

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



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Meeting Minutes

Wednesday, October 18, 2017

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

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

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

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

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:12 a.m. on October 18, 2017 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro-Tem Commissioner Michael B. O'Donnell II; Commissioner David Dennis; Commissioner Richard Ranzau; Commissioner James M. Howell; Mr. Michael Scholes, County Manager; Mr. Thomas Stolz, Deputy County Manager; Mr. Eric Yost, County Counselor; Mr. Jim Weber, Deputy Director, Public Works; Mr. Kelly Arnold, County Clerk; Mr. Tim Kaufman, Assistant County Manager, Department of Public Services; Chris W. Labrum, Director, Metropolitan Area Build and Construction Department; Mr. Will Deer, Assistant County Counselor; Ms. Adrienne Byrne, Health Director, Sedgwick County Division of Health; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kate Flavin, Public Information Officer; Ms. Heddie Page, Deputy County Clerk.

GUESTS

*Mr. Don Klausmeyer, Appointee
Mr. Duane Schneider, 901 Park Glen, Clearwater, KS 67026*

Chairman Unruh said, "Reverend Patterson, thank you for being with us today, thank you. Madam Clerk, next item."

INVOCATION: Reverend Godfrey Patterson, St. Paul African Methodist Episcopal Church.

FLAG SALUTE

ROLL CALL

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

Chairman Unruh said, "Next item."

PUBLIC AGENDA

Chairman Unruh said, "Commissioners, I haven't, don't have a list of anyone who has requested to speak this morning. So we will call the next item, please."

APPOINTMENTS

- A [17-904](#) RESOLUTION APPOINTING ERIC PURKEY (BOARD OF COUNTY COMMISSION APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY METROPOLITAN AREA BUILDING AND CONSTRUCTION DEPARTMENT BOARD OF CODE STANDARDS AND APPEALS IN THE PUBLIC-AT-LARGE POSITION.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution

Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Mr. Chairman, item A is a resolution appointing Erick Purkey to the MABCD (Metropolitan Area Building and Construction Department) joint board of Code, Standards, and Appeal in the public-at-large position. A vacancy exists in that position due to the resignation earlier of Mr. Darrell Crofts. This appointment is merely to fill out the remainder of that term which ends on July 31st of 2019. I'm told that Mr. Purkey is not present to be sworn yet, and I would urge adoption of that resolution."

Chairman Unruh said, "Thank you, Commissioners 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	Aye
Commissioner Howell	Aye
Commissioner O'Donnell II	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Mr. Purkey is not here this morning? Alright, he will be sworn at the appropriate time. Next item, please."

Adopted

B [17-909](#)

RESOLUTION APPOINTING DON KLAUSMEYER (BOARD OF COUNTY COMMISSION APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION IN AN AT-LARGE POSITION.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Approve the Resolution.

Mr. Yost said, "Mr. Chairman, item B is a resolution appointing Mr. Don Klausmeyer to the at-large position of the MAPC (Metropolitan Area Planning Commission). A vacancy exists there due to the resignation of Mr. Bill Ellison. This appointment would fill that vacancy only until August 31 of 2019. I am told that Mr. Klausmeyer is planning to be here to be sworn, and I would urge adoption of this resolution."

Chairman Unruh said, "Alright, thank you. Commissioner Dennis."

Commissioner Dennis thanked the Chairman and said, "I move that we approve appointing Don Klausmeyer to Metropolitan Area Planning Commission. It's been my pleasure to serve with him on the MAPC for a number of years. He is not currently a

member of it, I think he will be a great addition going back on. I hope that we have support for his nomination."

MOTION

Commissioner Dennis moved to approve the resolution.

Commissioner Ranzau seconded the motion.

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

VOTE

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

Chairman Unruh said, "Mr. Klausmeyer is here this morning, and so we will swear him in at this time."

Mr. Kelly Arnold, County Clerk, thanked the Commissioners and said, "I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of the Wichita/Sedgwick County Metropolitan Area Planning Commission, so help me God."

Mr. Don Klausmeyer, Appointee, greeted the Commissioners and said, "I do."

Mr. Arnold said, "Alright, congratulations."

Mr. Klausmeyer said, "Thank you."

Chairman Unruh said, "Don, would you like to say anything?"

Mr. Klausmeyer said, "Pardon me."

Chairman Unruh said, "Would you like to say anything or make a comment?"

Mr. Klausmeyer said, "I just appreciate the trust you put in me, and I will do the best to serve the people of Sedgwick County."

Chairman Unruh said, "Well, thank you. You've demonstrated your ability in this particular position and we're very pleased that you're willing to serve again. So, thank you."

Mr. Klausmeyer said, "Thank you."

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

Approved

NEW BUSINESS

C [17-861](#)

ACCEPTANCE OF A \$144.79 DONATION FOR COMCARE.

Presented by: Tim Kaufman, Assistant County Manager, Department of Public Service.

RECOMMENDED ACTION: Accept the donation and authorize the Chairman to sign a letter of appreciation.

Mr. Tim Kaufman, Assistant County Manager, Department of Public Services, greeted the Commissioners and said, "This morning we have an opportunity to recognize an act of service from a young man still in middle school. Recently, COMCARE received a letter and a check in the amount of \$144.79 from Bradley Parks. He indicated that his hobby is helping people. As part of a school project he raised money and is donating it to COMCARE hoping to help people in crisis. I recommend that you accept this donation and authorize the Chairman to sign a letter of appreciation for this inspiring act of generosity."

Chairman Unruh said, "Alright, thank you. Commissioners, what's the will of the Board?"

MOTION

Commissioner Ranzau moved to accept the donation and authorize the Chairman to sign the letter of appreciation.

Commissioner Dennis seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item, please."

Approved

D [17-893](#)

ACKNOWLEDGEMENT OF A DONATION MADE BY STARBUCKS TO COMCARE'S COMMUNITY CRISIS CENTER.

Presented by: Tim Kaufman, Assistant County Manager, Department of Public Services.

RECOMMENDED ACTION: Acknowledge the donation and authorize the Chairman to sign a letter of appreciation.

Mr. Kaufman said, "Again Commissioners, on September 13th in recognition of Suicide Prevention Week, the Starbuck store number 2857, which is the Starbuck's at 29th and Rock Road, provided coffee and pastries to COMCARE's Community Crisis Center. They provided these treats at 5 A.M., 10 A.M. and at 4 P.M. to make sure that

they covered all the different shifts that we have people working at the Community Crisis Center. The value of this donation is \$272, and I recommend that you authorize the Chairman to sign a letter of thanks for this kind gesture."

Commissioner O'Donnell excused himself from the meeting at 9:18 a.m.

Chairman Unruh said, "Alright, thank you. Commissioners, what's the will of the Board?"

MOTION

Commissioner Ranzau moved to authorize the Chairman to sign the letter of appreciation.

Commissioner Dennis seconded the motion.

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

VOTE

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

Mr. Kaufman said, "Thank you."

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

Approved

E [17-905](#)

PROPOSED ADOPTION OF THE NFPA 70: NATIONAL ELECTRICAL CODE, 2017 EDITION.

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

RECOMMENDED ACTION: Approve the Resolution.

Commissioner Ranzau entered the meeting at 9:21 a.m.

Mr. Chris Labrum, Director, Metropolitan Area Building and Construction Department greeted the Commissioners and said, "Jessica do I have my slides, for electrical code? We are presenting adoption of the 2017 National Electrical Code (NEC) with amendments. So currently Commissioners, we're operating off of 2014 National Electrical Code with several amendments, quite a few amendments. This culminates an eight month review process led by the [Metropolitan Area Building and Construction Department] (MABCD) Board of Electrical Appeals. We were able to or that board was able to through that reduce our number of amendments from 32 to 27. Also, was able to reduce the number of exclusions from code enforcement and/or areas that are separately amended through that by half, from 24 to 12. It does also represent greater than 1,200 administrative changes, which add clarification of verbiage to ensure that code enforcement and work done under the code will be clearly understood.

"Through this adoption we also make an adjustment to some permits option. There are no fee changes associated with that, but it does consolidate some of the electrical work specifically with generators and solar installation, where contractors can receive one permit for the entire unit versus having to permit via subsystems or the components of that, making that a little easier for them.

"The point of most discussion associated with this adoption does center around Arc Fault Circuit Interrupter (AFCI) in homes. This code as we will see in summary of changes, does expand that and it actually removes our amendment from the code that restricts it, or that requires it only in bedrooms and this will expand that to requiring Arc Fault Interrupters throughout the home. This also as we will see later, was worked to a great extent with the community and with Wichita Area Builders Association (WABA).

"So the summary of changes, major changes that we see, includes removal of our amendment. Technology allows us to go with code as written and smaller wire sizes are allowed now for controlling control wires. We also, this being a little more restrictive, the code will no longer require or allows us to tie in electrical conduit with ceiling support. So this is a fire protection measure especially during a fire.

"This would mean that the electrical system or the electrical conduit cannot be tied in with the ceiling, so if a ceiling were to fall in a fire the electric would not come down with it, would be the idea there. So thus requiring those separate supports.

"This also, next requires a separate branch circuit for motors associated with sewage ejector and sump pumps, again safety factor involved with those. Then conduits on roof tops, this section was also removed. Our code required a, had a height restriction, required those raceways to be above a rooftop, so research and technology has allowed us to remove that and just go with the code based on temperature readings and the allowances there.

"Then to the, again main topic of discussion, arc fault protection. This section was deleted and is proposed to be enforced as written in the latest edition of the electrical code, which does require AFCI (Arc Fault Circuit Interrupter) throughout the dwelling. But it also allows significantly increase methods of installation and additional devices for that.

"So a little more on that, the basis of arc fault interruption is that it senses arcing in the wiring, components, electrical components and potentially appliances. So similar, we are familiar with GFCI (Ground Fault Circuit Interrupter) in a similar method, ground fault interruption is designed to protect the person from a grounding event. This is designed to protect the wiring and the circuitry in the home, its main goal of course is fire prevention. There is some discussion associated with that on nuisance tripping. That is one reason that this has been in work for 15 to 17 years now within the community.

"So the interruption, it senses that arcing event. If that arcing event meets the criteria, then it will trip the circuitry. So new devices, technology, and there are a lot of this has to do with the research and advancements on what constitutes a significant or dangerous arcing event. So for example, plugging an iron or some type of appliance into your home that does not have an on/off switch that does create an arc, but that arc does not meet the intensity, the heat, the frequency requirements that are associated with a dangerous arcing event, and a properly functioning system will not trip. So when we do get an arc fault trip, it is based on the fact that we do have arcing

in the wiring. If the arc fault interruption is not functioning properly, you would not get that breaker or not get that trip, the device would not trip. So that would put you back to, again, where you would be without an arc fault protection.

"As stated earlier, the lack of the amendment and increasing this to be put throughout the home also comes with a greatly increased method of installation. Currently we only allow two, this gives us seven different installation methods and also greatly expands the number of devices that can be used and the way those can be installed. There's obviously a cost concern associated with this. For the average home built in this area, we are looking at [\$]3 [hundred] to \$500 in the increase of construction specifically there, you see a \$300 increase to a \$200,000 home.

"We did work, as stated also, extensively with WABA through this. The [Wichita Area] Builders Association did an independent separate study on this. They came back with the same numbers we did. So the [\$]3 [hundred] to \$500 increase there represents homes up to \$200,000, and again to about \$400,000. Obviously, that would go higher with bigger homes, potentially to about \$1100, but that would be with a very large home, extensive home.

"There are stipulations under this that renovation that goes to the level of wiring would require arc fault to then be put into the area of the renovation. So there's no stipulation that would say the entire house would have to be rewired based on a renovation project, but those areas that receive the renovation would receive arc fault.

"We did also poll the community of contractors. While there are some who do say they do not see a need for us to introduce this yet, the majority did vote to adopt, and actually the Builders Association has publicly published that they are in support of this. We do have Mr. Duane Schneider here today, who did most of that project and the research for them. Mr. Galyon is at another meeting today and wasn't able to attend.

"Lastly, on this Commissioners, we have contacted insurance providers, the major insurance providers for the area. While this is obviously their intent, we have no way to prove it, so to speak, but they do say that the norm or the intent would be approximately a five percent per year reduction to homeowners insurance based on this. So with that, we recommend adoption of the code and amendments as they are published. We will certainly stand for any questions of the BoCC (Board of County Commissioner) and then open for the public comment."

Chairman Unruh said, "Alright, thank you, Chris. Before we open the public hearing, Commissioners are there any comments? Commissioner Howell."

Commissioner Howell thanked the Chairman and said, "I might withhold some of my comments until after, I just have a couple of quick questions before we get started here. Is this the first time the NEC has recommended the AFCI in virtually the entire home?"

Mr. Labrum said, "No, sir. It has been in the electrical code for some time now, basically since about 2000. We have amended it out and slowly worked towards adopting it throughout the entire home.

Commissioner Howell said, "Okay and AFCI circuits have evolved quite a lot. I mean, up until about, I'm doing some research on this, about 2008, there was a lot of problems. Maybe they are better today, but it's evolving technology, I guess, it's

changed quite a bit since 2001. So they started out in 2001 mandating this in the code. It was taken out, I guess, by local boards like us, for example, but I guess I'm trying to find out how popular is this adoption across the country. Is this what everyone going to right now?"

Mr. Labrum said, "That is correct, Sir. Your statements are accurate about the devices. There are also devices that are preferred over others, the Builders Association has published those also to the local contractors, and yes, at this point close to half, I think we are at 23, we would be the 24th in as far as states across the nation who are adopting the code completely in this adoption."

Commissioner Howell said, "We typically adopt a code, this is the 2017 NEC code. We typically adopt these this quickly? I mean, let things settle for a little bit and see how they work in other places and make, I guess, best practices go forward. I was, for example, plumbing typically is a couple years after the code comes out. I'm wondering why this one's so dynamically being recommended for adoption."

Mr. Labrum said, "Correct, and we do evaluate that, Sir. There were not as many significant changes between this and the latest code we had reviewed. That is one reason this one went forward much more quickly."

Commissioner Howell said, "Okay. I got some other comments and questions after a little bit. I will just wait until after the hearing. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Chris, before I open up the public hearing, this would be a requirement for new construction and for major remodel, but there's no requirement that it be retrofitted in existing homes?"

Mr. Labrum said, "That is correct, Commissioner."

Chairman Unruh said, "Okay. Commissioners, any other comment before we open the public hearing? Seeing none, at this time we will open the public hearing and ask anyone who has a comment on this particular item to step to the podium, state your name, and we'll give you three minutes to make your statement. Yes, sir."

Mr. Duane Schneider, 901 Park Glen, Clearwater, Kansas, greeted the Commissioners and said, "Owner of Central States Electric, and I have some arc faults here just to kind of demonstrate the changes that have gone through. We're on our fourth generation of arc faults. The first one was a series arc, that is all it could detect, we are now in a combination and a dual function. The combination works on series and also parallel, and Square D has done research on this."

"Since 1999 when it was first enforced, home fires throughout the country have decreased, and right now we only have 24 states that are doing it. It has decreased almost 20 percent. The rapid changes, or the 21 years it took to make the change, I believe is going to make the wiring installation so much safer than what we've had ever before. I have witnessed it on three different occasions where if the arc fault was not in place, we could have had a substantial fire in a residence. I just think it is a necessary thing that we should move forward with in our code."

Chairman Unruh said, "Okay. Well, thank you for your comment. Excuse me, Commissioner Howell has a..."

Commissioner Howell said, "Thank you, Mr. Chairman. I just have a question for you, because I don't really understand how this would be done. So you have the skill, I want to ask you to help me understand this. If someone calls you up and says I have a circuit that's tripping, what do you do to trouble shoot that, how do you resolve that? What's the process that you troubleshoot that and what do you typically do to fix the problem? Do these devices fail and you have to replace them?"

Mr. Schneider said, "We have not had very many failures at all. The first generation we had a few. As of right now we do not. I am also privy to be a part of Square D's teamworks, which is a focus group. I deal with a lot of other electrical contractors throughout the country. Two of them, one of them builds multiple homes, or multiple-family dwellings in Texas, and another one is in Louisiana. They have been installing these for the past two years, and my first question was, what is the issue that happens when, or have you guys had multiple nuisance trips? Neither one of them have seen an increase. So the products have actually gotten much better than what we saw in the very beginning."

Commissioner Howell said, "What's the process to troubleshoot a system that's tripping?"

Mr. Schneider said, "We split the system in half and then reset the breaker, and if you have a nuisance at that point, you work your way backwards. These also have, most of the manufacturers have a system in place, so that you can test it, and it tells you what to look for, whether it is a ground fault, whether it is an overload, or whether it is an arc. So they kind of help you in the very beginning to know what to look for other than are you just chasing, you know, a ghost."

Commissioner Howell said, "With this code, we are talking about not necessarily the breakers, but we're talking about devices, basically wall outlets that have this technology built into them, and then a series of outlets downstream of that would be protected as well. But the devices, the outlet in many cases, not necessarily the breaker, is that correct?"

Mr. Schneider said, "Correct. That would not be the way I would install it. I would go with the breaker, but..."

Commissioner Howell said, "I would think with new home construction probably the breaker would be preferred. Is that typically what you're seeing? In new home construction installing be..."

Mr. Schneider said, "You would probably see some people wanting to use the device because the device is a little less costly at this time."

Commissioner Howell said, "Okay, you know in some of the homes I've seen, when it became mandated to do the GFI, Ground Fault Interruption Circuitry, GFCI whatever it is, they would install that, let's say in a bathroom, then they may, would run the downstream circuit would be to go to the kitchen. So if kitchen outlet would suddenly quit working you'd have to know to go to the bathroom to reset that and because they wouldn't install the device necessarily in the room that it was protecting. It might be in a different part of the house."

Mr. Schneider said, "That is correct, Sir. Yes."

Commissioner Howell said, "Is that true for these as well? Is that what people would..."

Mr. Schneider said, "If somebody uses that device, that could be a possibility. But we're also required in code as of right now to instruct what is ever on that circuit labeling on the panel. So if you have a circuit that's covering a bedroom, a hallway and a bathroom, all of that needs to be listed on that breaker, so if somebody happens to lose that, they can go to the breaker box and it should say what they should look for in what rooms."

Commissioner Howell said, "I guess I'm more interested in, I agree, that would be great information if someone actually did that. That would be wonderful. It's not, I don't know if it's mandated in this code or not to do that, but if someone is using the device rather than the breaker, it's sometimes not clear to them. They may not have the drawings of their home. They may not realize exactly where all that wiring goes."

"I've seen sometimes it goes from one floor to the next, sometimes it goes from one part of the house to the other. They will run a long wire somewhere else because it saves them from having to buy another expensive device. So they will parallel them together, but it may go from room to room and they may not realize where they have to go to reset that circuit because this may not be in the panel. It may be a device somewhere in the house, but it has an interruption that has that interrupts power to other rooms. So it's a little confusing from the homeowner's perspective, I think sometimes to figure out where to go to find the button to push to reset that circuit."

Mr. Schneider said, "It could on occasions, yes. But as of right now with GFCI's, we are restricted to bathrooms. That's the only thing that can be on the circuits, kitchen outlets can only be on kitchen outlets."

Commissioner Howell said, "I see."

Mr. Schneider said, "So it has had some constraint to it compared to, you know, in the '70s when GFCI's were first introduced."

Commissioner Howell said, "So that's also changed. In other words..."

Mr. Schneider said, "That is correct, Sir, yes."

Commissioner Howell said, "...what I said is actually correct from maybe older homes now, but new technology the newer homes, they don't allow that protected circuit to go to other rooms. It has to stay in the room that it is installed in."

Mr. Schneider said, "You can have another bathroom tied onto a bathroom circuit."

Commissioner Howell said, "I see."

Mr. Schneider said, "Yes."

Commissioner Howell said, "Okay. In terms of breaking the system in half, you're talking about taking the device out of the wall, disconnecting it, so you're splitting that in half and you find out whether the problem still exists or not?"

Mr. Schneider said, "Correct."

Commissioner Howell said, "Then you reinstall the device and you work your way to the problem, I see."

Mr. Schneider said, "Yes, sir."

Commissioner Howell said, "Do you have to have a drawing of the home to do that?"

Mr. Schneider said, "No, sir."

Commissioner Howell said, "Okay, alright. That's all my questions for you, thank you very much."

Chairman Unruh said, "Alright. Thank you, Commissioner. Any other comment or question? Thank you for your comments."

Mr. Schneider said, "Thank you, gentlemen."

Chairman Unruh said, "Is there anyone else who would like to speak? Anyone else that would like speak during the public hearing on this issue? I see no one else rising to speak, so at this time I will close the public hearing and restrict comments to the bench. Commissioners, is there any further discussion? Commissioner O'Donnell."

Commissioner O'Donnell thanked the Chairman and said, "Chris, I just wanted to thank you and your staff for putting this together. I know it was a lot of work, and you walked the halls and made sure we all knew exactly what we were looking at, and I think it's high time that we update all of our codes. So good work to you, and Chris and everybody else in your office."

Mr. Labrum said, "Thank you, Commissioner."

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

Commissioner Howell said, "Thank you, Mr. Chairman. I do want to say also, I do appreciate the staff, they did a great job in putting this together and giving us a personal briefing on what was being presented here today. I have been thinking about this a lot, trying to find research on whether this is a good thing to do. AFCI is for me a concern. On doing some of the research I am doing, it seems like a lot of the websites, the blogs and stuff, there is a lot of discussion about problems with these devices. Trying to find a cost-benefit analysis, I did find one, it was very interesting to read. I don't know if this person is an expert or not, but he does make a lot of points about the total cost of installing these and what the cost-benefit is in terms of preventing fires. You know, I don't, I do want to say, I care very much about fires, and I don't want anyone to get hurt, obviously. I want to make sure people are safe in their homes.

"It reminds me of a discussion we had in Topeka on the fire sprinkler systems in homes, and it was, you know, if you really want to create a safe home, it might be a good thing for you to buy. The question is whether you want to change the state law to mandate fire sprinklers in homes. I was, I can't remember the exact cost, but it was around \$5,000 I think, was an average price of a system for a new home. There was a lot of debate on that. It did not pass, I think the point of it was, it was something that people could do, but it wasn't something that we wanted to mandate. It was

recommended but it wasn't mandated, so cost of housing is always a concern and the cost benefit. You know, ratings on this I've seen plasma TV's sometimes cause problem with these, anything that has a motor in it, especially if it is an older motor, the arcing that happens inside that motor is not necessarily rhythmic or predictable, and there may be nothing wrong, but it did cause these things to trip. I am not sure they've been able to find any data yet on how long these devices will last in terms of their longevity. Do you have any information on that? Anyone? Yes, sir."

Mr. Labrum said, "Sir, we do not have a lot of specific information, again as Mr. Schneider said, we have observation. We do know that we have had very few wear out, especially with the newer devices, but most of the generation we are working with now are about 2011, beginning in 2008 then 2011, so not a lot of trial data at this point."

Commissioner Howell said, "I remember earlier, I think a year or so ago, maybe a year and a half ago we talked about smoke detectors and CO2 detectors and how they actually age out. They don't last forever. In fact, they need to be replaced every so many years.

"Surprisingly, people I think feel comfortable thinking they are being protected by a smoke detector, but that may not detect smoke because it needs to be replaced. I don't want someone to have a false assurance of something that's not working the way they think it should work, or in this case, if it begins to trip down the road, I guess one of my questions, if we change this code here today, and someone has one of these circuits that, maybe it is a very long branch, if there's a nuisance tripping, are they allowed to replace with this current code, if we pass it? So are they allowed to take out an AFCI circuit breaker and install a standard circuit breaker for a branch that's just becoming a nuisance to them?"

Mr. Labrum said, "No, sir. You would not."

Commissioner Howell said, "Cannot do that."

Mr. Labrum said, "It would need to be AFCI."

Commissioner Howell said, "If someone was to do that, and there was a fire in that home, would there be an insurance issue with that insurance company, they would say we are not going to cover your home because it is not up to code now?"

Mr. Labrum said, "I obviously couldn't speak for the insurance company, but I would suppose that would be an issue, yes."

Commissioner Howell said, "I guess I'm just, you know again, I've read about ten different places on the internet on this topic, it seems like there's a lot of positive comments, but primarily from people who are, this may sound like a negative comment towards them, I am not trying to overstate this, but the people who sell the devices are very pro on this, and you know, the evolution of home safety, I want to make sure there is a cost benefit that makes sense here. I am reading this one study here on the cost benefit, it is very concerning that nationally, we are talking about billions of dollars of upgrades, and the homes that will benefit from this are the newer homes. The older homes are primarily where the fires happen. This may not be a solution. This may not actually significantly cause a reduction in home fires. I don't see that that's necessarily true.

"Anyway, I am not ready to move forward personally, I do appreciate the work that was

done. I wish I had some more time to study this a little bit and that's kind of where I am with this. I would like to, my guess I'm leaning toward the idea that we don't need to adopt this today. We can take some time, we just had our hearing today. We just got presented this less than two weeks ago. I think we ought to take some time and think this through, because once we go forward it's like a check valve, I don't think we will ever go backwards. I want to be very careful. We move forward, this is a one-time thing, and to accept that every state in the country has not gone down this path, these are fairly new devices. It's kind of a new idea to us as Commissioners. I just want to take some time and be very careful before we step in that direction. So I am a little concerned.

"The cost, the issue of the longevity of the devices, the nuisance tripping, how it impacts, you know some things have capacitors in them, things, like microwaves, vacuum cleaners, drill motors, anything with a brush, a refrigerator might be able to do this. It would trip these devices potentially because it's an older appliance. There is a lot of people on the internet that are really disappointed in the technology, they are saying these are actually new articles. They're disappointed in the technology, saying that they're frustrated as homeowners, that this is causing a lot of problems, and they are not doing, there's nothing wrong, yet they are constantly having to go around and reset these devices.

"So I don't know if any of that is even true, but I guess I am just not ready to move forward knowing that there is a controversy. I want to take some time to think this out and maybe talk to some folks in the community.

"So I guess, I will stop talking for a minute, but I would be leaning towards delaying action on this today and maybe come back to it in a month or so as I have some time to think about it. So, Mr. Chairman, that is where I'm at, thank you."

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

Commissioner Dennis thanked the Chairman and said, "We actually have had a couple weeks to study this. We were briefed on it some time back. Little bit about my background, my father-in-law was a professional electrician. When I was trying to talk him out of letting me marry his daughter, he let me pull a lot of wires, so I've been involved in electrical for some time. I took the test on the National Electric Code, so I could remodel my house and my basement, so I do know a little bit about running wires and so forth, and what it takes to set up a circuit, not professional by any means, don't pretend to be.

"But one of the criticisms from Commissioner Howell is the problem with old motors, old pieces of equipment and so forth. But remember, this is going in new home construction, and I would imagine most things going in new home construction wouldn't have the problems that he's identifying. The bottom line is it is for the safety of our public. Installing this is going to prevent fires. We have data on how much that it has the potential. It's different than GFI, the arc fault aren't protect you against those arc instances. It's been something in the bedroom in the past, now we are looking at the whole house. There's several ways of doing it. You can do it with, almost like a GFI in your wall, or you can put it into the circuit breaker. But I think that this is something that is needed for the safety of our community, and I am going to vote in favor of it. Thank you."

Chairman Unruh said, "Thank you, Commissioner. I don't see anyone else asking to

...speak at this time. My comment is that I live in a home that's about 17 years old now, and it has about a half dozen of these ground fault interrupters incorporated into that home. So that has to be a very early generation of that device, but I am very happy we have them.

"They have worked a few times, and I have had to go reset them, but I take a sense of security knowing that they are part of my electrical wiring and that they will trip, they seem to work, like outside to get some water in them for some reason or another it causes a trip, so I know it's working.

"So some of the concerns about them, I know that in 17 years they have improved them, made them better. So I don't have some of the concerns that have been expressed. I take confidence in moving forward in that the Builders Association stands in favor of this. You've had a community response that's favorable to this. The cost is not prohibitive, and there is some, not only safety advantages, but there's it appears there might be some savings on your insurance policy to have these things installed. So I believe that we have had an opportunity to look at it, and like Commissioner Dennis, I am ready to go forward. Those are my comments, excuse me, my comments. I would ask now if there's, first of all, Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. Just to clarify, I think that the devices in your home are Ground Fault Interruption Circuits, they're not AFCI's. These are different devices."

Chairman Unruh said, "It's a ground fault."

Commissioner Howell said, "Right, that's not what we are talking about here today. This is AFCI and this is an arc fault interruption, circuit interruption, and these are fairly new. The technology started to evolve back in the late 1990s and became NEC code back in 2001, if I understand correctly. But that wasn't really, they weren't really perfected until after 2008. I use the word perfected, meaning they haven't really changed since 2008. They are better than they used to be, but they still have a lot of nuisance faults, and anything that you plug in, like a treadmill, or you know, a mixer, anything that has a motor in it, and sometimes you plug in things that are always on, like a George Foreman Grill, you plug it in, and it creates a small arc when you plug that in because there is no on/off switch. That may trip one of these devices because it is there to sense arcing. It's not there to sense ground faults, it's there to sense arcing, so the nuisance issues are real and not to be confused with GFCI, because that's a different technology. Some of these devices are both.

"That's the other thing is a lot of these areas of your home you have to have GFCI and a arc fault. So they have to have a device that can sense both ground fault and arcing. They're even more expensive. So anyway, I just want to make sure we are clear that, you know, the GFCI is there to prevent electrocution, and I appreciate that. I have had the same things in my home and I appreciate that they protect me, I get that and I support that, but the arc fault is something that is there, it's in virtually the entire home now with the adoption of this code. It's in your bedrooms, in your hallways, it's everywhere. Every one of these things is very sensitive to arcing, and very normal things we use every single day, may trip these. That's why the nuisance fault is such a big deal.

"So again, I appreciate the comments. It sounds like there's three here that want to support this. I am not saying I won't support it. I am not saying that I wouldn't want to

move forward. I'm just saying I don't want to jump quickly at this. I want to take some time to think it through. So I am just asking for some time. But if you, if my colleagues want to move forward today, that's certainly fine. I may vote no today only because I would like to have time to think it through a little bit longer. That's all I'm wanting.

"For the record, I come from an engineering field. I do electrical design on aircraft. There is a lot of things on larger aircraft that's very similar to home. Aircraft, we don't actually have MABCD inspectors coming out. We inspect our own, we design it and we inspect it. It is not much different than what you would find in a home, except for it is much higher standards because it is inside of an airplane that's flying at 50,000 feet. So we have to make sure we do things in a way that's going to really protect people. I also took the NEC test, and I've also wired my home legally and had it inspected. So I know a little bit about wiring as well.

"I just want to say that I want to go into this, in my opinion thoughtfully and make sure that we are doing something that we really believe in, because once we go forward, we're not going to be able to go backwards. That's all I'm saying. So a little time is all I am asking for, but thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. I don't think we have a motion, do we Madam Clerk?"

Ms. Heddie Page greeted the Commissioners and said, "No, sir."

MOTION

Commissioner Unruh moved to approve the resolution.

Commissioner Dennis seconded the motion.

Chairman Unruh said, "We have a motion and a second. Is there any discussion on the motion? Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "I will just say I am likely to support this resolution. That being said, if a Commissioner wants to postpone this for a while, I would be willing to support that as well. I think we have done this in the past for a variety of issues to make sure Commissioners thoroughly understand everything and have all their questions answered. I think that's important."

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

Commissioner Howell said, "Mr. Chairman, again, I'm not saying we shouldn't support this or adopt this. I just want some time."

SUBSTITUTE MOTION

Commissioner Howell moved to defer consideration of this resolution for one month.

Commissioner Howell said, "Give me some time to talk some folks, additional time to talk to some more people and to think this through and do more study."

Commissioner Ranzau seconded the motion.

Chairman Unruh said, "Thank you, we have a substitute motion and a second to defer for one month. Is there any discussion on the motion? Commissioner Dennis."

Commissioner Dennis said, "Thank you, Mr. Chairman. I'm kind of disappointed in the substitute motion, because I try and support the other Commissioner's when they have some concerns. I would rather he reconsider the substitute motion, because we have had a couple weeks to study this. Surely in a couple weeks if you've got questions you can come up with an answer. But that being said, I truly have a problem with voting against allowing a Commissioner additional time. So my preference is that he withdraw the substitute motion, but that if he decides that that's not in his best interests, I guess I will support his substitute motion."

Chairman Unruh said, "Thank you, Commissioner. I would typically support a motion to defer, but I think our staff has been working on this for quite some time. We've had professional input, we've had trade input, we've had citizen input, and I think it's time for us to move forward and that goes against typically where I would support a delay, but I don't think it's called for at this time."

"Especially in light of the fact that, I think Commissioner Howell, has clearly done a great deal of research from his comments today, and believe perhaps there's more he needs to know. But it's clear he's done more research than most of us, I think. So with all due respect to my colleague, I probably will not support this deferral. Commissioner O'Donnell."

Commissioner O'Donnell said, "I think, what you said is good enough for me."

Chairman Unruh said, "Thank you, Commissioner. Any other comment? Seeing none, we have a motion to defer for one month. Madam Clerk, please call the vote."

VOTE

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

Chairman Unruh said, "Alright, we will defer for a month. We will see you back in a month, Chris, on this item."

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

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

Deferred

F [17-765](#)

RESOLUTION TO AMEND WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE TABLE B FOR BUILDING PERMIT FEES.

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

RECOMMENDED ACTION: Adopt the resolution.

VISUAL PRESENTATION

Mr. Labrum said, "Good morning again, Chairman Unruh, Commissioners. Again, amend as stated the Wichita/Sedgwick County Uniform Building and Trade Code, Table B specifically for accessory building permit fees. Little background on this, first of all, this does not apply to any of our commercial fees or structures. At the creation of MABCD, there was a move towards equity of fees between the city and the county. The result of that ended up that fees for all private structures, all residential structures on private property were raised for the county to the city's current price of 38 cents per finished square foot and 30 cents for unfinished square foot.

"There was a Commissioner request for an analysis on that. MABCD has looked at cost recovery requirements and the permits associated with all of those buildings from 2013 to present, which is where we have solid data in our hands for permitting systems. From this we developed a category of accessory structures and a proposal to reduce the fees associated with those. So this would be all non-commercial, i.e., residential non-dwelling structures, those accessory structures on properties. Proposed reduction is to go to 25 cents for finished and 20 cents for unfinished square footage, and then in those rare cases where we have an extremely large accessory structure, which we do see a few times a year, we would further reduce beyond 5,000 square feet to 10 cents per square foot.

"Residential again, to emphasize residential new build, would remain at 38 [cents] and 30 [cents]. So a few examples to show how this would go. Again, just as stated, if we build a 28[00] square-foot home with a 1,000 square-foot unfinished basement, we recalculate based on that square footage, have \$984 permit fee, and that is not a change from the present.

"Detached garage, which we see fairly frequently in this case, 24 by 24, which puts us over the 400 square-foot requirement, so it would require building permit at the 576 square-feet. We would calculate that simply at 20 cents for unfinished and we have \$115.20 permit, which is a decrease from currently would be \$172.80.

"To get a little more complex and into some of the examples you would see, build a pool house with that, calling that 800 square-feet, also going to go ahead and put a finished bathroom and a kitchenette in that area, it would be deemed as finished, so we calculate that total finished, and permit that at 25 cents per square foot, of the remaining storage and open area at 20 cents, would give us a total permit fee \$173. Previously, that would have been [\$]260.80.

"Now get to the point again, with one of the extremely large buildings, so big tractor shed, 6,000 square-feet for Ag (Agriculture) storage, workshop, et cetera that would be in there. We will go ahead and include a 120 square-foot bathroom and so the finished square footage there, calculated at 25 cents, the first 5,000 of unfinished calculated at the 20 [cents], the remaining then drops to 10 cents per square foot. There you see you still would have a \$1,118, permit fee but that would be significantly reduced from the [\$]1,809.60 it would cost you today.

"So with that, gentlemen, recommend approval of the amendment to table B, approximately a 30 percent plus, depending on size reduction of fees, and I will stand for any questions from the Commission."

Chairman Unruh said, "Okay, Chris. I think we do have a couple of Commissioners

wanting to speak. Commissioner Ranzau.”

Commissioner Ranzau said, “Thank you, Mr. Chairman. Just a few comments. Chris, I appreciate the work that you and your staff did on this. I’m the one asking you guys to review this after I got a few phone calls from some people who lived in an unincorporated area, one of which was Senator McGinn. Some of their issues they complained about was some agricultural builds, some of which can be very large, they have to pay large fees, and as you know, she lives right up there on the border between us and Harvey County and some of those counties, they just, like \$65 to get a permit fee, and they are not even inspected. So there is a big difference between doing business here and doing business in other counties.

“So this will reduce the cost for these types of buildings by about 33 percent, if you are over 5,000 square-feet, then actually it is more closer to 67 percent reduction. So I appreciate that effort on this. It is still not back to where it was prior to the merger, but it is certainly a step in the right direction. I think the thought processes is when these big farm buildings, particular, you know, when you are just adding size and no additional function, it really doesn’t cost us that much more to inspect, is that right? We are more than recovering our cost on those.”

Mr. Labrum said, “That is correct, Commissioner.”

Commissioner Ranzau said, “Okay, so I appreciate this. I hope this will help those in the unincorporated area. Hopefully it will be a little more competitive. Although, it’s hard to compete with \$65 in Harvey County and some of the others, but nevertheless, this is a step in the right direction. I will be supportive of this and make a motion to adopt the resolution.”

MOTION

Commissioner Ranzau moved to adopt the resolution.

Commissioner Howell seconded the motion.

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

VOTE

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

Chairman Unruh said, “Chris, thank you.”

Mr. Labrum said, “Thank you, Commissioners.”

Chairman Unruh said, “Next item, please.”

Adopted

G [17-906](#)

RESOLUTION PERTAINING TO FEES FOR TOWING SERVICES.
Presented by: Will Deer, Assistant County Counselor.

RECOMMENDED ACTION: Approve the Resolution.

Mr. Will Deer, Assistant County Counselor, greeted the Commissioners and said, "I am presenting on a resolution that would pertain to towing fees. This resolution would cover examples where private towing companies are towing vehicles from private property. I think that was one thing that maybe there's a little bit of confusion on. This isn't going to cover law enforcement tows or tows where there is an accident or anything like that. Those are covered under fee schedules that are provided to the sheriff, and those wrecker companies are on a rotational list. This would be vehicles that are abandoned on private property, you know, a good example is, you know, someone leaves a car, you know, in a Walmart parking lot, something of that nature."

"State statute actually specifies that we should have a maximum fee schedule in our ordinance, so this would add an additional section to the existing ordinance that would relate just to these private tows. Our recommendation would be to adopt the resolution. Obviously, you know, we could not adopt it as well. I can stand for any questions."

Chairman Unruh said, "Alright, thank you. Commissioners, we have been briefed on this, and there may be questions. Commissioner Ranzau?"

Commissioner Ranzau said, "I have some questions. So my understanding is the reason why we've been asked to set some maximum fees is so that the tow companies can have a lien on the vehicle. Is that correct?"

Mr. Deer said, "Well, the tow companies approached us and that's their position. I don't know that I completely agree with that, but the statute does call, it actually says the county shall have a maximum fee schedule, if we permit private tow companies to tow from private property. So I am not going to speak for the tow companies, you know, I don't represent them. They did have a concern that they would potentially not have their lien, because there is no maximum fee schedule posted."

Commissioner Ranzau said, "Okay and they want a lien because?"

Mr. Deer said, "Well, if they tow these vehicles and the owner ultimately doesn't redeem the vehicle, you know, they want to have a lien so they can ultimately sell the vehicle at an auction as opposed to just sitting on it perpetually, which is what they would have to do."

Commissioner Ranzau said, "Can they not, what are they doing now?"

Mr. Deer said, "That's a good question. I don't know the answer to that."

Commissioner Ranzau said, "Can they not, if they're not getting paid can they not take the person to small claims court or get some sort of judgment that way?"

Mr. Deer said, "I think there's probably ways you could file like a quiet title action, you know, off the top of my head, I am not familiar with how they would do that. I think, part of the reason why this isn't coming up very often is this is a real small percentage of the tows, because this would just be tows in unincorporated areas of the county that aren't related to law enforcement, aren't related to an accident, so I don't know that they are doing very many of them. You know, so I am not sure that the question has come up too much. A lot of times folks redeem these vehicles, you know, they will come and pick them up and pay the fees. So this sets a maximum fee schedule, you

know, kind of protects the public, where, you know, we are not going to get into situations where, you know, these companies are charging outrageous fees."

Commissioner Ranzau said, "Well, my understanding is these numbers that we have here were given to us by the towing companies and they are already charging less. So I mean, we are not actually protecting the public here. I think we are making it easier for the tow companies, you know, to take people's cars. I know we added a penalty, paragraph down here in this resolution that allows the person who had their a vehicle towed to get rewarded attorney's fees if they have to take the tow company to court. Can someone speak to as to why we have that, I don't know if maybe..."

Mr. Deer said, "We had a discussion internally at the Counselor's Office about, you know, adding some additional protections for the public, and that was one of the things that we added in there. You know, arguably someone could make a lawsuit against the tow company under the Kansas Consumer Protection Act and be entitled to attorney fees as well. You know, but we wanted to make it clear that if somebody intentionally violated these fee caps, you know, that the county's position is that they would be entitled to attorney fees and discourage that type of behavior."

Mr. Yost said, "Mr. Chairman?"

Chairman Unruh said, "Yes."

Mr. Yost said, "I would like to respond a little bit to Commissioner Ranzau's inquiry."

Chairman Unruh said, "Please."

Mr. Yost said, "With a tow truck fee, the fee isn't large enough to, for any lawyer to want to get involved on behalf of a person whose car has been towed. The dollar amount just isn't high enough. As a result, a lot of these folks go unrepresented, and they aren't enjoying the protection of the caps and the deadline for letting them know that their car has been towed and is in storage.

"By putting this penalty provision in, if we think that a tow company is intentionally overcharging or going beyond the caps and holding the car longer than they ought to hold the car, if it can be shown that they were doing it intentionally, this operates the way the Kansas Consumer Protection Act would act, which operates, which is to allow that person, the consumer, to get their attorney's fees paid. So there is some protection there for the person whose car is towed."

Commissioner Ranzau said, "Do we have any evidence some of that is going on already?"

Mr. Yost said, "We have, there is an allegation that that is has happened. I don't know that that case has worked its way through the system. There is a case that I know of where there is a considerable number of instances in which the cap was exceeded, and people held the car longer than it ought to be held. I don't know if it was intentional or inadvertent, and it hasn't worked its way through the system, as I say.

"But that for me, that raised the question of what would happen if somebody did, if a tow truck company methodically violated this act and this penalty provision, I think, is a very strong protection against that."

Commissioner Ranzau said, "Right. I support that penalty, I mean, I am concerned we

have some tow companies that are not following regulations within the city of Wichita, I guess, what we're talking about and now we're being asked to in the unincorporated area to make it easier for them to get title for people's cars. Now, I understand that this paragraph would help with that, theoretically. I am just, am I correct that the amount here we got from the fees was given to us by representative of tow companies?"

Mr. Yost said, "I believe the amounts that are listed in the resolution are the same as what has been adopted at the city."

Commissioner Ranzau said, "At the city?"

Mr. Yost said, "Yes. So I think they are consistent. I think that was the, we had an interest in doing that, so they wouldn't have to keep track of different fees for different municipalities."

Commissioner Ranzau said, "Now if somebody, the tow company tows a vehicle and the person doesn't pay for it, can they not take them to small claims court to get restitution?"

Mr. Yost said, "You mean, could the tow truck company take the..."

Commissioner Ranzau said, "Yes."

Mr. Yost said, "...person who. They could. The lien allows them to do that very expeditiously, though."

Commissioner Ranzau said, "Well, and I understand that, but I guess, I just, you know when I'm having a little problem figuring out how to balance the authority and the power between the consumer and the business, particularly when I'm hearing that there may be some current issues with people not following, businesses not following the law, and tow companies already have recourse under the law. When an industry comes and asks the government for regulation that kind of, you know, I don't believe this really is for the consumer, okay? So that's the problem that I'm having here."

"So by doing this, we ensure that can put a lien on that title as opposed to trying to recover the money in another direction. I think it kind of tilts the balance of, I don't know, equity a little too far to one direction, I think."

"Again, we're having, people are supposed to be notified the vehicle has been towed, their supposed to be allowed to get access to the vehicle, and sometimes people aren't even getting told until after the period is done, and they can't get their stuff back and I am not, I just, I guess, I would like to approve everything in this resolution except the maximum fees myself."

Mr. Yost said, "Commissioner, there is one thing about this resolution, it took a little while for me to get my arms around it. Right now the statute, the state statute makes reference to law enforcement tows and we all know what that is. There really isn't anything in the statute that authorizes the private tow. There is a lot of people who need to have that done. So this is also for the benefit of those, you know, businesses, commercial enterprises, people with large parking lots, people will just abandon a car and at least technically, I think, they have been getting towed, but technically, there's not a lot of authority for that, until this comes along. Now there is in Wichita, because

they have adopted something. But there wasn't under the state statute."

Commissioner Ranzau said, "Isn't everything permissible unless it's, unless it's prohibited?"

Mr. Yost said, "Taking somebody's property and moving it, then you're going to charge them to get it back. So I think they are a little bit nervous about that, and this would authorize it."

Commissioner Ranzau said, "Well, that's why I am a little bit nervous about interjecting the government saying when you do it you automatically get a lien. But then, I understand, but I also have to balance that with a concern that I am having that maybe the rules aren't being followed as they are in the city of Wichita anyway, and then the balance that this is. I guess at this point I kind of agree, I am kind of taking the same approach that Commissioner Howell did on the other one. I am absolutely not convinced that interjecting ourselves in these maximum fees, allowing them to get a lien is the best public policy. These other things that require access and report of the vehicle location, the penalty are all very good, but I think, and there again, I will contend that setting these maximums really are not protecting the consumer because they are already below that. So that's where I am at for right now. I would be, I've stated where I'm at, and I will be willing to hear what the other Commissioners think."

Chairman Unruh said, "Alright, thank you Commissioner. Is there any other comment? I will just make a comment from personal experience that as a small business operator, we would have automobiles abandoned on our property. People wouldn't pick them up. I was afraid to have them towed because I thought I would get sued, and it was, I think this is a good way to help resolve that issue. Where I could legally have that vehicle removed from my property and the owner, if they wanted their car back, they'll just have to pay whatever the fee is. But clearly they, well, forty years in business I've got, developed a little attitude about this whole thing. I think this is a reasonable solution to it. So I will be supportive of it today. Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you, Mr. Chair. Will, thank you for your work on this. I know we've been working on it for the last few months. When I was on the Wichita City Council, we adopted the city's, the resolution the city has, which is almost mirror to what this is. It's been so successful that every tow company that operates in Sedgwick County except one, signed on to get this change in policy. So it's definitely industry-driven. I don't think any particular elected official made this a priority, the industry brought it to us. Like I said, all but one that I know of, and even the one tow company didn't oppose it. I think they just weren't involved in the process. So I am excited to make a motion when the appropriate time."

Chairman Unruh said, "Commissioner, I think now is the appropriate time."

Commissioner O'Donnell said, "Alright, thank you very much."

MOTION

Commissioner O'Donnell moved to approve the resolution.

Commissioner Unruh seconded the motion.

Chairman Unruh said, "Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. Just a quick question. I understand Wichita has their own towing policy law for the city of Wichita. Does this apply to other cities in Sedgwick County, like if they don't have their own, would this apply in other cities?"

Mr. Deer said, "No, this would just be in the unincorporated areas. So if a vehicle was abandoned in Derby, you know, we would have, I don't know if Derby has an ordinance or not. But..."

Commissioner Howell said, "They would have to adopt something, if that's what they wanted to do there."

Mr. Deer said, "Correct."

Commissioner Howell said, "This doesn't apply to them automatically. Okay. Thanks. That's my only question. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Any other comment or question? Seeing none, Madam Clerk, call vote."

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>No</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, Will."

Mr. Deer said, "Thank you."

Chairman Unruh said, "Next item, please."

Approved

H [17-890](#)

CONSIDERATION OF A GRANT AWARD IN THE AMOUNT OF \$2,123,266.00 FROM THE KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT (KDHE) TO PROVIDE THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC) WITHIN THE DIVISION OF HEALTH. Presented by: Adrienne Byrne, Health Director, Sedgwick County Division of Health.

RECOMMENDED ACTION: Accept the award and authorize the Chair to sign the award agreement.

Mr. Will Deer, Assistant County Counselor, greeted the Commissioners and said, "I am presenting on a resolution that would pertain to towing fees. This resolution would cover examples where private towing companies are towing vehicles from private property. I think that was one thing that maybe there's a little bit of confusion on. This isn't going to cover law enforcement tows or tows where there is an accident or anything like that."

Those are covered under fee schedules that are provided to the sheriff, and those wrecker companies are on a rotational list. This would be vehicles that are abandoned on private property, you know, a good example is, you know, someone leaves a car, you know, in a Walmart parking lot, something of that nature.

"State statute actually specifies that we should have a maximum fee schedule in our ordinance, so this would add an additional section to the existing ordinance that would relate just to these private tows. Our recommendation would be to adopt the resolution. Obviously, you know, we could not adopt it as well. I can stand for any questions."

Chairman Unruh said, "Alright, thank you. Commissioners, we have been briefed on this, and there may be questions. Commissioner Ranzau?"

Commissioner Ranzau said, "I have some questions. So my understanding is the reason why we've been asked to set some maximum fees is so that the tow companies can have a lien on the vehicle. Is that correct?"

Mr. Deer said, "Well, the tow companies approached us and that's their position. I don't know that I completely agree with that, but the statute does call, it actually says the county shall have a maximum fee schedule, if we permit private tow companies to tow from private property. So I am not going to speak for the tow companies, you know, I don't represent them. They did have a concern that they would potentially not have their lien, because there is no maximum fee schedule posted."

Commissioner Ranzau said, "Okay and they want a lien because?"

Mr. Deer said, "Well, if they tow these vehicles and the owner ultimately doesn't redeem the vehicle, you know, they want to have a lien so they can ultimately sell the vehicle at an auction as opposed to just sitting on it perpetually, which is what they would have to do."

Commissioner Ranzau said, "Can they not, what are they doing now?"

Mr. Deer said, "That's a good question. I don't know the answer to that."

Commissioner Ranzau said, "Can they not, if they're not getting paid can they not take the person to small claims court or get some sort of judgment that way?"

Mr. Deer said, "I think there's probably ways you could file like a quiet title action, you know, off the top of my head, I am not familiar with how they would do that. I think, part of the reason why this isn't coming up very often is this is a real small percentage of the tows, because this would just be tows in unincorporated areas of the county that aren't related to law enforcement, aren't related to an accident, so I don't know that they are doing very many of them. You know, so I am not sure that the question has come up too much. A lot of times folks redeem these vehicles, you know, they will come and pick them up and pay the fees. So this sets a maximum fee schedule, you know, kind of protects the public, where, you know, we are not going to get into situations where, you know, these companies are charging outrageous fees."

Commissioner Ranzau said, "Well, my understanding is these numbers that we have here were given to us by the towing companies and they are already charging less. So I mean, we are not actually protecting the public here. I think we are making it easier for the tow companies, you know, to take people's cars. I know we added a penalty,

paragraph down here in this resolution that allows the person who had their a vehicle towed to get rewarded attorney's fees if they have to take the tow company to court. Can someone speak to as to why we have that, I don't know if maybe..."

Mr. Deer said, "We had a discussion internally at the Counselor's Office about, you know, adding some additional protections for the public, and that was one of the things that we added in there. You know, arguably someone could make a lawsuit against the tow company under the Kansas Consumer Protection Act and be entitled to attorney fees as well. You know, but we wanted to make it clear that if somebody intentionally violated these fee caps, you know, that the county's position is that they would be entitled to attorney fees and discourage that type of behavior."

Mr. Yost said, "Mr. Chairman?"

Chairman Unruh said, "Yes."

Mr. Yost said, "I would like to respond a little bit to Commissioner Ranzau's inquiry."

Chairman Unruh said, "Please."

Mr. Yost said, "With a tow truck fee, the fee isn't large enough to, for any lawyer to want to get involved on behalf of a person whose car has been towed. The dollar amount just isn't high enough. As a result, a lot of these folks go unrepresented, and they aren't enjoying the protection of the caps and the deadline for letting them know that their car has been towed and is in storage."

"By putting this penalty provision in, if we think that a tow company is intentionally overcharging or going beyond the caps and holding the car longer than they ought to hold the car, if it can be shown that they were doing it intentionally, this operates the way the Kansas Consumer Protection Act would act, which operates, which is to allow that person, the consumer, to get their attorney's fees paid. So there is some protection there for the person whose car is towed."

Commissioner Ranzau said, "Do we have any evidence some of that is going on already?"

Mr. Yost said, "We have, there is an allegation that that is has happened. I don't know that that case has worked its way through the system. There is a case that I know of where there is a considerable number of instances in which the cap was exceeded, and people held the car longer than it ought to be held. I don't know if it was intentional or inadvertent, and it hasn't worked its way through the system, as I say."

"But that for me, that raised the question of what would happen if somebody did, if a tow truck company methodically violated this act and this penalty provision, I think, is a very strong protection against that."

Commissioner Ranzau said, "Right. I support that penalty, I mean, I am concerned we have some tow companies that are not following regulations within the city of Wichita, I guess, what we're talking about and now we're being asked to in the unincorporated area to make it easier for them to get title for people's cars. Now, I understand that this paragraph would help with that, theoretically. I am just, am I correct that the amount here we got from the fees was given to us by representative of tow companies?"

Mr. Yost said, "I believe the amounts that are listed in the resolution are the same as what has been adopted at the city."

Commissioner Ranzau said, "At the city?"

Mr. Yost said, "Yes. So I think they are consistent. I think that was the, we had an interest in doing that, so they wouldn't have to keep track of different fees for different municipalities."

Commissioner Ranzau said, "Now if somebody, the tow company tows a vehicle and the person doesn't pay for it, can they not take them to small claims court to get restitution?"

Mr. Yost said, "You mean, could the tow truck company take the..."

Commissioner Ranzau said, "Yes."

Mr. Yost said, "...person who. They could. The lien allows them to do that very expeditiously, though."

Commissioner Ranzau said, "Well, and I understand that, but I guess, I just, you know when I'm having a little problem figuring out how to balance the authority and the power between the consumer and the business, particularly when I'm hearing that there may be some current issues with people not following, businesses not following the law, and tow companies already have recourse under the law. When an industry comes and asks the government for regulation that kind of, you know, I don't believe this really is for the consumer, okay? So that's the problem that I'm having here."

"So by doing this, we ensure that can put a lien on that title as opposed to trying to recover the money in another direction. I think it kind of tilts the balance of, I don't know, equity a little too far to one direction, I think."

"Again, we're having, people are supposed to be notified the vehicle has been towed, their supposed to be allowed to get access to the vehicle, and sometimes people aren't even getting told until after the period is done, and they can't get their stuff back and I am not, I just, I guess, I would like to approve everything in this resolution except the maximum fees myself."

Mr. Yost said, "Commissioner, there is one thing about this resolution, it took a little while for me to get my arms around it. Right now the statute, the state statute makes reference to law enforcement tows and we all know what that is. There really isn't anything in the statute that authorizes the private tow. There is a lot of people who need to have that done. So this is also for the benefit of those, you know, businesses, commercial enterprises, people with large parking lots, people will just abandon a car and at least technically, I think, they have been getting towed, but technically, there's not a lot of authority for that, until this comes along. Now there is in Wichita, because they have adopted something. But there wasn't under the state statute."

Commissioner Ranzau said, "Isn't everything permissible unless it's, unless it's prohibited?"

Mr. Yost said, "Taking somebody's property and moving it, then you're going to charge them to get it back. So I think they are a little bit nervous about that, and this would

authorize it.”

Commissioner Ranzau said, “Well, that’s why I am a little bit nervous about interjecting the government saying when you do it you automatically get a lien. But then, I understand, but I also have to balance that with a concern that I am having that maybe the rules aren’t being followed as they are in the city of Wichita anyway, and then the balance that this is. I guess at this point I kind of agree, I am kind of taking the same approach that Commissioner Howell did on the other one. I am absolutely not convinced that interjecting ourselves in these maximum fees, allowing them to get a lien is the best public policy. These other things that require access and report of the vehicle location, the penalty are all very good, but I think, and there again, I will contend that setting these maximums really are not protecting the consumer because they are already below that. So that’s where I am at for right now. I would be, I’ve stated where I’m at, and I will be willing to hear what the other Commissioners think.”

Chairman Unruh said, “Alright, thank you Commissioner. Is there any other comment? I will just make a comment from personal experience that as a small business operator, we would have automobiles abandoned on our property. People wouldn’t pick them up. I was afraid to have them towed because I thought I would get sued, and it was, I think this is a good way to help resolve that issue. Where I could legally have that vehicle removed from my property and the owner, if they wanted their car back, they’ll just have to pay whatever the fee is. But clearly they, well, forty years in business I’ve got, developed a little attitude about this whole thing. I think this is a reasonable solution to it. So I will be supportive of it today. Commissioner O’Donnell.”

Commissioner O’Donnell said, “Thank you, Mr. Chair. Will, thank you for your work on this. I know we’ve been working on it for the last few months. When I was on the Wichita City Council, we adopted the city’s, the resolution the city has, which is almost mirror to what this is. It’s been so successful that every tow company that operates in Sedgwick County except one, signed on to get this change in policy. So it’s definitely industry-driven. I don’t think any particular elected official made this a priority, the industry brought it to us. Like I said, all but one that I know of, and even the one tow company didn’t oppose it. I think they just weren’t involved in the process. So I am excited to make a motion when the appropriate time.”

Chairman Unruh said, “Commissioner, I think now is the appropriate time.”

Commissioner O’Donnell said, “Alright, thank you very much.”

MOTION

Commissioner O’Donnell moved to approve the resolution.

Commissioner Unruh seconded the motion.

Chairman Unruh said, “Commissioner Howell.”

Commissioner Howell said, “Thank you, Mr. Chairman. Just a quick question. I understand Wichita has their own towing policy law for the city of Wichita. Does this apply to other cities in Sedgwick County, like if they don’t have their own, would this apply in other cities?”

Mr. Deer said, "No, this would just be in the unincorporated areas. So if a vehicle was abandoned in Derby, you know, we would have, I don't know if Derby has an ordinance or not. But..."

Commissioner Howell said, "They would have to adopt something, if that's what they wanted to do there."

Mr. Deer said, "Correct."

Commissioner Howell said, "This doesn't apply to them automatically. Okay. Thanks. That's my only question. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. Any other comment or question? Seeing none, Madam Clerk, call vote."

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>No</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, Will."

Mr. Deer said, "Thank you."

Chairman Unruh said, "Next item, please."

Approved

I [17-864](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON OCTOBER 12, 2017 AND RECONSIDERATION OF ITEM 1 OF THE MINUTES OF THE AUGUST 10, 2017 MEETING OF THE BOARD OF BIDS AND CONTRACTS: COLOR PRODUCTION COPIER.

Presented by: Joe Thomas, Director, Purchasing.

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

Mr. Joe Thomas, Director, Purchasing, greeted the Commissioners and said, "First, we're going to consider the meeting of the Board of Bids and Contracts on October 12th. This has four items to consider."

1. STRMIX SOFTWARE - REGIONAL FORENSIC SCIENCE CENTER
FUNDING -- FY 2016 DNA CAPACITY ENHANCEMENT

"The recommendation is to accept the quote from Niche Vision Forensics, LLC in the amount of \$125,600 and establish contract pricing for extended support blocks at \$5,000 per block as needed."

2. VARIOUS FURNITURE FOR LAW ENFORCEMENT TRAINING CENTER -
FACILITIES PROJECT SERVICES
FUNDING -- LETC CIP

"This recommendation is to accept the bids as indicated in the table highlighted for a total cost of \$88,959.90.

3. ARCHITECTURAL AND ENGINEERING (A/E) SERVICES EMS POST 15 -
FACILITIES PROJECT SERVICES
FUNDING -- CAPITAL IMPROVEMENT PROGRAM

"This recommendation is to accept the low proposal from Krehbiel Architecture in the amount of \$54,875.

4. SESSION INITIATED PROTOCOL (SIP) TRUNK AND LONG DISTANCE
SERVICE - INFORMATION TECHNOLOGY AND SUPPORT SERVICES (ITSS)
FUNDING - ITSS

"This recommendation is to accept the quote from Cox Communications Kansas, LLC at a monthly rate of \$4,142.50, which would be a total five (5) year cost of \$248,550."

"Then as mentioned earlier, the item that we are bringing back to you is the item that was originally presented on August 16th, and this is in regards to color production copier.

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

"The recommendation is to accept the low overall responsive bid from Canon Solutions America, Inc. at a monthly lease rate of \$889, the click charges at the listed rates, and an extended service rate of \$150 per hour for 60 months.

"The questions that came up at that meeting was the cost differences between purchasing versus the lease of the piece of equipment. Also, questions in regards to the maintenance agreement. I believe that information has been provided, and with that in mind we recommend approval of this item as well as the four items mentioned on the October 12th meeting. If you any questions, I will do my best to try to answer them."

Chairman Unruh said, "Alright, thank you, Joe. Commissioners are there any questions about the recommendation of the Board of Bids and Contracts? I see no one asking to speak, so what's the will of the Board?"

MOTION

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

Commissioner Dennis seconded the motion.

Chairman Unruh said, "We have a motion and second to approve the recommendations. Is there any comment or discussion on the motion? Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you. Thank you, Mr. Thomas. I appreciated the extra time and effort that you and particularly Anna, worked on to get us the answers about the copy machine and finding out about the warranties, which was I think the main question that we had at that meeting in August, was making sure we knew what was available, and based on further conversations, I think from now on we're going to be finding out those types of questions before they come to the Commission because I think we are actually, this motion is to approve exactly what you asked us to approve in August, but we didn't have some of those questions. Is that correct?"

Mr. Thomas said, "Yes, sir. The answers to those questions."

Commissioner O'Donnell said, "Were the answers to those, we didn't have those questions answered. So, okay. Well, thank you for that."

Mr. Thomas said, "Well, thank you."

Chairman Unruh said, "Thank you, Commissioner. Any other comment? Seeing none, Madam Clerk, call the vote."

VOTE

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

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

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

Approved

CONSENT

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I recommend you approve consent agenda items Julia (J) through November (N)."

MOTION

Commissioner Ranzau moved to approve consent agenda.

Commissioner O'Donnell seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

- J** [17-900](#) Consideration of an agreement between Sedgwick County and the City of Wichita for the distribution of the Department of Justice, Office of Justice Programs Grant funding in the amount of \$135,757.00.
Approved on the Consent Agenda
- K** [17-868](#) Annual Affiliation Agreements with 6 Qualified Providers of Intellectual and Developmental Disability Services.
Approved on the Consent Agenda
- L** [17-724](#) Shelter Plus Care housing rental assistance contracts.
Approved on the Consent Agenda
- M** [17-896](#) Amendment to the Agreement between COMCARE and DCCCA, Inc.
Approved on the Consent Agenda
- N** [17-786](#) General Bill Check Register for October 11, 2017 - October 17, 2017.
Approved on the Consent Agenda

LEGISLATIVE ISSUES

Chairman Unruh said, "Mr. Counselor, anything today on legislative issues? Alright, we're ready I think then for 'other'. Commissioners now is the opportunity to speak about other things of community interest. Commissioner Dennis."

OTHER

Commissioner Dennis said, "Thank you, Mr. Chairman. I've got several items today to talk about. First, those of you that have checked out the Wichita Eagle this morning, you saw that our EMS (Emergency Medical Services) folks were in the Wichita Eagle today. They were in a contest learning how to, not learning how, but do some cooking of some hamburgers over in the parking garage over by the old Gander Mountain building. In the middle of that there was a car crash. They dropped their spatulas and ran over and immediately took care of the people that were involved in the car crash over by Main and 54 Highway. So, I just wanted to recognize our EMS for doing a great job, and by the way they did win their division in the contest."

Chairman Unruh said, "Very good."

Commissioner Dennis said, "I don't know if you need this, since I talked about it. I will give it to the clerk."

Ms. Page said, "Thank you."

Commissioner Dennis said, "The second item that I want to talk about, one of the things that I discuss most of the time when I speak on this is involving veterans. What you learn early on when you go into the military is that the men and women that are serving with you are the ones that have got your back, and you make sure that you've

got the back of the men and women that you serve with. I'm proud on this Board sitting with me we've got an Army veteran, we've got an Air Force veteran, we've got an Army veteran sitting at the bench in front of me, and I'm a proud Air Force veteran. I think as a result of that, I got a little bit of feedback from Scott Hadley, our Director of EMS and our County Manager that involves our veterans.

"What was discovered from discussions with them is dating back to 2014, currently today, this morning, the Veteran's Administration owes Sedgwick County \$1,501,072.19 for emergency medical transport. What does that mean for Sedgwick County citizens? It means that we could pay for the renovation in Commissioner Ranzau's district and probably build an EMS station in Commissioner Unruh's district, or we could decide to build a new one out in Commissioner Unruh's district and a new one in my district, which is absolutely needed. We could buy a couple new ambulances and go over and modify and renovate the facility that Dr. [John] Gallagher is moving into.

"So there's a lot of things that we could do as Sedgwick County Commissioners if we had an extra \$1,500,000 available to us. But that's not really my main concern today. My main concern as I started talking about this is about those veterans. As we bill these, and what you're going to find as you start doing some research on it, some of these go back to 2014. We still have 151 accounts, there almost \$100,000 outstanding from 2014. 2015, we've got 519 outstanding or \$365,000 approximately. 2016, 401 accounts still outstanding for \$324,000. 2017, we've got 863 outstanding for almost three-quarters of a million dollars.

"So after I learned about this, I asked our two secretaries in the front office if they would set up a meeting for me and with our Director of EMS and County Manager to go out and talk to Mr. Rick Ament, who is the Director of the VA (Veteran's Administration). That was about three weeks ago, and after numerous phone calls, trying to get a meeting with the Director of the Veteran's Administration, we even blocked a number of places on our schedules, so that if something came open that he would be able to meet with us.

"Finally the other day, they called and said there's no possible way that we can meet with Rick Ament, and they lined us up a meeting tomorrow with Norman Forbes, who is the [Associate Director Patient Care]/Nurse Executive. What authority he has to make sure that we get \$1,500,000 back, I'm not sure. But what does this really mean to our veterans?

"Well first of all, we try and bill the VA, and obviously going back to 2014, the VA hasn't been paying, which impacts our citizens, but if the VA doesn't pay, then we could possibly collect the money from alternate insurance, like Medicare, Medicaid or an insurance. The problem is Medicare, one year from date of service, Non-Kansas Medicare one year from date of the service, Kancare only 90 days, Blue Cross Blue Shield, one year from date of service. So if VA doesn't pay and doesn't tell us that nothing is happening, if those times periods are exceeded, we can't even go to Medicare, Medicaid or to a private insurance company to try and collect the money that's due to us.

"Where does that leave us? That leaves us going to the veteran, and that's my main concern. It leaves us going to the veteran, so that's why that I thought it was important that I go and talk with the Director of the Veterans Administration to find out what we can do, because my main concern is with that veteran. I could have gone directly as

soon as three weeks ago to the newspaper or to TV (television) stations here in town. I could have contacted our representatives in Washington, D.C., but I wanted to keep this and try and work this out.

"But unfortunately with the leadership at the VA, I haven't been able to do this. But tomorrow I do have a meeting with them, and at this point, truly, I don't know if it's an issue with the local VA office or if it's a federal issue. All I know is that it's an issue that impacts our citizens in Sedgwick County, and it's an issue that impacts our veterans that we're trying to serve in Sedgwick County. So, I'll give you some feedback after my meeting tomorrow. We do have a meeting with the nurse executive. The only nice thing that I saw when I looked online to find out who this individual was is that he is a retired colonel. So hopefully he does have some experience as a veteran and can listen to us and maybe guide us in the direction that we need to go to try and solve this.

"Again, for the citizens of Sedgwick County but most importantly for our veterans. With that said, one other thing about our veterans is don't forget on November the eighth at 10 o'clock in the morning at Century II, here is a formal military parade scheduled that is going to honor our veterans and everyone is invited to that. Then on November 11th, starting at 11 o'clock in the morning is our annual Veterans Day parade. It will start right out in front of the courthouse there and go down Main Street and end up at Water Walk. So I hope everyone comes out and recognizes our veterans at that time. With that, that's all I have this morning. I do appreciate everyone listening to me, and I'll give you feedback on what comes out of our meeting tomorrow. Thank you."

Chairman Unruh said, "Well thank you Commissioner, and we will be interested to see the results of your meeting. We agree with you that's an issue that needs to be resolved. Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you, last night I was able to go up to the Bel Aire City Hall for the council meeting. It was my mom's last meeting. Kietarh's [Austin] husband, as we all know, is the Mayor of Bel Aire. He gave a great speech for her, but she's been on the City Council for 12 years up there.

"When I was on the Wichita City Council, the League of Kansas Municipalities does a really cool monthly magazine. At that time, and I don't know if it's true or not, but we were the only mother and son elected in the State of Kansas at the time, and that was true until yesterday was her last meeting. So anyway, just a little bit of personal information there, but she served in your district, Chairman, for a dozen years, almost as long as you, not quite as long. So anyway, that's all."

Chairman Unruh said, "Well, thank you. I hope that you were able to extend our congratulations to her for her service to our communities. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman, I just wanted to take a moment to recognize someone special, reached out to me. I wanted to say this is someone, he's given Lonnie Wright a run for his money. Lonnie is in our audience today, he is almost always faithfully attending our meetings, he shows a lot of interest in our meetings. But someone else that's younger than you, Lonnie, that's watching our meetings very faithfully. His name is Brayden. His last name is Bore, if I'm saying that correctly, Brayden Bore. He used to live in Derby. He's a very special young man, he's just under 18 years old. He has been watching our meetings faithfully since he was a little boy. He unfortunately, however it turned out, but he had to move to Florida a while

back. I just wanted to reach out to him. He contacted me through his mom and wanted to let me know that he still watches our meetings.

"He loves watching Sedgwick County meetings. He's a huge fan of Sedgwick County. He knows all your names, all of our names. He follows the issues, and a couple things about Brayden is that his dad is a law enforcement officer. He, let's see a couple of other things, he loves baseball. Here's a picture of Brayden. I'll put that up there for just a second there. I'll just tell you a couple more real quick things here. He goes to Arnold High School. He was a homecoming representative for his school. He's involved in Miracle Little League. He likes Special Olympics baseball. He's on the cheer team and likes track and field. So I'm going to send Brayden a special package from Sedgwick County, from myself and some of the things from Commissioners. We're going to put a few things in there for him. I just wanted to recognize him. He's a great citizen and loves to get involved in listening to government issues and thinks about that and enjoys that. So I wanted to say thank you to his interest in Sedgwick County and I think he's a great young man. So with that, that's all my comments. Thank you, Mr. Chairman."

Chairman Unruh said, "Thank you, Commissioner. I don't see anyone else asking to speak, but I think we have need for an Executive Session today. Is that correct?"

Mr. Yost said, "We're going to put that over to the next meeting, I think, Mr. Chairman."

Chairman Unruh said, "Okay, very good. Then we will not take a motion for executive session, and if there's nothing else to come before the Board at this time, then I'll declare the meeting adjourned."

EXECUTIVE SESSION

ADJOURNMENT

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

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

DAVID M. UNRUH, Chairman
First District

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

DAVID T. DENNIS, Commissioner
Third District

*RICHARD RANZAU, Commissioner
Fourth District*

*JAMES M. HOWELL, Commissioner
Fifth District*

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED: