

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, September 19, 2018

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 9:16 a.m. on September 19, 2018 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David T. Dennis, with the following present: Chair Pro-Tem Commissioner David M. Unruh; Commissioner Michael B. O'Donnell II; Commissioner Richard Ranzau; Commissioner James M. Howell; Mr. Michael Scholes, County Manager; Mr. Thomas Stolz, Deputy County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer; Ms. Lindsay Poe-Rousseau, Chief Financial Officer; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kate Flavin, Public Information Officer; Ms. Heddie Page, Deputy County Clerk.

GUESTS

Ms. Lori Graham, Regent of Mary Draper Chapter, National Society Daughters of the American Revolution (NSDAR)

Chairman Dennis said, "Sheriff, Pastor, thank you all for being here today. We sincerely appreciate it. Next item, please."

INVOCATION: Father David Lies, Catholic Diocese of Wichita.

FLAG SALUTE

ROLL CALL

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

Chairman Dennis said, "Next item, please."

PUBLIC AGENDA

Chairman Dennis said, "We have no one signed up to speak on public agenda, however, I always open it up. If there is anyone in the audience that has not had a chance to sign up and would like to speak this morning, why this is your opportunity. Seeing none, Madam Clerk, next item."

PROCLAMATIONS

- A** [18-716](#) PROCLAMATION DECLARING CONSTITUTION WEEK.
Read by: Chairman David T. Dennis or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Dennis said, "Thank you. Commissioners, I have a proclamation to read."

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2018, marks the two hundred thirty-first anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE BE IT RESOLVED that I, Chairman David T. Dennis, and the Board of Sedgwick County Commissioners, do hereby proclaim the week of September 17 through September 23, 2018 as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

MOTION

Commissioner Dennis moved to adopt the proclamation.

Commissioner Howell seconded the motion.

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

VOTE

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

County Clerk has assigned Resolution # 128-2018

Chairman Dennis said, "It will be accepted by Lori Graham. Good morning, Lori. Thank you for being here today."

Ms. Lori Graham, Regent of Mary Draper Chapter, National Society Daughters of the American Revolution (NSDAR) greeted the Commissioners and said, "Up here I have a couple other members from my chapter, Vicki Timmons and Kay Clark. Then we have Patty Robidou from the Little Arkansas Chapter, Cindy Sprinkle from the Flores Del Sol Chapter, and Vicki Churchman from the Randolph Loving Chapter.

"[NS]DAR (National Society Daughters of the American Revolution) has a long history

of serving the community and veterans and law enforcement. We would like to also offer our condolences and our heartfelt concerns about this experience that's just happened, and we are available, if there is anything that we can do to help relieve any of the pain.

"Over 240 years ago, American colonists fought, sacrificed and died to establish and preserve the freedoms now guaranteed to us by the Constitution of the United States. In 1955, the President General of the Daughters of the American Revolution, Gertrude S. Carraway, adopted a project to promote the observance of the U.S. [United States] Constitution with a memorial week beginning on the anniversary of the signing of this document, September 17th. She asked DAR chapters, committee and members to study, teach and discuss the U. S. Constitution.

"[Gertrude S.] Carraway also encouraged members to invite their governors and mayors to issue proclamations celebrating the [United States] Constitution. Constitution week was officially declared by our own Kansan, President [Dwight D.] Eisenhower on August 2nd, 1956. As Daniel Webster stated 'hold on my friends to the Constitution and to the Republic for which it stands. Miracles do not cluster and what has happened once in six thousand years may not happen again. Hold onto the Constitution for if the American Constitution should fail, there will be anarchy throughout the world.'

"In this 231st year of the Constitution, we the Daughters of the American Revolution from several chapters in Wichita and surrounding community's thank you for perpetuating this memorial observance through the proclamation you're issuing today. Thank you."

Chairman Dennis said, "Thank you very much. We appreciate you being here. Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "I want to thank Lori and Daughters of the American Revolution for this resolution. They come every year, and I truly do appreciate it. I think it is important to point out that many have served in supporting and defending the Constitution throughout our country. I want to give recognition to two people today. It's been a difficult week, and it will continue to be even more difficult as we move forward, for obviously, Deputy [Robert] Kunze who gave life in the line of duty and swore to uphold the Constitution. The ceremony last night was very touching. A lot of people showed up. I know this is very difficult for his family. It's a gut-wrenching time when things like this happen unexpectedly.

"I also want to pay tribute to [Lieutenant] Colonel Christopher J. Wilson, whose funeral was Monday. He's well known to the running community and many in the military Army Reserves in this area. I personally served with him for 21 years from a foxhole in Fort McClellan Alabama. 1984 was the first time I met him to the Persian Gulf and Iraq Wars. We've served together. He went on to serve 33 years, multiple deployments, reached the rank of Lieutenant Colonel. He died unexpectedly at the age of 53 running a marathon, doing what he loves. He loved running. He loved his country. He loved the Constitution. He loved military history. He loved K-State (Kansas) and the ROTC (Reserve Officers' Training Corps) Program. He loved the MP (Military Police) Corps, and of course, he loved this community. He loved his wife and two children that are left behind.

"I think these are examples of two great men who have served this country and left a tremendous legacy behind. It is, they're both unexpected so it is gut-wrenching for the

families and for members of the community. I think as some Commissioners have said, it's hard to know what we can do, but I think prayers are important and just being there for them both. There's been tremendous turnout for both of these individuals. I think it's important to the families, and I think sometimes we're at a loss for words. But you cannot underestimate the importance of being there and supporting them in this difficult time. I know that freedom isn't free, and we have good men and women that serve throughout our history and will continue to do so, and I just want to pay tribute to those two great men. Thank you."

Chairman Dennis said, "Thank you. Thank you very much for being here this morning. We sincerely appreciate it. Everyone on this bench and a number of folks in this room have taken an oath to support and defend the Constitution of the United States. Some of us took that as members of the military, others as police officers, first responders. It's an oath that we take very seriously. We appreciate the fact that you're here to remind us how important that that document is to all of our freedom here."

"I had an opportunity to work overseas a number of times, and I see what happens in countries that don't have a document like that to protect their freedoms. So it's important that we remember exactly how that document and why that it's important, why it's important for us to take that oath to support and defend that document. Thank you very much for being here today. Madam Clerk, next item."

Adopted

NEW BUSINESS

B [18-669](#)

A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES B, 2018, OF SEDGWICK COUNTY, KANSAS.

Presented by: Lindsay Poe Rousseau, Chief Financial Officer, Division of Finance.

RECOMMENDED ACTION: Adopt the Resolution.

Chairman Dennis said, "Good morning, Lindsay."

Ms. Lindsay Poe-Rousseau, Chief Financial Officer, greeted the Commissioners and said, "The item before you this morning authorizes a resolution that allows Finance staff to work with our bond counsel, Gilmore and Bell, [P.C.], and our municipal advisor, Springsted [Incorporated] to prepare for a bond sale and hold that competitive sale on October 16th, which would then come to you for approval on October 17th."

"The sale would fund three types of projects. First would be bridge projects. As you likely recall, in in your 2018 Capital Improvement Program (CIP), you approved the construction of four bridges to be funded with the proceeds of a bond sale, that's totaling \$2.85 million. The second would fund Project Eclipse. Earlier this year, the Board approved a \$7 million payment to Project Eclipse to be used toward construction of a facility, excuse me, on the Spirit AeroSystems campus. This would reimburse those funds. Finally, the issue would fund road improvements for Redmond Estates, which would be done as special assessments."

"This financing action is estimated to add up to \$10.3 million to the county's balance of outstanding general obligation debt, increasing that total to about \$53 million by year end. Each type of project would be repaid on a different schedule. The bridge projects, as we have done in the past, would be repaid over 20 years. The road improvements would be funded with special assessments over 15 years, and the Project Eclipse sale to be repaid over 10 years. Based on the current anticipated debt structure, estimated annual debt service would be around \$1 million for the first ten years, and of course, would then reduce significantly in the outer years as those other payments were completed.

"As you know, the county's debt policy provides five ratios that measure the impact of the debt on our community. The ratios constitute benchmarks, that when taken together, establish the county's debt limit or debt capacity. We must be below three of those ratios to proceed with issuing debt, and of the five, there is one which measures our annual debt service as a percentage of the overall budget, which we must always be below before issuing debt. Applying those benchmarks to the current proposal, we anticipate remaining below four of those five benchmarks. The one measure where we exceed that benchmark is the one which measures the amount of debt for all taxing entities in Sedgwick County taken per member of the Sedgwick County population or per capita.

"It's important to note, though, that this is not because of debt that Sedgwick County has issued, but rather because of the aggregate amount of debt that has been issued in Sedgwick County by all of the cities, school districts, townships, and so on, as well as our own debt. We are well within tolerances that are considered normal within the industry, within the investment banking sector, for a community of our size.

"If you have any questions about this resolution or the attached documents, I'm happy to try and answer them for you. We also have in the audience Joe Norton and Garth Herman from Gilmore and Bell, our bond counsel, and I'm sure they would be happy to help attempt any questions you may have as well.

"If you don't have any questions, though, I would recommend you authorize the resolution. With that I would be happy to stand for questions."

Chairman Dennis said, "Thank you, Lindsay. Do we have any questions for Lindsay this morning? Commissioner Howell."

Commissioner Howell thanked the Chairman and said, "The first thing I would say is your schedule of doing the approval at BoCC (Board of County Commissioners) on October 17th, I got a note, I believe, yesterday, that says we're not going to have a meeting on that date."

Ms. Poe-Rousseau said, "Okay. We will..."

Commissioner Howell said, "So we might need to revise those dates."

Ms. Poe-Rousseau said, "Okay. We will coordinate with our bond counsel and municipal advisors to see what kind of flexibility we can work with."

Commissioner Howell said, "Okay. I'll just say as a comment, I'm trying to think of what to do with this. I wish we could divide the question. I don't know if I would make that motion, divide the question. Some of this I support. Some of this I do not support. It makes it difficult to know what to do here. I anticipate that the, I anticipate all of this

will pass regardless of my opposition to parts of this, but let me just reiterate. The reason I did not vote for the budget this year is because we had the bonding for small road, for small bridge projects mixed into the budget. Last year we separated that out, and it gave me the chance to support the budget, but not that piece of the budget. This year, unfortunately, we did not have that opportunity, so I voted no on the whole package, although I do appreciate all the tremendous work that was put into that by all your staff. You did a great job. I would have liked to show support for the budget, but I was not able to do that with it packaged up the way it was. I feel the same way about this.

"I have been on record of supporting the \$7 million for Spirit [AeroSystems]. That's intended to create jobs and to secure their commitment to our community for 20 years. It's very unusual. We don't do this type of thing very often, and that was a very unusual opportunity. So that \$7 million of this discussion today is related to that Economic Development strategy. Two of these projects are in my district, and I appreciate the fact that we're getting some things fixed in my district, and of course, the special assessment bonds, I have no problem with that whatsoever.

"That's the choice of those residents who are making the choice to make some improvements for themselves and pay it off with financing. So parts of this, I don't have a problem with, but for the routine borrowing that's built into this package today, Mr. Chairman, would it be okay for us to divide the question and do this in two different motions? Would that be okay?"

Chairman Dennis said, "We can divide the question. I don't doubt that it's going to pass, but so you want to vote for things that are in your district and against things that aren't."

Commissioner Howell said, "No sir, that's not what I'm saying. I think that the routine borrowing, there's four, actually three things in here that I would say of that nature that are the, that are borrowing for road projects that I don't know that are urgent issues. I appreciate the way we're keeping good, our infrastructure in good condition, although I would like to know that the, I would like to know that we're doing things that are, if we're going to use bonding, that these things are urgent and critically important and we don't have the funds to do it with cash. So that would be the three items in the middle. But the, I should say four items, the four items, excuse me, \$700,000. We just talked about the four items in the middle. It starts with \$700,000 ends with \$800,000. Those are the four I would like to see be separated out, but I may have problems with. The other two items on there, the [\$]7 million for Spirit and the \$438,000 in special assessment bonds, I don't have any problem with that either. So if it were possible to divide the question, I would like to do that. I'm not sure that's okay."

Chairman Dennis said, "Lindsay, do you have a response?"

Ms. Poe-Rousseau said, "I would say, the only issue I would have with that, Commissioner, is that we have a single authorization that authorizes us to proceed with preparing documents for that. We aren't necessarily prepared to break it apart. I'm not sure we would want..."

Commissioner Howell said, "Okay."

Ms. Poe-Rousseau said, "...to advertise two separate sales."

Commissioner Howell said, "Alright. With that, I will accept that as a reasonable response. I will go ahead and support this today, because the majority of this is things I do support, although I want to be on record that I think the routine bonding for infrastructure when it's not necessarily urgent, and we don't have cash to cover those urgent, critical infrastructure needs, but this is more of routine habitual borrowing. I'm opposed to that philosophy, and so I want to be on record as not supporting those four items in the middle, although two of those are in my district. I appreciate that, but that's not enough to compel me to vote for that behavior. So I will support the motion today if there is one made to do this entirely, but I want to be on record of opposing four of the six things in this question today. Thank you, Mr. Chairman."

Chairman Dennis said, "Thank you. Any other comments? Commissioner Ranzau."

Commissioner Ranzau said, "Thank you, Mr. Chairman. It's been my practice in the past to support the use of bonding authority when I feel it both necessary and appropriate and to oppose those items when it's not. In my estimation, my vote today will be consistent with those values."

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

Commissioner Unruh thanked the Chairman and said, "Well, I just want to be on record as supporting this agenda item in its entirety, the way it's being presented by Finance. I understand the comments of my colleagues, but to me this has been a standard financing strategy that we've used for several years to finance long-term capital projects with debt financing. It has proven valuable for us and successful for us, and I think that's demonstrated by the fact that over the years we've done this and we're in a very strong financial position."

"So this doesn't pose any sort of danger to us. I think that financing long-term projects and bridges that are the ones that are being objected here, but bridges are in our current analysis, are 60 year assets. We have a process whereby we try to renew our bridges on a 60 year basis. That's a long-term asset, and I think that the general management strategy and governmental strategy that rests on the theory of generational equity holds, holds some truth to it. We're going to build a long-term 60 year asset, and it's reasonable that the cost of that be spread over more than just current taxpayers, but throughout future users. So I think there's theoretical support for it. I think there's historical support for it. I think there's current financial management support for it. So I will be supportive of the agenda item."

Chairman Dennis said, "So do you have a motion?"

MOTION

Commissioner Unruh moved to adopt the resolution.

Commissioner O'Donnell seconded the motion.

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

VOTE

Commissioner O'Donnell II	Aye
Commissioner Ranzau	No
Commissioner Howell	Aye

Commissioner Unruh Aye
Chairman Dennis Aye

County Clerk has assigned Resolution # 129-2018

Chairman Dennis said, "Next item, please."

Ms. Poe-Rousseau said, "Thank you, Commissioners."

Adopted

C [18-699](#)

**REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR
MEETING ON SEPTEMBER 13, 2018.**

Presented by: Joe Thomas, Director, Purchasing.

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

Chairman Dennis said, "Good morning, Joe."

Mr. Joe Thomas, Director of Purchasing Department, greeted the Commissioners and
said, "The meeting of the Board of Bids and Contracts on September 13th, results in
three items that were seeking your approval for.

1. **SAP RECRUITING AND ONBOARDING -- HUMAN RESOURCES AND
ENTERPRISE RESOURCE PLANNING (ERP)
FUNDING -- ENTERPRISE RESOURCE PLANNING**

"This recommendation is to accept the quote from HR Focal Point, LLC (HRFP) for the
costs listed for the subscriptions and establish contract pricing for five (5) years.

2. **BRIDGE IMPROVEMENTS -- PUBLIC WORKS
FUNDING -- B478 PAWNEE & 127TH**

"This recommendation is to accept the bid from King Construction Company, Inc. in
the amount of \$1,228,012.05.

3. **RE-ROOFING PROPERTY AND EVIDENCE BUILDING -- PROJECT SERVICES
FUNDING -- REPLACE ROOFS-16+**

"This recommendation is to accept the low bid from TR Management Inc., dba JB
Turner and Sons Roofing and Sheetmetal, and this is in the amount of \$68,752 and
also establish unit pricing for possible fiberglass skylight replacement.

"I'm happy to try to answer any questions you may have, and I recommend approval of
the three items."

Chairman Dennis said, "Do I have any questions for Mr. Thomas? Seeing none."

MOTION

Commissioner Dennis moved to approve the Board of Bids and Contracts' regular meeting on September 13, 2018.

Commissioner Unruh seconded the motion.

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

VOTE

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

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

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

Approved

CONSENT

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

MOTION

Commissioner Dennis moved to approve consent agenda items Delta (D) through November (N).

Commissioner O'Donnell seconded the motion.

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

VOTE

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

Chairman Dennis said, "Next item, please."

- D** [18-751](#) Resolution Providing for the Condemnation of Certain Real Property for Construction of Bridge No. 606-11-3000 (Project B471) District 3.
Approved on the Consent Agenda
- E** [18-752](#) Resolution Providing for the Condemnation of Certain Real Property for Construction of Bridge No. 636-33-1850 (Project B491) District 5.
Approved on the Consent Agenda
- F** [18-694](#) ZON2018-00030 - A County zoning case to rezone property from RR Rural Residential to SF-20 Single-Family Residential located on the east side of North 167th Street West south of 45th Street North.
Approved on the Consent Agenda
- G** [18-379](#) Agreement with the Kansas Department on Aging and Disability Services (KDADS) and the Central Plains Area Agency on (CPAAA) for the Senior Care Act (SCA) Program FY 2019.
Approved on the Consent Agenda
- H** [18-695](#) Annual Affiliation Agreements with 9 Qualified Providers of Intellectual and Developmental Disability Services.
Approved on the Consent Agenda
- I** [18-705](#) 2nd Amendment License Agreement between Sedgwick County and American Tower.
Approved on the Consent Agenda
- J** [18-714](#) Revise Sedgwick County Personnel Policies.
Approved on the Consent Agenda
- K** [18-754](#) Resolution appointing an Interim County Appraiser.
Approved on the Consent Agenda
- L** [18-701](#) Order dated 8/27/2018 to correct tax roll for change of assessment.
Approved on the Consent Agenda
- M** [18-725](#) General Bill Check Register for September 12th, 2018 - September 18th, 2018.
Approved on the Consent Agenda
- N** [18-717](#) Payroll Check Register for the September 1st, 2018 payroll certification.
Approved on the Consent Agenda

LEGISLATIVE ISSUES

Chairman Dennis said, "Mr. Yost says he has no legislative agenda today. Next item, please."

OTHER

Chairman Dennis said, "Does any of the Commissioners wish to say anything during 'other'? Commissioner O'Donnell."

Commissioner O'Donnell thanked the Chairman and said, "I just wanted to echo some of the statements that you made earlier regarding our Deputy Kunze and how much I appreciated your leadership, and we were able to, Commissioner Dennis and I were able to attend the vigil last night."

Chairman Dennis said, "Commissioner Ranzau was there."

Commissioner O'Donnell said, "Oh, Commissioner Ranzau was there. I did not see him. But you were able to address the crowd and send the condolences from everybody in Sedgwick County, and I thought that was wonderful what you did last night. So anyway, I just wanted to thank you for your leadership on that. Chairman Dennis, you've been an exemplary leader during a tough time. So thank you."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. I just would also like to make a comment about this tragedy that we've experienced in our community, and appreciate all the different individuals and agencies that have stepped up to do their part in trying to lend support. You know, any time there's an untimely death in a community or a family or in the Sedgwick County family, we all suffer and feel a sense of loss. In this particular incident, the death of Deputy Kunze seems like it's particularly poignant to each of us, because you know, this is one of us who is out on-the-line, not just providing public safety, but providing personal safety to each one of us.

"In the circumstances, he ended up giving his life, and so it's one that brings a particular depth of grief to all of the members of the Sedgwick County family. I just trust that God in His grace will lend some relief and assuage the pain of bereavement of the family. I trust that that will happen and trust that they will be able to pick up the pieces of their life and go forward. That's all I have."

Chairman Dennis said, "Thank you, Commissioner. Anything else that needs to come during 'other'? Anyone else have anything that we need to discuss for the board meeting today?"

EXECUTIVE SESSION

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 9:45 a.m.