This reminds me of sprinkler systems because we do require periodic inspection of the back flow valves, because it is health and safety concern, and we let private sector do that, but it is required that it is inspected. So, you know it's interesting to me, someone may live in the house for 50 years and never have the system inspected because it continues to work. Yet there may be problems because they have not had it looked at by anybody. We don't go in there and say you have to have a periodic inspection, and you have to have it certified or anything like that. Pay a fee to get a piece of paper that says it's good to go for the next five years. I mean, those types of inspections are not required. So someone theoretically, could live there for a lifetime and never have, never have their system inspected. Is that correct?"

Mr. Stolz said, "That's correct, yes. As Mr. Holt mentioned, there's a number of systems out there that unless we have a problem reported to us, we can't go out and inspect every one of these systems. The title transfer phenomena allows us to get eyes on about 500 of these a year. But we have thousands out there that unless there is a problem or something reported to us, we can't inspect."

Chairman Howell said, "Any idea how many of these systems are in Sedgwick County?"

Mr. Stolz said, "Total systems out there? I don't have the number sir, but it's several

hundred, a few thousand. As the city encroaches upon the county, City of Wichita or City of Derby, as these cities grow, then they get brought onto city water systems. So our waste systems will diminish over generations, but we still have several thousand operating systems in the county, and in Class two and three cities."

Chairman Howell said, "Do you have any idea how many times per year, typically. do we require reconstruction of the system? Any idea?"

Mr. Stolz said, "Because of title transfer?"

Chairman Howell said, "Yes."

Mr. Stolz said, "It would be the minimal amount, sir. Mostly what I would give you would be an anecdotal, a half dozen, a few times a year, we see a total system failure. I'm sure the real estate professionals can tell you the same stories. There are some things we get out, it is unbelievable what you see. Then we have to require either a total reconstruction or just a total construction of a proper system, so that homeowner can live within Sedgwick County, Health and Safety Code and Kansas Department of Health and Environment laws, too. But those are of the 500 failures we are talking about, a small number."

Chairman Howell said, "What happened before 2006? How was this handled then?"

Mr. Stolz said, "I don't have the history on that. I'm assuming that inspection wasn't required. I did talk to some elder statesmen, and as we started researching this, they said a lot of what Commissioner Norton, not calling you an elder statesman, Commissioner, but they said..."

Commissioner Norton said, "That's okay, Tom."

Mr. Stolz said, "The inspections did not occur. What ends up happening is people were, homeowners, would get into a house, and the phenomena is a lot of people move from the city out to the county, because it is just a different lifestyle and different culture. When they get out there, they are used to everything working magically into the water system or septic system because they worked under city water.

"Well, in county living, you own that system, and so there was an unfamiliarity with that. I think that people would go out, and I think, the real estate people would back this, if you leave a house sit for two, three, four months, those systems may come up initially, but then they will fail in a couple, three months if something is wrong with it. So I think that a number of people became victimized by that. Spent a lot of money on a house, got into it, were strapped as far as payments and then boom, two, three months later, we have an issue that comes up. These were costly, many of them are and I think that they began to air that concern, with real estate people, with government, and you get the regulation born from that."

Chairman Howell said, "You say roughly a dozen, let's just say. You say it is anecdotal, I get it. But those that were reconstructed because they had a transfer of inspection, that was the reason why we went and looked at it. We ended up having to reconstruct that system because of something was discovered. Some type of terrible failure. Are those systems technically working? They just weren't meeting the standards? I mean, were they not working at all? What would be something that you would find that would cause..."

Mr. Stolz said, "Many of the systems continued to work. I mean, if a system fails, we're going to know it, because some contractor is going to get called to come into the house to fix the failure and as Commissioner Ranzau has already said, that has to be permitted and inspected as that is reconstructed or built new. So these systems are working for the family that's there at the time of the house sale. The question is when we go into look at it, is it in failure mode, it hasn't failed yet, but there is enough critical issue there that it is in fail mode. Then we have to cite that for them, tell them about it, and give them time to remediate. There is the same discussion that Commissioner Ranzau talked about between buyer and seller and that's worked out. But at the end of the day, it has to get reconciled. So they are working systems, but in a failing capacity."

"Then another thing that can happen on this, as we go out and you have an existing system and Commissioner Ranzau and I talked a lot about this too. You have an existing system which is failing and we go to the perc test of the soil. All of a sudden they don't get to have the same kind of septic system they had anymore. We are getting off track, but all of these dynamics happen in this title transfer inspection because it gives us a chance, at least 500 times a year, to get our eyes on something and take a look at a system. I hope I answered your question."

Chairman Howell said, "So you are saying the perc test would fail, even though it was acceptable in the past. Is it fail because it's an area that's been used for laterals for a long period of time. The percolation doesn't work anymore? Why would it not pass?"

Mr. Stolz said, "The standards, the perc test standards that we use today were not in effect 20 and 30 years ago. So now we know more than we did 20 or 30 years ago. If that soil is not draining at a rate that's compatible for a septic system, a lateral system, then they have to go in with lagoon or alternative system."

Chairman Howell said, "What happens if they don't have enough land space for the lagoon, and they don't have percolation for the laterals?"

Mr. Stolz said, "Alternative system."

Chairman Howell said, "How long has that been around?"

Mr. Stolz said, "Just a few years. That's a new thing."

Chairman Howell said, "This is a new opportunity, but years ago it wasn't an opportunity."

Mr. Stolz said, "That is correct."

Chairman Howell said, "Since 2006, that wasn't around then, so you could conceivably have a property that doesn't have percolation. Doesn't have enough land. So then before the alternative system came around, I'm not sure how you solved that problem."

Mr. Stolz said, "Well, more and more lateral, I mean, more feet of lateral line is required."

Chairman Howell said, "Okay. Alright, probably have some other questions or comments, but let's go ahead and go to Commissioner Unruh for now."

Commissioner Unruh thanked the Chairman and said, "Mr. Stolz, if we were to

take the action here and repeal the inspection code. Then that would just mean no one has to get an inspection or did I misunderstand?"

Mr. Stolz said, "That's a part of it, sir. What the resolution in front of you today would say is the county will continue provide these inspections until November 1st. But effective when you vote on it and after it's published in one week you would not have to do it anymore. It would deregulate it."

Commissioner Unruh said, "So then it just it becomes just buyer beware, and it is up to the real estate agent and the buyer to recommend it. But it is not required."

Mr. Stolz said, "That's correct, sir."

Commissioner Unruh said, "Okay. Well, I think this is critical enough for public health and also has to do with the invasion of adjacent properties and that sort of stuff if the system fails. Even if we did this, we would at least want to require somebody to make an inspection. It would seem to me. But moving on to another question. I thought I heard a comment that there were some complaints received about the government not doing a good job, or being heavy-handed, or folks didn't like their interaction. Have you had complaints?"

Mr. Stolz said, "I have not personally, sir. But I don't doubt there's been complaints over the years about that service. People, sometimes we have to say unpopular things when we do business on this type of an inspection, and I am sure that some people do not appreciate it."

Commissioner Unruh said, "Okay. Our inspectors have to have some sort of certification I suppose."

Mr. Stolz said, "They do, sir, yes."

Commissioner Unruh said, "Okay. From your knowledge, is this requirement consistent among most of the counties in Kansas or..."

Mr. Stolz said, "It is consistent with the contiguous counties of Sedgwick County. I don't know statewide if it is or not. But all the counties surrounding us have title transfer inspection to some degree."

Commissioner Unruh said, "It is required and do their county governments provide that? Or do you know?"

Mr. Stolz said, "I believe that is correct."

Commissioner Unruh said, "Okay. In your opening statement did you say the Wastewater Advisory Board was advising that we maintain our current policy?"

Mr. Stolz said, "Yes, sir."

Commissioner Unruh said, "And did you say something about the Association of Realtors?"

Mr. Stolz said, "Yes, sir, I did."

Commissioner Unruh said, "They also want us to maintain this."

Mr. Stolz said, "Yes."

Commissioner Unruh said, "Okay. I guess a lot of my constituents or citizens don't want to call me. I have not had any contact about this. Anyone complaining about the way we administer it. Or anyone calling me saying that they think this is an oppressive regulation. I do give a lot of value, a lot of weight to the fact that the advisory board says don't change the policy. Realtors involved in these real estate transactions say don't change the policy. So, I do not believe that I can support the repeal of this. But I appreciate your comments. Thank you."

Mr. Stolz said, "Yes, sir."

Chairman Howell said, "Other comments? Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes. Let me ask, understand, we've got, you talked about systems failing, or problems with 40 percent. That these only have a set lifespan of 20, 25 years, roughly. I guess, it's partially depend upon how much usage they get. Can you go into more details in terms of ones with problems since we have different, whether it's lagoon, whether it's septic, whether it's one of the alternative systems in terms of what we have here on failure and tie it into what sort of training do the county employees have to have who do these inspections? And what sort of, based on our earlier comments, whether it's a certification or credential, do they have to have to get this and have it? Because I'm struggling. We don't mandate that houses be inspected by the county inspector. Termite inspectors aren't handled by the county inspector. But we have this one area where we started inspecting 10 years ago and we haven't. So, I'd like to get more information if you can kind of, help me with that."

Mr. Stolz said, "Sure, let's talk about certifications first. All of the, there's four staff members that, well, they do a lot of things. They do some zoning work. They do wastewater work. They do waste well water inspection, and as Commissioner Ranzau brought up, and we inspect any new or reconstructed system going into county and class two and three cities which have agreements with Sedgwick County. They are all certified water well inspectors, certified from the state level, some national level certifications, and wastewater inspectors, they all carry different credentials and certificates, but they have to have base certifications. So they go through some training, some class, and some continuing education like any other certification in the trade world, and all four of them have a little bit of different certification, but all are certified."

Commissioner Peterjohn said, "So, what sort of training is involved? Are we talking about years of instruction?"

Mr. Stolz said, "I'm sorry?"

Commissioner Peterjohn said, "What sort of training is involved? Does this involve years of instruction, weeks of instruction, months of instruction?"

Mr. Stolz said, "No, its hours of instruction. They'll go to State of Kansas, KDHE (Kansas Department of Health and Environment) puts training on. There's some national accreditations that they will go to, obtain continuing education to maintain certification. So it varies with the four individuals. All of the providers in the county have some sort certifications as well, and also are licensed as installers or whatever it is that they do. Nobody is out working uncertified in this field in Sedgwick County. So there's a litany of kinds of certifications they can get, and you can also train this skill to home inspectors, which we've talked about as well."

"Each of these inspections has a checkpoint. A list of checkpoints that the inspector will go through. They do it the same every time. If it's a lagoon we will check a certain number of issues on the lagoon operation, the physical condition, et cetera. If it's a septic system we will do the same thing, alternative, the same way. So they will simply go out and go through that process. Inspect it and we qualify it with the homeowner or the potential buyer, and the real estate people will validate this. We tell them that we're inspecting this. It is a snapshot in time. We are looking at this system today and everything is operational, or you have these amount of problems. If your system is 20-25 years old, we give you information that tells you that there's a life and death of these systems. So if you have a 23-year-old system and we inspect it and it's working today, we give people the knowledge that future homeowner who is maybe moving from a city, that this system has a life and death and you are reaching the maximum of area life for this system, and just be aware of that. It is really what this is all about. Just making people aware of what the current situation of the house is. So we hand out a lot of information, lot of documentation, give them a snapshot in time. We have had three cases that I'm aware of, since I have been Director, where we have inspected and within six months we have had failure there, and we passed the inspection. Then that's the reason that we go through the education process with the buyer. In each of those three cases those were old systems. So we go through that with each of them. We make sure that they understand what it is that they are buying. At least as far as water well and septic systems, and then we try to make sure everybody has the knowledge before we walk away."

Commissioner Peterjohn said, "You mentioned there are approximately 50, I think, there was six that pump and 40 some who provide, who are involved in installing systems, I think."

Mr. Stolz said, "Yes."

Commissioner Peterjohn said, "Are these individuals or companies?"

Mr. Stolz said, "Companies, sir."

Commissioner Peterjohn said, "Companies."

Mr. Stolz said, "Some are individuals with license is to do that work."

Commissioner Peterjohn said, "Okay. These people could get trained, depending on, one of the concerns I heard was we tried to go ahead and do this was, there wasn't enough time to get people to be in a position to make the transition. I wanted to make sure that that would a, that would be something that would be addressed. I'm very flexible in terms of if I am not locked into this November 1st or any other date. But I am struggling with the idea that private sector can do home inspections. The private sector can do termite inspections. But the private sector, because we've decided to regulate it, we can't. It's going to be a government function, and I am struggling with that as a factor. Thank you, Mr. Chairman."

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

Commissioner Ranzau said, "Tom, these check lists you talked about, these are things we can and will provide to home inspectors who want to do this and installers et cetera?"

Mr. Stolz said, "Yes."

Commissioner Ranzau said, "Going back to the certification. Is there is a specific certification that our guys have to inspect these wastewater or are you just saying they have certifications in general and as a result of that you think they are capable of doing these?"

Mr. Stolz said, "That's correct. Their certifications in general."

Commissioner Ranzau said, "In general. There is not a specific certification requirement to do an inspection for lagoons that our guys done."

Mr. Stolz said, "I don't think on the specific system, no."

Commissioner Ranzau said, "Okay. Just want to clarify, and so installers who install these things and know how to do it, they have a checklist and the requirements, you know they will be more than capable of doing the same sorts of inspections."

Mr. Stolz said, "Yeah, let me qualify that. The people who are installers, they're capable of doing that today. When I talked about future training that would be for home inspectors who maybe don't have this certification, this expertise, they would require some training."

Commissioner Ranzau said, "The training that you think it would require for home inspectors. What are you talking? An hour or two, a day?"

Mr. Stolz said, "Well, depending on the act of the Commission, I think it would be a number of hours. Depending on the act of the Commission today, I think we would want to create curriculum, give some classroom training and some on the site, on-the-job training. So that people can see those things. We haven't developed a curriculum yet, but 8-10 hours."

Commissioner Ranzau said, "Okay. General ballpark, I mean it's not going to be very long extensive requirement if its okay."

Mr. Stolz said, "I have had some home inspectors that are interested in acquiring that depending on the action of Commission today."

Commissioner Ranzau said, "Okay. Thank you. Thank you, Mr. Chairman."

Chairman Howell said, "Alright. Couple more questions for you. When the county does the inspection and have a finding, do those findings have to be remedied before, we, we provide some type of certification, a snapshot in time. Do we say, once you create these remedies, we go back out there and inspect it a second time? Then we say as of this moment, it's good to go."

Mr. Stolz said, "Yes, sir."

Chairman Howell said, "Okay. So any findings that we have must be remedied before that transfer can happen?"

Mr. Stolz said, "That is the way the current code reads, yes."

Chairman Howell said, "That may be my biggest problem with this, because I think as long as the buyer and the seller understand the condition of what their getting. Again, my concern is that we're involving ourselves in something under the guise of health and safety, but the reality, there are a lot of things that deal with health and safety. We don't, I see inconsistency in how we pick something out of many things to involve

the government into this, then we mandate remedies. Whether, even if the buyer and seller were understanding of the situation and they both agreed to it. We're getting involved in something that has to be done in order for the transfer to happen. So that is my biggest concern.

"Back to the transition of this. I feel like the six weeks, roughly, maybe a little fast. I would probably be more inclined to support something that would allow us to provide the inspections up until the end of the year, and then we would stop doing it at that time. Giving it longer, basically 60 more days for transition. So the private industry could start this immediately. As long as they had the credentials, if they had the credentials, they wanted to provide the inspections. If the lenders required it, if the buyers required it, and they contracted for the inspection to happen. Then the inspection could happen immediately with the private sector. I have no problem with that, but I would like to provide the service as an option until the end of the year. In the meantime, we provide training, opportunities for people who are interested in providing these inspections. To me that eases the transition concern, I think, mostly.

"Let me ask a couple other questions real quickly. Let me say also I have had, I'm the newest Commissioner here. I've actually had people complain to me about this. I know there's one case, specifically I'm thinking of right now, sure you know the case. Where they had a septic system, it was in the front part of the property, and the title transfer inspection happened, it failed. They failed the perc test, and they were required to do something else. The only other option they had on this property was a lagoon, and they had to install a new lagoon and had to have a septic tank installed in series and it was very expensive.

"Again, I would say this is a depreciation aspect of the property. Either it's got to be remedied, in which case it cost the seller, or the buyer, somebody who is going to pay for that, that remediation. The house isn't worth as much. As long as both parties know that and are willing to accept that condition, and deal with it, whatever they feel like it is the right time to deal with it. I'd rather let the private parties understand the conditions and make that, you know, make that deal between the parties and us not mandating what has to happen there. Just my opinion I guess.

"Well, I guess I am ready to move forward personally. I have had at least three instances in my district in the last year and a half. Where people have contacted me, they're not happy about how we treated them, and we mandated things, they didn't think were necessary, and it was expensive. One gentleman had to refinance his house. It was not a title transfer issue but he had to refinance his house. He is on fixed income. He asked us to go out there and allow certain repair to be made rather than just allowing the repair, we mandated an entire renovation of his the system. It cost so much money, \$15,000 if I remember correctly, that he had to get a second mortgage on his house. I think there was other options available. But this is a very strict part of our code, and I guess I just, I am sympathetic to the buyers and sellers. Wanting them to have more ability to make decisions about what is best for them.

"So, I would be willing to make a motion that we would adopt the resolution, but I would like to make two changes. Well, I guess one change primarily. The implementation date currently is stated as November the 1st, I am trying to find where that is exactly. It is on the, it's on the resolution I believe. Okay, first day of November, 31st day of October. Okay. So it's actually one where it says effective, the rescinding date. Mr. Stolz, the resolution that's being rescinded, this is a requirement that. Okay, what I am trying to do here, I am trying to make it, we would have the option of providing an inspection until the end of the year, and yet we would allow the private sector to do these inspections immediately. So..."

Commissioner Ranzau said, "You want to change..."

Mr. Stolz said, "You want to change the first line of section one."

Chairman Howell said, "Okay. So there is some dates listed on page one of the resolution, section one, I would like to change the date from where it currently says first day of November, 2016, I would like to change that to January the 1st of 2017."

Commissioner Ranzau said, "And then on this page here."

Chairman Howell said, "And then section two, where it says 31st day of October, 2016. I would I like to change that to December the 31st of 2016. Then there's a third date, I believe listed on section three. I would like to change that where it currently says first day of November, 2016. I would like to change that to January the 1st of 2016"

Commissioner Ranzau said, "2017."

Chairman Howell said, "I'm sorry, 2017, excuse me. So without having to repeat that within my motion. Is that clear?"

Mr. Stolz said, "Yes, sir."

Chairman Howell said, "Okay. I have a lot more I could say on this. I feel like I have said plenty already. You know, I'll just say reducing regulations is one of those things that I think that a lot of people fundamentally believe in. This is one of those things that I think lenders can certainly require it. Realtors can certainly recommend it and buyers and sellers can certainly contract to have these inspections done. I would say one other thing before we vote.

"That is in section two of Sue Wenger's handout she talks about inspector has been 'paid' inspector has been paid additional amount of dollars to take water sample from the house next door. That sounds like fraud to me. Someone who is a home inspector that is certified and then commits that type of fraud. What's the consequence of that fraud? Sue, got an answer? Do you want to come to the podium, and give your answer please?"

Ms. Wenger said, "Thank you. At this point in time in our state there is no certification requirement for home inspectors. There is none."

Chairman Howell said, "This is the law that the Governor vetoed this last year?"

Ms. Wenger said, "Correct. So, we're very concerned."

Chairman Howell said, "Okay. There is industry credentials, other words, the home inspectors have their own society that they credential each other, and have standards that they have to meet. If you found a home inspector that was committing a fact of fraud, would they not, I'm sorry. If you want to speak come to the podium and state your name and address for the record."

Ms. Stephanie McCurdy, 13616 East Ayesbury, Wichita, greeted the Commissioners and said, "I just moved. I actually just did an inspection on my property when I moved and I am a licensed realtor in the State of Kansas, as well as most of my family, which most of you probably know. This is a really important issue to us. This isn't just about necessarily an inspection, but it's about health and wellness of our community. Like Commissioner Norton said earlier, there is a reason we put this in place to begin

with. It wasn't because it was just pulled out of the air.

"This was something that was important to our community about community life. About making sure that people were healthy in this community, but as Sue said there is no regulation with inspectors here in the state of Kansas. So, if you have a licensed realtor who has a client that's looking at a property, and it may go and get, it's the buyer's choice of an inspector who they want to have. We don't regulate that. We don't tell them they have to have a specific inspector out to a property. So by having a well water and septic inspected by your city and county. That ensures that there is going to be a standard maintained. So, if you take away this resolution there is no standard. Because, we have no standard for any type of inspection that we have. You were our only standard at this point to make sure that it's going to be transferred properly, and in a good working condition."

Chairman Howell said, "Again, unless the industry, unless there is some type of regulation passed by the state of Kansas okay, then this is going to be done through the industry itself, home inspector industry itself will provide the standards and they would have to regulate themselves, so to speak."

Ms. McCurdy said, "Correct. Yeah, because there is no standards that are set forth by any entity."

Chairman Howell said, "I understand that. Now again, the home inspectors generally work for the buyer."

Ms. McCurdy said, "Correct."

Chairman Howell said, "To protect the buyer, right?"

Ms. McCurdy said, "Yes."

Chairman Howell said, "Okay. So if they were to do this, seems to me they not protecting the buyer. This is something they are trying to sell a house. They are committing fraud, not intending to protect the buyer. They're essentially in other words, what it says is taking water samples from the house next door, the owner has an automatic chlorination system, basically in order to pass the test, it is obviously what it is trying to say here. So, trying to sell the house."

Ms. McCurdy said, Yeah, they, could. What we are telling you, it could happen. They may not test the right water. They may not test the right property. It's just, there is no regulation at that point."

Chairman Howell said, "You are saying this is a mistake. In other words, someone would do this by accident."

Ms. McCurdy said, "It could happen. Because there's no regulation."

Chairman Howell said, "Because this sounds like, that someone is doing something intentionally fraudulent."

Ms. McCurdy said, "They could."

Chairman Howell said, "Okay."

Ms. McCurdy said, "They most certainly could."

Chairman Howell said, "Alright. If you don't mind. I will ask Sue some more questions."

Ms. Wenger said, "In that particular instance, it was done intentionally. Okay."

Chairman Howell said, "So you're telling me the home inspector, or someone took a water sample from a neighbor, so as to pass the test. It was done intentionally. It was fraudulent so to speak. But it was done intentionally to pass the test."

Ms. Wenger said, "Yes."

Chairman Howell said, "Did any consequence happen to the inspector because of this?"

Ms. Wenger said, "No."

Chairman Howell said, "I find that very troubling. The home inspection, home inspectors don't regulate themselves, they actually have standards then."

Ms. Wenger said, "They do now."

Chairman Howell said, "They do now? Okay, this wouldn't happen today? This could not happen today?"

Ms. Wenger said, "This didn't, no. Well, it could happen today. However..."

Chairman Howell said, "But, if they got caught, there would be consequences. Okay. Then the next question, 'a lady told me recently,' this water never made me sick, so why would I allow anyone to take a water sample. Is she trying to sell a house?"

Ms. Wenger said, "She did sell a house."

Chairman Howell said, "Okay. So she would not allow a water inspection even though she wanted to sell the house."

Ms. Wenger said, "In this particular instance, I had the buyer, I was the buyer representative and so common language in our contract added by us is that the proper governmental authorities, give or take a word or two, will be inspecting the property for whatever, whether it's wells, or septic, or lagoons. Excuse me. I put that language in item number 29 or she would not have gone ahead. Her agent would not have said you need to have this done. So we find out from that inspection, which was difficult get, not because of the county, because of the seller and the other agent, we find out that she has a well in her basement which is located less than 10' from the exit of the sewer line/septic line from her house. It's a house built in the 1920's, so an old foundation. The seal around the well has been broken. There's whatever, dirt, contaminates maybe down in the basement. We find out from that inspection that the septic tank is located within less than 10' from the outside of her property. We find out from that inspection that the septic tank is full of tree roots. No guarantees about the lateral system.

"There's no record at the county because of the age of the system, that there are laterals even out there. They are assuming so, but they don't know that, and there is no way for them to check. The seller produced a document that said she had, had the

seller produced a proposal, which she said then she completed for adding 200' of lateral line to her system. Again, no record at the county. Date on the proposal was within that, within the last ten years. The septic tank itself had to be replaced. It had to be relocated feet from the house to allow for the distance needed between the well and the septic."

Chairman Howell said, "If you don't mind, I would like to ask the question. I would just like to ask a question. She wants to sell a house. If I was a buyer, I would say testing that water is my requirement or I won't buy the house. I'm not going to make an offer if I don't, my offer not going to, my offer will not continue if I can't get satisfied that I am buying something I understand. So if you are not willing to have the inspection done, the deal is off. Seems like the seller has all the power here."

"So if the buyer, excuse me, I am sorry. The buyer has all the power here. If the seller wants to sell the home they are going to have to have the inspection. Otherwise, unless the buyer is satisfied that they understand the condition of the property. They're not going to do be a deal made. So I mean, the sellers can make the requirements. I was involved in helping someone get through the process just in the last month. By the way, I know a little bit about construction. Matter of fact I think, I did a good job inspecting the home that I felt like maybe the inspector, we had a great inspector by the way, but I felt like I found many of the same things that he found. So I relied on my abilities somewhat and my understanding of lagoons and septic systems. If they want to run on their own wisdom that ought to be one of the options as well."

"But what I am saying is this comment that you made about someone not wanting to give a water sample. Seems to me that again, the buyer and seller are trying to negotiate and understand the condition of the property. The seller is going to want to give that sample otherwise the buyer is not going to be satisfied that they understand the ..."

Ms. Wenger said, "In this particular case the seller did. Okay, you are absolutely right. Those negotiations continued. It ended up of course, costing the seller dollars she did not want to spend. Dollars that had the buyer not forced the issue would have been required to spend in the future. Single person living in a 1920s built house does not have the same water usage as a young couple with two children. So immediately, even though her system was working, she had not gotten sick from any contamination, contaminated water. The next family who moves in has all that expense with it whether, if all the inspections are done and she decides she's going to sell."

Chairman Howell said, "So had this not been regulated, had this not been mandated by the government, would you have recommended to the buyer that they would have the water tested before they consider that to be potable drinking water?"

Ms. Wenger said, "Yes. Because of all the years in the business these are the things we run up against."

Chairman Howell said, "Sure."

Ms. Wenger said, "Alright. Yes."

Chairman Howell said, "Okay. And again, I think that's the way it should be. I think that the lenders ought to have the requirement. The buyers and sellers ought to negotiate whatever inspections they want to have. A lot of these inspections are, are not mandated by anybody, but they are available. Contract for home inspection, the

one I was involved in last week, there was a radon inspection. There was an insulation inspection, obviously HVAC and foundation, and they inspected the plumbing and electrical, and they did find a number of things. Those findings were negotiated to be repaired or to be taken as is, between the two parties.

"And so, I don't see, I am still having trouble with some of the comments on your sheet here. The issues of fraud and the issues of someone not wanting to give an inspection, I think are remedied already. Again, simply by understanding the nature of the transaction that is trying to be, trying to be accomplished here. So the buyer and seller are going to want to work with each other, obviously they have to otherwise there won't be a sale. The issue of fraud again, if that's what's going on, in the state of Kansas, very much tuned into home inspection regulation. That's coming, hasn't passed yet, but it's probably going to in my opinion and with the industry itself if you find a fraudulent home inspector they will lose their credential. They are credentialed by the industry, and there are standards, and so if somebody is committing fraud and they are found out. Then finally, I would think that anything that is considered fraud there is a civil opportunity, civil action potential. Because they are committing fraud. They are saying things that are knowingly untrue and to me, there is civil action potentially that would stem from that. So there are consequences. Anyway, that's all my questions you.

"I want to say one final thing. I would say that I spent three years in England, and I had vehicles while I was there. In England they required safety inspections. Every year I took my car down to have a safety inspection, by the way it was periodic. You had to have it done every year. Every year they found rust on my frame. Little things, I challenge you to look at any vehicle in Kansas, you will find rust on your frame, it's everywhere. Over there, they had to remove the rust and treat that rust, and if you didn't want to spend the money the option was to not drive. So I spent thousands of dollars every year to drive a car, and I needed that transportation. They were used cars. But because the repairs were so expensive, many times I drove that at least I twice, I drove a car onto a flatbed salvage vehicle and salvaged the vehicle for the cost of the scrap metal because I couldn't afford the repairs.

"You know it was done in the name of safety. It was a safety inspection. Sounds great. But we don't inspect brakes, we don't inspect tires, we don't inspect a lot of these in this country and people transfer all kinds of things between parties. We don't get ourselves involved in it. I don't see the difference between, I guess, the government there required the safety inspections. We don't require them here. But I can see how if you are going to go down this path, to be consistent you would have to say, there's things that are safety-related that we should be inspecting and do it periodically and require people to let the government involve themselves and these issues and mandate repairs.

We're very, in my opinion inconsistent, because we do in this area, but not in other areas that are similar. Maybe not similar in term of it's not our home, you know it's not a transfer inspection. I do see other things that have potential safety risks attached to them that the government does not involve themselves in it. My car inspection is one example. I can think of lots of other examples but I won't do that. I will make a motion in just a minute. For now, Commissioner Peterjohn."

Commissioner Peterjohn said, "Well, thank you. I'm struggling and continue to struggle, because we have a hybrid system at the moment. Well, we've got a private party involved in home inspection, termite inspections, and radon at the moment, and radon can be carcinogenic, dangerous. That's in the private sector. The moment the county is involved in this one level. There's discussions I guess, about the state being involved in home inspection. Of course, at some point I'm sure the folks in

Washington, I'm not sure where if anything the federal government doesn't trying to regulate at some point. I'm trying to understand here whether we should have a private system, a government system. A government system based on the county level. A government system based on the state level, or some other level of government.

"I struggle with comments in terms of certain things that the private sector can't do. So if anyone out here, I saw Mr. Holt wanted to place his hand up, or the head of the realtors association, Mr. Marshall. Want to come up and tell me where the appropriate level of regulation is for this Commissioner, I mean, there will be a new person up here at least for District three come January next year. They can take this up at that time or maybe revisit it at that point. January is normally a fairly quiet month for property transfers based on the data I've seen.

"But if there is a point in terms of where we need to have the regulation. Should the county be regulating home inspections, termite inspections, whatever? I'd sure appreciate some input. Thank you for coming to the podium Mr. Marshall."

Mr. Richard Marshall greeted the Commissioners and said, "Thank you for giving us the opportunity to bring this forward. I think from the standpoint of the Realtors Association, where we sit on this, in listening to all the comments brought forward by our experts inside of your own industry and your comments back, I think a couple things. My comments would be this, based on some of the reconciling differences that you all are struggling with, or some of you are in understanding this. I think it might be prudent to take a step back before you make any decision today, would be my recommendation. Do a further study on the issue. I think the fact that the home inspector industry is not regulated. Used to be with ASHI [American Society of Home Inspectors] certified inspectors. There is I mean, there is an ASHI certification for home inspectors that exists, but it is not a requirement of the state of Kansas.

"So to put that on this issue I think, it potentially puts the real estate industry in a libelous position to the clients that they represent, which is a concern of ours. I think it also puts the county in a situation where you could have, as everybody has said, a health issue going forward. That will basically purge out into other properties that are not having a compliance issue. So, I think what I am hearing, sitting there listening to most of this discussion, is, I think, it's going to require a little more investigation on the part of all sides. Perhaps we all sit down and hopefully educate each other on your concerns, as well as ours. That's kind of where I'm standing."

Commissioner Peterjohn said, "Well, I'm looking for hopefully some clarity and consistency. Because for a lot of people, the most important transaction they are going to be involved in is acquiring property. We want to have a system in place where there's clarity and there's an understanding in terms of how things operate. You know, if government is the one who needs to be involved, we can argue about whether it should be the county or state. You know, that's the source. I mean, government does such a good job in so many other areas of regulation on the part of some parties. I struggle with that because I see the private sector much more effective and much more innovative and much more responsive."

Mr. Marshall said, "You hire too well. The two guys you have in place, they're too good. You hire to well. That's the thing."

Commissioner Unruh said, "That's a compliment."

Commissioner Peterjohn said, "I appreciate the compliment. I'll have Tom pass it along to his, his staff. But having said that you know, I am looking for, I'm trying to

give us a comparative advantage. If there is a way that people in Sedgwick County could be a leader and provide an opportunity for being not only best county in Kansas, but the best county in the country in terms of a way that we can make the process better. That's the direction I want to take it.

"I struggle with the fact that there have been concerns in terms of from both ends. I am hearing you all saying there is a problem if we proceed down this way. But I think, there is a problem if we retain the status quo and we have a hybrid system at the moment, because part of this is private and part of this, look like from hearing from my colleagues, we are looking at, there is a split decision up here on the bench, too. So for a lot of folks, I'm wanting to understand, you know, where we want to take, where this procedure needs to be.

"Sometimes in terms of government, how long it takes for us to be responsive, I look at the healthcare area. There's great trepidation I have, and I realize I am stretching my comparison here, but government's responsiveness to problems with healthcare, both the VA (Veterans Administration) system, to throw out one example. I think we do a much better job here at the county level. But I'm not convinced this can't be done privately. If we have adequate transition time, the amount of training needed and if we are going to operate under a rule of law and clarity here."

Mr. Marshall said, "I think as Mr. Stolz said, you know with the number, and you did specifically ask him about the 43 inspectors and so forth and different arenas that he encompassed."

Commissioner Peterjohn said, "Installers."

Mr. Marshall said, "Installers and different things. My understanding is that those folks now have all not agreed that they would participate in a private sector enterprise. So with that I mean, I would like to see again, my thought would be take a deeper dive into that before a decision is made. Because if there's only two out of the 43 that are willing to do the work then you are going to have transactional closing issues for your entire community, or the county, but you are not going to be able to secure real estate for people with time delays.

"Because I mean, you have people now, but it works. The system is in place, it works with private enterprise. They're going to have to get up to speed. Not every one of them wants to participate, which is my understanding. I think we could have a potential problem."

Commissioner Peterjohn said, "Well I mean, if no one wants to do it. Then I think you are right. But if there's a demand for it, and the price is right, people will get the training they need to do it, and do it, I think. I don't know if two is just a number. But I appreciate you coming up and providing that thought and suggestion. Thank you."

Mr. Marshall said, "You are welcome."

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

Commissioner Ranzau said, "Yeah, Tom, I have a question for you real quick. How many inspectors do we have that do this?"

Mr. Stolz said, "There's four of FTE's (Full Time Employees) that take a part of this, but they have other duties as well."

Commissioner Ranzau said, "Okay. We have four inspectors that do some of these."

Mr. Stolz said, "That touch this, yes."

Commissioner Ranzau said, "So it's not like four full time people. Okay. But four, okay, well, I want to address a couple things because I want to make sure we don't give citizens out there watching a false impression. I don't want to give people to get the false impression that these inspections will stop happening. Inspections will continue to happen. Because we have professional realtors in the community, who represent their clients and ensure that inspections get done. Okay?"

"Now, just that it will be done by private sector people instead of the government worker. Also don't want to give the false impression that quality inspections cannot or will not be done by the private sector because I believe they will. I think our realtors will ensure that quality inspectors do the work. You know, and I also don't believe this will have a negative impact on the health and safety of our community because of that. Like my colleagues have said, there's lots of things that are inspected by the private sector that can be health and safety related. Water damage, mold, a lot of people are concerned about mold, radon, electrical, plumbing, termites, structural. A variety of other things. That affect health and safety. But it's done in the private sector.

"We kind of cherry picked this one particular point or apart, I think unnecessarily. So I think quality inspections will be done by the private sector. Now, as far as the number of inspectors your point is well taken, we have potential of at least 40 installers to do it, which would actually be, you know, ten times the number of inspectors that we have now. Now, not everyone may not want to do those inspections. But if we only have 10 percent of the people do it, that's what we have now, I bet you we'll have a lot more people willing to do inspections than what we currently have in the county.

"With that being said, this compromise that the Chairman has suggested, that we extend this out to January, well December 31st is how long we will do it. That gives plenty of time, that's three and a half months to find out for sure if there's plenty of interest in the private sector for people to do these inspections. So I think, I understand about the concern about the number of inspectors being available in the private sector. I don't think that will be an issue. But if that ends up being a case, we will be able to figure that out within three and a half months. Correct me if I am wrong, if we do this Tom, this means the county will continue to do inspections through the end of the year, but private sectors can also do this as well."

Mr. Stolz said, "Correct, sir."

Commissioner Ranzau said, "Okay. So we'll allow the dual capability basically there if people are willing to do that, which I think it is a good plan as far as the transition and I would be supportive of extending that time. So once again, I don't want to give false impressions out there, you know, the inspections will continue. I don't think there is a realtor here in the room that won't, that won't expect an inspection to get done, and we will ensure it is quality inspection, does the work on behalf of their clients. So, I am very confident in that. If something changes, it doesn't get happen, again maybe I don't know, I have faith in the professionalism and the ability of realtors to make sure that gets done on behalf of their clients. Thank you, Mr. Chairman."

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

Commissioner Unruh thanked the Chairman and said, "Commissioners, I think it would be a good idea if we took the suggestion that we hold off on this for a while and get more input from the professional organization and from perhaps people that might

be involved in inspections. There is no real reason that we have to decide this today. If we do decide this today, it is clear from the resolution that these inspections will no longer be required and they will just be optional. I think that a consideration that we have to understand.

"Just a couple things in summary. I'm not going to take a lot of time. But right now, Mr. Stolz is head of the Metropolitan Area Building and Code Department, and we have book loads and reams of regulations and requirements, where we go out and inspect and make people comply. Is that correct?"

Mr. Stolz said, "Yes."

Commissioner Unruh said, "So this is not inconsistent with that. This has been proven, I think, for the last ten years, something that's acceptable and effective policy. It is consistent with the adjacent counties, as it been said. It is supported by the [Wichita Area] Realtors Association and by our own advisory board and it does have an impact. It is a consideration for public health and public safety. I think, at least we should defer decision, and if not. I will not be supportive. That's all I have, Mr. Chairman."

Chairman Howell said, "Alright. Thank you, Commissioner. Other comments or questions? Commissioner Norton."

MOTION

Commissioner Norton moved to defer this until after the 1st of the year.

Commissioner Norton said, "That gives plenty of time to discuss it with all of the parties concerned. Only practitioners, realtors, our own [Sedgwick County] Stormwater Management [Advisory] Board, but the [Sedgwick County] Health Department also, and we bring this back sometime after the 1st of the year."

Commissioner Unruh seconded the motion.

Chairman Howell said, "Did we actually have a motion earlier? Did I make a motion?"

Ms. Heddie Page, Deputy County Clerk said, "You did make a motion earlier."

Chairman Howell said, "Okay This is (inaudible)"

Commissioner Ranzau said, "Was it seconded?"

Ms. Page said, "No."

Commissioner Ranzau said, "I will second his motion."

MOTION

Chairman Howell moved to adopt the resolution.

Chairman Howell said, "Okay."

Commissioner Ranzau said, "I didn't realize he actually made a motion."

Chairman Howell said, "I didn't think I had either. That's okay. I will say I did make that motion, it was seconded. Then we have a substitute motion. I would like to move

forward, but let me, if the underlying motion does pass. The initial motion does pass, if we find out the private sector is not stepping up and providing inspections. We would have the opportunity at that time to extend our alternate government provided inspection service at that time. So I guess, in the interim, let me ask Mr. Stolz, in the interim, if we provide the inspection are they still going to mandate remediation to the system before the transfer can be completed? In the interim, again, the private sector, they will probably create a snapshot in time. Not necessarily mandate corrections. So private sector would provide a status of what is going on, but not necessarily mandate corrections, whereas we would."

Mr. Stolz said, "I think that if we passed a resolution as written today, which no longer requires the inspection, but we continue them and find remediation out there, I don't see how we can enforce or go back and require remediation."

Chairman Howell said, "If we passed, if we passed the underlying motion. Does it still provide us the opportunity to provide inspections, let me say it this way. Current law, current code requires the inspection, and we move into a position where the inspection is an alternate option for the buyer, we're not going to mandate that period. We're not going to mandate remediation. We'll simply give a snapshot of what, what the status is of the system. During that period."

Mr. Stolz said, "That would be correct. After September 14."

Chairman Howell said, "Then after January 1st, we would stop providing the alternate option."

Mr. Stolz said, "Yes."

Chairman Howell said, "Okay. If we wanted to revisit this, say the private sector hasn't stepped up, not providing the service, and there are concerns that if we stop there would have to be someone able to do that. We could visit that at the time, could we not, extending this out?"

Mr. Stolz said, "I don't see why we couldn't, sir. The resolution is not written in concrete, it's written on paper. We can change or modify or revisit anything that the Commission wants."

Chairman Howell said, "So during that three and a half months, we actually have a dual system where either option would be available to the consumers."

Mr. Stolz said, "Or none. They wouldn't have to do any."

Chairman Howell said, "Right. Commissioner Ranzau."

Commissioner Ranzau said, "Just for the record, I am supportive of the Chairman's compromise to extend the deadline two months. To allow, the private sector to engage as you said. So I won't be supportive of the substitute motion."

Chairman Howell said, "I think the substitute, I'll say I am not going to be supportive of the substitute motion because I believe that in three and a half months we'll have a pretty good understanding of whether or not if the private sector has indeed stepped up. If they haven't done that, by that time, I'll be surprised by that. But if that happens, we'll have the chance to come back and visit this again. If we need to. I guess I don't see a need to worry about that at this time. Let's let the private sector have the opportunity and see what they can do. If they choose not to engage in this

*opportunity, then we have a chance to come back and change it again.
Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Well, I won't be supportive of the substitute motion.
Thank you."*

*Chairman Howell said, "Alright. Any other comments or questions? We have a
substitute motion. To, does your motion include a delay to a certain time or just when,
I'm sorry?"*

*Commissioner Norton said, "You deferred until after the 1st of the year. To bring all
the parties together to talk this out. I think the record will show who I thought the
parties were."*

*Chairman Howell said, "Okay, and Mr. Stolz, just for the record, when did this
discussion begin? We started talking about this a while back. Can you give us a
timeline when we began talking about this?"*

Mr. Stolz said, "Me and the Commissioners?"

*Chairman Howell said, "Well, when were the realtors notified? They are, seem the
biggest interested party."*

*Mr. Stolz said, "Sure. Somewhere in the June time period we began talking about
this, and I reached out to real estate very soon thereafter. However, I didn't get a
chance to meet with them of the there was some communication issue with the
individual I had contacted on that. So, I don't think it got to the group, so we didn't get
the group together until July. I think Commissioner Peterjohn and I went sometime in
the month of July. Then I visited with them again on a date in August."*

Chairman Howell said, "Alright. Commissioner Peterjohn."

Commissioner Peterjohn said, "I was thinking our meeting was in August."

Mr. Stolz said, "It might have been."

Commissioner Peterjohn said, "It was, I think, the second week in August."

Mr. Stolz said, "You could be right, sir."

Commissioner Peterjohn said, "It's about, not quite a month ago."

*Chairman Howell said, "So I guess what I would say basically this topic has been out
in the community and being discussed for roughly three months at this time. To bring
us to this point. You said June is when this began. We talked about all of July, all of
August, halfway through September. So partway through September, so roughly
three months, roughly that we've had community discussion on this topic so far. I
guess, my opinion is that I don't think that the community is interested in realtors, at
least sounds like they are not so much interested in the change right now. But again,
maybe give them more time. I know I am going to get a different answer. It's the way I
see this. Anyway I, it's all my questions for Mr. Stolz, thank you. Alright, we have a
substitute motion to delay this until after the first of the year. Any other discussion?
Alright. Madam Clerk, call the vote."*

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

VOTE

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

Chairman Howell said, "We're back on the base motion. Any other discussion? Are we clear what the motion is, Mr. Yost? In terms of the red line changes to the resolution?"

Mr. Yost said, "You changed the three dates in the resolution."

Chairman Howell said, "Okay."

Mr. Yost said, "That's basically all you've done. Isn't it?"

Chairman Howell said, "That's correct. So, I will make a motion we adopt the resolution with the three red line changes to the dates and it was seconded. Any other discussion? Okay. Madam Clerk, please, call the vote."

MOTION

Chairman Howell moved to adopt the resolution as amended.
Commissioner Ranzau seconded the motion.

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

VOTE

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

Chairman Howell said, "Okay, thank you everyone. Next item, please."

Approved

M [16-597](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR
MEETING ON SEPTEMBER 1, 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 September 1st resulted in three items that we would like to present to you afternoon:

1. CONSTRUCT EMS POST 16, FOR FACILITIES DEPARTMENT.

"This recommendation is to accept the low bid from Bauer & Son Construction Company Incorporated, in the amount of \$738,600."

2. *BOOTS AND HELMETS FOR SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE.*

"This recommendation is to accept the low responsive bid from Municipal Emergency Services Incorporated, and establish contract pricing for two years, with two additional one-year options to renew."

3. *12" CAPACITY BRUSH CHIPPER TOW BEHIND -- FLEET MANAGEMENT FUNDING – 12" CAPACITY DISC STYLE BRUSH CHIPPER*

"This recommendation is to accept the low responsive bid from Fairbank Equipment Incorporated in the amount of \$69,136, and establish the contract rate as listed for a period of three years.

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

Chairman Howell said, "Alright. Commissioners, what is the will of the board?"

MOTION

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

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Approved

CONSENT

- | | | |
|----------|-------------------------------|---|
| N | <u>16-567</u> | Agreement between Sedgwick County and the Oaklawn Improvement District for Controlled Access to Certain Roadways. |
| O | <u>16-594</u> | Setting a Public Hearing for the Proposed Adoption of the 2015 International Fuel and Gas Code . |
| P | <u>16-590</u> | A Resolution Temporarily Suspending A Cereal Malt Beverage License - Sedgwick County Zoological Society. |
| Q | <u>16-598</u> | Treasurer Claim Certification. |
| R | <u>16-596</u> | General Bill Check Register for August 24, 2016 to August 30, 2016. |

- S [16-586](#) General Bill Check Register for August 31, 2016 to September 6, 2016.
- T [16-587](#) Payroll Check Register for the August 20, 2016 payroll certification.

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I recommend you approve consent agenda items November (N) through Tango (T)."

Chairman Howell said, "Alright."

MOTION

Commissioner Ranzau moved to approve consent agenda Items N through T. Commissioner Peterjohn seconded the motion.

Chairman Howell said, "I have a motion and second. Any discussion? My only comment would be to Justin, could you please talk about Item O for just a moment?"

Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "Item O, on the agenda, is an item to set a public hearing for the proposed adoption of the 2015 International Fuel and Gas Code. The thought behind that is essentially that there is a separate item that's been set for public hearing regarding the proposed adoption of the 2015 International Plumbing Code.

"Unlike the Uniform Plumbing Code, which does include provisions in it involving fuel and gas, as it pertains to plumbing, the [2015] International Plumbing Code does not have those types of provisions, and instead refers to the international fuel and gas code. So, the thought would be to seek to adopt the fuel and gas code as it's referenced within the International Plumbing Code, if you choose to adopt the International Plumbing Code. So, the thought would be to prevent any potential gap in coverage on fuel and gas matters, being able to enforce the code on that."

Chairman Howell said, "Very good, and the date on this would be October 5th, 2016?"

Mr. Waggoner said, "That's correct, and the thought would probably be to have it on the same agenda item, I believe at this point."

Chairman Howell said, "Alright. That's all my questions. Any other comments or questions from Commissioners? We have a motion and second. 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, "Alright, Madam Clerk next item, please."

Approved

LEGISLATIVE ISSUES

OTHER

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

Commissioner Peterjohn said, "Mr. Chairman, I know we've had a long meeting, but I am just going to make this, try and make this fairly brief. Because September 7th is an important day in American history. Not because the first Miss America pageant was held here in the 1920's, but a fellow by the name of Philo Farnsworth did something rather notable today on that date in 1927. Basically came up with a device that put him in a huge pickle, in the sense, that his new invention put him in a patent battle for years and years. Eventually ended up in the 1950's on a TV game show, 1957, called "I've Got a Secret." Celebrities tried to ask Mr. Farnsworth what it was that he had invented on September 7th, 1927. They couldn't figure it out. But on this date, September 7th, electronic television was invented. So, its important day in American history, just wanted to provide it for the record. Thank you, Mr. Chairman."

Chairman Howell said, "Thank you, Commissioner Peterjohn. Any other comments for other today? Alright. Seeing none, Madam Clerk, next item."

EXECUTIVE SESSION

Chairman Howell said, "Commissioner Ranzau."

MOTION

Commissioner Ranzau moved that the Board of County Commissioners recess into executive session for 15 minutes to consider consultation with an attorney, deemed privileged and attorney-client relationship and that the Board of County Commissioners return to this room from the executive session at 12:59; and that the executive session is required to protect the county's financial interests and confidentiality.

Chairman Howell seconded the motion.

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

VOTE

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

Chairman Howell said, "Alright. We are in executive session until 12:59."

The Board of County Commissioners recessed into Executive Session at 12:44 p.m. and returned at 12:59 p.m.

Chairman Howell said, "We are back from executive session and I will call us back to order. We did not have any items for the Board to consider and we did not take any

binding action. So at this time is there anything else for the good of the meeting today? Mr. Manager anything else?"

Mr. Scholes said, "Nothing else."

Chairman Howell said, "Commissioners, anything else you want to bring up today? Alright, I think at the end of the agenda. So we are adjourned."

Approved

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 1:01 p.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

JAMES M. HOWELL, Chairman
Fifth District

RICHARD RANZAU, Chair Pro Tem
Fourth District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KARL PETERJOHN, Commissioner
Third District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:
