

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, August 16, 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](mailto:Crissy.Magee@sedgwick.gov), as soon as possible but no later than 48 hours before the scheduled event. Please include the name, location, date and time of the service or program, your contact information and the type of aid, service, or policy modification needed.*

## **ORDER OF BUSINESS**

Approved

## **CALL MEETING TO ORDER**

*The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:04 a.m. on AUGUST 16, 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 James M. Howell; Mr. Michael Scholes, County Manager; Mr. Thomas Stolz, Deputy County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer; Mr. Chris Labrum, Director, Metropolitan Area of Building and Construction Department; Mr. Kelly Dixon, Codes and Flood Plains Technician; Ms. Tania Cole, Director, Facilities Maintenance and Project Services; Mr. Rick Durham, Deputy Chief Financial Officer; Ms. Lindsay Poe- Rousseau, Chief Financial Officer; Mr. Joe Thomas, Director, Purchasing Department; Ms. Anna Meyerhoff, Operations Manager, Division of Information and Operations; Mr. Michael North, Assistant County Counselor; Ms. Kate Flavin, Public Information Officer; Ms. Lynda Baker, Deputy County Clerk; Ms. Heddie Page, Deputy County Clerk.*

### **GUESTS**

*Ms. Diana Greenwood, 520 W. 35th Street South, Wichita  
Mr. David Mollhagen, 405 N. Hydraulic, Wichita  
Mr. Cole Hawkins, Elevator Mechanic, Boesen Plumb Elevator Solutions*

## **INVOCATION: Pastor Curtis Baker, RiverWalk Church of Christ.**

## **FLAG SALUTE**

## **ROLL CALL**

*The Clerk reported, after calling roll, that Commissioner Ranzau was absent.*

## **PUBLIC AGENDA**

*Chairman Unruh said, "Thank you. We have two folks who have signed up to speak this morning to us. So, first is Diana Greenwood. If you'd want to step to the podium, and you have five minutes to make your remarks."*

*Ms. Diana Greenwood greeted the Commissioners and said, "Well, first of all, the constitutional rights says it all, and we will never fight brother against brother ever again. So the war has been won. So now it's been individual battles. The Marine Corps that go into the field, death before dishonor, for we do not take a life, we do not judge. We bring them all home because they have someone to go home to. We bring the leaders to a clean table to speak truth of the word to help all, not just a few.*

*"My dad A.H. Greenwood, Navy, teacher for teachers of new radio technology, three*

*times around the world, early '60s, set up communications with a few upstanding countrymen with Washington D.C. So when communications went down, they stayed up, worked well. So far we want nothing to do with the race of technology. We have the clean technology. Y'all can keep yours. My dad, when I was five, was stationed here. We're from family of farmers, surprise, you're surrounded by farmers. Isn't that so cool? The wheat fields of Kansas, my great Grandpa Lemming, I am the sunflower child. I am his favorite great granddaughter with all of them. He's very native. His daughter married my Grandpa Isaac. World War II Purple Heart, 16 years old when he went, tall native, big shoulders, thin. He's a runner, runs with the horses, and he can clear a valley.*

*"For we know how to walk in Daniel's den with the fiery lions of Judea so they may all come home. Now, since we're not at war with anybody in particular, it's individual battles, and they tend to come together to be the strong house to rule America, to rule the world. Gee, we're at 21st century, clean water is important, we are not homeless. We're out on the street keeping the peace the best we can. We have the most beautiful cathedral sky with the earth, and down there is paradise. That's called Clean Water Act and clean soil. Now, where have you all missed the mark? Why, you keep on building and digging in land that is not yours. Nobody has a right to my entitlement of my heritage, just as I do not want yours. But I am who I am. I am my father's first born, and I'm a Navy brat, and I am not a brat. Now, he went to work for Cessna when we was stationed here. They knew of his intelligence but not of his clearance. My dad is known by a few upstanding countrymen around the world. The Greenwood name, very few people can legally hold that name with the name Hilton. Do not confuse the Lady Hilton with my father's name.*

*"We don't put her in jail or anybody else, we don't believe in jail. But somebody was trying to recycle people in this country for a paycheck? Get real. We have better things to do than be tested on by psychotropic, mind altering, controlling tranquilizers with subliminal messages. When they set-up communications, at was put on the books, they were allowed to adopt it. From Washington D.C., all states and countrymen around the world, no one is to misuse new technology in radios or TVs. All the documents are in. The innocent have been cleared, and those that took a stand and said I'm innocent and spent their time and was released, they're getting the papers, they were innocent in the first place. I love them people. They brought calmness and peace to the prisons. We take a stand in our countries supporting it wherever we are, and the homeless out on the street, not all of them are homeless. When you imbalance the budget to go in your favor, somebody is going to get kicked off the board and out of their home. That isn't cool. You guys can balance your, I have a solid 401(K), Greenwood Estate is my family."*

*Chairman Unruh said, "Ms. Greenwood..."*

*Ms. Greenwood said, "I'm the first generation on my father's side..."*

*Chairman Unruh said, "Excuse me..."*

*Ms. Greenwood said, "...on my mother's side, it's the tomb tribe. Isaac, first to be numbered in this country because he wanted to go and help support this family, 12 chiefs of Oklahoma. He is one that sits on board and also with the good President's standing, we support them. Thank you very much, and think about what you do before you try to take somebody's land you have no right to..."*

*Chairman Unruh said, "Thank you."*

*Ms. Greenwood said, "...like 520, my father's house. It is a living estate. I haven't even had time to file any paperwork before all the paperwork comes in to see what they can take out of the water that is not rightfully not theirs to take. Thank you."*

*Chairman Unruh said, "Thank you for your comments. We have also signed up to speak David Mollhagen. Now, you wanted to speak on one of the agenda items, is that correct? Would you rather speak now or wait 'til the item is called and we have our discussion. Alright, thank you. Well, if you'd step to the podium and state your name, and you have also five minutes."*

*Mr. David Mollhagen greeted the Commissioners and said, "This is in reference to 17-630. I did talk with several people this morning, and the items that I had read through last night, or yesterday, have been addressed, and my apologies to them because I did not read through the red line until this week even though I was sent it several months ago. So, those items that I did express yesterday have been addressed."*

*Chairman Unruh said, "Okay. Very good."*

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

*Chairman Unruh said, "Well, thank you for your comments. Appreciate you making the effort to be here. Is there anyone else from the public wishing to speak who did not sign up? That being the case, Madam Clerk, please call the next item."*

## **CONSIDERATION OF MINUTES**

### **A     [17-692](#)**

#### **SPECIAL MEETING MINUTES OF JUNE 28, 2017.**

**All Commissioners were present.**

*Chairman Unruh said, "Commissioners, you've had the opportunity to review those minutes. Are there any additions or corrections?"*

#### **MOTION**

*Commissioner Dennis moved to approve the meeting minutes of June 28, 2017.*

*Commissioner O'Donnell seconded the motion.*

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

#### **VOTE**

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

**Approved**

- B**     [17-726](#)     REGULAR MEETING MINUTES OF JULY 12, 2017.  
All Commissioners were present.  
*Action for this item was taken with Item A*
- C**     [17-728](#)     REGULAR MEETING MINUTES OF JULY 19, 2017.  
All Commissioners were present.  
*Action for this item was taken with Item A*
- D**     [17-732](#)     SPECIAL MEETING MINUTES OF JULY 31, 2017.  
All Commissioners were present.  
*Action for this item was taken with Item A*

**APPOINTMENTS**

- E**     [17-736](#)     RESOLUTION APPOINTING BERNARD J. PATRICK (BOARD OF COUNTY COMMISSIONER (BOCC) APPOINTMENT) TO THE METROPOLITAN AREA BUILDING AND CONSTRUCTION DEPARTMENT (MABCD) BOARD OF APPEALS OF PLUMBERS AND GAS FITTERS.  
Presented by: Eric Yost, County Counselor.

**RECOMMENDED ACTION: Adopt the Resolution.**

*Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "This Item E is a resolution appointing Mr. Bernard Patrick to the MABCD's Board of Appeals of Plumbers and Pipefitters in the mechanical engineer position. This position had been held by Mr. Keith Brewer whose term expired on June 30th of this year. Mr. Patrick's term would expire July 31st of 2019. I understand Mr. Patrick is present to be sworn, or at least I had that indication, and the paperwork appears to be in order, and I would urge adoption of the resolution."*

*Chairman Unruh said, "Alright, thank you. Commissioners. Commissioner Howell."*

**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**

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

Chairman Unruh Aye

Mr. Yost said, "Mr. Chairman, apparently Mr. Patrick is not able to be here this morning, but he'll be sworn in at another time."

Chairman Unruh said, "Okay, thank you. That being the case, we'll call the next item."  
**Adopted**

## **NEW BUSINESS**

- F     [17-613](#)     RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PEDESTRIAN CROSSWALK SIGNAL ON MACARTHUR ROAD APPROXIMATELY 650 FEET WEST OF OLIVER. DISTRICT 5. Presented by: David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer.

RECOMMENDED ACTION: Take such action as the Board of County Commissioners (BOCC) deems appropriate.

*Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer, greeted the Commissioners and said, "Spirit Aero Systems has contacted the county to explore options to enhance pedestrian safety at a crosswalk located on MacArthur approximately 650 feet west of Oliver. The crosswalk at this location serves employees who park south of MacArthur but need to enter the plant at a security gate north of MacArthur. Over the course of approximately nine months several strategies were discussed. They included vacation and closure of MacArthur where Spirit owns both sides of the road, installation of a signalized crosswalk, or construction of an overhead walkway. The benefits and drawbacks of each of these options have been fully discussed with Spirit Aero Systems, and they have in turn discussed them with the local machinist union. Our staff has studied the signalized crosswalk and noted that while it is a good way to protect pedestrians from through traffic on MacArthur, it will create the following traffic conflicts.*

*"Repeated use of the signal will back traffic up into Oliver to the east and into existing crosswalks to the west. Vehicular traffic exiting the north and south employee lots, may not be able to see if the signal is activated and create conflicts with pedestrians in the crosswalk. This is specifically addressed in the MUTCD, that's the Manual and Uniformed Traffic Controlled Devices, section 4 f.02. Due to the potential for these negative traffic impacts, Public Works does not recommend the signalized crosswalk at this location. Additional measures would be needed to make a signalized crosswalk work properly. They include relocation of the crosswalk and/or relocation of driveways, construction of an additional lane on MacArthur for vehicle storage while the signal is operational, and synchronization of the new signal with the other pedestrian and cart-crossing signals on MacArthur.*

*"Pedestrian safety is an important issue. We've been working with the problem at this location for some time and have reached somewhat of an impasse on what action to take. We don't recommend this solution, but it's important that we present the information to you so that you can evaluate the situation and hear from affected parties. Spirit has indicated a preference for a HAWK (High-Intensity Activated crossWalk) signal at this location. We have prepared a resolution for your consideration that would authorize the signal as they have requested it. I'll be happy to try to answer any questions that you may have on this issue."*

Chairman Unruh said, "Alright, thank you, Mr. Spears. Commissioners, are there any comment? Commissioner Howell."

Commissioner Howell thanked the Chairman and said, "I probably have a number of comments and some questions for Mr. Spears, but if it's okay, if there is anybody in the audience that would like to speak on this, I would like to hear from them first if that's acceptable and get my comments in once I get to hear what they have to say."

Chairman Unruh said, "I think there are representatives here from Spirit, but I believe that they're ready to just listen to our discussion."

Commissioner Howell said, "Alright, very good. With that I'd like to just ask a couple of questions. Director Spears, thanks for the presentation. Do you know how long that crosswalk has been on MacArthur that we're talking? There's already a crosswalk there. How long has that been there, do you know?"

Mr. Spears said, "I would, no, I do not know exactly, but it's been there since, I do not know. It's been there a long time."

Commissioner Howell said, "Yeah, I'd say a long time. I drive up and down Oliver frequently, and I actually worked at the Boeing property for 11 years, and so I'm very familiar with this particular crosswalk. As far as I can remember, it's been there since my earliest memory. So I don't know when it was placed there, but it's been a long, long time, decades, I would say.

"I hear what you're saying about you not recommending this, but I guess my position would be that I think this is a step in the right direction. This would be better than status quo. My opinion, the issue of vacation is very problematic for a lot of reasons. By my understanding there is about 10,000 cars that travel up and down MacArthur each day. Most of them are, if not 100 percent of them, but most of them are traveling to Spirit. A lot of them are employees, some of them are trying to get to the stretch of MacArthur between Oliver and K-15. But a lot of them actually just go down MacArthur and turn in and park up and down Oliver Street, they're coming from Wichita. They come off of (Interstate) 235 and travel down MacArthur. And so if this was to be vacated, we're talking about transferring all of those cars for almost probably the vast majority of those cars may be transferred over to K-15, they have to travel around on 47th Street or 31st Street, which would add more pressure there.

"I think that there's a lot of issues why I don't think that's a good plan. We're talking about, I don't know how many employees that park on the south side of MacArthur that actually walk to the north side. But if I understand correctly, these are all, everybody who parks on the south side and goes to the north side, that's basically employees. We're not talking a lot, I'm talking about huge numbers of employees, we're maybe talking about maybe a couple hundred employees or so that park on the south side and go to the north side. So to vacate that road would be a tremendous burden on other roads, and I think that status quo is not good enough. I think this HAWK light is a step in the right direction.

"So, I think it's arguable, I will make the argument that it's going to be safer to have the light than not have the light, and vacation to me is not an option. I just can't support that, and to do a bridge over the road or tunnel under the road, under the road there's lots of utilities in the way. Over the road is pretty expensive, it's a very expensive option. Again, for just a few, for a couple of hundred employees, it's hard to

*justify a million dollar or maybe two million-dollar expense. So, I think that this is the way to go. I would heartily support taking this action today to put this HAWK light in on MacArthur Street. I think it's a step in the right direction. It provides more safety. Status quo is not good enough, and this is the best option I think on the table that we've discussed. Again, I've been working on this for many, many months, and I'm content to say this is the best option for the situation."*

**MOTION**

*Commissioner Howell moved to approve the resolution.*

*Commissioner O'Donnell seconded the motion.*

*Chairman Unruh said, "Is there any discussion of Commissioners, from Commissioners? Is there anyone from the public with us who would like to speak to this before we vote? Okay then, I would just say that I can't remember a time in my nearly 15 years as a Commissioner that I've gone against the recommendation of our professional staff. I fully respect and honor their judgment and their expertise. So with that, Mr. Spears, I would still say that I'm going to support the motion. I know that the folks at Spirit have been well advised of your concerns, and they've taken that into consideration in their evaluation and their judgment, and they're still requesting this solution. So in deference to that, I'm going to also support the motion. Commissioner Dennis."*

*Commissioner Dennis thanked the Chairman and said, "Just briefly, and I believe I'll support the motion, but I want to make sure that I talk to legal first. Is there any, if we go against what Public Works recommends, is there any legal problems that the county may incur in the future if someone gets hit at this location or something else happens?"*

*Mr. Yost said, "Commissioner Dennis, not just because, not because you had gone against the recommendation of staff. The only legal issue that could be raised in some subsequent lawsuit for damages if something happens, would be that we did not follow maybe some standards that some people think we ought to. It would be a factor to consider in a lawsuit. But the fact that you went against the recommendation of staff, I don't think in and of itself constitutes any sort of, or creates any kind of liability on our part."*

*Commissioner Dennis said, "Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. I see no one else requesting to speak, so Madam Clerk, please call the vote."*

**VOTE**

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



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

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

**Adopted**

**G**     [17-629](#)

PUBLIC HEARING FOR THE PROPOSED ADOPTION OF THE SAFETY CODE FOR ELEVATORS AND ESCALATORS, 2016 EDITION, - THE SAFETY STANDARD FOR PLATFORM LIFTS AND STAIRWAY CHAIRLIFTS, 2014 EDITION, AND THE SAFETY CODE FOR EXISTING ELEVATORS AND ESCALATORS, 2015 EDITION. Presented by: Chris W. Labrum, Director of Metropolitan Area Building and Construction Department.

RECOMMENDED ACTION: Open the public hearing, receive public comment, close the public hearing and approve the resolution.

VISUAL PRESENTATION

*Mr. Chris Labrum, Director, Metropolitan Area of Building and Construction Department, greeted the Commissioners and said, "As stated, a public hearing and request for adoption of the elevator safety codes as listed. These do incorporate both elevator and conveyance codes. We normally refer to them as elevator codes, but we want to emphasize that that's elevators, escalators and ADA (Americans with Disabilities Act) accessible lifts. This also includes Sedgwick County implementation of the codes as we'll see in the presentation. The current code adoption or current code that MABCD is working from is 2004. This is robustly managed for City of Wichita conveyances. We inspect approximately 1,500, slightly over 1,500 of those. There are 104 conveyances that we are aware of in Sedgwick County. We currently do not inspect those.*

*"This adoption, as stated, would include the 2016 safety code for the elevators and escalators, the 2014 safety standard for platform lifts and stairway lifts, again, those would be ADA accessible lifts. We do not see many of those but there is that possibility, especially in new construction. The 2015 safety code for existing elevators and escalators would allow us to bring them into our permitting and inspection process, and that actually has stipulations for that process of on-boarding them, if you will. Most of those standards are 1986 standards, so it would not require them to necessarily get a new elevator, do anything extremely drastic in that update. With that, the resolution does include a five-year implementation plan that our Chief Elevator and Electrical Inspector Mr. Nordic has worked out with local elevator companies in several meetings.*

*"This would allow us to set a plan and bring those into compliance with current code if there were any safety issues found in initial inspections. Obviously, that includes, some items would have to be corrected quickly, within 60 to 90 days if they were urgent safety related, others up through and to the five years. This incorporation includes the ability to have us permit and inspect, meaning that we would obviously permit all elevators that we are aware of and any new construction with MABCD. We will allow the elevator companies or the building companies, excuse me, to then have our inspectors perform those inspections. Our fees range from [\$]100 to \$250, depending on complexity, and of course, we would take care of all that. It does still allow, since to the best of our knowledge, the conveyances in the county are still being inspected just by private certified elevator inspectors.*

*"This would still allow a company, if they so choose, to permit with us. That would include us validating the credentials of that certified elevator inspector. They would be able to continue to use them as their inspector and provide us that documentation.*

*"We would administrate that inspection then and validate it. Most civilian companies, from the information we have, are charging between [\$]200 and \$1,200 for the inspections they're performing depending on complexity. So we do see this as providing a service to our local businesses that would potentially be quicker and cheaper than what they are receiving now, in addition to, obviously, providing for public safety. The remaining slides that we have are a quick overview of the short summary of amendments that we made.*

*"These were all designed to, as stated earlier, to assist elevator companies in bringing into compliance and to help avoid expenses and major repairs. This one states that if a company is to remove an elevator, they don't have to immediately take that completely out of the building. There is an option to lock it out and safe it until at which point they would want to remove it, if ever. In the inspections prior to use or if we do have an elevator that has been tagged out, again, we do not have a hard line for the elevator not to be used until all of those code items are taken care of. We allow them to work out a plan under that five-year stipulation with our inspectors and proceed according to that. One item of a control, actually our current code, the 2004 code, still states that if you are to change out your controller, you would have to bring the elevator up to compliance, and not in all cases is that required. This allows us now to change the controller and any critical or directly affected components without an entire modernization program.*

*"Then on modern equipment, older elevator code does not allow really anything in the elevator shaft. Modern equipment actually places a lot of that equipment in the shaft. So this would allow us to have smoke detectors in the actual elevator-way there. The last one, for some reason the code states, previous code states that you have to have a colored drum in the sump pit of that, and we actually prefer a clear drum so that inspectors or maintenance personnel do not have to enter that pit in order to see the level of the fluid. This would provide them a level of site gauge and an added measure of safety, again, minimizing how many times they would have to get in the pit. That concludes my presentation on the code, sir. I will stand for questions."*

*Chairman Unruh said, "Alright, Chris, thank you. Commissioners, are there any questions? I would ask if there's anyone who has knowledge of these issues who wants to speak, anybody from the public. I don't see anyone, so Commissioners, what's the will of the Board?"*

**MOTION**

*Commissioner O'Donnell moved to adopt the resolution.*

*Commissioner Dennis seconded the motion.*

*Chairman Unruh said, "Alright, thank you. Looking at my, thank you for the motion, Commissioner, but I'm looking at my book, and I guess we have to open a public hearing, is that correct?"*

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

*Chairman Unruh said, "Alright, pardon me for that oversight. So we'll hold the motion*

*for just a moment..."*

*Mr. Labrum said, "Sure."*

*Chairman Unruh said, "...and then we will officially open a public hearing for any comment. I don't see anyone rising to speak. Would you like to make a comment? Please step to the podium and say your name."*

*Mr. Cole Hawkins, Elevator Mechanic, Boesen Plumb Elevator Solutions, greeted the Commissioners and said, "I work for an elevator company here in town, and I think the majority of us, or all of us, feel like this is a great safety item to proceed with."*

*Chairman Unruh said, "Okay, thank you for your comment. Anyone else? Seeing no one rise to speak, we will close the public hearing, and we do have a motion and a second, I believe?"*

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

#### VOTE

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

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

**Approved**

**H**     [17-630](#)

#### RESOLUTION TO REPEAL AND REPLACE THE SEDGWICK COUNTY SIGN CODE.

Presented by: Chris W. Labrum, Director of Metropolitan Area Building and Construction Department.

RECOMMENDED ACTION: Adopt the resolution.

#### VISUAL PRESENTATION

*Mr. Labrum said, "As stated, repeal and replace of our current sign code. The majority of this is based on a Supreme Court decision specifically, Reed v. Town of Gilbert, in which it was challenged that the size of a sign cannot be dictated by the content. For our purposes code as it applies to content would be the organization, such as a religious or a charitable organization versus a business or an advertisement.*

*"So according to that Supreme Court decision, any actual language that was placed on a sign would be a zoning or separate ordinance, but the code cannot actually enforce that. So we originally adopted code in 2004 for signs in Sedgwick County. Again, it was zoning code prior to that, and the bulk of this resolution removes our content based code, which, and it was fairly extensive, we actually did have a code that allowed a much larger sign for religious groups, for example, than for a business in the unincorporated areas.*

*"Additionally, in addition to that removal, we went through and tried to clean up our*

*language and better apply the understanding and application. One example of that is we have a one-mile restriction for signs that allows five signs in a one-mile stretch. Signs cannot be closer than 500 feet apart. We had been asked several times what the interpretation of that one mile was, so we now define that as the section lines, but we also, and this was based on questions from Commissioners, we separated those lines between city and county. So that way one jurisdiction could not fill up their area with signs, so to speak, and create a situation where a county member could not put up signs because the city had already filled that one-mile stretch. It also then lessened the restriction on putting up temporary and small outdoor signs. We'll have a slide demonstrating that later as well.*

*"Then I would like to thank Mr. Mollhagen for his catch there. We did have two typographical errors in the resolution that was released publicly, and I apologize for that. Our red-line copy did have these in them, but somehow we did not type that into the original resolution, and our legal counsel's corrected that for us at this point. Specifically, we increased the amount of time before an abandoned sign will be removed. That previously was 90 days, now it will be 180 days. What we omitted is that 180 days will begin after written notification is received by the owner of the sign. So we have corrected that in the resolution you will sign. It also stated that we added a definition for off-site signs and corrected that from billboards, and we had not deleted the section that included billboards previously with off-site signs so that the 'not' has been added to that. Off-site signs do not include billboards.*

*"Ironically, my first example of the changes in amendments and lessened restrictions is that very one, that billboards are no longer considered an off-site sign because they can be changed. The content of that sign can be changed without a permit or any inspection from MABCD. As stated earlier, temporary signs, these would be those on-site to lightweight signs previously could be placed for a cumulative 12 days within a year and could not be up for more than four days. We have opened that up, consecutive days, we have opened that quite a bit, and now you are allowed to place a sign for 90 days total, no more than 30 days cumulative. Then the exemption for small outdoor signs, anything that does not exceed six square feet as long as it does not encroach on any zoning type restrictions does not require permitting nor any look by the MABCD. That concludes my presentation, and I will stand for questions."*

*Chairman Unruh said, "Alright, thank you. Commissioners, are there any comment? This item does not require a public hearing, but is there anyone who wishes, in the public, that wishes to speak on this item? Alright, I see no one wanting to speak, so Commissioners, what's the will of the Board? Commissioner Howell."*

*Commissioner Howell said, "Thank you, Mr. Chairman. A couple of questions. So this only applies in the unincorporated part of Sedgwick County? Every city has their own..."*

*Mr. Labrum said, "Correct, sir."*

*Commissioner Howell "...sign code, is that correct?"*

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

*Commissioner Howell said, "Sometimes we see like a large tract of land. Let's say it's*

*a, some piece of land that's for sale, and there is a real estate sign that's fairly large, let's say like a 4 by 8 sheet of plywood that's been turned into a sign or something like that, a larger sign. It may be there for years. Does that comply with this type of a code?"*

*Mr. Labrum said, "That would depend on size, sir, and our evaluation with that. Normally those still are temporary signs."*

*Commissioner Howell said, "But they may be there for years, I mean..."*

*Mr. Labrum said, "Mr. Dixon is here too, Kelly, if there's, if a sign meets the size restrictions and is reported to us, then we would contact the owner of that sign, the owner of the property. And just that, we would either permit the sign or notify them that they have 180 days to leave the sign in place."*

*Commissioner Howell said, "Okay, so it may be a concern? They might need to actually, I guess, coordinate with your office to get permission..."*

*Mr. Labrum said, "Correct, sir."*

*Commissioner Howell said, "...to keep that sign up permanently."*

*Mr. Labrum said, "If the sign is larger than six square feet, now do note that in most cases, this is talking, this only regulates county roads as well, so if that was a state highway or a state road that the sign's being placed on, we then would have state restrictions, and we'd have to work with them."*

*Commissioner Howell said, "Sure. I understand there are other jurisdictions, and it is a little bit confusing for people to know what kind of code applies to what kind of roadway or whatever. But to the extent that we have county roads that have these types of signs along the road there, and I think we've all seen them. Some of them are very large, trying to advertise for sale of property or whatever. Sometimes it's a development they're advertising for, someone to consider purchasing a lot within a development. Those are the type of signs, I'm sure we've all seen that. I'm just curious how that would apply, how that would be impacted by this sign code."*

*Mr. Kelly Dixon, Codes and Flood Plains Technician, Metropolitan Area of Building and Construction Department, greeted the Commissioners and said, "On page 10 in the code there, it talks about real estate signs specifically exceeding eight square feet. That would be a permitted sign, it would require a permit."*

*Commissioner Howell said, "Would require a permit."*

*Mr. Dixon said, "They have a specific rate that they would pay for that sign. Once it's permitted, then it can stay indefinitely."*

*Commissioner Howell said, "Okay. Of course, and your office keeps track of which signs are permitted and which ones are not, but the average person would have no way to know the difference, would they?"*

*Mr. Dixon said, "Correct."*

Commissioner Howell said, "Okay, alright. I would just say, this has always been the code. This is more, this is less restrictive."

Mr. Dixon said, "It is."

Commissioner Howell said, "It's more generous, if you will, even though that may seem a little bit problematic to me. It's still a step in the right direction. It's a little bit less restrictive even though that still feels a little, maybe overly regulated in some cases. I drive past these large areas, and I don't know that I have any problem with that type of signage. So just to make sure I understand real quickly, if it's greater than six square feet, then they have a time limit without a permit, or without a license, or whatever it is, and what would that limit be again?"

Mr. Dixon said, "Any real estate sign over the six square feet would require a permit, and it would not be tied to a time."

Commissioner Howell said, "Oh, I see."

Mr. Dixon said, "Once the sign is permitted, that's the last time we look at it."

Commissioner Howell said, "But if it's considered a temporary sign..."

Mr. Dixon said, "If they buy a temporary sign permit, then it is limited to the number of days."

Commissioner Howell said, "Okay. Alright, well, I'll have to continue thinking about that, but I've been thinking about this for a while. I keep thinking of more questions, and I appreciate your willingness to answer my questions."

Mr. Dixon said, "No problem."

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

Chairman Unruh said, "Thank you, Commissioner. Are there any other comment or question? What's the will of the Board?"

#### MOTION

Commissioner Dennis moved to adopt the resolution.

Commissioner O'Donnell seconded the motion.

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

#### VOTE

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

Chairman Unruh said, "I think, Chris, you're still up. Madam Clerk, call the next item."

**Adopted**

I [17-631](#)

RESOLUTION TO ESTABLISH A LOCATION PERMIT REQUIREMENT  
IN THE UNINCORPORATED AREA OF SEDGWICK COUNTY.

Presented by: Chris W. Labrum, Director of Metropolitan Area Building  
and Construction Department.

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

*Mr. Labrum said, "At this time, a resolution to establish a location permitting process in the unincorporated county through MABCD, and just to clarify, this is nonresidential. So location permits for nonresidential, noncommercial accessory structures is all that are impacted. So the adoption of the 2012 International Building Code (IBC) and amendment for Sedgwick County means that no structures, again no nonresidential structures under 400 square feet require a building permit. Any structure receiving a building permit, there is a location and a siting permit associated with that.*

*"So in these cases, where no permit is required, we are requesting that MABCD still be contacted. We're requesting a site plan or a location permit be issued before those structures are completed. This will be a no fee, no specific format, no on-site inspection is required. So that would mean members could, would e-mail, mail, stop by the office, load to our website a plat drawing, whatever format would work for them describing their property and where they would like to locate their structure.*

*"We would then use our records to evaluate that, contact them as required for details, and look to ensure that they are not encroaching on the areas of concern, which are specifically utility setbacks or utility right-of-ways, excuse me, easements, setbacks, and then also flood plains. So floodplain does become a big portion of this. We are, of course, looking at this as a protective measure for our property owners. If they are in the floodplain, they may be subject to damage. They may have insurance issues, or they may also face loss through some sort of enforcement action if we as the county or federal government, a FEMA (Federal Emergency Management Agency) type, or flood management type agency was to come in and enforce some of those areas, and we could not demonstrate that we had permitted and built structures to the required code.*

*"Also, of course, looking to protect ourselves as the county and ensure that we comply with the federal programs as best that we can, and that we also prevent our citizens from being subject to potential federal involvement or federal enforcement of those. So again, we're looking to avoid structures in flood plains. If someone wants to build in a floodplain, there are code stipulations and requirements that would allow them to build that building to spec. We would certainly help with those. Our main recommendation would be to move the structure out of that plain.*

*"As stated, we want to avoid utility easements, which of course could involve a utility company needing to and having the right to enforce removal of that structure, and we want for the same reasons to avoid setbacks. Again, there is no on-site inspection required, so we would deny the permit, request that they relocate and reapply for a permit, still at no fee. At a minimum, even without the inspection, if the citizen was to go on and build without our location permit/permission, they at least would have the information as to why we recommend that they don't do that, and if there was any further enforcement or any other action to take place, that would be on record. That concludes everything on that, and I'll stand for questions."*

Chairman Unruh said, "Alright, thank you. Commissioners, are there any questions? Commissioner Dennis."

Commissioner Dennis said, "Thank you, Mr. Chairman. I did receive one e-mail on this subject, and it was in opposition, but I don't know if they fully understood that there is no fee, there's no inspections. They can provide the information in any format that they want and the fact that it's a protection for them."

"So I'm not sure that the person that wrote the e-mail to me was fully aware of what the proposal was, at least I hope they weren't, because I see this as a protection for the citizens that they're not going to have to tear down a building that they built, or they put it in a floodplain or over the top of an easement and so forth. So, for that reason, even though I have only received one, I did not receive anybody that was in favor of it."

MOTION

Commissioner Dennis moved to adopt the resolution.

Commissioner O'Donnell seconded the motion.

Chairman Unruh said, "Thank you. We have a motion and a second. I just want to emphasize the fact Chris that this is for buildings that are less than 400 square feet."

Mr. Labrum said, "Correct, sir."

Chairman Unruh said, "Above that they do have to comply with the permitting process."

Mr. Labrum said, "Correct, sir."

Chairman Unruh said, "Four hundred square feet is a 20 by 20, it's fair-sized building."

Mr. Labrum said, "Yes, sir."

Chairman Unruh said, "So there's a lot of freedom in there construction decisions."

Mr. Labrum said, "Yes, sir."

Chairman Unruh said, "Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. Just a couple of quick questions. So is there a minimum size that would require someone to actually come and have this request for a free location permit?"

Mr. Labrum said, "No sir, we have not..."

Commissioner Howell said, "There's no minimum size?"

Mr. Labrum said, "...put a minimum size. Any building, any structure, accessory structure that a person would plan to put on their property."

Commissioner Howell said, "If it's not attached to the ground, like if someone just places a shed in the back property, is that..."

Mr. Labrum said, "A temporary structure or temporary placement where it's easily



*moved would not be a problem, sir, because they could move it at any time."*

*Commissioner Howell said, "So that would not require, that would not even trigger this requirement because it's easily moved?"*

*Mr. Labrum said, "Correct."*

*Commissioner Howell said, "That's kind of the point there. I know it's in the back-up material, but just for the listener's understanding, if it requires any type of other inspections, otherwise, like an electrical inspection, they wanted to have electrical or any type of mechanical inspection, that would also require a much, that does require a building permit and all the inspections would have to happen as normal."*

*Mr. Labrum said, "Correct. That would require the associated permit."*

*Commissioner Howell said, "Sure."*

*Mr. Labrum said, "Mr. Dixon is letting me know I may have that somewhat misinterpreted with the temporary building, and again, depending on the size."*

*Mr. Dixon said, "Floodplain requirements as laid out in our floodplain management resolution and by federal law requires that any structure in the floodplain has to, if it's there, it does not give a size minimum. Any structure has to meet the requirements. There is no temporary building defined in that code. If they place a structure like that in the floodplain, it would have to meet floodplain management requirements of anchoring. The key there is to keep it from floating away and causing a problem downstream."*

*Chairman Howell said, "I understand that, and I think that's certainly is well intentioned. I think of the extremes on the spectrum, just to kind of make a point here, if someone was to build a doghouse or a playhouse, very, very small structure, I don't know that you would feel the same way about that type of structure because it's extremely small."*

*"But maybe that's being silly in my comment here, but the reality is I think about something that is extremely small, we would probably treat that differently than we would something that's like a 10 by 10 shed, or you know, something that's portable that's moved in there."*

*Mr. Dixon said, "I agree with that."*

*Commissioner Howell said, "They may not even realize they're in a floodplain and to come at, some people don't even know to ask the question if they don't plan any type of mechanical or electrical amenities in the structure. They may not even realize that the conversation needs to happen about whether or not this is in the floodplain. They may not know that."*

*Mr. Dixon said, "That's exactly right. A lot of folks that are in the floodplain don't realize it."*

*Commissioner Howell said, "If that was to happen under this code that would still be okay. We're hoping that they'll come and ask, provide a site plan. We're not restricting them, we're simply giving them some free advice, literally free advice..."*

*Mr. Dixon said, "Literally."*

*Commissioner Howell said, "...and letting, encouraging them to make good decisions to not locate that in a place that may cause a problem in the floodplain."*

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

*Commissioner Howell said, "Again, I think this is a good balance. I would classify this as a deregulation, more freedom, more allowance, if you will, but we're also trying to protect them with information and not even charge them for the information and give them free advice that helps them not make bad decisions on where to place it. So I think this is really a nice balance between regulating, you know, strictly, versus allowing someone to use their property freely. So, I understand this already has a motion and a second, that's great. I'm very supportive of the resolution this morning, but I guess I would like to classify this as a step towards deregulation but still trying to protect people in the floodplain and protect people who are going to be impacted by floodwaters."*

*Mr. Dixon said, "That is our goal."*

*Commissioner Howell said, "Thank you."*

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

*Chairman Unruh said, "Commissioners, any other comment or question? Seeing none, Madam Clerk, call the vote."*  
VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Absent</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, "Thank you, Chris."*

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

**Adopted**

**J**      [17-720](#)

AMENDMENT TO THE 2017 CAPITAL IMPROVEMENT PROGRAM  
FOR RENOVATION OF THE FORMER MURDOCK TAG OFFICE FOR  
EMSS/OMD.

Presented by: Tania Cole, Director of Facilities Maintenance and Project  
Services.

RECOMMENDED ACTION: Approve the amendment to the Capital  
Improvement Program.

VISUAL PRESENTATION

*Ms. Tania Cole, Director, Facilities Maintenance and Project Services, greeted the Commissioners and said, "I am here today before you to request approval of a CIP (Capital Improvement Plan) amendment to renovate the former Murdock tag office at*

200 West Murdock for The Office of the Medical Director (OMD). To give you a little bit of background on this location, we acquired the building in 1989, and tag office operations were in that facility from 1989 until they vacated June of 2016. At that time, we were asked to begin to look at suitable tenants for this building, and we did several program studies with various departments in the county. One of those being COMCARE, CSS or Community Support Services.

"We looked at possibly putting the elections office there, and lastly, the Office of the Medical Director. COMCARE, CSS and elections office, during their programming study, came back with needing additional square footage that this facility would not be able to offer them, and when we did the programming study for the Office of Medical Director, it virtually came back almost as an exact match. Their programming need is 6,786 square feet, and the building is currently at 6,778 square feet, so very close. I believe Dr. (John) Gallagher has shared with you the benefits of moving to this location, and so I'd just like to repeat those benefits. This location would put them in compliance with the city/county expectation that they be housed independently of 911 Public Safety services. This provides them greater access to city and county leadership. It would be a central location for emergency response for Dr. Gallagher, his staff and those being trained at this facility, and then accessibility to the simulation center for responders.

"The CIP request before you is to provide necessary funding authority for the renovation, and that is estimated at \$591,223. Of that, [\$]471,917 would be for the construction portion, the demo and the construction portion of the facility, and then the owner's items at \$119,306.

"Owner's items include architectural and engineering fees, FF and E are furniture, fixtures and equipment, signage at that facility, moving expenses and then our project contingency. So to pay for this project, it would require a cash transfer from budgeted transfers using budget authority transferred from the operating reserve. Some features of the project include all new efficient interior, including new north AC or HVAC (Heating, Ventilation, and Air Conditioning) equipment on the north side of the building. We would replace the entire roof, and we would put new windows.

"There are 32 parking stalls at this location, which is adequate parking for employees, Public Safety vehicles and those there for the training of the simulation center. This is a single-tenant building, so Office of Medical Director would be the only operations in that building, and we have done a schematic design working with the Office of the Medical Director, so the renovation plans meet their specific needs for their operations. You've seen this before, I presented this, but I thought it was relevant to see it in this presentation. This is the first floor schematic design, and you will see on the north end is, that's dedicated to the simulation center with the south end dedicated to the offices for Office of Medical Director.

"So the employees there, they have a conference room there, recording room, a couple of bathrooms there that could be used during the time that the simulation center is being used. Then let me jump to the second floor, you've seen this again before, this is the basement schematic design. We will not be hardly doing any work in the basement. It will still continue to be used for storage for simulation center equipment and other equipment. There is a break room there, we'll do a little cleanup there in that room. Estimated time to begin the process with Office of Medical Director moving in is about seven months, so we would look at probably the end of March for them to be in at this location. So that is what I have before you today. If you have any questions, I'd be happy to answer those. Also today here is Scott Hadley, Interim Public Safety

*Director who is able to answer any questions as well, and I would recommend your approval."*

*Chairman Unruh said, "Alright, thank you for that presentation. I'm just pleased that our Office of Medical Director and our property folks can come up with a good solution for a building that we own that I think needs to be utilized, and this seems like an efficient cost-effective way to satisfy, you know, those demands of using our space and getting our folks in a location that's very convenient and, it makes logical sense for them to be downtown. Commissioner O'Donnell."*

*Commissioner O'Donnell thanked the Chairman and said, "Tonya, I just wanted to thank you for making this a priority. I know you and Assistant Manager Stoltz have been working on this for a while now. Given their current situation in the basement of that fire station, I think this has been necessary for a long time. So, I'm really excited for that office and the employees that will actually be able to see some daylight and not be in a leaky basement. So, I'm excited for this project."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Dennis."*

*Commissioner Dennis said, "I echo Commissioner O'Donnell's comments. He and I toured the existing facility, saw it firsthand, and we are very pleased that we're moving ahead with this facility."*

#### MOTION

*Commissioner Dennis moved to approve the amendment to the CIP.*

*Commissioner O'Donnell seconded the motion.*

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

#### VOTE

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

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

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

**Approved**

**K**     [17-682](#)

#### PRESENTATION OF THE QUARTERLY FINANCIAL REPORT.

Presented by: Rick Durham, Deputy Chief Financial Officer.

RECOMMENDED ACTION: Receive and file.

#### VISUAL PRESENTATION

*Mr. Rick Durham, Deputy Chief Financial Officer, greeted the Commissioners and said, "At the end of each quarter, the Division of Finance reports on Sedgwick County's*

*financial condition. The following quarterly financial report provides an analysis of the first six months of fiscal year (FY) in 2017 that ended June 30th. As a reminder, the information contained in this report is based on unaudited financial statements and excludes any adjustments that may be required by the auditors at a later date. The first section of your report outlines financial information on a budgetary basis for applicable fund types, including comparisons of financial activities with previous fiscal year and the adopted and revised budgets.*

*"The second section of the report outlines the financial status of active capital projects, and the final section is the funds statements, which provide a broad overview of the finances in a manner similar to a private sector business based on GAAP (Generally Accepted Accounting Principles) standards. Again, I'm just the guy who gets to stand up here and present the numbers.*

*"The hard work is done by the staffs of the accounting department led by Hope Hernandez and then represented by Marty and Brandi are here, and then also the staff of the budget department led by Lorien Showalter-Aire, and represented by Carly Sanchez and Todd Kawawa. So all the hard work is done by those folks. I'm just the guy that gets to stand up here and present it.*

*"So when we report finance status, the counting aggregates information into one of several possible groupings. The general fund, property tax supported funds, other operating funds or all operating funds. What this chart shows is broken down by those fund types, and these are projections to the end of the year as of June 30th. So we begin with the general fund. That's the county's primary operating fund, and it accounts for county services that do not have a designated fund of their own, and that includes general government, law enforcement functions, and it receives the broadest variety of revenues. Currently, the operation of 42 divisions are funded from the general fund.*

*"So as you can see from this chart, revenues are projected to exceed expenditures, and that results in a change in fund balance of \$956,000 that would result in an ending fund balance of \$63.5 million. So as we move to the right and go to the other columns here, the county has seven other property tax supported funds that include bond and interest, EMS (Emergency Medical Services), COMCARE, Aging, Highway, Noxious Weeds and Wichita State [University] (WSU). Each fund provides services related to a specific function, and the property taxes levied in each of those funds are used only to support those specific functions. So the next column then is debt service. I called it bond and interest before, but it's the same. So those expenditures are projected to be more than revenues, but then there are net transfers, so there is a projected change in fund balance of [\$]228,400 that results in an ending fund balance of \$3 million.*

*"The next column is those other tax supported funds, means, and so as you can see here, we have a projected net change in fund balance of about \$3.8 million, which would result in an ending fund balance of almost \$4.2 million. As we move to the right, then we get the non-property tax funds. The county has 31 budgeted other operating funds, which are not supported directly with property taxes. That includes grant funds, enterprise funds and internal service funds. The non-property tax supported funds are estimated to decrease by approximately \$1.5 million in combined fund balance and results in an ending fund balance of \$29.4 million.*

*"The next column is the Fire District. Sedgwick County Fire District No. 1 is a distinct governmental entity that is operated as part of Sedgwick County government and levies property taxes, but it is reported separately financially. A projected change in fund*

*balance of [\$]457,000 results in an ending fund balance in the Fire District of \$4.4 million. So when we reference operating funds, this means property tax supported funds plus the other operating funds. So as we move to the far right column here and we look at total operating fund of the county, it is projected to have an ending fund balance of \$138.9 million. So we begin to look at property tax supported funds. So for the second quarter, net revenues were \$181.2 million.*

*"We saw increases in property tax of [\$]3.8 million and licenses and permits of [\$]5.5 million from MABCD, and I'll go into the details of those in some subsequent slides. End of second quarter expenditures total [\$]121.1 million, and the bulk of those increases were in contractals and commodities, and that's due to the increased use of shopping carts in the way that purchases are accounted for in our system. So this just shows the percentage changes in both the expenditures and revenues. So we saw a 5.9 percent increase in revenues and a 6 percent increase in expenditures. This slide shows the net change in those. So we see the increase in county property tax supported funds through June 30th over the same quarter of 2016 of \$7.6 million. So now I'll move into some of the details. Shown here are some of the key revenue of the county property tax supported funds. In the past, this has been the top 10 revenues.*

*"So this now is key revenues, because I actually have 12 listed here, and I want to point out a couple of the changes as we move down that chart and the reason why. So just starting at the top, if we look at the property taxes increased by \$3.8 million, and that's a 3.1 percent increase. There were also increases in sales and use taxes, slight decreases in motor vehicle taxes. So the next line, what I want to do is look at that line that says licenses and permits. So if you notice that literally is a 27,000 percent increase in licenses and permits. What that is, is that's MABCD revenue that we didn't realize in 2016 that we're realizing now in 2017. So as we move down the chart, there are some small changes that aren't really significant, but the next change I want to point out is the addition of the, not the next to the bottom line but nearly, the line officer fees. The reason I want to point this out is, we're seeing there's a 31 percent increase in officer fees, which offsets the decrease in our mortgage registration fees. So we've talked about this in the past, so I want to show this. The point is I've made that this is no longer a top 10 revenue is because mortgage revenue fees was always in the top 10. But if we look at this list now, mortgage revenue, or mortgage registration fees would not be in that top 10. So I wanted to point that out so you can see the offset in how that's going.*

*"Sticking with key expenditures in the county property tax supported funds, as I say each quarter, personnel is the largest single category of expense that we incur here at the county. You see there's a 5.1 percent increase on that top line that's attributed to target pay adjustments and the pay pool, and you saw that on last quarter as well. Of other significant note would be the decrease in pension contributions, and this is as a result of action taken by KPERS (Kansas Public Employees Retirement System). The increase in, I guess I have a red number there that's 3.4, that's my mistake, that should be black. That should be an increase of 3.4 percent of FICA (Federal Insurance Contributions Act), and that would obviously correspond with the increase in salaries. The 13.8 percent reduction in overtime, so that's obviously a positive trend.*

*"Listed here are some of the other additional non-personnel expenditures that we have in tax supported funds. Grant awards, increase of 4.9 percent, there are Fleet Management charges of 4.3 percent, and as, if you may recall from the presentation from the first quarter, these are the same trends that we saw and reported, so it's just some residual from the carryover from the first quarter. So now we shift focus to*

*non-tax special revenue funds.*

*"As I stated, the county has 31 operating funds, which are not supported directly with tax. So in these non-tax special revenue funds, you see that revenues are down in the second quarter fairly, and the majority of this decrease can be attributed to the Affordable Airfares Program, and you're going to see that in the chart as I move forward.*

*"In expenditures, we see a slight increase but virtually flat. So this shows a year-over-year, so you can see that large decrease in our revenue of 15.3 percent and a slight increase of seven-tenths of a percent in our expenditures. So this one truly is a top 10 chart of our revenues in the non-tax special revenue funds. So as you roll down that chart on the far right, you'll see a significant amount of red or losses in revenues. Again, the next to the bottom line there is the bulk of that, that's the Affordable Airfares. You see that last year we had revenue of nearly \$4.5 million, and this year it's virtually zero. That's because that program has gone away. Here key expenditures in the non-tax special revenue funds, once again, we see the largest expenditure is people. There are large percentage increases in grant awards and management services, and this is due to a Meals on Wheels program in Aging.*

*"So we move now away from the budgetary statements into what the second part of the quarterly presentation I mentioned earlier, and this is the portion that in your book would be found behind the tab called fund statements, and what this chart shows is a clear pattern that shows the first quarter, second quarter as we collect taxes, and then we spend those down in the third and fourth quarter. If you draw your attention to the 2017 portion of this chart, you'll notice that the second quarter number is a little bit larger than it has been in the past that 115, and again, that's due to that revenue from MABCD that we've seen. This chart looks very similar to the last chart if you notice, but this is the same data shown differently as a percentage of budgeted expenditures.*

*"So the county, as we know, the county has a policy that says that, a fund balance policy, that states unrestricted general fund balance to be at least 20 percent of budgeted expenditures. So as you can see again, the clear pattern as we collect taxes and then spend them down through the year, but we still maintain a level that's above that policy of 20 percent.*

*"We shift gears again, and now we look at the investment portfolio of the county. As represented by this chart, the portfolio itself is the brown bars going across the chart. Then the county's yield is represented by the blue line there, and right now it currently is just below 1 percent. The benchmark that we measure against right now is at 1.24 percent, which is a one-year federal government treasury.*

*"So you see there's a gap there between our current yield and what our benchmark is. This is a result of the Fed [Federal Reserve System] changing the rate here twice this year. As we have investments tied up and when the Fed raises that rate, obviously our benchmark goes up, so we don't take that money out to reinvestment because of penalties and things of that nature. So what you'll see is, as we move forward and those investments mature and they're reinvested at a higher rate, that gap will shrink. Right now, we have currently seven investment-type vehicles that will mature in 2017 that will allow us to reinvest.*

*"So again, based on whether the Fed raises the rate again in another quarter, so we could be chasing that for a while. So I would say that Brandi Baily, who is present here, she manages our investment portfolio, and I think she does pretty much a fantastic job of keeping up with that.*

*"Here we talk about some significant capital projects in the county, and starting at the top with the Reagan Building, obviously construction has begun and will be completed at the end of November '17, and that's just the construction piece. The next line there, the LETC (Law Enforcement Training Center) construction is underway and will be completed in early December 2017. Now last quarter, there was some confusion about that number in the committed column, that [\$]298, and that truly is \$298 committed, okay, and that's what that's for is for blueprints.*

*"Moving down, we see the construction of the southeast EMS post, Intrust Bank Arena Entrance C remodel, the construction is underway and scheduled for completion this November, and of course, the interchange at [Interstate] 235 and [U.S. Highway] 54 continues. So now we look at some of the outside influencers, if you will, that impact the county's financial.*

*"So these are fiscal stresses that we see. These are annualized numbers that are from the end of year 2016. So if we look at that, we begin with liquidity, and that's the number of days' cash on hand in the general fund that the county has, and that will be 138 days, and that's up from 2015. We look at flexibility, which is the unrestricted fund balance as a percentage of expenditures, and we're at 29 percent, again that's up from the previous two years. We also look at property value, and that's the taxable value per capita, and that's up from the previous two years also at [\$]64,200. We look at what our per capita debt is, so our debt portfolio as it is per the population of the county, and we see that debt is coming down, it's at \$303 per capita.*

*"We look at our debt burden, that's the debt service as a percentage of our general fund revenue, and we see it's really fairly constant, it's at 13 percent. We then, the last two measures, we look at are property tax rate and our property tax reliance. Again, small changes but fairly flat over the last three years. Once again, these are annualized numbers, these are numbers that you saw last quarter. The next is metrics that we measure as far as short-term trends. We look at the changes, and what this chart shows is the change in the second quarter of 2017, and the net changes from the second quarter in 2016. So what we're looking at as far as those trend numbers is how did these numbers change from the same time period last year.*

*"So if we look at those numbers, then home sales is slightly down from the second quarter of 2016. Home permits, new home permits are up from that same time period in 2016. Mortgages registered down, sales and use tax down almost to one percent, total employed numbers are up, and unemployment is down. These are the long-term trends that we look at, again annualized numbers that you saw last quarter, and as you can see, growth in our tax base is up, home sales is up, new home permits, and again, this is annualized data, up, mortgages registered up, increase in sales and use taxes, and the unemployment rate is up at 4 percent.*

*"That arrow shows up, and what that means is it's a positive trend, not that unemployment is rising. What this chart shows as the leading economic indicators, and this data is taken from the Center for Economic Development and Business Research (CEDBR) from Wichita State [University]. I draw a circle around that last year or so. If you'll take your eyes clear to the right, you'll notice a slight dip in the last part of that chart. But even with that slight dip, what that represents is about, as they do leading economic indicators and that measure, that's about .8 [percent] on their scale. But even with that slight dip, if you'll draw your eyes back over the length of that chart, you'll notice that if you can follow that line that's there, that line that's 96, you see that we're still at a higher point today than we were since 2008.*



*"So moving away now, and we just looked at some of the potential threats that we see to the county's financial health. Obviously, the federal budget remains, you know, a question mark. State budget, projected deficits there, and then the local economy. While we looked at some of those economic indicators, and we looked at some of those things that were positive trends, still we're seeing positive moves, but it's slower than it is nationally. Again, key points of the report, Sedgwick County is currently in sound financial condition, and there is no deficit projected in the general fund for this fiscal year. There is increasing reliance on taxes to fund government. Again, the loss of the mortgage registration fee, but as we saw, those officer fees are kind of replacing that, but they're not replacing them 100 percent.*

*"So while revenue grows modestly or is decreasing, our cost of business, you know, either is flat or it continues to increase. So through the second quarter, our performance is consistent with what we expected and projected. Our fundamentals continue to reflect strong financial position. There is no projected deficit in this fiscal year, and again, the county focus is to use a strategic plan as a roadmap for success. That would conclude my presentation, and I would be happy to answer any questions you might have."*

*Chairman Unruh said, "Well, thank you, Rick, a lot of information. I do have a question, though. We had quite a discussion from the bench on a policy issue about our debt service as a percent of our general fund, I don't know, a couple months ago, and it seems as though we said that that debt service budget was going to be at 10 percent from 9 [percent], and I just want to, have I got my categories mixed up?"*

*Mr. Durham said, "Yes, sir. There are two different, you're talking about two different issues."*

*Chairman Unruh said, "Okay."*

*Mr. Durham said, "This is, what I show is the policy that says that we will have 20 percent fund balance as it ties to our budgeted expenditures, and what you're talking about is, thank you, that's debt service of the general fund, so plus general fund. Okay, sorry. Thank you."*

*Ms. Lindsay Poe Rousseau, CFO/Budget Director, greeted the Commissioners and said, "So, in the debt policy that you adopted, the measure that you indicated that we'd have as our limit is 10 percent of our general fund plus debt service expenditures."*

*Chairman Unruh said, "Oh, okay."*

*Ms. Poe Rousseau said, "What Rick was showing you as a measure is the general fund revenues only. So it's a measure of actuals as opposed to projected budget, and it's only in that one fund as opposed to the two that we use in our, or in your debt policy."*

*Chairman Unruh said, "Alright, thank you for that clarification. I had a second question about the sales and use tax, which is, you know, a substantial part of our planning, you know, especially in Public Works, but that nine-tenths of a percent less that we're receiving, is that cause for alarm at this point?"*

*Mr. Durham said, "In the actual quarterly report there is a chart, let's see if I can put*

*my fingers on that chart, and it gives a history. It's on page nine of your report. So if you look at that, it gives history back, and it compares January through June, and the percent changes, and March, April and May show decreases in the property tax, or the property tax, pardon me, the sales tax that we receive. Now keep in mind that when we receive that from the state there is a lag there, so we're not necessarily receiving the sales tax that was collected in January, February or March, but there's a lag. So it doesn't cause concern for me, because as I look at that, I would anticipate that a lot of retail use goes down in January and February because it's after Christmas. So, that's how I would look at that. So as June is actually starting to come back, so that one percent..."*

*Chairman Unruh said, "Alright."*

*Mr. Durham said, "...I mean, we'll keep an eye on that."*

*Chairman Unruh said, "Too narrow of a time frame to..."*

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

*Chairman Unruh said, "...draw a conclusion?"*

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

*Chairman Unruh said, "Alright, I got it. Thank you. Commissioner Dennis."*

*Commissioner Dennis said, "Thank you, Mr. Chairman. Your slides 19, 20, and 21, they do a good job of portraying what Sedgwick County did versus Sedgwick County. I guess my question is, how does Sedgwick County compare to Kansas and to the U.S. Economy? This doesn't tell me that."*

*Mr. Durham said, "We actually have some information that we used to receive from GFOA (Government Finance Officers Association) that we measured against benchmark counties, and it was counties of like-size and like-financial size as well. That reported their financial information in the same manner as we do, it's who had received a GFOA reward. We have, the last year that we received any information to give benchmark was 2015, and it doesn't seem relevant to measure 2017 information against 2015, so we've been reaching out to them trying to get that, and we just recently received notification from them, and we received it in a manner that wasn't in a spreadsheet to easily do, so we're analyzing that data now."*

*Commissioner Dennis said, "Okay, well, I'd just be interested in knowing how Sedgwick County is doing against the rest of the state and against the nation."*

*Mr. Durham said, "As would we, and we've been asking them for a couple of Fiscal Years to give us that data."*

*Commissioner Dennis said, "Thank you."*

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

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

*Commissioner Howell said, "Thank you, Mr. Chairman. I'm looking at slide 13. This may be similar to a question that the Chairman asked a minute ago, but I see a lot of red on that chart. There's a lot of, a lot of the sources of revenue that are significantly less. I guess overall it seems concerning that there is that much of a change. Is that something we need to address with our forecast for revenue, I mean is this going to continue this way, or is this something that's just explainable that we can assure ourselves that there's not a problem there?"*

*Mr. Durham said, "Well, obviously the bulk of that, as we talk about, we're talking about non-tax special revenue funds, so there is a 15.3 percent reduction, we know that. So we lost the Affordable Airfares, we know that, but there are a lot of other reductions there in Medicaid fees, revenue from the state, federal revenue, state pass-through grants, federal revenue miscellaneous. Those are the large percentages, which is why I put the comment in there when we look at threats to us, it's the federal revenue, the loss of that, and also the state. So those are grant funded, grant revenues that we're looking at. So absolutely there's concern, which is why it's on our radar as a threat to our financial health."*

*Commissioner Howell said, "It might be worthwhile to drill in on these and find out what the money had been used for in the past and find out is our obligation or commitment to these services or whatever was we, we're doing with that money, are those commitments continuing? Are we reducing what we're doing as a consequence to reduce funding to the county? It would be good to have, I guess, have a deeper understanding of that. That's a little, just overall, that chart just looks a little concerning the way it's presented. I appreciate the explanation."*

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

*Commissioner Howell said, "My next question was, I guess on page nine, slide number 18, just a comment first. We are doing a lot in Sedgwick County, a lot of things to celebrate. We've got four significant milestones happening. We get to cut the ribbon on, it looks like, basically four significant projects. I think that's tremendous we've got all of that kind of coming to a head at one point. But, I guess one of my takeaways on this chart is, I guess I didn't realize we committed \$14.23 million to the Reagan Building overall. Is that, please remind me, again, I know the purchase price was just under [\$]5 million, the refurbishment of floors one through three is part of this [\$]14.23 million, I assume, as well as FF&E's a part of that as well. Is the bond and interest cost part of this? In other words, all the CIP for the entire building from the very beginning 'til the very end, all the FF&E for all six floors, all remodeling costs for all six floors, all interest costs, is all of that built into this now?"*

*Mr. Durham said, "Yes, and the [\$]14.23 (million) that you reference is the budget number, not the committed number."*

*Commissioner Howell said, "Yeah, I understand, but I guess, okay. So we've committed [\$]8.59 (million), but the budget is, that's things that had been, that's approved spending, is that correct?"*

*Mr. Durham said, "Correct."*

*Commissioner Howell said, "Okay, so it's likely we'll still spend most of that money, the difference there. Okay. But I understand this is including everything, including like*

*the interest on the bonds and everything?"*

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

*Commissioner Howell said, "Okay. Just collectively, I guess I didn't realize it had gotten that high. But that's just a small takeaway. I guess my final comment would be that on page 13, slide 25, you make a comment there is no deficit projected for Fiscal Year 2017, but I guess, I would say that's reference to the approved budget. In other words, our real numbers, our performance is positive compared to what we passed as a budget, but we had planned deficit spending. So relevant to that, we're doing better than we, we're spending less than we thought we'd spend on what was approved in the 2017 budget, correct?"*

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

*Commissioner Howell said, "But this still does include some deficit spending that was planned."*

*Mr. Durham said, "Yes, but what I'm basing that statement on is the chart on page seven of this..."*

*Commissioner Howell said, "Alright."*

*Mr. Durham said, "...so if you'll reference that on page seven, that is in reference directly to the general fund, so that's the first column, so if you look at the general fund, there is an actual beginning fund balance of \$62.5 million. Then there's, we have revenues and expenditures, transfers, so the net change in fund balance on this is projected at a positive [\$]961,000, so that ending fund balance is [\$]63.5 [million]. That's what I referenced when there is no deficit there."*

*Commissioner Howell said, "Okay, alright. Thank you for the explanation. And again, that's all my questions, thank you, Mr. Chairman."*

*Chairman Unruh said, "Thank you, Commissioner. I don't see any questions. Can we get a motion to receive and file?"*

#### **MOTION**

*Commissioner O'Donnell moved to receive and file.*

*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>Absent</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, "Thank you, Rick."*

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

*Chairman Unruh said, "Appreciate it. And thanks to all your staff that helped put this together. Next item please."*

**Received and Filed**

L     [17-707](#)

**REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON AUGUST 10, 2017.**

Presented by: Joe Thomas, Director, Purchasing.

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

*Mr. Joe Thomas, Director of Purchasing Department, greeted the Commissioners and said, "The meeting of the Board of Bids and Contracts that was held on August the 10th results in one item that we'll bring for your approval this morning."*

**1. COLOR PRODUCTION COPIER -- DIVISION OF INFORMATION TECHNOLOGY AND SUPPORT SERVICES (DITSS)  
FUNDING -- DITSS**

*"This recommendation is to accept the low overall responsive bid from Canon Solutions America, Inc. and this would be at a monthly lease rate of \$889, this will also include the click charges at the rates listed, and an extended service rate of \$150 per hour, and this is for a period of 60 months. So our recommendation is to approve the item, and I'll be happy to try to answer any questions you may have."*

*Chairman Unruh said, "Alright thank you. We do have a comment from Commissioner O'Donnell."*

*Commissioner O'Donnell said, "Thank you, Mr. Chair. Mr. Thomas, I noticed that Treasurer Kizzire actually voted against it. Did we look at buying the machine and then asking what a monthly service cost would be on top of that?"*

*Mr. Thomas said, "That analysis was performed and if Ms. Meyerhoff would like to share the details of that, we'll call her forward."*

*Ms. Anna Meyerhoff, Operations Manager, Division of Information and Operations greeted the Commissioners and said, "We are aware that it would be slightly less to buy the machine; however, the service contract is not as strong when you purchase the machine as opposed to leasing. Also, these are high-use machines, and sometimes they need to be replaced, we replaced the other copier in the print shop last year. If we were to purchase the machine, we would have to buy another one as opposed to just getting to switch it out under the same lease terms."*

*Commissioner O'Donnell said, "The warranty wouldn't cover it if it broke?"*

*Ms. Meyerhoff said, "It's not going to be that long-term of a warranty."*

*Commissioner O'Donnell said, "What warranties are available?"*

*Ms. Meyerhoff said, "We would have to talk to the vendor."*

*Commissioner O'Donnell said, "You guys didn't ask the vendor what warranties were available?"*

*Ms. Meyerhoff said, "It would be in the contract"*

*Commissioner O'Donnell said, "We need..."*

*Ms. Meyerhoff said, "They wouldn't be the full term of the lease."*

*Commissioner O'Donnell said, "...to postpone this."*

*Ms. Meyerhoff said, "It wouldn't be a six-year warranty, like a six-year lease would be."*

*Commissioner O'Donnell said, "Right. Do they sell long-term warranties?"*

*Ms. Meyerhoff said, "We do not know."*

*Commissioner O'Donnell said, "Really? Mr. Chair, I think we need to postpone this until we get that answer, to see if warranties are available or not. I think that's pretty basic, and it was brought up at the meeting and nobody followed up with it, apparently. Thank you, Ms. Meyerhoff. Thank you, Mr. Thomas, but Mr. Chair, I would move that we postpone this until we get some answers on the warranty."*

*Chairman Unruh said, "Alright. Thank you for the motion. Is there a second? I would second the motion on the stipulation that this is not a time-sensitive issue, is that, I mean, we could get some more information in a week and..."*

*Mr. Thomas said, "Yes, sir, we will."*

*Chairman Unruh said, "...bring this back to us?"*

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

*Chairman Unruh said, "Alright, then I'll second the motion."*

#### **MOTION**

*Commissioner O'Donnell moved to defer the request of the Board of Bids and Contracts.*

*Commissioner Unruh seconded the motion.*

*Chairman Unruh said, "Is there any other comment or question? Commissioner Howell."*

*Commissioner Howell said, "This is more of a comment about some numbers in this back-up material. I'm just a little surprised, it says in 2016 there were 254,000 black and white clicks and 775,000 color clicks. Is there some type of a base number that's, is there like some kind of a threshold that starts counting when you exceed some kind of a number, are we doing essentially three times more color copies than we are black*

*and white, \$.29 apiece?"*

*Ms. Meyerhoff said, "Those are just the clicks for the color copier."*

*Commissioner Howell said, "I understand, but roughly a quarter million black and white and three quarters of a million color, that's about a 3-to-1 ratio for color. Am I seeing that correctly? I am seeing about \$.29 per color copy. There's just more though..."*

*Commissioner O'Donnell said, "Seventy-five percent."*

*Chairman Unruh said, "There's 254,000 black and white."*

*Commissioner Howell said, "Right, that's a quarter million, and 775,000 color."*

*Chairman Unruh said, "Okay."*

*Commissioner Howell said, "That's over three quarters of a million."*

*Ms. Meyerhoff said, "I am sorry, Commissioner, can you repeat what your question is for me?"*

*Commissioner Howell said, "Well I'm just looking at the back-up material on the page where it describes what the discussion and all of that says on it. This is back-up material, it says, last paragraph, the third paragraph on the page, it says in 2016 there were 254,000 black and white clicks and 775,000 color clicks. So if I am reading that correctly, we're seeing about 75 percent of our copying on this machine is going to be color."*

*Ms. Meyerhoff said, "Yes."*

*Commissioner Howell said, "Those are \$.29 per copy."*

*Ms. Meyerhoff said, "Yes."*

*Commissioner Howell said, "I guess we may have some other things to talk about. I guess I am surprised we are doing that much color. I would like to know if this is, you know, again, if we're doing that much color, I am not sure this is the, I guess maybe this is the right machine, but again, I'm wondering why we're doing so much color. That's a different question, perhaps. But I guess I'm not ready to bless the purchase just yet. I'd like to know more about this. This is really kind of new information for me, and I don't know much about this as I would like."*

*Ms. Meyerhoff said, "The color copying is based on the department's requests, and we did start charging back departments for those color clicks. It used to be that just came out of the print shop budget, but now the departments are responsible for that. It comes out of their budget, so it is controlled now."*

*Commissioner Howell said, "Alright, I understand. I understand that, I guess, just a little surprising I think for many organizations, they would not want to see that much money spent on color copies unless there is some kind of a chart that needs color to be clear to the reader or whatever. We ought to try to minimize how much color we're using, but that's a lot of money to be used on color copies. I guess, this machine obviously is designed to do that."*

*Ms. Meyerhoff said, "Yes, this is..."*

*Commissioner Howell said, "So If we're going to continue doing that type of usage, then maybe this is the right machine, but I'm a little surprised that we're doing that. So, I guess I'd like to think about this for a bit so I would be willing to support the motion to delay. I don't think there's any reason to rush at this necessarily. Thank you, Mr. Chairman."*

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

*Commissioner O'Donnell said, "One other question, and I don't know if this is for Ms. Meyerhoff or Mr. Thomas, but the DPI (dots per inch) that didn't meet your criteria from, it'd be the Sharp MX machine, what is the DPI on that? I have been looking for that and did not see it."*

*Ms. Meyerhoff said, "On the machine that we're purchasing it is 2400 by 2400."*

*Commissioner O'Donnell said, "Right, yeah, but on the Sharp MX machine, that would have been, as far as responsive bids, would have come in twice, but just not meeting the criteria of the 2400 by 2400 DPI. Do you know what the DPI is on that Sharp MX machine?"*

*Mr. Thomas said, "I just checked with our buyer. She believes it was 1200 by 1200 DPI, half that."*

*Commissioner O'Donnell said, "Okay, thank you."*

*Chairman Unruh said, "Okay Commissioners, any other comment? We have a motion to defer. Seeing no comment, Madam Clerk, please call the vote."*

#### VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Absent</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, "Joe, thank you. Next item."*

#### **Deferred**

### **CONSENT**

*Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I recommend you approve consent agenda items (M) Mike through (AE) Alpha Echo."*

*Chairman Unruh said, "What's the will of the Board?"*

#### MOTION

*Commissioner O'Donnell moved to approve the consent agenda.*



*Commissioner Dennis seconded the motion.*

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

**VOTE**

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

**Approved**

- M**     [17-656](#)     Bridge Design Contract for CIP Project B-484 Located on 95th St. South between Broadway and the KTA. District 2.  
**Approved on the Consent Agenda**
- N**     [17-657](#)     Bridge Design Contract for CIP Project B-485 Located on 151st St. West over the Ninnescah River. District 2.  
**Approved on the Consent Agenda**
- O**     [17-658](#)     Bridge Design Contract for CIP Project B-488 Located on 215th St. West between 13th St. North and 21st St. North. District 3.  
**Approved on the Consent Agenda**
- P**     [17-709](#)     Four (4) Temporary Construction Easements and Two (2) Right of Way Easements for Sedgwick County Project on the south side of 47th Street South from Oliver to Clifton, and on the west side of Clifton from approximately 47th Street South to MacArthur Road. CIP#R330A - Aviation Pathway Phase 2. District 5.  
**Approved on the Consent Agenda**
- Q**     [17-710](#)     One (1) Temporary Construction Easement for Sedgwick County Project 592-29-1796; Bridge Project on 109th Street North between Hillside and Oliver. CIP# R264-35. District 4.  
**Approved on the Consent Agenda**
- R**     [17-670](#)     Resolution designating weight restrictions for bridges within Sedgwick County. All districts.  
**Approved on the Consent Agenda**
- S**     [17-698](#)     VAC2017-00021 - Vacation of a portion of a floodway reserve generally located near the corner of West 23rd Street South and South 375th Street West (District 3 - City of Cheney's Urban Area of Influence).  
**Approved on the Consent Agenda**
- T**     [17-711](#)     Contract with the City of Wichita to Provide Payment Processing Services Related to City Water/Sewer Tap Funds Through MABCD.

**Approved on the Consent Agenda**

- U**     [17-654](#)     Agreement Related to the Purchase of Furniture, Fixtures, and Equipment for the Joint Law Enforcement Training Center.  
**Approved on the Consent Agenda**
- V**     [17-712](#)     Consideration of an agreement addendum with Wichita Housing Authority (WHA) for the Administration of the Resident Opportunity and Self-Sufficiency (ROSS) Program.  
**Approved on the Consent Agenda**
- W**     [17-713](#)     Amendment to Agreement for Provision of Prescription Medication by and between Sedgwick County, Kansas Division of Corrections and Dandurand Pharmacy, Inc.  
**Approved on the Consent Agenda**
- X**     [17-691](#)     Amendment to County policy for Kansas Title and Vehicle Registrations of County-owned vehicles.  
**Approved on the Consent Agenda**
- Y**     [17-719](#)     Amendment to the 2017 Capital Improvement Program for the Law Enforcement Training Center.  
**Approved on the Consent Agenda**
- Z**     [17-721](#)     Hire an Environmental Project Manager Above the Grade Minimum.  
**Approved on the Consent Agenda**
- AA**    [17-684](#)     Treasurer Claim Certification.  
**Approved on the Consent Agenda**
- AB**    [17-731](#)     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:  
  
Baalmann Acres Addition  
**Approved on the Consent Agenda**
- AC**    [17-676](#)     General Bill Check Register for August 2, 2017 - August 8, 2017.  
**Approved on the Consent Agenda**
- AD**    [17-677](#)     General Bill Check Register for August 9, 2017 - August 15, 2017.  
**Approved on the Consent Agenda**
- AE**    [17-678](#)     Payroll Check Register for the August 5, 2017 payroll certification.  
**Approved on the Consent Agenda**
-

## LEGISLATIVE ISSUES

*Chairman Unruh said, "I don't think we have anything to talk about there, and I know we have an Executive Session coming up, but before that, now is the time I guess to talk to 'Other'. Commissioners, do you have any other information you would like to present now? Commissioner Howell."*

## OTHER

*Commissioner Howell said, Thank you, Mr. Chairman. I just want to take a point of personal privilege this morning for the Howell family, for myself and my wife, this is a huge week this week. We had our first grandchild. Everybody likes babies, so I thought I'd just take, you know, less than one minute to just brag on my family. This is a beautiful little girl, her name is Jane Esther, and she was born Monday afternoon this last week. We are now finally grandparents. We have five wonderful kids. My wife and I have been married 27 years, and I love my family, but this is a huge milestone for our family to have our first grandchild. We're just celebrating that and wanted to share that with the public. Thank you, Mr. Chairman."*

*Chairman Unruh said, "Thank you, Commissioner. Anyone else want to make a comment on anything? I would like to say that yesterday afternoon I visited with several other folks and some City Council people and the board of Wichita Area Technical College (WATC) as we cut the ribbon on the Future Maker Mobile S.T.E.M. (Science, Technology, Engineering and Math) Lab, which has received some publicity here lately, but it's a pretty amazing piece of equipment."*

*"We can go around and allow grade school folks to see what it's like to be a welder, or if you can believe it, be a heart surgeon. They have a 3-D (3-Dimensional), I don't know all the technical words, but you can, I took a heart there and cut it half in two and messed around with the valves, put it back."*

*"You know, all you got to do is put on these little glasses and hold this little pen and you can really learn a lot about a heart. I also did some welding. I used to be a pretty good welder, but I'm not so good right now. But a lot of different technical things that will give individuals, young people, a chance to see what that's like, hopefully interest them in that type of a career, and it's quite a mobile lab. It's a big fifth-wheel type trailer, goes on the back of a big three-quarter ton truck, and they go around to different schools and give people the opportunity to try out the trade. I think someone from the Wall Street Journal was here, I am told, and they wanted to take it back to New York and demonstrate it, but that wasn't feasible, so we didn't do that. So anyway, just want to congratulate Gayle Goetz and Sheree Utash in pushing forward that idea and getting the funding for it, it's pretty impressive."*

*"Second thing I'd like to say is that I attended with Commissioner Dennis a preview of the Hunter Health Clinic here on East Central, and it's been an organization around for quite some time, and I really wasn't aware of it. They serve over 13,000 clients in that organization. They are building a new 22,000 square-foot clinic to serve folks who need to have clinical services and have circumstances in life that don't allow them to go to a regular clinic, and they're focused on the Indian population, it's how they got started, Native Americans, but we found out that they have optical services and dental services, which I wasn't aware of, and a pharmacy, and it's really pretty impressive. It's going to be a very improved asset in our community, so just want to congratulate those folks. I think Commissioner Dennis would agree that it was eye-opening, what the*

*services that they offered."*

*Commissioner O'Donnell said, "I agree."*

*Chairman Unruh said, "So does Commissioner O'Donnell. So anyway, we're pleased to congratulate them on their progress thus far. But with that, Commissioners, I don't see anyone else asking to speak, so we have a need for an executive session."*

*Commissioner O'Donnell said, "Thank you, Mr. Chair. I was able to attend after, I think I saw Commissioner Dennis in the parking lot yesterday when I was walking in. It's an impressive facility. Well, it will be..."*

*Chairman Unruh said, "Will be."*

*Commissioner O'Donnell said, "...and it's definitely going to shine up the corner of Central and Grove, it'll be spectacular."*

### **EXECUTIVE SESSION**

*Commissioner O'Donnell moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consult with an attorney which would be deemed privileged in the attorney-client relationship. It's required to protect attorney-client privilege and that the Board of County Commissioners return to this room from executive session no sooner than 11:13.*

*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>Absent</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

*The Board of County Commissioners recessed into executive session at 10:42 a.m. and returned at 11:12 a.m.*

**Approved**

### **17-752**

#### **AUTHORIZATION TO SETTLE A PERSONAL INJURY CLAIM.**

**Presented by: Michael North, Assistant County Counselor.**

**RECOMMENDED ACTION: Approve the payment of the claim.**

*Chairman Unruh said, "Okay, we are back from executive session, and so I would like to call the Board of County Commissioners back to order, and say that in executive session, no binding action was taken, but Mr. Counselor, do we have business to take care of?"*

*Mr. Yost said, "We have an off-agenda item, Mr. Chairman, and Mr. North of my office is here to present that."*

Chairman Unruh said, "Thank you."

Mr. Michael North, Assistant County Counselor, greeted the Commissioners and said, "I am here today asking for authorization by way of a motion from the Commission to settle a personal injury claim against the county. This involves a motor vehicle accident, the motor vehicle accident occurred on March 14, 2016. A Public Works vehicle collided with a vehicle driven by a mother and her two children. In this case, the car was, the parent's car was rear-ended by our county vehicle. We believe that there is clear liability on the part of the county. That happens when you drive as much as county employees are required to do in the course of their duties. We believe liability is clear. There were some injuries, not minor, but not major injuries to the children. "We will not name the children because this is not a filed lawsuit. My practice is I will not name minor children unless there is a filed pleading and that they are named in them, and that has not been the case here. This is simply a claim that's been filed on the county, but my recommendation is that the sum of \$20,000 be paid for the younger of the two children that was injured in this motor vehicle accident, and the sum of \$23,000 for the older of these two children, that would be a total of \$43,000. I would ask that a motion be adopted to that effect, Mr. Chairman."

Chairman Unruh said, "Okay, before we hear a motion, Mr. Counselor, do you have a comment?"

Mr. Yost said, "Mr. Chairman, I think it's up to you, but I think that maybe we need to have a vote of the Commission to take up an off-agenda item before we then take up the item itself. I don't know what the tradition has been, but, you know, it's up to you."

Chairman Unruh said, "I don't think that's been our tradition, but it sounds like a perfectly reasonable thing to do. So Commissioners, could we have a motion to take up an off-agenda item relating to legal issues."

#### MOTION

Commissioner O'Donnell moved that the Commission take up an off-agenda item related to legal issues.

Commissioner Howell seconded the motion.

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

#### VOTE

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

Chairman Unruh said, "We've heard the presentation, Commissioners, and we've heard the recommendation. What is the will of the Board?"

*MOTION*

*Commissioner Dennis moved to approve the recommendation presented by counsel.*

*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>Absent</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 "Thank you, Mike."*

*Mr. North said, "Thank you, sir."*

**Approved**

**ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 11:15 a.m.*