

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, May 17, 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 9:07 a.m. on May 17, 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 II; Commissioner David Dennis; Commissioner Richard Ranzau; Commissioner James M. Howell; Mr. Michael Scholes, County Manager; Mr. Thomas Stolz, Interim Deputy County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Mark Sroufe, Superintendent; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kate Flavin, Public Information Officer; Ms. Emilie Leivian, Deputy County Clerk.

GUESTS

*Mr. George Theoharis, 3603 E. Skinner St., Wichita
Ms. Julie White, Foster Care Home Recruiter, Saint Francis
Mr. Jeff Longwell, Mayor, City of Wichita
Mr. Wess Galyon, President, Wichita Area Homebuilders
Mr. A.J. Boleski, General Manager, SMG and Intrust Bank Arena*

Chairman Unruh said, "Thank you, Pastor Beckler for being with us this morning, appreciate it. Next item, please."

INVOCATION: Pastor Bob Beckler, Central Community Church.

FLAG SALUTE

ROLL CALL

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

Chairman Unruh said, "Next item."

PUBLIC AGENDA

Chairman Unruh said, "Commissioners, we've had one citizen sign up to speak this morning, on an item that's not on our agenda. So, we'd ask Mr. Theoharis, if he'd want to step to the podium and you have five minutes to make your remarks."

Mr. George Theoharis, 3603 E. Skinner St., greeted the Commissioners and said, "County Commissioners, County Manager. I come to you today, I graduated from WSU (Wichita State University), Magna Cum Laude, oh hell I just barely graduated, but I did get an A in map reading. Mr. Unruh was gracious enough to hand me the Sedgwick County map. So, looking at this map.

"I see here Wichita is right here and then the county surrounds it. So, Wichita is not here, and the county's here, its, you surround us. So, I come to you asking that Wichita, their Animal Control is getting ready to changes their fees and fines. We thought you guys were going to, so we were leading our city board to try and match yours. But, it looks like we're going to ours out before yours, you do. In the hope that

you can, unless you find them egregious or out of wack, that you could probably try to get them close to it.

"I've talked with all you Commissioners, one of you have said you want to be on an island and be all different than the city, but quite honestly, I think you should embrace us because we make up 70 percent. Over at the Animal Control, they deem dogs dangerous. Their ordinance is real similar to yours other than on yours, the dangerous animals it tells if you have a dangerous dog, what to do, you know what to do about that.

"Well quite honestly, in Wichita and I can't get the 2013 to 2014 figures, but let's just say they're around 42 or 43 because in '15 it was 49 dogs deemed dangerous, and 66 in 2016, which is 200, okay. If you make up 30 percent of the population of Wichita, 30 percent times 200 would be 60. So, roughly you guys should have 60 dogs that have deemed dangerous. That would be so, how many of you guys have deemed dangerous in four years? Zero.

"I've talked to 30 people, 30 people find it just appalling, just ludicrous, unbelievable that you only have deemed dog dangerous, deemed dangerous. You (inaudible) dangerous dog is here, but then it goes on to what happens if, you've never had one in four years. So, we don't need that section, I guess. You guys have the nicest dangerous dogs in the world because not of them has been deemed dangerous.

"So, we need to do something about that and I hope find that as out there as I do, because there's a problem, there's a disconnect or something. So, and then there's one thing here if you did deem a dog dangerous the likelihood of attacks or bites in the future and Wichita has that same thing. I asked them, how a dog bit or attacked someone and it says here, will it do it again the future? Well, unless it's having a lobotomy or it's had some couch time somewhere, why wouldn't you think it would bite or attack again? So, I find that just crazy.

"But, I'm hoping that you guys can get on board and look at these numbers and find out that we have a problem. Quit, quit, oh I thought there was a dog biting at me, but, I'm sorry. But, so yeah, I would hope that you would look at the numbers and work with the city on this because I think this should be a partnership here, not we do this and we do that. So, I hope you really look at that. Thank you."

Chairman Unruh said, "Thank you, sir. Commissioner Howell has comment or question here."

Commissioner Howell thanked the Chairman and said, "I really don't have a question just want to make a couple of comments about what you said. Thank you for being here this morning, thank you for pointing out the fact that we've never had any dogs deemed as dangerous dogs in the county. That's, I did not know that. That's interesting information, I'd like to dig into that a little bit.

"You've certainly brought an interesting point for us to go figure out and analyze and so, I appreciate that. I know you've been very focused on this issue for a long time and some of your colleagues as well have been really working on this issue a lot. I know City of Wichita has been doing a lot trying to find out ways to solve some of them concerns and I think one of your colleagues has pointed out and I think the numbers are a little bit, I'm not sure the numbers, I'm not sure which numbers are the right numbers, but I've either heard 10th or 16th the most dangerous city in the country on dog bites.

"But having said that, 80 percent of the county is inside the City of Wichita, so we

certainly do need to care about the topic as well and I appreciate that. I will tell you that in the county, one of the things I've learned, I think all of us probably have learned this. But, when you knock on doors out in the county there's a lot of hidden fences. I've been knocked by dogs that surprised me and I was on their property trying to talk to someone about representing them in the county in this position.

"It's a very normal thing to do to go on someone's property and try to just to talk with them, you know a friendly discussion, but you get surprised by a dog and it happens quite a lot. So, I am also concerned in terms of terms of borders, policies that change out of order that probably does need to be a review I would guess. You know again, most of the city, most of the population in Sedgwick County is in the City of Wichita.

"But, there is a border that is very jagged around the city and people may not realize when they cross the border that the rules might change. So, it is an area we need to look at and I appreciate you bringing that to our attention this morning. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Just as point of information, I want to let the folks who are watching know that we do have an Animal Control Advisory Board who will take up this issue and bring recommendations to us. So, I don't have anyone else who is signed up to speak so we will go on with the rest of our agenda. But, before I call the next item I just want to recognize the Mayor of the City of Wichita has come in to our meeting and will be addressing here in just a short while. So, glad you're here Mr. Mayor. Madam Clerk, next item, please."

CONSIDERATION OF MINUTES

A [17-452](#)

REGULAR MEETING MINUTES OF APRIL 12, 2017.

All Commissioners were present.

Chairman Unruh said, "Commissioners, you've had the opportunity to review the minutes of April 12th and 19th and 21st, 2017. Are there any additions or corrections?"

MOTION

Commissioner Dennis moved to approve the minutes of April 12th, 19th and 21st, 2017.

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, "Next item, please."

Approved

B [17-456](#)

REGULAR MEETING MINUTES OF APRIL 19, 2017.

All Commissioners were present.

Action for this item was taken with Item A.

C [17-459](#)

SPECIAL MEETING MINUTES OF APRIL 21, 2017.

All Commissioners were present.

Action for this item was taken with Item A.

PROCLAMATIONS

D [17-470](#)

PROCLAMATION DECLARING NATIONAL FOSTER CARE MONTH.

Read by: Chairman David Unruh or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Unruh said, "Commissioners, I've asked Commissioner Howell to read this proclamation."

Commissioner Howell said, "Thank you Mr. Chairman. Proclamation:

WHEREAS, Every May, National Foster Care Month provides an opportunity to all people across the nation to focus on the year round needs of American children and youth in foster care; and

WHEREAS, there are 900 children and youth in Kinship and Foster Care in Sedgwick County and many of these children and youth have undergone trauma and can overcome adversity; and

WHEREAS, the kinship care and foster parents are individuals committed to the success of these children and youth with the goal of providing a bridge to healthy family experiences so families may be reunified; and

WHEREAS, Kinship and Foster Care takes a community, including: volunteers, mentors, employers, faith based organizations, agencies and donors.

NOW, THEREFORE BE IT RESOLVED that I, David M. Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 2017 as

NATIONAL FOSTER CARE MONTH

and call on everyone to recognize and thank our current kinship and foster parents while realizing the need to recruit more help for these programs. The number of children and youth in custody is increasing and Kinship and Foster Care helps keep our local children and youth in Sedgwick County."

Chairman Unruh said, "Commissioners, you've heard the proclamation. What's the will of the board?"

MOTION

Commissioner Howell moved to adopt the proclamation.

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, "Accepting the proclamation this morning is Julie White, is that correct? Would you like to say a few words?"

Ms. Julie White, Foster Care Home Recruiter, Saint Francis, greeted the Commissioners and said, "Yes. Thank you so much for this opportunity. "We just want to recognize that this is such a need and we appreciate that you recognize that as well and that we have established this being our foster care month. In Sedgwick County, you know you stated that we do have 900, over 900 kids in care in Sedgwick County.

"Currently, we have a need of 143 kids that are outside of Sedgwick County because we do not have enough homes here in the county to place children. I am a foster care, I'm a foster parent as well and so this need is, I've seen it firsthand. The need that is so great for children to stay connected in their schools, their communities, churches. So, we do appreciate so much that you have put the proclamation into Sedgwick County for us because we just want to raise as much awareness for these kids as possible because we do want them to have stability and a better future."

Chairman Unruh said, "Well, thank you for giving us the opportunity to publicize this and make it known a little bit more. We need to be continually reminded and appreciate the ministry you have in our community."

Ms. White said, "Thank you."

Chairman Unruh said, "We have a comment here from Commissioner Howell."

Ms. White said, "Okay."

Commissioner Howell said, "Thank you, Mr. Chairman. I just want to say I really do appreciate the very difficult work that you all do there at Saint Francis. I know a number of foster parents in this community and I am so impressed. They are, they pour themselves into these children. Many of them have their own children as well and as I've gotten to know them, I am just so impressed. I'm thankful that there's someone out there that's stepping up to provide these homes of care. I am very much impressed.

"Years ago, I was struggling with some issues and someone recommended me to read some book and I did. I really just, these books moved me. It was a series of books by the name, by the author Dave Pelzer and I think you probably know them. I

read them a number of times and I just was genuinely moved. The topic in the books of course is about foster care and I would recommend those books to anyone if you want to know about foster care.

"I think, there's a great need. I know we're doing a tremendous amount in Sedgwick County and I'm looking forward to seeing more and more done, help these kids. It's not their fault, they're simply trying to grow up in a happy home and so we need to do more and more with that. Appreciate all you do for the community. Thank you so much."

Ms. White said, "Thank you so much."

Chairman Unruh said, "Thank you. Once again, thank you for being here."

Ms. White said, "Thank you for the opportunity."

Chairman Unruh said, "Madam Clerk, next item."

Adopted

E [17-464](#)

PROCLAMATION DECLARING NATIONAL PUBLIC WORKS WEEK.

Read by: Chairman David Unruh or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Unruh said, "Commissioners, I have a proclamation for your consideration.

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as streets, highways, bridges, drainage improvements, environmental services, household hazardous waste and noxious weed control; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is especially dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is substantially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE BE IT RESOLVED that I, David M. Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 21 - 27, 2017 as

NATIONAL PUBLIC WORKS WEEK

in Sedgwick County and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Chairman Unruh said, "Commissioners, you've heard the proclamation. What's the will of the board?"

MOTION

Commissioner O'Donnell moved to adopt the proclamation.

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, "Receiving the proclamation this morning is the County Engineer and Director of Public Works, David Spears."

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "Since 1960, APWA (American Public Works Association) has sponsored National Public Works Week across North America. More than 29,000 members in the U.S. (United States) and Canada use this week to energize and educate the public on the importance of the contribution of public works to their daily lives. Planning, building, managing, and operating the heart of our local communities and building the quality of life.

There would be no community without the quality of life public works provides. The 2017 National Public Works Week poster theme is 'Public Works Connects Us.' "As a cornerstone of civilization, public works provides, maintains and improves the structures and services that assure a higher quality of life for our communities. Its streets, roads and bridges keep us linked together from coast to coast and allow our communities to grow and prosper. Thank you for the proclamation."

Chairman Unruh said, "Well, David, we're pleased to do this. We do this every year and we want you and your department, all your staff to know how much we value the hard work and the ingenuity and the value they bring to Sedgwick County systems. I mean, we need roads, we need bridges, and so we need those, the value that your department brings to our community. So, we want to thank you very much for that."

Mr. Spears said, "Thank you."

Chairman Unruh said, "Madam Clerk, next item."

Adopted

F [17-471](#)

PROCLAMATION RECOGNIZING THE 75TH ANNIVERSARY OF LAKE AFTON.

Read by: Chairman David Unruh or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

VISUAL PRESENTATION

Chairman Unruh said, "I have asked Commissioner Ranzau to read this proclamation."

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

WHEREAS, Lake Afton is a 258-acre lake south of Goddard, which was constructed by the Works Progress Administration between 1939 and 1942; and

WHEREAS, Sedgwick County purchased the land at \$80.00 per acre in 1938 and approximately 450 Works Progress Administration workers built the lake by constructing a 4000 foot dam on Clearwater Creek; and

WHEREAS, Lake Afton has since been recognized as an area recreational destination, including being featured on the front cover of the June 1, 1959 edition of Life Magazine; and

WHEREAS, Lake Afton Park currently occupies the 750-acres surrounding the lake and features the Lake Afton Public Observatory, public shooting range, park store, and many boating, fishing and camping opportunities including both RV and tent sites; and

WHEREAS, over the last five years, Lake Afton Park has had an average of 51,509 visitors per month during camping season (April to October).

NOW, THEREFORE BE IT RESOLVED that I, David M. Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby recognize 2017 as the

75th Anniversary of Lake Afton

in Sedgwick County and encourage all Sedgwick County citizens to visit Lake Afton and enjoy the many recreational opportunities available in the surrounding park.

Chairman Unruh said, "Thank you, Commissioner. Commissioners, you've heard the proclamation. What's the will of the board?"

MOTION

Commissioner O'Donnell moved to adopt the proclamation.

Commissioner Howell 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, "Receiving the proclamation is Mark Sroufe who manages all of our park facilities."

Mr. Mark Sroufe, Superintendent, greeted the Commissioners and said, "Thank you

for the opportunity to be here today. I accept this on behalf of all the WPA (Works Progress Administration) workers that Commissioner Ranzau mentioned as well as all the public that have used the park in the past, present and will in the future. Also, the support of this Commission and previous Commissions."

Chairman Unruh said, "Well, Mark, thank you. We just want to commend you and your staff for making this a really outstanding facility. It's clean, it's useable, it's in good repair and your people make sure that that happens. Also, in managing the park you've been a good partner with other agencies in the community when they need space like that to help give them an opportunity. So, good job, we're proud of the asset, we're proud of what you do."

Mr. Sroufe said, "Thank you very much."

Chairman Unruh said, "Thank you. Madam Clerk, next item. I'm sorry, Kate. We want to have a little video here. Well, thanks for that video, Kate. I'm sorry that I almost went by that. That's a great video. It really shows the opportunities we have out that park, which is an asset for our community. But, and Mark you did a great job, you're a movie star also."

Mr. Sroufe said, "Oh, thank you very much."

Chairman Unruh said, "Alright, now I think we're ready to move on. So, Madam Clerk, next item."

Adopted

APPOINTMENTS

G [17-476](#) RESOLUTION APPOINTING TARA LOVELESS (COMMISSIONER JIM HOWELL'S APPOINTMENT) TO THE ROCKFORD TOWNSHIP TREASURER POSITION TO FILL THE UNEXPIRED TERM OF BERNIE CUMMINS.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Item G is a resolution appointing Tara Loveless to the Rockford Township Treasurer position. This position had been held by Benny Cummins who resigned in February. Commissioner Howell is recommending that Ms. Loveless be appointed. Her term would expire January 11 of 2021. I'm informed that she is not present to be sworn and I would urge adoption of this resolution."

Chairman Unruh said, "Alright, Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. I would like to say, I want to say I appreciate Bernie Cummins. He has served the entire last term, that was over four years plus he was involved in the township even before that. Just want to thank him for his service. Reluctantly, I think he stepped down, he had some personal issues he needed to deal with which was fine."

"But, trying to find someone to fill his position has been very hard. So, I have talked to Tara about this for quite a long time. She understands the responsibilities of the job and I think she'll do a great job. So, I am pleased to make this motion this morning."

MOTION

Commissioner Howell moved to adopt the resolution.

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, "She will be sworn at an appropriate time. Next item, please."

Adopted

NEW BUSINESS

H [17-449](#)

JOINT ORDINANCE AND RESOLUTION TO REQUEST THE WICHITA-VALLEY CENTER FLOOD CONTROL PROJECT TO BE RENAMED IN HONOR OF M.S. "MITCH" MITCHELL.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Approve the joint ordinance and resolution and authorize the Chairman to sign.

VISUAL PRESENTATION

Mr. Yost said, "Item H is a joint ordinance and resolution with the City of Wichita to rename the Wichita-Valley Center Flood Control Project in honor of M.S. "Mitch" Mitchell. This was a matter discussed several weeks ago by this Commission. It's my understanding that the City of Wichita did pass a similar measure yesterday and that the Mayor of Wichita is here today and has some remarks he'd like to make."

Chairman Unruh said, "So, we'd like to invite the Mayor to step to the podium and address this item."

Mr. Jeff Longwell, Mayor, City of Wichita, greeted the Commissioners and said, "I have nothing but love to bring over from the City of Wichita. I even have love for Tom Stolz today. So, I want to thank you all for the collaboration we've been doing. Last week, we collaborated on making some river front improvements. This week, we're coming together to honor a significant person whose changed our city and our county, I think it's the only proper thing to do."

"We did pass it unanimously on consent. I resisted the urge, our friends at one of the television stations tried to corner me for an interview and I said I promised Chairman Unruh I will not talk to the media until we come jointly here today. So, I come sharing that we did pass unanimously. Looking forward to this opportunity collectively to rename that floodway and I just truly appreciate that collaboration that we've been experiencing and appreciate what you all are doing. So, thank you."

Chairman Unruh said, "Well, thank you, Mr. Mayor. That's well said and we're eager to rename this significant part of our community in honor of a person who was really instrumental in bringing it to pass. So, in working together with the city on this issue has been encouraging to all of us as we think about future challenges. But, I really appreciate that you all have come over here this morning to indicate the collaboration that we have together. So, thank you very much."

Mr. Longwell said, "Thank you."

Chairman Unruh said, "Before we go to the actual item, wondering if Mr. Wess Galyon wanted to make a comment who is, Mr. Galyon is President of the Wichita Area Homebuilders and had worked very closely with Mr. Mitchell."

Mr. Wess Galyon, President, Wichita Area Homebuilders, greeted the Commissioners and said, "I represent the Wichita Area Builders Association. It's my honor to be here this morning to represent the family and friends of M.S. "Mitch" Mitchell. Talk to you a little about him and as for your support of this joint resolution. I began a career in builders association about 30 years ago, hadn't known Mitch Mitchell well up into that point, but after his retirement he was very involved in our organization and I got to know him quite well.

"We traveled to many meetings and conferences together, worked on projects together and what have you. I had the opportunity during that 30 years to work with a lot of people and there was no question, but what Mitch was truly a standout and for good reason. The knowledge and experience he possessed about a variety of subjects and things he had been involved with, his willingness to become involved and committed to dealing with issues and things that he felt would make a real difference in the community.

"The great insight, patience and persistence to get things done that he constantly displayed in his ability to engage in work with very public and private sector interests in a considerate and balanced way in order to achieve success. After getting to know him well, and Mitch didn't talk a lot about himself at all and you had to get to know Mitch in order for him to you know get an in depth conversation with him much.

"But, people were attracted to him and wanted to be around him because he, just the impression he gave and the persona that he displayed and they wanted to know what he knew about this asking about that and so on and that happened throughout his life. After getting to know him well, he shared with me his perspective on the importance to the greater community of a project he became involved in, with beginning in the late '40s. After it was finished and people learned more about his involvement with it and the significance of it has come to be commonly referred to as the big ditch and him as Big Ditch Mitch.

"By any standards of measurement the project was phenomenal undertaking that would take 10 years to complete. It cost the time that was underway approximately \$20 million to save, promote, protect the city and county property for decades to come. The project required the purchase of 6000 acres of rights-of-way, involved 41 separate contracts for construction of 97 miles of protective levy, embankments in 40 miles of channel excavation. Putting it mildly, the big ditch was an impressive undertaking from an engineering and civic standpoint.

"Project itself was nominated for the outstanding civil engineering award by the American Society of Civil Engineers as one of the top 12 engineering feats in United

States (U.S.) in 1960.

"At that time, the time of its completion it was the largest diversion structure in the United States. If you ask Mitch what he did, he would sometimes, you know, depending on who he was with, he would respond well I was this and I was that. But, what he most commonly said, well he says I'm a ditch digger and that's how he often referred to himself as.

"Today, I just want you to know, he would be in awe of the honor that you're going to bestow on him by pursuing the change in name of the big ditch to the M.S. Mitchell, Mitch Mitchell Floodway. On behalf of his family and his friends I want to thank you for the honor you bestow on him by passing this resolution."

Chairman Unruh said, "Well, thank you for your comments Mr. Galyon and you've indicated that Mr. Mitchell had extensive and profound influence in many areas of the commercial construction life here in Sedgwick County. But, we're especially focused today on the big ditch that he engineered and got produced. I think perhaps we have a video about that this morning and now would be a good time.

"Alright, thank you for that video and thanks to Big Ditch Mitch. We appreciate his contribution to our community. I happened to be one of those people who lived in, near the area and grew up around First Street and Hydraulic and there's was flooding back then. I remember it as a child and so I'm not trying to tell you how old I am or anything but I'm just saying it was real problem and Mitch helped us solve it. So, Commissioners now would be a time to have a comment before we make a motion. Commissioner Howell."

Commissioner Howell said, "Mr. Chairman, thank you for the opportunity to speak this morning. I got to know Mitch Mitchell as a Commissioner mostly, I met him a few times before I got to be in this seat here. I've always been one that admired him. He's a tremendous man, he is very confident, he knows so much about so many things. He's one of our experts when it comes to stormwater. I know right now we're dealing with some stormwater in districts two and five down south right now.

"Even recently, we've talked with him about ideas and things like that. He's just a tremendous resource. I know just recently, I attended the Stormwater Advisory Board a few times in the last year and he was still chairing that committee. I'm just so impressed with his dedication to the subject matter, he's always been a tremendous individual. As I've gotten to know him, I've gained more and more respect for him and so when he passed away, unfortunately on March the 11th of this year it just became obvious that we needed to honor him and his legacy.

"There's a tremendous amount of history around him and what he accomplished so many years ago and literally, I think billions of dollars of savings to our community over the years.

"Again, I don't, my comments are not nearly as eloquent as the Mayor's and as Mr. Wess Glayon's but I just want to say I think that this is absolutely the right thing to do today and I hope as we move forward with the name that it becomes common to the big ditch. We'll start using his name with affection by all. I hope that I will start using the name Mitchell Floodway as a short name perhaps. But, the full name being M.S. "Mitch" Mitchell Floodway. I'm very honored to see that being done today.

"But, I'm so glad that the city and county are coming together once again to do something that makes sense. Mr. Chairman, I want to make sure that people understand that by passing this today we still have one more gate to get through and that would be Congress. This has got to go to our federal delegation and they've got

to actually pass federal legislation and it requires a signature of the President and once that is done then it becomes official.

"I'm sure that this community at that time will probably will celebrate Mitch Mitchell once again. Mr. Chairman I'm not that this is the right time but I would be pleased to make a motion, this morning."

MOTION

Commissioner Howell moved to approve the joint ordinance and resolution and authorize the Chairman to sign.

Commissioner Dennis seconded the motion.

Commissioner Dennis said, "I'd like to make a couple of comments if you don't mind."

Chairman Unruh said, "Please do."

Commissioner Dennis said, "I first met Mitch almost 20 years ago when I first moved to Wichita in a meeting with Wess Glayon over at WABA (Wichita Area Builders Association) and I thought well who is this real gruff bearded guy. I didn't know, I wasn't sure if he was my friend or not at that point. About five or six years later, I had the honor of being appointed to the Metropolitan Area Planning Commission (MAPC) and one of the first people that I got to know and I think he was one of the first Chairman of that when I was first appointed to the MAPC (Metropolitan Area Planning Commission).

"Again, as I was getting to know him he was kind of a gruff Chairman, too. But, probably one of the most knowledgeable individuals of flood control and what was happening as far as drainage in Sedgwick County. I learned terms about toe of a big ditch, I didn't even know that the ditch had a toe, but I learned that, that there is such a thing as a toe on the ditch on the berms, on the sides.

"But, he and I didn't always agree on everything that came before the MAPC but I truly respected everything that he did and everything that he said. He was a gentleman that I had the honor of serving with for, off and on as he was on and off the MAPC for almost nine years. He will be missed and I think I'm very honored that I can second this resolution and jointly work with the City of Wichita to hopefully in the near future once our congressional delegation gets this pushed that we can recognize the big ditch for who truly made this something that we can be proud. Thank you very much."

Chairman Unruh said, "Thank you, Commissioner. I don't see any other Commissioners asking to speak. We have a motion and second, Madam Clerk would you call the vote?"

VOTE

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

Chairman Unruh said, "Once again, want to thank the Mayor and Wess Glayon and other friends of Mitch Mitchell who are here to join in this celebration this morning, so

thank you all. Madam Clerk, next item please."

Approved

I [17-473](#)

QUARTERLY INTRUST BANK ARENA REPORT.

Presented by: Lindsay Poe Rousseau, Chief Financial Officer.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Ms. Lindsay Poe Rousseau, Chief Financial Officer, greeted the Commissioners and said, "I am pleased this morning to be able to present to you the first quarter 2017 status update on Intrust Bank Arena. A.J. Boleski, the General Manager for the arena is here with us today and will sharing in the presentation with me as we did last time. I also want to thank Deb Zavala, the intern in the manager's office who assisted with putting this presentation together.

"So, as with past presentations you've seen, our discussions will focus on the SMG agreement including the quarterly report information you're used to seeing, the City of Wichita event parking information, the sales tax reserves, the authorized uses along with its current status and of course upcoming events.

"So, we reiterate this each time. SMG was contracted with by the county in 2007 to operate the downtown arena. SMG promotes, operates and manages the facility to ensure the provision of high quality management services there by enhancing the use and enjoyment of the arena. Under a unique arrangement where a publically owned facility is operated by a private entity. The arena actually has, well SMG, I'm sorry will absorb any operating loss in the course of a year of the contract.

"So, moving then into the actual quarterly report itself, we'll talk about ticket sales, A.J. will talk to you about some of the community, specific community service projects, but I'll give you an update on how those community affairs look from a fiscal basis and then we'll go through the financial summary.

"So, this slide that you're seeing now compares year-to-date results through March of 2017 with the same time period last year. You can see that this year there have been 45 performances thus far with 143,691 folks in attendance, 131,843 tickets sold. For gross ticket sales, of just less than \$4 million, bringing the average cost per ticket to just more than \$30. In all categories, you will see that there's improvement over 2016. There were about 2,700 more in attendance, about 7,400 more tickets sold. Gross ticket sales were up [\$]1.5 million and the average cost per ticket sold was more than \$10 over the same average ticket price and the same quarter last year.

"So, in terms of community affairs, I know that this information that always interest Commissioners. Through the first quarter of 2017 there were fewer groups that volunteered in the concession stand by 10 and therefore the amount paid out to those groups then was less by about \$58,000. Spending with Kansas companies you can see was up fairly significantly, \$437,958.79. Sales tax paid also was up 438 or I'm sorry it was \$438,293.58, which is \$157,415 and a penny more than last year. There were a couple more presentations and tours at the arena and one more local event and activity.

"So, then moving into the financial summary it's important that we all know the terms that we will be talking about. Net Direct Event Income is rental income and service revenue less service expenses. Net Food Beverage and Merchandise Income is food

and beverage concessions, food and beverage premium seating, the percent of merchandise sales less the cost of goods sold and labor. Other Net Income includes luxury box ticket sales, ticket service fees and facility fees.

"Other Operating Income includes Select-A-Seat, other venue ticket service fees because again the arena does operate does operate the ticketing system for Select-A-Seat for all those other venues. Loge box and club seat agreements and advertising and sponsorships. So, Gross Building Income is the result of all of those things added together. Then of course, Net Building Income would be that gross building income, any other operating income less the building operating expenses. So, we'll talk about some of those categories as we move through this next part.

"As we talked about before, there were 45 performances at the arena through the first quarter of 2017. Of those, there were 35 total events. You can see the bulk of those were family shows. But, there are also some pretty big concerts we heard about, some sporting events, 15 Thunder hockey games, a couple indoor football games for the Wichita Force, totaling those 45. So, the total net event income was just under [\$]1.4 million, other operating income was [\$]404,000, for total gross building income of \$1,792,301. When we take into account those indirect expenses of about [\$]1.3 million that leaves net building income for the first quarter at \$488,000.

"This slide is the exact same information because of where we are in the year but as we move through the year that will be updated and you'll see some additional information come into play. We've already talked a little bit about the 2017 and 2016 information, but this slide shows the number of events. Again, sometimes there can be multiple performances of the same event, so maybe a Disney on Ice or Cirque du Soleil that may have multiple shows. So, the net event income you can see from this time in 2016 to 2017 is actually pretty good, \$560,774.

"For income categories you can see there was a slight decrease in other operating income from last year to this year for the first quarter of 2017 and '16, about \$9,700. Total gross building income however, was up by just more than \$550,000. Taking into account then our indirect expenses you can see that there was actually a slight decrease in how much expense we had, [\$]1.32 million in 2016 versus [\$]1.30 million in '17. For net building income, you can see that it, through this point in time last year there was actually a deficit, expenses were greater than the income. This year as we already talked about a couple slides ago that's actually up \$488,000 for a difference of \$567,220.

"So, then shifting to the sales tax reserves. Again, the sales tax reserves is something that the county carries on its books. It includes those remaining sales tax funds from that one cent sales tax. Any reimbursements of signage infrastructure and then proceeds from the sale of property acquired for the project but subsequently determined to be unnecessary.

"So, the authorized uses of that fund include major repairs or capital equipment. If we needed to pay the city for use of those parking lots the fund could be used but we haven't had to do that and then parking operations and maintenance for that lot at Second and Saint Francis. So, speaking of the capital repairs, capital improvements, A.J. will be giving you an update when he comes up here about that north entrance, entrance C, the remodel that's happening that you all approved. So, just know that part is coming up in the presentation.

"So, as it stands now at the end of March that sales tax reserve fund balance is \$11,403,349.92. You can see that in March there were \$48.65 worth of expenses for copies of plans, which reduce that just slightly from where we were at the beginning

of the month. You can, this slide will show you how that has changed over time. So, during the first presentation at the beginning of this year wrapping up 2016 you saw that there was some revenue that came into the fund as a result of the operating agreement between SMG and the county.

"We received some funds that went in there and so the year-to-date, March 2017, amount maybe isn't as much as we've reported when we've taken into account capital improvements and that arena entrance C project because we are contrasting those two years and we do have some revenue that has come in since then so that the net difference is about \$406,000. With that, I will turn it over to A.J."

Mr. A.J. Boleski, General Manager, SMG and Intrust Bank Arena, greeted the Commissioners and said, "What you see before you is our quarterly report of our community service projects.

"Just at the top right there you see the Wamego Community Health Ministry, food and beverage donation. Sometimes we actually donate, whether it's hot dogs or popcorn or we've done burritos, breakfast burritos before for certain community events that have come to us and we've been part of those, so that's what that is. A lot of ticket donations on this list as we scroll throughout the pages here of community involvement.

"We may have talked about this last time, but our annual report came out this past April and we were around it was, roughly it about \$40,000 a year that we do in ticket donations to non-profit organizations. So we're pretty proud of that. We like to be involved in those. Dress for Success, our staff participated in that fundraiser as well. As you can see, there's a lot of pages of ticket donations, so."

"Coming up to upcoming events, we have George Lopez and D.L. Hughley this weekend. It's Saturday night at the arena, we'll be using our half house configuration. That half house allows us to do some shows that we wouldn't otherwise be able to do because we can cut down and really look like a theatre or cut down use the lower bowl. So, we appreciate the flexibility that the county provided us in the building to be able to do these events otherwise they wouldn't happen.

"Force football coming up May 27th. We have promoted a couple of events in the summer last couple of years, DodgeBrawl is one of them. It's a self-promoted event that we present.

"Then, busy July this year. We've got Neil Diamond, I think it's been about 18 years since he last played the Coliseum so we're really excited to bring him back to Wichita and to Sedgwick County. Then, since we last spoke we were able to, we appreciate Chairman Unruh's help in helping us make the announcement on Paul McCartney who will be here July 19th. So, this is an event that we've been working on for several years trying to bring him to Wichita. We always say it's not a matter of if but it's a matter of when. Of course, you know it's this summer while we're under construction but we're prepared for it and planning and making those accommodations. But, it's going to be a great show, the community has supported it very well and we just honored to be hosting him in July.

"Then, you'll see the other events coming up later in the fall, Tim McGraw. We'll get back into Thunder hockey and we'll be making more announcements here in the next couple months for the fall and winter months. We also, since we last met April 18th we were able to work with several organization in town, Wichita State [University] being the host. We had several Commissioners there that day to help us make that announcement. Again, appreciate your help Chairman Unruh at the podium that day.

"But, we were able to announce NCAA (National Collegiate Athletic Association)

tournament coming back. We've got it in '18 next year, we're getting ready for it right now. But, we we're also able to, pretty fortunate to be able to, while we're planning for one announce a second one in March of 2021.

"So, I know that was one of the major reasons why this facility was built, with the NCAA tournaments in mind and we are happy to be a small part of being able to bring the tournament twice in the next couple years. So, that is it for upcoming events, are there any questions on community involvement or upcoming events? I'll give a little bit of an update on the north entrance."

Chairman Unruh said, "I don't see anyone asking to speak right now."

Mr. Boleski said, "Okay. So, we started the entrance C project, thank you again for approving that for us back in the spring. We started it April 10th, we have been working with obviously with the county, with Key Constriction, also WDM Architects on this project. If you've been by the building you will see that the, we now have construction fence up around the north entrance so we are utilizing entrances A and B for the majority of our events.

"We also utilize a stairwell on the north side for some of the bigger events. We just used it for Dierks Bentley a couple weeks ago. Inside the arena when you walk the concourses you will see plywood from the top, from the floor to the ceiling. The construction company and us, all of us were very, we wanted it to look very professional and not just a sheet of plastic up. So, its plywood, it's painted and then on top of the, we have banners.

"We've branded them, we've got lyrics from some of the acts that we've hosted that, kind of, tie into the construction process. We try to make it fun, colorful and exciting while we go under this construction. So, you've seen the walls and the fencing. In addition to that, there's a canopy out in front of the north entrance. Everything has been removed from under that canopy, parts of that canopy will be pushed out into the parking lot so that we can enlarge the lobby and add the stairwell.

"Part of the stairwell process is, there is about, I think it's only 10 tons of concrete that had to be removed. That's kind of, this project all started with one day we looked at each other and said I wonder if that's load bearing. I wonder if we can remove that and put in some stairs or an escalator and the answer is yes. So, now as of last week, they're actually removing that concrete. So, that was a big piece of work, big piece of the project for them. The next really big part of the project will be when they actually bring the stairwells in. They're already put together in one big piece so they will bring those into the building. I think that's going to be like mid to late July when that will occur.

"So, that concrete landing, I just talked about that's been removed. We've also, the hockey storage room, with covered doorway that goes into our storage room, that's part of the NCAA tournament planning so that teams can get back and forth to the media area without going through the media. They'll be able to access the lockers rooms. Then, we've also built a vestibule in that storage room. It's a storage room, however, we're going to use it for the public when we host the tournament. So, we've added some, to make some changes to it. One of them is changing the door so that it pushes out hence we had to make, we had to build a vestibule.

"We're also going to build another exit out of that storage area that will go into one of our arena exit stairwells and then we're adding some air conditioning and some power to that room, specifically for the tournament. There will be other events that benefit from it as well. We've used that room for some other types of events too. But,

the tournament, that was a big question when the NCAA came through our building is where can the media be and that was the answer, was that room. So, that's kind of a small update. Our expected completion date is going to be probably around mid-November.

"We had a lot of rain the last couple weeks but it really hasn't slowed down the work at all because so much of its inside. So, it's been pretty easy for that, Key Construction folks to choose where they're working on day or the other based on the weather. So, they've also been very cooperating with us working around our events. Again, we're going to stay open and host events during this whole this process.

"So, they've been great and we've blacked out some days. We had Dierks Bentley so they weren't there on that day, they won't be on the day we have Paul McCartney and Neil Diamond. But, every other day this summer through November they'll be there working. So, it's been a good project so far."

Chairman Unruh said, "Well, thank you for that update A.J. and there's no complications with the large crowd you'll have for the McCartney concert?"

Mr. Boleski said, "No, we had a lot of takeaways when we hosted Garth Brooks a couple years ago and we did the, we had sold events, but we'd never really had 13,000 people in arena with 13,000 more people waiting outside to get in for the next show. So, in the course of that we used some stairwells to get people out and get people in, stairwells that we hadn't used before.

"So, we will take a lot of those into consideration for Paul McCartney and Neil Diamond and Tim McGraw and Faith Hill. We expect it to be seamless. We'll maximize the other two entrances as well. But, yeah we expect it to be really good but as a result of some of the planning we've taken from other events."

Chairman Unruh said, "Well, have you or SMG been through this sort of a remodel modification before and had to deal with this, with these issues?"

Mr. Boleski said, "Yeah, I mean it's, kind of, part of running buildings and somebody asked have you had to turn down any shows because of it. We've been very transparent with all the shows that we've hosted in saying hey look one of our entrances will be under construction in the summer of 2017 through November. It hasn't bothered anybody, nobody's turned away as a result of it. Our building and Oklahoma City where the Thunder play, they've gone under construction just about every summer at that facility. So, as an industry we're pretty well used to it. We always make those plans to stay open and keep doing events while we're under construction."

Chairman Unruh said, "Okay, well we don't want to do this every year. But, I'm glad that to know that we have experience and that it doesn't hinder our, the use of the building and the shows that are coming. So, that's good news. We do have a comment from Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. I was just curious, I think there's a piece of legislation moving right now that deals with some I guess alcohol outside in some public areas. Is that something that has, something that would happen around the arena or do you know anything about that legislation and what the status of that is?"

Mr. Boleski said, "I've been involved in some of the meetings and I know a lot of it has to do with around Union Station and also the Old Town area and some of the

districts around us. Probably wouldn't impact us directly. But, the way I see it is it would enhance the experience when you talk about you know several thousand people coming to town for the NCAA tournament and when they go to the restaurants and the establishments around us.

"If it's an easier experience and a better one, they're probably going to have a better overall experience in our community and so that's where it comes into play for us and the building.

"But, I don't think it has a direct impact on us, but I think it's a good thing to see it happening around us. It's just going to create, we had Dierks Bentely two weeks ago. On the south side of the building 360 Wichita had a big party going on and on the north side of the building at Lou's at the bar, they had an outdoor patio full of people and it was pretty exciting just to see the areas around us very engaged in activity. It was just a fun festive night outside the building and then also once everybody came in inside the building too. So, it's just going to enhance that experience."

Commissioner Howell said, "I was wanting to ask you about, last time I was over there I think for one event at least I saw some security measures in place, I'm not sure it's used for every event, but have you been using I guess some scanners and things like that. Can you talk about that a little bit?"

Mr. Boleski said, "Yes, actually we worked with the county to purchase the walk through metal detectors, I believe that was in February of '16 so it's been over a year that we've had those in place and before that we did the magnetic wands. The walk through metal detectors have been a great resource for us. It's kind of a less intrusive, very much more consistent. It's, everybody's going through the same walk through.

"So, it's also been more efficient in getting people into the building. We've, you're obviously going to have some lines when you have a big sold out event, but for the most part we've been able to move people pretty efficiently through the walk through metal detectors.

"There's also a major promoter in our industry that basically required all the venues that they host shows in to have these. So, that was part of this project and that's allowed us to continue to do shows with the promoter."

Commissioner Howell said, "Are there some events where you don't use those? I'm just trying to..."

Mr. Boleski said, "We use them for every public event."

Commissioner Howell said, "Every event. Okay, that's what I was trying to find out. Then, I would like to know more about the DodgeBrawl, I've heard a little bit about that but I've never, I don't very much. Can you please explain what that is?"

Mr. Boleski said, "Yeah, so its local teams sign up, I believe its teams of anywhere from six to eight or 10 folks sign up. They play a dodge ball tournament so just like back in the school days. We use the arena floor and there's no ice in the summer so we chalk out, we tape out dodge ball courts and I think we had three last year. Our staff loves this event, we had a great time putting it on and then the people that participated, I think we had about 25 teams last year, we're hoping that that number increases.

"They all had a great experience and probably best of all the winning teams actually receive monetary awards and that award they deem in advance what charity they

want it to go to. So, the top three, I think we had about \$3,000 that went to three local charities last year as a result of some fun DodgeBrawl events."

Commissioner Howell said, "Well, thank you for the explanation. I was wondering more about that. But, I'm pleased that the O & M fund is stable this report and thank you for the update on the construction on the north side. I'm very pleased with the report overall this time. It's really great to hear all these good things."

MOTION

Commissioner Howell moved to receive and file.

Commissioner O'Donnell seconded the motion.

Chairman Unruh said, "Thank you. We have a comment from Commissioner Dennis."

Commissioner Dennis said, "Thank you and I'd like to second that motion. But, one quick question.

"I've heard rumors but no one has talked to me officially about maybe recognizing past WSU (Wichita State University) basketball player with a statue. Are they working with you on that or where are we at? All I've heard is rumors."

Mr. Boleski said, "Do you want to, I think Lindsay's going to address..."

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "Well, Commissioner, I'll take that one. We're still in the analysis stages. We're working with, we actually have a meeting about that today to talk with Lindsay and A.J. and folks about going to the naming partners and talking with them about the concept. We're still doing the analysis and then we'll bring it back to the Commissioners to give you a recommendation based off the analysis that we get."

Commissioner Dennis said, "This is something that, it's no cost to Sedgwick County from what I understand."

Mr. Scholes said, "No cost."

Commissioner Dennis said, "There's a place that you can put it out there to recognize?"

Mr. Boleski said, "We're in the middle of those conversations now so we haven't gotten that far, but we do have some space available at the arena for sure."

Commissioner Dennis said, "Okay, thank you."

Chairman Unruh said, "Thank you, Commissioner. Thanks for the report Lindsay and A.J. One question, the cost of the renovations has not yet hit that reserves, is that correct? I mean, those..."

Ms. Poe Rousseau said, "It has, it's, the \$1.6 million that's already been committed toward that project is actually reflected in, will be reflected I believe in the April numbers. So, you'll see that as an update."

Chairman Unruh said, "Okay, alright, thank you very much. We have a motion to receive and file so Madam Clerk, please call the vote."

VOTE

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

Chairman Unruh said, "Thanks again for the presentation. Next item."

Received and Filed

J [17-469](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON MAY 11, 2017.

Presented by: Joe Thomas, Director, Purchasing.

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

Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "At the meeting of the Board of Bids and Contracts on May 11th we discussed three items and have the following recommendations for you:

1. REDMOND ESTATES – PHASE IIA, IIB, & III – PUBLIC WORKS FUNDING – REDMOND ESTATES – PHASE IIA, IIB, & III (SA)

"This recommendation is to accept the low bid from Flint Hill Materials in the amount of \$397,836.00."

2. SOFTWARE VALUE – ADDED RESELLER – VARIOUS COUNTY DEPARTMENTS FINDING – VARIOUS COUNTY DEPARTMENTS

"The recommendation is to utilize the NASPO ValuePoint Master Agreements as listed under the State of Kansas participation addenda as listed and establish contract pricing per the agreements through June 2, 2021."

3. VARIOUS PAPER STOCK – VARIOUS COUNTY DEPARTMENTS FUNDING – VARIOUS COUNTY DEPARTMENTS.

"This recommendation is to accept the low overall bids from Timber Creek Paper, Inc. for items 1-39 and items 45-48 and Veritiy Operating Company (Option 2) for items 40-44 and establish contract pricing for one (1) year with five (5) one (1) year options to renew.

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

Chairman Unruh said, "Commissioners, are there any questions of Mr. Thomas? Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. On item number two the pricing's not available for us to see on the sheet. Can you, is there some way we can get access to that or...?"

Mr. Thomas said, "Yes, sir. We'll send you an electronic copy or paper copy. There were so many items on there that's why we called it pricing on file."

Commissioner Howell said, "I see."

Mr. Thomas said, "We will send it to you."

Commissioner Howell said, "Alright, that makes sense. Then, finally I would just make a comment, we buy a lot of paper. Thought we were kind of going towards a paperless direction, but I don't think that's what I see here. This is a lot of paper and anyway I just want to say I'm glad you brought this to us. Mr. Chairman, apparently I think Mr. Theoharis has a comment on the Board of Bids and Contracts, if you're willing to accept a comment from the community on this."

Mr. Theoharis said, "Actually, it's on the consent agenda."

Commissioner Howell said, "Oh. I'm so sorry. Okay, on the next item. Okay."

MOTION

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

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>

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

Chairman Unruh said, "Commissioner Howell, do you have another comment?"

Commissioner Howell said, "No, sir. I just, someone told me they want to talk on the next item and I guess it's the consent agenda that he wanted to speak on. So, we don't normally have commentary during that time, but if you're willing to recognize someone from the community, I think, he has a comment on our consent agenda."

Chairman Unruh said, "Well, let's have the item presented first. So..."

Approved

CONSENT

Mr. Scholes said, "Recommend you approve consent agenda items Kilo (K) through November (N)."

Chairman Unruh said, "Alright, thank you."

MOTION

Commissioner Ranzau moved to approve consent agenda items Kilo (K) through November (N).

Commissioner Howell seconded the motion.

Chairman Unruh said, "Is there comment from someone in the public that wants to comment on this item, on one of these items?"

Mr. Theoharis said, "Yes, on one of them."

Chairman Unruh said, "Okay, if you'd want to step up here."

Mr. Theoharis said, "I came here earlier on the dog thing, but I feel like a blind squirrel that found another nut here. On the MABCD, Tom Stolz knows that I've been working with him for a long time. I was wondering how MABCD became city and county and have you guys ever thought about combining animal controls? Have you ever thought about the police and the sheriff? How did that become?"

"In MABCD as Tom will tell you, I've been asking for years, we're getting killed. Our neighbor is getting killed. We don't enough inspectors, they're either, sometimes retiring, whatever. Like I said, Tom will tell you, we've been asking for help and we're just getting murdered in the cities, in the neighborhoods. So, I plead with you guys.

"I've asked the city, I've been to the City Manager asking for more budget for MABCD. They seem to have always, they find monies like under things or something over at the city, but they can't give us more MABCD inspectors and we definitely need them. So, I don't know what part the county has in that, I know you guys are together now, but of course you don't have as many inspectors out in the county, but we need help.

"So, like I said I saw this line here and I finally, it looks like they're going, hopefully get a director in Tom's position and that's great, but we've got a bunch of new inspectors, some retired. So, we've got people learning their jobs and the ordinance violations are just going up and up and up and up. We need some relief. So, I'm, I appreciate you letting me talk to you guys about that, but I don't want to just talk. I want to get some resolve. So, I hope you guys can figure this out with the city.

"But, I also want to know how you became MABC city and county and can we do some other city and county combines and is that in the works for animal control or any of the other things. So, thank you for your time."

Chairman Unruh said, "Alright, well thank you for your comments and perhaps another time we can go through the two or three year process it took to combine our building and code departments. The item in the consent agenda right now is hiring a new director. So, but your comments will be taken under advisement with, and current person who's leading that, Mr. Stolz is right here and heard that as well. 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

- K** [17-414](#) Resolution Amending Section 2-352 and adding section 2-355, both within Chapter 2 of the Sedgwick County Code regarding the Stormwater Appeals Board.
Approved on the Consent Agenda
- L** [17-457](#) Hire a Department Director above the grade minimum.
Approved on the Consent Agenda
- M** [17-466](#) Plat.
Approved by Public Works. The County Treasurer has certified that taxes in 2016 and all prior years have been paid for the following plat:

Jost Addition.
Approved on the Consent Agenda
- N** [17-446](#) General Bill Check Register for May 10, 2017 - May 16, 2017.
Approved on the Consent Agenda

LEGISLATIVE ISSUES

Mr. Jon Von Achen, Assistant County Counselor, greeted the Commissioners and said, "I apologize for delay, I'm trying to keep track of what's going on the Senate tax this morning. First, to address Commissioner Howell's question about the sub for House Bill 2277. That passed the Senate yesterday as amended, it should be on for a motion to concur and non-concur in the House today.

"That would allow cities and counties to designate areas, outdoor areas for common drinking. Obviously, when we're talking about the arena most that area around the arena is city, but this would allow some other areas in the unincorporated area where the county may be asked at some point to consider that. So, that's on to concur and non-concur today in the House.

"I did bring to your attention earlier in the week and the hearing this morning regarding House Bill 2380, that involves a change in the sales tax exemptions. Among those that would now be subject to sales tax under the current version of the bill would be motor vehicle towing, mini warehouse and self-storage, collection agencies, investigation, security guards and patrol, security systems to exclude locksmiths, certain non-residential cleaning and certain pet care to exclude veterinarians. Basically, these are all services that are currently not subject to sales tax.

"The other piece of the bill, which is I think equally as interesting and the one that we can actually figure out how it affects us is that July 1st, 2020 it would reduce the food sales tax with certain exceptions down to 5.5 percent from the current 6.5 percent. Looking at the numbers, the state has put out on what they think the revenue is going to be in upcoming years.

"For the next three fiscal years, they show an increase of between \$52 and \$58 million and then when that sales tax piece kicks in they show a deficit. So, if it were to pass in its current form we would have to be looking three years down the line at the potential that we would end up losing sales tax revenue because of this.

"So, I've let you guys know about it, I have informed finance so that they can kind of take a look at it. It's kind of difficult to figure out how the increase would be for us because we'd have to figure out exactly what the value of those services are. We don't currently keep track of that because we don't tax those services.

"But, we do know how much we're bringing in food sales tax year so that's something that they can at least give an idea with three years down the line what we would be looking at as far as lost revenue. That's all I have for this morning, I stand for any questions."

Chairman Unruh said, "Alright, thank you. Commissioners, are there any questions or comment? I see none Jon, so thank you for that report."

Mr. Von Achen said, "Thank you."

Chairman Unruh said, "Commissioners, we have need of a fire district meeting. So, at this time I will recess the regular meeting of the Board of County Commissioners and call to order the Board of County Commissioners Setting as a Governing Body of Fire District Number One."

The Board of County Commissioners recessed into Fire District Number One from 10:19 a.m. and returned at 10:23 a.m.

OTHER

Chairman Unruh said, "Commissioners, are there other items that you'd like to bring before the board at this time? Seeing none, next item."

EXECUTIVE SESSION

Chairman Unruh said, "Commissioner O'Donnell."

MOTION

Commissioner O'Donnell moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider preliminary discussions relating to the acquisitions of real property and that the Board of County Commissioners return to this room from Executive Session no sooner than 11:00 a.m. The Executive Session is required to protect the County's financial interest and right to the confidentiality of its negotiating position.

Commissioner Dennis seconded the motion.

There being no other discussion, the vote was called.

VOTE

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

Mr. Yost said, "Mr. Chairman, I would suggest we meet in the manager's board room, if that's alright?"

Chairman Unruh said, "Okay, we can do that. We are adjourned to Executive Session. Recessed. I got to get a better habit of that."

The Board of County Commissioners recessed into Executive Session at 10:24 a.m. and returned at 11:21 a.m.

Chairman Unruh said, "Okay, we are back from Executive Session, so I'll call the regular meeting of the Board of County Commissioners back to order and declare that while we were in Executive Sessions no binding action was taken. Do we have any announcements, Mr. Counselor, Mr. Manager? Commissioners, anything else?"

Approved

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:22 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: