

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

**Monday, November 14, 2016**

**9:00 AM**

**SPECIAL MEETING**

**BOCC Meeting Room**

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

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

*Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Sedgwick County, should contact the office of Crissy Magee, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203. Phone: 316-660-7056, TDD: Kansas Relay at 711 or 800-766-3777*

*Email: [Crissy.Magee@sedgwick.gov](mailto:Crissy.Magee@sedgwick.gov), as soon as possible but no later than 48 hours before the scheduled event. Please include the name, location, date and time of the service or program, your contact information and the type of aid, service, or policy modification needed.*

## **ORDER OF BUSINESS**

*The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:04 a.m. on November 14, 2016 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman James M. Howell, with the following present: Chair Pro-Tem Commissioner Richard Ranzau; Commissioner David Unruh; Commissioner Tim Norton; Commissioner Karl Peterjohn; Mr. Michael Scholes, County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Thomas Golden, Deputy County Manager; Ms. Karen Bailey, Chief Deputy Clerk; Mr. Scott Knebel, Manager, Metropolitan Area Planning Department; Mr. Justin Waggoner, Assistant County Counselor; Mr. James Weber, Deputy Director, Bureau of Public Works; Ms. Susan Erlenwein, Director, Environmental Resources; Ms. Annette Graham, Director of Aging; Ms. Tania Cole, Project Manager, Division of Information and Operations; Mr. Rick Durham, Deputy Chief Financial Officer; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kate Flavin, Public Information Officer; Ms. Heddie Page, Deputy County Clerk.*

### **GUESTS**

*Mr. Lonny Wright, 1721 South Lulu Street, Wichita  
Ms. Kathy Sexton, City Manager, City of Derby  
Mr. Dan Soliday, 4451 North Edgemoor Court, Bel Aire  
Mr. Tim Johnson, Community Development Director, City of Goddard  
Ms. Becky Tuttle, Program Manager, HealthICT  
Ms. Karen Wahlmeier, Director of Adoption, St. Francis Community Services*

## **INVOCATION: Pastor Bob Beckler, Central Community Church.**

## **FLAG SALUTE**

## **CALL MEETING TO ORDER**

## **ROLL CALL**

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

**Roll Call**

## **PUBLIC INFORMATION ANNOUNCEMENTS**

## **PUBLIC AGENDA**

## **PROCLAMATIONS**

- A**     [16-560](#)     PROCLAMATION DECLARING NATIONAL PUBLIC HEALTH THANK YOU DAY.

Read by: Chairman Jim Howell or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Howell said, "Alright. Commissioners, I do have a Proclamation I would like to read. It says:

*WHEREAS, annually, on the Monday before Thanksgiving, public health organizations around the country take time to recognize public health professionals who work tirelessly to promote wellness, prevent disease and protect the public from health threats; and*

*WHEREAS, this year's theme "Public Health is Your Health" reminds everyone in the community that public health initiatives keep them safe on a daily basis; and*

*WHEREAS, National Public Health Thank You Day provides community members with an excellent opportunity to make small changes that will have big impacts in their health and recognize public health heroes who make it easier for the healthy choice to be the default choice; and*

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

*WHEREAS, this year, as we recognize public health heroes for the exemplary efforts in making our community a better place to live, learn, earn, play and pray;*

*NOW, THEREFORE BE IT RESOLVED that I, Jim Howell, Chairman of the Board of Sedgwick County Commissioners, do hereby recognize November 21, 2016 as*

*'NATIONAL PUBLIC HEALTH THANK YOU DAY'*

*In Sedgwick County and invite Becky Tuttle from HealthICT, to come forward for the presentation of this year's awards.*

Chairman Howell said, "Before you speak we need to vote. Commissioners, what's the will, I'm sorry. Commissioners, all those in favor of the proclamation say Aye."

VOICE VOTE

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

Chairman Howell said, "Alright. With that I would like to recognize Becky Tuttle and ask her to say a few things this morning."

Ms. Becky Tuttle, Program Manager of HealthICT greeted the Commissioners and said, "Thank you for allowing us to be here today for Public Health Thank You Day. We want to honor just a few of our public health heroes within our community. In the interest of brevity we will just make sure we read a few comments about each of them from their application, but I would like to take this opportunity to congratulate one individual and two organizations. Gloria Summers from the United Way of the Plains, the Derby Recreation Commission and Envision are this year's recipients of National Public Health Thank You Day Award and if they would like to come up front, we will say a few words and present them with their plaque.

"First, we're going to recognize Gloria Summers from the United Way of the Plains. There's a Woody Allen saying that '80 percent of life is showing up' but showing up is not enough when you're working on community health and planning efforts in

*Sedgwick County. Gloria is a steadfast contributor to health planning in our community through her sharing of meaningful timely information. Offering critical questions and helping connect efforts across the community. Gloria was instrumental in our first community health assessment and community health improvement plan. Also was a real role model and leader in our second process that we recently completed. So, congratulations to Gloria.*

*"Next, we would like to recognize the Derby Recreation Commission. The Derby Recreation Commission is one of envy among many recreation commissions throughout the state of Kansas and also the nation. Not only did they provide top quality recreation programs and facilities in the community, they also take great pride in taking care of the health of Derby residents and those who live in the USD260 [Derby] School District. This has been evident through numerous health prevention initiatives that have benefited the community since its inception. There's a long list of partnerships that they have within the Sedgwick County area. This shows the desire to work together to create a healthy community that makes the DRC (Derby Recreation Commission) a perfect award winner for the 2016 National Public Health Thank You Day awards. Congratulations.*

*"Last, but not least is Envision. Envision provides unique service in Sedgwick County to create education opportunities for citizens about the importance of eye health. Steps they can take in vision issues when they arise and the undeniable benefits of maintaining independent lifestyles. From January to this date, Envision has experienced a significant increase in activity surrounding its public education programs. Envision vision rehabilitation center, which provides low income, low vision services regarding an individual's ability to pay. For 83 years, Envision has lead crucial mission to improve the quality of life and provide inspiration for the blind and visually impaired through employment, outreach, rehabilitation, education and research. Congratulations to Envision.*

*"We finally just want to say thank you again, for allowing us to be here today. We also would encourage everyone to visit the Coalition of Coalition Facebook page. We are doing a really awesome project with the [Wichita State] University with the Wichita State University students. They're interviewing public health heroes throughout our community and every day we are posting a new story and a new interview. So it's an exceptional opportunity for the students to learn more about public health and educational opportunities in the future, but then also for us to partner with the students and to provide information for the whole community on the benefits of public health. Thank you again, for letting us be here today."*

*Chairman Howell said, "Alright. We have comments from Commissioner Unruh."*

*Commissioner Unruh thanked the Chairman and said, "Well, Becky I just want to make a comment that as Sedgwick County Board of Health we are pleased to recognize you in this way today. We want to thank you and our community partners and business partners for your efforts to remind us and educate us and help us take responsibility for our own health in many ways. So, thanks for being here and thanks for these people that contributed so much."*

*Ms. Tuttle said, "Thank you, thank you."*

*Chairman Howell said, "Alright. Thank you Becky and with that Madam Clerk, next item, please."*

**Adopted**

Read by: Chairman Jim Howell or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

*Chairman Howell said, "Commissioners, I would like ask Commissioner Peterjohn to read this resolution this morning."*

*Commissioner Peterjohn thanked the Chairman and said, "I appreciate the privilege of being able to read this resolution, Proclamation for the record."*

*WHEREAS, Sedgwick County recognizes the importance of giving children permanent, safe and loving families through adoption; and*

*WHEREAS, today there are approximately 258 Sedgwick County Kansas children who are waiting to be adopted, which is a small portion of the more than 100,000 children nationally who need matched with a loving adoptive family; and*

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

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

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

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

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

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

*'NATIONAL ADOPTION MONTH'*

*In Sedgwick County in the hopes that the people of this great state will open their homes and adopt Kansas children from the foster care system.*

*Commissioner Peterjohn said, "I have a few brief comments to make before we vote."*

*MOTION*

*Commissioner Peterjohn moved to adopt the Proclamation.*

*Commissioner Unruh seconded the motion.*

*Chairman Howell said, "Very good. We have a motion and a second. You are welcome to continue."*

*Commissioner Peterjohn said, "Thank you, Mr. Chairman. As an adoptive parent I have had the privilege as a Commissioner to be able to participate in the events in November where we have adoptions here in the community in the past they have been held over at Exploration Place. It's a wonderful event and I urge anyone that*

*has an interest being willing to open up their homes and their hearts for children. I think it's a tremendous opportunity and it's been a real privileged for me to be involved in this. It will be one of the things I miss in the future, but I'm honored and privilege to be able to make this Proclamation, read this Proclamation into the record this morning and to provide these remarks. Thank you Mr. Chairman."*

*Chairman Howell said, "Thank you Commissioner Peterjohn. See no other comments. All those in favor say Aye."*

VOICE VOTE

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

*Chairman Howell said, "I would like to recognize Diane Carver who is the Vice President of St. Francis Community Services to come up and receive the Proclamation. You're welcome to make a few comments."*

*Ms. Karen Wahlmeier, Director of Adoption, St. Francis Community Services greeted the Commissioners and said, "I'm Karen Wahlmeier, rather than Diane Carver she sends her regrets she could not make it today, but on behalf of St. Francis Community Services, thank you for recognizing November as National Adoption Day. We do have a celebration scheduled at the Exploration Center this coming Saturday [November 19, 2016] we will be finalizing 66 children, out of those 66 children it will be 38 families. We're expecting about 600 families to come and join us that have been finalized throughout the past year.*

*"For state fiscal year 2016, Sedgwick County and surrounding counties did finalize 210 children. We plan to do more this next coming fiscal year with 66 just in on one day alone. So we thank you for this Proclamation."*

*Chairman Howell said, "Thank you for being here this morning, for those comments this morning."*

*Ms. Wahlmeier said, "Thank you."*

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

**Adopted**

**C**      [16-757](#)

**PROCLAMATION DECLARING NATIONAL FARM-CITY WEEK.**

Read by: Chairman Jim Howell or his designee.

**RECOMMENDED ACTION: Adopt the proclamation.**

*Chairman Howell said, "Alright. Commissioners, I do have another Proclamation to read. It says:*

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

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

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

*WHEREAS, Dan and Norene Kerschen and Don and Dana Kerschen of Garden Plain KS, are being honored as the Kiwanis Club of Wichita - Outstanding Farm Family in Sedgwick County for 2016; and*

*NOW, THEREFORE BE IT RESOLVED that I, Jim Howell, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim November 20-26, 2016 as*

*'NATIONAL FARM-CITY WEEK'*

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

**MOTION**

*Chairman Howell moved to adopt the Proclamation.*

*Commissioner Unruh seconded the motion.*

**VOICE VOTE**

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

*Chairman Howell said, "I would like to recognize the Wichita Kiwanis Club. Is a representative here? Is there a representative of the Wichita Kiwanis Club here to receive the Proclamation? Alright. Thank you so much. We will make sure they get that Proclamation. Alright, moving on. Madam Clerk, next item, please."*

**Adopted**

**APPOINTMENTS**

**D**     [16-728](#)

RESOLUTION APPOINTING DAN SOLIDAY (BOARD OF COUNTY COMMISSION APPOINTMENT) TO THE SEDGWICK COUNTY JUVENILE CORRECTIONS ADVISORY BOARD IN AN AT-LARGE POSITION.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Item D, is the resolution appointing Dan Soliday to the Juvenile Corrections Advisory Board in one of the at large positions. It is my understanding that he is in attendance, I think all the paperwork is in order and I would urge adoption of this resolution."*

**MOTION**

*Commissioner Unruh moved to adopt the resolution.*

*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>

*Chairman Howell said, "I would like to ask Mr. Soliday to come forward, if he is here."*

*Ms. Karen Bailey, Chief Deputy Clerk said, "Good Morning."*

*Mr. Dan Soliday said, "Good Morning."*

*Ms. Bailey said, "If you will raise your right hand, I will swear you in. I do solemnly swear that I will support the Constitution of the United State and the Constitution of the state of Kansas and faithfully discharge the duties of the office of Sedgwick County Juvenile Corrections Advisory Board (SGJCAB) so help me God."*

*Mr. Soliday said, "I do."*

*Ms. Bailey said, "Okay. Would you like to say a few words?"*

*Mr Soliday greeted the Commissioners and said, "Thank you very much Commissioners for honoring me this position and entrusting me to do good job for our youth here. I am fully committed to the youth of Sedgwick County and thank you for the opportunity to continue to serve in this roll. Thank you."*

*Chairman Howell said, "Before you run away, I think we have some comments from, Commissioner Unruh."*

*Commissioner Unruh thanked the Chairman and said, "Dan, I just want to express appreciation for your willingness to serve, I think in some ways you're serving anyway as Chief Executive Officer of Big Brothers and Big Sisters. You're fully involved in prevention opportunities for our community. So, I thank you for your commitment to that and I know that you are going to do a great job."*

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

*Chairman Howell said, "Thank you, Mr. Soliday, for your willingness to step up and serve this county, I appreciate you very much."*

*Mr. Soliday said, "Thank you. Appreciate it."*

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

**Adopted**

**E**      [16-740](#)

RESOLUTION APPOINTING TIM JOHNSON, CITY OF GODDARD  
NOMINEE (BOARD OF COUNTY COMMISSION APPOINTMENT)  
TO THE SEDGWICK COUNTY STORMWATER MANAGEMENT

ADVISORY BOARD.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Yost said, "Mr. Chairman, this is a resolution appointing Tim Johnson to Sedgwick County Stormwater Management Advisory Board (SMAB). He would be the City of Goddard representative on that board. It's my understanding that he is in attendance. He will be replacing Ms. Kelly Bergeron who was terminated from board due to her change in employment and I would urge adoption of the resolution."*

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

MOTION

*Commissioner Peterjohn moved to adopt the resolution.*

*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>

*Chairman Howell said, "Mr. Johnson, if you're here."*

*Ms. Bailey said, "Good morning."*

*Mr. Tim Johnson said, "Good morning, how are you?"*

*Ms. Bailey said, "I'm swearing you in. I do solemnly swear that I will support the Constitution of the United States and the Constitution of the state of Kansas and faithfully discharge the duties of the office of Sedgwick County Stormwater Management Advisory Board, so help me God."*

*Mr. Johnson said, "I do."*

*Ms. Bailey said, "Thank you, would you like to say anything?"*

*Mr. Johnson greeted the Commissioners and said, "I wanted to take just a brief moment to thank you both you the Board of County Commissioners and the Governing Body of the City of Goddard for this opportunity and privilege to serve on the Stormwater [Management] Advisory Board."*

*Chairman Howell said, "Mr. Johnson, thank you for being willing to do so, appreciate your willingness to step up this morning. Thank you."*

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

*Chairman Howell said, "Alright. See no discussion, Madam Clerk, next item, please."*

Adopted

**PLANNING DEPARTMENT**

- F     [16-702](#)     DER2016-00002: UPDATES TO THE WIRELESS COMMUNICATION MASTER PLAN AND THE UNIFIED ZONING CODE REGULATIONS OF WIRELESS COMMUNICATION FACILITIES (ALL DISTRICTS).  
Presented by: Scott Knebel, Planning Manager.

RECOMMENDED ACTION: Adopt the findings of the MAPC; approve the Wireless Communication Master Plan, September 2016, and adopt the associated amendments to the Wichita-Sedgwick County Unified Zoning Code, authorize the Chairman to sign the resolutions and authorize the resolutions to be published.

PUBLIC COMMENT.

*Mr. Scott Knebel, Manager, Metropolitan Area Planning Department greeted the Commissioners and said, "At your last meeting I presented the presentation, which I could go over again. I don't think that is probably necessary, I think the Commission understood the issues. The action of the Commission at the last meeting was to defer action on the amended wireless communication master plan and implementing zoning code amendments to allow the City of Wichita to consider the item, which they did at their last meeting a week ago Tuesday. At that meeting, the city council discussed some concerns that were also discussed at this meeting. Regarding primarily facilities newly being located in street right of way adjacent to property and concerns that property owners had with those installations and perhaps feeling like they didn't have the same sort of influence on how decisions would be made, regarding facilities when they were placed in right of way as comparison to when they were placed private property on perhaps a neighbor's property through the zoning process.*

*"There was no real resolution to that issue at the meeting on Tuesday with the city council and they voted to defer the item to their new business meeting, which is December 6th. So with that I could stand for questions, not exactly sure what to recommend, I guess it would be the will of the board, choose whether to defer and allow the continued discussion by the city or not."*

*Chairman Howell said, "Alright. Very good, Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. Well, Commissioners, I it was kind of at my initiative that we defer this last time and that was indifference to the City of Wichita desires to spend more time on this, I haven't heard anything specific from our colleagues across the street. So I'm somewhat ambivalent as to what we should go on or not, I think there is no harm in us deferring until the city makes there action. On the other hand, I understand that this is state law and we need to be in compliance with state law. So, I appreciate Commissioners deferring this last time and right now I don't have a strong opinion on whether, because we're going to have to approve this anyways, so."*

*Chairman Howell said, "Before we even go on any further, thank you Commissioner Unruh. It's my preference, probably to delay this as well, I will just go ahead and say*

*that now, with motion in just a minute. Before we go any further, let me as the public that is attending this morning, is there anybody here that would like to speak on the agenda item? Alright, yes we have one."*

*Mr. Lonnie Wright, 1721 South Lulu, greeted the Commissioners and said, "My understanding at the council meeting was that there are citizens that are concerned and council member Meitzner district and he wasn't able to be there. So they, that was the reason for defer, citizens still hadn't had a chance to express their feeling."*

*Chairman Howell said, "Very good."*

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

*Chairman Howell said, "Thank you, Mr. Wright. I have one question for Mr. Knebel. Is there any application for these wireless communication towers, that are in the pipeline right now for the county"*

*Mr. Knebel said, "We do have one application, that's in the pipeline and we're in discussion, it's actually city application, we're in discussion with city legal staff about exactly how to handle that, I don't think there's really any remedy to that situation where the council, were the Commission to take action today. Because it is in the City of Wichita, it would really take City of Wichita action."*

*Chairman Howell said, "Typically if they did make an application, how long before, again if we change the regulation today. What is the process, how long does it take someone make application before that would be approved and they would be able to go ahead before...?"*

*Mr. Knebel said, "It really depends on the nature of the request. The regulation lays out three processes that you can go through. There are a number of types of facilities that are so called by right, meaning the zoning allows them and you just file for a building permit. So there is really no review process other than the compliance with the zoning and the building code. We have what are called administrative permits, which are another set of properties rights that in the city that are specifically identified and then all of the county properties are eligible for administrative permits, depending upon the type of facility, its height and its location in relation to adjoining properties. That process takes about three weeks from the time of application until your able to file for your building permit and the final process is a zoning hearing a conditional use process that can be decided by the [Metropolitan Area] Planning Commission in as little as 50 or 60 days. If there is an appeal or a protest by surrounding property owners that would go to the governing body and that usually takes another 30 days."*

*Chairman Howell said, "So, is it your opinion, just want to clarify, is it your opinion if we were to delay action from the county until December 7th, that's about three weeks from now, that would not cause any problems with anybody trying to move projects forward."*

*Mr. Knebel said, "I don't think your actions to defer will cause this applicant any additional delays to what they are already experiencing."*

*Chairman Howell said, "Alright, thank you. Commissioner Ranzau."*

*Commissioner Ranzau said, "Yeah, I just would like to hear from our counselor's office. Any thoughts they have on deferring again or how long we should defer or..."*

*Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and*

said, "Sure. As Mr. Knebel is pointing out, there aren't any current applications in the pipeline on this, it is state law, we want to be compliant with state law, I think some of the concerns that have been raised at the city council level are dealing with right-of-way, which we have already addressed that by resolution that you adopted in September. So some of those concerns and that's, I think, where the biggest changes in terms of how these wireless facilities are able to locate, that statute applied. So, I don't think, there would be a huge amount of heartburn with deferring it again. But at some point in time, I mean, you want to be in compliance with state law. If for example, one of these did come in in the county, I think the planning department staff would be obligated to follow state law. Even if we have amended our zoning code to comply with that yet. But still, I caution against deferring this too many times. I don't think deferring it once more is going to be problematic."

Commissioner Ranzau said, "Thank you."

Mr. Waggoner said, "Thank you."

#### MOTION

Commissioner Howell moved to delay this updates to the wireless communication master plan and the unified zoning code regulations of wireless communication facilities until December 7, 2016.

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, "Thank you. Next item, please."

#### Deferred

### **NEW BUSINESS**

#### **G**      [16-713](#)

A RESOLUTION AMENDING SECTION 23-300 OF THE SEDGWICK COUNTY CODE ENTITLED STORMWATER QUALITY MANAGEMENT STANDARDS.

Presented by: James Weber, Deputy Director of Public Works.

RECOMMENDED ACTION: Approve and sign the resolution.

#### PUBLIC COMMENT.

Mr. James Weber, Deputy Director , Public Works, greeted the Commissioners and said, "In order to comply with the requirement of national pollution discharge system permits or NPDS permits issued to the [Sedgwick] County by state of Kansas, the county is required to adopt stormwater management regulations, that deal with storm water quality back in 2010. The county and the City of Wichita work together to

*create uniform regulations and a stormwater management design manual to deal with both quality and quantity of stormwater run-off that is discharge from developing properties. The Stormwater Management Advisory Board (SMAB) reviewed the manual and proposed regulations and recommended them for adoption by the county, the storm water code was adopted by the Board of County Commissioners as resolution number 96-2010, in November of 2010.*

*"The code list the discharges into the county's rivers and streams that are acceptable, all liquids and solids that are intentionally dumped and that are classified as hazardous materials or pollutants regulated by the state of Kansas are considered to be illegal discharges. The code requires certain construction sites to have stormwater pollution prevention plan in place to satisfy the county, as well as the state and federal requirements. The code establishes stormwater quality and quantity requirements for new developments and redevelopment and code provides the general requirements that should be included in stormwater plan. Most sites that are required to obtain permits are required to install stormwater quality improvements and property owners incur costs for installation and maintenance of those improvements. At the time the code was adopted there was discussion about whether the portion of the code related to stormwater quality permits should be applied to the entire unincorporated area of the county or limited to the federally mandated urbanize the area, which is designated by the U.S. (United States) Census Bureau or applied to some of the boundary in between those two extremes.*

*"In 2010, the Stormwater Management Advisory Board recommended county-wide coverage in order to provide consistent regulations across the unincorporated area of the county and the City of Wichita and to better prepares properties in the county for future annexations. The code's adopted with provisions that extended stormwater quality permits across the entire incorporated area. So right now, there are about 10 stormwater permit applications per year in the county. Commissioner Ranzau has been working with staff for a couple years now, with the suggestion to amend the regulations to reduce the regulated area for stormwater quality permits to the federally mandated urbanized area.*

*"So on the map that you see here, you see a red and a green zone. The red zone depicts the urbanized area, as it was designated after the 2010 census. Most of the urbanized area is located inside the corporate boundaries of cities. In some places the corporate boundaries have grown outside of the urbanized area. The current code requires local stormwater permitting across both zones, all across, if it's red, unincorporated area or green, right now we're requiring permits, where they are applicable clear across there. So if the board elects to drop the permit coverage back to the urbanized area, there would be an irregular band of urbanized area around Wichita and other major cities in the county, where the county code would continue to require permits. The water quality permitting requirements would continue to apply in places like Oaklawn or Crestview, other more densely populated areas of townships, close to cities, major industrial developments, like aircraft companies just outside the city limits. They would no longer apply to rural developments or redevelopments.*

*"I do have a more detailed map which you flipped up a minute ago, it's pretty messy, but if you want to look at specific areas, we can look at that. Water quantity and flood control regulations would continue to be enforced across the entire unincorporated area of the county. The state of Kansas would continue to require notice of intent or NOI permits for construction sites larger than one acre across the entire county.*

*"At the September 7th meeting of the Stormwater Management Advisory Board, staff presented the option to reduce the area for which the stormwater quality permits would be required down to the urbanized area or the red zone. The [Stormwater*

Management] Advisory Board voted 11-1 to retain countywide coverage and current regulations. Members indicated they still support countywide coverage because it provides consistent regulation of the region and better prepares properties near cities for future incorporation into the cities. After we briefed the Commissioners on the issue and the recommendation of the Stormwater Management Advisory Board, several members expressed an interest in hearing this item. So it is important to note that the county could have approved the regulations in 2010 using the urbanized boundary you see in red and would have been in compliance with state and federal regulations. You can adopt a change down to that boundary today and you will still be in compliance with state regulations. Susan Erlenwein is here, if you have questions, we will try and answer them today."

Chairman Howell said, "Thank you today for the presentation this morning. Before we go to Commissioners, I would like to recognize the public that's here and ask if anybody in the audience would like to speak on the agenda item this morning. Please come up to the podium, state your name and address for the record."

Ms. Kathy Sexton, City Manager, City of Derby greeted the Commissioners and said, "Member of the Stormwater Management Advisory Board. Your advisory board that did hear this item at our last meeting. And I was one of the 11 that voted to not make these changes. And I just, I don't know how many other members of the SMAB (Stormwater Management Advisory Board) were able to make it today. As you can tell 11-1 vote, people were pretty clear they didn't understand why we would make our regulations more lax in stormwater management. I'm sure many of you can appreciate the folks down in my part of the world who have gone through, oh, 2 or 300 year floods and a 500 year flood this summer. There's a lot of damage and a lot of people hurting, I think we just feel that any lessening of the county's commitment to good stormwater management is a bad idea at this time.

"We've been wanting more help from the county in terms of stormwater management and so when I saw your agenda come out for this early meeting this week, I called my mayor this morning, and I said, mayor, I was on the board that voted for this and now the County Commission is hearing it first thing this morning. And he said by all means you need to go and you need to represent Derby, and just note that, and I am open for questions, but I mean, my basic thing is it just doesn't seem like the compliance with the feds is the issue here. It seems like when you make things easier to do, develop, in the unincorporated areas, that's all a part of our basin, our stormwater basin. The water flows downstream and for Derby, we are at the end, the bottom end, of the spring creek drainage basin. So lessening the regulations for development, I understand over an acre versus under an acre, but it sounds to me like this is just a slippery slope and anything that happens in the upper parts of our basin affects Derby's street flooding and backyard flooding and what this summer was basement flooding and house flooding and bad times. So I appreciate y'all listening."

Chairman Howell said, "If you don't mind, there may be questions or comments for you, Ms. Sexton. So, Commissioners, any questions or comments for Ms. Sexton? I have one, if you don't mind. I'd like to ask, is your primary concern quantity of water that goes down towards Derby or is it quality of water or do you see a difference in the two items?"

Ms. Sexton said, "I understand the difference in the definitions. No, we have no priority one over the other, because they are both problems. They both need addressed in terms of when you put more contaminants in the water, it hurts more, it causes more erosion as those things go downstream. So, whether its quality or quantity, it doesn't matter to me, I think anything that you are doing to lessen the

*regulations that lets certain people build in this county without providing for stormwater managements and other people are required to build for stormwater management, that's going to hurt folks who are downstream."*

*Chairman Howell said, "Any other questions or comments? Commissioner Ranzau."*

*Commissioner Ranzau thanked the Chairman and said, "I think we will talk to staff when were done, I hear what you said, but you talked a lot about quantity as far as recent flooding and everything, I think, I don't think this affects the management of quantity at all, but I have some questions for staff once we hear from everyone so we can put it all together. I think, I understand your concerns. I don't think that's really going to be an issue with what we are doing here, but."*

*Ms. Sexton said, "I probably should address the quality/quantity, I am sure your staff could probably do it better than I could, but when I talked about flooding problems this summer, I was talking about the perceptions and the feelings and the concern of the county's lack of emphasis on stormwater management. I think we were pretty vocal at the last SMAB meeting, that we hadn't had a meeting in a while, when we had a meeting all that was brought to us on the agenda, was this item to lessen the regulation, instead of having any efforts from your office coming forward to help with county flooding. It's not good enough to talk about it when it rains or come down and look how high the water is. We have to do preventive things earlier and sometimes those preventive things are about quality issues, because quality is about the contaminants that get in the water, and that causes erosion, and the creek falling in. We've all heard of these stories in Derby. Well, my backyard fell into the creek today. Yeah, that's because it's eroding away, that's caused by some of the contaminants. Thank you very much."*

*Chairman Howell said, "Alright, thank you. Anybody else from the audience like to speak to the Commission this morning?"*

*Mr. Wright said, "I am a heavy supporter of our citizen board and once again we have an issue coming before you, where you either can ignore the advisory board, the citizens board, or listen them. You ignored the wastewater board and the plumbing board, and now you presented a case for the board 11-1 opposed to this, so I encourage you to support the citizens and not pass this. Thank you."*

*Chairman Howell said, "Alright, thank you, Mr. Wright. Alright, anybody else from the audience would like to speak to the Commission on this agenda item? Seeing none. Bring it back to the board. Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you. Jim, I am going to have some questions for you. I think we need to clarify a few things, because there is certainly an opportunity to misunderstand what is actually happening here today. First of all, we have the stormwater management manual, which is fairly big and it addresses quantity and quality. Correct?"*

*Mr. Weber said, "Yes, right."*

*Commissioner Ranzau said, "This has nothing to do with quantity."*

*Mr. Weber said, "No, this does not."*

*Commissioner Ranzau said, "But the amount of water that flows from one property to another will not change at all. So this will not hurt flooding at all, because flooding and erosion is created by water flowing, you know, after it rains. Now, the next thing is*

*quality, okay. We are required by the EPA (Environmental Protection Agency) to impose certain regulations on the urbanized area in red, but we are not required by EPA to impose certain regulations in the green area, correct?"*

*Mr. Weber said, "Correct."*

*Commissioner Ranzau said, "So we've been overregulating a large portion of our community unnecessarily. Now, this does not eliminate all regulations with respect to water quality, that correct?"*

*Mr. Weber said, "Correct."*

*Commissioner Ranzau said, "This is some post-development type of thing that has to be done. I have been presented with absolutely no objective data or evidence that suggests that these regulations actually improve water quality. In fact, I think many of you know, many in the public may not know, in the red area there's been an effort to help developers find an alternative way to address the requirements that they cannot escape; is that correct Mr. Weber?"*

*Mr. Weber said, "The City of Wichita is developed an offsite DMP (drain management plan) strategy, which would be to, rather than building fairly costly improvements in developing urban areas, say they want a QuikTrip site in the City of Wichita, take a lot less money than that and put it to a WRAPS (Watershed Restoration and Protection Strategy) program that's working north of town in the Little Arkansas River basin up north and make agricultural improvements, which are, and then do a multiplier on that. It would actually get more water quality improvement by taking that money out into the rural areas and working on, in highly erodible soils and agricultural areas."*

*Commissioner Ranzau said, "So, I understand what's happening here, they are seeking ways to avoid these regulations within the red area, okay. Now, farming land is exempt from these regulations, is that correct?"*

*Mr. Weber said, "Yes."*

*Commissioner Ranzau said, "Okay, then doing the research, I know that some of the developers did for the areas in red, I mean, their data shows that doing these things, even within the red area really didn't have an appreciable effect on stormwater quality either. So what we are trying to do is free up those people in the green area, there's only about, on average, 10 permits a year, that are being forced to do something, that doesn't actually work to improve water quality and isn't required by the federal government anyway. And once again, will have no effect on the stormwater quantity, our commitment to stormwater management has not been lessened in any way, shape or form. I know there might be a desire to mischaracterize this, and we put a lot, every year we put money into the big ditch and a variety of other projects to help stormwater drainage and we will continue to do that. So I, this is simply an example of when, of less overregulating some people in the unincorporated area without any evidence to suggest it is doing any good. So keep in mind the people in the red area the developers in the red area have taken steps in order to soften the blow of these regulations, which they believe aren't actually helping anything anyway. So this is not going to harm our community or lessen our commitment to stormwater quality in any way, shape or form. Actually by removing unnecessary regulatory burdens, I think it is a good thing for the community. So, that's all I have, Mr. Chairman."*

*Chairman Howell said, "Alright, thank you, Commissioner Ranzau. Other comments, Commissioner Peterjohn."*

*Commissioner Peterjohn thanked the Chairman and said, "Let me ask, since this map you've presented indicates that the portion of the City of Mulvane that's in Sumner County is in red and the portions of Rose Hill and Andover that are in Butler County are in red, could you talk at all about what, does this issue go in front of both Butler and the Sumner County Commissions too, or could go in front of them?"*

*Mr. Weber said, "Well, the boundary that we are showing here is the boundary that's provided by the Census Bureau, that's the urbanized area around Wichita. It does spill over into other counties. I think, we are not, I'm not aware of what, say, in Butler county, what parts of that are required under the laws to have this stormwater permit that we have, or down in Sumner county. But if they did, if overall they are required to do it, this red area depicted on the map would be picked up in their permit. We just, we don't know."*

*Commissioner Peterjohn said, "Okay. So, one of the concerns I have is that our county being one of the largest counties in the state and we would be involved in some way putting or being perceived as putting a mandate, especially for those who misinforming the public at various levels in terms of what happened. So this area in red, we have no control over, that's coming down from Washington, DC and you said the census department."*

*Mr. Weber said, "Yeah, our permit, our actual stormwater permit refers to the 2010 urbanized area. So, you know, it would remap it I think after 2020, whenever our next permit comes up, they could say the 2010 urbanized area, more likely say the 2020 urbanized area, so it is a moving every 10 years target."*

*Commissioner Peterjohn said, "Moving target between the EPA and the federal census bureau."*

*Mr. Weber said, "Right and when we get picked up to do it demands on when our state permit gets renewed."*

*Commissioner Peterjohn said, "Well, I wanted to have a better understanding out there, especially for folks who are watching this, and there may be some especially with channel 8 broadcasting it, that live in Butler and Sumner counties, that would be the potential for having a ramifications in those counties. I wanted to try and make sure we in Sedgwick County are trying to basically have nothing to do with putting involvement with mandates outside the jurisdiction with the borders of Sedgwick County. That map that I see in front of us today raises some questions and concerns for me. I think it could raise some questions among the public, but the question we have today in terms of the unincorporated area, I appreciate the discussions in terms of whether, you know, we've had a lot of actions by this Commission, mischaracterized by members who can speak in front of us from time to time and whether they are with the media or with the public, we are trying to create a more positive pro-growth environment that will do the best to have excellent quality, water quality and also provide for prevention in terms of drainage and flooding problems. We have had a lot of discussion in that regard, I think what we have in front of us today could be easily mischaracterized and I hope that does not happen, but based on past experience on other issues, I have a concern when we discussed plumbing in particular, the mischaracterizations that occurred as a result of this Commission's discussion and actions, I think were egregious. So, that's why I think we ought to have a full and public discussion so we can hopefully minimize that, hopefully it won't happen, but I am not too optimistic this morning. Thank you, Mr. Chairman."*

*Chairman Howell said, "Thank you, Commissioner Peterjohn. Other comments,*

Commissioner Ranzau.

Commissioner Ranzau said, "Yeah, I just want to address the issues as for as the advisory boards. We do have a variety of advisory boards. The vast majority of the time we actually do what they recommend, but on occasion we choose not to and I think it's important to remember that they are advisory boards. But ultimately we are responsible for the decisions and the fact that we might on a very rare occasion do something different than what they recommend, does not mean we are not listening to them, or don't value what they say, because we do. But on occasion, we do differ on opinion, and I think that's okay. I have as Jim said, something I have been talking to public works about this for a while now, a couple years, I had a few meetings with them. The last one back in April with Scott Lindebak, Jim [Weber] and Dave Spears, a variety of people, I have done a lot of research and reading on this issue. I feel confident that this will in fact decrease the regulatory burden on developments out in the unincorporated area, just a little bit, with absolutely no negative impact on water quantity or quality. That's why I am more than confident to support this resolution here today. And with that, Mr. Chairman, I would make a motion that we take the recommended action."

Chairman Howell said, "We have a motion. Is there a second?"

MOTION

Commissioner Ranzau moved to approve the resolution for Stormwater quality.

Chairman Peterjohn seconded the motion. I will second it for discussion purposes.

Chairman Howell said, "Again, I have other discussion items I need to bring up as well. I would like to talk about this a little bit deeper, if that's okay. One of the people who spoke at the meeting a few minutes ago raised the issue of water quality and how it affects erosion. Can we talk about that for a minute? The water quality standards, are we talking about debris that's in the water that impacts the soil. What are we talking about that can clarify the comments that were made a minute ago, can we talk about that, do you have any explanation to what kind of quality were talking about here?"

Mr. Weber said, "I think that, in general we're talking about pollutants that are dissolved in the stormwater or any water that runs off of a property. So the way that back when the manual was developed and the system was implemented at that time we took may be what, think of the simplest possible approach, there's no testing of water, it's pretty bare bones. What research indicates is that a lot of the pollutants, most of the pollutants are somehow attached or with sediment that comes off the property. So, what we are actually doing, we talk about these permits, we are talking about regulating the run-off of erosion actually, because of the heavy metals and all these things are, kind of, with it and attached to it.

"So, the standard is, if we are working with a party that's developing it, we want to drop out 80 percent of what they call total suspended solids from the run-off. If you drop out 80 percent, then you get 80 percent of all the pollutants that we are trying to get out of the water. Trash, floatables, what they call them, maybe not so much debris stuff, but, you know, McDonald's cups and all the stuff that gets thrown, that's another part of it, that's more common on a commercial development, for example, than it would be if you were doing a housing development.

"But so in the book this manual that Commissioner Ranzau talked about, it is a three-inch binder, and offers a lot of tools that people can use depending on their site

situation and what they think will work best for them. But the goal is always to get out this 80 percent of suspended solids. There are technically products and relationships between that water leaving and what kind of, does to erosion, but it is really out there, kind of, finite, but the typical things that we are talking about are vegetative swales, you know, we make sure it runs through enough grass cover that it slows the flow down enough that it drops out the sediment. Those are the kinds of things we are talking about.

"Sometimes on a densely developed site you have to put in extra detention capacity to hold the water a little longer in the detention pond to give it time for the stuff to settle before you release it. I suppose in the case where you would do over detention for stormwater quality, you would get a little extra stormwater quantity protection because you would be holding it longer, but for the developments that we're doing in the county, the typical thing is, we kind of have two extremes. We had a meeting last week with Spirit, they are getting ready to expand, they are going to have to get a permit. They are doing lots of pavement and lots of roof tops, so they have a lot of stuff to control. That's kind of one extreme, where they are going to be doing extended detention to make that work. The more common one would be going out and I've done a plat and I want to build my house, and I have got a quarter mile long driveway coming in, and the big shed, and a few other things. I have gotten to where I am tearing up, regrading, 1.1 acres of ground. That gets me into the case where I have to get a permit. So we are working with them, that typical case, we are working with them. They are typically making sure there's plenty of grassed area for the water to run across when it comes off the roof, or the swales, we had one guy one time that had to put in a special pond because the way he was configuring everything and wanted it the pond that he had wasn't going to work for him. But those things aren't necessarily expensive, but they have to be paid for, but the other problem is you have to maintain it. So there's an inspection or component to this, where once it goes in, it needs to be checked every year and inspected and make sure that it's still working right.

"So, but back to your question, I could probably go out far enough, enough digits that I can find you an explanation that said there is improvement in the stormwater quantity by dealing with the quality, but it's out decibel places."

Chairman Howell said, "We use the word negligible connection, is that a fair word?"

Mr. Weber said, "Yeah, I think that's fair."

Chairman Howell said, "Because I also do, I care very much about the flooding issues in Derby/Mulvane, I want to be clear on that. If there's a negligible connection between water quality and erosion and flooding, then I want to make sure that's clearly presented this morning, so we don't misinterpret or mischaracterize what's being discussed here. So, thank you for that. I would like to read a sentence out of the minutes and see if you can clarify this. This is a minutes from Stormwater [Management] Advisory Board meeting, and I tried to get a recording of this, I wasn't able to get an actual recording. I don't know exactly how long the discussions lasted, but I did attend this meeting and it didn't seem to me that the details were not discussed deeply. But there was a comment made that says the county code went above and beyond this requirement. Again, I am going to insert the words November 2010, so about 6 years ago, the county code went above and beyond the requirement and mirrored the City of Wichita requirements so there would be no uncertainty for developers. Do you recall if that was the primary reason why the county expanded this regulation to the entire county versus the city itself, or red area, I should say, on the map?"

Mr. Weber said, "Yeah, I think that, well, okay. Six years ago, Dave and I did the briefings to all the Commissioners and I present this item to the County Commission. So when that was being discussed, we had feedback from the Wichita Area Builders Association and with I think, essentially all the codes that I have experience with them, the subject of regulations and so on. They have a preference for the level playing field for not have, for their members to guess, I cross this line now what do I have to do next and so one of the reasons there was a preference for this was simply to keep that consistency going for the sake of, I don't know, making business simple and keeping things fair."

Chairman Howell said, "So let me ask you a question this way. Maybe the primary reason why this was expanded was really to make it simple and easy for everyone to understand what exactly the requirements were, that was the primary reason."

Mr. Weber said, "That was the primary reason. I think there were two and I have sited them this morning, that one and there's the idea of, if I'm doing a development right outside of a city that has to, now not every city in Sedgwick County has to have these regulations, depends on size, but if I'm outside, well the City of Derby, where they have the regulations. They have a desire to have as with almost everything that we do out there with development, they wanted to come in, when they get to it and they annex it, they want to come in and be consistent with what's around it. So the two reasons that we talked about 2010 and they've talked about again at the Stormwater Advisory Board meeting where those same two reasons, just the idea that, that it would take out guesswork for people in the development community about what they are doing and that it would set properties up better to come into a city later.

"And I guess that's one of the reasons why, both times we have discussed the idea of a third alternative, which is to pick a boundary that's, I don't know, two miles out from the city, but not the whole county, and I am not advocating for that today, I am just saying that was an option that might have alleviated some of that problem."

Chairman Howell said, "Alright, let me think about this as we talk to other Commissioners. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Jim, the boundary that's being discussed now does exceed the city limits, is that right?"

Mr. Weber said, "Some places it exceeds it, some places it does not. Some places the city has grown out past it already, but in their regulations they would be saying the entire city is covered, so the regulated area doesn't exactly match up, if Wichita has gone outside into the green, then that's being regulated by them. It kind of, goes back and forth, that's what I am saying. There is this band that varies in width around the city limits of a city like Wichita that would be in the urbanized area and still unincorporated area of the county."

Commissioner Unruh said, "Does that band not keep moving as the cities grow and we have new definitions of what the urban area of influence is?"

Mr. Weber said, "It will move when, okay. We are tied to our permit, we get a permit from the state. The state permit says we are going to use the 2010 census definition until they tell us some other definition. So I am guessing after 2010, sorry, 2020, then our permit would come up, say in 2022, they will point to the 2020 definition at that point in time. It doesn't move in between. It's just stuck at 2010 until they tell us it is something different. We have to come back and update the regulations, you know, then. A new permit from the state, come back to the Commission say, now it's the 2020 boundary."

Commissioner Unruh said, "Well, just in some of my thoughts here, first of all, I want to say that I think that our advisory board are very valuable to us and I do take them seriously and its very seldom that I have voted in opposition to the advisory board recommendation. So, I just say that to illustrate the fact that I think our advisory boards are important, have an expertise that not all of us possess, so I appreciate that. I also appreciate the desire for consistency, clear across the county, you know, I understand that that has some certain benefits, that it's helpful to all developers that they always know what that is. That's kind of, the value of that is reduced a little bit when we find out developers in the City of Wichita can take an alternative way to address this. They can have an annual fee or whatever and then they don't have to submit to these water quality issues. Is that correct? You mentioned they have other projects."

Mr. Weber said, "Kind of, a combination. There are certain things they would still have to do on the property, like control the trash, but instead of putting in an actual mechanism that might cost \$20,000, some sum less than that goes out. If we think about the whole Ark River Basin, somewhere southern Sedgwick County line, the goal is that the water quality improves or certainly doesn't get worse based on development that occurs. So we've learned a lot in the last six years, I guess I would summarize what I think you are getting at in this way: We have tried working with the regulations we have and they're fine, but there's a development community, a subset of the development community that's working on tighter spaces or more expensive spaces and they don't want to give up the land they are able to develop by putting these improvements on here and they know, and they are right, that this money could be much more effective. I am not saying anything bad about agriculture, but it's not a clean industry, but it is a big one here and they don't regulate it, but there are people in that industry that are willing to make improvements to improve their property, improve the production that they get on their property and so they are really great relationship going on with this WRAPS, working as an intermediary to take money that could be used in town and go out there and get a lot bigger bang for the buck, so at the south Sedgwick County line, there actually could be a measurable improvement."

Commissioner Unruh said, "Okay, so I guess to my comment, or if I try to think my way through this, there is already some inconsistency for various reasons and various places."

Mr. Weber said, "Yes."

Commissioner Unruh said, "Alright. Well, I think that's about all my comments. I am, without trying to repeat everything Commissioner Ranzau said, I am fairly persuaded by his arguments, so I will go ahead and listen to the rest of the comments. Thank you, Mr. Chairman."

Chairman Howell said, "Thank you, Commissioner Unruh. Any other comments before we go to a vote here? Alright, Commissioner Ranzau."

Commissioner Ranzau said, "Just a little bit. What is the most common pollutant, do you know off the top of your head?"

Mr. Weber said, "Do I know the most? Dirt. Dirt is a pollutant."

Commissioner Ranzau said, "Okay, I'm talking about..."

Mr. Weber said, "The next one, I don't know off my head. Do you know? [Inaudible]"

*Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, "Jim's right when he says it's dirt is total suspended solids that are a pollutant, then you have pollutants attached to suspended solids. It varies on the river and the source, albacore, atrazine, nitrates, phosphates are the common ones."*

*Commissioner Ranzau said, "Which generally come from what sources? At least."*

*Ms. Erlenwein said, "Agriculture."*

*Commissioner Ranzau said, "Agriculture, which aren't regulated, which is the ironic portion of this whole thing, which is just want to emphasize, the solutions they are working on in the red area to be able to go out and actually do some things in a part of the area that's actually not regulated, but contributes most of the actual pollutants is actually a better way, we're actually doing it smarter and better and more cost-effectively. So this whole issue of water quality is very complicated and we have a situation in which the EPA has imposed some regulations upon us in an effort to improve quality, but they have exempted areas that actually do, contribute the most. So we found a way they actually worked with the EPA to come up with this solutions so people in the red, as Dave said and Jim said, can do some things outside, that aren't even regulated, because you can get a bigger bang for the buck. So, I don't know if that helps to clarify for everybody. But like I can say it's a very complicated thing, I appreciate that. That's all I have."*

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

*Commissioner Peterjohn said, "Thank you. Susan, if I can, since we've gotten into it, can you give us a quick definition of dirt. Would sand be included or is that separate? Because you have got all sorts of geological solids that can flow downstream and I am not going to get into whether they happen to be sedimentary or metamorphic or any of the other, I doubt there would be anything igneous, but if we are talking about when we have a definition here in terms of as the number one pollutant for our discussion, help me out with what we are talking about here as defining dirt?"*

*Ms. Erlenwein said, "A typical soil, which people refer to as dirt, would have a certain percentage of clay particles, silt particles, and sand particles, combined in that would be organics such as plant decomposition, leaves, you know, anything like that. Actually, there's a wonderful triangle that they use in geology that gives you percentages of each of those to determine if you call it silty soil or loam or clay and so when we talk about suspended solids, it could be a combination of any of those."*

*Commissioner Peterjohn said, "Okay. So it's broaden compassing."*

*Ms. Erlenwein said, "That's right."*

*Commissioner Peterjohn said, "Is there any from an environmental point of view, do we have any definition of which of these are the biggest concern for whether it's the EPA or any other KDHE (Kansas Department of Health and Environment) or anyone else involved with regulating or monitoring water quality?"*

*Ms. Erlenwein said, "For total suspended solids is the biggest concerns. As Kathy Sexton alluded to, when you have the suspended solids in the river, it gives it more density, which gives it more erosion. So, a river can carry more material and then it can erode more material as it's going through an area."*

Commissioner Peterjohn said, "So some of that process obviously is natural in terms of just natural erosion that occurs. Okay. Thank you."

Chairman Howell said, "Just so I understand, the red on this map is entirely population driven, it is not a boundary of the city itself, it is where people live; is that correct?"

Mr. Weber said, "It's a combination of where people live, it's a density of where people live. There are industrial areas that don't have people living in them because they are industrial get pulled in and in some cases there might be a space in between that's not densely populated that gets pulled in anyway, because it is surrounded by the two of them. So."

Chairman Howell said, "Thank you. In terms of the confusion factor, when someone decides they want to develop an area, have a project and they contact the MABCD (Metropolitan Area Building and Construction Department), is it confusing for our staff to determine whether they are in the red or not, or are they able to determine easily whether they are under this regulation or not?"

Mr. Weber said, "I don't think it's going to be difficult. We don't have a ready tool right now, so we probably need to work with GIS (Geographic Information Services) and get this boundary on a lay-on GIS so literally anybody, private citizen can find out if they are in or out, we can find the building permit folks find out. That tool doesn't exist today, we have, Scott has it down in our office, we are looking them up as we go, because we are already starting to talk to people about if this changes, you might not have to do this permit. So, it would basically just be a boundary that we could throw up on a regular GIS system and then you just turn on this layer and we would know, you could pinpoint the property to know if you are in or out."

Chairman Howell said, "Very good, alright. Thank you. Any other comments from anyone before we take a vote here? Alright. I guess I will just say, I think I will be supportive of the motion, because I believe that, again, I am very concerned about the flood concerns down south as it was described by staff during this discussion. I don't think it is a significant factor, talking about 10 permits a year and the items we are talking about, primarily from agriculture in particulates' suspended in the water.

"This is not going to have any impact on erosion or flooding that I can see. So having said that, I think one of the things we talk about, trying to keep our regulations smart and trying to not overregulate, do things that make sense. I guess to expand the regulation that doesn't have a solution connected to it, to me, doesn't make sense. So I think after we've learned more about this over the last six years, maybe time for us to go back where we were. So, I will be supportive of the resolution this morning. Any other comments? Alright. Seeing none, Madam Clerk, please call the vote."

#### VOTE

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

Mr. Weber said, "Thank you."

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

**Approved**

**H**      [16-717](#)

GRANT PROPERTY TAX RELIEF PURSUANT TO RESOLUTION  
103-2014 IN THE AMOUNT OF \$2,078.30.

Presented by Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Issue an order granting property tax relief  
and authorize the Chairman to sign.

**PUBLIC COMMENT.**

*Mr. Yost said, "Before you begin with that, you are going to have the next nine items going to be property tax rebate requests. The first five are going to be the staff recommend you grant.*

*The following four will be ones that we recommend you deny. I would suggest that we kind of, group those accordingly, I will let Mr. Waggoner explain the first five, may be vote on that and the other four vote on that. Of course, you can do it any way you want to, but I would recommend you separate those out."*

*Chairman Howell said, "Would it be appropriate for us to have a motion that would cover the five items together potentially or do we need to do this individually?"*

*Mr. Yost said, "Yes, I would suggest you kind of, bulk the five and four."*

*Chairman Howell said, "Very good, thank you for that recommendation and we going, would to like to hear from Mr. Waggoner, now."*

*Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "Just wanted to first mention the statute that's at play here and get down to the specific properties. KSA-79-1613 says if a homestead is destroyed or substantially destroyed as a result of flood, fire, earthquake, tornado, storm or other event declared a disaster by the Governor, the owner of the of the homestead may apply for a tax credit or an abatement. Under that statute subject to any budgetary constraints for the county or any other taxing subdivision, Board of County Commissioners is tasked with making three different findings, whether the property is homestead, whether the homestead was destroyed or substantially destroyed and the assessed evaluation of the property. In order for the property to be deemed destroyed or substantially destroyed, the statute requires the cost to restore the structure to its before damaged condition would be greater than or equal to 50 percent of the market value of the structure prior to the damage.*

*"On each of these matters the property owners have filed a petition with the County Clerk's office after the application has been filed, the Appraiser office has visited each of the property to determine the estimate of the extent of the damage suffered to the property and notice regarding today's hearing has been sent to all the property owners that applied, as well as the taxing subdivisions that could be impacted. On all of these properties, there are orders in the backup material there are the details of the findings. It is worth noting that all nine of these have been found to be homestead by staff recommendation. Distinguishing feature between the five that County Counselor mentioned as being approval versus the four for non-approval, whether they did or did not meet the 50 percent threshold. The first one, I guess, we will start with Item H. Just ask the Chairman, for clarification, do you want me to read through the first five? Is that what you're asking for?"*

*Chairman Howell said, "Yes, let's go ahead and do that. And we'll give the*

*Commissioners a chance to comment or question. Also, if there's anybody here from the public that would like to speak on the first five, I will hear from you as well."*

*Mr. Waggoner said, "Thank you, the first application was filed by Phyllis Jones for fire damage. Staff estimated the homestead was 89 percent destroyed. Assessed valuation of the property could result in a \$2,078.84 tax credit. There was a slight typo, that's 54 cents more than what was indicated on the agenda, just to clarify. Recommended action, is to approve that. The second one, which is Item I, was an application filed by Thomas LeGrand for flood damage. That was an estimated damage of 82 percent, would result in \$725.64 tax credit, again recommended for approval. Third one, application filed by Jeanne Bradshaw. The staff estimated 70 percent damage to that structure, with a \$1,424.99 tax credit. Fourth one, on their Timothy and Sandra Haney had filed that for flood damage. The estimate was 89 percent damage to that property, for \$1,289.30 tax credit. Then the last of the items, which is Item L, recommended for approval was filed by Kelly Olson, the estimated damage to that property was 88 percent and that would result in \$2,404.38 tax credit. I would be happy to stand for questions on that."*

*Chairman Howell said, "Alright. Let me go ahead and go to the audience. Is there anybody here that would like to speak on any of these five agenda items? Alright, see none, I'll bring it back to the Commissioners. Commissioner Ranzau."*

*Commissioner Ranzau said, "Just to clarify, when we vote on these, do we need to change the amount on Item H?"*

*Mr. Waggoner said, "I would suggest just making that part of the motion."*

*Commissioner Ranzau said, "Okay."*

*Chairman Howell said, "Alright. Any other comments? Let me go ahead just get a little bit of history on this. Back on April 14th, 2012, there was a tornado that swept through County Commission District Number Five and it did go across the Spirit AeroSystems and the Boeing property. All together destroyed 800 homes and \$146 million in damages. As a result of that, the following legislative session as a representative of that district, we felt that it was reasonable for us to introduce legislation that would allow property owners a little bit of relief considering their situation. So we drafted a bill and the first year we were able to get that through, but it was on a proviso. The following year we turned it into a permanent state statute, permanent law.*

*"So the statute came from, actually, I am connected to it, because I helped draft this. I like to give recognition to a couple of other folks, Senator Mike Peterson had a lot to do with this, I think this is also in his district. Representative Brandon Whipple also assisted and I would like to recognize Senator Michael O'Donnell who was there at the time and was able to get this done. Actually on the very last day of session we were able to get this done. Appreciate his work on that and he is attending this meeting at this time. I want to recognize him and his work as well. But this is one of those things where when someone is dealing with the loss of their home, it seems a little bit excessively cruel to me to say you got to pay your tax bill right now, and if not, bad things happen. So this is just a very small thing we can do, it is not a significant amount of money, but very significant in the lives of people that are impacted and affected by the destruction of their home.*

*"So this law does apply to this because the Governor did declare this a disaster area, and a number of homes were damaged down in Derby and Mulvane, Sedgwick County part of Mulvane. Although there has not been a lot of applications in this*

*particular case, this is good state law. I appreciate having a chance to vote on this this morning. With that, I think would be appropriate. I would make a motion we would adopt the first five items, issue an order granting property tax relief on the first five items and authorize the Chairman to sign. Is that an appropriate motion?"*

**MOTION**

*Commissioner Howell moved to issue an order granting property tax relief and authorize the Chairman to sign as amended.*

*Commissioner Ranzau seconded the motion.*

*Mr. Waggoner said, "I think pursuant to Commissioner Ranzau's comment, maybe just note that the recommended action on Item H would be for \$2,078.84 on the tax credit."*

*Chairman Howell said, "Alright. \$2,078.84."*

*Mr. Waggoner said, "That's correct."*

*Chairman Howell said, "So we are going to amend the amount on Item H to \$2,078.84. The other four items are as presented. Is that a reasonable motion, Mr. Counselor?"*

*Mr. Yost said, "Yes."*

*Chairman Howell said, "Okay, just to make things simple."*

*Mr. Yost said, "Take the recommended action."*

*Chairman Howell said, "Take the recommended action, first five items."*

*Mr. Yost said, "As amended."*

*Commissioner Ranzau said, "Second."*

*Chairman Howell said, "We have a motion and second. Any other discussion before we vote? Seeing none, Madam Clerk, call the vote."*

**VOTE**

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

**Approved**

I [16-719](#)

GRANT PROPERTY TAX RELIEF PURSUANT TO RESOLUTION  
103-2014 IN THE AMOUNT OF \$725.64.

Presented by Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION : Issue an order granting property tax relief  
and authorize the Chairman to sign.

PUBLIC COMMENT.

*Action for this item was taken with Item H.*

- J**     [16-722](#)     GRANT PROPERTY TAX RELIEF PURSUANT TO RESOLUTION  
103-2014 IN THE AMOUNT OF \$1,424.99.  
Presented by Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Issue an order granting property tax relief  
and authorize the Chairman to sign.

PUBLIC COMMENT.

*Action for this item was taken with Item H.*

- K**     [16-723](#)     GRANT PROPERTY TAX RELIEF PURSUANT TO RESOLUTION  
103-2014 IN THE AMOUNT OF \$1,289.30.  
Presented by Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Issue an order granting property tax relief  
and authorize the Chairman to sign.

PUBLIC COMMENT.

*Action for this item was taken with Item H.*

- L**     [16-724](#)     GRANT PROPERTY TAX RELIEF PURSUANT TO RESOLUTION  
103-2014 IN THE AMOUNT OF \$2,404.38.  
Presented by Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Issue an order granting property tax relief  
and authorize the Chairman to sign.

PUBLIC COMMENT.

*Action for this item was taken with Item H.*

- M**     [16-725](#)     DENY PROPERTY TAX RELIEF PURSUANT TO RESOLUTION  
103-2014 IN THE AMOUNT OF \$468.47.  
Presented by Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Issue an order denying property tax relief  
and authorize the Chairman to sign.

PUBLIC COMMENT.

*Mr. Waggoner said, "Alright. Proceeding on this, the next four items would be Items M through P on the agenda. The first of those, Item M, was an application filed by Sherrill Howard for flood damage. The staff estimated damage on that property was*

10 percent. As a result of this recommended for denial of the order or the relief, I should say. Item N, was an application filed by Gregory and Becky Rogers for flood damage. The damage on that estimated at 19 percent. Item O, application filed by Michael Knight for flood damage. The estimate on that property was 3 percent damage. Then the last one, Item P, Larry Davis filed because of flood damage and the estimate on that property was 2 percent. I would be happy to stand for any questions."

Chairman Howell said, "Alright. Let me go to the audience, is there anybody here like to speak on the agenda item, these four items, any of the four? Alright, seeing none. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. We don't really have any discretion on these. It's specifically stated in the statute at 50 percent or greater, if they don't meet it then..."

Mr. Waggoner said, "That is correct, I mean, the discretion you would have, would be if you think the finding is, if there is more than 50 percent damage, but lacking that, then under the language of the statute you could not approve the abatement or credit."

Commissioner Ranzau said, "Okay, thank you."

Chairman Howell said, "Alright, any other comments or questions? What's the will of the board?"

#### MOTION

Commissioner Unruh moved to issue an order denying property tax relief and authorize the Chairman to sign.

Commissioner Ranzau 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

**Approved**

**N**      [16-726](#)

DENY PROPERTY TAX RELIEF PURSUANT TO RESOLUTION  
103-2014 IN THE AMOUNT OF \$4,470.96.

Presented by Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Issue an order denying property tax relief  
and authorize the Chairman to sign.

#### PUBLIC COMMENT.

Action for this item was taken with Item M.

- O     [16-737](#)     DENY PROPERTY TAX RELIEF PURSUANT TO RESOLUTION 103-2014 IN THE AMOUNT OF \$1,923.72.  
Presented by Justin Waggoner, Assistant County Counselor.
- RECOMMENDED ACTION: Issue an order denying property tax relief and authorize the Chairman to sign.

PUBLIC COMMENT

*Action for this item was taken with Item M.*

- P     [16-738](#)     DENY PROPERTY TAX RELIEF PURSUANT TO RESOLUTION 103-2014 IN THE AMOUNT OF \$2,038.38.  
Presented by Justin Waggoner, Assistant County Counselor.
- RECOMMENDED ACTION: Issue an order denying property tax relief and authorize the Chairman to sign.

PUBLIC COMMENT

*Action for this item was taken with Item M.*

- Q     [16-689](#)     CONSIDERATION OF A GRANT APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) IN THE AMOUNT OF \$1,182,555 FOR THE FUNDING OF COORDINATED TRANSIT DISTRICT 9 WHICH INCLUDES THE SEDGWICK COUNTY RURAL TRANSPORTATION PROGRAM AND OTHER PARTICIPATING COUNTIES.  
Presented by: Annette Graham, LSCSW, Director, Sedgwick County Division on Aging.

RECOMMENDED ACTION: Approve the grant application, and if awarded, authorize acceptance of the grant and any related documents and establish a new 1.0 FTE Driver position as outlined in the Personnel Considerations section of this item.

PUBLIC COMMENT.

*Ms. Annette Graham, Director of Aging, greeted the Commissioners and said, "Today, I bring before you a one-year grant renewal that would provide continued funding for specialized general public transportation to rural Sedgwick County citizens. Program service areas are available in all incorporated cities, including Andale, Bentley, Cheney, Clearwater, Colwich, Garden Plain, Mount Hope, Sedgwick, Peck, Viola, as well as 18 unincorporated areas. This renewal would continue to fund a volunteer based transportation program provided in Bentley, Mount Hope and Clearwater as part of the coordinated transit plan and included in the long-range transportation plan move 2040.*

*"The first agreement with the Kansas Department of Transportation (KDOT) was*

*initiated by Sedgwick County in 1995. The grant application deadline is November 17th. The total program budgeted cost \$1,201,380, which includes the grant amount of \$1,182,550, which is state and federal sources, it also includes program charges and the required grant match. The program includes Sedgwick County application, as well as application submitted independently by the other district nine (9) agencies whose awards will be administered through the Sedgwick County as the state designated coordinated transit district number nine (9). Their funding will flow through this program. The grant for Sedgwick County provides federal transportation administration funding for operation, administration and capital assistance costs. Sedgwick County will be responsible for matching funds only as the other county agencies will provide matching funds for their awards independently. Sedgwick County Division on Aging mill levy funds were budgeted and approved in the 2017 division budget by the Board of County Commissioners on August 10th, 2016, which includes a match for the rural 5311 program.*

*"The grant proposal also includes a request to add one full-time equivalent driver position to the staffing table, with an estimated salary of \$45,210, plus benefits. Last year through, well, the current year of this program, we anticipate providing 6,645 rides. The grant request before you is an increase of \$44,293 to expand to meet the rising needs and the increased population that's requesting services. The grant application funding amounts by county agency that flow through Sedgwick County Division on Aging for the coordinated transit district number nine (9), include the Sedgwick County Division on Aging, grant amount \$175,511, Harvey County Department on Aging \$114,073, Butler County Department on Aging \$108,538, the Cowley Council on Aging \$201,842, Harper County Department on Aging \$107,494, Kingman County Council on Aging, \$82,358, futures unlimited \$194,664, City of Kingman, \$92,532, Twin Rivers Developmental \$105,543.*

*"The grant period will begin July 1st, 2017, and ends June 30, 2018. As I've referenced the grant match money is already included in our budget and includes money that was approved and reflects money put into the transportation program, and includes anticipated programs fares of \$18,000. Anybody who needs this service in our community, in our county, can call us at our call center number, and that is a toll-free number, 855-200-2372. There is no additional budget authority being requested, the budget authority was included in the adopted grant and we do anticipate serving between 6,750 and 6,900 one-way trips. These trips will be generally provide medical care and other essential needs in the transportation program. I would request that you would approve this and grant authority to sign the grant application and I would be happy to answer any questions."*

*Chairman Howell said, "Thank you, Ms. Graham, for the presentation this morning. Is there anybody in the audience like to speak on the agenda item? Alright, seeing none. Commissioners, any comments or questions or what's the will of the board?"*

**MOTION**

*Commissioner Unruh moved to approve the grant and authorize the board for acceptance and add one full-time equivalent driver.*

*Commissioner Ranzau 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

Ms. Graham said, "Thank you."

Chairman Howell said, "Thank you, everyone. At this time I think we're going to have enough work left ahead of us, let's go ahead and take a five-minute break. I'd like to go ahead and recess for five minutes, we'll come back at about 10:33 a.m."

The Board of County Commission recessed at 10:27 a.m. and returned at 10:36 a.m.

Chairman Howell said, "Thank you, everyone we are being back from break and thanks for sticking with us. We'll go ahead and go to the next item, Madam Clerk, next item, please."

**Approved**

R      [16-669](#)

AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP)  
FOR THE RONALD REAGAN BUILDING PHASE II RENOVATION.  
Presented by: Tania Cole, Project Services Program Manager.

**RECOMMENDED ACTION:**

Approve the amendment to the 2016 Capital Improvement Program (CIP) for the Ronald Reagan Building Phase II renovation.

**PUBLIC COMMENT.**

Ms. Tania Cole, Project Manager, Division of Information and Operations, greeted the Commissioners and said, "I'm here before you this morning to request your approval of a CIP (Capital Improvement Plan) amendment for the Ronald Reagan building phase two (2) renovation. To provide some background, the Ronald Reagan building at 271 West Third Street was purchased by the county, in December 2014. We hired our on call architect, Schaefer, Johnson, Cox and Frey to work on the design for the renovation of the building. Construction to renovate floors one, two and three began in March 2016 and was completed in August of 2016. These floors are now permanent home for the Metropolitan Area Building and Construction Department (MABCD), Metropolitan Area Planning Department (MAPD) and the Wichita Area Metropolitan Area Planning Organization (WAMPO). County Commission and Wichita City Council celebrated the open and ribbon cutting of the building on October 11th, 2016. Estimated actual cost for construction and other items for this phase was [\$]2.2 million, which included the renovation of three floors and building infrastructure items of repair to the exterior windows, the parking lot, the front entry, building HVAC(Heating, Ventilating and Air Conditioning) controls and rust patching.

"During the construction of floors one through three, staff began to review and develop all possible county functions and departments that would be compatible users for the remaining floors of this facility. We looked at factors of an appropriate fit based on similar functions and operations, parking, customer compatibility, as well as lease savings. The conclusion considering all of these factors determined the Appraiser's office, the Aging Department, COMCARE Administration and GIS could be the future tenants. We then engaged the Schaefer, Johnson, Cox and Frey Architecture and conducted a series of programing meetings, then schematic design with these identified departments. After thorough discussions, it was determined that

*these departments are, in fact, optimal tenants for floors four through six.*

*"Throughout the schematic design phase, these departments met numerous times with the architect to discuss the layout and functionality of the floor plans. The Appraiser's office currently located on East Harry will be on floors four and five in 16,804 square feet. The Aging Department, currently located at West Central, will be located on floors five and six in 10,611 square feet. COMCARE Administration, currently located at 934 North Water, will be located on the sixth floor in 9,525 square feet, along with GIS in 2,125 square feet. Moving these departments to the Ronald Reagan building will eliminate three leases at an annual cost of \$385,662 and moving GIS will assist the District Attorney's office in their urgent need for space. Placing these departments would then fully occupy the Ronald Reagan building.*

*"I'd like to discuss the parking plan for the Ronald Reagan building, but wanted to provide a visual area map for reference, as I discuss these various lots. I might just point out, we have the Ronald Reagan building right there, identified as 271 West Third. On that, with that building adjacent to there is 75 spaces that we'll use for customer parking and in the back there to the south of the building, we have 16 spaces that will be utilized for county employee parking. Then to the east there, we have the Third [Street] and Main [Street] parking lot, where we have allocated 74 spaces. Directly across and to the north, we have the gated lot with 40 spaces, that's serviced by the City of Wichita. Then to the west there, we have the Rounds and Porter building where we have 18 spaces allocated for us there.*

*"As part of the discussion on possible tenants moving into this building, we wanted to make sure we had adequate plans to address customer and employee parking. Staff has researched and acquired of each department what their customer employee needs are for parking. Customer and visitors need up to 61 spaces for usual daily use and up to 135 spaces for peak use. Peak use being defined as the need when the demand is at its highest. There are again 75 spaces at the Ronald Reagan building and we would utilize 60 spaces at the city's gated lot. Parking would be validated by the respective departments and divisions, which is the current parking arrangement for MAPD, MABCD and WAMPO, when they have their planning commission advisory board meetings. This will require an organized effort for all departments to have a coordinated schedule of meetings for the planning commission and various advisory boards.*

*"County vehicles, we have a need for 54 spaces for assigned vehicles. Five of those spaces would be utilized at the Ronald Reagan building, the gated lot. 31 city parking garage, excuse me, let me back up, 31 will be utilized at the city parking garage, which is the current arrangement for the city-owned MABCD vehicles. And then 18 spaces will be used at the city gated lot and these are new spaces for county owned MABCD vehicles. For employees between the seven (7) departments, there is a need for 271 employee spaces, 11 of those spaces would be utilized at the Ronald Reagan building gated lot, 132 spaces, we have provided by the City of Wichita, those are 74 again at the Third and Main parking, 40 at the city gated lot, 18 at Rounds and Porter [building], 22 spaces for MAPD and WAMPO, and they would use their current existing parking spaces, as well as MABCD with 40 and they would, again use their current existing parking, which leaves a need for up to 66 spaces for employees. The County Manager has collaborated with the city and worked out an arrangement for 60 spaces to be leased at the parking lot at Third and Main at an annual cost of \$28,800.*

*"Understanding there would be a need for oversight of parking, we put together a Ronald Reagan building parking committee and it was formed to make arrangements for fair and comparable parking lot assignments among all tenants, as well as work*

*through any issues and concerns with customer and employee parking. Sitting on that committee is Tom Stoltz, Assistant County Manager, Steve Claassen, Operations Support Director, myself, Dale Miller with Planning, Kristen Zimmerman with WAMPO and Chris Nordick with MABCD, as Aging, GIS, COMCARE Administration, Appraiser's office comes on board we will identify a representative to sit on this committee as well.*

*"The recommended action before you is to approve an amendment to the 2016 CIP in the amount of \$1,937,300. That number is the sum of \$1,482,753 for renovation costs, as well as \$454,547 in owner's items, which includes architectural and engineering fees, furniture, fixture and equipment, signage, networking, moving expenses, maintenance items and a contingency allowance. This would renovate floors four through six, in the same finishes as the current renovation. I might just add that the existing floor plan at the Ronald Reagan building on floors four and five have several office layouts that have isolated entries and so the renovation on these floors will require more significant demolition and new walls to make it functional floor layouts for the Appraiser's Office and the Aging Department.*

*"This CIP amendment would use a cash transfer from the general fund to pay for this project. Pending your approval, I wanted to give you an estimated timeline. Design to construction documents, which are the documents we would put out for bid, it's approximately four months. We would send those plans to MABCD for plan review and then the bid and awards should take about two months. Construction, we're estimating about approximately five months and then move-in would be anywhere from one to two months, which would put us about early to mid-December of 2017, for those tenants to be in the building. We also would need to provide lease notifications to the leasers, Appraisers Office would require 180 days notice of termination. The Aging Department, either 365 days' notice of termination or 180 days' notice of nonrenewal, their lease expires December 19th of 2017. Then COMCARE Administration would require 90 days' notice of termination. Chairman and Commissioners, I believe you're familiar with most of this due to the several briefings we've had with you to get us the course to this point. I'm happy to answer any questions and recommend your approval."*

*Chairman Howell said, "Well, thank you for the presentation this morning. I'd like to go to the audience and see if there is anybody here that would like to speak on the agenda items this morning. Alright. Seeing none, going back to the Commissioners, Commissioner Ranzau."*

*Commissioner Ranzau said, "Thank you. Just to clarify now, which areas are going to need a little more reconstruction?"*

*Ms. Cole said, "That is floors four (4) and five (5)."*

*Commissioner Ranzau said, "Four and five."*

*Ms. Cole said, "Four and five"*

*Commissioner Ranzau said, "The whole thing or just portions of four and five?"*

*Ms. Cole said, "It would be a portion of floor five and most all of floor four."*

*Commissioner Ranzau said, "Four and then the other areas we're trying to make use of existing structures."*

*Ms. Cole said, "Correct."*

*Commissioner Ranzau said, "Like we did in the others?"*

*Ms. Cole said, "That's correct. That's been our goal to have the same purpose we did in the first phase, for the second phase."*

*Commissioner Ranzau said, "That allows us to reduce costs, quite a bit, but still work out, it seems that we've been able to make it work on floors one, two, and three, correct?"*

*Ms. Cole said, "Correct."*

*Commissioner Ranzau said, "The amount of money we have in here, is already, we've had our open house, we had the total amount saved. This money, I think you said, at the time was already included in the overall costs; is that correct?"*

*Ms. Cole said, "That's correct."*

*Commissioner Ranzau said, "So, okay thank you."*

*Ms. Cole said, "Ah hmmm"*

*Chairman Howell said, "Other questions or comments? We have, have we been presented a list of the leased cost savings we will have by making them move to these particular offices? Has that dated been collected for us to understand?"*

*Ms. Cole said, "I believe we have, but just to refer to you again, I believe we get to that point, that page. The annual savings on those lease costs would be [\$] 385,662 and that's for the COMCARE lease, for the Aging Department lease and for the Appraiser's lease, but I would be glad to provide you with that information again."*

*Chairman Howell said, "\$385,000 a year? That is the answer."*

*Ms. Cole said, "That is correct."*

*Chairman Howell said, "Okay, going back to the parking plan for just a few minutes, let me understand this a little bit deeper. So we have a peak of 135 customers potentially accessing the building? Is that what you said?"*

*Ms. Cole said, "That's correct."*

*Chairman Howell said, "They would use all of the 75 spaces outside the building, is that 75 going to stay 75? Because there is not very much, in my opinion, ADA (Americans with Disability Act) parking out there is that going to be reconfigured in any way?"*

*Ms. Cole said, "I don't believe so. We hadn't had a plan to do that. The 75 parking stalls adjacent to the building includes 6-ADA parking stalls."*

*Chairman Howell said, "Okay, so. Alright. Then the other needed parking for the 135 people, they will be going across to the 40-metered spaces, but you mentioned there was a need for 60. But you only have 40 on the map."*

*Ms. Cole said, "The 40 that's allocated at that gated lot is strictly for employees. The 60 that we're talking about would be, again, at that city gated lot, and we would then, those departments would then validate the parking there, which is currently what's*

*being done by MABCD, Planning and WAMPO."*

*Chairman Howell said, "So the gated lot you're referring to, is that the ones to the north?"*

*Ms. Cole said, "Yes, to the north of the building, yes."*

*Chairman Howell said, "Okay, the plan also requires 60 more spaces that's over to the east of the building that's part of the city, will be leased from the city for, just under 30,000?"*

*Ms. Cole said, "That's correct. That 60 that we will lease will be for employee parking."*

*Chairman Howell said, "Okay. So, the total number of spaces we need, county employees, and our peak customers is how much, 135?"*

*Ms. Cole said, "It was 135, yes, for the peak use of customers and then we needed an additional 66 for employees."*

*Chairman Howell said, "So, 406 spaces is what that adds up to, 406 spaces?"*

*Ms. Cole said, "That could be, I'd have to do the math."*

*Chairman Howell said, "Alright. You made a comment that these are the offices that were looked at, and someone made, I guess some, some group or whatever made a decision this is the best fit for that building. Can you talk about other things that were discussed or considered that were not a good fit for the building?"*

*Ms. Cole said, "I think, one of the departments that we looked at was the tax departments. So we considered the Clerk's Office, we considered the Treasurer's Office, the Appraiser's Office."*

*Audience member said, "Finance."*

*Ms. Cole said, "We also looked at finance going into the building as well."*

*Chairman Howell said, "So Clerk's, Treasurer's, the Finance. Was [Register of] Deed's also part of that?"*

*Ms. Cole said, "Deed's. Yes, thank you."*

*Chairman Howell said, "What about the Election Office? Was that also considered?"*

*Ms. Cole said, "I think we briefly considered that, but didn't go too far with that."*

*Chairman Howell said, "Alright. Ultimately, who was on the decision team that made the decision on what was going to be moved into the building? On what was presented this morning, who made the decision?"*

*Ms. Cole said, "Steve Claassen, Operation Support Services Director and then myself put together that list and we ran that through the manager, the County Manager for his recommendation."*

*Chairman Howell said, "Alright. If it is approved this morning, is it assumed we're going to be taking money out of our cash reserves to cover our CIP? Is that what is*

*assumed here? So, this is deficit spending. Is that correct?"*

*Ms. Cole said, "2017."*

*Chairman Howell said, "For 2017, but this is deficit spending, correct?"*

*Ms. Cole said, "Correct."*

*Chairman Howell said, "Do we have any other options, would Commissioners have an option to use bonds if it was something they wanted to do?"*

*Ms. Cole said, "I'm sorry. I'm looking at Chris Chronis for answers and he's nodding, yes."*

*Chairman Howell said, "Okay, so it's an option to use bonds, but right now what's being considered right now, is cash reserves?"*

*Ms. Cole said, "That's right."*

*Chairman Howell said, "These resolutions, alright. Commissioners, what's the will of the board or any other questions or comments? Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Yes, I want to, kind of, just go through, because parking has been a major concern. Adding up, as I was looking through, looking through the spaces that we had, it looked to me like and correct me if I'm wrong here, please. The east parking lot we would have 74 additional spaces, we'd have 91 at the [Ronald] Reagan building itself, we'd have 40 spaces due north, 18 over at Rounds and Porter [building], and 60 when you say the gated lot of the city, are we talking about that metered area northeast of the Reagan building or are we talking about I..."*

*Ms. Cole said, "So, okay. So, the 74 spaces at Third and Main is not considering the 60 spaces that we would lease at that location. So there would be an additional 60 spaces there."*

*Commissioner Peterjohn said, "Okay, that's a 134."*

*Ms. Cole said, "Okay."*

*Commissioner Peterjohn said, "Okay."*

*Ms. Cole said, "Then the 60 that I talked about where the customers would have to utilize the parking there, that's not included in the 40 there. The 40 that's included there at the gated lot, that's strictly for employees."*

*Commissioner Peterjohn said, "Okay."*

*Ms. Cole said, "So, we would have to utilize 60 spaces at that gated parking lot that the city services."*

*Commissioner Peterjohn said, "Because I'm concerned about the fact that we have 406, need for 406. If I add up 74 plus 40, 18, 91 and 60, I get 283, which is, leaves us short about 125 parking spaces and that's one of the concerns I have. Is there anything you can, have I missed something that needs, gives us a better."*

*Ms. Cole said, "Well, again, the peak use, which would be the 135 count, they would utilize the 75 spaces all there adjacent to the building and then we would ask them to*

*park in the gated lot. So we would expect that we would have approximately 60 parking spaces that would be utilized in that city gated lot there."*

*Commissioner Peterjohn said, "Okay. Well, I was counting 91 for the Reagan building. The 16 plus 18, 75."*

*Ms. Cole said, "Okay. Let me clarify. The 16 spaces there, that's in the back that would be utilized only for employee parking, because it's gated."*

*Commissioner Peterjohn said, "I understand."*

*Ms. Cole said, "So."*

*Commissioner Peterjohn said, "I'm just trying to make sure for both employees and customers, I mean, the major reason I supported the effort to get a separate facility for the [Sedgwick County] Tag office was because I could see we'd have a real parking congestion problem and so we went down a different road and I think have an incredible facility at Meridian [Avenue] and Douglas [Street], but I'm still concerned here that we may end up on the short end with a combination of both employee and customer parking for the plan that's in front of us today. We've got, I'm counting up, a little less than 300 spaces and we're talking about a little bit more than we need, 400. Please help me out in terms of give me some reassurance that we're not leaving a problem for the Commission to take up in 2017."*

*Ms. Cole said, "I feel pretty comfortable that we did a thorough analysis of what the department needs were for both the customer parking and for the employee parking, and we, as I said, we did a thorough investigation research to make sure that we have adequate parking. I might just add, you know, to the right there or to the east, there's also metered spaces that can be utilized for customers, for their needs, as well as I think there's some parking in and around that area as well, but we just didn't identify all of that parking, because what I want to identify in this is those spaces that we have from the City of Wichita allocated to us that we're utilizing for employee parking, but we feel confident and certain that this will work out. Like I said, we have the building committee that will discuss as these tenants come on board, discuss the parking and we'll continue to reengage to make sure we have adequate parking for both customers and employees."*

*Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "If I could say something. Also, we've taken into account peak use for customers and have allocated for that and I think, what you're talking about Commissioner, is that if every employee shows up on any given day for work in terms of max, you know, use we've never had that, we don't have that now. So I think the odds are us reaching that outcome, we've allocated the exact number of spaces, plus a little more for peak efficiency and I think that is more than adequate for this particular use. I think what she's talking about, too, on having the board for all the different agencies coming together to even regulate and offset when they're holding meetings is going to help out tremendously as well."*

*Commissioner Peterjohn said, "If we've got the bases covered, I appreciate the information. Thank you."*

*Chairman Howell said, "Let me just take this parking question a little bit further. So, I'm trying to understand this right, there are 22 spaces at the city building that the people will use the walk-over."*

*Ms. Cole said, "That's correct. Let me kind of jump in real quick. The 22 spaces, as*

*well as 40 spaces, what we're doing there is MABCD, MAPD and WAMPO will utilize their current existing parking, and that's what assists, you know, with some the relief of this is take there going to be using that, what they're doing now for parking and those are employees."*

*Chairman Howell said, "Take this a little bit further. The back side of the 271, Reagan building, is 16 spaces."*

*Ms. Cole said, "Correct."*

*Chairman Howell said, "Employees only. There are 74 spaces that are east of that building on the next parking lot over."*

*Ms. Cole said, "Yes."*

*Chairman Howell said, "75 spaces just outside the building on the east side."*

*Ms. Cole said, "Correct."*

*Chairman Howell said, "18 spaces at the Rounds and Porter building."*

*Ms. Cole said, "Correct."*

*Chairman Howell said, "We're going to lease 16 more spaces on the far east lot, that's east of the building."*

*Ms. Cole said, "That's correct."*

*Chairman Howell said, "If I add all of that up, that's 306, that is my number, is that incorrect?"*

*Ms. Cole said, "I apologize, I've got to be able to do the math real quick, but did you include also in there the gated 40 spaces that we had at the city?"*

*Chairman Howell said, "I actually saw my list here, but I forgot to mention it just now. I did add that up, so 40 spaces north of the building on the city lot there, gated lot. So 22 for the city, 16 for the back lot, 74 for the east lot, 40 across the street, 18 Rounds and Porter, 75 at the east lot, and 60 leased. That adds up, somebody correct me if I'm wrong, add up to 305 spaces, is what I've got, we need 406."*

*Ms. Cole said, "So are you also including the peak. Is your total the peak?"*

*Chairman Howell said, "That's the peak, yeah that's the peak."*

*Ms. Cole said, "Okay, so then we need to add another 60 to the gated lot that would be utilized and validated by those departments."*

*Chairman Howell said, "Another 60 on top of the 40?"*

*Ms. Cole said, "Correct."*

*Chairman Howell said, "So, we get a 100 spaces potentially over there?"*

*Ms. Cole said, "Correct."*

*Chairman Howell said, "Okay. So that still leaves us 40 short roughly. Okay."*

Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. I just want to express appreciation for the hard work and analysis that you and your team have done for this building. It appears to me that we’re ready to go forward with something we’ve been planning on for quite some time and I’m delighted that with our investment we’ve had the opportunity to save \$385,000 a year in lease payments and I think that is significant. I have tried to follow the parking plan and it seems to me like if we’re, I think, if we’re covered pretty much for peak periods, then we’re going to be all right, because it’s not going to be peak every day all day long. So I’m satisfied with that part of it. As a result of all of that, Mr. Chairman, I move we approve the amendments for the 2016 Capital Improvement Program for the Ronald Reagan building, phase 2 renovation.”

MOTION

Commissioner Unruh moved to approve the amendments for the 2016 Capital Improvement Program for the Ronald Reagan, phase 2.

Commissioner Ranzau seconded the motion.

Chairman Howell said, “We have a motion and a second. Other discussion? I’m going to make a substitute motion and I’ll explain why I’m going to do that. Let me go ahead and make my motion first. I’d like to make a substitute motion that we, let me explain it before I make a motion, do it that way. This is about \$2 million. During the last five months, there’s been a lot of discussion in the public about bonds versus cash spending. There’s been some criticism about deficit spending. I personally have made comments about the actions of the County Commission between the election and the swearing the oath of office ceremony that took in January 2015 and I would think this is reasonable for us to delay this for a short time.”

MOTION

Commissioner Howell moved to delay this until the January 18th, 2016 meeting based if I extrapolate the cost of that’s in lease costs for buildings that \$66,634, if you prorate that out over two months, nine weeks’ worth of delay.

Chairman Howell said, “But that does allow the Commissioners that are coming on a chance to consider bonds versus deficit spending. It allows them, helps them understand the parking plan, make sure we’re not getting ourselves into a corner here. I still feel we are getting ourselves into a corner. I don’t know that I’m comfortable with the parking plan still. I’ve had concerns at the beginning with this building and I still have those concerns today. I think delaying this to me just makes sense. So that’s my substitute motion. Is there a second?”

Commissioner Ranzau seconded the motion for discussion purposes.

Chairman Howell said, “Very good. Let me just reiterate once again, I do want to say I appreciate staff putting it together, this proposal today. I know you have worked very, very hard, and it’s not easy to try to find ways to put it into a building, and I appreciate the work that you have done. The timing of this is just wrong for us today. That’s my only concern. I think to delay this allows us to be more careful and thoughtful and I know we’ve taken a long time to get to this point, but I still have some concerns and I think, they still need to be resolved one way or the other. So, that’s my reasoning for the substitute motion. Commissioner Peterjohn.”

Commissioner Peterjohn said, "Well, I would point out that the requested change \$1,937,300, we did do some bond funding for this building, including the original cost, but that was separate from what we have in front of us today. Mostly when we do the bonding, it's in much larger and significant amounts. So I'm going to take the manager's reassurance that we're in reasonably good shape on the parking side of the equation, especially since I left out a portion of the spaces and added those in, got us closer to what we projected as the max usage. So I'm not going to be sympathetic to making that, to delaying this for a couple months. I think we should be in a position to be able to proceed today."

Chairman Howell said, "Alright. Thank you. Any other, Commissioner Ranzau."

Commissioner Ranzau said, "I'll listen to any comments you have first."

Chairman Howell said, "I think I've said what I need to say at this time. I'm anxious to hear your comments. Commissioner Ranzau."

Commissioner Ranzau said, "Well, I seconded his motion just because people have given me the respect in the past to second some of my motions that I know have failed. I'm not going to support this different motion. I'm sympathetic to some of the concerns the Chairman has with relation to parking, et cetera, but because there's been a number of things this project has gone on for quite a while, a number of things that I challenged and didn't agree with and we got some things changed and some didn't, I mean, the originally the plan was to put the Tag Office there, and I think that would have been a parking disaster, so we moved that, I think that's been a good thing.

"The original plan was to gut the whole building, which would have increased our costs and I think we made changes like we discussed earlier that we made use with much of the interior as possible and that significantly reduced our costs there. The plan has always been to bond part of it, pay cash for part it, so that's not a change. I don't feel like, I understand we have two new Commissioners coming in, but I don't feel like we have to stop doing business because of that. I don't feel like we're certainly not rushing in to anything. Don't think people would say this was rushed.

"Now parking is an issue, but I have to rely on this particular issue with staff. I've asked the manager and staff numerous times and they've said, yes, we can do it, so I'm confident in that and I would like to proceed, get renovated, get people moved in, start saving the money, which I think we can then use to help pay for the cost of the bonding of the building itself, et cetera and some of the reconstruction. So I think that will be helpful. So, I'm sympathetic to some of the concerns, Commissioner, but unlike some of the previous problems or issues that came up, I guess for me they don't rise to the point that I would want to halt or delay this. I respectfully will not support this motion."

Chairman Howell said, "Alright. Thank you for those comments. Only hindsight will know whether this was a smart move today or not, and we'll live with the consequences one way or another. We may need to find more parking, we may discover other challenges because we are moving forward and that's fine. But we do have a motion and a second to delay this until January the 18th, and seeing no other comments, Madam Clerk, please call the vote."

#### VOTE

Commissioner Unruh	No
Commissioner Norton	Aye

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Commissioner Peterjohn	No
Commissioner Ranzau	No
Chairman Howell	Aye

Chairman Howell said, "Okay. That motion fails. So we're back on the base motion. I believe we have a motion and a second. Is there any other discussion? Alright. Seeing none, Madam Clerk, please call the vote."

VOTE

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

Chairman Howell said, "Thank you. Alright. Next item, please."

Ms. Cole said, "Thank you, Commissioners."

**Approved**

S [16-687](#)

PRESENTATION OF THE QUARTERLY FINANCIAL REPORT.

Presented by: Rick Durham, Deputy Chief Financial Officer.

RECOMMENDED ACTION: Receive and file.

PUBLIC COMMENT.

*Mr. Rick Durham, Deputy Chief Financial Officer greeted the Commissioners and said, "At the end of each quarter, the Department of Finance reports on Sedgwick County's financial condition. This financial report provides an analysis of the first nine months of the fiscal year 2016. Any information contained in this report is based on unaudited financial statements and excludes adjustments that may be required at a later date. The first section of the report outlines financial information on a budgetary basis and compares year to date information with previous years' data. The second section of the report outlines financial status of active capital project, and the final section of the report consists of fund statements, which provides a broad overview of the county's finances in a manner similar to private sector business and based on GAAP standards or generally accepted accounting principles.*

*"This morning, I'm just going to provide you some highlights from that report and give you a snapshot of our investment portfolio, data that measures fiscal stress and leading economic indicators and finish up on how we see the county's financial condition and what our prognosis is for the near term future. Again, as always, this report was prepared by the budget staff led by Lindsay Poe Rousseau and the accounting staff led by Sara Jantz, they do all the hard work. I'm just going to stand up here and report on all of their hard work. This report has been delivered to you. It has also been posted on the county's website, so the public can view it.*

*"So with that, we begin with the slide that identifies how we project the year end revenues, expenditures and fund balance to be in the county's governmental funds as categorized by group. When reporting on financial status, we typical aggregate information into one of several possible groupings, the general fund, property tax supported funds, other operating funds or all operating funds. The general fund, the county's primary operating fund, accounts for county services that do not have a*

*designated fund of their own. The general fund includes most general government and law enforcement functions. Currently the operation of 42 divisions are funded from the general fund. So, as you can see here the beginning balance, we'll just start down, where it starts actual beginning balances, it's the next to the last line, first column. The beginning balance of \$63 million, is net change in that is going to be approximately \$3.6 million, that's the line right above that and that is primarily due to one-time capital improvement projects (CIP).*

*"Property tax supported funds, the county has seven other property tax supported funds and that includes bond and interest, EMS (Emergency Medical Services), COMCARE, Aging, highway, noxious weeds and Wichita State [University]. Each of those funds provide services related to a specific function and the property taxes levied in each fund are used only to support those specific functions. The debt service fund has a projected ending balance of \$3.3 million and that's in the second column. Moving to the third column, other county tax supported funds has a projected ending fund balance of eight and a half million dollars.*

*"Moving forward references to tax supported funds, refers to general fund plus all other property tax supported funds as we move through this. The county has 31 budgeted other operating funds that are not supported directly with property taxes, including grant funds, enterprise funds and internal service funds. Other county nontax funds ending balance is estimated to increase \$1.2 million and have an ending fund balance of \$27 million. [Sedgwick County] Fire District [Number 1], the fund balance is projected to increase approximately \$284,000 by the end of the year and that is largely related to an encumbrance for debt service that was scheduled for 2016 in a did not take place.*

*"County property tax supported funds. As I just stated, this is a general fund, plus all other property tax supported funds. Year to date revenues total \$204.4 million for county property tax supported funds, and again, that excludes the Fire District. This represents a decrease of \$1.4 million or seven tenths of a percent compared to the same time, 2015. Increase are recorded in current property taxes of [\$] 1.7 million and an increase in officer registration fees of [\$] 800,000, we're also, by decreases in other revenue and mortgage registration fees of \$1 million. The decrease in other revenue is due to the proceeds received from the sale of the Furley land in 2015.*

*"Year to date expenditures, again, in the county property tax supported funds totaled \$181.2 million, and this is an increase of \$2.6 million or 1.4 percent compared to this same time period of the previous year. Increases are recorded in transfers out of \$7.1 million, attributable to an increase in cash funded capital improvement projects (CIP). So for the third quarter revenues represented by the brown bar, decreased seven tenths of a percent while expenditures represented by the green bar increased 1.4 percent from a year ago. The net income then, county property tax supported funds, again the general fund plus all other property tax supported funds for the third quarter, the net income is \$23.2 million.*

*"Continuing with the county property tax supported funds, we look at top 10 revenues, revenue highlights. As you recall, from previous slide revenues have decreased \$1.4 million from the same time period last year. Current property tax collections through the third quarter of 2016, increased by \$1.7 million or 1.4 percent, when compared with the same time last year. The counties assessed evaluation grew about 1.4 percent for the 2016 budget year. Retail sales and used tax collections increased 200,000. Collections in five of the nine months of 2016 have exceeded collections in the same months of 2015. The most significant decrease that we see here percentage wise is in the mortgage registration fees of nearly a million dollars or 24 percent.*

*"Moving to key personnel expenditures. Personnel is the largest single category of expenditure that we incur, the most significant increases are in overtime and employee insurance premiums. Pension contributions have decreased 5.6 percent and that's based on retirement rates being set by the state. Over time has increased 9.8 percent and then all over personal expenditures, I'll draw your attention to that line, not because of the large dollar amount change but the large percentage change and that can be directly or mainly driven by reduced work comp[ensation] expenses.*

*"Non personnel expenditures, listed here are some of the other additional non personnel expenditures that we have. Grant awards include payments to Exploration Place, WATC (Wichita Area Technical College), Wichita State, extension council payments, MAPD payments, et cetera. Grant awards decreased \$5.5 million in the third quarter last year and that was due to the payment we made to the [Sedgwick County] Zoo. So we're still seeing the impact of that payment to the zoo as we compare last year to this year. Fleet management charges are down three and a half percent and that is primarily due to reduced fuel charges.*

*"We now move to the non-tax special revenue funds. As I stated earlier, the county has 31 budgeted operating funds which are not supported directly with county property taxes. Non-tax special revenue funds include grants, enterprise funds and internal service funds. Year to date revenues total \$58.3 million or an increase of \$1 million from the third quarter of last year. Year to date expenditures at the end of the third quarter in those same funds are \$52.7 million or a decrease of \$6 million from the same period. And again, we can look back, and that has to do, we are still looking at the Zoo payment from '15, that's the result on those expenditures. So here is the representation percentage-wise. Non-tax special revenue funds, expenditures represented by the green bar have decreased 10.2 percent, while our revenues have increased 1.7 percent.*

*"Moving to the top 10 revenues in these funds, the decrease in Medicaid fees is primarily due to a budget reduction actions by the state, which reduced Medicaid funding to service providers. State revenue in the DCF (Department for Children and Families) increases are due to revenue received for 23 hour sobering unit, the health homes received Medicaid revenue based on the number of clients in rural per month. The federal revenue state pass through decrease is because Sedgwick County is no longer the fiscal agent for the HUD (Housing and Urban Development) Regional Economic Area Partnership sustainable community's regional planning grant. And state revenue in JJA (Juvenile Justice Authority), that reduction is primarily due to decreased population at the SCYP (Sedgwick County Youth Program).*

*"Key expenditures, again, salaries and wages are the largest source of expenditures. As noted, there's a five and a half percent decrease in salaries and that is due to less positions being paid. Medicaid pass through payments, another large percentage decrease of 18 percent is due to Medicaid pass, as a result of state actions where the provide provider makes that payment directly as opposed to having it pass through the county.*

*"As stated at the beginning of the presentation, the final section of the quarterly report consists of funds statements, which provide a broad overview of the county's finances in a manner similar to a private sector business and is based on GAAP standards. So what this chart shows is a clear pattern that the general fund balance follows, it a tax collection cycle. So if we follow the pattern, we can see the third quarter here is represented by the red data points and numbers corresponding, so it shows the general fund total fund balance based on a dollar amount.*

*"So if we move forward, we can look at a chart that has a very similar pattern, and it's the information stated in terms of the percent of the general fund, fund balance that is unrestricted. Keep in mind the county has a fund balance policy that states, unrestricted general fund balance is to be at least 20 percent of the budget expenditures, not unlike the previous slide, you can follow the clear pattern with the third quarter being identified by the red and the county maintains a fairly narrow range that's well above established policy.*

*"We move now to the investment portfolio. This is activity through the third quarter of 2016. The brown bars represents the amount that's in the investment portfolio. The blue line that is above the point eight mark is our yield of the investment portfolio while the green bar or the green line chart represents our benchmark and that's the one-year treasury bills. So as you can see, again, there's a pattern. If you look back over time, over the past five, six years, you can see that pattern and also following that blue line, you can see that we out perform our benchmark consistently, fairly consistently with a few exceptions. So, all in all, based on the current economy and current state we're in, I'd say that this is a fairly good chart. I would be, Brandi is the in room, Brandi Baily is who manages our investment portfolio and she does a great job.*

*"Just to highlight some of the open significant capital projects, I guess we don't need to talk about the Ronald Reagan building, as you just had discussion about that. LETC (Law Enforcement Training Center), construction documents and designs are ongoing. The new EMS southeast post, construction has begun, footings, underground utilities are being installed. The interchange at [I-] 235 and U.S. 54 obviously, construction has begun and will continue until the summer of '19, now the, please let me clarify the budget of \$40 million. The \$40 million won't be spent by the county, the county will only provide the \$11.6 million, I want to clarify that, the county isn't paying for the \$40 million of that project, okay, just for clarification purposes and the last one that we show is the Aviation Pathway-Derby to Wichita, and the construction phase one (1) is complete and phase two (2) is currently under design.*

*"So we move now to some of the fiscal stresses on Sedgwick County and what trend we see. Again, these are statistics as of end of year that you've seen before, so we look at Sedgwick County 2013, '14, and '15. So as you can see, most of our liquidity day's cash on hand is down slightly, its 136 days. These numbers will be updated then when we complete 2016 for more current data. Flexibility, slightly down to 27 percent, that's the unrestricted balance as a percentage of expenditures.*

*"Property values, taxable value per capita, relatively flat, debt per capita, flat. Debt burden, debt service as a percentage of the general fund revenue is down to 13 percent, which that means our condition is improving, that's the way you read that chart. Property tax rate, flat, property tax reliance also relatively flat, and we could probably debate whether on the percentage we should be improving or not. This is the same measures, but compared to benchmark counties. The 2013 data that it shows on the chart there, that's correct, that's the most current data and we rely on that from GFOA (Government Finance Officers Association). So this is the most current benchmark data that we have, and again, that's based on counties that are having population between 250,000 and 750,000 that received a GFOA CAFR (Certificate of Achievement for excellence in Financial Reporting) Award for that particular year. So we're looking at data that you've seen before, so this is the same data that you saw last quarter.*

*"So this slide comes from the Center for Economic Development Business and Research (CEDBR) at Wichita State. I know there's a wide range of data, We go back to 2003 to '16 and I've considered narrowing this chart down, I think, I've shown*

*it to you in the past where I've narrowed it down to just the past three or four years to flatten that line out, but what you see is, 2008, from 2008 to '12, there was fairly slow growth, but that has flattened out over the last two to three years. So what it shows is, based on leading economic indicators is that our economy is relatively flat.*

*"So going forward, here are the things that we see potentially as threats. Obviously, there's a lot of unknowns right now, based on federal actions that could happen. Medicaid block grants, any action to the Affordable Care Act (ACA), both of those actions could increase or would increase our uncompensated care. Our state budget, obviously revenue estimates are an issue there, as well as school finance, state legislation, sales tax on food. About 12 percent of our total tax revenue is on that and revenue reduced could be as much as \$3 million, and our local economy, as you saw on the previous slide, no new growth or very little growth and then there's just very modest growth of property sales and new home construction. Our expenditures have outpaced revenue by 1.8 percent in the property tax supported funds, largely due to cash fund and capital improvement projects. General fund deficits project that they're less than originally forecasted, Sedgwick County continues to be smaller, our local economy recovers slowly and our fiscal health at the county is vulnerable to actions at higher levels of government.*

*"So in conclusion, through the third quarter, it's consistent with our expectations have forecast. Our fund balance used in tax and nontax funds, our fundamentals continue to reflect a strong financial position. With that, I'd be happy to stand for any questions."*

*Chairman Howell said, "Great job, presenting, Mr. Durham. I appreciate all of your good work putting this together, excellent job. I'd like to recognize our CFO (Chief Financial Officer) as well did a great job. Commissioner Ranzau has comments, questions."*

*Commissioner Ranzau said, "Yes, thank you. Going back to slide 20, I know, there has been a lot of discussion about debt, et cetera and we have reduced our use of debt, not totally eliminated, but reduced it. But even at that, we're still a couple percentages higher than benchmark counties, right?"*

*Mr. Durham said, "Right."*

*Commissioner Ranzau said, "You probably don't have data here, but I'd like to know, kind of, look and see what it would take to get closer in line with that or below projections, but I think on the previous slide, we're headed in the right direction, so were not, which is good. Now, going back to then one of the last slides, slide 24, you said that if they repeal Obamacare, that may increase our uncompensated care, now, but if that's repealed, would we also, I thought that we were paying some fees and taxes as a result of Obamacare on a yearly basis now that's about a million dollars a year. I guess, do you know off the top of your head, if that's correct? If not, you can get that to me later."*

*Mr. Durham said, "We'll provide that to you later."*

*Commissioner Ranzau said, "Okay. Thank you, that presumably, I presume, would go away. So, anyway, thank you."*

*Chairman Howell said, "Alright. Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Well, thank you, I wanted to give a, express my appreciation, because I know there's a lot of other folks in finance besides Chris and*

*Rick, who played a big part. I'll go down to Lindsay and Sara and I know some other folks without going through the entire Finance Department roster, but I appreciate all the hard work and the excellent information here. I think it's important for the public to understand, frankly in, a lot of ways these quarterly financial reports and the yearend one, that comes will be here early in 2017, I think, are many ways the best tool for understanding county finances and I'd be remiss, you didn't mention anything about the county overall balance sheet, Rick. I guess, maybe you're saving that for the yearend report, but it doesn't give me the chance to ask my depreciation question that I always do, in terms of how the county's overall balance sheet has changed in terms of our assets, because we do include depreciation there on that balance sheet.*

*"That's an important distinction between a public entity like Sedgwick County and the private sector. I'd be, give you the opportunity to respond on those comments and once again express my appreciation, because I see a lot of finance folks out there in the audience, for the hard work that they go into to provide this report and give us this data that may be a little dry and a little bit green eye shadish, but I think it's absolutely vital to understand where Sedgwick County is financially as of the end of the third quarter of 2016."*

*Mr. Durham said, "Well, Commissioner, we would have been disappointed had you not asked the question about depreciation. Sorry, if I sound flip."*

*Chairman Howell said, "Alright. Well, I appreciate the comments about the rest of the staff. I know they also continue to add a lot of value to this report, and they do a tremendous job. So, thank you for all you do, in the Finance Department as well. I would like to go to the audience is there anybody in the audience that would like to speak on the agenda item this morning? Seeing none, Commissioner Peterjohn."*

*Commissioner Peterjohn said, "Well, I would also be remiss, we mentioned Brandi Baily's and beating the average on the market by 20 basis points and zero interest rates, is a significant achievement and does deserve some public attention. I know it may be pretty obscure when you get to start talking about interest rates and basis points, but it is a significant number in this report as far as I'm concerned. Thank you. No comments needed."*

*Mr. Durham said, "Thank you, Commissioner."*

*Chairman Howell said, "Seeing no other comments."*

#### **MOTION**

*Chairman Howell moved to receive and file.*

*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>

*Mr. Durham said, "Thank you, Commissioners."*

*Chairman Howell said, "Thank you very much, next item, please."*

**Received and Filed**

T      [16-750](#)

**REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR  
MEETING ON NOVEMBER 9, 2016.**

Presented by: Joe Thomas, Director, Purchasing.

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

*Mr. Joe Thomas, Director of Purchasing Department, greeted the Commissioners and said, "The meeting of the Board of Bids and Contracts that we conducted on November 9th results in four items that we bring to you this morning:*

**1. EXTRICATION TOOLS - SEDGWICK COUNTY FIRE DISTRICT #1 (SCFD)**

*"Recommendation is to accept the responsive bid from Okie Extrication in the amount of \$22,340 and establish contract pricing for one (1) year with two (2) one (1)-year options to renew.*

**2. IT INFRASTRUCTURE UPGRADE SOLUTION - DISTRICT COURT  
INFORMATION TECHNOLOGY (DCIT)**

*"Recommendation is to accept the quote from Ramsey Storage Solutions for initial purchase of \$47,780 and establish annual maintenance and support pricing at the estimated rates listed for years two (2) through five (5) for an estimated grand total of \$71,516.*

**3. ON-CALL PRESS PRINTING SERVICES - OPERATION SUPPORT SERVICES**

*"Recommendation is to accept the bid from City Print, Incorporated at the rates listed for one (1) year with four (4) one (1)-year options to renew.*

**4. ON CALL HVAC SERVICES - FACILITIES DEPARTMENT**

*"Recommendation is to accept the bid from Dean E. Norris, Incorporated at the rates listed and to establish contract pricing for one (1) year with two (2) one (1) year options to renew.*

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

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

**MOTION**

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

*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. Thomas said, "Thank you."

**Approved**

16-749

Resolution authorizing the establishment of a speed zone on 127th Street East between the south city limits of Wichita and 31st Street South (837-s 1/2 S) in Sedgwick County, Kansas, and providing for the enforcement thereof. District 5.

Presented by: Justin Waggoner, Assistant County Counselor.

*Chairman Howell said, "Thank you, very much. I'm going to deviate from the agenda for just a few minutes, here. I've got an item that I wanted to be on this agenda and I apologize for not catching this. Sometimes it's hard to notice something missing on the agenda. I very much intended to have this on the agenda, but I failed to recognize that it wasn't there. I requested about the 29th of October, an item that we have a resolution prepared to lower the speed limit on 127th Street East. So, I would like to discuss this with my colleagues and so, at this time, I'd like to make a motion we would insert an item regarding the speed limit on 127th Street East into the agenda at this time."*

MOTION

*Chairman Howell moved to insert an item regarding the speed limit on 127th Street East into the agenda.*

*Commissioner Ranzau seconded the motion.*

*Chairman Howell said, "Any discussion on inserting this into the agenda. Counselor."*

*Mr. Eric Yost said, "For the record, there is actually an item that has been prepared and handed out. You're talking about the resolution."*

*Chairman Howell said, "Yes."*

*Mr. Yost said, "We do have a resolution prepared in that respects."*

*Chairman Howell said, "It is a resolution that is prepared and I'd like to discuss it with my colleagues, here so."*

*Mr. Yost said, "I'm just making sure the record is clear."*

*Chairman Howell said, "Very good, thank you. So, we have a resolution that is prepared for us to discuss, seeing no other discussion, Madam Clerk, please call the vote."*

VOTE

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

Chairman Howell said, "Let me go ahead and get into this a little bit, let me explain. Southeast High School has opened this September, actually I guess the end of August it opened up. It's a new high school out in my district and I've been very sensitive to the traffic flow around that school, because we're just trying to get used to how it's going to work and as part of our paving program, we did, as a county, make a decision to pave the south half of 127th Street between Pawnee and 31st Street and that has been done and it's a great road, and I'd like to say thank you to our public works folks for doing such a great job on that road.

"The school did open up, it's a beautiful school, the community has really been trying to get used to the traffic flow around that school. We've discovered that, I've talked to a lot of folks about this, but we've discovered the speed limit on that south end of that mile section, that mile road, basically the area that we paved has become a bit of a problem. People are leaving the school, and they're traveling 55 miles per hour as they leave the parking lot. It's only a half mile from there to 31st Street South. I've driven that a number of times and I feel that the speed is excessively high and I'm concerned about the safety of the students who are in that school.

"It is a concern of mine and has been suggested that we match the speed limit on the north end, which I believe is 40 miles per hour and so what I wanted to do, rather than have this rollercoaster effect where people would speed up and slow down for a short distance and trying to establish an additional element of safety for these students, I would like to see this simplified and have one speed limit for that mile section of road.

"So with that, I've had our County Counselor prepare this resolution, again, it was my intention to have this on the agenda. I would ask my colleagues if they have any questions or concerns about taking this up right now and considering this. I have a couple of other questions, I guess, for staff as well. I'd like to ask my colleagues if there is anything about this at this time that you would have caution about doing this right now versus the end of this month. We could push this off very easily, 16 more days and do this on the 30th of this month, if you felt like that's prudent and necessary. We can certainly make that choice to just push this off until the 30th of this month, but if you feel comfortable going forward, I would like to consider that at this time. Any comments or questions regarding taking this up now versus delaying it? Alright. Commissioner Peterjohn."

Commissioner Peterjohn said, "For you, Mr. Chairman, since this is in your district, I have received some copies, some e-mails directed to the entire Commission seeking to have this speed limit reduced to 40 miles per hour. Have you received any communications from any of your constituents seeking to keep it at its current level?"

Chairman Howell said, "No, I've not. In fact, thank you for the question. I've received a fair amount of e-mail and phone calls, regarding citizens in the community being concerned about the speed limit. We've made a number of changes around the school, including changing from two way to four way stops, enlarging stop signs, we've added the next school over, which Christa McAuliffe School. We added a speed zone over there that has electronic flashes for parts of the day. I guess, just to answer your question, I've not received anyone who has been, that has said they really want the speed to stay at 55 miles per hour. I've had a number of people who said they want it reduced. That's just a simple answer, so."

Commissioner Peterjohn said, "Thank you."

Chairman Howell said, "I know this is a little unusual to take up an off-agenda item, and I don't want to do something if people have any concerns or cautions about it. I really believe there is a safety concern around the school. These students are, a lot of them do drive to school. A large number of them do go south to 31st Street and the people who live along that road or have concerns. So, I would like to go ahead and make a motion we would adopt this resolution, authorize the establishment of a speed zone on 127th Street East between the south city limits of Wichita and 31st Street south, that's 837 ½ south, I not sure exactly what that number means there, Mr. Spears, but there is a number on the resolution that says 837 dash S, one half S in Sedgwick County Kansas in providing for the enforcement thereof in District 5. So, I make that motion at this time."

MOTION

Chairman Howell moved to adopt this resolution, authorize the establishment of a speed zone on 127th Street East between the south city limits of Wichita and 31st Street South, that's 837 ½.

Commissioner Ranzau seconded the motion.

Chairman Howell said, "I know the audience didn't have a lot of notice on this, is there anybody who here that would like to speak on this agenda item this morning? Mr. Spears, any comments you want to make before we go forward?"

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "I just want to point out for the record we did not do an engineering study on that. It doesn't by statute, you don't really have to on a speed limit. It doesn't bother us as much going, you know, reducing it as it would as if you were going to increase it. So, that part, okay, but I don't want to point out we do have schools in this county that have a 55 miles per hour speed limit by them, for example Eisenhower High School over on 167th, that's near Goddard, that's a 55 miles per hour zone. The other thing, if I think if you ask any person who, not any person, but people who live along the road, most of them would want the speed limit lowered. If you ask the people who drive the road, they like the speed limit high. So, I know you're hearing from these constituents now, and this is fine, but I think after this is done, you may start hearing from some other constituents on the other side of that coin, but there is always two sides to every story."

Chairman Howell said, "I understand. Thank you for your comments, appreciate that. Other comments. Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes. If I could, question for Mr. Spears. On the case of Eisenhower High School, that between, on the west side of the street it's in the City of Goddard, on the east side of the street where, even though it's a part of the Goddard School District it's inside the boundary of the City of Wichita. I believe they do have a reduced speed limit during school hours in front of the school and if you could talk for a minute, Mr. Spears, in terms of how that works and how that's set and how this might apply, if it would be similar or different."

Mr. David Spears said, "I don't recall, I don't believe it's a reduced speed limit. There are flashing lights there that said to be careful when the lights are flashing."

Commissioner Peterjohn said, "So it's just a flashing speed limit."

*Mr. David Spears said, "Yes, it's a flashing beacon and those flash at the times that people are coming to school or leaving school, the rush hours, that's when those are flashing, but the speed limit is 55, but it says use caution when those lights are flashing."*

*Commissioner Peterjohn said, "Thank you."*

*Chairman Howell said, "Let me ask another question on that. Is there an entrance to the student parking lot from the road that has 55 miles per hour?"*

*Mr. David Spears said, "Yes, there are two, yes, that's where the students come out. It's a drive that comes on to 167. There are two of them and both of those drives come around to the parking lot."*

*Chairman Howell said, "Okay, is the entire mile section, 55 miles per hour?"*

*Mr. David Spears said, "Hmm, we have a signal at both ends, I can't recall the north end, but most of it is 55."*

*Chairman Howell said, "Most of it."*

*Mr. David Spears said, "We went through this a little bit in Commissioner Ranzau's district up on Valley Center High School, also and had a lot of studies done there. The other thing people have to realize is the kids driving, that's not the only mile road that they drive. They drive other miles of road and they have to become aware of how to drive all the miles, whether they're 55 or 40 or whatever. So it's not just that mile in front of their school that they're driving. Like I say, there's a lot of arguments both ways."*

*Chairman Howell said, "I understand that. Again, I'm pretty familiar with the traffic flows around the school, and I would say, that the majority of people who go up and down 127th, right there are trying to access the school. If they're trying to go into Wichita, that's probably not a road they would take. Anyway, I know this is anecdotal and I apologize for not having engineering to back it up. I believe as I've driven this, it does make sense to me, this is an area I'm concerned about and I've received enough comments from the community that I believe, it's time for us to do something about it, and again, waiting 16 more days in my opinion, is not desirable and I don't know that we would have a different necessarily have different engineering information at that time if we were to do this on the 30th of this month. So with, that I have a motion and a second. Any final discussion? Madam Clerk, please call the vote."*

**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. Thank you, everyone. Appreciate your consideration for an off agenda item today. Madam Clerk, next item, please."*

**Approved**

**CONSENT**

*Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I recommend you approve Consent Agenda items Uniform through Alpha Bravo."*

**MOTION**

*Commissioner Ranzau moved to approve the Consent Agenda.*

*Commissioner Unruh 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 do have a Fire District meeting this morning. So I'm going to go ahead and at this time, I'm going to recess the special meeting of the Board of County Commissioners and call to order the Governing Body, special meeting for Fire District No. 1 for November 14th, 2016."*

*The Board of County Commissioners recessed from 11:45 a.m. and returned at 11:47 a.m.*

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

**Approved**

- U**     [16-714](#)     Agreement relating to the Law Enforcement Training Center by and between Sedgwick County, Kansas, the City of Wichita, Kansas, and the Wichita State Innovation Alliance, Inc.  
**Approved on the Consent Agenda**
- V**     [16-727](#)     Agreement with the City of Mulvane for the Metropolitan Area Building and Construction Division to Perform Building, Electrical, Mechanical and Plumbing Code Inspection Services.  
**Approved on the Consent Agenda**
- W**     [16-742](#)     A Resolution Temporarily Suspending A Cereal Malt Beverage License - Sedgwick County Zoological Society, Inc.  
**Approved on the Consent Agenda**
- X**     [16-691](#)     Amendment to the Annual Affiliation Agreement with Day by Day Staff Relief Inc. dba Encompass Private Duty of Kansas.  
**Approved on the Consent Agenda**
- Y**     [16-731](#)     Change to COMCARE's current staffing table.

**Approved on the Consent Agenda**

- Z**     [16-735](#)     Increase staffing table at the Treasurer's Office.  
**Approved on the Consent Agenda**
- AA**    **16-720**     Payroll Check Register for the October 29, 2016 payroll certification.  
**Approved on the Consent Agenda**
- AB**    [16-721](#)     General Bill Check Register for November 2, 2016 to November 8, 2016.  
**Approved on the Consent Agenda**

**LEGISLATIVE ISSUES**

*Chairman Howell said, "Commissioners, do we have any discussion for legislative issues this morning? Mr. Counselor, Mr. Manager? No. Alright, we'll go ahead and go on, next item, please."*

**OTHER**

*Chairman Howell said, "Commissioners, any comments for other this morning? Commissioner Unruh."*

*Commissioner Unruh said, "Thank you, Mr. Chairman. I just want to take the opportunity to let the citizens of our county know how impressed I was on my visit to Northeast Magnet High School. I had the opportunity to follow a principal around from 6:45 in the morning until 11 in the morning. They start early out there, the kids have to show up at 6:45 and start class at 7:00, which was earlier than when I went to high school. But Matt Creasman, the schools Northeast Magnet, which is in Bel Aire, I just, I don't think I can adequately express how impressed I was with the principal, who seemed to know every kid in the building, with the teachers who every class I visited were engaged, seemed to be on target, the kids were listening and with the students themselves who were, you know, they're just high school kids, but they seemed to be respectful of one another and paying attention in class. It was just pretty, I just was really impressed and of course, the building itself is a magnificent new building, not quite as big as the Southeast school that we were just talking about, but a similar facility. But I was, as you can tell, I was very impressed, so just kind of want to give a shout-out to Mr. Creasman and all of his staff and kids at Northeast Magnet."*

*Chairman Howell said, "Alright. Thank you, Commissioner Unruh. Any other comments for other? I'd like to just say I recognize that Colonel David Dennis is with us this morning as well as Brigadier Michael Scholes and we just had Veterans Day. I'm not sure who else is in the room. I'm not sure who else is in the room that has military services, is there others? Tom Golden, thank you for your service as well. I appreciate Colonel Golden. Is that correct, Colonel? Master Chief. Is that correct? Okay, Master Chief Golden, thank you for your service as well. Commissioner Ranzau, of course, is a veteran, so I want to appreciate him as well. Rick, are you a veteran?"*

*Mr. Durham said, "Yes, sir."*

*Chairman Howell said, "Yes, sir. Well, thank you for your service. I'm looking around the audience. Who else is? I know, I mentioned Colonel Dennis already, thank you*

very much. Lonnie are you a veteran?"

Mr. Wright said, "Five years, Army infantry."

Chairman Howell said, "God bless you, thank you very much, appreciate you very much. A tremendous time to celebrate our freedom and thank you for veterans. I'm grateful I was also able to serve for I think, right at five years, tremendous experience, it changed me. So I want to say thank you to all the veterans for making our freedom possible.

"In that line, I wanted to say thank you to our election workers, because we had a tremendous challenge ahead of us with the presidential election, and they did a great job. The hiccups were small, and the process was smooth, so thank you to our election workers for all they did and along that line, I'd say anybody who is interested in this, we have an open meeting on Thursday and it starts at 8:30 a.m., at the [Sedgwick County] Historic County Courthouse, just across the street to the east of where we're at now. This time, the canvassing it's supposed to be on the third floor, of the Historic [Sedgwick] County Courthouse, which is a new location for me, at least. Canvassing will be on the third floor at the Historic Courthouse 8:30 this Thursday, I believe, November the 17th is the date. So I'd like to encourage anybody interested in that, you're welcome to come on out and participate, watch what goes on and see how that's done, glad to have you there. Commissioners, any other comments? Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. You, kind of, took away some of my comments related to the election and to the fact that actually the electoral process is not completed until we end up, basically going through all of the provisional ballots and contested ballots of one sort or another, and it's a huge challenge. The work of the Election Commissioners Office for completing this year's election is far from finished and then of course the certification we provide has to go up to the state and the state has to certify it, too. The Electoral College won't meet for Kansas casting their six votes for President and Vice President until later on in December. I'm trying to remember the exact date. It's well into next month, but so there's still a number of milestones between now and the completion of the electoral process and of course, the finish line isn't complete until obviously all the state totals are sent in to congress and they have an official counting of the ballots and make sure that that there aren't at least 270 votes cast for President and Vice President, the election would then go into congress, but it doesn't appear that that's going to happen, but the election process details still have to be completed, and Sedgwick County will be doing their parts during Thursday morning. It is a public meeting, and I appreciate your comments, Mr. Chairman, because it is something that is important in the electoral process."

Chairman Howell said, "Thank you, Commissioner Peterjohn, for your comments. Any other comments for other? All right. Madam Clerk, next item, please."

## **EXECUTIVE SESSION**

Chairman Howell said, "Commissioner Ranzau."

### **MOTION**

Commissioner Ranzau moved to that the Board of County Commissioners recess into executive session for 30 minutes to consider consultation with attorney for this Commission, to consider which would be deemed privileged in the attorney-client relationship and matters related to employer, employee negotiations and that the

*Board of County Commissioners return to this room from executive session no sooner than 12:24. The executive session is required to protect the privacy attorney client privilege and the public interests and protect the county's financial interest and right to the confidentiality of its negotiation."*

*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, "Thank you, now we will move to executive session we will be back at 12:24."*

*The Board of County Commissioners recessed into Executive Session at 11:54 a.m. and returned at 12:31 p.m.*

*Chairman Howell said, "Alright, everyone thank you for coming back, I am calling us back to order for special meeting of the Board of County Commissioners, no binding action was taken during the executive session and with that, I think we are at the end of our agenda. Does anyone have anything we need to bring up before we adjourn? Mr. Manager anything else? Mr. Counselor? Commissioners, anything else? Seeing none. We are adjourned."*

**Approved**

**ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 12:31 p.m.*

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

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*JAMES M. HOWELL, Chairman  
Fifth District*

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*RICHARD RANZAU, Chair Pro Tem  
Fourth District*

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*DAVID M. UNRUH, Commissioner  
First District*

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*TIM R. NORTON, Commissioner  
Second District*

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*KARL PETERJOHN, Commissioner  
Third District*

*ATTEST:*

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*Kelly B. Arnold, County Clerk*

*APPROVED:*