

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
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Meeting Minutes

Wednesday, November 14, 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

Approved

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:04 a.m. on November 14, 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; Ms. Karen Powell, Assistant County Counselor; Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer; Mr. Tim Kaufman, Assistant County Manager Public Service; Mr. Brent Shelton, Economic Development and Tax Systems Director, Division of Finance; Mr. Chris Labrum, Director, Metropolitan Area Building and Construction Department; Mr. William Deer, Assistant County Counselor; Mr. Rick Durham, Deputy Chief Financial Officer; Mr. Rusty Leeds, Assistant Manager, Public Safety; Ms. Chris Steward, Health Protection Director, Division of Health; Ms. Nashell Williams, Healthy Babies Program Manager, Division of Health; Ms. Adrienne Byrne, Health Director, Sedgwick County Division of Health; Ms. Joan Tammany, Executive Director, COMCARE; Mr. Joe Thomas, Director, Purchasing Department; Ms. Kate Flavin, Public Information Officer; Ms. Lynda Baker, Deputy County Clerk.

GUESTS

*Mr. Karl Peterjohn, 11328 W. Texas, Wichita
Ms. Mim McKenzie, Greater Wichita YMCA
Mr. Troy Houtman, Director, Parks and Recreation, City of Wichita
Mr. Justin Thaw, Adoption Specialist Supervisor, St. Francis Ministries
Mr. Jeff Fluhr, Greater Wichita Partnership
Ms. Jan Luth, President, Exploration Place
Mr. Lonny Wright, 1721 South Lulu Street, Wichita
Mr. Steve Wilkinson, Executive Director, South Central Kansas Economic Development District*

INVOCATION: Pastor Curtis Baker, Riverwalk Church of Christ.

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, "Well we have one individual signed up to speak on the public agenda, Mr. Karl Peterjohn. Welcome back."

Mr. Karl Peterjohn, 11328 W. Texas, Wichita, greeted the Commissioners and said, "As a Sedgwick County citizen and taxpayer, I have been distressed to see news reports about the scandals, FBI (Federal Bureau of Investigations) and other legal investigations that involve this County Commission. The details of this appalling topic shall remain for another day. Today, I am here to praise four county employees who deserve public commendation.

"May 12, 1962, five star General of the Army, Douglas MacArthur, an army officer during World War I, World War II and the Korean War, gave his famous speech to the army cadets at the West Point Military Academy. MacArthur, then in the twilight of his life, used the hallowed phrase, 'duty, honor, country,' the motto of West Point, in speaking of the obligations that exist for army leaders past, present and future.

"I believe that duty, honor, country should not be limited to only our military leaders. General MacArthur said, to teach you, teach the cadets not to seek the path of comfort, but to face the stress and spur of difficulty and challenge, to learn to stand up in the storm. MacArthur went on to say, that the very obsession of public service must be duty, honor, country. General Michael Scholes epitomizes duty, honor, country. I repeatedly saw this demonstrated during the years that I had the privilege of working with him while serving on this Commission, as well as more recently as he continued to demonstrate his personal integrity.

"While Judge Yost enjoys the same amount of military experience that I possess, and that is none, his distinguished public work, whether it was at the White House over 40 years ago, over a decade of service in both houses of the Kansas legislature, including serving as a leader in the Kansas Senate, and almost 20 years on the District Court bench personifies duty, honor, country. General Scholes and Judge Yost are distinguished men of achievement who possess the diligence, competence and most importantly, integrity that I stand to recognize this morning.

"Last week, this commission voted 3-2 in another direction. I rise today to thank both Commissioners Jim Howell and Richard Ranzau for voting against the motion to place Judge Yost on leave. I also want to praise Commissioners Howell and Ranzau for their efforts to provide transparency in this county, as well as protecting taxpayers while providing efficient public services. Howell and Ranzau are pillars of integrity during these County Commission scandals. This needs recognition, and I proudly provide as much as this citizen can do.

"These four men, General Scholes, Judge Yost, Commissioner Howell and Commissioner Ranzau, are personifying MacArthur's hallowed words of duty, honor, country. As a former Commissioner, I would conclude by recommending that this County Commission now proceed to move to receive and file this commendation." Chairman Dennis said, "Thank you."

MOTION

Commissioner Ranzau moved to receive and file former Commissioner Karl Peterjohn's comments.

Commissioner Howell seconded the motion.

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

VOTE

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

Chairman Dennis said, "Mr. Peterjohn was the only individual that was signed up to speak today on the public agenda. Is there anyone else in the audience that wishes to speak on the public agenda today? Seeing no one, Madam Clerk, next item."

[18-977](#)

PUBLIC AGENDA COMMENTS.

Presented by: Karl Peterjohn, Sedgwick County.

RECOMMENDED ACTION: Receive and file.

Discussion for this item will be added when minutes are approved.

Received and Filed

CONSIDERATION OF MINUTES

A [18-916](#)

REGULAR MEETING MINUTES OF OCTOBER 10, 2018.

All Commissioners were Present.

Chairman Dennis said, "Thank you. All Commissioners were present on October the 10th and again on October the 24th."

MOTION

Commissioner Dennis moved to approve the meeting minutes of October 10, 2018 and October 24, 2018.

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	Aye
Commissioner Howell	Aye
Commissioner Unruh	Aye
Chairman Dennis	Aye

Approved

B [18-941](#)

REGULAR MEETING MINUTES OF OCTOBER 24, 2018.

All Commissioners were Present.

Action for this item was taken with item A

PROCLAMATIONS

C [18-953](#)

PROCLAMATION DECLARING NATIONAL PUBLIC HEALTH THANK YOU DAY.

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, annually, on the Monday before Thanksgiving, public health organizations around the country take time to recognize public health professionals who work tirelessly to promote wellness, prevent disease and protect the public from health threats; and

WHEREAS, this year's theme "Public Health is Your Health" reminds everyone in the community that public health initiatives keep them safe on a daily basis; and

WHEREAS, National Public Health Thank You Day provides community members with an excellent opportunity to make small changes that will have big impacts in their health and recognize public health heroes who make it easier for the healthy choice to be the default choice;

WHEREAS, communities can support behavior changes by creating environments that make healthy choices the easy choice through improved access to physical activity, healthy foods, healthcare and health education; and

WHEREAS, this year, as we recognize public health heroes for the exemplary efforts in making our community a better place to live, learn, earn, play and pray;

NOW, THEREFORE BE IT RESOLVED that I, Chairman David T. Dennis, and the Board of Sedgwick County Commissioners, do hereby recognize November 19, 2018 as

NATIONAL PUBLIC HEALTH THANK YOU DAY

in Sedgwick County and invite Adrienne Byrne, Sedgwick County Division of Health Director, to come forward for the presentation of this year's awards.

Chairman Dennis said, "Welcome, Tim. The proclamation says Adrienne, but I knew Tim was coming up."

MOTION

Commissioner Unruh moved to adopt the proclamation.

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	Aye
Commissioner Howell	Aye
Commissioner Unruh	Aye
Chairman Dennis	Aye

County Clerk has assigned Resolution #154-2018

Chairman Dennis said, "Welcome, Tim."

Mr. Tim Kaufman, Assistant County Manager, Public Services, greeted the Commissioners and said, "I'm here on behalf of Adrienne. Adrienne is here, but she doesn't have a voice, so I'm going to speak on her behalf. I'm very pleased today to accept this proclamation as we celebrate National Public Health Thank You Day. Each year before Thanksgiving, public health organizations around the country take some time to recognize public health organizations and individuals that work tirelessly to help improve the health of all of our citizenry and all the members of our community and help protect us from health challenges every day.

"From the ordinary to the extraordinary, public health heroes educate our community on healthy behaviors and provide activities and actions that give all of us an opportunity to improve our own personal health. In Sedgwick County, we partner with a number of different organizations.

"Today we're going to take a little bit of time to recognize two of those organizations as health heroes. The first hero that I'd like to recognize is the YMCA (Young Men's Christian Association). The Greater Wichita YMCA is a place where the community can come together, connect and play and discover new things. The Y offers comprehensive healthy living and learning experiences for adults and children, and they've got opportunities from fitness equipment to team sports and free after school programs for area youth. The Y has three areas of focus, youth development, healthy living and social responsibility. Our focus today is going to be on healthy living. This year, the Y has expanded their late night program. Teens in particular face a lot of different temptations and challenges to choose healthy lifestyles. Drugs, gangs, crimes, there are lots of different things that are tempting to children, to teens in particular, and it's helpful that there's a safe place for them to go. The Greater Wichita YMCA and the Wichita Police Department (WPD) have created a partnership for a solution to that called their Late Night program.

"They operate that program 50 nights a year. Late Night is offered every Saturday from 8:30 p.m. to 11:30 p.m. at the [Richard A. DeVore] South Y, and in 2018 they expanded that programming to the [Dennis Schoenebeck] North branch as well, so now there's two different locations in the community where teens can go and have a safe, healthy environment to burn off some of that Saturday night energy. Late night is free to all participants, and they don't need a YMCA membership to participate. Students are attracted to the opportunity, again, because it's a safe, good environment. They get to experience positive things rather than negative things, and it allows our youth to make better choices and healthy choices. Something as simple as having a safe space for kids is really important to the health of our children. I'd like to now recognize the YMCA for their partnership as a healthcare hero. To accept the plaque is Mim McKenzie."

Ms. Mim McKenzie, Greater Wichita YMCA, greeted the Commissioners and said,

"Thank you for this honor. We're extremely grateful for it. The Late Night program, we hope to expand it all the way across the city so that we can continue to offer healthy options for teenagers on those Saturday nights. Thank you very much."

Mr. Kaufman, said, "The other healthcare hero that we'd like to recognize at this time is Open Streets ICT. On Sunday September 23rd of 2018, a four-mile stretch of downtown Douglas Avenue was closed and residents were encouraged to, and they were invited and encouraged to join in a fun, safe opportunity along Douglas Avenue to recognize that streets can be used for more than their cars. We wanted to encourage people to ride their bikes, to walk, to get some exercise and also be exposed to all of the activities that are available through local merchants on Douglas Avenue. There were, this was the second annual event. There were 35,000 participants in that event.

"Again, the goal was to foster an appreciation for our community. Douglas is now a much more attractive street than it's been. There's a lot of streetscaping that has gone on, and it's a very inviting place for folks to go.

"We want to thank the City of Wichita, in particular, the Parks and Rec[reation] Department for leading the Open Streets ICT planning committee, and for helping make this event happen. The city staffed that committee and made sure that they worked with the community partners to get everyone lined up to make sure that we would have a successful event in September. In Kansas, the obesity rate among adults is more than 27 percent, and less than half of the adults report that they get the appropriate amount of exercise each week. So it's easy for the Health Department to partner with organizations like Safe [Open] Streets ICT to encourage additional activity, and I'd like to thank now Open Streets ICT, and to accept that recognition is Troy Houtman, the director of Parks and Recreation with the City of Wichita."

Mr. Troy Houtman, Director, Parks and Recreation, City of Wichita, greeted the Commissioners and said, "Well thank you very much. It's a great honor to receive this award, but I want to mention that it's a community award. It was the whole community that came out and actually made an effort to make this happen. There was over 25 stakeholders that helped us organize this event, and it's going to be a great annual event. In fact, we're talking about doing two or maybe three a year. But this is all about the community, and we want folks to have a great quality of life, and that begins with our recreational activities, whether it's at the YMCA or in our parks. We encourage folks to be active, come out to our parks, come out and recreate, spend time getting to know your neighbors. It's all about the community. So thank you very much."

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

Chairman Dennis said, "Thank you, Tim. Thank you to the Y and to the city and our community for putting on different events that help our community stay healthy. We appreciate that very much. Madam Clerk, next item, please."

Adopted

D [18-955](#)

PROCLAMATION DECLARING NATIONAL ADOPTION 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. It reads:"

WHEREAS, Sedgwick County believes along with the nation that foster children deserve safe, permanent, and loving families through adoption if they cannot safely return home; and

WHEREAS, some children who wait the longest for an adoptive family are those who have suffered abuse and/or neglect, and may have medical, emotional and/or developmental needs; and

WHEREAS, brothers and sisters who are separated in the foster care system yearn to be adopted by the same family; and

WHEREAS, Saint Francis Ministries will be celebrating National Adoption Day on Saturday November 17, 2018, to complete the adoptions of 28 children by 17 families; NOW, THEREFORE BE IT RESOLVED that I, Chairman David T. Dennis, and the Board of Sedgwick County Commissioners, do hereby proclaim November 12-18, 2018 as

NATIONAL ADOPTION WEEK

in Sedgwick County in the hopes that the people of this County will open their homes and adopt Kansas children from the foster care system.

Chairman Dennis said, "Commissioners, you've heard the proclamation."

MOTION

Commissioner Dennis moved to adopt the proclamation.

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>

County Clerk has assigned Resolution #155-2018

Chairman Dennis said, "We have Sarah Robinson from St. Francis Ministries. That's not Sarah Robinson, I'm sorry."

Mr. Justin Thaw, Adoption Specialist Supervisor, St. Francis Ministries, greeted the Commissioners and said, "Well Sarah is here with me. I get the opportunity to work with around 50 staff, anywhere from licensed permanency specialists to family support workers, adoption specialists as well who work with families, and so we work with children and families to help prepare those children for the adoption into their forever families, as well as working with the families to help prepare them for taking some of our children who have experienced some abuse and neglect in their biological families. It's an honor and a privilege to work with these families."

"To this point during the year, we have finalized about 216 adoptions, which includes around 150 families, and that's 150 families who, or 216 children who get to, you know, have permanent parents for the rest of their lives, and I think that that is a huge accomplishment for our staff and for our agency, as well as mostly for the families that we serve. So we get the opportunity to do that. Now every year, the Saturday prior to Thanksgiving coming up, which is November 17th, we, for the last six years, we have celebrated the permanency of these families at Exploration Place. So we thank them for allowing us to do that there.

"But this year, and I think we've probably provided, well, that number goes up throughout the month, and so we've probably provided you some numbers. Those numbers have increased, and so now we have 34 children that are going to finalize their adoptions with 21 families on Saturday, on this coming Saturday. So that's a very exciting day for all of those families. So we look forward to that every year. But thank you for this proclamation. I think that it's more for the families and the children that we serve than it is for us, that St. Francis ministries enjoys and has the privilege to work with you guys and all the families in this county."

Chairman Dennis said, "Thank you very much for being here. I know how important adoption is to a lot of the families. One of my nephews is adopted, and I'm the godfather. He was a Godsend to my brother's family, so thank you very much for what you do."

Mr. Thaw said, "Thank you."

Chairman Dennis said, "Thank you."

The Board of County Commissioners recessed into Fire District Number 1 from 9:23 a.m. and returned at 9:26 a.m.

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

Adopted

NEW BUSINESS

- E** [18-946](#) CONSIDERATION OF THE ISSUANCE BY THE CITY OF WICHITA OF ITS TAXABLE INDUSTRIAL REVENUE BONDS TO PAY THE COSTS OF THE ACQUISITION, CONSTRUCTION, AND EQUIPPING OF A MANUFACTURING FACILITY TO BE LEASED TO AIR CAPITAL FLIGHTLINE, LLC AND SUBLEASED TO SPIRIT AEROSYSTEMS, INC., WHICH FACILITY IS LOCATED WITHIN AN UNINCORPORATED AREA OF THE COUNTY.

Presented by: Brent Shelton, Director of Economic Development and Tax Systems, Division of Finance.

RECOMMENDED ACTION: Approve the Resolution.

VISUAL PRESENTATION

Chairman Dennis said, "Good morning, Brent."

Mr. Brent Shelton, Economic Development and Tax Systems Director, Division of Finance, greeted the Commissioners and said, "The item before you is the consideration of the approval of a letter of intent that the City of Wichita approved yesterday, a letter of intent to issue industrial revenue bonds (IRBs). They approved this by a 7-0 vote. The bonds would be issued to Air Capital Flightline, LLC in an amount not to exceed \$18 million. It would also be accompanied with a one hundred percent tax exemption for a period of five-plus-five years pending the creation of an additional 320 new jobs at an average annual wage of \$54,500. Before I continue with the item, I'd be remiss in not recognizing some folks that we have in the audience."

"Representatives from Spirit [AeroSystems], Adam Pogue is with us today, as well as Debbie Gann. Joe Norton is here with Gilmore & Bell, who has been legal counsel on this, and Tim Goodpasture with the City of Wichita's Economic Development Department is here as well to answer any questions that may arise. The proceeds of these bonds would be used to construct a new 144,000 square foot manufacturing facility on the Spirit AeroSystems campus at 3800 South Oliver. As you can see on the monitor, there is a map of the top portion of the parcel where this new building would be located. You can see it's shown up here as the proposed new building, and this is on a parcel of ground roughly MacArthur and Oliver Street on the east side, and the parcel continues on down further south on Oliver.

"This parcel with the exception of building 56G, which is shown right below, the proposed new building is currently taxable and would remain taxable throughout the portion of, throughout the life of the industrial revenue bonds and the tax exemption. The only thing that would be exempt is the building that doesn't exist today, that proposed new building. So currently, this is generating about \$27,000 a year in tax revenue to the county and the county Fire District [No. 1]. That would continue under the proposed tax exemption, but the new building would be tax exempt for that five-plus-five years. Because this parcel is located outside the city limits of Wichita but within their area of influence, the city has the ability to grant the, to issue the industrial revenue bonds and grant the tax exemption.

"As the County Commission, since it's located in the unincorporated part of the county, you have the option to take one of three actions today as a result of the action that the City took yesterday. One is that you can vote today to approve the issuance of the letter of intent for the industrial revenue bonds and to approve that tax exemption. You can vote today to deny that exemption, or you can take no action, which would basically allow that exemption to proceed.

"The proposed facility is owned by a partnership that's been created between Johnny Steven and Dave Murfin, it's the Air Capital Flightline, LLC. This building would be leased to Spirit AeroSystems, and they would be the entity that's creating the 320 new jobs. These jobs are in addition to the thousand new jobs that Spirit committed to earlier this year. So if you remember at that time, we had a base employment at Spirit of 10,940 jobs. They made a commitment for the next 20 years for a thousand additional jobs, bringing that baseline to 11,940. This is another 320 jobs over and above that.

"So their baseline employment at the time of the fifth year of this exemption would be 12,260 employees, continuing to make them the largest employer in this region. Now, as we do with any economic development incentive package, we look to the Center for Economic Development and Business Research (CEBDR) at Wichita State [University] (WSU) to perform a benefit-to-cost analysis to see if this deal makes sense to the

county, to the region, as well as just to the public entities that are providing the incentives. With the 320 job commitment, that analysis indicates a return on investment (ROI) to the county of 30.2 percent with a benefit-to-cost ratio of 1.3 to 1. That benefit-to-cost ratio at that level is the level that we desire for any economic development incentive that we would enter into.

"That basically means that for every dollar of public expenditure, we're going to get back \$1.30 in benefits to the county. Now, some additional things to consider with this are some other benefits outside just to the county as an organization. These are 320 net new jobs with a direct payroll over the next 10 years of almost \$200 million. But before they can go to work in the new building, and it has to be built, which means about 170 construction jobs, another 134 spinoff jobs from that, generating another \$13 million in payroll over the course of the next year. Once these jobs are in place, we've got a total with the 320 new jobs and the spinoff jobs that accompany those of about 727 total jobs. Over the next ten years, that would generate about \$400 million in payroll in this region. So because this does meet the terms of our economic incentive policy, we would recommend that you would approve a resolution, which approves the issuance of the letter of intent and the issuance of the industrial revenue bonds and grant the tax exemption for five-plus-five years to Air Capital Flightline, LLC. I would stand for any questions."

Chairman Dennis said, "Thank you, Brent. Do we have any questions from the Commissioners? Commissioner Ranzau."

Commissioner Ranzau thanked the Chairman and said, "A couple questions. Do we have a clawback agreement?"

Mr. Shelton said, "At the end of five years, the city will take a look at the job commitment, at the job level, and if these jobs have not been created, they're not at that job level, the exemption would cease. If Spirit would pull out of the lease, then the exemption would cease. So it's a standard..."

Commissioner Ranzau said, "Well that's not a clawback. I mean, some of the others we've had clawback, we had agreements where if they don't meet it, the clawback, there is none in this case? I've asked for one, I'm not aware that there is one."

Mr. Shelton said, "Okay. I don't know that there is specific a clawback of the exemption, but the exemption would cease at the end of the five year period."

Commissioner Ranzau said, "Well, we'd have to trust the city of Wichita to do that, which by the way, isn't giving up any property taxes on this particular deal, right?"

Mr. Shelton said, "It's not located in the city."

Commissioner Ranzau said, "Right. Now, we had some questions about, or we had some discussions with staff about the Fire District. Is there going to be a payment in lieu of taxes to the Fire District, which I think is what we normally do."

Mr. Shelton said, "There is not one in this proposal. Historically, Boeing, when they operated at this campus, had firefighting equipment that I understand is still there today, and we have not historically gotten fire protection agreements within the Boeing Industrial District where this property is located. With the job commitment at the level

that it was, it met the threshold without the accompanying fire protection service agreement. So no, there's not one with this."

Commissioner Ranzau said, "But it's our policy at this, this isn't Boeing. I mean, it's our policy now, is it not, that we get payment in lieu of taxes? We had one here just recently. I can't even remember who it was with that we got. I mean, that's our standard, that's our desire, is it not?"

Mr. Shelton said, "We have the, the policy states that we have the option to seek one, and we discussed one in this situation, but the incentive package and the benefits coming back were rich enough that it wasn't required."

Commissioner Ranzau said, "Right. So, well, I have a problem with this. I think we should get a payment in lieu of taxes. I think it was, I can't remember, we've done so many. But I think we need to be careful because we're going to set a precedent here. It's been our practice to get a payment in lieu of taxes for the Fire District, which as we all know, has had some financial issues. Going forward, do we want to maintain that financial status up? So going forward, if this we do this here, which, you know, any other business is going to say well then why can't we do the same thing.

"I'll also point out that yesterday we talked about our legislative agenda items, and one of the items we have is that we're going to ask the State to pass a law that says anytime that's going to require a payment in lieu of taxes between the Fire District and anyone who receives IRBs within Sedgwick County that receives services, so, within Fire District [No.] 1, so we're actually going to pass, ask the State to pass a law that would require us to receive a payment in lieu of taxes to the Fire District in situations exactly as this. So if that's our position in our legislative agenda, I think we should maintain that now and not set a precedent for others that may want to do it, or send a mixed message. I think that's important. I also think it's important to have clawback provisions so those concerns will be reflected in my vote today. Thank you."

Chairman Dennis said, "Thank you. Other questions? Just to clarify a couple things. One, if this building is not built and we don't approve the IRBs, how much do we get off of this property?"

Mr. Shelton said, "No change from today. There would be no additional taxes."

Chairman Dennis said, "But as a result of building this, why we get 320 new jobs that we didn't have before."

Mr. Shelton said, "320 new jobs, and in year 11 you'll be looking at about, combined between the county and the county Fire District, \$180,000 in new tax revenue."

Chairman Dennis said, "Okay. To reiterate one point that you made earlier, is that they do have fire protection out there, which is not what we normally see when we're looking at these IRBs, is that correct?"

Mr. Shelton said, "That's right."

Chairman Dennis said, "Very good. Commissioner O'Donnell."

Commissioner O'Donnell thanked the Chairman and said, "That's what I was going to

reiterate. Talking with staff, the fire protection that Spirit provides themselves is unlike what a normal company would come and also have, so if the argument is the Fire District isn't getting money, what other companies, does Textron [Aviation] have that same type of fire protection or is it just, is Spirit the only local company that has that?"

Mr. Shelton said, "I'm not aware of the fire protection service that Textron might have. But what Spirit has indicated is that they have a baseline onsite fire protection service, a response time of a couple of minutes to any of the buildings on their campus. They have a security team that's EMT (emergency medical technician) certified, able to triage and coordinate transport. They've got a robust fire protection program, several personnel that were former firefighters, so they seem to be well equipped to handle an emergency of that nature."

Commissioner O'Donnell said, "Yeah, that is what I understood, so thank you, Brent."

Chairman Dennis said, "Thank you. Any other questions for Brent? Seeing none, I see Gary Plummer and Jeff Fluhr and Spirit in the audience. Does anyone wish to speak from the audience today? Jeff, welcome. Please state your name for the record."

Mr. Jeff Fluhr, Greater Wichita Partnership, greeted the Commissioners and said, "We appreciate this opportunity to be before you this morning to request your favorable support of this item. This is an item that actually represents important development in a couple different ways.

"One is that, as we have heard from Brent, you know, Spirit was one of 10 mega projects this last year with a thousand jobs creation, the incredible investment that they're making to their campus, but also, you know, Spirit has noted that today it's continued to grow. One of the great partnerships that they have is with WSU (Wichita State University) Tech. If you think about the Wichita Promise Program, bringing new people into our economy. That's one of the things that I think is a really important distinction, is that, yes, we want to make sure that we're employing our local community, but we also want to bring new people into this community, and that's one of the ways that a city does see growth and new opportunities, so this today presents that new opportunity or reinforces that opportunity as we go forward. Certainly this reinforces BREG, the Blueprint for Regional Economic Growth.

"Aviation is one of our clusters, it's probably the cluster that we have representation globally. We just were at NBAA (National Business Aviation Association) earlier this year, but then also at [Kansas] Farm Bureau, and again, the presence of Spirit in our community with the 450 suppliers that they also support is extremely important to our economy. The other part of this that I think is really important to note, too, is Mr. Murfin's and Mr. Steven's foresight to acquire the Boeing site. It took leadership and vision and investment on their part to take an asset like that and convert it into a viable economic center, that's become even more so today. So again, we appreciate the opportunity to speak our support with the hope that you would do the same."

Chairman Dennis said, "Thank you. Any questions for Mr. Fluhr? Seeing none, thank you very much. Anyone else in the audience wish to speak on this item today? Seeing no one, I'll bring it back to the bench."

MOTION

Commissioner Dennis moved to approve the City of Wichita and it's issuance of Industrial Revenue Bonds to pay for the cost and acquisition and construction and

equipping of a manufacturing facility to be leased to Air Capital Flightline, LLC and subleased to Spirit.

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 #156-2018

Chairman Dennis said, "Thank you all. Thanks for being here today. Next item, please."

Adopted

F [18-765](#)

2018 EXPLORATION PLACE UPDATE TO BOARD OF COUNTY COMMISSIONERS.

Presented by: Jan Luth, President of Exploration Place.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Chairman Dennis said, "Jan, welcome."

Ms. Jan Luth, President, Exploration Place, greeted the Commissioners and said, "Just thrilled to be here this morning to give you our annual report. Being passed out to you right now are some goodies. I try to come with a little something every year from Exploration Place. I'm going to go ahead and get started. Is that okay?"

Chairman Dennis said, "Sounds good."

Ms. Luth said, "Okay, great. So we have a new tag line we've been using as we try to talk about how we really are serving our community, and it's about momentum in STEM (Science, Technology, Engineering and Mathematics). We're certainly a wonderful place for folks to come and visit and bring their children and bring their out of town guests, but we also kind of have a higher calling and that's really to be a leader for STEM education for our community, so I'm going to try to focus a little more on that today. Some of our metrics from our most recently completed fiscal year are kind of remarkable. We can't get over how we're continuing to climb. We served almost 300,000 people this year with a 16 percent increase. We had 244,000 people coming through our facility, which was a 19 percent increase over the prior year, and our memberships have grown 15 percent at 4,500. I can tell you today they're closer to 4,700, but this is actually at the close of our fiscal year. So it just keeps growing.

"Traveling exhibits this past year, we had Hall of Heroes, which was extremely popular. Rescue, Rescue was a great opportunity for us to partner all across the community with everyone that is in, all the different businesses and organizations that are involved

with taking care of people and saving people. So 911 was out there. We had Emergency Management out there, the city police, Sheriff's Department, lots of different organizations from the city and county were out throughout the run of this exhibit. They had great exposure and our visitors just loved it. This summer, we had Planet Shark: Predator or Prey, and it was amazing. People loved it. Here's what's the lineup for this fiscal year. We've got Toytopia, which is doing really well for us this fall. People are having a good time with it.

"Opening in January is Top Secret: License to Spy, and then in the summer, Ripley's Believe it or Not. We're already working with the company that put that exhibit together, and we're finding out all of the Kansas Ripley's Believe it or Not, and we'll have a small section in the exhibit about those. For our permanent exhibits, of course, the big news last fiscal year was the opening of Design, Build, Fly. It was really like landmark growth and opportunity for our organization. We had well over a hundred donors to this exhibit from our community, both individuals and businesses, and it's just really been serving us well. Visitors love it. It's been a wonderful spark for a lot of new educational programs that we hadn't been doing before.

"But the exhibit plans for this fiscal year, you can never just sit still. So our castle, Where Kids Rule, the last renovation we had to that was in 2011. So it's hard to believe it's been so many years, so we're doing a refresh on that. We're in the planning mode right now. That refresh will open in July with a storm the castle weekend. It is now a year since Design, Build, Fly opened. Just two weeks ago, we brought together our exhibit advisory committee, those different engineers and workers from across the community who advised us on the content, and we have a list of changes and adjustments we're going to make in 2019. We had promised the community and we promised all of the donors that we would make annual changes every year to Design, Build, Fly, so we had raised all of the money in the beginning to be able to do that for the next ten years. We're staying true to our word, and the first round of changes will happen in 2019. We are also in major planning mode right now for our brand new permanent exhibit, Heads Up Health. It will open in the fall of 2020, which is our 20th year, and the planning is beginning right now for that.

"A few years ago, we decided it was important to be able to add events to kind of our product compliment, and we have had a lot of different events going on. Our Maker Faire just completed its fifth year. It'll be coming up this April. We're moving it from the summer to the school year to be able to have school groups come. Last year, we did a free eclipse party that served about 4,000 people. Spooky Science we do each October. Gingerbread Village was this past weekend, 4,400 people, a 10 percent increase over the prior year. Fiesta Hispana, every September we do a wonderful celebration of the Hispanic culture in our community. Death by Chocolate, which is coming up in February, mark your calendars, February 23rd. You don't want to miss it.

"We tried something new this past May that was really cool. It was called RiverFlix. For three Friday nights in a row, we showed films directly on the building. It was a free event for the community, and we'll be doing it again this May. New this year is EP21. We started these in August. We're doing them the third Thursday of every month from 5:30 [p.m.] to 9:00 [p.m.] at night. We have a cash bar, food trucks, a musician, the exhibits are open, special activities, and it's for people 21 and over. So we're trying to appeal to a lot of our young adults that are in the community, many of whom are working downtown, looking for things to do after work. So we've tried this. It's going

really well. Pretty much every single month we have a sponsor for it, as well, which is wonderful.

"Those education programs keep on growing. This past fiscal year, we had 14 gifts, grants or contracts to deliver education projects, meaning these were not one and done. Some of these were, you know, 20 or 25 different programs would be perhaps in one contract. Through all of those efforts as well as just individual fee based programs, we served 88,000 children in organized educational programs this past year, which is a 27 percent increase. We had about 15,000 on field trips, which was an eight percent increase, and 1,100 summer campers, a 12 percent increase. We had, we gave up our boardroom for summer camp. We gave up Waterway Hall and divided it up for summer camp. We closed our creator space for several weeks and had summer camps in there. We're almost running out of room for summer camp, it's growing so much.

"In January, we did a complete upgrade to the projection system of the digital dome theater, and now the imagery is absolutely stunning. So if you've not been to any of our films in the digital dome theater, I really encourage you to go. The sound system has always been exemplary, and now the imagery is also fabulous. So here are the films that have been going on for this fiscal year was Fighter Pilot and Great White Shark, and we just recently opened Pandas. There's always work to do on our building, and every year when I come and give the report, I talk to you about some kind of a building project we're doing. This year, it's kind of been cross cutting two fiscal years as our Explorer Room project. It's a room behind the dome, kind of an unusual shaped space.

"The construction project is just about finished, and through this, we will now have two additional classrooms, so that'll be very helpful for summer camps as well as a lot of our other programs. It is also a location where we're going to be able start to store our crates every time we do a traveling exhibit change out. Three months of the year we do those, and we have crates filling up our Waterway Hall that the public can see, and then we're not able to rent Waterway Hall those three months, so now we have a space behind the scenes to put those crates, and Waterway Hall will be available 12 months of the year.

"We've also created, there was always a door there. We've now made it a beautiful glass entrance, and so we'll be able to start to have special programs enter right through there. School groups will enter through that space, so we're going to be able to really make good use of this piece of real estate that had, it needed a lot of help to be made to be in keeping with the rest of our building. It's really looking terrific. We're doing some planning right now for a circle drive on the entrance plaza. For whatever reason back in the late '90s, the decision was made not to have a circle drive to be able to drop people off and then go park your car. But we know from lots of feedback that we've received that this is an important thing for us to do. Whether you're there with a stroller or you have someone with a walker or a wheelchair, you want to be able to be dropped off and then go park, because the campus is so expansive that even the handicapped parking is a great distance from the front doors. So we're working on all of those design plans right now.

"I think this slide is a tremendous pride to our team. We've been doing great things for Wichita, Sedgwick County, south central Kansas, and in many respects, all of

Kansas. But starting to get recognition for our work outside of just our own community is really important. So this past year, we received the Destination Promotion Award from Visit Wichita, which we were thrilled about. That was for Design, Build, Fly. About two weeks ago, we received an Innovation Award from the Wichita Business Journal (WBJ), also for Design, Build, Fly, and that was very kindly nominated by Spirit AeroSystems, who was our presenting sponsor for that exhibit. Then on Friday, it was my privilege to accept an award on behalf of our staff and board for an Award of Excellence from the Kansas Museums Association (KMA), also for the Design, Build, Fly exhibit and education programs.

"Through that exhibit, we had had a NASA (National Aeronautics and Space Administration) grant. The NASA grant required us to do extensive evaluation work, and we hired a firm out of Virginia that's nationally recognized in the science center field. They were then writing a book about intentional practice in the museum field, and one of the elements that we included in the evaluation project for Design, Build, Fly was something new and different that they had never done before, and it was so successful that they asked our staff member, who led that effort, to write a chapter for the book, and the book came out two weeks ago.

"So we're really proud of the fact that a lot of our work is now starting to get recognized. It's a wonderful step forward for the organization. We believe we're sparking the next generation for the STEM workforce that everyone is talking about. We're part of the economic development ecosystem here in our community. So I want to say thank you for allowing me to come before you and give an annual report. I want to recognize, where is he, Mr. John Mosley, our past chair. I know many of you know him, and he was kind enough to be here with me today. I also wanted to say, and I know I say it every year, but it's really true, because we have incredible annual support from Sedgwick County, that is what allows us to do all the things that you're seeing here, because we're not having to worry about how we're going to pay our light bills and how we're going to do some of our basics, and so we're able to put our energy and our fundraising into all of these things to help us move forward and continue to serve our community. So thank you, and I'm happy to answer any questions."

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

Commissioner Howell thanked the Chairman and said, "I don't really have any questions, but I want to just say thank you for coming and for giving us an update. I don't see that word decreasing in here anywhere."

Ms. Luth said, "No, it's amazing."

Commissioner Howell said, "Everything is going in the right direction..."

Ms. Luth said, "Amazing."

Commissioner Howell said, "...so it's really is a very impressive report, and the community seems to be responding to the things you're doing, so thank you for your good leadership. I'm glad to have this in our community. I think it's one of those quality of life things that people need to grow the community and the economy, so thank you for that. I just want to say I like the Design, Build, Fly thing. It's still my thing. I love that most of all. I just want to say I haven't been able to attend the meetings the last couple of months. I've been a little bit busy, but I plan on coming back, so I'm on the board."

Ms. Luth said, "Well good."

Commissioner Howell said, "I do appreciate having a chance to serve on this board. It's a great group of people that have great vision for the community."

MOTION

Commissioner Howell moved to receive and file.

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "We have a motion and a second. Commissioner Unruh."

Commissioner Unruh thanked the Chairman and said, "Well Jan, I'd just like to add my congratulations for an excellent report, but excellent contribution to our community, and so thanks not only to you but to your board of directors and all your employees. You work hard and who are continually cultivating the opportunities that you see. It's a great asset for our community, and I think we're all proud of it, the way that you have kind of elevated its presence in our community and made it really a destination place. The one question though, as you talk about different projects for the building itself, I know this is a silly question, but you're not going to do anything that would impair the iconic appearance of this building that means so much to a lot of us?"

Ms. Luth said, "I'm so glad you asked that, because actually, Sam Frey, who worked with Moshe Safdie on the building, a local architect with Schaefer Johnson Cox and Frey, is kind of our right hand with every single thing we do in the building to ensure that we do nothing that alters the aesthetic intent of this building, which is internationally recognized. So we are constantly paying attention to all of that and really striving to come up with the best way to, Sam's words are to codify it so that it lives on beyond Sam and me to make sure that all of that aesthetic intent is taken to heart in the years to come too."

Commissioner Unruh said, "Well I appreciate your comment, and I know that its design, it's beautiful, iconic, it does create some operational challenges to you, I know the way it's laid out, but I know that you all are handling that challenge and protecting the integrity of the building. So anyway, great report. Appreciate you being here."

Ms. Luth said, "Thank you."

Chairman Dennis said, "Well Jan, thank you very much for being here and giving us the report again. It is a great quality of live amenity that we have here in Sedgwick County that draws people in to this area to see what a great place this is to live, work and play, so we thank you for that. The other thing is, the work that you're doing in STEM is invaluable to our students to get them excited about STEM for the future so that they can start following in our footsteps and fulfilling their dreams. I don't see any other comments. Madam Clerk, we have a motion and a second. Please call the roll."

VOTE

Commissioner O'Donnell II Aye
Commissioner Ranzau Aye

Commissioner Howell	Aye
Commissioner Unruh	Aye
Chairman Dennis	Aye

Ms. Luth said, "Thank you."

Chairman Dennis said, "Thanks for being here. Next item, please."

Received and Filed

G [18-804](#)

RESOLUTION AMENDING ARTICLE 5 OF THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE THROUGH THE ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, WITH LOCAL AMENDMENTS.

Presented by: Chris W. Labrum, Director, MABCD.

RECOMMENDED ACTION: Open the public hearing. Close the public hearing. Approve the Resolution.

VISUAL PRESENTATION

Chairman Dennis said, "Good morning, Chris."

Mr. Chris Labrum, Director, Metropolitan Area of Building and Construction Department, greeted the Commissioners and said, "Today proposing a new article 5 for our Unified Building and Trade Code (UBTC). That adoption is the International Mechanical Code (IMC). This is a re-adoption from '15, which was done in April of 2017. That was our last adoption of this code. That was done with 40 amendments. This is the 2018 IMC (International Mechanical Code) also with 40 amendments, 20 of those impact the commercial side of the code and 12 of those residential.

"So the 12 residential amendments were already looked at as part of the IRC (International Residential Code) a few months ago. The code, this was incorporated into several codes, of course. We'll see that in the next slide. The majority of our amendments in this case are based on that, incorporation and coordination across our UBTC (Unified Building and Trade Code). Everything from administrative adjustments to make it more usable, understandable as well as the numbering to make it fit into our flow there. So those codes include the 2012 [International] Building Code (IBC), which is our current adoption. We're also well into the review of the 2018 Building Code and hope to propose that within the coming months. The 2018 [International] Residential Code has already been adopted, so this folds with that. The 2015 and 2018 International Fuel Gas Codes (IFGC), similar to the IBC (International Building Code), we're still on the 2015 IFGC (International Fuel Gas Code); however, we are close to proposing an adoption of the 2018.

"Then this also has been coordinated to fit both our 2015 Uniform [Plumbing Code] (UPC) and International Plumbing Codes (IPC). So those codes, we are just forming the committees with those to begin review. So in that case, their job will be to ensure that it coordinates with the codes you see on the page above them. So this will, of course, cover all of unincorporated Sedgwick County as well as the city of Wichita and includes 18 smaller cities that we contract inspections with as well as some areas in Sumner [County] and Butler County. We have seen great cooperation with our contractors respective to the requirements of this code. That includes both establishing requirements as well as following, adhering to those requirements. We've had no safety, no management issues with this code.

"As stated earlier, the amendments are relatively minimal and serve mainly as a cleanup, usability. So the Board of Appeals of Air Conditioning, Refrigeration and Warm Air Heating, normally just referred to as the Mechanical Board, led the review of this code, coordinated that as required and then the areas of overlap with the Wichita Area Builder's Association (WABA), and there are also numerous HVAC (heating, ventilation, air conditioning) and engineering associations in this field. They were involved, and that was coordinated with them as well. I know I'd miss one if I tried to list them all. But we'd certainly like to thank them for their help and assistance in this. Again, no substantial changes to the current practices that we see in this adoption. Staff, of course, heavily involved, and we see no issues with community or industry support.

"A few of the amendments that we'll discuss today, they all center around ducting with clothes dryers. So first one is duct installation. This is actually retaining a 2015 amendment to do with exhaust duct sealing. In 2015, the code relaxed based on code relaxed requirements, and began to allow sheet metal screws, small sheet metal screws and also did no longer prohibit anything that protrudes into the airway of the ducting. We are not comfortable with that. Staff and industry both agree that that is not something we're willing to open up yet. So based on the fire hazard of dryer lint catching on anything that may be in that ductwork. So we, our amendment still says no use of sheet metal screws and no fasteners that would extend into the ducting or the air flow area.

"Next, also with that ducting, dealing with specified length, and this is again retained from our 2015 amendment. The code actually only allows a 35-foot maximum length of ducting. We allow up to 45, but then have a table that reduces that length based on the number of fittings or any elbows, whether a 45 or a 90 that would be in the ducting there. We also allow for manufacturer's installation instructions. There are some cases in which now we have fans and different things that actually power the exhaust air out of the ducting, so in those cases you may actually be able to extend it even beyond the 45. So our amendment does provide a less restrictive capability for that.

"This one is more of a matter of awareness, public awareness, as well as for you all. The code still requires a four-inch round opening with 12 and a half square inches of space, of area in that. What we see now is there are a lot of ornamental fixtures designed to go on these, so some areas jurisdictions are amending to allow for a little bit of encroachment into that four inches to accommodate the, again, the ornamental fixtures. Again, and we are also not comfortable doing that yet, so this is not actually an amendment, but just pointing out that we did not amend this. The baseline code stands, and we still require folks to have a four inch minimum opening, 12.5 minimum square inches in their dryer ducting.

"Then lastly, the code beginning this year stated that it must be a circle, it must be a perfectly round circle for your dryer ducting. We see no issues with allowing an oval ducting to accomplish that circular pattern, and we do that, of course, in a two-by-four wall so that the ducting is able to fit inside the wall and not be compressed by the sheetrock, and we of course prefer the mechanical contractors to make that oval versus it be done in another way. So we are still proposing that we allow the oval shape, so again, we're less restrictive than the baseline code in this case. So with that, this is a public hearing, so we recommend that we open the public hearing, take any public comment, and then close the public hearing and adopt the resolution."

Chairman Dennis said, "Thank you, Chris. First of all, before we open the public hearing, do any of the Commissioners have any questions for Chris? Seeing none, then at this time I'd like to open the public hearing on resolution amending article five of the Wichita Sedgwick County Unified Building and Trade Code through the adoption of the International Mechanical Code, 2018 edition, with local amendments. Would anyone like to speak on this issue? Seeing no one, I'd like to close the public hearing on the amendment of article five."

MOTION

Commissioner Dennis moved to adopt the resolution.

Commissioner Howell seconded the motion.

Commissioner Howell said, "I want to see if Lonnie is happy with this or not. Lonnie has an opinion, and I want to hear what he has to say."

Mr. Lonny Wright, 1721 South Lulu Street, greeted the Commissioners and said, "I do attend the Mechanical Board meetings, and I agree with their proposals. They have good discussions going on. In fact, it's a good board with the staff. I think they're almost done with their 2018 review, and our plumbers haven't even got started. But I do support it."

Commissioner Howell said, "Alright, well very good. I want to say thank you for Director Labrum and his staff. I know Stoney [Nethercot] and, I just lost your name, I'm sorry. But anyway, Courtney, thank you, visited with us yesterday and did a great job, and they've been very available and transparent. They listen and answer questions. I always have lots of questions, and so thank you for your good work on this, and I know that the board voted unanimously, and I think WABA (Wichita Area Builder's Association) is on board. So I am, this is a great update to our code, and I think this has been very well done, so thank you for your good work, and again, I second the motion."

Chairman Dennis said, "Thank you. Any other discussion? Again, each one of us have been briefed thoroughly on this item. It's not that we don't have a lot of questions. We've had a lot of questions in the past, but there's not a lot of questions today, so Madam Clerk, call the roll."

VOTE

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

County Clerk has assigned Resolution #157-2018

Chairman Dennis said, "Next item, please."

Adopted

H [18-957](#)

RESOLUTION CREATING SECTION 2-30, A SECTION WITHIN
CHAPTER 2 OF THE SEDGWICK COUNTY CODE.
Presented by: William Deer, Assistant County Counselor.

RECOMMENDED ACTION: Approve the Resolution.

Chairman Dennis said, "Good morning, Will."

Mr. William Deer, Assistant County Counselor, greeted the Commissioners and said, "The resolution before you is fairly simple. It would create a new section of our county code requiring a simple majority vote regardless of how many Commissioners attend the meeting. So we would need three votes to bind the county to any action if there were three, four or five Commissioners there. This was kind of, the question was prompted a few weeks ago when we changed the quorum, and it would appear under current law and current county code two Commissioners could pass action."

"You know, if there were only three Commissioners present for a quorum, there could be a two to one vote which could bind the county. So this is really a purely policy decision. I know it says on the agenda that my recommended action is to approve the resolution. That's not really the case. It's to the will of the board."

Chairman Dennis said, "Okay, thank you. Commissioner Howell."

Commissioner Howell said, "Well thank you, Mr. Chairman. After the quorum decision a few weeks ago, a couple weeks ago, I got to thinking about this. It wasn't presented at that meeting, but I had a question whether or not two Commissioners could pass something if three Commissioners could constitute a quorum and they could meet. Of course, under K.S.A. 19-206, which was part of that discussion, the Chairman can call a meeting or three Commissioners can call a meeting. That's really what that says. So I think the logic there was that three Commissioners can call a meeting, then three Commissioners ought to be able to meet. So based on that, there was an argument that we should amend our quorum policy, which is what we did a few weeks ago."

"But we do allow the two Commissioners to speak with each other, and so in the spirit of KOMA (Kansas Open Meetings Act), two Commissioners could essentially have a discussion about an item that would come before the Commission, and that's legal to do so. We have five members on this board, and so the spirit of KOMA is that two Commissioners should not be able to have a controlling vote and also be able to speak about that privately. We ought to have open and transparent government. So, I have some concerns about that. I did speak briefly with the Attorney General (AG). He encouraged me to submit this as a question. I did do that, and actually looking at this, there are some laws and some types of boards where the statutes seem to touch this item, but really not for County Commissioners, there's nothing in the law."

"Even talked with Counselor Powell, and I think she would agree based on where we are right at the moment, unless we pass this, that two Commissioners could, in that scenario, could actually pass binding policy and conduct business on behalf of the county. I can even perceive it, it would be an extreme case, but I can imagine if three Commissioners met or even five Commissioners met, and for some reason, if the four of us or the other Commissioners said we had to recuse ourselves, for example, you could actually get down to one Commissioner that could actually legally pass something. It could become a one to zero, and that's the majority of the voting members in that case. So I think this, although we have not had to exercise that scenario, I think this is just wise to have this in place."

"I remember a couple years ago when Wichita was considering an item, and I watched their meeting, and they had a couple of council members that were missing that day. I think they were doing important work elsewhere, but five council members were there,

and they had a motion and a second and they voted. It was a 3-2 vote, but it failed because they have a policy that requires four to pass because they have a board of seven. So it just seems common sense to me, especially in light of the spirit of KOMA.

"I would encourage us to add this to our legislative agenda, that I think this ought to be standard policy for any board that you can't have interactive discussion by a couple of board members and still have, then would have a controlling vote of that board. I think that just violates the spirit of KOMA. So anyway, with that, I would say it was a little bit confusing, which there's a couple of whereas statements on here. This clarifies it, cleans it up. I think we all agree once we read this resolution, it's very simple. It makes it very clear that three Commissioners, or three affirmative votes of the County Commissioners would be required to pass any item of business. Of course, there's a couple of things where we have to have a super majority defined by state law. That would still be in place. This does not supersede that in any way."

MOTION

Commissioner Howell moved to adopt the resolution.

Commissioner Ranzau seconded the motion.

Chairman Dennis said, "We have a motion and a second. Commissioner Ranzau."

Commissioner Ranzau said, "Yeah, I have a question, continuing on with some of the comments by Commissioner Howell about the resolution that passed on October 24th. Now we passed that resolution on the 24th. There's been some confusion, and I'd like you to clarify. When did that resolution actually go into effect? Was it right then immediately or was it a week later after it was published? Will?"

Mr. Deer said, "I believe it was when it was published, sir, on the 31st."

Commissioner Ranzau said, "Okay. So we passed that thinking that we could go into executive session and have three votes because we would meet the quorum no longer needed by four, but it actually wasn't in effect until a week later. In my understanding is normally under home rule resolutions like this, we have a statement in there that says it'll be effective upon passage and printing in the paper, but that portion of the part about being printed in our official paper or whatever, publication was removed for some reason, but it doesn't require the requirement as required by state statute, so that's problematic.

"I just want to state for the record again I was not in that executive session, so if anything was determined or any direction given that may, since technically that resolution apparently wasn't in effect, there may be some legal issues or concerns there, and I did not participate in that, so I have that concern. But nevertheless, I do think it's just good policy to have three votes required. Not very often are you actually going to have just three people here, but you know, it could happen.

"I know the example of the city, I think that related to the EMS (Emergency Medical System) issue I think is what it was. So otherwise, if they wouldn't have had that requirement of four votes, it would have been a whole mess then. But anyway, so I think its good practice, and I'm supportive of this."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. Will, there's been a couple comments made about interactive communication between two Commissioners. This doesn't change that ability for a Commissioner to speak with another Commissioner in any way?"

Mr. Deer said, "No, sir. This merely would just require three affirmative votes regardless of, you know, there could be a situation where you could have five Commissioners, four Commissioners or now three Commissioners present at a meeting. In any of those scenarios, we would need three ayes to pass something. That's all."

Commissioner Unruh said, "Well, I'm supportive of this concept also. I would like to see the resolution come to us perhaps with a little bit of language change, though. I mean, I'm supportive of the concept. I'd like to vote in favor of it, but for example, one of the things that troubles me in the third whereas, it says this change has created confusion and a lack of clarity on how a meeting may be held. We can hold a meeting with three Commissioners. So I guess I'm just arguing with a couple words here, and I hate to, I'd prefer not to sign a resolution that has a statement that we are confused and unclear on..."

Mr. Deer said, "Sure."

Commissioner Unruh said, "...about issues. So I want to support this. I think it is the right thing to do to have three affirmative votes to transact county business. I don't have any problem with that. But I would like some different language. So that's why I would prefer to defer this, and we can pass it next week or when our next meeting is."

Chairman Dennis said, "Okay, other comments? I have a couple questions. Unfortunately, I wasn't briefed on this until 8 o'clock this morning, so it kind of caught me off guard a little bit. I saw it briefly in the draft agenda, but I hadn't been able to ask any questions. This morning I asked several questions, and I'll ask them again here. What happens, first of all, with the counties across the State of Kansas that have three Commissioners? How do they do business?"

Mr. Deer said, "You know, Commissioner, a lot of counties have procedural rules that cover these type of situations, and so without doing a lot of research on that, I wouldn't be able to tell you."

Chairman Dennis said, "Do you know what the rules are for the ones that have three Commissioners?"

Mr. Deer said, "I do not."

Chairman Dennis said, "Okay. Another question I've got is, how many counties have five Commissioners?"

Mr. Deer said, "I don't know the answer to that."

Chairman Dennis said, "I'd like to know that, and I'd also like to know the counties that have five Commissioners, what their rules are. Next question is, how many counties have seven Commissioners?"

Mr. Deer said, "To my knowledge, Johnson is the only county that has seven."

Chairman Dennis said, "Do you know what their rules are?"

Mr. Deer said, "I just briefly read their rules earlier and pulled an excerpt out. They have a set of procedural rules where they talk about abstentions, which is what our concern is here, and it says if abstaining, the member shall be counted present for the purposes of a quorum unless the member leaves the meeting but shall not be deemed to have participated in a vote in any action of the Board of County Commissioners. Under common law, and we have two attorney general opinions that both Karen Powell and I looked at this morning, that state an abstention is the same thing as an affirmative action. You're essentially acquiescing with the yes votes. Johnson County has gone in in their procedural rules and changed that where an abstention would just be a neutral, it wouldn't be a vote for or against. So that appears the way Johnson County has handled that issue."

Chairman Dennis said, "Okay. Really the reason I'm asking more about the seven is, you know, we're going to go through a redistricting in 2020. Sedgwick County continues to grow. There are seven City Councilman representing the area. I would like us to explore what it takes to go from five to seven in Sedgwick County during redistricting, and that's going to affect some of the different rules and so forth that we have, so I've got some questions there. So I just want everyone to be aware that this has been in the back of my mind for some time on whether or not we should move from five to seven Commissioners for Sedgwick County to better represent the citizens here. I do have one other question back on city council, because that was brought up. Is there a statute on city councils?"

Mr. Deer said, "There is. There is a state law that governs that. We don't have a similar state law for County Commission."

Chairman Dennis said, "So the fact that that was brought up really doesn't affect us, because we operate under what our policy is rather than what our State Statute is, correct?"

Mr. Deer said, "Right. In my opinion, this is a policy issue. There is not a state law that would require the change."

Chairman Dennis said, "I don't truly have any objections overall. I think I've got too many questions right now, because this just hit me at 8 o'clock this morning to really make a good decision on it at this time, but Commissioner Howell, you've got a question."

Commissioner Howell said, "Just a couple of comments. With Commissions that have three members, two Commissioners can't talk to each other. So this is really not a problem for those types of counties. We have 105 counties in Kansas. The vast majority of County Commission boards are three members. So this really isn't an issue for them. It's only for boards that are greater than three, and I believe there's only a handful of those. I'm going to say probably four or five. I'm not sure that number is actually important, but if it's important to you, I'm sure we can find that out. But I appreciate the fact that there is a law that was passed for cities. I'm asking us to do the same thing for boards that are more than three. I think that ought to be a legislative agenda and pass a similar law for counties. So this isn't something that should be done at our level, although since it's not a law right now, there's nothing prohibiting us from doing this today or having a policy such as this."

"Second of all, if we have at some point in the future have seven Commissioners, this

obviously can be adjusted and changed as needed at that time. But I would just remind us that the resolution that was passed on the 24th of October, it was published on the 31st of October, was an off-agenda item. We weren't briefed before that meeting, and it was consequential, it was significant. We read it during the meeting. This today was posted in our draft agenda last Thursday, and it was published to the public on last Friday. I received a briefing on this yesterday from our counsel that came by and visited with me, and I saw that there was appointments for all five Commissioners yesterday. So we've had opportunities to be briefed on this. To the extent that the third whereas is confusing, I'm sorry, has a statement of confusion and lack of clarity, believe me, I wouldn't say that except for I talked with many people and there's a lot of confusion. This cleans it up. I'm the one that requested this language.

"The reason for this today is to clean up what I believe is confusing. Even when I spoke with the Attorney General, he was like, well that's a pretty good question. I don't really know the answer. That's a good one. He said please submit that in writing. I'd like to take a look at that. I said, I'll be glad to do that, so I did. I think it's confusing, and we shouldn't be questioning how many votes it takes to pass something or how many people it takes to have a meeting or what a quorum is. We dealt with part of that last week, or I should say on the 24th. This finishes that discussion. We probably should have had this discussion at the same time on the 24th. That would have been the right thing to do, but we didn't have this, we didn't have a briefing before then, so I wasn't able to ask the question and have this dealt with at that time.

"So this is finishing what we started on the 24th, and I think I've talked to lots of people about this. I think everybody agrees this is good common sense. We really ought to pass something like this. The City has it. I think they would probably have passed it anyway. Maybe they wouldn't. I don't know. But it's good law, and I'm glad that the State legislature passed a law at some point that says a majority of that board is required to pass something when there's seven members. In a sense it disenfranchises part of the community if we don't have such a law. I think that people need the representation, and for someone to pass something for less than a majority of the county, it just doesn't sound right to me. So thank you, Mr. Chairman."

Chairman Dennis said, "Thank you. Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you, Mr. Chair. I know with Commissions that do have three members that two members can talk. They just can't make a decision about their policy, not in open meetings, and there's State law that addresses that, that they can communicate. They just can't decide policy when they're communicating. Yesterday afternoon was the first time that I had been approached by it. I saw it on the agenda, but I do think that if a Commissioner wants to bring something up like this, there could be courtesy to extend to other Commissioners about this, just like that off-agenda item you were talking about, I didn't know it was coming. So I just know that it's pretty poor policy to not discuss items that you're wanting to bring up, and that's why I'm going to support a deferral, because I just, I don't like the way this was handled."

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

Commissioner Ranzau said, "Well this is amazing. It's comical. You got three Commissioners who brought up an off-agenda item last week and didn't tell two Commissioners at all about it and ramroded it through and put us in legal jeopardy

because they then acted based upon that resolution even though it wasn't going into effect a week later because they shoved it through so fast, they didn't do a good job of vetting the resolution itself, didn't understand the implications. Didn't address this issue. Okay, they intentionally kept it from Commissioners, and now they're whining because they didn't take the time to look at their agenda they were given last Thursday. You've got to be kidding me, and you guys sit here with a straight face and actually say it's his fault that you didn't read your agenda and didn't know anything about it. Maybe you should do your jobs.

"Maybe you're too preoccupied with this F.B.I. (Federal Bureau of Investigations) Investigation, but this is ridiculous. This is basic common sense. We need three votes. You had time to look at it. What do you need? It doesn't matter if you want to go to seven Commissioners in the future or not. It's not his fault that you didn't take the time to read it. Quite frankly, I don't believe you didn't know it was coming anyway. If you didn't, it's because you didn't take the time to read your agenda. So this is just ridiculous. Let's just vote on it. It makes common sense and move on. There's more important things to worry about."

Chairman Dennis said, "Commissioner Howell."

Commissioner Howell said, "Thank you. I have a question for Commissioner O'Donnell. Did you say that a Commission with three Commissioners, that the two of them can talk with each other?"

Commissioner O'Donnell said, "Yes, they can talk."

Commissioner Howell said, "About items of business that might come before the Commission?"

Commissioner O'Donnell said, "I know that there's state law that allows them to communicate."

Commissioner Howell said, "Okay well, Kansas Open Meetings Act is very clear that you can't discuss items that might become before the Commission. You can't have serial communication, you can't have interactive discussion, and that's very clear. That's exactly what the Kansas Open Meeting Act says."

Commissioner O'Donnell said, "You can communicate."

Commissioner Howell said, "You can talk about your birthdays and you can talk about your families, but you can't talk about..."

Commissioner O'Donnell said, "I was just making a point that you can communicate."

Commissioner Howell said, "Okay well, I disagree. But nevertheless, that should be very..."

Commissioner O'Donnell said, "You can't even say hi in the hallway?"

Commissioner Howell said, "You can say hi. I just said that."

Commissioner O'Donnell said, "Okay, so you can communicate? Okay."

Commissioner Howell said, "I said that. You can talk about birthdays and your families."

Commissioner O'Donnell said, "Alright, alright, good. I'm glad you agree."

Commissioner Howell said, "But you can't talk about business, and that's the point. You can't have interactive discussion about items of business that might come before your Commission. That's exactly what KOMA says, or serial communication for that matter. If this was so disturbing to my colleagues, I would suggest maybe a redline change to remove the third whereas, if that would please you. But frankly, this is a very simple resolution. I could read this resolution like we did on the 24th, in about one minute. This is very simple. The public supports this. It's the right thing to do. "If that third whereas is disturbing, then someone make might a motion to remove that and redline that off, but to defer this makes no sense. It doesn't bother me. But for those of you that are bothered by it, that might be a reasonable motion. If that's what's stopping this from going forward, then I would suggest that maybe take that piece off this resolution, but that shouldn't stop this resolution. We could read this in one minute, and the public supports it. So I'm quite surprised that we would not pass this today. We need to pass this common sense resolution that says it takes three votes to pass something. Thank you, Mr. Chairman."

Chairman Dennis said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I would prefer that we defer this and give it time to rework the language, give a couple Commissioners an opportunity to get comfortable with what we're doing. I don't think that it's going to be objectionable that we pass a policy statement that it takes a majority to do county business. At this point, there is no confusion. A county meeting can be held with three Commissioners, and a majority of that three can pass county policy. Well, I think we ought to correct that. I'm in agreement with that. I would like to have the resolution rewritten, give a couple Commissioners an opportunity, time to look at it."

SUBSTITUTE MOTION

Commissioner Unruh moved to defer item H until November 28th.

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "We have a motion and a second. Commissioner Howell."

Commissioner Howell said, "Well, we've allowed substitutes on top of substitutes. So let me make another motion then."

SUBSTITUTE MOTION

Commissioner Howell moved to adopt the resolution with a revision of removing the third whereas statement where it says currently: Whereas this change has created confusion and a lack of clarity in how a meeting may be held with only three Commissioners and what constitutes a majority in that situation.

Commissioner Ranzau seconded the motion.

Chairman Dennis said, "We've got a motion and a second. I guess I've got, before we

meet on the next meeting, I do want answers to my questions. Okay?

"I think I can live with what this substitute to the substitute motion is, as long as I have clarity in those questions that I've got because, just as this reads, we can always change it again if we find that there's something we don't, if we find in our research that requires us to change it. So, I really don't have a problem with the substitute to the substitute motion, as long as we have clarity so that we can have full answers to all the different questions that I asked. So with that in mind, I can support the substitute to the substitute motion. Depending on what the outcome is, we may have to change it again as we learn more information. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I understand your rationale. I understand your point. If we're going to pass a resolution with the idea that we'll probably might have to change it later, depending on information I get, it just seems like you ought to get the information, have a well written resolution, and then we pass it. I mean, that's what it seems like to me, but of course, that's just my opinion. That's all I have."

Chairman Dennis said, "Commissioner Howell."

Commissioner Howell said, "Well to the previous comments, I would say that we should have done that on the 24th. That was not something that was well thought out that we had multiple counselors review it and look for problems. It was pushed through pretty quickly, and I think it left us with this problem today. So, I think this is been well thought out. This has been on our agenda. It wasn't brought up off-agenda. We've had briefings. It's actually about half as long as the one we passed on the 24th. I can't imagine there being any problems what we're passing today, but I understand your point. Thank you Commissioner Unruh and thank you Chairman."

Chairman Dennis said, "Commissioner Ranzau."

Commissioner Ranzau said, "Well I support the Chairman getting his questions answered. I would just say that if I, I don't think any of those questions really change the nature of this. What other Commissions do with three votes, I mean, it'd be interesting to know, three Commissioners would be interesting, but it doesn't change the fact where we're at with five Commissioners, and I think we all recognize the prudent action of going with the majority of three being needed under any circumstance, so that's why I'll be supportive of this motion to move forward. I don't, I can't really understand why we would need to change this in the future based upon those answers, because we're still five, and three is the majority, and it just makes sense."

Chairman Dennis said, "I don't see that there's a problem with us looking at this for the next two weeks. If there's something we need still to tweak on it in two weeks, we can do that. I don't see that we're going to have a problem between now and two weeks if we pass this, so that's why I can live with it right now, and we'll do a little bit more thorough vetting."

"I do wish that Commissioner Howell would have come to me earlier when he started thinking about this, so that I'd have a little bit more time to think it through. So I see no other discussion. We have a substitute to the substitute motion. Madam Clerk, do you understand where we're at?"

Ms. Lynda Baker, Deputy County Clerk, greeted the Commissioners and said, "Yes, I do."

Chairman Dennis said, "Very good. Please call the roll."

VOTE

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

Chairman Dennis said, "Thank you, Will. You've got another one for us. Madam Clerk, next item, I'm sorry."

County Clerk has assigned Resolution #158-2018
Approved As Amended

I [18-962](#)

CODE OF ETHICAL CONDUCT FOR COUNTY COMMISSIONERS
Presented by: William F. Deer, Assistant County Counselor.

RECOMMENDED ACTION: Approve the Resolution.

Mr. Deer said, "This is a code of ethical conduct for County Commissioners. This mirrors the Kansas County Commissioners Association (KCCA) code of ethical rules. Substantively, it does. We've just inserted Sedgwick County in a few places. I believe this had been floated around or discussed a few months ago originally, and Commissioner Howell had requested this be put on the agenda today. The majority of the items in here really don't create any requirements. There's a lot of shoulds in here. It's just kind of a guideline, more of a spiritual guideline on how County Commissioners should conduct themselves. Again, it also says on here that I'm recommending to approve the resolution. This is a policy statement, so as an Assistant County Counselor, I'm not making a recommendation one way or another. It's at the will of the board."

Chairman Dennis said, "Thank you, Will. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. Again, I do appreciate this being on the agenda for the discussion this morning. I would tell you first of all, I started this back in January of 2018. I approached Counselor Yost, actually, asking him to look into this. I'd found out that the KCCA, the Kansas County Commissioners Association, actually had drafted language back in 2003, which had, by the way, been considered by this County Commission numerous times over the years, but for whatever reasons, it's never been adopted.

"There are a couple of counties out there, for example, Lincoln County and Lane County that actually referenced the KCCA document in their own policies. There may be others, I just found those two very quickly. So, I think this is fairly good language. This is, by the way, this is not directed at any Commissioner. This is not because of anything going on. I just think the community wants us to have a code of ethics, and it's the right thing to do, in my opinion. I would share also that there's other counties such as Johnson County that has a very robust code of ethics, and so much so, that it has an ethics board, creation of an ethics board and a review board. There's power to censure, it's very robust. We could go further if we wanted to, but that's not what this is today. This is a KCCA version. I'll tell you also, Wyandotte County has a code of

ethics. It's probably the best version, here it is. So those are larger counties, by the way. We're also a large county. I think it's time for us to have something in place.

"We may want to, again, continue to add to this or tweak it as we go forward, but let's get started. I would share with you that this is basically about four pages long. There are essentially six principles, and each principle has a number of items under it. As it was already stated, there's lots of shoulds in here about how we should treat each other, how we should handle items that come before the board. I think that this is, you know, fairly well written, and there is not any teeth in it, however, so should someone not follow what this says, I guess we can have a discussion about it, but there's no punitive action that would happen as a result of this passing today. For example, principle one, a County Commissioner should be vigorously dedicated to the democratic ideals of honesty, openness and accountability in all public matters involving county government. I like that.

"I think that's pretty good. There's a couple of items below that. Next one is a County Commissioner should model decorum, respect for others and civility in all public relationships. I think that's fantastic. Again, there's items below that defining further what that means. Number three, a County Commissioner should actively practice stewardship of the county's human, fiscal and material resources. Number four, a County Commissioner should strive for excellence and continuous learning in personal development and in all operations of county government. Number five, a County Commissioner should perform the duties of public office with fairness and impartiality so as to enhance public confidence in the county government. Number six, a County Commissioner should neither seek nor accept favor from any source that may be offered to influence his or her official decision-making.

Again, there's numerous things below each one of those principles to define further what those mean. I think those are very good things for us to state today. I think this community needs to, is desperately looking for some other solutions to some of the controversy that has been happening over the last few months, and this is not pointed at any particular person, this is just simply saying I've heard from the community. They want to be able to trust their leadership and they want to know that they're doing the right thing for the right reasons right away. So I think this is long overdue. We talked about this, I think as a county probably since 2003, and other large counties have codes of ethics. I didn't look at the other large counties.

"Some of the small counties have essentially what we have in front of us today. I think it's certainly time for us to pass something that says we are going to do our best. I would suggest we put this on some type of nice printing and have this framed in our presence for us to reflect on once in a while as well."

MOTION

Commissioner Howell moved to adopt the resolution.

Commissioner Ranzau seconded the motion.

Chairman Dennis said, "We have a motion and a second. Commissioner Ranzau."

Commissioner Ranzau said, "Thank you. Yes, I think this is a good start. I do think we need something like this. I actually think we need something with a little more teeth as well. I'll be checking into that. But I want to point out a few things. There are sub-bullets to these principles that I'm thinking are important. For example, a

Commissioner should exert good faith and effort to communicate the full truth about county matters and avoid structuring information so as to mislead or gain personal advantage. I think that's important. A Commissioner has an obligation to report suspected illegal misconduct by another elected official to the proper investigative authorities. I think that should extend to staff as well. So we may look at, that's important. A Commissioner should make decisions free from the influence of family members, private business relationships or other personal relationships.

"I think that's important. I think a number of these have been violated during my tenure here, unfortunately. Not by me, but by some. So I think this is important. It's a good step forward, and I think in the future we should look at having some sort of enforcement mechanism or reporting system or something like that like some of these other large counties have. So I appreciate Commissioner Howell's effort on this and initiative to get this started, and I'll be supportive."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. Well it's been discussed by Commission since I came on board in 2003. I think Commissioner Tom Winters is the first one who tried to advance it. Of course, Commissioner Tim Norton, he had it framed and hanging on the wall in his office for his time. I know the Chairman brought it up here a few months ago to try to advance it, so it's been brought forward on many occasions, and for whatever reason, we never adopted it. So it's probably time that we do go ahead and adopt this code of ethics."

"The KAC (Kansas Association of Counties) is kind of our parent professional organization. They've had it for 16 years as part of their recommendations, so it's a good thing to do. I think, as I think back, trying to think about why didn't we adopt these, you know, back in 2003 and [200]5 and [200]6 and [200]7 and all these (inaudible), and I'm not sure why, I guess I think it's because we all put our hand on the Bible and swore that we'd uphold the duties of the office of County Commissioner, so help me God, when we became Commissioners, and I think there was some thought that this had some redundancy to it, or it was not necessary. But despite that, I think it's probably a good thing to do, and so as I was in previous times, I'd be supportive of it again."

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

Commissioner Howell said, "Just a point of clarification. If someone wanted to go out and look at the document online, it's easy to find, but it's under the KCCA not the KAC. The KCCA stands for the Kansas County Commissioners Association, where the KAC is the Kansas Association of Counties. So, the KCCA is the one that drafted this, it's been available to us since 2003, and again, a number of counties refer to their document currently, so if someone wants go to find that, just to be clear, this is exactly their language. We just put it into our format and added Sedgwick County in there a couple places. But this is actually their words. We didn't draft this. We're simply adopting the recommended language. Thank you."

Chairman Dennis said, "Thank you. Actually, right after I became the Chairman, KCCA sent me a copy of this and I gave it to Lisa and Carol and asked them to make copies of it to send to all the Commissioners at that time, and Lisa actually pointed out to me that above her desk she had one that was on nice parchment which had been printed

up at some time prior to that. I did send it out to all the Commissioners back in January and asked them all to take a look at it, and it didn't gain any traction at that time, and now suddenly it's gained a lot of traction. Back in January I thought it was a good idea, and I still think it's a good idea. So I don't have a problem with the motion at all. Commissioner Ranzau."

Commissioner Ranzau said, "I'll just clarify for the record, back in January when these were put out, I had these shared with me, and I told staff well this looks good. I'm going to come up with some amendments and some changes to give it some teeth. Then they reported back to me there was no longer support for that from the majority. So that's why it died as far as what I've been told. So we'll see what happens in a few weeks if I bring something back with a little bit of teeth and see if we get support for that then, because apparently there wasn't, would not have been earlier this year. Thank you."

Chairman Dennis said, "Thank you. Any further discussion? We have a motion and second. Madam Clerk, call the roll."

VOTE

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

County Clerk has assigned Resolution #159-2018

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

J [18-952](#)

RESOLUTION REPEALING AND REPLACING SECTION 8.4(b) OF
THE SEDGWICK COUNTY CODE.

Presented by: William Deer, Assistant County Counselor.

RECOMMENDED ACTION: Approve the Resolution.

Mr. Deer said, "Actually have an item here, it's probably a little less controversial. A few weeks ago, we adopted a county-wide credit card vendor that's going to start passing along credit/debit card fees to the end user, the taxpayer, the customer as the case may be, and we had a section in our county code where when folks were paying fines in county court, they were being told, at least according to county code, that we were going to pay all those fees. Well that's no longer accurate. So this is replacing that, and stating that the vendor may charge, I left the word 'may' in there just in case we change in the future, it would not necessitate another change, and that those fees will be disclosed to the person before they're charged the fees. I would recommend approving this resolution because we're going to be charging those fees soon. Or the vendor will be charging the fees soon, excuse me."

Chairman Dennis said, "Any questions for Will?"

MOTION

Commissioner Unruh moved to adopt the resolution.

Commissioner Dennis 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 #160-2018

Chairman Dennis said, "Before we go on to the next item, we've got about eight items left, do we want to take a short break?"

Commissioner Unruh said, "Yes, we do."

Chairman Dennis said, "Okay, we'll take a short recess. Let's say that we'll be back in here at five minutes till. That gives us plenty of time, I hope. Thank you."

The Board of County Commission recessed at 10:47 a.m. and returned at 10:55 a.m.

Chairman Dennis said, "Next item, please."

Adopted

K [18-228](#)

PRESENTATION OF THE QUARTERLY FINANCIAL REPORT.

Presented by: Rick Durham, Deputy Chief Financial Officer.

RECOMMENDED ACTION: Receive and file.

VISUAL PRESENTATION

Chairman Dennis said, "Good morning, Rick."

Mr. Rick Durham, Deputy Chief Financial Officer, greeted the Commissioners and said, "I'm here to give you the third quarter financial report. As you're all aware, at the end of each quarter, the Finance Division reports on the financial condition of the county, and this is a report as of the end of the third quarter which ended 30 September 2018. Overall, the financial report that you have already received and that will be posted on the county's website, illustrates continued modest improvement for the county property tax-supported funds as compared to 2017. Overall, the information, let me do my disclaimer, obviously.

"The information contained in this report is unaudited and excludes any adjustments that might be required by our auditors after our audit. So we begin with the 2018 year-end fund balance estimates. Again, these are as of 30 September 2018. We begin from the left with the general fund, again, that's the county's primary operating fund. This accounts for county services that don't have a designated fund of their own. The general fund includes most general government, law enforcement functions and receives the broadest variety of revenues. Currently the operation of 42 divisions are funded from the general fund. As you can see on this chart, revenues are estimated to exceed expenditures by [\$]4.3 million at year end. That's primarily due to a transfer in cash in the amount of [\$]3.6 million into the general fund from the sale of the bonds for the [Ronald] Reagan Building and the [Wichita] Greyhound Park land auction that was [\$]1.7 million, so you can see the ending fund balance is projected to be \$70.9 million.

"Moving to the right, the next column is debt service funds. Expenditures from debt service funds are estimated to be [\$]900,000 greater than revenues. Debt service expenses are also forecasted in the general fund in 2018 due to shift of funding for some debt service payments as it relates to the relationship between Wichita State and WATC (Wichita Area Technical College) which is now WSU Tech. The projected ending fund balance in that fund is [\$]1.9 million. The next column is property tax-supported funds, special revenue funds. As a reminder, the county has seven other property tax-supported funds, EMS, COMCARE, Aging, Highway, Noxious Weeds. Each of those funds provides services related to a specific function, and the property taxes levied in each of those funds are used only to support those specific functions. These funds are expected to have a net increase of approximately [\$]400,000 by year end, primarily due to an increase in estimated charges for service received due to the reconciliation of outstanding payments owed to EMS by the V.A. (Veterans Administration), and the projected ending fund balance is [\$]4.5 million.

"As we continue to move to the right across that, we go now to the non-property tax-supported fund. The county has 31 budgeted other operating funds which are not supported directly with property taxes. These funds are estimated to increase approximately [\$]431,000 in combined fund balance, primarily due to an increase in state revenue received by COMCARE as our participating community mental health center contract was increased by \$1.5 million, and the projected ending fund balance is \$30.5 million.

"As we continue to move to the right, we go to the Fire District. The fund balance is estimated to increase by [\$]1.4 million by the end of the year, and that's primarily due to changes in the vehicle replacement plan, staff restructuring and higher than anticipated tax collections, resulting, or the ending fund balance is projected to be \$6.9 million. Then the enterprise and internal service fund, fund balances within this fund group are estimated to decrease by [\$]1.4 million by the end of the year, primarily due to a projected decrease in the health and dental insurance fund, and that decrease is partially offset by expected increases in Fleet Management, and workers' comp[ensation] funds. You can see that we project an ending fund balance there of \$29.5 million.

"So if we take all of those columns into account that we get that total governmental fund with a projecting ending fund balance of \$144.2 million."

Chairman Dennis said, "Rick, before..."
Mr. Durham said, "Yes."

Chairman Dennis said, "...you go to the next page..."

Mr. Durham said, "Sir."

Chairman Dennis said, "We talked several times about the bond sale and the sale of the Greyhound Park that we were going to earmark those for a building in the future. When are we going to do that?"

Mr. Durham said, "You can earmark, when are you going to earmark those? That can be done at any time. But we just report it here, I mean, those revenues are there, so it would need to, excuse me for just a second."

Ms. Lindsay Poe Rousseau, Chief Financial Officer, greeted the Commissioners and said, "Just for the record, we can earmark at any time, as Rick said, but what we would propose to do is bring to you a year-end transfer that would allocate those dollars as an expense to the 2018 budget, and put that in the capital improvement fund so that it is set there for future use."

Chairman Dennis said, "Good. I think several of us are interested in doing that. We just need to make sure that we're set up to be able to accomplish that. Thank you."

Mr. Durham said, "My apologies for misstating."

Chairman Dennis said, "Sorry to stop you."

Mr. Durham said, "That's okay."

Chairman Dennis said, "I had that question for some time."

Mr. Durham said, "So as we move now through the property tax supported funds, the third quarter revenues total [\$]221.6 million for property tax-supported funds, an increase of \$7.3 million as compared to 2017 same period. The most significant increases here occurred in property taxes, other revenues, miscellaneous revenue and licenses and permits. The increase in other revenues is due to a transfer of cash into the general fund from the sale of the bonds, as you mentioned. Then the miscellaneous revenue is from the sale of the Greyhound Park land. For county property tax-supported funds, still expenditures increased [\$]5 million and totaled \$196.7 million.

"Increases were recorded in contractuals of [\$]10 million, personnel of [\$]2.7 million, while there were decreases in transfers out of [\$]7.3 million and commodities of [\$]400,000.

"The contractual increase was largely due to the economic development incentives from the inter-local agreement with the City of Wichita on Spirit related to Project Eclipse, as well as the increased use of shopping carts, as I continue to brief each quarter. The decrease in transfers out is largely due to being fewer cash-funded capital projects this year. So here we see the percentage change year-over-year. As you can see revenues have increased 3.4 percent, while expenditures increased 2.6 percent. Then this is the net income, and you can see that the net income has increased \$2.4 million from the third quarter of '17 to the third quarter of '18.

"We drill down a little bit here, so these are the top ten revenues in the county property tax-supported funds. As you can see, property tax collections through the third quarter of '18 have increased just over \$4 million when compared to the same time period last year. The assessed value grew about 3.2 percent for the 2018 budget year. Retail sales and use tax increased almost [\$]900,000 as compared to the third quarter, and collections in eight of the nine months in 2018 so far have exceeded collections in the same months of 2017.

"Medicare fees shows an 18 percent decrease, and that's primarily due to lower EMS collections. As I brief each quarter, personnel is the largest single category of expense that we incur here at the county. Pension contributions show a 10.2 percent increase, and that's obviously due to the KPERS (Kansas Public Employees Retirement System) changes. Then overtime shows a 14 percent increase, and then there is a 6.7 percent decrease in all other personnel expenditures, and those things are like FICA (Federal Insurance Contributions Act), work comp premiums, unemployment taxes and the like. So really nothing out of the ordinary or extraordinary here.

"Here's some of the key non-personnel expenditures. So starting at the top, the [\$]700,000 reduction in grant awards is largely due to the relationship change between the county and WATC that I spoke to earlier. The \$600,000 reduction you see in medical professional services mainly a reduction in medical detention, or detention medical services, I said that backwards, my apology. The software and hardware maintenance line shows a large percentage increase from last year, and that's primarily due to the service contract for the new election equipment that we began in 2018.

"Moving now to non-tax funds. As I stated at the beginning of the presentation, the county has 31 operating funds which are not supported with property taxes. These non-tax special revenue funds, revenues have increased \$3.4 million. Most significant increases occurred in intergovernmental revenue due to an increase in state revenue received by COMCARE. As I spoke earlier about, those are participating community mental health center contract was increased by a million and a half for State Fiscal Year (SFY) 2018. COMCARE also received an amendment for an additional [\$]1.3 million more for the Community Crisis Center (CCC). Additionally, there was an increase in federal revenue in the Division of Health due to the timing of revenue received as it compared to 2017. So those are fairly standard practices.

"Here are the expenditures for non-tax special revenue funds. They just increased slightly, [\$]1.1 million and are at [\$]56.1 [million] through the third quarter. Again, year-over-year comparisons percentage wise, that red 2.1 should actually be black, I apologize for that. Revenues have increased 7.1 percent, expenditures have increased 2.1 percent. Again, showing you a top 10 list of revenues in the non-tax special revenue funds. So there are a lot of variances here I want to talk about here, so as I informed you previously, the large increase in KDADS (Kansas Department for Aging and Disability Services) is due to a way we're recording that or reporting that in the accounting system this year, so it used to be recorded in DCF (Department for Children and Families), it's now recorded in KDADS, so it's just a shift in the accounting system of where that's at, the revenue is still coming in.

"Then as we move down, you'll see fairly large percentage changes in federal state pass-thru. That 37.8 percent increase is due to increases in programs at the Health Department, in WIC (Women, Infant and Children), KDHE (Kansas Department of

Health and Environment) outreach and STD (sexually transmitted diseases) program. As we move down, state revenue, JJA (Juvenile Justice Authority), you'll see \$41,000 decrease there. That's due to the closing of the SCYP (Sedgwick County Youth Program). We move down to federal revenue and miscellaneous, large percentage there, 21.1 percent or a \$38,000 decrease. This is due to a HUD (Department of Housing and Urban Development) voucher program no longer being funded.

"Then we move down to Medicaid waiver, another large percentage, and that decrease is due to the timing of billing as compared to 2017. So we look at key expenditures, and once again, the largest expenditure here is personnel with salaries and wages, and there really isn't anything significant to report on this slide that's out of line, and the largest percentage change you see there is obviously pension contributions are up 11 percent, and again, that's a function of KPERs. We move now to the next section in the quarterly report, which actually will be found behind the fund balances tab. These are numbers that are reported on a GAAP (Generally Accepted Accounting Principles) basis. Previous to this, all the numbers that were shown were reported on a budgetary basis. That's exciting stuff for accountants, I know.

"So what you see here is the total fund balance of the general fund for the last five years. So you can see there's a clear pattern of how we do this, and the ending fund balance at the end of the third quarter is \$96 million, which is slightly above '15, '16 and '17, but right in line with 2013 and '14. This next slide is also a picture of the general fund fund balance but as a percentage, and as you recall, the county has a fund balance policy that states unrestricted general fund balance be at least 20 percent of budget expenditures, and currently we sit at 46 percent. Again, you can still see the clear pattern of the percentage as we move through the tax year, as we collect taxes, and then spend down that balance to the fourth quarter. This is a representation of the county's investment portfolio as of the end of third quarter. As you can see, there's a huge spike from June to September of that blue line, that yield. That's as a result of, we sold some investments early that were locked in for three years that were earning less than one percent.

"We took a small penalty on those, and we're going to recover fully 100 percent in less than 20 months. What that did was it took our yield up from 1.31 percent to 2.24 percent, which is what you see, and we had our investment banker that we work with, we have a contract with, he went out and crunched the numbers, and told us this was a good thing to do, that puts us back up towards where the yield is, so as the Fed (Federal Reserve) continues to raise rates, we needed to accelerate some of those investments and get those in a higher yield category. So Brandi Baily does a really good job at managing this portfolio, and I just need to mention her name. Some of the highlights of this is Sedgwick County closed the third quarter with a total portfolio of \$210 million. Investment income received this quarter was [\$]277,000, and the current yield, again, is 2.24 percent, and that's up from 1.31 for the second quarter of 2018, so this is good news.

"I move now to some significant capital projects. I begin with the jail annex. This is the upgrade the existing work release building at 701 W. Harry to a detention-grade facility capable of housing 180 inmates. Construction on the project should be complete by the end of 2018. The new northeast post, this is to construct on a single slab on grade pre-engineered metal building with brick veneer, including drive-thru bay for two ambulances, bay storage, and the ribbon cutting is planned for late December or early January on this. It says the current project completion date is 3/31 of '19, but it looks like it's going to be one of '19.

"Moving down, the next two are what we call, those are paired projects. Bridge 478 and 479 are paired, those are both on Pawnee between 143rd Street East and 159th Street East and 127th and 143rd, so those projects are being done at the same time simultaneously, so those will both be complete, and then Pawnee will be reopened for that. Then the final is, I keep this on here, the [Interstate] 235 Kellogg interchange, it says construction is to be complete by spring of '19, but I was out there the other day and there were a lack of orange cones out there. It looked like maybe it was up and operational. I don't know if that's right or not, but there weren't very many orange cones out there anymore. Is it still closed?"

Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer, greeted the Commissioners and said, "It's close."

Mr. Durham said, "Oh, close. I'm sorry. I'm trying to lip read, and I apologize. I'm going to move through some of these next slides rather quickly because you've seen them before. These are the statistics of the fiscal stress long-term, so these are annualized numbers that you have seen in the previous quarters. This is the chart from Wichita State Center for Economic Development and Business Research (CEDBR) that shows the leading economic indicators. Again, that slow, steady growth line as we see from 2011 to the present. Long-term economic metrics, again, these are annual numbers that you've seen in previous quarters. These are short-term trends. These are new numbers as we compare the third quarter of 2018 to the third quarter of 2017.

"So it takes that three-month period this year and compares it to the same period last year, so you can see that, so to explain the numbers, even though it shows home sales, new home permits, that data was not available from CEDBR (Center for Economic Development and Business Research), mortgages registered, that's an up arrow because the decrease is actually less of a decrease than the previous quarter of 2017. There's the sales and use tax increase I spoke of earlier of 5.2 percent. Total number of employed is up, and the total number of unemployed is, that's a decrease of unemployment of 13.6 percent, so that's an uptrend also.

"Okay. As I did last quarter, we did a brief highlight of a department in the Finance, so I'm going to do that real quickly, and I'll go through this, and what I'm going to highlight today is our purchase card program. What you'll see is that we have some annual spending data, and I'll just run through these real quick. We spend on average of \$2.4 million on our purchase card program, which is [\$]201,000 a month. Average 230 cards are used per month. We have 429 active cards. We made 16,657 purchases, that's 1,300 purchases on the purchase card per month. We spend, and one of the items that we track is sales tax that is charged to purchase cards in the State of Kansas, which we should be tax exempt. We spent \$1,900, so it's just a number that we are tracking.

"We have split transactions which is another thing that we track when it comes to purchase cards, so we want to know if you have a purchase card, are you essentially violating county policy by splitting a purchase if you have, want to buy something that's \$10,000, let's call it \$12,000. Instead of spending \$12,000, which you cannot do legally using your purchase card, you make two purchases of \$6,000 each. Okay, that's a split purchase, which violates Charter 68. So we track those as well. We might have one a month. So here's some of the changes that we had in the purchase card program over the last year. Obviously, we started asking people to be aware of the

sales tax that they're spending. We updated the purchase card policy. We switched banks. We went from Bank of America to Central Bank. We trained all the card holders on the new purchase card policy and those expectations.

"So I mentioned that we track sales tax charged that necessarily shouldn't be in the State of Kansas. So this just gives you a brief overview of the amount of dollars that we're talking about. We're not talking about large dollars, but the fact that we're being charged sales tax when we shouldn't be, we're tracking that. Again, it's just tracking what are appropriate expenses and tracking things that we shouldn't be paying for as part of our internal controls.

"So one of the things that we are most concerned with when it comes to purchase cards also is fraud. We read about credit card fraud all the time. So, we had 18 fraudulent charges on Sedgwick County cards in the past year, but we've only had six in the past seven months, so we're paying attention to that. Okay, most of those are due to purchasing items online, and wherever they're purchasing from not having a secure system. So how are we protected? We should only sign contracts with banks who reimburse us 100 percent for fraud activity. Manually enter and review every purchase on bank statements, and we do that. We have a person in accounting that actually manually goes through and looks at every transaction every month.

"Then we encourage our employees to use PPS (priority payment systems) instead of using your purchase card to purchase things online. So go through our Purchasing Department and use PPS and that way we can control those things. So we're watching our fraudulent activity on a monthly basis to see if there's frauds occurring on a purchase card program. Then our cards are chip-enabled, so that should prevent skimming, should. So that's a brief update of that program that we monitor monthly, very important program. Obviously allows for efficiencies through purchasing by use of the purchase card, but wanted you to be aware of those. So again, some of the potential threats, I'm going to go back to the original briefing, some of the threats we see, obviously, are from the federal, state and local economy.

"Key points I want to leave you with, is that there are no deficits projected in the general fund for 2018. We still have significant movement that occurred over the last quarter of the year, and this goes to Chairman Dennis' point, that revenue from the Greyhound Park sale and the bond issue proceeds from Spirit and the Reagan Building to be earmarked in the last quarter. Transfers at year end, there it is right there, and then there's still proceeds from the township dissolution fund, and then movement as it pertains to CAD/RMS (computer-aided dispatch/records management system). So through the third quarter, our financial performance is consistent with our expectations. There's still significant movement in the last, I guess now month and a half of the year, and there's no deficits projected in 2018, and with that, I would be, I would try to answer any questions you might have, and if there are no questions, I would ask that you would receive and file this report."

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

Commissioner Ranzau said, "Yes, I have a question about overtime, this may be for the Manager or somebody else. I noticed overtime is going up. We've done a number of things over the last few years as far as pay structure, etc. in an effort to decrease overtime. Have we gone back and looked to see if things that we've done are actually had the effect we thought it was, or are we, some of our, I just need to know if we've done that, and if there is a way, if we haven't already, if there is a way to follow up on it to see, I mean, there's some departments, I'm afraid that no matter what you do,

there's never, there's always going to be work and maybe we'll always have an overtime issue. But I just want to see if it's panned out the way we thought, or if we know yet."

Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "I think we go through this every budget cycle, and this year we actually did see a lot of success in a lot of, except in the Sheriff's Office. I know we continue to see large overtime use there, there's over 60 vacancies total in the Sheriff's Office, so that's probably the biggest area where we're not seeing a whole lot of success in what we're doing. But we have seen a whole lot of success. I know specifically if you remember in the budget where we addressed the call center, and we spent a lot to try to put more positions in the call center to try to draw down not only the queue line, but also how long the wait is for a person calling in for the 911 call center, and the money and the resources we tied into that definitely decreased our overtime."

Commissioner Ranzau said, "So it may be helpful to see some trend lines and data..."

Mr. Scholes said, "Sure."

Commissioner Ranzau said, "...from different departments, then some may be going down, and maybe the Sheriff not or whatever..."

Mr. Scholes said, "Sure."

Commissioner Ranzau said, "...so we got to work that out."

Mr. Scholes said, "Absolutely."

Commissioner Ranzau said, "We need to see more details."

Mr. Scholes said, "Absolutely, we'll do that."

Chairman Dennis said, "Commissioner Howell."

Commissioner Howell said, "Thank you, Chairman. I have just a couple of questions. On slide number two in your debt column, you have a negative \$942,000 in net change in fund balance. Can you please explain that again?"

Mr. Durham said, "Certainly. That is, that change is due to the shift of funding as it relates to the relationship between the county and Wichita State and WATC, that."

Commissioner Howell said, "Okay. Alright. So what will that do in the future, is this just a, we'll see that in the yearly summary, but we..."

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

Commissioner Howell said, "...we won't see this next year."

Mr. Durham said, "Yep."

Commissioner Howell said, "Okay. I'm a little confused on slide 21 and 22, on the mortgages registered. I see from '16 to '17 the mortgages registered went down from 18,000 to 17,000 and that's shown as a negative trend. Then on the next slide, on slide 22, it shows as an uptrend, but it still shows a negative 8.7 percent. Am I misunderstanding that?"

Mr. Durham said, "Okay, this slide is often confusing, because it's comparing third quarter of '18 performance to third quarter of '17 performance, so even though that may be a negative number, it's a smaller negative number than it was in third quarter of '17, so that's why it's a positive trend."

Commissioner Howell said, "Okay. Do we have the numbers of, do we have the number, I may be missing it somewhere, mortgages registered, is there a number somewhere?"

Mr. Durham said, "Yes, I have those numbers."

Commissioner Howell said, "Okay."

Mr. Durham said, "I'd be happy to share those."

Commissioner Howell said, "So my interpretation of this, is this a good trend or a bad trend? I don't understand."

Mr. Durham said, "So, are you looking at this slide right here..."

Commissioner Howell said, "Slide 20."

Mr. Durham said, "That's up on the..."

Commissioner Howell said, "Yes."

Mr. Durham said, "Okay. So it's a good trend..."

Commissioner Howell said, "Okay."

Mr. Durham said, "...because the third quarter of 2017, there was a nine percent decrease from the third quarter of 2016."

Commissioner Howell said, "Okay."

Mr. Durham said, "So the comparison now is the third quarter of 2018 is less of a decrease."

Commissioner Howell said, "Okay."

Mr. Durham said, "I know its double-speak."

Commissioner Howell said, "Yeah."

Mr. Durham said, "It's less of a decrease, so it's a positive trend."

Commissioner Howell said, "Okay, if you say so."

Mr. Durham said, "Have I thoroughly confused you? If so, I have done my job."

Commissioner Howell said, "Yes you have. Oh well, I'll keep my red pen out and figure

out what to do here, anyway."

Mr. Durham said, "Okay. But I do have the numbers of that that I receive."

Commissioner Howell said, "Okay. That might be helpful."

Mr. Durham said, "Yes sir."

Commissioner Howell said, "The numbers might be, would clear this up probably"

Mr. Durham said, "I'd be happy to share."

Commissioner Howell said, "Really I think you did a great job. My anecdotal sense is, this is a pretty positive report. Things are trending in a good direction overall. You say at the end there, no deficit spending. Now, if we make a decision on the [Sedgwick County] Zoo this year to use some of our funds this year, would that create deficit spending potentially? I mean, I think maybe a decision potentially coming up about taking some money, I don't know..."

Mr. Durham said, "Not knowing what that number is, I wouldn't have a..."

Commissioner Howell said, "But, okay. So again, going back to 2015, there's some numbers, you can see some bumps in some of your trends going back to 2015. That was a \$5.3 million to the elephant exhibit I think that caused that to happen. If we do something like that, take money out of ending balance and fund something at the zoo, that might show up as deficit spending, but we're simply spending, potentially spending money we have right now that exceeds our minimum ending balance as we can make a choice to spend that if we want to."

Mr. Durham said, "That's correct. If you recall back to that slide where I showed the fund balance..."

Commissioner Howell said, "Sure."

Mr. Durham said, "...as a percentage of budget expenditures, we're well above that 20 percent minimum line."

Commissioner Howell said, "Well I guess I bring this up because the debt and, you know, increasing debt or deficit spending, although they sound like they're similar things, they're really not the same thing. One of them is spending, you know, money out of savings, for example, if your budget is healthy and you've got, you know, extra money in the budget that you make a choice to spend that some way, might come across as deficit spending and that sounds negative. But if you ever spend that money, it's going to show up as deficit spending, whereas debt is basically spending, you know, money we don't have. It's going to be paid off in a future date. So overall, I'm pretty pleased with this, but I guess we have some decisions. Usually at the end of the year, we need to make some decisions on any projects we might want to fund. Not saying we should, necessarily, but I know those discussions are likely to happen coming up here."

MOTION

Commissioner Howell moved to receive and file.

Commissioner Ranzau seconded the motion.

Chairman Dennis said, "We have a motion and a second to receive and file. One question on key points, you talked about CAD/RMS. Where are we at on CAD/RMS right now? Hi Rusty."

Mr. Rusty Leeds, Assistant Manager, Public Safety, greeted the Commissioners and said, "So the CAD/RMS, the funding will be available in 2020, the full funding for the CAD/RMS replacement. So currently, Emergency Communications, Elora Forshee and the Sheriff's staff are working on the RFP (request for proposal) which we anticipate releasing in mid-'19, so that by the end of '19 we're able to have a vendor selected and then initiate purchase in early 2020 and begin implementation in 2020. So that's kind of the timeline that we're on based on how the funding is allocated."

Chairman Dennis said, "Good, and one point when you and I spoke just a day or two ago, you said that Wichita has gone their own direction."

Mr. Leeds said, "Yes, sir. That decision was made. They moved with an RMS system for their police department and a new records management system for their Municipal Court as well. So they've already taken action to replace those on their side of the street. We're working, Emergency Communications and the Sheriff are working together on a CAD and law enforcement and jail management record system for the county."

Chairman Dennis said, "Okay. Well, I was a little distressed when you told me that the City of Wichita has gone their own direction on CAD/RMS. I would hope we would be able to partner with that. But I want to make it clear that any interface that Wichita needs in order to be able to get into our CAD/RMS is going to be funded by Wichita, not by Sedgwick County."

Mr. Leeds said, "Yes."

Chairman Dennis said, "Okay, thank you. Any other questions? Very good. We have a motion and a second to receive and file. Madam Clerk, call the roll."

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. Oh, wait a minute. Lindsay had something she wanted to say. I'm sorry. Disregard last transmission."

Ms. Poe Rousseau said, "I'm sorry Commissioners. I did want to just take a moment, we will talk about this at the employee recognition ceremony, but to commend Rick Durham, who is our Deputy CFO (Chief Financial Officer), who is kind of the point person on our financial audit, and the accounting team. We did receive notification about a week and a half ago that our 2017 CAFR (Comprehensive Annual Financial Report) has again won the annual GFOA (Government Finance Officer's Award) award as well as our popular annual financial report. So, you'll hear more about that, but

wanted to give them the opportunity to have some public recognition.”

Chairman Dennis said, “Outstanding. Congratulations everyone.”

Ms. Poe Rousseau said, “Now I’m done, thank you.”

Chairman Dennis said, “Thank you. Do you have anything else, Rick?”

Mr. Durham said, “No. Thank you.”

Chairman Dennis said, “Alright. Now next item, please.”

Received and Filed

L [18-945](#)

AUTHORIZE PAYMENT OF THE ANNUAL MEMBERSHIP FEE FOR THE SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DISTRICT (SCKEDD).

Presented by: Brent Shelton, Director of Economic Development & Tax Systems.

RECOMMENDED ACTION: Approve payment of the membership fee.

Chairman Dennis said, “Welcome back, Brent.”

Mr. Shelton said, “Good to be here. The item before you is to approve the annual membership in the South Central Kansas Economic Development District (SCKEDD) and authorize the payment of those dues. Before I get into my remarks, I want to recognize Steve Wilkinson, he is the Executive Director of SCKEDD (South Central Kansas Economic Development District), he’s in the audience today, and he’s here to demonstrate his continued commitment to supporting your initiatives and your priorities as a member of the South Central Kansas Economic Development District. SCKEDD was formed in 1972, it’s a nonprofit organization designed to bring together communities and advocate for economic growth.

“SCKEDD has historically operated in a 14-county region, although they have expanded one of their housing programs now to 41 county areas, covering across southwest Kansas. As a member, Sedgwick County is the largest of the member counties. We have been a member since the inception of SCKEDD in 1972. They offer grants and loan programs from federal and state, regional programs, and they are asking that we continue our membership in the organization, and they seek funding support of \$60,000 for that membership. That’s lower than it was historically when it was based on population. It’s been a flat fee for the last several years.

“Their budget, about \$885,000 is just about a percent higher than it was prior year, their request continues to be the same amount. Now when you provided funding to SCKEDD last year, you asked them to spend county funds on economic development. That was your focus, and in their annual report they’ve indicated to us that that is exactly where the county revenues to SCKEDD went. They have also, you also implored them to help you understand better what your return on investment (ROI) was for your dollars that you spent with SCKEDD, and to that end, they have focused those efforts more on economic development and tried to provide some measures back to us in their annual report. One of the things that they have told us is that they’re working more now with other economic development agencies in a better concerted effort so

that the experts in one area are taking care of that area and we're avoiding some of the duplication that was of concern in the past.

"One of the specific things that SCKEDD has mentioned is that they are strengthening their role in providing capital to small businesses. They have championed organizing broadband access, which is a big economic development driver in rural areas, and that they have organized broadband access meetings with different governmental and business leaders throughout this region. They are also pointing to a successful broadband conference, and a new state task force that's coming to Sedgwick County to participate in a symposium to better understand business needs in terms of broadband.

"Steve also has indicated that they are working with Wichita State to consider the feasibility of an equity-based seed fund for investments in start-up companies. So they are doing more things to focus that lending activity towards small businesses, towards start-ups to providing them with some infrastructure needs that have been lacking in the past. So to that extent, I think they've listened and are moving toward, forward with some of those recommendations that you've made.

"Starting in 2016, the county hasn't identified specific economic developmental allocations out of that fund, so that's why we're here today to seek support for continued membership in SCKEDD. The invoice would be \$30,000 for the second half of 2018 and another [\$]30,000 in the first half of 2019 for a total of \$60,000 for the county membership for the 2018-19 fiscal year for SCKEDD. I would recommend that you approve the continued membership of Sedgwick County in SCKEDD and authorize the payment of the membership fee. With that, I will stand for questions."

Chairman Dennis said, "Any questions for Brent? Commissioner Ranzau."

Commissioner Ranzau said, "This went through the budget process but wasn't included in the regional budget, right?"

Mr. Shelton said, "Right. It was, we didn't, for the last about three years we haven't identified specific allocations, but rather established a pool of money to use for economic development, and then they come in and make specific requests. So that's why you're hearing it today."

Commissioner Ranzau said, "Did you do one of those work sheets that we're supposed to do for economic development requests? I have not seen it."

Mr. Shelton said, "Okay. It was basically, I think I updated one back in August when this was considered at a staff meeting, but I can give you a copy of that again."

Mr. Scholes said, "He passed one out at the staff meeting."

Commissioner Ranzau said, "In August?"

Mr. Scholes said, "When he spoke."

Mr. Shelton said, "I'll get you another copy."

Commissioner Ranzau said, "Yeah. Where is this money going to come from?"

Mr. Shelton said, "The economic development fund."

Commissioner Ranzau said, "Yeah. Well I'm still not convinced, I mean, that we're any better off. You now, I just don't see us having a good strategic plan here at the county as far as how we're going to address economic development. I mean, we just kind of take the GWP (Greater Wichita Partnership) for granted, we throw money at that, and we do some, then we say we're not going to do this, we are going to do that, but there doesn't really seem to be a rhyme or reason. So I guess, I mean, we spend \$30,000 for GWP, and I think all we get in return is a bunch of smoke and mirrors."

"It might be that SCKEDD actually does a better job in some areas, but we don't do an honest assessment of all the potential partnerships out there. So I'm kind of conflicted here, but I mean, I'd prefer that we, I mean, if you're going to, you know, but as a taxpayer, I want bang for my buck. If you're going to say you're going to take \$60,000 out of the \$300,000 we give to the GWP, then I might be willing to support it. But just throwing it on top of the \$300,000 that we don't really get anything for it, but a bunch of, like I say, expensive smoke and mirrors, and it's kind of problematic."

"It'd be nice if at some point we'd go sit down and analyze things, you know, I think we should focus on entrepreneurs, but we're not doing that. It's all about incentives. If we do an honest analysis to see what we could do, what the best route would do, that means we'd have to put aside political alliances and campaign contributions and political rhetoric and actually do an honest analysis of the best ways to do this. That would be the way to do it. Now I don't expect that's going to happen, but I think that's the way it should be done. So those concerns will be reflected in my vote today."

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

Commissioner Howell said, "Thank you. I'm sorry for touching that microphone. Is there a, can you tell me how much revenue we budgeted for the economic development fund and what that balance is today? Do you know?"

Mr. Shelton said, "I would have to, Lindsay can probably speak better to that."

Commissioner Howell said, "I'm sorry to surprise you with a detailed question."

Ms. Poe Rousseau said, "So the economic development program we're referencing here is actually in the county general fund. So that program specifically does not bring in any revenue on its own. We do have some other programs that we budget for within economic development that are economic development grants. We do estimate about \$40,000 of revenue into that program. But overall for this specific program, it's just funded with general fund revenues."

Commissioner Howell said, "But we have an economic development budget item."

Ms. Poe Rousseau said, "Right. It's a program within the general fund, and that's the contract amount for 2018 is roughly [\$]1.8 million. Of that, we would spend the \$60,000 for SCKEDD from that, and then the information that you heard from Rick a bit ago, this \$60,000 is included in that financial forecast."

Commissioner Howell said, "So we did plan on this when we passed the budget for 2018 and 2019."

Ms. Poe Rousseau said, "We had planned for traditional levels of spending, but not necessarily earmarked for this specific item."

Commissioner Howell said, "Right, right. I remember we made that change a few years ago to give us some discretion as we move forward on how to best spend the money."

Ms. Poe Rousseau said, "Yes, sir."

Commissioner Howell said, "Okay. Well, I would tell you that, thank you for the answer. I have been, so Mr. Wilkerson? Wilkinson? Wilkinson, I'm sorry. You know, you're a new personality trying to reinvent, if you will, SCKEDD, and I think you're a good person, and I think you have a good passion for this, and I am cautiously optimistic. I do think we need to have effective government. We need to measure ourselves, make sure that what we do actually works. So you know, you're on, I guess I'd just say, we're looking at you very closely to make sure this actually does work. Okay?"

"So right now because you're new to this, again, I'd like to give you an opportunity to perform and make this happen. I think the mission of SCKEDD is good, and I want them to be successful, so I'll support this today, but I'd like to let you know that going forward, we need to see some effective results at some point, in other words, you know, I don't mind not supporting something and finding something else that maybe we think works better, if that's what we have to do in the future. But today I think we need to support you. I think we budgeted for this and we have the funds set aside for this purpose, so I'm going to support this today."

MOTION

Commissioner Howell moved to approve payment of the membership fee.

Commissioner Unruh seconded the motion.

Chairman Dennis said, "We have a motion and a second. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Brent, how long have we been supporters of REAP (Rural Energy for America Program), not REAP, excuse me, of SCKEDD?"

Mr. Shelton said, "Since 1972, so it's 46 years."

Commissioner Unruh said, "So 40-some years we've been involved at somewhere around this level."

Mr. Shelton said, "Right, and prior years it's been a higher level because it was a different formula for calculating the membership fee."

Commissioner Unruh said, "Okay, and Mr. Wilkinson has been on board now for what, a little over two years?"

Mr. Shelton said, "Sixteen months."

Commissioner Unruh said, "Sixteen months. That's a little over one year."

Mr. Shelton said, "That's right."

Commissioner Unruh said, "Alright. Well, we appreciate, I've seen Steve at a lot of

other meetings, at REAP meetings and different things, and appreciate his effort, his passion for making this thing work, and I'm going to be supportive of the request."

Chairman Dennis said, "Thank you. Mr. Wilkinson, do you have something you want to say?"

Mr. Steve Wilkinson, Executive Director, South Central Kansas Economic Development District, greeted the Commissioners and said, "I do. I wasn't going to share this. I was just going to keep my lips tight here, but I did want to share prior meeting that I attended, I shared about a program that we have applied for. Thursday, we were awarded, last Thursday, we were awarded by the Small Business Administration (SBA), a loan program called the Community Advantage [Loan] Program. We are the only organization in the State of Kansas that was awarded this program. The value of this program is it provides additional financing to entrepreneurs and start-ups and has a focus towards veterans.

"A great example right now is a discussion we're having now with an Army veteran from Fort Riley who is getting out, who has mechanical skills, diesel mechanical skills. He can't get a bank loan right now, so we're helping him with his business plan. We're providing him cash flow projections with the intent of providing him financing, so he can occupy a building, buy some lifts and some equipment for his shop. Our intention, or our objective is in the next two or three years, provide him business-based technical assistance for free from an SBA (Small Business Administration) grant, so in three years, he can go to a bank and get a less expensive financing.

"So our goal really is to be paid off. This program provides four sources of revenue for us. We can resell these loans because they're guaranteed. We get a 10 percent guarantee, I'm sorry, a 10 percent yield. So my goal here in the next two to three years is be self-sustaining. This is a real game-changer for us, and we're looking forward to promoting it statewide, and we know, because of our loan volume, most of that, or primarily principally, that loan volume will be here in Sedgwick County. Thank you."

Chairman Dennis said, "Thank you. One thing I wanted to say, first of all, I noticed you mentioned broadband during your discussion, and a lot of people think of Sedgwick County as being very urban, but the truth is, there is a lot of rural area in Sedgwick County, and they're not served well by broadband.

"So any efforts you can do to help bring broadband to all of Sedgwick County would be greatly appreciated. We have a motion and second. Any further discussion? Seeing none, Madam Clerk, call the roll."

VOTE

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

Chairman Dennis said, "Next item, please."

Approved

M [18-935](#)

CONSIDERATION OF A GRANT APPLICATION IN THE AMOUNT OF \$71,500 FOR ACTIVITIES RELATED TO THE PREVENTION OF DRUG

MISUSE TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE SEDGWICK COUNTY DIVISION OF HEALTH.

Presented by: Adrienne Byrne, Health Director, Sedgwick County Division of Health.

RECOMMENDED ACTION: Approve the electronic submittal of the application for the grant; and if awarded, authorize acceptance of the award, the establishment of budget authority as provided in the Financial Considerations section and implementation of the Staffing Table changes identified in the Personnel Considerations section of this Request.

Ms. Chris Steward, Health Protection Director, Division of Health, greeted the Commissioners and said, "Before you is an opioid overdose crisis response grant funding from congress through CDC (Centers for Disease Control) and KDHE to fund local prevention responses to opioid misuse. This is a one-time funding opportunity of up to [\$]75,000, and is only being made available to local health departments. This is to be spent between December, 2018 and August, 2019. The Division of Health is well positioned to receive this funding from KDHE due to our partner relationships and our expertise in data collection and analysis. This grant will help the Division of Health work with partners on prevention strategies to decrease opioid and other drug misuse.

"There are a number of objectives to meet in this grant. To name a few, we would collect local data from additional partners, establish data use agreements, and in conjunction with the University of Kansas School of Medicine (KUSM) Wichita, provide trainings to medical providers. In addition, we will assist with implementation of an evidence-based screening tool at HealthCore Clinic to identify a patient's risk for misuse of alcohol and drugs. The Division of Health will evaluate the effectiveness of the screening tool implementation. Also, the Division of Health will create local database to identify and map overdose hot spots and create an action plan for prevention. To accomplish all of the above, we would hire two part-time temporary positions. I recommend you approve the grant application, authorizing acceptance of the award and the implementation of the staffing table changes."

Chairman Dennis said, "Thank you. Questions?"

MOTION

Commissioner Unruh moved to approve the electronic submittal of the application for the grant; and if awarded, authorize acceptance of the award, the establishment of budget authority as provided in the financial considerations section and implementation of the staffing table changes identified in the personnel considerations section of the request.

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "We have a motion and a second. Discussion? I talked to Adrienne about it briefly. Our opioid and methamphetamine problems here in Sedgwick County is probably larger than most people believe. Right now the Sheriff's Department, the police department, fire, from all across Sedgwick County are involved in it every day. On top of that, our Health Department is deeply involved in it, our

COMCARE folks are deeply involved in it, our D.A. (District Attorney) is having to prosecute these. The other night when I talked to the D.A, 11 percent of the people that are arrested have methamphetamines on them at the time of the arrest, 11 percent. That doesn't mean the ones that might be high on it, have already used it, or threw it away before they got arrested.

"So they've actually got it on them. Doesn't count what it's costing us for our judges in order to be able to do this. Doesn't include what it costs us to incarcerate these folks over at the Sedgwick County Jail. So anything that we can do, and I appreciate the fact that we're looking at this grant, but on top of that, we have agreed to fund, along with some other folks, a drug and opioid position in Sedgwick County and a mental health position, because mental health and the drugs are pretty well related. So I am a strong supporter of this. I think it's going in the right direction. We've got to come up with some solutions. Instead of incarcerating all these folks, we've got to find out some other things that we can do. So I will definitely be in favor of it. I see no other comments at this time. Madam Clerk, call the roll."

VOTE

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

Chairman Dennis said, "Thank you."

Ms. Steward said, "Thank you."

Chairman Dennis said, "Next item, please."

Approved

N [18-919](#)

CONSIDERATION OF A GRANT APPLICATION IN THE AMOUNT OF \$783,868 TO THE HEALTH RESOURCES & SERVICE ADMINISTRATION (HRSA) FOR HEALTHY START INITIATIVE FUNDING TO PROVIDE HEALTHY BABIES PROGRAM SERVICES AT THE HEALTH DIVISION.

Presented by: Adrienne Byrne, Health Division Director.

RECOMMENDED ACTION: Approve the electronic submission of the application for the grant; and if awarded, authorize the Chairman to accept the award, authorize the establishment of budget authority as provided in the financial considerations section of this request, and implementation of the Staffing Table changes identified in the Personnel Considerations section of this request.

Additionally, the Health Division is requesting approval to have the Community Engagement Institute of Wichita State University conduct the required evaluation of program services and community impact for the five years of this grant cycle.

Ms. Nashell Williams, Healthy Babies Program Manager, Division of Health, greeted the Commissioners and said, "Before you is a request of approval for the grant application for the Health Services Resources Administration (HSRA), which is also known as HSRA, for [\$]783,868 for the Healthy Start Initiative funding for Healthy Babies program. This funding is an increase of [\$]39,270 to help supplement the cost of adding one full-time employee for the community outreach coordinator. The Healthy Babies program is an educational program for prenatal and parenting families. We currently have Registered Nurses (RN) and community liaisons to provide education and family support to those families at their home visits and office visits.

"The Healthy Start funding supports part of the Healthy Babies program. In 2017, we provided services to approximately 750 women. We've had this grant for 20 years. The purpose of Healthy Start grant is to improve program outcomes before, during and after pregnancy, and to reduce racial, ethnic differences to rate in the infant deaths. To be eligible for this grant, zip code areas have to have an infant mortality rate of 8.8 or greater. For this five-year grant period, we'll be focusing on 10 zip codes, compared to the eight that we had last year, or should I say the last grant cycle. Three of those zip codes from the last five year grant cycle are no longer eligible due to the decreases in infant mortality.

"Those zip codes are 67209, 67216 and 67037. The zip codes we will be focusing on during this next five years are 67205, 67207, 67208, 67210, 67211, 67213, 67214, 67217, 67218 and 67219. Beginning in the fiscal year, the Healthy Start program will serve all families, infants and the families for the first 18 months after the birth, versus currently right now what we're doing is up to 24 months as previously done. This program allows the program to focus resources on healthy pregnancies, birth outcomes, while ensuring support for the children through critical milestones such as immunizations. This change will also increase program capacity to allow us to serve more program women that are pregnant. I recommend you approve this grant submission, and if awarded, authorize the Chairman to accept the award and implementation of the staff change table. Thank you."

Chairman Dennis said, "Thank you. Any questions from the bench? Commissioner Ranzau."

Commissioner Ranzau said, "Well I just have some few comments. We had a good conversation yesterday with Nashell and Adrienne, but I had a good conversation five years ago with Adrienne and whoever else was there at the time, and I have some concerns about this. Back five years ago, I asked for evidence that this program worked, that is, to decrease the disparity, the racial disparity, and the report I was given from KU (University of Kansas) indicated that it didn't.

"There was no evidence that it did work. It did increase WIC enrollment, but it didn't decrease disparity. It hasn't for 20 years. I also had concerns about having a program that could sustain itself in the community. The problem is, like in these areas here, you have 10,000 live births. We only have so much staff. We can't go out to 10,000 homes.

"There has to be something organic to the community that gets created that can sustain itself to get the biggest bang for the buck. We're limited to the number of people that we can touch, and I think that's why the effectiveness is not there. We've got a lot of data here, you know, I think there's one area we had this conversation within the 67214, in the black community in that area, that rate is down to 4.9. I get information that's because there's efforts organically in the community that have made

that happen that are far beyond anything we can do as the government. But in these other areas, there's not, so I have concerns.

"I said then five years ago, I think I voted for this stuff intermittently since then, I said I challenge the Health Department to go out and find a plan that would be effective and sustainable. I'm disappointed that I don't think we're there yet. We have lots of good people that are working and doing good stuff and trying to do what they do, but from a strategic point of view, I don't think we've gotten to where we need to be to a strategic plan to get to where we need to be. That's disappointing, so I said then that if something hadn't changed and we hadn't addressed that, then I wasn't going to support the next five-year cycle.

"I'm going to issue my voice my concerns, you know, by voting no. Not because I don't appreciate all the hard work and effort that's going on, but we need to have programs that are effective and sustainable and it's just not there. We need to rethink this. I know we're looking. I was told we're looking for a different type of program that might be more effective, and that's fine. But five years is a long time, and when we look at programs that are important, you know, I just have these concerns. Now I know I'm not supposed to vote no on something like this, I'll be called all sorts of names, but guess what, you know, I'm gone in two months, and it's not going to matter. Not that it mattered to me before, but I do this because I care, because I sincerely believe that we need to try to get to a point that it's effective and sustainable. In my estimation, we're not there. Okay?

"So I challenge the question, or the system, I've asked some things, I gave them five years, tried to do something, try to do something different. I'm going to keep challenging again. I think you're open to looking at things, and I appreciate that. I hope we're able to get there. I mean, we have an example in one area where I think we've gotten, the community has gotten to where it needs to be. I mean, it's impressive, okay?

"But somehow we've got to be deliberate about getting to that same point in other areas as well. So I could talk about this for a long time. We talked about it yesterday. I appreciate all your help and your enthusiasm, and so my vote will reflect my concern about the strategic plan, not your efforts or your staff's.

"I appreciate everything you do. I think you'll continue to do a good job, but we just have to do a better job at a strategic level, I think."

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

Commissioner Howell said, "Thank you, Mr. Chairman. I just wanted to make a couple of points here. We talked yesterday, again, thank you for visiting with me yesterday on this, and I would make a point that Sedgwick County is statistically on the wrong end of the spectrum on this issue. We actually have it in our strategic plan to try to find ways to address and improve the numbers on our infant mortality, and we've not substantially changed the data yet. I've only been here for four years, and unfortunately a lot of the data we're looking at is older, so it's hard to know dynamically if the things we're doing are making a difference. I think there's privacy concerns with HIPAA (Health Insurance Portability and Accountability Act) laws and things like that, so we don't really have dynamic response on what we're doing.

"But, I'll just say it up front, I'll support the grant, but I'm concerned that we're not being effective with our efforts. I'll just make another point, we're only, by my calculations

we're only touching about 7.6 percent of our population that needs, potentially could use some help. When I say who could use some help, I'm thinking the entire audience of Sedgwick County, you know, struggles with higher than we would like to see infant mortality. We're focused on 10 zip codes that have a higher incidence of this, of course, but the numbers are so, you know, you're talking 8.8 as being the number that we use to say they're qualified for this program for the Healthy Start or Healthy Babies program. I guess the Healthy Start is one-third of the program, but overall it's called Healthy Babies. But if you look at the other zip codes, it's not like the numbers are substantially, you know, good numbers. Might be slightly less than 8.8, but they're not great.

"So I have raised the issue of trying to find a different way to do this. I don't know what we can find, but I appreciate Director of our Health Department, Adrienne Byrne-Lutz trying to look for other programs that might be more effective. I think we ought to be open to that. I've also raised the issue of Baby Boxes, maybe we ought to be looking at that as a potential solution. So with that, I'll support this today, but I'll just tell you that I think that unfortunately the numbers have not been, have not drastically improved. I'm very disappointed as a member of our Board of Health that we're not really solving the problem. It's not your fault, Nashell, you're a great person, you're doing the best you can, and you've been given the details of these programs. You're doing a great job, doing the program as you are told you have to do it. Altogether, we're spending \$1.768 million on the Healthy Babies program overall.

"Our focus, and correct me if I'm wrong, our focus is roughly 800 women of our community, that's over 18 months, so if you do the math, based on the number of live births we have per year, it's about 7.6 percent of our population, and with that, I just don't see, even if you were 100 percent successful in that population, you're still not going to really solve the problem in a satisfactory way overall for the entire county. So I know we're doing our best, but we're trying really hard, but we're just not seeing the numbers move in the right direction. So with that, I'll support this, I'll be glad to make a motion at the appropriate time. Thank you, Chairman."

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

Commissioner Ranzau said, "Yeah, I just want to elaborate and then ask Adrienne a question. Keep in mind he said, you know, we touch about seven percent of the people. That means we don't touch about 92 to 93 percent. Okay, and that's the problem. That's what limits the effectiveness and the sustainability. If you're going to, you got to touch all those other people or have mechanisms to do that. That has to come from the community, I think. But we have to be deliberate and create mechanisms to touch those other people, but beyond that, when we talk about what our rate is compared to the state and the nation, let's say, I think like at the state level and nation, do you know how does that number, does it compare county to county, like we have some counties in Kansas that have low and some that are high, and we might be being compared or to counties that don't have the same socioeconomic issues or diversity or whatever.

"Is there a way to pull that out and compare ourselves to like communities, is what I'm getting at. Do you understand what I'm saying? Similar population and income and all

that sort of stuff to kind of see how we compare there as opposed to maybe some other counties or locations. Because when you throw it all together, you're doing averages, right? So we really need to compare ourselves to like communities. I'd like to see some data on that, if it's possible, or if you know how to do that, or you can e-mail."

Ms. Adrienne Byrne, Health Director, Sedgwick County Division of Health, greeted the Commissioners and said, "When we compare ourselves oftentimes, it's to Wyandotte County. Do you know what the numbers are for Wyandotte, by chance? We will look at that, and send that to you for Wyandotte."

Commissioner Ranzau said, "Okay, and that's fair, but you need to look at socioeconomic status as well. Because if you look at all those indicators as far as, you know, average income and all that other stuff, I mean, I look at the reports that we get, you know, I can't remember what the name of that report is, you know, the state of the counties and all that stuff, I mean, there's a direct correlation there to socioeconomic status and income and stuff, so I'm saying, and that's good, but what about other communities throughout the country that have a similar income level, etc. to see how we compare to them. I mean, I think that would be helpful."

"We might be better, we might be worse. I mean, if we're better than them consistently, that tells us maybe we're doing better than what we thought. But if we're not, those are the communities, I mean, I don't think I would look necessarily to Wyandotte, because I don't think we can emulate Wyandotte. Okay, but if we had communities that were similar to us in socioeconomic status and income that were doing better than us, then we could go to them and say hey, okay now what are you doing, how are you less. You follow what I'm saying?"

Ms. Byrne said, "Yes."

Commissioner Ranzau said, "So anyway, I thought about that last night, and he just reminded me, so I think we should look into that. I appreciate that."

Ms. Byrne said, "Thank you."

Chairman Dennis said, "Thank you. Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you. Thank you for your work on this program. I know how important it is to so many people, and the fact that you guys are actively trying to have a wider reach into new zip codes, reaching new people, I think is important, and it goes to what some of the arguments that we've just heard from the last two Commissioners, is that we do need to work on trying to get this out as much as possible, but you can't do that without resources, and there's only so much federal resources that we have, so it's something that needs to be a policy decision from the Board of Health, from the County Commissioners if we want to invest more money into the Health Department to get some of these programs to a wider audience. But it's all, it's a lot of it's our policy too. Because this is a federal grant that we're accepting today. But, you know, if we need to be investing more resources towards the Health Department for this, that's something that we need to work with you and Adrienne on. But it is critical that we never lose sight of the fact that we have a duty as the Board of Health to make sure we're making Sedgwick County as healthy as possible for our half a million plus citizens, so thank you."

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

Commissioner Unruh said, "Thank you, Mr. Chairman. Well Nashell, I just want to put my two cents in. I believe that you all are making strong effort to try to address this problem, you and all your staff. You folks are the people who are on the ground and who have diligently studied this issue and, I do not for a second believe that you're not trying and that you're not trying to think about new ways to attack the problem and to focus your efforts where it does the most good. I do think that the socioeconomic area that you've identified is somewhat unique, not only in Kansas, but perhaps in the United States, and I think you're fighting a really tough battle in trying to show great successful numbers."

"I just want you to express to your folks you're working with that we know you're putting in a lot of effort and doing a good job, and you're the experts on the ground. We appreciate you."

Ms. Williams said, "Thank you very much."

Chairman Dennis said, "Thank you. Well I appreciate Commissioner Ranzau being the conscience for us to keep us moving and consider what the implications are and trying to protect our community. I appreciate Commissioner Howell's comments that we're only touching 7.6 percent, but I'll guarantee you that those 7.6 percent that we're touching are very appreciative of what we're doing. So we are making a difference in their lives. It'd be wonderful if we had the resources to go out and touch people beyond that, and that's something that if we have a conscience like Commissioner Ranzau, maybe we need to take a look at that in the future. But I am definitely supportive of the grant. I think Commissioner Howell is ready to make a motion."

MOTION

Commissioner Howell moved to approve the electronic submittal of the application for the grant; and if awarded, authorize the Chairman to accept the award, authorize the establishment of budget authority as provided in the financial considerations section of this request, and implementation of the staffing table changes identified in the personnel considerations section of the request.

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>No</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, and thank you Nashell for being here."

Ms. Williams said, "Thank you."

Approved

O [18-939](#)

CONSIDERATION OF A SUNFLOWER FOUNDATION GRANT IN THE AMOUNT OF \$183,508 FOR THE SUPPORT OF A REDESIGN OF SEDGWICK COUNTY'S BEHAVIORAL HEALTH CARE SYSTEM.

Presented by: Joan M. Tammany, LMLP, COMCARE Executive Director

RECOMMENDED ACTION: Approve the grant award, authorize the Chairman to sign, and the establishment of budget authority as provided in the Financial Considerations section of this request.

Ms. Joan Tammany, Executive Director, COMCARE, greeted the Commissioners and said, "We're at item O, so we're getting there. I'm here today because COMCARE and Sedgwick County have been provided grant funding and the opportunity to accept that grant funding from the Sunflower Foundation to support the salary of the behavioral health community collaborator. While we've had knowledge of this funding opportunity since mid-June, we had some requirements before we would be formally granted the funding, and if you recall back during the budget process, each of you supported adding the behavioral health consultant position to the staffing table for COMCARE. Then we also had to post the position and interview for the position, and then we had to write the grant proposal retrospectively for the funding."

"So all of that has been completed. I think Tim sent out the notice yesterday. We're pleased to say that the behavioral health community collaborator has been hired. The individual who has been selected is Jennifer Wilson. She goes by the name of Jen. She's internal to COMCARE. Energetic, enthusiastic, well familiar with the community, and I think she'll get off to a running start pretty quickly. So just a reminder, the position falls under COMCARE, but it will report directly to Tim Kaufman in the County Manager's Office at this time."

"The grant, the letter of agreement supports payment of \$183,508 towards the salary and benefits of the position over two years, so I'm simply here to ask that you accept the grant award, authorize the Chairman to sign and approve, to sign the letter of agreement and to approve the establishment of the budget authority as provided in the financial considerations. I also want to just publicly acknowledge Billie Hall with the Sunflower Foundation and her board for seeing the value of this position in Sedgwick County and supporting the initiative to look at a behavioral health access in our community. She's been a good partner with COMCARE for many years on other grants and now will be so with Sedgwick County if you guys accept the grant."

Chairman Dennis said, "Thank you, Joan. Any questions from the staff or from the bench? Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Well I just want to say that I'm delighted that we have made the progress to get this position somewhat identified and get their acceptance for some time. The thought has been that we needed someone specifically designed, or specifically directed to carry out this function, because we had so many partners working together who all had different responsibilities. I think this person can really help move the goal forward of providing better behavioral health services to our community, and in doing that, save all the partners in the community a lot of money with the programs that can be initiated. So very supportive of this. Thanks for your work on it, and Mr. Kaufman, thank you for moving us forward, taking a while to do it, but I'm glad we're here."

MOTION

Commissioner Unruh moved to approve the grant award, authorize the Chairman to sign, and the establishment of budget authority as provided in the financial considerations of the request.

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "We have a motion and a second. Any other Commissioners have anything they'd like to say? Very good. Well, I'm definitely supportive of this. Along with the drug problem that I already talked about, mental health problem is the other one, and they're really related very closely together, so I definitely support this. Seeing no other comments, Madam Clerk, call the roll."

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, "Thank you Joan for being here. Appreciate it."

Ms. Tammany said, "Thank you."

Chairman Dennis said, "Well good morning, Joe. Madam Clerk, next item."

Approved

P [18-914](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON NOVEMBER 8, 2018.

Presented by: Joe Thomas, Director, Purchasing.

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

Chairman Dennis said, "Thank you. Now we're ready."

Mr. Joe Thomas, Director of Purchasing Department, greeted the Commissioners and said, "The meeting of the Board of Bids and Contracts of November 8th resulted in eight items that we'd like to present for your recommendation."

**1. BRIDGE IMPROVEMENTS - PUBLIC WORKS
FUNDING -- PUBLIC WORKS**

"The recommendation is to accept the low bid from King Construction Co., Inc. in the amount of \$3,082,833.60. I'd like to point out that acceptance of this request is contingent upon your approval of additional budget authority. That will be item U in your consent agenda today.

**2. STREET IMPROVEMENTS -- PUBLIC WORKS
FUNDING -- ADMINISTRATION**

"This is the Cherise Woods Addition. This recommendation is to accept the low bid from Pearson Construction, LLC in the amount of \$202,292.

3. ROCK SALT -- PUBLIC WORKS
FUNDING -- PUBLIC WORKS

"The recommendation is to accept the low bid from Hutchinson Salt Co., Inc. and establish contracted rates as listed for one (1) year with two (2) one (1) year options to renew.

4. NCAT GATEWAY EXTERIOR WALL FLASHING REPLACEMENT -- PROJECT SERVICES
FUNDING -- NCAT WATER INTRUSION

"This recommendation is to accept the low bid from Gwaltney Inc. dba Diamond Roofing, and that's in the amount of \$330,000.

5. KRONOS WORKFORCE MAINTENANCE AND SUPPORT -- INFORMATION TECHNOLOGY AND SUPPORT SERVICES (ITSS) AND EMERGENCY MEDICAL SERVICES (EMS)
FUNDING -- ENTERPRISE RESOURCE

"This recommendation is to accept the quote from Kronos Inc. in the amount of \$73,861.78.

6. SAP SIGNATURE MANAGEMENT BY DOCUSIGN HR -- HUMAN RESOURCES AND ENTERPRISE RESOURCE PLANNING (ERP)
FUNDING -- ENTERPRISE RESOURCE

"This recommendation is to accept the quote from SAP America, Inc. and to establish contract pricing for five (5) years.

7. LIEBERT AIR HANDLERS (AIR CONDITIONING UNITS) -- EMERGENCY COMMUNICATIONS AND INFORMATION TECHNOLOGY AND SUPPORT SERVICES (ITSS)
FUNDING -- EMERGENCY COMMUNICATION AND ITSS

"This recommendation is to accept the quote from Vertiv Services, Inc. and to establish contract pricing listed for a three (3) year period.

8. EMS BILLING SERVICES -- DIVISION OF FINANCE AND EMERGENCY MEDICAL SERVICES (EMS)
FUNDING -- DIVISION OF FINANCE AND EMS

"This recommendation is to accept the proposal from Advanced Data Processing, Inc. (Intermedix) for the rates shown for a period of three (3) years with options to renew for two (2) additional one (1) year terms.

Mr. Thomas said, "I'll be happy to try to answer any questions you may have and approve these recommended items."

Chairman Dennis said, "Thank you. Any questions for Mr. Thomas this morning? Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you, Mr. Chair. I just wanted to talk a little bit about item number one, the pedestrian bridge down in Haysville. That's an issue that Public Works has been working on for how many years, David?"

Mr. Spears said, "Probably at least five."

Commissioner O'Donnell said, "At least five. It was a big issue for Commissioner Norton, a big issue for me. One of the details that I want to talk about that, is I know the WAMPO (Wichita Area Metropolitan Planning Organization) staff were only here because of their efforts, and we might mention a little bit about that when I'm done, Mr. Chairman, but what's so exciting about this is that the City of Haysville, so we're paying 20 percent of the project. Then the City of Haysville is paying 20 percent of our 20 percent, so they're coming in at roughly \$137,000 out of our \$685[000]. So talk about a great partnership, you have the county, you have the City of Haysville and federal government, and State all working together on it. It'll be spectacular when it gets done. So I just, staff, I know David and Jim Weber had worked on that with me for the last year. But it wouldn't have happened without WAMPO's last minute maneuvering."

Mr. Spears said, "I'll just mention the federal participation is over \$2.7 million."

Commissioner O'Donnell said, "Yeah, that's fantastic."

Chairman Dennis said, "This happened because at the end of the year, WAMPO did have the funds that were available, and this project was ready to go. So as a result of that, why, we were able to use those funds to fund this bridge."

Commissioner O'Donnell said, "Yeah, but big thank you to the City of Haysville for stepping up and taking 20 percent of that portion, because that is a substantial amount of money. So its fun watching everybody work together on a project this important."

Chairman Dennis said, "Commissioner Ranzau."

Commissioner Ranzau said, "Well, I just have to say a lot of people working on this, but really, this is a pedestrian bridge that cost like \$3 million, and I think a lot of people and WAMPO really think this is an example of government using a lot of money on a project that probably shouldn't have been this much money spent on it. So it's really not necessarily, it's a lot of people working together, but it's not necessarily an example of cost-effective government, because there's a lot of roads and other bridges that could have been done that would have been more important. But nevertheless, that's where we're at because got to vote yes on everything, right?"

Chairman Dennis said, "Commissioner O'Donnell."

Commissioner O'Donnell said, "I would just like to mention, this is a safety issue for kids going to Ruth Clark Elementary, to Campus High School. They're crossing a very narrow bridge that was built 40 years ago, David, is that correct?"

Mr. Spears said, "That's about right, yes."

Commissioner O'Donnell said, "Yeah, so it's not just about spending money on a pedestrian bridge, it is truly about safety, and Public Works and others can fill you in on that too."

Commissioner Ranzau said, "Yeah, safety. How many people a day are crossing that bridge, pedestrian?"

Commissioner O'Donnell said, "Well, there is nowhere for them to cross."

Commissioner Ranzau said, "You don't even know."

Commissioner O'Donnell said, "Well there isn't a pedestrian bridge, sir."

Commissioner Ranzau said, "That's right."

Commissioner O'Donnell said, "That's what we're voting on."

Commissioner Ranzau said, "That's right."

Commissioner O'Donnell said, "People can't cross it now because there's no shoulder to walk on."

Commissioner Ranzau said, "It's much more cost-effective to incorporate the pedestrian bridge when you build a bridge to begin with or have to re-do it later on. That's the point."

Commissioner O'Donnell said, "We're a long way out from that."

Chairman Dennis said, "Okay, further discussion? Do we have a motion?"

MOTION

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

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>

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

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

Approved

CONSENT

Mr. Mike Scholes said, "Commissioners, I recommend you approve consent agenda items Quebec (Q) through Alpha Foxtrot (AF)."

MOTION

Commissioner Dennis moved to approve consent agenda items Quebec (Q) through Alpha Foxtrot (AF).

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."

Q [18-931](#) One (1) Easement for Right-of-Way for Sedgwick County Project on 61st Street North in Colwich; CIP# R-346. District 3.
Approved on the Consent Agenda

R [18-930](#) One (1) Temporary Construction Easement for Sedgwick County Project 642-27-519; Bridge on 95th Street South between Broadway and KTA. CIP# B-484. District 2.
Approved on the Consent Agenda

S [18-928](#) Agreement with KDOT for Use of Highway Right of Way and Grant of Permanent Easement and Two (2) related Grant of Permanent Easement Documents. District 2.

Recommended Action: Approve the agreement and both easements and authorize the Chairman to sign.

Approved on the Consent Agenda

T [18-932](#) Approval of a renewal agreement with Boy Scout Troop 692 for the Sedgwick County Adopt a Highway Program on Rock Road from Derby to Mulvane (95th South to 103rd South). District 5.
Approved on the Consent Agenda

U [18-774](#) Establish Additional Budget Authority in CIP Project Number B-462A.
Approved on the Consent Agenda

V [18-943](#) Funding Agreement with Nonprofit Chamber of Service of Sedgwick County.
Approved on the Consent Agenda

W [18-901](#) Agreement with Cerebral Palsy Research Foundation of Kansas, Inc. for

Wheelchair and Posture Seating Clinic Services.

Approved on the Consent Agenda

- X [18-936](#) Repeal Resolution 104-2017 Establishing a User Fee for Credit Card and Debit Card Payments.
Approved on the Consent Agenda
- Y [18-964](#) Transfer \$369,112 of budget authority within the Division of Corrections budget.
Approved on the Consent Agenda
- Z [18-948](#) Retail Dealer's Cereal Malt Beverage License Application for Lake Afton Store located at 25313 W 39th South Goddard, Kansas 67052.
Approved on the Consent Agenda
- AA [18-909](#) Retail Dealer's Cereal Malt Beverage License Application for Sedgwick County Zoological Society, Inc. located at 5555 Zoo Blvd., Wichita, KS, 67212.
Approved on the Consent Agenda
- AB [18-947](#) Retail Dealer's Cereal Malt Beverage License Application for Cheney Lanes/D'Mario's Pizza located at 1635 S 38th St W Cheney, KS 67025.
Approved on the Consent Agenda
- AC [18-920](#) Plat.
Approved by Public Works. The County Treasurer has certified that taxes in 2017 and all prior years have been paid for the following plat:

Superior Excavating
Approved on the Consent Agenda
- AD [18-846](#) General Bill Check Register for October 24th, 2018 - October 30th, 2018.
Approved on the Consent Agenda
- AE [18-855](#) General Bill Check Register for October 31st, 2018 - November 6th, 2018.
Approved on the Consent Agenda
- AF [18-863](#) Payroll Check Register for the October 27th, 2018 payroll certification.
Approved on the Consent Agenda

LEGISLATIVE ISSUES

Chairman Dennis said, "Will Deer, do we have anything for legislative issues today?"

Mr. Deer said, "At the staff meeting yesterday, we kind of went over the preliminary

legislative agenda. We'll have another draft of that prepared soon with updates and feedback we receive during that meeting."

Mr. Scholes said, "Right now we have tentatively scheduled to come back for a staff meeting on December 4th."

Chairman Dennis said, "On which day?"

Mr. Scholes said, "December 4th."

Chairman Dennis said, "December 4th. Okay. Any questions of Will Deer? Seeing none, thank you, sir. Next item, please."

OTHER

Chairman Dennis said, "Do any of the Commissioners have anything to cover during 'other' today? Commissioner O'Donnell."

Commissioner O'Donnell said, "I just think you had a big anniversary in your life, right? Probably need to mention that."

Chairman Dennis said, "Well, thank you, I appreciate that."

Commissioner O'Donnell said, "Yeah, a big deal."

Chairman Dennis said, "Last Friday, my wife and I celebrated our 50th wedding anniversary. I appreciate everyone who came for a little card shower and reception on Saturday, thank you. Anyone else have anything for 'other'?"

Commissioner O'Donnell said, "Lastly, our election was so smooth last week. I know we haven't had a public meeting since then, but Tabitha Lehman as our Election Commissioner did an outstanding job. Her staff did great, results were in quickly. The public, we still see races in America that are undecided because counties screwed up, and just watching what's happening down in Florida and in Arizona right now just makes me really appreciate the fact that we have a large urban county that has its election results within hours of closing. So Tabitha and her staff worked their tails off, and a big effort from county staff as well helping, but it was great. No hiccups. So Tabitha did outstanding work."

Chairman Dennis said, "Very good. Well I concur on Commissioner Lehman. We actually invited her today to come over and give us an update on how that the election went, but she was very busy yet trying to finish up some things from the election, because we have a vote canvas coming up that she's preparing for. But I do want to add my kudos that the election went very smoothly I thought, and I appreciate that. Two other things I wanted to talk about. First of all, the USS (United States Ship) Wichita commissioning is going to happen on January the 12th, down outside of Jacksonville at Mayport. Everyone is invited. You can go on to the usswichita.org, and you need tickets to be able to get in, and there's a place to sign up to get those, if anyone wants to go down there. They're going to have to pay their own way to get down there and back, but everyone is invited."

"The project actually, the commissioning actually will start on the Wednesday before that Saturday of the 12th with a dinner that evening, and the last chance that you'll be able to get on the ship until they close it down for a few days. There are events then on Thursday and Friday, and then the commissioning is on Saturday morning the 12th. So

all the public is invited down to see the USS Wichita to be commissioned. One other thing that I wanted to talk about, last night Manager Scholes and I had an opportunity to go to KPTS (Kansas Public Telecommunications Service) veterans coming home celebration. It was fourth year that they had the celebration. Those of you that know Hutch and Patty were both recognized last night for their contributions to veterans. A marine that was at Chosin Reservoir was recognized last night. I think he said there was, how many 60-some are all that's left of the Chosin few."

Mr. Scholes said, "There's about 1,100, but there were 65 at the reunion."

Chairman Dennis said, "Okay, so they are true heroes, and they also recognized the first sergeant from the army for his service and his continued service that we have that he is providing to our veterans today. So I appreciate that. One other thing that happened last night is a teacher from Dodge Elementary came by and gave me this little piece of paper, and it says 'Dear veteran, I salute you, thank you for protecting America. You are very brave. You kept us safe. You are a hero to me.' It's signed Betsy. So I just wanted to thank Betsy from Dodge Elementary for providing that to me, and I will put that in my office. With that, Commissioner Unruh, do you have any motions?"

Commissioner Unruh said, "I have two motions for executive session according to protocol by the County Counselor's Office. They are, one's for 30 minutes, another is for an hour and a half, and I didn't know, Mr. Chairman, at 12:25, if you wanted to make any provision for a break or how we should just go ahead and make the motions, Madam Counselor."

Chairman Dennis said, "Well before we start the motion, I guess my question is, it is now going on 12:30 [p.m.], and the motions are going to take two hours. Do we want to take a little bit longer break and grab a sandwich downstairs or anything like that, or does the Commission want to go two hours before we..."

Commissioner Unruh said, "Well, we can go into recess, reconvene and then make the motions when we get back, if that's your desire. I'm asking the question."

Chairman Dennis said, "That's what I want to know from the Commission. Would you all like to take a short recess and grab a sandwich real quick because it's going to be two hours. Okay. What I'd like it do, then, is we'll go into recess until 1:00 [p.m.]. Is that agreeable to everyone? We'll come back out of recess and we'll make the motions at that time."

The Board of County Commission recessed at 12:33 p.m. and returned at 1:01 p.m.

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

EXECUTIVE SESSION

Chairman Dennis said, "Commissioner Unruh."

Commissioner Unruh said, "Mr. Chairman, I have two motions for executive session, and they would run consecutively."

MOTION

Commissioner Unruh moved that the Board of County Commissioners recess into executive session for 30 minutes until 1:31 [p.m.] to discuss personnel matters of non-elected personnel. The Board of County Commissioners will return to this room for open session no sooner than 1:31 [p.m.] The executive session is required to protect the privacy interests of an identifiable individual.

Commissioner Dennis seconded the motion.

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

VOTE

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

MOTION

Commissioner Unruh moved that the Board of County Commissioners recess into executive session for one hour and 30 minutes until 3:01 [p.m.] to discuss personnel matters of non-elected personnel and to consult with an attorney for this board which would be deemed privileged in the attorney/client relationship. The Board of County Commissioners will return to this room for open session no sooner than 3:01 [p.m.]. The executive session is required to protect the privacy interests of an identifiable individual and to protect the attorney/client privilege.

Commissioner Dennis seconded the motion.

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

VOTE

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

The Board of County Commissioners recessed into executive session at 1:03 p.m. and returned at 3:08 p.m.

Approved

[18-978](#)

Retain Legal Services of Michael Pepoon as Interim County Counselor until a permanent County Counselor is chosen.

Chairman Dennis said, "Do we have a motion?"

MOTION

Commissioner Unruh moved that the Board of County Commissioners retain the legal services of Mike Pepoon as the interim County Counselor until a permanent County

Counselor is chosen.

Commissioner Dennis 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>No</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, "Does anything else need to come before the board today?"

Retain Services

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 3:08 p.m.