

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



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Meeting Minutes

Wednesday, March 1, 2017

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

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

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

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

ORDER OF BUSINESS

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

March 1, 2017

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:05 a.m. on March 1, 2017 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro-Tem Commissioner Michael B. O'Donnell; Commissioner David Dennis; Commissioner Richard Ranzau; Commissioner James M. Howell; Mr. Michael Scholes, County Manager; Mr. Thomas Golden, Deputy County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Caption David Mattingly, Sheriff Department; Mr. Michael Borchard, County Appraiser; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kara Kingsley, Purchasing Buyer, Finance Department; Mr. Jon Von Achen, Assistant County Counselor; Ms. Kate Flavin, Public Information Officer; Ms. Heddie Page, Deputy County Clerk.

GUESTS

Lieutenant Travis Rakestraw, EMCU Commander, Wichita Police Department

Chairman Unruh said, "Reverend Johnston, thank you for being here today, appreciate it. Next item."

CALL MEETING TO ORDER

INVOCATION: Rev. Brent Johnston, First Presbyterian Church.

FLAG SALUTE

ROLL CALL

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

PUBLIC AGENDA

Chairman Unruh said, "I haven't been given notice of anyone who speaks on the public agenda today. So see no one asking to speak. So Madam Clerk, next item."

CONSIDERATION OF MINUTES

- A** [17-231](#) REGULAR MEETING MINUTES OF FEBRUARY 1, 2017.
Commissioner Howell was absent.
Action for this item was taken with Item B.

B [17-240](#) REGULAR MEETING MINUTES OF FEBRUARY 8, 2017.
All Commissioners were present.

MOTION

Commissioner Howell moved to approve the minutes of February 1, 2017 and February 8, 2017.

Commissioner Howell, thanked the Chairman and said, "I would like to make a point, I was absent on the first of those meetings, but I have watched the meeting on YouTube numbers of times, reflected on that quite a bit. So I am confident what's in that meeting and those minutes as well. So I would like to make that motion."

Chairman Unruh said, "Thank you, is there a second?"

Commissioner O'Donnell seconded the motion

Chairman Unruh said, "Thank you, Madam Clerk, call the vote."

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

Chairman Unruh said, "Next item, please."

Approved

NEW BUSINESS

C [17-229](#) MEMORANDUM OF UNDERSTANDING REGARDING THE
WICHITA/SEDGWICK COUNTY EXPLOITED AND MISSING CHILD
UNIT (EMCU).

Presented by: Captain David Mattingly, Sheriff's Office.

RECOMMENDED ACTION: Approve the Memorandum of Understanding and authorize the Chairman to sign.

Captain David Mattingly, Sheriff's Office, greeted the Commissioners and said, "You have before two separate agenda items pertaining to the Exploited and Missing Child Unit (EMCU). The first the renewal of the memorandum of understanding between the three entities that make up the unit, the Wichita Police Department (WPD), Sedgwick County Sheriff's Office and Department of Children and Families (DCF). This is a renewal of the annual MOU (memorandum of understanding), there are no significant changes and funding has remained the same. The Sheriff's Office continues to have budgetary oversight and personnel costs continue to be paid by each of the contributing organizations respectively. To provide a little more detail of the daily operations of EMCU (Exploited and Missing Child Unit) is Lieutenant Travis Rakestraw of the Wichita Police Department. Lieutenant Rakestraw is the Commander of EMCU."

Lieutenant Travis Rakestraw, Commander of EMCU, Wichita Police Department, greeted the Commissioner and said, "As Captain Mattingly said this is a cooperative effort between the three organizations. The Wichita Police Department, Sedgwick County Sheriff's Office and Department of Children and Families and together we work as a team to investigate all cases of child abuse within Sedgwick County.

"Now child abuse is a very broad term. We investigate physical abuse, sexual abuse, human trafficking, abandonment, neglect, endangerment, runaways, it's quite an ordeal. We have been in existence for over 30 years, now. Now today with our partner agency the Child Advocacy Center of Sedgwick County (CAC), we work as a team. We are a model not only for the State of Kansas, but actually across the country on how to investigate these crimes and provide the best possible services to our victims and our families, so they can begin to overcome the trauma inflicted by these crimes.

"Just some numbers from 2016, we investigated 573 law enforcement cases in regards to sexual, abuse against children, 766 law enforcement cases in regards to physical abuse, abandonment, neglect, those types of cases against children. We investigated 1,776 runaways in Sedgwick County and from DCF we investigated 1,563 intakes that came in through the Department of Children and Families. So it keeps us very busy, we appreciate all your support and again we, we are looking to update the MOU between the three agencies, so we can continue the work that we do."

Captain Mattingly said, "Commissioners, that's all we have at this time. We request your approval, if you have any questions we would be happy to answer them."

Chairman Unruh said, "Alright. Well, thank you for that presentation and we're very supportive of the Exploited and Missing Children Unit and the work that you all do. I think it's, it's a good example for other agencies of how cooperation can be beneficial, we can leverage our assets, and our skills between the different agencies that are involved and make this really successful. But it's really, it's almost a requirement that you all work together in order to handle the volume of cases that you have. I tried to add that up quickly as you were giving me those numbers, but it seems like it is approaching 5,000 cases that you all have to handle from one category or another, but I think we've all mentioned at one time or another it's too bad that we have to have this agency, it's too bad that this evil exists in our community. But we are grateful that we can work with others who are skilled and others who care to bring some sort of resolution to it. So we appreciate the work that you all do and I hope you carry that message back to the rest of your colleagues."

Captain Mattingly said, "Absolutely, we appreciate your continued support."

Chairman Unruh said, "Commissioners, what is the will of the board?"

MOTION

Commissioner Ranzau moved to approve the Memorandum of Understanding.

Commissioner Dennis seconded the motion.

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

VOTE

Commissioner Dennis Aye
Commissioner Ranzau Aye
Commissioner Howell Aye
Commissioner O'Donnell II Aye
Chairman Unruh Aye

Chairman Unruh said, "Next item, please."
Approved

D [17-230](#)

AMENDMENT OF A CONTRACT WITH THE KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES TO FUND ONE-THIRD OF THE COST OF THE EXPLOITED AND MISSING CHILD UNIT FOR CALENDAR YEAR 2017.

Presented by: Captain David Mattingly, Sheriff's Office.

RECOMMENDED ACTION: Approve the amendment and authorize the Chairman to sign.

Captain Mattingly said, "I'm still here, Commissioners. The Department of Children and Families requires a separate contractual agreement to go in conjunction with memorandum of understanding that was just approved. You have before you this document, which state that each of the three entities will be responsible for one-third of the costs associated with running the unit and what the budgetary authority is. Each entity's commitment will be \$41,613 for 2017. I am happy to answer questions that reference that document."

Chairman Unruh said, "Alright. Thank you, I think this is pretty straight forward. Commissioners, are there any questions or comments? Seeing none, what's the will of the board?"

MOTION

Commissioner Dennis moved to approve the amendment.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner Dennis Aye
Commissioner Ranzau Aye
Commissioner Howell Aye
Commissioner O'Donnell II Aye
Chairman Unruh Aye

Chairman Unruh said, "Captain Mattingly and Lieutenant Rakestraw, thank you, appreciate it."

Captain Mattingly said, "Thank you."

Chairman Unruh said, "Next item, please."

Approved

E [17-168](#)

**PRESENTATION OF THE APPRAISER'S ANNUAL REPORT OF REAL
PROPERTY VALUE TRENDS IN SEDGWICK COUNTY**

Presented by: Michael S. Borchard, CAE, RMA, County Appraiser.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Mr. Michael Borchard, County Appraiser, greeted the Commissioners and said, "The purpose of this report is to convey to you some of the real estate activity that occurred in 2016 and the impact it had for 2017 appraised values in Sedgwick County.

"I just wanted to quickly review the Appraiser's Office primary duties, one is to physically inspect each property within the county at least once every six years. That equates to about 37,000 parcels per year to do an onsite physical inspection and to discover, list and value all property that had significant changes. In 2016, there were 12,700 building permits to review. We also need to update appraisals each year to assure that all properties are valued at fair market value. Requires the inspection of thousands of sold properties, the recalibration of many valuation models and the final review of 220,000 parcels per year. I just want to say hats off to a dedicated Appraiser's Office staff to achieve this over the last year.

"Our appraisers are also required to assign the classification, the appropriate classification, based on the use of the property. The Kansas Constitution defines the assessment rates based on the use. Valuation approach and use of the property determine the assessment rate, and the assessment rates are multiplied by appraised value to determine the assessed value of property.

"This slide shows the percent of assessed value by classification in Sedgwick County to major property tax residential and commercial make up 88 percent value of the assessed value in Sedgwick County.

"When you include personal property, machinery and equipment and public utility, we are up to 98 percent. The Appraiser's Office is still responsible for valuing the rest of the property types, but they make up a fraction of the assessed value.

"Parcel growth in Sedgwick County increased in 2016. The parcel growth occurs when large parcels are subdivided into smaller parcels for development. There was an increase in 2016, showing positive signs for future development, 680 parcels were added.

"This slide shows sales activity for all classes of property, the number of transfers of property continues to increase. This is also an indication of an active real estate market. Sales in 2016 were up eight and a half percent over the prior year. Residential property represents about 56 percent of the total assessed value in Sedgwick County. In 2016, there were 1,025 new dwellings added, new dwelling construction has stabilized at just over a thousand per year. The median sale price of existing homes continues to increase as well and was up about three and a half percent in 2016 to [\$]155,000.

"So when we compare what residential property sold for in 2016 and our January 1,

2016 appraised value the median ratio was about 89 percent. Our preferred ratio is closer to about 95 percent, indicating a need to increase property values for 2017. The result of the revaluation is that 50 percent of residential properties will see an increase in the appraised value for 2017, 47 percent will see no change in value, and 3 percent will see a decrease in value."

Chairman Unruh said, "Michael?"

Mr. Borchard said, "Yes, sir."

Chairman Unruh said, "May I interrupt just a second?"

Mr. Borchard said, "Yes."

Chairman Unruh said, "On residential evaluation results with 50 percent showing an increase in value, we are still at 89 percent appraisal to sales ratio, which, I mean are we slightly under valued according to guidelines we are supposed to adhere to?"

Mr. Borchard said, "That ratio was measuring our 2016 values compared to what's sold in 2016. Fifty percent increase is going to increase those values."

Chairman Unruh said, "Okay, so we will get closer to what our requirement is."

Mr. Borchard said, "Correct."

Chairman Unruh said, "Okay, thank you."

Mr. Borchard said, "Move on to commercial property. Commercial property represents about 32 percent of the total assessed value in the county. The volume of commercial property sales has been stable over the last few years, in 2016 there was 588 commercial property transfers, commercial building permit activity has also stabilized and 2016 there was 1,232 commercial building permits.

"When we compared what commercial properties were selling for at our 2016 values the ratio was typically less than 90 percent. So the results of the 2017 commercial revaluation was that 37 percent of commercial parcels saw an increase in value, 42 percent saw no change in value and 21 percent saw a decrease in value.

"Sixty-seven percent of land in Sedgwick County is still devoted to agricultural use that represents less than one percent of the total assessed value. While the Department of Revenue sets the ag (agriculture) use values for the whole state, our appraisers do determine the use of the property, whether it is cultivated land, pasture and if it is cultivated whether it is irrigated or not, and then determine well depths and irrigation rates. The results of the agriculture valuation is that 65 percent will see an increase in value, 34 percent will see no change in value and 1 percent will see a decrease in value."

Chairman Unruh said, "Once again, let me interrupt. That increase in value for ag property, is that on just the crop land does that include the residents, barns and all that?"

Mr. Borchard said, "That's just the land devoted to ag use."

Chairman Unruh said, "That formula, that is is primarily formula from the state? Is that correct?"

Mr. Borchard said, "Correct."

Chairman Unruh said, "Okay."

Mr. Borchard said, "Yes. It's a complicated, modified income approach that uses the landlord share, the net income, and uses an eight year average and it saw a pretty significant increases this year, as well."

Chairman Unruh said, "Well, its 65 percent, is a great potential for us to have our phones ring at the County Commission. So, just trying to figure that out. Commissioner Dennis."

Commissioner Dennis, thanked the Chairman and said, "Well, I just, kind of, curious about that 65 percent increase when crop values are pretty well five, six ..."

Mr. Borchard said, "Yeah."

Commissioner Dennis said, "Ten year low."

Mr. Borchard said, "It's part of the eight (8) year average, we're, some some good years are coming on in the rears and currently it's not that good, so."

Commissioner Dennis said, "So as working an average you're expecting this to start going down in the future years, because crop prices have been down for the last couple of years."

Mr. Borchard said, "That is correct."

Commissioner Dennis said, "And if any of our land owners out here are getting ready to sell it, I guarantee they are selling it for less than they were a couple of years ago."

Mr. Borchard said, "Understood, yep."

Commissioner Dennis said, "Okay, thank you."

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

Mr. Borchard said, "Okay."

Chairman Unruh said, "Do we have another, I'm sorry. Commissioner O'Donnell."

Commissioner O'Donnell, thanked the Chairman and said, "Mike, when we, when we say 65 percent having an increase, do you know the average increase would be on Ag, because are you talking a few dollars or is this a substantial amount of money?"

Mr. Borchard said, "Well, the next slide shows the next that the typical increase for for Ag parcels was, was eight (8) percent."

Commissioner O'Donnell said, "Okay."

Mr. Borchard said, "The typical increase for residential was four (4) percent and the

typical increase on commercial properties was five (5) percent.”

Commissioner O'Donnell said, “Okay, thank you.”

Chairman Unruh said, “Okay, thank you.”

Mr. Borchard said, “Just want to quickly review some of the key dates on the property tax calendar. January 1 was our appraisal date and today (March 1, 2017) is the date required to mail the valuation notices. March through May we're going to finalize personal property valuation, once the informal hearings are complete we're going to certify the appraisal roll to the County Clerk on June 1 and then budgets are determined, and tax rates calculated by November 1. So we are only mailing value notices to properties that saw a change in value or change in classification. About 51 percent of properties in Sedgwick County will receive a valuation notice.”

Chairman Unruh said, “Michael, that goes to those whose value goes up or down?”

Mr. Borchard said, “Yes.”

Chairman Unruh said, “Okay.”

Mr. Borchard said, “Yes.”

Chairman Unruh said, “Thank you.”

Mr. Borchard said, “So how do you access your value notice if your property value didn't change or your classification didn't change? Beginning today you will be able to go to the website, our Sedgwick County website and you may search for and pull your property up and the value notice will be available there. You can print the notice on the website and it will also include instructions on how to file an appeal.

“So if property owners do not think their values reflect fair market value, they can fill out the back of the value notice and return it to the Sedgwick County Appraiser's Office within 30 days of the indicated date on the front of the notice, which should be March 1. We will begin our appeal meetings beginning March 21st.”

“It's important to remember that the County Appraiser is required by law to value property in a uniform and equal manner and should not be considered an adversary. An increase in value does not necessarily result in an increase in taxes. The revenue needed for local services is set during budget hearings in August. Increases or decreases in property values do not change the amount of tax dollars needed for local services. There was certain legislation in 2016, which restricts cities and counties to limit revenue without an election.

“So property owners want to research their property they can always come visit us at our information assistant division at 4035 East Harry and again the website contains lots of good information for the appeals process, you can research property values and property sales. I will stand for any questions and I would ask you to receive and file the report.”

Chairman Unruh said, “Well, thank you Mr. Appraiser we will do that. I had a question, do you know approximately how many residential protests, a percentage or so that you

receive each year? Is that going up or down or staying stable?"

Mr. Borchard said, "It's been very stable, around one percent."

Chairman Unruh said, "Only about one percent."

Mr. Borchard said, "Yeah."

Chairman Unruh said, "Okay. Alright. Well, thank you for the report. Commissioners, are there any comments or questions? If not, is there a motion to receive and file?"

MOTION

Commissioner O'Donnell moved to receive and file.

Commissioner Dennis seconded the motion.

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

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

Chairman Unruh said, "Well, County Appraiser Michael Borchard, thank you."

Mr. Borchard said, "Thank you."

Chairman Unruh said, "Next item, please."

Received and Filed

F [17-225](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON FEBRUARY 23, 2017.

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 of February 23rd results in six items that we bring to you this morning:

1. COLD MIX ASPHALT PLANT -- PUBLIC WORKS

"On the recommendation of KristenMcGovern, on behalf of Public Works, Jennifer Dombaugh moved to reject all proposals.

2. ELECTRONIC POLL BOOKS - ELECTION OFFICE

"On the recommendation of Kim Bush, on behalf of the Election Office, Linda Kizzire moved to accept the proposal from KNOWiNK LLC and establish contract pricing for

items listed above for seven (7) years.

3. LOBBY GUN LOCKERS - OPERATIONS SUPPORT SERVICES

"On the recommendation of Kim Bush, on behalf of Operations Support Services, Linda Kizzire moved to accept the low bid from Specialty Contractors, Inc. in the amount of \$63,492.00. The approval of this item I would like to point out is contingent on the CIP (Capital Improvement Plan) amendment for this, which is item L on today's Consent Agenda.

4. BRIDGE IMPROVEMENTS (B475) - PUBLIC WORKS

"On the recommendation of Kristen McGovern, on behalf of Public Works, Jennifer Dombaugh moved to accept the low bid from Mies Construction, Inc. in the amount of \$285,830.92.

5. VENDING MACHINE SERVICES FOR ADULT DETENTION FACILITY - SHERIFF'S OFFICE

"On the recommendation of Kristen McGovern, on behalf of the Sheriff's Office, Tim Kaufman moved to accept the bid from Premier Food Service and establish contract pricing for (3) three years with (2) two (1) one year options to renew.

6. PUBLICATION OF LEGAL NOTICES - VARIOUS COUNTY DEPARTMENTS

"On the recommendation of Kara Kingsley, on behalf of various county departments, Jennifer Dombaugh moved to accept the proposal from The Wichita Eagle and establish contract pricing for three (3) years, 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 the items."

Chairman Unruh said, "Alright. Thank you, Joe, I think perhaps there might be some discussion on the bid board items. Commissioner O'Donnell."

Commissioner O'Donnell, thanked the Chairman and said, "Thank you very much for coming today and talking to us about this, Mr. Thomas. My question is, on number six (6) on the legal notices it looks like you chose the most expensive option that there was and normally with bids that's not what you do. Is that correct?"

Mr. Thomas said, "Since this is a proposal, sir. This isn't handled the same way as a bid, you are right. A bid is the low price meeting the specifications, but this proposal allows us to evaluate several criteria. One of those, of course, was a number of time it's published, the frequency, the number of subscribers and so there was a list of criteria that was used in evaluating, which allows us to pick something other than just strictly cost."

Commissioner O'Donnell said, "Okay, well thank you for answering that. Obviously there is state law and statute, it's antiquated it says that you must publish legal notices in a newspaper, somewhere in your jurisdiction. There has obviously been a lot of legislation that has challenged that over the years, because would you agree, Mr. Thomas, that people have more access to the internet now than newspapers in their home on a daily basis?"

Mr. Thomas said, "I don't know if I am an expert enough to say. It seems like the trend is, yes you're right, online more people, I think generationally it depends the type of method they use."

Commissioner O'Donnell said, "Do you know if this would still allow, will Sedgwick County be publishing this on our own website?"

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "We do publish it on the web, we do publish it and it is also on our app."

Commissioner O'Donnell said, "So it's on our website and our app?"

Mr. Scholes said, "Correct."

Commissioner O'Donnell said, "Okay. So..."

Chairman Unruh said, "We will continue to do so."

Commissioner O'Donnell said, "We will continue to do so. So people do have, do have access to that, so state law doesn't require us to publish that online, right? It's just, you have to publish in the newspaper."

Mr. Thomas said, "That is correct."

Mr. Scholes said, "Well, for us it is for transparency."

Commissioner O'Donnell said, "Right, I get that."

Mr. Scholes said, "We put it on our app and website."

Commissioner O'Donnell said, "Okay, well thank you very much, that was my question. Just as normally with with these bids, cause it's not even in the, it's not even in the same ballpark as far as dollars, so that was my question. So thank you, Mr. Thomas."

Mr. Thomas said, "Yes, sir."

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Mr. Chairman?"

Chairman Unruh said, "Yes, sir."

Mr. Yost said, "If I can interrupt just for a moment."

Chairman Unruh said, "Please."

Mr. Yost said, "If there are not going to be questions on items one(1) through five (5), I know, six is going to be something we might want to talk about a little bit. Could we vote on one (1) through five (5), we do have someone who, kind of, has a scheduling issue, who is here and needs to catch a plane? So if we could vote on one through five, unless there is any problems with any of those."

Chairman Unruh said, "I think a Commissioner will be happy to make that motion, but I

would also request that we vote on items, on the bid board.”

MOTION

Chairman Unruh moved to approve the bid board items with the exception item three and item six.

Commissioner Howell seconded the motion.

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

VOTE

Commissioner Dennis	Aye
Commissioner Ranzau	Aye
Commissioner Howell	Aye
Commissioner O'Donnell II	Aye
Chairman Unruh	Aye

Chairman Unruh said, “So now Commissioners, shall we talk about the item that we began discussion on, on item number six, which is publication of legal notices. If there is any further discussion on that, now would be the appropriate time. Commissioner Ranzau.”

Commissioner Ranzau thanked the Chairman and said, “Just to clarify, the cost of 2016, was about, almost \$190,000, is that right?”

Mr. Thomas said, “Yes, according, I think it was \$189,973.97.”

Commissioner Ranzau said, “Then, that was with the [Wichita] Eagle.”

Mr. Thomas said, “Yes, sir.”

Commissioner Ranzau said, “Now this year, I mean, their bid was [\$] 132,000, which is like 60,000 almost \$60,000 less. Now, are these numbers based on same amounts that we did in 2016?”

Mr. Thomas said, “Yes, if you, if I believe in our notes last contract, from the Eagle was 65 cents per line, this time it is five cents less, at 60 cents per line. So that would, that’s why there was a reduction in the cost based on the same amount of lines.”

Commissioner Ranzau said, “That five percent reduction or five cent reduction.”

Mr. Thomas said, “Five cent. Yes, sir.”

Commissioner Ranzau said, “This is, that okay, that doesn’t percentage wise doesn’t seem to calculate, but okay. I just want to make sure we’re basing this bid on what we

actually did last year. I mean ..."

Mr. Thomas said, "Well, while we have this discussion, I will have the verification of the numbers."

Commissioner Ranzau said, "Okay. Thank you."

Chairman Unruh said, "Okay, thank you, Commissioner. Commissioner Howell."

Commissioner Howell said, "Thank you, Commissioner, thank you, Mr. Chairman. I just did some calculations on that, it looks like it is about a seven point nine (7.9) percent reduction in there line item rate and if you would take that times what we, what we think spent with them last year, you should have give us about a \$174,000 bid and I think they bid 132,000. So there is the difference between 132,000 and 174,000, would be that difference. So it seems like, either they are expecting to do less adds this year or something, I don't know, that is the difference in those two numbers. So seven point nine percent reduction."

Chairman Unruh said, "It has to be fewer lines."

Commissioner Howell said, "Right and of course, we don't know what our lines will be until we get to the end of the year. So it's based on what we would expect. Mr. Chairman, I do have other comments [inaudible]"

Chairman Unruh said, "Commissioner, I think, Joe has, we will come back to you."

Mr. Thomas said, "It was explained to me that the, if you noticed on the table there was some estimated annual line or quantities that were given by each of the departments. So base what we did was took the actual cost last year and then we asked for what would be the approximate usage for this year. So that may explain part of the reason why there is a bigger difference, if there was a reduction in the amount of lines based on what the department gave you, but that's the numbers you were given."

Ms. Kara Kingsley, greeted the Commissioners and said, "Right, those are just estimates for 2017, it could increase, it could decrease. That was what was what we based our bid on."

Chairman Unruh said, "Okay. Thank you, Joe. Commissioner Howell, you still have the floor."

Commissioner Howell said, "Thank you, Mr. Chairman. I have a number of comments on this. I started discussing this a couple of years ago. I don't know how it came to my attention, but at some point I realized, of course, legal ads is a, I think, as Commissioner O'Donnell said it's kind of, an antiquated requirement in statutes, we do it primarily because we are required to do it by Kansas law and that is fine. It certainly want to be transparent, I do think in the information age, the 21st Century we've got lots of ways to get this date out to people. I agree with the comments of Commissioner O'Donnell, he made just a moment ago.

"But never the less, we do this legal print ad business, because it is required statute. It came to my attention, I don't even know how I, found this, I asked the question a couple of years ago at a staff meeting, but last contract award for this was a sole source bid. I think this time we, I believe we asked Mr., Mr. Thomas, do you know how

many papers we solicited for bids this time?"

Mr. Thomas said, "It went to 43 different vendors or potential vendors."

Commissioner Howell said, "Oh, so you think all 43, 43 will be qualified under state law because they are in the county and"

Mr. Thomas said, "We cast a wide net and then ask the requirements and let them tell us what their circulation and the other requirements were, sir."

Commissioner Howell said, "Well, it is interesting to me, we did get three bids this time and I think that's better. It is interesting even if we went with the recommended selection here of the bid board, it is a reduction of at least seven point six percent, potentially from a \$189,000 down to \$132,000. That's a \$57,000 savings and so competition, I think is good in these bids. I don't know why we only got a sole source bid last time, but that is what happened."

"It used to be, I guess, a long time ago, I don't know the exactly the dates of all this, but the county has used other papers besides the Wichita Eagle in the past. I don't know the years that may of happened, but I would say it happened six years ago or even before the information available on the internet is not nearly, then was not nearly what it is today. If I understand correctly I went and looked at the three websites to see what they do, all three of them do put legal ads online, I believe all three of them have no pay requirement to get access to those legal ads. So that is good, so that's really good, again, transparency, but we also do it on our own website and also through our own app. I believe the Treasurer's Office also for the delinquent taxes even puts it on her own page within the website. So it's at least three places potentially that we're providing access to information about legal ads, one way or the other."

"I handed out some information to my colleagues about this topic. When I was in the legislature, I recognized there was a number of bills that came through the four years that I was there. I looked, again, there was more bills even since I left the legislature, I believe if I have counted correctly, I believe since 2011 there has been seven different bills introduced at least one per year in the legislature, sometimes they passed the committee, sometimes they pass the house, but for whatever reason they don't get quite to the end. I provided a copy of that bill, there is a bill in the works this year, I think it is important to know that. I think, eventually my experience in the legislature when things get introduced year after year, after year, eventually it gets more support, more support and eventually it will pass."

"I think, this is our future, this is going to happen at some point. I don't know when, but I think it does happen. I would point out on the paperwork I have handed out, both to the clerk and my colleagues at least that KAC (Kansas Association of Counties) and the League of Municipalities, the Kansas Association of Counties and the League [of Municipalities] have both come out in favor of House Bill 2247."

"House Bill 2247, actually would eliminate this requirement all together. It allows counties to have a place of record, it could be electronic, on a county website or could be in print. It gives them the option of doing either. It is interesting to me, I did pass out several pieces of information to my colleagues to look at that. The bill is in front of you as well as some of the testimony, one of the pieces of testimony I thought was interesting was and there is a number of things I have given you, but one of the pieces of testimony shows the proponents and opponents of that bill. As I looked at this it doesn't show you on this sheet, it says minutes for House Bill 2247 committee on local

government and there is a lot of people who provided opposition testimony, but as I looked at those, I think every one of them, if not all of them, I am relatively sure most of them and maybe I am wrong a little bit here, I don't know, again I have not taken time to look at every single one of them.

"It looked to me like every one of them was, was a newspaper that opposed this and why would they oppose this, well I think that they and when I was in the legislature I was fully aware that that small town papers opposed this efficiency move in government. Why is that? Well, I think many of these papers depend on those dollars to be infused into their business and they need those dollars to make a profit perhaps, I guess my perspective is, our focus ought to be what's efficient and what is good for the taxpayer and if we need services from the business, we need services from contractors whatever, we look for best deal for the taxpayer and we usually go with them, but we shouldn't be doing things simply to prop up an industry, which I think is the difference between what we do otherwise on the rest of the issues on this bid board.

"For example, and what this bill is trying to provide, there is a better way and many states have gone this direction. Kansas needs to get on board at some point, I think we as a board ought to take a position on House Bill 2247 that we would be supportive of that and if that happens we would save the taxpayers at least, depends on which one of these bids we go with, but at least \$56,000 more and potentially if we go with recommendation of the bid board it would be \$132,000 and potentially \$189, maybe even more, maybe it could be a \$174,000, depends on which calculation you want to look at.

"Let me make a couple of other points here. I thought some of the testimony was really well done. Representative Joe Seiwert, he representative of 101st District, he is a part of the South Central Legislative Delegation (SCKLD), provided some very well written testimony, I have provided a copy to you and I would like to read a couple of things off of his testimony. He makes a couple of points. Well, first of all he makes a point that in that bill, House Bill 2247, that data must be available to the public for free and on any of these websites you can get to the legal ads without having to be a member of that newspaper. They provide access to that for free, it doesn't require any type of subscription to access legal ads on those various websites. So it's available to the general public and that is very important, it's part of what that bill requires.

"I'm not going to read any more about that, but let's go on down. He makes a comment right there in the middle of the page. He says when publishing became required print media was the only thing available at the time.

"I don't know this, I probably should know this, but I don't know how old that statute is, but it is very old, I think, before the internet was even invented this requirement became law. I certainly support, support that requirement in the time that it was written, it makes good sense I would be certainly supportive of it in that regard, but today we have other options. It goes on down to the end of that paragraph it says government agencies already use most of the technology in their day to day record keeping, filing and data storage and backup.

"Again, I would say we are very technology savvy here in Sedgwick County, we provide lots of things that are very transparent and makes great availability. Most recently we just saw from Finance Department a tremendous tool to drill into our finances and we get the greatest understanding on exactly how Sedgwick County spends money. Very transparent, in fact it so much detail it's kind of hard to figure out, you know, where you

really want to go next because there is some many things you can do to drill into the data. I would say we are very, very good at transparency here in Sedgwick County, we are very good at technology, I think we are one of the few counties in the state that has an application to access relevant data for the county government.

“Again on that application on your smart phone you can get access to our legal ads. Joe Seiwert goes on, he says that we need to make easier for government agencies to be in line with what every other business uses, including the publishing industry, the internet and social media. Now, of course, we are doing that everywhere except for where required by law to be antiquated in this regard by printing these ads. Representative Seiwert says I am sure you will hear that this will hide transparency, he says that is wrong and the reason he says that is because this bill will make transparency much easier for everyone to access public legal notices.

“Of course, we are already doing this in Sedgwick County, we already are on the internet, we’re already electronic, but he makes the point that legal ads published usually in the cheapest paper of the county, lot of these counties if you lived in that county you would have to figure out where those legal ads would be published, not necessarily in the largest city. That’s not considered normal, every one of these cities is trying to find a way to balance their books and they usually pick the least expensive option, not the most expensive option.

“But he goes on he says if you have a computer, an iPhone or a smartphone or anything that has access to Google all you have to do is type in some search words and in 10 seconds you will have access to those legal ads. He goes on he says it’s free to taxpayers, it takes less than 10 seconds and he says I’m sure you will hear not everyone has a smartphone and according to Pew Research Center, 68 percent of all adults in the United States own a smart phone. So that’s a, that’s a 35 percent increase from four years ago.

“Also, according to Pew Research, 87 percent of American households have access to the internet in their homes. So if you are in the minority of Americans who don’t have a smartphone or internet, you can certainly go to the local library and use theirs or you can look at the papers in this case under current law, look at the papers if you don’t have access to a newspaper, you can look at the newspapers there and get access to the legal ad in the local library.

“He makes the point that circulation of newspapers in Kansas continues to fall and more and more people now have access to the internet than to newspapers. He makes the point that, that the Wichita Eagle a daily circulation, according to his testimony was 46,889, I’m sorry 899, which was down from 67,000 in 2013. So just in four years their circulation has gone down roughly a third, according to his testimony. Sunday’s circulation is 71,768 down from 100,199 in 2013, again approximately one-third reduction.

“He makes some calculations based on the City of Wichita population, I recalculated this based on Sedgwick County, because we are Sedgwick County. I think it is interesting based on those numbers that he provides in his testimony that only nine percent of our community in Sedgwick County has access to a printed Eagle currently and only 14 percent on Sunday. So if we are trying to be providing the information out to the public, really the newspaper is not really working very well and most people won’t

see it. They actually have to go hunt it down to get access to that. In that regard if they are going to take the effort to hunt that down more than likely they are going to go to the internet to do that rather than look up a printed paper. I will stop with his information there, but that is some information for you to think about.

"I did some other research on this and I don't know if the bid board has competing information, but I wanted to know what subscriptions cost. Since we only have three bidders, I looked at the three bidders. Ark Valley News is \$35 a year, I believe it's a weekly publication that is mailed to the recipients. Is that, I believe it's mailed, okay. So it shows up in your mailbox for \$35 a year, excuse me, yeah for \$35 a year. So if you wanted to, if you are interested in legal ads, the people who are probably most interested in legal ads, besides just the curious reader, but probably contractors, developers and investors, perhaps. I would say more than likely most of them would be accessing this data online, and rather than, but if they wanted to they could certainly subscribe to the paper, it would save them a lot of money, but \$35 a year if we went with them.

"The Derby Informer, is \$49.76 for a year. Again, it is also delivered weekly by the United States Postal System (USPS) and then for the Eagle, I actually had a couple of questions on this one, but their subscription rate is 31.81 per month, if you do that to a year to make a comparison is \$381.72 per year. If you just did a Wednesday, Friday, Saturday and Sunday only it is 20.45 a month or \$245.40 a year, roughly almost \$250 a year. If you just did Sunday only it \$9.09 per month or \$109 a year. One of my questions, I guess would be for the Wichita Eagle, since they are a daily paper, if we published an ad in the Wichita Eagle, would it appear on any one of those days or is it required appear on a particular day?"

Mr. Thomas said, "I don't think it is every day, when it's published."

Commissioner Howell said, "Well, again we probably publish a lot more than just the Treasurer's delinquent tax notices."

Mr. Thomas said, "Right."

Commissioner Howell said, "We publish all kinds of things. Providing contractor and investors the opportunities to do a number of things with the county. Again, if it's a daily, potential, it could show up on a Monday or a Tuesday or whatever then I think you would be required in order to access a print version of the Eagle, you would really be required to subscribe to \$381 subscription per year. So if you really wanted to track those ads it's a \$381 a year for the reader in that case versus \$49 with the Derby Informer and \$35 with the Ark Valley News. So in terms accessibility my opinion, if you're talking about trying to provide this to some people that doesn't have a lot of money, they are interested in these things, my opinion, is it's more accessible, certainly by using a small town paper, one of these two that has bid for this or even better yet through the internet. Most likely people have access to the internet.

"So regardless, I am very surprised that we have a bid, bid board recommendation to go with the Wichita Eagle, I do want to say I appreciate the bid board, they most of the time I am really impressed, I like what they do, provides tremendous rational decisions for us to reflect upon. I appreciate what they do, in this particular case I happen to disagree with them. I think you made a point a minute ago that they looked at distribution and readership and that type of thing as a major criteria. Let me point out, House Bill 2247 passes I don't think we would do this at all, probably is my guess. We would only do this because it is required by statute, by statute they don't care about

distribution or readership. All they care about is the fact that we do it.

"I believe as a Republican believes in conservative values, I want efficiency and effectiveness, I think we ought to do what is good for the taxpayer. I want to be absolutely transparent, I think we are being transparent, we going to continue to provide this information every way we possibly can through electronic means. We've been doing that even though it's not been required, we've taken the effort to do that already, but let me just tell you, the difference in these numbers, which I think is very important to reflect upon. I have to find the right sheet of paper now, here it is.

"If we went with the Ark Valley News over the recommended action it is a \$75,138 cost savings for the taxpayer that's based on what was on the bid sheet. Potentially gets these numbers might get, might go higher if the actual, actual lines published is larger than what we estimated here. So it could be more than \$75,000. The Derby Informer that savings would be \$76,346 in savings. Just compared to last year's actual cost at the Wichita Eagle that would be \$133,000 in savings, which I think would pay for a couple of Sherriff's Deputies or something.

"The reality is we've got to be smart with taxpayer dollars and this is a significant difference. I think if this was close I could understand that readership issue, but it's not close. We're talking about more than double the cost.

"So again I think they have added a criteria and made a decision based on criteria that is not really a part of the statute requirement. So I would have to disagree with their recommendation and with that Mr. Chairman, I will make a motion that we would accept the bid from The Derby Weekly Informer, Inc. at a cost of \$56,250.60. Mr. Chairman that is my motion, thank you. Thank you, Mr. Chairman."

MOTION

Commissioner Howell moved to accept the low bid from The Derby Weekly Informer, Inc. at a cost of \$56,250.60.

Chairman Unruh said, "Thank you, Commissioner. Is there a second?"

Commissioner O'Donnell seconded the motion.

Chairman Unruh said, "We have a motion and a second, is there any discussion? Commissioner Dennis."

Commissioner Dennis, thanked the Chairman and said, "Mr. Chairman, I will actually support this motion today. I want to explain why, Joe Seiwert happens to be my representative out in western Sedgwick County. He and I have spoken about this a couple of times. Normally, I would, if we were really truly just looking at this being published in the newspaper I would support the bid board, because I think more people subscribe to the Wichita Eagle, I subscribe to it, I think more people read it.

"But in this case, we've got the ability to look at it online, to look at it on our app and I think, that right now I believe at the end of the meeting we probably ought to make another discussion about whether or not that we want to endorse House Bill 2237, because I would support doing that also. But in the meantime, I think we need to save the taxpayers as much money as we can. We need to, we're not trying not to be transparent, I want to make sure that everybody understands that, but I believe we are transparent because of the posting on the website and the app.

"So I believe we need to comply with the law and the law right now requires us to publish it, but since that's probably not the most, the way that most of our citizens will be receiving this information, I think we need to comply with the law, but in the future we need to look at a better way of doing things and use technology. So I will support this motion."

Chairman Unruh said, "Thank you, Commissioner. Is there any other comment? Before I call the vote, I just say that number one I appreciate the Wichita Eagle and its service to our community. I've had a great relationship with different staff members of the Eagle and their editorial board. I don't want my vote in any way to indicate there is any disregard for the folks at the Wichita Eagle. I also would say that it's seldom that I don't support the staff recommendation although this was somewhat of a split decision as I read the notes, but the testimony that has been given there is a movement towards electronic publication, it does satisfy the requirements that we are working under."

"It is substantially less expensive for our government and the taxpayer of Sedgwick County. I also am generally a supporter of initiatives Kansas Association of Counties (KAC) and now they are supported by the League of Kansas Municipalities (LKM) to move toward electronic publication and away from papers. Although we're the biggest county in the state. It seems like we would."

Commissioner O'Donnell said, "Second."

Chairman Unruh said, "Well, I don't count Johnson County. It seem line we should be supportive of our hometown largest newspaper, I believe that the arguments like up such that I will also be supporting the motion. We do have another comment from Commissioner Howell."

Commissioner Howell said, "I just want to make a point that had the Ark Valley News had come in as the low bid, I would be glad to support them as well, but my motion wasn't clear that I am making a motion for the low bid from bid sheet. That's my primary reason for selecting that option out of the three, I wanted to make very clear. Thank you. By the way, I do agree with your comments on the Wichita Eagle. I appreciate them and wish them the best, but this is really not about, not about them so much, it is about complying with state law and doing what's good for the taxpayer in this case. So this is just what we need to do today. Mr. Chairman, thank you so much."

Mr. Yost said, "Mr. Chairman?"

Chairman Unruh said, "Thank you, Commissioner. Mr. Counselor."

Mr. Yost said, "I want to clarify the motion. Does that, I know that you're recommending that the Commission adopt that particular bid. Does your motion also include direction to counsel that when we enter into the actual contract that we include in there a provision that, if the legislature were to pass, enact legislation that permits us to put it online, that we could cancel this contract and do that online?"

Commissioner Howell said, "Mr. Chairman, if it's acceptable I would like to amend my motion that would include language that it says should House Bill 2247 or measure similar to that would pass that we would be able to exit this contract and do this solely online."

Commissioner O'Donnell said, "I will second the amended."

AMENDED MOTION

Commissioner Howell moved to accept the low bid from The Derby Weekly Informer, Inc. at a cost of \$56,250.60 and to cancel this contract if House Bill 2247 or any measure similar would be passed and do this solely online.

Commissioner O'Donnell seconded the motion

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

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

Chairman Unruh said, "Joe, I think we now need to discuss item number three (3) of the bid board, which is the lobby gun lockers. The bid board item to go ahead with 20 units down in the lobby. I am, not going to be supporting going forward with this. It is the same objections that I had when we first discussed this item. I won't go through them all again, I haven't received requests for it, I don't think it's necessary, don't think it helps us in any way.

"It does provide, provide in the lobby a certain amount of hazard and that is why we are having to put up bulletproof glass and all that sort of stuff. So and it is a \$63,000 expense. So I will stay consistent with my previous vote and not support this. Commissioners, what is the will of the board? There is no vote to support it, so."

MOTION

Commissioner Howell moved to accept item number three on the recommendation of the Board of Bids and Contracts.

Commissioner O'Donnell seconded the motion.

Chairman Unruh said, "I thought I was going to slide through there, didn't make it. So, okay. We have a motion and a second to accept item number three. Is there comments? Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. I just want to make a point. This is a one-time cost, this is infrastructure, it is different than operations. We started out with this as an estimate and of course, as you drill into a project, you get further down the line sometimes the numbers need to be tweaked a little bit. That is really all this is and I believe, again like many things we do, we are very conservative in our numbers.

"I would hope that this comes in a little bit less than what has been presented today,

but never the less this is a one-time expense and we've already committed to this previously. We are down the road quite a ways, we've already spent money on design, engineering at this point, I think it would be appropriate at this point if we go ahead and finish the project. So I would like to go ahead and make that clear that this is really more of a tweak to a project we started. It was originally based on an estimate, now we have real numbers and that, this just needs to happen. So, that's my comment, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. It is \$63,492 and I think that I will probably at the appropriate time as that we staff the gun locker operations. I believe that it has been recommended by our county police and that takes it into an area of operating expense, but that's not on the table right now and I understand that. We have a motion and a second, is there any other comment? Madam Clerk, call the vote."

VOTE

Commissioner Dennis	Aye
Commissioner Ranzau	Aye
Commissioner Howell	Aye
Commissioner O'Donnell II	Aye
Chairman Unruh	No

Mr. Thomas said, "Thank you, Commissioners."

Chairman Unruh said, "I think that's all, Joe."

Mr. Thomas said, "I appreciate."

Chairman Unruh said, "Thank you, nice job."

Mr. Thomas said, "Thank you."

Chairman Unruh said, "I appreciate it. Next item."

Approved As Amended

[17-293](#)

BOARD OF BIDS AND CONTRACTS - #3 - Lobby Gun Lockers
Presented by: Joe Thomas, Director, Purchasing.

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

Discussion for this item will be added after minutes for this meeting are adopted.

Approved

[17-294](#)

BOARD OF BIDS AND CONTRACTS - #6 - Publication of Legal Notices.
Presented by: Joe Thomas, Director, Purchasing.

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

Discussion for this item will be added after minutes for this meeting are adopted.

Approved As Amended

CONSENT

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I recommend that you approve consent agenda items Golf (G) through Romeo (R)."

MOTION

Commissioner Dennis moved to approve consent agenda.

Commissioner Howell seconded the motion.

Chairman Unruh said, "We have a motion and a second to approve the consent agenda. I will call a vote in a moment. I just want to say that one of the items on here is the financing agreement between the city, the City of Wichita and the Sedgwick County for the Law Enforcement Training Center (LATC), most people that have been following this know that this has been a long process to get where we are, but my only comment is that I really appreciate the City of Wichita and their willingness to work with us in our finance strategy that we feel like we are compelled to follow. But being good good collaborators, good partners, they said we can do it that way. I want the Mayor and Councilmen to know that we are very appreciative of that. Is there any other comment? Seeing none, Madam Clerk, call the vote."

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

Chairman Unruh said, "Next item."

Adopt the Consent Agenda

- G** [17-235](#) One (1) Temporary Construction Easement for Sedgwick County Project 640-32; Road Project on 87th Street South in Derby. CIP# R342B. District 5.
Approved on the Consent Agenda
- H** [17-250](#) Financing Agreement by and between Sedgwick County, Kansas, and the City of Wichita, Kansas, regarding the Law Enforcement Training Center.
Approved on the Consent Agenda
- I** [17-232](#) Transitional Housing Services Agreement with Mental Health Association of South Central Kansas.

Approved on the Consent Agenda

- J [17-233](#) Affiliation Agreement with the Mental Health Association of South Central Kansas.
Approved on the Consent Agenda
- K [17-234](#) Amendment to the Agreement with Southwest Guidance Center to Provide Mental Health Emergency Services.
Approved on the Consent Agenda
- L [17-221](#) Amendment to the 2017 Capital Improvement Program for Courthouse Lobby gun lockers.
Approved on the Consent Agenda
- M [17-260](#) Hire a Chief Financial Officer above the grade minimum.
Approved on the Consent Agenda
- N [17-241](#) A resolution regarding clerical error relating to real property tax.
Approved on the Consent Agenda
- O 17-226 Order dated 1/23/2017 to correct tax roll for change of assessment.
Approved on the Consent Agenda
- P [17-246](#) General Bill Check Register February 15, 2017 - February 21, 2017.
Approved on the Consent Agenda
- Q [17-248](#) General Bill Check Register February 22, 2017 - February 28, 2017.
Approved on the Consent Agenda
- R 17-249 Payroll Check Register for the February 18, 2017 payroll certification.
Approved on the Consent Agenda

LEGISLATIVE ISSUES

Mr. Jon VonAchen, Assistant County Counselor, greeted the Commissioners and said, "I was asked today to talk about House Bill 2367, involving the Appraiser's Office by a couple different Commissioners. Last year the legislature passed amendments to KSA 79-1412, 1460 and 1496 in reaction to a Supreme Court ruling on the, on a successful appeal of, by a taxpayer of their tax valuation. The two year freeze was deemed to be unconstitutional, so there was a tweak and in that tweak basically, if there is more than five percent then the [Sedgwick] County Appraiser's Office would have to get fee appraisal at the counties cost in order to justify more than five percent increase in valuation.

"This would also repeal, this bill would repeal all of the provisions of last year's bill and would eliminate the secondary appeal. In other words, if somebody didn't appeal the BOTA (Board of Tax Appeals) they would still have the opportunity to appeal based upon their own fee appraisal that they would acquire and then present to the Appraiser's Office. So a couple of Commissioners asked me to discuss that today.

"So [House Bill] 2367 would repeal all of those provisions and we would go back to, what was essentially 2014 rules, which would allow the Appraiser's Office to ask for certain additional tax information that any valuation change would be appealable through BOTA, but you know, wouldn't be capped at five percent if the taxpayer had previously won an appeal of their valuation. So 2367, would repeal all of the changes from last year to those three statutes. I stand for any questions on that."

Chairman Unruh said, "We have a question from Commissioner Ranzau."

Commissioner Ranzau said, "Clarify for me what you said about the right to appeal based upon an assessment that, there would be an appeal eliminated?"

Mr. VonAchen said, "Correct. One of..."

Commissioner Ranzau said, "By this change?"

Mr. VonAchen said, "Yeah, one of, there are several processes involved in part of Mr. Borchard's presentation, he explained, there are several different items, several different ways to appeal. One of the ways to currently appeal by statute is if you go through the process and determine, you know, determine you don't want to go ahead and file a full BOTA appeal that you can obtain your own fee appraisal, present it as, present it to the appraiser, which they would then either have to accept or go out and get their own fee appraisal to counter yours. So you wouldn't go through the normal court process it would be an additional informal appeal process that would be..."

Commissioner Ranzau said, "It is an attempt to come to an agreement on the local level to avoid the normal court process."

Mr. VonAchen said, "Right. This would be after the normal, informal process was when that particular fee appraisal..."

Commissioner Ranzau said, "Right. Before the BOTA."

Mr. VonAchen said, "But before the BOTA."

Commissioner Ranzau said, "Right."

Mr. VonAchen said, "Yeah, they could choose not to go through the BOTA process, just go out and get their own fee appraisal and then present it to the Appraiser's Office."

Commissioner Ranzau said, "Under this legislation that option would be removed."

Mr. VonAchen said, "That statute would be completely repealed."

Commissioner Ranzau said, "Yeah, I would like to see us oppose this legislation and, personally, but I think these things we're introduced trying to make things more

taxpayer friendly and solve somethings here locally and avoid the hassle of going to BOTA for both, you know, the County Appraisers and the taxpayer. So.”

Chairman Unruh said, “Okay, thank you. Commissioner’s any other. Commissioner Howell.”

Commissioner Howell said, “Mr. Chairman, I would like to just say I would agree with Commissioner Ranzau on this and I believe this would be a step backwards for our state. So I would also agree with him, I think the county should take a position and oppose House Bill 2367. Thank you, Mr. Chairman.”

Chairman Unruh said, “Thank you, I really need, personally, having been out of town last, over the weekend and I know, I saw in my email that this, we got some information regarding this. I would like to have another conversation with the Appraiser before I take a position on this, but I agree with the concept that local, taking care of problems at the local level is much better than having to take them to Topeka. So, but before I would want to take a vote on it and take a position, I would like to have some more information. Commissioner Dennis.”

Commissioner Dennis said, “I understand your concern and I was hoping the Appraiser would be here to be able to answer any questions, but I guess my main question is, do we have time to wait until we get more information or when is this going to be coming up for a vote?”

Mr. VonAchen said, “I, it still in committee, right now. So we’re at a position where, you know, we could discuss it potentially at staff next Tuesday (March 7, 2017), briefly. I would be happy to provide any additional information that you need regarding the current status of the bill, the schedule, the hearing schedule, what our deadlines would be if we were going to submit any testimony one way or another. So and, you know, more information on, you know, who are the proponents and opponents of the bill. I know generally taxpayer reps (representatives) are going to be the opponents of the bill for this.”

Commissioner Dennis said, “Okay. Well, where I am at right now is, pretty sure I would oppose this bill, but I would like to hear from our Appraiser before I make a final decision. If it’s okay and we can discuss this during the staff meeting on Tuesday and it’s not going to affect anything. Well, I don’t have a problem with that.”

Chairman Unruh said, “I would agree with that plan. Let’s talk about it, talk about it Tuesday and have information there and perhaps even have the Appraiser there, if he is available. So we can, get that input.”

Mr. VonAchen said, “Will do.”

Chairman Unruh said, “Okay. Thank you. Anything, Commissioner Howell.”

Commissioner Howell said, “Thank you, Mr. Chairman. I just wanted to follow up with our vote today. House Bill 2247, again is one supported by the League of Kansas Municipalities as well as the Kansas Association of Counties and I believe we ought to take a position that as well. That bill, I think, eventually something that bill or something like that will eventually pass the state house, I don’t know this year or future

year, but reality is it saves taxpayers, actually ultimately it saves governments in our state nearly \$2 million a year in legal ads. I think, we ought to take a position on that, potentially could save up to \$2 million. We have not discussed it formally, yet taken a position on that, but I would like to see us discuss either Tuesday staff meeting or something, but I would like to take a position. Legislature goes back into session, I believe on March the 6th."

Mr. VonAchen said, "Correct. On Monday."

Commissioner Howell said, "So between now and then we have a little bit time to talk about it, but I would like to get our position defined and get it done, get it going."

Mr. VonAchen said, "Yeah, there are currently, I mean, there are items that we support that are already scheduled for hearing next week, but for the ones I have looked at, its ones we have already weighed in on. For example, Senate Bill 43 in House Elections is being heard on Monday, you know we have been pushing and pushing to get that moving, if for no other reason then to assist the election commissioner in being able to train staff for the special congressional election, because this particular point we are either training them to use one machine or having to train them to use two machines if we don't get the canvassing part fixed. So we're still pushing on that, but there are a few hearing scheduled on, on bills of interest for us next week, but there is not a lot yet. So I will keep an eye on the calendar and inform the Commission as to the status of those bills. I know [Bill] 2247 has been heard, but it hasn't moved out of committee."

Commissioner Howell said, "And there, again it could potentially could be moved to an exempt committee and still remain alive, but right now without that action it would be a dead bill already. But I would like to ask that they would make that action to keep it alive. So we will see, that is all I have. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Is there any other comment under legislative issues?"

Mr. VonAchen said, "I have nothing further."

Chairman Unruh said, "Alright."

Mr. VonAchen said, "Thank you."

Chairman Unruh said, "Thank you. Next item."

OTHER

Chairman Unruh said, "Commissioners, are there any other things you would like to bring before the Commission today? Commissioner Ranzau."

Commissioner Ranzau said, "Yes, Mr. Chairman. I would like to address a couple of issues. I want to address some of the discussion that has been going around about the proposed tax increase that was passed and vetoed recently."

"I also want to address the comments made by President Trump that the news media is the enemy of the people, I think he may not have accurately stated what the situation is and I think these two are related in a way. So I will start with the tax bill recently. Throughout the last few years and the last election, we heard a lot about the LLC (Limited Liability Company) loophole, so to speak and how terrible that was, how

bad it's hurt the economy and we need to do, we need to eliminate that.

"The interesting thing is some of the stuff I didn't know until recently that those tax cuts that were initiated a few years ago, 30 percent of the cost to the tax cuts went to the LLC loophole, 70 percent of those tax cuts went to everyone else, all of us, anyone in the State of Kansas who pays income taxes got a reduction.

"Seventy percent of those tax reductions went to all of us. I didn't know that, it was never reported, I think the problem around this issue is that this issue like many others was being reported in the less than honest manner in many respects and I think it goes back to the agenda that many progressive media outlets have in order to promote their agenda.

"So recently and I will remind you, last year when a lot of progressives were running for office promoted by the Wichita Eagle and others, talking about the LLC loophole, but none of them said they were going to raise taxes on families making \$30,000 or more, individuals making \$15,000. None of them said that at all, but that is exactly what they voted to do about a week or so ago.

"Now, with the respect of I mean, with the exception of an article or two (2) that I have found by Mr. Salazar that included some of these numbers. You don't hear these numbers in a lot of other areas and you certainly don't hear them coming from a lot of opinion pieces and a lot of other people that progressives, who think they care about, who say they care about poor people and the working class. For example, there is an editorial by the Wichita Eagle editorial board that says that that bill that was passed the house and senate acted responsibly and it says increases some personal income rates, including restoring a third tax bracket, but it doesn't go into detail. Why doesn't it go into detail, why doesn't specifically state that it raised taxes for families making \$30,000 or more and individuals making more than \$15,000, why doesn't it say that? Because they don't want you to know the truth, that's what they're pushing, that's what they're promoting.

"We had another local progressive hero, Mr. Flinchy wrote an opinion, after the Governor vetoed it. Saying that the veto struck down the best legislative work Kansan's have seen for many years. This is one of our local progressives who, how much he cares about the poor and the working class just like all the other progressives, but this was the best legislative work Kansan's have seen for many years, raising taxes on families making more than \$30,000 a year and individuals making more than \$15,000. Really? He said the tax bill deserves sustained standing applause. Think about that, this is what argument progressives are really saying, sustained standing applause for raising taxes on those who are struggling in our community.

"It kind of flies in the face what they always say they care about during elections, right? They tell you how much conservatives are racists, bigots, all this other, that they hate poor people, they hate this, they hate that and only the progressives care about working class and here they did the old bait and switch. They're going to stick it to the businesses and oh by the way we're really going to raise the taxes on the working families and we're going to try to slip it by you and not really tell the truth.

"You see that's the problem that we have here, the President said that the media is the enemy of the people, he is not exactly right. It's actually the progressive movement is

the enemy of the people, they have to lie, distort, deceive people in order to advance their agenda. They are the enemy of the truth, for example, if President Obama, the Democrats had been truthful with people and said in fact you're not going to be able to keep your health insurance or your doctor, we're going to kick millions of people off and it's not actually going to lower your premium, it's going to raise them up, it wouldn't been passed. So they had to lie about it.

"If the Wichita Eagle and others and the progressives had said last summer or last fall when they were running for office, we're going to raise taxes on people making, families making more than \$30,000, individual's more than \$15,000, they probably wouldn't have gotten elected. So they had to hide the truth, they had to lie to people and so progressives like to use one other tactic is get involved in media and use media organizations to further their progressive agenda and that involves some deceitful, at times, not everyone, but that involves some deceitful and dishonest reporting so to speak.

"I have mentioned it before a few years ago when we made some inefficiencies in the Health Department, fake news organization, Kansas Health Institute (KHI) reported that it's going to cause, you know, 50 to 60 death, which of course was bogus, but it's a fake news organization. But then you have the Wichita Eagle, who picked that up and wants to be considered a legitimate news, but they propagated that's where dishonesty is what makes people, you know, lose out on trust in the media. Progressive believe their policies are so good, then just be honest and truthful, put the numbers out there, be honest, tell people what you really are going to do. I don't think they like the truth, they can't handle the truth to be honest, because if you tell them the trust people won't follow the policies. Unfortunately they use groups like minorities, women, poor people as pons during an election to gain support and then they adopt policies and do things that contrary to best interests of those groups.

"One other thing I will point out here is there has also been an editorial cartoon, as a result of this veto and the fact that the Senate sustained the Governor's veto, this is it here. This is a progressive cartoon showing Senator Wagle as a dog, a female dog, we all know what a female dog is. So the Wichita Eagle is calling a sitting Senator a female dog, because she refused to raise taxes on poor and working families and individuals. Where are all the women's groups, where is the League of Women voters now, where is all the progressives? Is this a sexist, misogynistic type of thing to say? Can you imagine if a conservative elected official or publication, let's say if they had done a similar thing, let's say Senator Oletha Faust-Goudeau also a sitting Senator and called her a female dog. What would have happened? Guess that would have been a different story, right? [Inaudible] different story. This is by a publication that says they care about women and oh my gosh Donald Trump hates women, but progressives love women. But there, feel it's okay to call them a female dog if they stand up for working class people.

"So those are the sort of things that make you go hum and some of the hypocrisies that we see within the progressive movement. All we can do is continue to fight for taxpayer, fight for what's right as conservatives and expose this hypocrisies as best we can. With that being said it could be a full time job if you wanted to, but these are some of the more significant that have happened here lately that I felt like I should take the time to speak about share with the citizens out there, to at least think about what's being said and how things are being coached and demand some honesty from people who say they believe in protecting the working class, the women, etcetera. You

might find out, you know, there are somethings going on that you didn't know about and somethings that are going on that you weren't told, but elections have consequences so here we are today. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you, Chairman. I just wanted to piggyback a little bit on what Commissioner Ranzau just said. On Saturday evening, I had friend send me a text message and it had a attachment, I clicked on it, it was the Wichita Eagle editorial picture. The Senator that sent, it was a Senator that sent it to me and said what do you think of this? I said well that I see the humor in it, but it is also unsettling. Now, I myself have been lampooned by Mr. Crowson in the Eagle and wear that as a badge of honor. If you go in, if anyone goes into my office, I have them all over framed, eight by tens on my office shelf, but that went well over the line.

"I would encourage anybody to go up to Topeka and see a harder working individual than President Wagle. To have her hometown newspaper paint her as a dog, to call any woman as a dog is reprehensible and offensive and indefensible. But to call a woman that has broken the glass ceiling here in Kansas a female dog, should offend everyone in Wichita and Sedgwick County. If you go to the Kansas Senate chambers, you will see every President of the Kansas Senate and they all have something in common.

"Every President up until Susan Wagle was a white man, white man after white man after whiteman for over a 150 years. Then 2012, December of 2012, something miraculous happened for the first time in Kansas history a woman was elected to lead a chamber of the Kansas Legislature.

"This is the good old boy network, if there ever was one, a legislative body comprised by almost a super majority of men, if not a super majority of men, yeah, I am sure it is, to elect a woman, we should applaud that, we should not refer to them as a dog or any type of animal. Commissioner Ranzau is right, if it was a liberal woman that was painted as a dog, I think there would be uproar in the streets.

"I think people would be coming unglued, but because it's Susan Wagle, she doesn't get that same type of respect because she is a conservative and she believes in the value of life and she believes in limited government, I think it's wrong. Susan Wagle has far more class then to bring this up publically. I probably wouldn't have brought it up publically because everyone knows that she is my friend and I am bias, but I'm glad that Commissioner Ranzau brought that up because I think she deserves an apology. She will never ask for it, frankly she doesn't even want it.

"But anybody from Wichita, regardless of your political beliefs should be proud that the first time a woman led a chamber of the Kansas Legislature that woman came from Wichita. Anybody, regardless of your political beliefs should be proud that we have the Senate President from our city. Furthermore, anybody that has a clue what's going on in the world should be appalled that the newspaper thinks it is appropriate to publish a picture of any woman as a dog, regardless if you are saying it's a joke.

"A joke is drawing me with a pinwheel hat on a sinking cruise ship or me with Jesus feeding the 5,000 or me in a nativity scene looking for a place to live. Those are funny, those are topical, those make me laugh. That editorial really just, just shook me and I think we've really degraded political discourse if the newspaper stands behind call any woman a female dog and parading it, putting it in color on their largest publicized day

of the week. But like I said, Susan Wagle never bring that up, but those woman's groups should, people that care about woman being treated as dogs or just depicted as any type of animal should care. Thank you very much, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Anyone else wish to speak? If not, then I would like to just report on some county business that Commissioner Dennis and I along with Manager and our Director of Communications attended the National Association of Counties Conference in Washington, D.C., the Legislative Conference.

"Beside hearing some really strong speakers in the large general sessions, we were able to attend some breakout sessions. I attended one on the opioid epidemic and reducing mental health in jails, a couple of those and we just to mention, but it's and other Commissioners and Manager went to other breakout sessions to see what counties are doing around the nation to do a better job of being good County Commissioners.

"One of things that took some of our time however, is that we did visit Senator Roberts and Senator Moran office and brought them on behalf of Sedgwick County what we think are important issues that we believe they can be helpful on. Especially, in light of the fact that President Trump said he wants to invest a trillion dollars in infrastructure. So we talked to, about the north junction here in Sedgwick County, which I think everyone's familiar with, where I-135 and [Highway] 254 and K96 all come together. It's really quite hazardous and it's a huge infrastructure project and expense. So we asked for, both Senators to do what they could to support us in their highway planning for that local project.

"We also talked to them about our stormwater problem, especially down in the southern part of Sedgwick County and Commissioner Dennis reminded me that in the western part of Sedgwick County we also have flooding issues, but I let them know that we our Stormwater Management Advisory Board (SMAB) had identified \$200 million worth of projects that if they could find a place for that in their funding. It's beyond our means here at Sedgwick County to at least address those very aggressively.

"Then lastly we talked to them about the issue we have talked here in Commission meeting about sanctuary counties and asked them to come up with a legislative definition of what a sanctuary county is and take the pressure off of us for trying to follow the constitution, follow the law and putting our self in jeopardy either way, but I'm grateful that our Sheriff Easter has worked with ICE (Immigration and Customs Enforcement) and hopefully we have worked out the immediate conflict.

"But anyway those were all good meetings with Senator Roberts and Senator Moran and visiting with Commissioners from all around the country. We saw our friends from Butler County and from Johnson County at that same conference. So I believe it was a time well spent and just wanted our citizens here in Sedgwick County to know that.

"Well, Commissioners if there is nothing else under other. I don't..."

Mr. Yost said, "Mr. Chairman?"

Chairman Unruh said, "Yes, sir."

Mr. Yost said, "Sorry, to interrupt you, I apologize. We do have one other item under

other. A week ago, our last meeting, maybe it was not a week ago. The Commission directed the County Counselor's Office to send a letter to City of Wichita, related to the Law Enforcement Training Center, but before that letter could be sent an agreement was reached between the county and the city of a compromise nature.

"Where I think we are both on the same page we've, part of that agreement was something that we passed here this morning regarding finance. But because we voted in open meeting to send that letter, I wanted some guidance as to what you wish to do at this point, whether or not you wish to hold that letter in abeyance or go ahead and send that letter. I will obviously respect the majority wishes in that regard. Whatever, the Commissions wishes are that's fine, but we would like to have a little guidance in regard to that. So if we could have even a motion and vote, one way or the other on that."

Chairman Unruh said, "Okay."

Mr. Yost said, "It would be helpful to us."

Chairman Unruh said, "Well, thank you. We need to clean that up, I guess legislatively for the Commission."

MOTION

Chairman Unruh moved to not send the letter to the City of Wichita, discussed from the February 15, 2017 meeting.

Commissioner Ranzau seconded the motion.

Chairman Unruh said, "Commissioner Howell."

Commissioner Howell said, "Well, thank you, Mr. Chairman. I guess I have a different perspective on this. I've talked to some of the council members and I guess, I believe their perspective is much different than ours. We have some data points that I don't think they've ever received or may be some questioning as to whether, what our limitations are. I know we had a somewhat of a legal disagreement between the city and the county. I appreciate the city very, very much, but to the extent I don't know what information is flowing council members.

"I think, providing the information is harmless it is simply just communicates and although that letter perhaps, I don't think the purpose of the letter at this point is to, is to give them like a ultimatum sort of speak, but more or less just to communicate our perspective and our limits. Maybe even our appreciation on today's action that we appreciate them as our partners and being able to move forward in the way it protects both the city and the county legally. But I think that the points that, the constrains legally that we have on our side of the street, I think need to be communicated to the council members somehow. So they can appreciate our perspective as well. I think right now for whatever reason, just again, from talking to some council members, I don't know that they really understand our limitations.

"So, I guess, in a matter of transparency once again in matter of communicating as good partners, I think sending a letter number one to thank them for moving us forward together, but again, explain to them clearly what our limitations are and how this joint agreement solves the problem for both of us. We appreciate their coming on board to

do it in a way that protects us as well. I think it would be a much better letter and we could go ahead and send that now. I think to postpone this it simply leaves them in the dark. I don't know that is the best position for us to take. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Well, I will be supportive of the motion, I think that our colleagues across the street are not in the dark, they understand and we have reached agreement. This seems to be unnecessary at least in my judgement. So is there any other comment? Madam Clerk, call the vote."

VOTE

Commissioner Dennis	Aye
Commissioner Ranzau	Aye
Commissioner Howell	No
Commissioner O'Donnell II	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, motion passes. Is there any other, other. Excuse me we have a comment here by Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you. I just wanted to, we all got the email today that Linda Kizzire's mother passed away, our County Treasurer. A friend of all of us here at the county and just wanted the community to know that Betty Bowlin lived a great wonder life, 93 years old. If anybody was at the swearing in ceremony last month, she was there on the stage right next to Linda. So healthy into her 90's right until the end, but for the Bowlin family and the Kizzire family, I just wanted to extend my thoughts, sympathies and prayers. I'm sure that is a sentiment shared by the entire Commission. That we love Linda and we will be supporting her and she very important part of our Sedgwick County family. So, thank you."

Chairman Unruh said, "Thank you, Commissioner. I appreciate that. I think there is nothing else to come before us. So, Commissioners we will stand adjourned."

EXECUTIVE SESSION

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:41 a.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

DAVID M. UNRUH, Chairman
First District

MICHAEL B. O'DONNELL II, Chair Pro Tem
Second District

*DAVID T. DENNIS, Commissioner
Third District*

*RICHARD RANZAU, Commissioner
Fourth District*

*JAMES M. HOWELL, Commissioner
Fifth District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED: