

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, March 8, 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

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 a.m. on March 8, 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; Mr. Joe Thomas, Director, Purchasing Department; Dr. Timothy Rohrig, Director, Regional Forensic Science Center; Mr. Tom Stolz, Assistant County Manager; Ms. Kate Flavin, Public Information Officer; Ms. Angela Caudillo, Deputy County Clerk, Ms. Emilie Leivian, Deputy County Clerk.

GUESTS

*Ms. Claire Meredith, 13512 E. Boxthorn, Wichita, Kansas
Ms. Carrie New, 20320 W. 39th St. S., Goddard, Kansas
Ms. Jennifer Johnson, 1112 W. 33rd St. N., Wichita, Kansas*

INVOCATION: Pastor Rick Just, Asbury Church.

FLAG SALUTE

ROLL CALL

The Clerk reported, after calling roll, that Commissioner O'Donnell was absent.

PUBLIC AGENDA

Chairman Unruh said, "Okay, Commissioners, we have some folks who've signed up to speak this morning and so I will just call them to the podium if they'd like to make some remarks to us. First on our list, is Claire Meredith. Is she present here? Okay, if you'd want to step up and give your name and address please and you'll have up to five minutes."

Ms. Claire Meredith, 13512 E. Boxthorn, Wichita, thanked the Commissioners and said, "I'm here to refute Commissioner Ranzau's statement from last week where he stated, 'It's actually the progressive movement is the enemy of the people, they have to lie, distort and deceive people in order to advance their agenda. They are the enemy of the truth.' I grew up in rural Marion County in the 1960s and 70s, attended Church every Sunday, completed chores everyday to help work on the family farm. My parents taught my two sisters and I, the value of hard work, honesty and charity. After graduating with a degree from Emporia State, I worked for Conoco Phillips in Bartlesville, Oklahoma for 34 years.

"From a beginning programmer to a person that managed projects with over \$60 million dollar budget. My husband and I helped start Habitat for Humanity Chapter in Bartlesville, volunteered with many charitable organizations and active in our local

Disciples of Christ congregation. We worked full time jobs and raised two children. I only give you this as part of my background in order for you to know that I'm a person raised in rural and small town culture, Mid-America. I consider myself to be politically independent with fiscally conservative ideas and a progressive heart for social justice.

"Here is my truth, from Matthew 25:34-40 which teaches us to help our neighbors who are hungry, sick, naked or in prison. Also, Luke 10:27 where Jesus said, 'You shall love the Lord your God, with all your heart, with all your soul, with all your strength and with all your mind and your neighbor as yourself.' Yes, I want to be responsible with the money we are giving, however we have been given much and much is required. My neighbor is not just the person that lives next door to me in the Hawthorne edition.

"My neighbor is each person that walks through the door at the Lord's Diner each night, my neighbor is the first grader I work with each week at the, at a Wichita Elementary School, who is quiet because he lives in a car or with relatives. My neighbor is the person who walks into the Emergency Room because they cannot get Medicaid so they can go to the family doctor for an illness. My neighbor is the parents sent to prison for stealing to provide for their children or their family. My neighbor is you Mr. Ranzau, and I want you to know that I'm called to care for you if needed.

"Progressives are not your enemy. We deeply care about our fellow human beings. We want discussions about the merits of different approaches to solving problems, setting budgets and most of all politicians who know the value of compromise. We do not, what we do not want, are diatribes on how fellow Americans are your enemy. We need to be a country allowed to do discussions and decide things together in a civilized manner. Thank you."

Chairman Unruh said, "Thank you, Ms. Meredith. Next speaker is Carrie New."

Ms. Carrie New, 20320 W. 39th St. S., Goddard, greeted the Commissioners and said, "I know my voice is going to shake because I'm really nervous. Commissioner Dennis, I'm in your district. Commissioner Ranzau, I took the time yesterday to watch your comments from last week's meeting. I'm one of those families earning less than \$30,000 dollars a year and I've seen my taxes increase. I've watched our teachers' salaries be cut. I've watched our schools close early. I've watched their health insurance for teachers costs go up. I myself am on the exchange. I'm terrified of what's happening in Congress right now. I will lose my insurance if the plan goes through by the way.

"I've seen KDOT (Kansas Department of Transportation) throw money extensively to repair our roads only to have our Governor's sweep those funds into the general budget to plug holes previously filled by tax dollars. I have absolutely no problems with my taxes going up.

"I also worked on campaigns for Democrats last year, I helped float two house seats in the Senate seat towards the Democrats. I know what our candidates were saying, and I know when our candidates were knocking on doors. They were telling voters that they were going to increase taxes, so your comment that we didn't tell people that we were going to raise taxes is incorrect. Elizabeth Bishop in particular was asked by many voters during her door knocking efforts is she was going to raise taxes and her response was always a very simple, 'Yes' and then she won because she told the truth. The voters in this state understand the tax cuts are causing a budget shortfall. They're harming our schools, our roads, and our credit rating.

"Not everyone in Sedgwick County thinks taxes are evil. Maybe, you'd like to give up

some of your taxpayer funded salary and benefits to help plug the budget deficit. While I don't have an issue with my taxes increasing, I do have an issue with you using this form for your own personal bully pulpit. You were hired by me and by others like me to govern our county, not to attack a political ideology. I expect you to do your job while you're in this room. If you have issues with how our state government is run, might I suggest you resign your seat on this board and run for a state office. Your comments on the state budget were inappropriate and uncalled for in this room.

"I'm 47 years old, I got my first job when I was 14, working in nursing homes cleaning kitchens. I've been paying taxes in this county since 1984. I'm your employer, I expect you to take that into consideration at any time you're in this room. This is not your private bully pulpit. I used to work for the post office, we couldn't have had these conversations on the floor at the post office. The Hatch Act (Hatch Act of 1939) prevents that. If I had the ability to fire you today, I would. Instead, I'm going to find candidates to take your place on this board to find someone who will actually do their job and not be divisive because that's what you did. You just made Liberals a target again, yesterday, or last week.

"As for the rest of the board, I expect you also to remember who employs you. Commissioner Unruh, I know you do. I know that you've stood up before. Commissioner Dennis, I would like to see you stand up when these kinds of comments are made. It's not just wealthy conservatives that pay the taxes that pay your salaries, it's we the people and you're subject to losing your job if you don't stand up against these kind of attacks against your constituents. If the others in this room cannot speak out against this, then you are complicit and you are subject to being fired by we the people. This county does not consist solely of white conservative males. You need to start remembering that."

Chairman Unruh said, "Thank you, Ms. New. Another speaker, Dana Riley."

Ms. Dana Riley said, "I'm sorry, I was just signing in, I had nothing to say."

Chairman Unruh said, "Okay, thank you. Is there, before we close this portion of the meeting, is there anyone else here who would like to speak? Yes, ma'am. If you would state your name and address and you have up to five minutes.

Ms. Jennifer Johnson, 1112 W. 33rd St. N., Wichita, thanked the Commissioners and said, "I just have three small things to say. As you can see, I believe many of us are here because of the comments that were made last week. I think part of us, I did not get to hear everyone else, someone may have already said this, but I believe for many of us, this is what a progressive looks like and it was very offensive what was said last week. I am ashamed you're my representative. I'm a 55 year old teacher, I'm a widow of a husband who died of cancer, I'm a member of church, I vote, I'm a registered independent, but I believe progressivism is very important and it is one of the reasons we have cleaner water, cleaner air, public education, many things that benefit our society.

"So, I apologize I had to walk up the stairs. But I have three things to say, I want to say thank you because you've reminded me that we need to be working on politics at the local level. Second, I want to say thank you because you've reminded me how important the media is, sitting in meetings, sometimes many times when they're empty and letting us know what's being said in our name. Third, I want to say thank you because you've made me even more proud of being a progressive. Thank you for your time."

Chairman Unruh said, "Alright, thank you. Is there anyone else who did not sign up but who wishes to make a comment? I see no one indicating they want to speak so, we appreciate your involvement and your effort in being here this morning. I do have a comment from Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "I just want to thank the ladies Claire, Carrie and Jennifer who came here today to speak. I plan on saying some more at the end in our 'other' to address comments that I said last week and some of the response that I've gotten to clarify my position. Still may not agree with me, but I think some of the things I've said have been misconstrued or perhaps I did a bad job explaining exactly what it is after I explained more clearly. Still not going to like what I'm going to say, but I appreciate the opportunity to have a dialogue and I'm going to give these specific thoughts some more or comments more thoughts throughout the meeting and I'll address the issue in its entirety at the end. Thank you."

Chairman Unruh said, "Alright, thank you, Commissioner. I believe we're ready to take the next agenda item."

APPOINTMENTS

A [17-286](#)

RESOLUTION RE-APPOINTING CLEMENT DICKERSON (COMMISSIONER MICHAEL O'DONNELL'S NOMINATION) TO THE SEDGWICK COUNTY STORMWATER MANAGEMENT ADVISORY BOARD.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "We have five items on appointments today and as always I'm going to group those in a logical way. The very first one, Item A is the re-appointment of Mr. Clement Dickerson to the Sedgwick County Stormwater Management Advisory Board. Mr. Dickerson had been appointed by Commissioner Norton, but his term automatically ended with the change in Commissioners. Commissioner O'Donnell has asked that this board re-appoint him and I'm told he is going to present, I don't know if he is here or not."

Chairman Unruh said, "No, he is not."

Mr. Yost said, "We thought he was going to be here to be sworn in again but paperwork appears to be in order and I would urge adoption of this resolution."

Commissioner Howell thanked the Chairman and said, "Mr. Chairman, I'd like to make that motion we re-appoint Clement Dickerson to this position on district two Stormwater Advisory Board. I know Clement Dickerson and I know I spoke with Commissioner O'Donnell. This is very good appointment and appreciate, his support for putting this on the agenda. Thank you, Mr. Chairman."

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

MOTION

Commissioner Howell moved to adopt the resolution.

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	Absent
Chairman Unruh	Aye

Adopted

B [17-263](#)

ACCEPT THE RESIGNATION OF BILLY DEAN RIGGS (DISTRICT 3 AFTON TOWNSHIP TRUSTEE) FROM THE SEDGWICK COUNTY AFTON TOWNSHIP BOARD , TRUSTEE POSITION.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Accept the Resignation.

Mr. Yost said, "Mr. Chairman, Items B and C are related. Item B is the resignation of Billy Dean Riggs as the Afton Township Board, from the Afton Township Board, the Trustee position. He had actually just been elected, but needed to resign for personal reasons and it has been recommended by Commissioner Dennis in Item C that Mr. Richard Flaharty take Mr. Riggs position and that you appoint him to that. The term on that would end January 11, 2021. I'm told that Mr. Flaharty is not going to be present to be sworn in but he might be, you might want to ask. I would urge adoption of Items B and C, B being the resignation of Mr. Riggs and C being the appointment of Mr. Flaharty."

Chairman Unruh said, "Alright."

Commissioner Dennis thanked the Chairman and said, "Mr. Chairman, I'd like to move that we accept the resignation of Billy Dean Riggs and thank him for his service and to accept my appointment of Richard Flaharty. He has served as a township on the township board in the past and I recommend we adopt the resolution to appoint him."

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

MOTION

Commissioner Dennis moved to adopt the resolution.

Commissioner Howell seconded the motion.

VOTE

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

Adopted

- C [17-264](#) RESOLUTION APPOINTING RICHARD FLAHARTY
(COMMISSIONER DAVID DENNIS' RECOMMENDATION) TO THE
SEDGWICK COUNTY AFTON TOWNSHIP BOARD AS TRUSTEE.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Action on Item C was taken with Item B

- D [17-287](#) ACCEPT THE RESIGNATION OF BERNIE CUMMINS FROM THE
ROCKFORD TOWNSHIP TREASURER POSITION.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Accept the Resignation.

Mr. Yost said, "Mr. Chairman, Items D and E are both resignations. I think they can be voted on together. Item D is the resignation of Mr. Bernie Cummins from the Rockford Township Treasurer position and Item E is the resignation of Mr. Jerry Winkley who had been Commissioner Ranzau's appointment on the Sedgwick County Intellectual and Developmental Disabilities Advisory Board. The paperwork appears to be in order on both those, I would urge adoption of both these resolutions."

Chairman Unruh said, "Thank you. What's the will of the board?"

MOTION

Commissioner Ranzau moved to adopt the resolution.

Commissioner Howell seconded the motion.

Commissioner Howell said, "I'd like to also add just a comment real quickly. I have gone to appreciate and know Bernie Cummins over the, over my last several years of being a County Commissioner here. I want to say I appreciate his service, Treasurer is always a tough position and he has been a good servant of his township. I wanted to say thank you to him and certainly support these motions today. Thank you Mr. Chairman."

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

Commissioner Ranzau said, "I too would like to thank Jerry Winkley for his service. He's been on this board for several years, life's circumstances he's gotten busy and just doesn't quite have the time nowadays, so I appreciate his service and we'll get someone else appointed."

Chairman Unruh said, "Alright, thank you. Any other comment? Seeing no further discussion, Madam Clerk, call the vote."

VOTE

Commissioner Dennis	Aye
Commissioner Ranzau	Aye
Commissioner Howell	Aye
Commissioner O'Donnell II	Absent

Chairman Unruh Aye
Adopted

- E** [17-289](#) ACCEPT THE RESIGNATION OF JERRY WINKLEY
(COMMISSIONER RICHARD RANZAU'S APPOINTMENT) FROM
THE SEDGWICK COUNTY INTELLECTUAL AND
DEVELOPMENTAL DISABILITIES ADVISORY BOARD.
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Accept the Resignation.

Action on Item E was taken with Item D

NEW BUSINESS

- F** [17-244](#) CONSIDERATION OF A NATIONAL INSTITUTE OF JUSTICE (NIJ)
2017 CAPACITY ENHANCEMENT AND BACKLOG REDUCTION
PROGRAM GRANT IN THE AMOUNT OF \$99,990 FOR NEW DNA
LABORATORY INSTRUMENTATION.
Presented by: Dr. Timothy Rohrig, Director, Regional Forensic
Science Center.

RECOMMENDED ACTION: Approve the application for the grant, and
if awarded authorize acceptance of the grant, the establishment of
budget authority as provided in the Financial Considerations section of
this Request.

*Dr. Timothy Rohrig, Director, Regional Forensic Science Center, greeted the
Commissioners and said, "Before you today, you have a, what I'll just refer to as the
National Institute of Justice (NIJ) DNA (Deoxyribonucleic Acid) Grant. This request is
in the amount of about a, little under \$100,000. National Institute of Justice is long
recognized. The importance of DNA evidence in the investigation and adjudication of
violent crime that occurs in our country, our state, and our county. We've seen an
increase in these types of cases and along with that, again a violent crime, we're
seeing a significant increase in a number of sexual assault kits are submitted for
examination. DNA plays a critical role in these types of investigations.*

*"Last few years we've seen a doubling of the number of submissions for DNA
examination. Although the number of cases may only have doubled, the number of
exhibits with these cases have gone up exponentially. In the past, with a homicide
case, we may have seen maybe a dozen exhibits that required examination. It is not
uncommon nowadays for a homicide case, we will have over a hundred exhibits to
examine for a DNA evidence. This has put a tremendous strain on our system. We've
seen increases in backlog that is the amount of time it gets the case to be processed
through the laboratory. To address this challenge the National Institute of Justice has
made funding available for crime laboratories to beef up their infrastructure and to
help reduce the backlog.*

*"If this grant is approved and we're going to use this grant basically to buy
replacement equipment and some new technology. If this grant is approved this will
help us address this problem that we're facing in our county right now. I would
recommend that you approve the application for the grant if authorized or if the board*

had authorized acceptance of the grant, established budget authority as provided by the financial considerations that accompanies the documentation that you have. With that, I stand ready for any questions that you may.”

Chairman Unruh said, “Thank you, Dr. Rohrig. I guess my first question is, I can see how this is a necessary piece of equipment but does this backlog require more personnel to handle it or are you still able to manage that?”

Dr. Rohrig said, “I’ll answer that with a yes and no in the sense that, last year you with the recommendation from the County Manager did authorize another FTE (Full Time Equivalent) to begin to address this problem. We will have some budgetary items coming forth that will look at additional FTE’s to further reduce our backlog. We’re still doing a great job, but always our customers if you will would like us to get the work done quicker.”

Chairman Unruh said, “I know that you don’t have an abundance of space, I mean it, space requirements is not an issue here?”

Dr. Rohrig said, “Currently, right now we have no space to put this equipment because a lot of this equipment is to replace outdated equipment so we’ll just swap it out. The new technology has a relatively small foot print, so I’ll be able to find some space for that to accommodate that equipment.”

Chairman Unruh said, “Okay, very good, thank you. Commissioners, are there any other questions? What’s the will of the board?”

MOTION

Commissioner Ranzau moved to approve the grant.

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	Absent
Chairman Unruh	Aye

Dr. Rohrig said, “Thank you.”

Chairman Unruh said, “Thank you, Dr. Rohrig. Next item, please.”

Approved

G [16-797](#)

SETTING A PUBLIC HEARING FOR THE PROPOSED ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION, AND THE INTERNATIONAL FUEL GAS CODE, 2015 EDITION.

Presented by: Kortney Capello, Assistant Director, Metropolitan Area Building and Construction Division (MABCD).

RECOMMENDED ACTION: Set the public hearing date and publish the notice of hearing once in the official County newspaper.

Mr. Tom Stolz, Assistant County Manager, Public Safety Department, greeted the Commissioners and said, "Kortney Capello was going to be here but he's under the weather so I'll make this short presentation for him. The International Code Council (ICC) publishes new code cycles every three years. Wichita and Sedgwick County both adhere to the practice of updating codes to ensure public safety and consistency of building practice in a global building market. Every year since the MABCD (Metropolitan Area Building and Construction Department) merger we go through the exact same process when we adopt new code.

"The process starts by mobilizing the Wichita Sedgwick County Advisory Board who was responsible for the oversight of that code, in this case it's the Mechanical Trade Board. They meet numerous times and they will form a subcommittee that will, whose main function is to review the old code, the 2012 code, mechanical code in this case alongside the new code, the 2015 mechanical code. They'll look for significant changes or differences between the code and it will scrutinize and log those. As they go through this, these meetings are open to the public and several times other mechanical contractors will come to the meeting to listen and also to give input.

"After this scrutinization is completed they will recommend amendments to the code when the, when the published code is not consistent, or not reasonable, or does not make sense for Wichita, Sedgwick County, Kansas. In this case, in the mechanical code, I think there's 10 or 11 amendments that they have suggested. Most of them, less regulatory, a couple of them more regulatory because of safety issues that we're proposing in this, in this adoption. After that is completed, we do what we're doing now, which we stand before the elected's both in the Sedgwick County and City of Wichita and we present the code.

"In the Sedgwick County format, we actually announce a public meeting to take place at a later date, that's why I'm here today. We would push a public meeting out to I think April the 12th where we would then formally look at the code perhaps adopt it, perhaps not adopt it, but that would be the time for public comment. On the City of Wichita side of the coin, we will time that about the same, the first of second week of April and go through the adoption process on, on that side of the street.

"The staff request today, is to set a public hearing for the April 12th Board of County Commission meeting and instruct the County Clerk to publish the Notice of Public Hearing once in the official county newspaper and I'd be glad to answer any questions here. Unfortunately, the MABCD staff is sick today so I'll do the best I can and we would be in contact with you between now and the April 12th public hearing."

Chairman Unruh said, "Alright, thank you, Tom. Commissioners are there any questions for the setting of this public hearing? Seeing none, what's the will of the board?"

MOTION

Commissioner Dennis moved to set a public hearing date of April 12th and publish the notice of hearing in the official county newspaper.

Commissioner Ranzau 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	Absent
Chairman Unruh	Aye

Approved

H [17-285](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON MARCH 2, 2017.

Presented by: Joe Thomas, Director, Purchasing.

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

Mr. Joe Thomas, Purchasing Director, greeted the Commissioners and said, "The meeting of the Board of Bids and Contracts of March 2nd, results in five items for your consideration.

1. 2016 SUPER SEAL – PHASE 2 (R342-B) – PUBLIC WORKS FUNDING – R342 COLDMIX REPL-16

"Before reading this recommendation, I'd like to point out a clerical error in the amount presented originally to bid board. The public works had reviewed the bid, original bid and it had made a modification and it resulted in the elimination of about nine items and inadvertently item number nine was deducted twice and so we're putting back into the recommendation the \$5,800.50. So, with that in mind, here's the recommendation we have, is to accept the bid from Andale Construction Inc. and this amount modified is \$483,154.58. And you also have as another option Commissioners to return this item to the bid board if you so choose for review of verification.

2. MEDICAL SERVICES – DIVISION OF CORRECTIONS FUNDING – DIVISION OF CORRECTIONS

"Recommendation is to accept the proposal from University of Kansas School of Medicine – Wichita Medical Practice Association and it's at an annual cost of \$240,056.00 and establish contract pricing for three years with two one year options to renew.

3. FORD POLICE INTERCEPTOR UTILITY MARKED VEHICLES – FLEET MANAGEMENT FINDING – 2017 UTILITY POLICE INTERCEPTOR SUV AWD

"Recommendation is to accept the low bid from Rusty Eck Ford in the amount of \$219,359.00.

4. ZIX ENCRYPTION MAINTENANCE AND SUPPORT – INFORMATION TECHNOLOGY SERVICES (ITS) FUNDING – SYSTEMS AND SECURITY

"Recommendation is to accept the quote from ZixCorps Systems Inc. for a three year total cost of \$122,700.00.

5. CRACK SEALANT – PUBLIC WORKS FINDING – R175 PREVENTIVE MX-16

"Recommendation is to utilize the State the Kansas contract #41831 which goes through May 31st of this year and the initial purchase will be in the amount of \$14,440.00.

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

Chairman Unruh said, "Alright, thank you, Joe. Commissioners are there any questions? I would just have one question, my understanding I thought saw some information that indicated on Item two that this contract is about six percent or so less than it was a year ago, is that correct?"

Mr. Thomas said, "Yes, it is."

Chairman Unruh said, "Okay, and that's just a result of good bidding, are we getting less services or...?"

Mr. Thomas said, "I'd like to think it's a result of good bidding, aggressive bidding."

Chairman Unruh said, "Okay, alright, well..."

Mr. Thomas said, "We hope that's the reason."

Chairman Unruh said, "Alright, well I'm happy about that. Question here from Commissioner Howell."

Commissioner Howell thanked the Chairman and said, "I just wanted to make a couple of comments, first of all I support bid board recommended actions today and I would make that motion to approve the recommendations of the Board of Bids and Contracts. In addition to that, I wanted to talk about item number one just a little bit. I did write about this a couple of weeks ago in Derby Informer. As Commissioner of District five, one of the things that came to me very early in my service here to county was a request to consider 87th Street.

"As I've thought about that I've worked with Public Works, I appreciate them as well. They've found a way to get it done. This 87th Street, I think anybody who has looked at the road would say it's probably the worst road in the county and that was the title of my article was it was the, it was Fixing the Worst Road in the County and to get this done actually has been a four way partnership.

I wanted to give thanks and credit to Westar Energy, obviously Rockford Township who's got \$34,000 into this and then the remainder of this cost has been split between the City of Derby and Sedgwick County.

"Now there was a cap in terms of their exposure and I believe we're going to bump up against that cap but we were able to find a way to get this done and Public Works found a way to make it happen, so this is a tremendous accomplishment. Normally, we meet when we select a mile to pave we do this in the even years. This has been so complex it's actually carried over into 2017. But this I believe will be able to be completed between now and probably sometime this summer.

"But having said that the overall project cost, again, Westar Energy had to move some utility poles, they were very very large, some of the largest I think I've ever seen, they are huge poles. I think they told me that the foundation goes 75 feet into the ground to let know how large those foundations are. Foundations are eight feet in diameter so these are really large poles. They had to move two of them and install a new one and then they have to move 33 other utility poles along the road and they

had to purchase right-of-way. This has been a very, we had to purchase right-of-way, excuse me.

"Been a very very complex project and one of the things Public Works has to do in the engineering is raise the road by four feet in some places to add drainage under the road. Having said that, this opens the door for I think tremendous economic opportunity for the City of Derby and people who live on that side of Derby. Some great new opportunities will be created and so overall project cost I think, if you count everything is about \$1.5 million dollars and you add in what I plan on doing next year with the next mile to the east we're talking about potentially about two hundred, excuse me about \$2 million dollars altogether.

"So this is a huge project and I wanted to say thank you all those involved and say I appreciate the county allowing me to pick this difficult mile and find a way to get it done. So our exposure still is, is reasonable but without a four way partnership this would never, this would've never happened. I just want to say thank you to all those who are involved in making this happen today. Thank you. Mr. Chairman, that was my motion."

Chairman Unruh said, "Thank you, Commissioner, is there a second to accept the recommendation the Board of Bids and Contracts?"

MOTION

Commissioner Howell moved to approve the recommendation of the Board of Bids and Contracts.

Commissioner Dennis seconded the motion.

Chairman Unruh said, "Thank you."

Mr. Thomas said, "Mr. Chairman, if I may, it was just brought to my attention that item number two instead of being a decrease was a slight increase of about \$14,000 dollars, so the credit I took originally I have to retract."

Chairman Unruh said, "Okay, so I misunderstood the communication then, it went up?"

Mr. Thomas said, "Yes, sir. Slight increase."

Chairman Unruh said, "Thank you very much for that, correction. Okay, any further discussion? Seeing none. Madam Clerk, call the vote, please."

VOTE

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

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

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

Approved

CONSENT

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "Recommend you approve consent agenda items India (I) through Oscar (O)."

MOTION

Chairman Unruh moved to approve the consent agenda.

Commissioner Ranzau 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>Absent</i>
<i>Chairman Unruh</i>	<i>Aye</i>

Chairman Unruh said, "Next item, please."

Approved

- I [17-255](#) CIP Amendment for Project B-471: Delete Construction of a Bridge on 53rd St. North between 231st St. West and 247th St. West from the CIP. District 3.

- J [17-256](#) CIP Amendment for Project B-473: Delete Construction of a Bridge on Broadway between 117th St. North and 125th St. North from the CIP. District 4.

- K [17-257](#) CIP Amendment for Project B-478: Delete Construction of a Bridge on Pawnee between 127th St. East and 143rd St. East from the CIP. District 5.

- L [17-258](#) CIP Amendment for Project B-479: Delete Construction of a Bridge on Pawnee between 143rd St. East and 159th St. East from the CIP. District 5.

- M [17-261](#) Addendum to the Emergency Communications P-25 system and service purchase agreement.

- N [17-228](#) Treasurer Claim Certification.

- O [17-251](#) General Bill Check Register March 1, 2017 - March 7, 2017.

LEGISLATIVE ISSUES

Mr. Jon VonAchen, Assistant County Counselor, greeted the Commissioners and

said, "Legislature is kind of getting their feet wet again after being off for 10 days, although the Senate did have a lengthy debate yesterday on the Governor's budget bill. I have three items for you today. The first is, House Bill 2094 we have provided testimony. This bill is regarding municipal contracting, expands the definition of municipality. This would allow us to contract with sewer districts, drainage districts, fire districts, school boards. One of things we pointed out in our testimony is that the ability to contract with drainage districts would help us create an overall comprehensive Stormwater Management plan and help us tackle the many stormwater projects that we need to do in the county.

"Our contingent from Department of Corrections is going to be up to testify in House Judiciary today. On Senate Bill 43, that is the Pre-trial Services Bill that would allow for, if a judge authorizes them, if somebody violates a condition of bond prior to them being convicted or sentenced then they would have the ability to revoke on that on the spot. This would be used for, primarily serious violations such as committing a new crime, you now using drugs or alcohol while on bond, particularly if the offense involves drugs or alcohol. So our contingent will be up there today to testify in the house on that Senate Bill. Hopefully that can get out of committee soon.

"The last item that I have for you, above the line today Senate Bill 43 will be voted on today regarding canvassing in the special election that is upcoming on April 11th. This is the last piece that fixes the canvassing and will help us now be able to train our board workers. If this did not pass, we would have to train them in one of the school districts to be able to have voter go to two different machines. If this fixes the canvassing problem, which it will, then we'll be able to train that we'll have both questions on one machine and be able to canvas them simultaneously. That's all I have today."

Chairman Unruh said, "Alright, thank you. Commissioners, any question or comment? I see none, Jon, thank you."

Mr. VonAchen said, "Thank you."

Chairman Unruh said, "Next item, please."

OTHER

Chairman Unruh said, "Commissioners, do you have other comments that you wish to bring before the board this morning? Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "I've got a variety of things that I'd like to say here, please. Indulge your patience here, in reference to some of my comments last week. Last week I attempted to stand up for the taxpayers, all of the taxpayers in my district.

"Particularly the ones that make between \$15,000 to \$100,000 dollars a year, individuals and families. Attempted to do that by exposing what I believe is hypocrisy of the progressive movement. The progressive movement says they care about the poor and working class, but then recently had a tax bill that raised taxes on the poor and working, poor and middle class of the state.

"Which most people did not realize it was happening and I believe certain elements, certain politicians, media folks did not disclose what was actually going on. They talked about the LLC (Limited Liability Corporation) loophole, but I've talked to many people who didn't realize back when the tax cuts went in that 30 percent of that costs went to the LLC Loophole but 70 percent went to everybody else in the state, all of us. I wasn't using this as my own personal agenda to help myself, because I can

afford that, have a tax increase but many people in my district which is very diverse cannot and I talk to them a lot.

"Now that being said, I've gotten some feedback and I may have not done a good job explaining where I was coming from, may have led to some misconceptions. I know what I was trying to say and so let me clarify. First of all, I talked about the progressive movement and I said progressive movement intentionally, I didn't say progressives. I wasn't talking about any individual."

Audience member said, "What's the difference?"

Chairman Unruh said, "Please, hold your comment, please."

Commissioner Ranzau said, "Now I understand, that my explanation here today may not make people happy, but I'm going to attempt to clarify this. I'm trying to criticize the ideology and the tactics used by many, but not all. I don't believe that individual progressives are my enemy or an enemy of the community. I believe individuals who have progressive, support progressive ideology or are really a victim of the tactics and ideology itself. They've been misled to believe that through enough, enough government taxation and regulation we can create a utopia for all of us to live where all of social ills disappear.

Audience member said, "It's Mar-a-lago."

Commissioner Ranzau said, "They care about people. They care about people just as, we all care about people. But the progressive ideology whether you call it progressivism, liberalism, socialism, stateism, collectivism, whatever provides false promises to people. Now, as I've said, I believe the progressive ideology is contrary and antithetical to core American values and the principles on which this country was founded. Some of those values in my estimation are individual freedom, individual responsibility, fiscal responsibility, and limited government, I've talked about this before.

"Now, and I attempted to give some examples of the hypocrisy within the progressive movement specifically some politicians, media folks, and of course some professors in universities that try to do this. Some of the more troubling commonplace tactics in my estimation is the use of deception and lying to people as well as force, government force and of course violence. I oppose those tactics. I want an open and honest debate of all these issues, but I don't think many politicians, progressive politicians and keep in mind here I said, I didn't say democrat or republican, that's another misconception, okay.

"I'm not saying democrat versus republican, I'm talking about progressivism, okay, which some republicans are. I don't think the media particularly, I'll just use example here and this isn't all people in media, but I don't think we're allowed to have an honest debate about all of these issues. I've already been criticized for actually standing up for the people in my tax, in my district and saying something about this. It's my job to speak out on behalf of them because raising taxes on the poor and middle class in my community has an effect upon them.

"One perfect example is the Affordable Care Act. President Obama and the Democrats had to lie to people about the whole thing to get it passed."

Audience member said, "Oh my goodness."

Commissioner Ranzau said, "Of course, you have to use government force to implement it because people won't do it voluntarily. People were forced off of their insurance."

Audience member said, "Can we comment on your remarks?"

Chairman Unruh said, "Please, Commissioner Ranzau was quiet and polite during comments that some pointed directly at him and please, please afford him the same respect. Thank you."

Commissioner Ranzau said, "You have to use government force to implement it through the IRS (Internal Revenue Service) or whatever. That doesn't respect individual freedom the people that choose how they get their health care, individual responsibility, and certainly not fiscally responsible or demonstrate limited government. Now, it's important to understand that the, some of the people here, or all the people here today may not agree with me and much of my frustration that I have comes directly from how all of these issues are dealt with by politicians, media and elitist professors and people in universities, okay."

Audience member said, "So education is bad."

Commissioner Ranzau said, "Now, there is, perfect example is sets, this has come out. There's been another article by Mr. Meredith, another local progressive who talks about Nikita Khrushchev, Joseph Stalin, he's a, of course we're all leftist, socialist, collectivist, statist.

"But one of the tactics he's using is called projection. He's trying to project those values onto conservatives or, or and I would argue that's exactly what he's doing, he's projecting. He talks about here about how Joseph Stalin eliminated the possibility of any kind of ideological contest, that's true, he had to do that in order to, he had to do that, he had to lie and deceive and not have any ideological contest and use government force to impose that and that's what I'm opposing here.

"I want an ideological contest and what I'm trying to say is, I don't believe we actually have that true, honest, debate within politics or within the media or even within universities. Many, not all, not every professor, not every university. Look at what happened in the last election that's ongoing right now. Universities and professors are shutting down conservative speakers, they have for a while. There is violence at UC (University of California), Berkeley, they shut it down in Chicago, they did all of these things. That's not right, that's part of the tactics that's going on right now, being pushed by the progressive movement, some in the progressive movement.

"That's my point. You can deceive people, you can silence ideological contest by a variety of ways. You can do it by actually using violence or shutting down a speaker who is going to speak or you can use your, your ability as a media outlet to distort and hide data or twist it in a certain direction or as a professor, you can tell one sided views of history and values, etcetera and you can intimidate those with conservative values and try to get them silenced and make them feel marked. There's lots of ways to do it and that's going on.

"I'm not going to be silenced, I'm going to stand up for that true debate because I believe that's important and my job is to stand up for the taxpayers. Someone said I needed to do my job and that's what I'm doing. May not agree with my point of view, I get that and I respect that. I would argue now with respect to President Trump. I don't condone everything he does. He may act at sometimes in the conservative way and he may act sometimes in the progressive way. The new Health Care Bill has some progressive elements to it. He may attempt to silence any discussion on this or any

changes to it and ideological contest. He may do that in order to push it through.

"If he does it's important to realize that's he's using tactics from the progressive movement, that's not a conservative tactic. That's what many in the progressive movement are trying, it's happening. They're silencing debate and if you have a difference of opinion, look at the town halls, going to town halls for conservative republicans, screaming and hollering throughout the country. Not allowing many of them to even speak. They don't want to hear answers, that's not every place, certainly it's not here, but it is happening and that's very troubling.

"Another common tactic that happened as a result of this, I'm just growing very sick and tired of it, is anytime you have a difference of opinion, you're called a racist. You're just a racist and a bigot. Somebody eluded to we're just a white conservative males. I've been called that before and I'm sick and tired of it, absolutely sick and tired of it. I've got a lot of minorities in my district and I spend time with some of them, a lot of them.

"There are black children, in this in my district who are not learning to read and write and they, they want the choice of where they can get their education, their parents want them to get that choice so they can learn to read and write.

"There's a wonderful school called Urban Preparatory Academy at 24th and Estelle, it's a private school. There are parents who have brought their children there, they can't really afford it. There are former teachers in the public school system who have brought their children there because that school meets their needs and there are hundreds more like them who would like to have the option so I work with them. I fight with them for school choice, this is just one example. They want the right to have the tax dollars that they spend to be able to follow the children so that their educational needs will be met.

"Yet, anyone who supports their right to choose their school and to have their tax dollars follow their children is characterized as someone who hates children, who hates education, wants to destroy public education. There can be no honest discussion about this issue. Don't call me a racist again."

Audience member said, "Racist."

Audience member said, "Hey, quit it."

Commissioner Ranzau said, "I believe these children matter. I believe black minds matter and I'm not just going to give lip service to that notion. So, the progressive movement, which time and time again tells me how much they care about my minorities and minority children and education. How much I'm a racist, will attack me and attack them for their view on this issue, I have seen their tears. When Ms. Moore cries because she feels like they have been abandoned. I've also seen their joy and their happiness because they are flourishing simply because of the change of an environment, a different opportunity and it's not about the amount of money in the school system.

"That's okay, I'll continue to fight for them, you'll continue to call me racist and try to silence the debate on this, on many issues but I'm not going to be silenced, I'm not going to put up with it and yeah, you'll keep calling me a racist and you're wrong. In the end, I'll keep fighting for them. They'll know who really cares about them because your actions speak louder than your words. Thank you very much."

Chairman Unruh said, "Thank you, Commissioner. Any other people on other? Commissioner Howell?"

Commissioner Howell said, "Well, thank you Mr. Chairman. I just wanted to quickly comment. On the way to work today I heard on the radio that today was a day without women and they encouraged women employees to maybe not show up to work to kind of show an impact women have. As I got to work today I was interested to know exactly what our demographics of Sedgwick County is.

"I'm pleased to say that our employees showed up to work, which I appreciate because without them we would have had to shut down.

"We need our women employees. In fact, I wanted to get the demographics and so just wanted to share this quickly. It's interesting, we have right at five percent more women employees in Sedgwick County than we do men. I wanted to say that if they didn't show up to work certainly we would not be open today, we would have to shut down, we appreciate them, I got to thinking about some of the women that are in key leadership positions around my district and of course here in the county.

"The City Manager of the City of Derby of course is Kathy Sexton, tremendous leader for the City of Derby. The Mayor of Mulvane, who was here just a few minutes ago, Shelly Steadman is one of our key employees at the Forensic Science Center and she was here just a minute ago for the item on the agenda and I appreciate her as well but she's the Mayor of Mulvane. We have and just off the top of my head thinking that our Environmental Resources, we have a woman at the top of that, Susan Erlenwien. COMCARE and Aging we have women at the tops of those two agencies as well.

We have women Firefighters, we have women who are commissioned to Deputies for the Sheriff's Office. We also have many women who work in our EMS (Emergency Medical Services) Department as well as our District Attorney's (DA) Office.

"We have the elected official, Register of Deeds, of course, Tonya Buckingham a woman. We have our Treasurer, Linda Kizzire and interesting that last week one of the Commissioners pointed out that her mother died this last week and I was able to attend the funeral and just to kind of circle it back around the invocation today was by Pastor Rick Just of the Asbury Church. So I was able to go to that facility and attend that funeral for Linda Kizzire's mom and it was a tremendous, tremendous service. They highlighted all of her services to Sedgwick County over the years and just a tremendous woman. I appreciate her very very much, getting to learn more about her services to Sedgwick County and Linda Kizzire our elected Treasurer.

"We also have our Deputy County Clerk, Karen Bailey, I could go on. We have legal staff that, no offense to any of the other counselors but one particular person in our legal department's really really impressed me so much. I just, I just think that she is the best ever and our legal department I just really appreciate her so very, very much. I could go on, our Election Commissioner's another woman so we have key positions all over the county of women who are in key positions of leadership, we have elected officials, we have managers, we have all kinds of people that happen to be women that we appreciate. Without them and their service to the county we would frankly collapse. We need their help, we need their service and we appreciate what they do.

"I know in my personal life, my wife is my better half without a doubt and I need her so much every day and I appreciate what she provides to me personally in so many ways. My house would fall part without her.

"So, again, I want to say thank you to all of them who are here today, but they do need to be appreciated and they do need to be recognized and I'd like to just summarize one final thing and that is I was also interested in the racial diversity of Sedgwick County and I'm pleased to say that in every one of the racial demographics

that we actually mirror Sedgwick County within one percent of every division if you will of racial diversity.

“So Sedgwick County, I think that we appreciate diversity, we also appreciate all of the women that provide services to Sedgwick County. We have over right at 2,700 employees right now and again five percent more of them are women than men so want to say thank you to them for being here and for their services to the county. Thank you, Mr. Chairman.”

Chairman Unruh said, “Thank you, Commissioner. Is there any other, Commissioner Dennis.”

Commissioner Dennis said, “Thank you, Mr. Chairman. I’m pretty new on the bench, still learning exactly what I’m doing and I’ve got a little bit of concern about the ‘other’ portion on our agendas because we’ve got a lot of staff setting around the room, we’ve got a lot of people, we’re paying for air time and so forth but I don’t want to cut out anyone’s first amendment rights, freedom of speech and so forth. I’m concerned the way that we’re using the ‘other’ portion on pulpits for different issues. I was concerned about it before I was elected and I’m still concerned about it.

“I respect each of my other Commissioners abilities to speak freely on what they want, but I don’t know if this is the forum because this is the place where we’re doing the people’s business. If we’re doing the people’s business, we should be concentrating on what their business is and if we have deep concerns we have other avenues that we can express those deep concerns. I think that it’d be worthwhile for our Commission to take a look at what we want to do with the ‘other’ portion of our agenda and see if we’re meeting the needs of our public or if we’re the meeting the needs of our Commissioners.

“So that’s just general comment, I was concerned and I brought it up during my campaign so this is not a new issue to me. I brought it up several times during my campaign that I was concerned about what was being discussed from the bench, I’m still concerned. Again, I don’t want to cut off anyone’s first amendment rights for freedom of speech, but I want to make sure we’re doing the people’s business. Thank you.”

Chairman Unruh said, “Thank you, Commissioner. I appreciate your comments, you’ve stated that very graciously and I appreciate that. Perhaps that’s an item we could talk about at our staff meeting on how we want to go forward. Okay, is there anything else? I see no one else asking to speak so we are at end of our agenda, we do not have an Executive Session nor a Fire District meeting so if there’s nothing else come before the Commission, I will declare that we are adjourned. Thank you all for being here.”

EXECUTIVE SESSION

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:03 a.m.