

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, March 6, 2019

9:00 AM

BOCC Meeting Room

### **Board of Sedgwick County Commissioners**

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

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

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

## **ORDER OF BUSINESS**

### **CALL MEETING TO ORDER**

*The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:09 a.m. on March 6, 2019 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 Peter F. Meitzner; Commissioner Michael B. O'Donnell II; Commissioner Lacey D. Cruse; Commissioner James M. Howell; Mr. Thomas Stolz, County Manager; Mr. Michael D. Pepoon, Interim County Counselor; Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer; Mr. Kelly Arnold, County Clerk; Mr. Brent Shelton, Director, Economic Development and Tax Systems; Colonel Richard Powell, Undersheriff; Mr. Joe Thomas, Director, Purchasing; Ms. Kate Flavin, Public Information Officer; Ms. Lynda Baker, Deputy County Clerk.*

### **GUESTS**

*Mr. Jeff Fawcett, Sedgwick County Solid Waste Management Committee  
Mr. Frances Seidl, Sedgwick County Advisory Council on Aging and Physical Disabilities  
Ms. Mary Ellen Phillips, Sedgwick County Advisory Council on Aging and Physical Disabilities  
Ms. Debbie Willsie, Sedgwick County Advisory Council on Aging and Physical Disabilities  
Lieutenant Dale Mattern, Commander, Exploited and Missing Children's Unit*

### **INVOCATION: Pastor Marsha Haney, Bethany United Methodist Church.**

### **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, "I just had one person signed up on Public Agenda, but I think it was a mistake, because it was Pastor Haney that signed up. I think she has departed, so next item, please."*

### **CONSIDERATION OF MINUTES**

#### **A     [19-152](#)**

**REGULAR MEETING MINUTES OF JANUARY 30, 2019.**  
**All Commissioners were Present.**

*Chairman Dennis said, "Commissioners, everyone's had an opportunity to review the*

*minutes from January 30th, February 6th and February 13th."*

**MOTION**

*Commissioner Dennis moved to approve the meeting minutes of January 30, 2019, February 6, 2019 and February 13, 2019.*

*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 Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

**Approved**

- B**     [19-168](#)     REGULAR MEETING MINUTES OF FEBRUARY 6, 2019.  
All Commissioners were Present.

*Action for this item was taken with Item A*

- C**     [19-174](#)     REGULAR MEETING MINUTES OF FEBRUARY 13, 2019.  
All Commissioners were Present.

*Action for this item was taken with Item A.*

**APPOINTMENTS**

- D**     [19-157](#)     RESOLUTION APPOINTING JEFF FAWCETT (COMMISSIONER DAVID DENNIS' APPOINTMENT) TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE IN POSITION #13 FOR THE THIRD DISTRICT.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Chairman Dennis said, "Mr. Pepoon."*

*Mr. Michael Pepoon, Interim County Counselor, greeted the Commissioners and said, "You have before you a resolution appointing Jeff Fawcett, which is the Chairman's appointment to the Sedgwick County Solid Waste Management Committee in Position 13 for the Third District. This is a two-year appointment, and it will expire December 31, 2020. The resolution is in proper form, and I'd ask that you approve the resolution."*

*Chairman Dennis said, "Thank you. I appreciate it. Jeff Fawcett is a local waste management individual. He's very familiar with the subject."*

**MOTION**

*Commissioner Dennis moved to adopt the resolution.*

*Commissioner O'Donnell seconded the motion.*

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

**VOTE**

|                                  |            |
|----------------------------------|------------|
| <i>Commissioner O'Donnell II</i> | <i>Aye</i> |
| <i>Commissioner Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

*County Clerk has assigned Resolution No. 041-2019*

*Chairman Dennis said, "You want to get sworn in, sir?"*

*Mr. Jeff Fawcett, Sedgwick County Solid Waste Management Committee, greeted the Commissioners and said, "Yeah."*

*Mr. Kelly Arnold, County Clerk, greeted the Commissioners and said, "Please raise your right hand:*

*I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Solid Waste Management Committee Position Number 13, so help me God."*

*Mr. Fawcett said, "I do."*

*Mr. Arnold said, "Alright, congratulations. Would you like to say anything?"*

*Mr. Fawcett said, "Thank you very much. I appreciate the appointment."*

*Chairman Dennis said, "Thank you, Mr. Fawcett. We appreciate you taking on the responsibility. Next item, please."*

**Adopted**

**E      [19-164](#)**

**RESOLUTION APPOINTING FRANCES SEIDL (COMMISSIONER PETE MEITZNER'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING AND PHYSICAL DISABILITIES FOR DISTRICT 1.**

**Presented by: Mike Pepoon, Interim County Counselor.**

**RECOMMENDED ACTION: Adopt the Resolution.**

*Chairman Dennis said, "Mr. Pepoon."*

*Mr. Pepoon said, "Yes. I would ask that we consider Items E, F and G all together. All three items are appointments by Commissioner Meitzner to the Sedgwick County Advisory Council on Aging and Physical Disabilities. They're all reappointments for*

*four-year terms. The first appointment is appointing Frances Seidl. The second appointment is to appoint Mary Ellen Phillips to continue her role on the committee, and the third is to appoint Debbie Willsie. So all three resolutions are in proper form, and I ask that the Commission approve the resolutions."*

*Chairman Dennis said, "Commissioner Meitzner."*

*Commissioner Meitzner said, "Thank you, Chairman. I would like to make a motion to approve this. These are continuation of appointees that former Commissioner Dave Unruh had appointed, so thank you for your past service."*

**MOTION**

*Commissioner Meitzner moved to adopt the resolution.*

*Commissioner O'Donnell seconded the motion.*

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

**VOTE**

|                                  |            |
|----------------------------------|------------|
| <i>Commissioner O'Donnell II</i> | <i>Aye</i> |
| <i>Commissioner Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

*County Clerk has assigned Resolution No. 042-2019, 043-2019 and 044-2019.*

*Mr. Arnold said, "Alright ladies, if you'd just like to stand here. Raise your right hand:*

*I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Advisory Council on Aging and Physical Disabilities, so help me God."*

*Mr. Frances Seidl, Sedgwick County Advisory Council on Aging and Physical Disabilities, greeted the Commissioners and said, "I do."*

*Ms. Mary Ellen Phillips, Sedgwick County Advisory Council on Aging and Physical Disabilities, greeted the Commissioners and said, "I do."*

*Ms. Debbie Willsie, Sedgwick County Advisory Council on Aging and Physical Disabilities, greeted the Commissioners and said, "I do."*

*Mr. Arnold said, "Congratulations. If you'd like to say anything, you can."*

*Ms. Seidl said, "I just appreciate the continued opportunity to serve. It's a really enthusiastic and supportive group, and I appreciate that. Thank you."*

*Ms. Willsie said, "Thank you very much for that appointment, and we think we do a good job in terms of our appointment."*

*Ms. Phillips said, "Thank you also. The three of us work very, very well, and I think, in fact, the whole advisory council, as it now stands, is working extremely well and better than I've seen. When I started 14 years ago, it was kind of spotty. It's not that way anymore. I'm real proud of what we are accomplishing."*

*Commissioner Meitzner said, "Thank you, Mary Ellen. Mary Ellen, mom would say hi. If mom was here, she would say hi."*

*Ms. Phillips said, "Oh, okay. Well, she was a lovely lady."*

*Commissioner Meitzner said, "Thank you."*

*Chairman Dennis said, "Ladies, congratulations. Thank you very much for serving. We appreciate it. Next item, please."*

**Adopted**

**F**     [19-165](#)

RESOLUTION APPOINTING MARY ELLEN PHILLIPS  
(COMMISSIONER PETE MEITZNER'S APPOINTMENT) TO THE  
SEDGWICK COUNTY ADVISORY COUNCIL ON AGING AND  
PHYSICAL DISABILITIES FOR DISTRICT 1.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Action for this item was taken with Item E.*

**G**     [19-189](#)

RESOLUTION APPOINTING DEBBIE WILLSIE (COMMISSIONER  
PETE MEITZNER'S APPOINTMENT) TO THE SEDGWICK COUNTY  
ADVISORY COUNCIL ON AGING AND PHYSICAL DISABILITIES FOR  
DISTRICT 1.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Action for this item was taken with Item E.*

**H**     [19-192](#)

RESOLUTION APPOINTING TRAVIS CUTLER (BOARD OF COUNTY  
COMMISSION (BOCC) APPOINTMENT) TO THE SEDGWICK COUNTY  
ADVISORY BOARD FOR ONSITE WATER WELL CONSTRUCTION IN  
THE REGISTERED WATER WELL DRILLER POSITION.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Pepoon said, "This is a Commission appointment to the Sedgwick County Advisory Board for Onsite Water Well Construction. It's the recommendation that Mr. Travis Cutler be appointed to this board. We'd ask that you approve the resolution."*

**MOTION**

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

*Commissioner Cruse 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 Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

*County Clerk has assigned Resolution No. 045-2019.*

*Chairman Dennis said, "Not present? Okay, next item, then."*

**Adopted**

I      [19-167](#)

RESOLUTION APPOINTING BRENT SHELTON (BOARD OF COUNTY COMMISSION APPOINTMENT) TO THE SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DISTRICT BOARD (SCKEDD).

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Chairman Dennis said, "Mr. Pepoon."*

*Mr. Pepoon said, "This is, again, a board appointment to the South Central Kansas Economic Development District Board (SCKEDD). The resolution is recommending the appointment of our very own Brent Shelton to the board, and would ask that you approve the resolution. It's in proper form."*

MOTION

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

*Commissioner Cruse 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 Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

*County Clerk has assigned Resolution No. 046-2019.*

Chairman Dennis said, "Brent, do you want to say anything? Well, let's get you sworn in first."

Mr. Arnold said, "Please raise your right hand:

*I do solemnly swear that I will support the Constitution of the United States, The Constitution of the State of Kansas, and faithfully discharge the duties of the office of South Central Kansas Economic Development District Board of Directors, so help me God."*

Mr. Brent Shelton, Director, Economic Development and Tax Systems, greeted the Commissioners and said, "I do."

Mr. Arnold said, "Alright, there you go, congratulations."

Mr. Shelton said, "Thank you, Commissioners. I appreciate the opportunity to represent Sedgwick County on SCKEDD's Board of Directors. Look forward to working with them to enhance economic vitality and quality of life in our region, as is their mission."

Chairman Dennis said, "Very good. Well that's the shortest you've ever been up and spoken to us."

Mr. Shelton said, "I've been accused of never meeting a microphone I didn't like, so with that, I'll sit down."

Chairman Dennis said, "Congratulations, thank you. Next item, please."  
**Adopted**

## **NEW BUSINESS**

**J**     [19-163](#)

MEMORANDUM OF UNDERSTANDING REGARDING THE WICHITA/SEDGWICK COUNTY EXPLOITED AND MISSING CHILD UNIT (EMCU).

Presented by: Colonel Richard Powell, Undersheriff, Sheriff's Office.

RECOMMENDED ACTION: Approve the Memorandum of Understanding and authorize the Chairman to sign.

Chairman Dennis said, "Good morning, Colonel Powell."

Colonel Richard Powell, Undersheriff, greeted the Commissioners and said, "The Sheriff's Office is bringing before you this morning two items for your consideration that actually have ties to each other. They both deal with the operations of the Exploited and Missing Children's Unit (EMCU), which is a joint venture between the Sedgwick County Sheriff's Office, the Wichita Police Department and the Department of Children and Families (DCF). They are located in the Child Advocacy Center (CAC), where they also have other stakeholders involved, with people that are involved in that particular center down there.

"The first item we are bringing to your bench for consideration is the Memorandum of



*Understanding for the overall day-to-day operations of the organization, which again, has the three entities involved, and then also is controlled by a board of directors, which you have a membership on that board and other parties that have stakeholders involved. This is an annual request that we have on a regular ongoing basis that we bring before you. It just simply ratifies the agreement that we've had in place now for many years, and allows for the continued successful operation, and the participants involved at the Sheriff's Office, the [Wichita] Police Department, and DCF to equally fund each one-third of the respective pieces that we put into play with this Exploited and Missing Children's Unit.*

*"Since we have two new Commissioners on the bench in this meeting today, I brought along with me Lieutenant Dale Mattern. Lieutenant Mattern from the Wichita Police Department is the commander of EMCU, which also oversees ICAC or Internet Crimes Against Children subset. If your schedule allows, if there's no objections, I would have Lieutenant Mattern make a few comments about EMCU and what they do, how they do it, etc. Maybe take a brag minute or two and give just some good educational information to the new Commissioners that are on the bench, so Lieutenant Dale Mattern with the Police Department."*

*Chairman Dennis said, "Good. Well, thank you. Welcome."*

*Lieutenant Dale Mattern, Commander, Exploited and Missing Children's Unit, greeted the Commissioners and said, "The Wichita Police Department, Sedgwick County Sheriff's Office and Department of Children and Families have jointly operated the Exploited and Missing Child Unit since 1985. EMCU has a proven track record for helping children and their caregivers in our community. EMCU is a collaborative, multidisciplinary investigation section with a goal to minimize secondary trauma to child victims. Over the past five years, EMCU has averaged 620 child sex crimes investigations, 811 child abuse or endangerment cases, 59 outside requests for assistance, 1,816 runaway investigations, 1,767 DCF intakes and 54 Child in Need of Care (CINC) petitions annually. EMCU works in partnership with the Child Advocacy Center of Sedgwick County to provide therapy for victims and their families, including advocacy during the court process. This specialized unit assists all law enforcement agencies in Sedgwick County, as well as other agencies throughout the State of Kansas."*

*Chairman Dennis said, "Well thank you very much for coming over and speaking with us today. I do serve on that board. I understand your statistics. It would be a perfect world if you were briefing us that there were no problems. But unfortunately there are, and we have to have a group like this, and something like the Child Advocacy Center in order to help protect those that can't. We have a couple comments from a couple of our Commissioners. Commissioner Meitzner."*

*Commissioner Meitzner said, "Thank you, Mr. Chairman. Lieutenant and Colonel, thank you for addressing. The Chairman mentioned he serves on the board, and he couldn't make a meeting and I got to sit on the last meeting, and there's a lot of boards that we all kind of sit on, but I tell you, it was very eye-opening to me, and very, very learning experience just to sit through the hour and a half meeting that we had, and know the severity and the large breadth of what you all are trying to do with this child advocacy stuff, so thanks. I hope we can support and continue to support as the technology changes. The reality that children have all kinds of media tools to get abused and abuse and bully and everything. It was very fascinating to be in the meeting. I'm very supportive of what we need to do to keep that mission going."*

*Colonel Powell said, "Thank you, sir. We would certainly extend an open invitation to all members of the Commission any time that you feel you would like to refresh your memory or take a first-time tour and understand the ins and outs of the organization and meet some of the staff. Lieutenant Mattern and his staff would certainly make themselves available, and we'd love to have you come down and take a look at it, if you have a chance. Thank you."*

*Chairman Dennis said, "We have a comment from Commissioner Cruse."*

*Commissioner Cruse said, "I was just going to say Tim Norton called me up and said you got to go tour the Child Advocacy Center, and so we went and took a tour of it, and one thing that I didn't realize was that, you know, it used to be in the basement, and now it's a nice facility..."*

*Colonel Powell said, "Yes."*

*Commissioner Cruse said, "...where there's a separate entrance for victims and perpetrators. So I really feel like the center itself was really impressive. The room in the back with the sand where children could describe what had happened to them, I mean, it just pulls at my heartstrings that children go through this, and I think they said that only like 10 percent of cases are actually reported, and so that means there are so many other cases out there that we don't even hear about. So these numbers that you rattled off, you know, 1,800 runaways, 811 abused children, I mean, the work that you do is so incredible, and I just really appreciate what you do on a daily basis, because I couldn't do it. I couldn't do it. The other thing that I just want to point out is the workout room that you guys have to destress, and those kinds of things, because when you see somebody's trauma on a daily basis, and you have to live that, wow, I just really commend you guys for what you do."*

*Lieutenant Mattern said, "Thank you very much. We try and do our best."*

*Colonel Powell said, "A little bit of additional discussion for you. I would remind you that the budget, for purposes of operation during our county, 2019 budget has already been set for the equal parts of the three players. Each is contributing approximately \$47,000. The total budget is about \$141,000. The approval of this particular request has no bearing on the budget. It's already in-place. There's no additional funding asked for, or anything like that, just simply to continue with the working agreement that we have in place now. So I gladly will stand for any other questions, if not, I would respectfully request your consideration and subsequent approval of this item."*

*Chairman Dennis said, "Thank you. We do have one more comment from Commissioner Howell."*

*Commissioner Howell said, "Thank you, Mr. Chairman. Just first of all, thank you Lieutenant Mattern and Colonel Powell for the presentation. I agree with Commissioner Cruse, those numbers, you rattled them off pretty quickly, and I think it's very sobering for the community to hear that. One of my questions would be, how are our trends? You named a number of different statistics, but I guess I would like to know as a policymaker or a Commissioner of the community here, what are the trends looking like, are things getting worse or getting better? How would you characterize those?"*

*Lieutenant Mattern said, "Generally our cases go up roughly 7 to 10 percent each year."*

*So a lot of that, we know there are more cases out there that don't get reported, but our caseload goes up about 7 to 10 percent each year for the past five years or so anyway."*

*Commissioner Howell said, "Alright, that's not what I wanted to hear, but again, I appreciate the good work that you all do, and I have been in there numerous times to see the facility, as well as I served on the EMCU Board as Commissioner when I was the Chairman in 2016, and it's just a tremendous experience to see what all goes on over there. Just as a way of remembering exactly what all the CAC does, you mentioned ICAC and the EMCU, but there's a third component. Can you talk about that?"*

*Lieutenant Mattern said, "Sure. The third component is we partner with the Department of Children and Families. Along with all of the law enforcement officers, we work together with child protection specialists from DCF, and we try and come up with, the law enforcement handles the criminal side of the investigation, while DCF handles the social sides. They look at long-term placement for children and that kind of thing."*

*Commissioner Howell said, "Well I sure appreciate what you do. I know that you all try to get people the things they need, the physical things they need. You have some materials you hand out, counseling, just those things that you guys do is tremendous. So I would classify this, I like to use this term once in a while, I don't use it very often, but this is what I call good government. We need this type of service in this community, and I think I'm proud of the Commission for being a partner in the CAC and the EMCU and members on that board that serve, so thank you both for what you do."*

**MOTION**

*Commissioner Howell moved to approve the memorandum of understanding and authorize the Chairman to sign.*

*Commissioner Cruse 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 Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

*Chairman Dennis said, "Next item, please."*

**Approved**

**K**     [19-166](#)

**AMENDMENT OF A CONTRACT WITH THE KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES TO FUND ONE-THIRD OF THE COST OF THE EXPLOITED AND MISSING CHILD UNIT FOR CALENDAR YEAR 2019.**

**Presented by: Colonel Richard Powell, Undersheriff, Sheriff's Office.**

RECOMMENDED ACTION: Approve the amendment and authorize the Chairman to sign.

*Colonel Powell said, "The item I'm bringing before you now is just a continuation of the previous item we just discussed, whereas the first item was an overall MOU (Memorandum of Understanding) for all the stakeholders involved. This item is a renewal of an existing MOU with DCF, the Department of Children and Families. They have a continual agreement as our other stakeholders do, but every year, they have to actually effect an adoptive change to their agreement per the way they do business. This is a simple request to acknowledge the change of their existing MOU with us that just simply extends it into this budget year. Again, there's no financial considerations on our part we need to be concerned about. It just simply extends the agreement to be on what it was in the previous agreed to period of time. I would respectfully, again, request your consideration and subsequent approval, and Lieutenant Mattern and I will certainly stand for any questions that you may have."*

*Chairman Dennis said, "Thank you, Colonel Powell. I don't see any questions."*

MOTION

*Commissioner Dennis moved to approve the amendment and authorize the Chairman to sign.*

*Commissioner Cruse 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 Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

*Chairman Dennis said, "Thank you all very much for being here today."*

*Colonel Powell said, "Thank you."*

*Chairman Dennis said, "I appreciate it. Next item, please."*

**Approved**

**L**      [19-184](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON FEBRUARY 28, 2019.

Presented by: Joe Thomas, Director, Purchasing.

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

*Chairman Dennis said, "Good morning, Joe."*

*Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "The meeting that was conducted of the Board of Bids and Contracts of February 28th results in three items for your consideration this morning.*

**1. ROAD IMPROVEMENTS - PUBLIC WORKS  
FUNDING - R175 PREVENTIVEMX-16+**

*"This recommendation is to accept the low bid from Cornejo & Sons, L.L.C. in the amount of \$429,126.60.*

**2. KRONOS WORKFORCE MAINTENANCE AND SUPPORT – INFORMATION  
TECHNOLOGY AND SUPPORT  
FUNDING - ENTERPRISE RESOURCE**

*"This recommendation is to accept the quote from Kronos Incorporated, and this is in the amount of \$91,751.58.*

**3. ADULT DETENTION FACILITY JAIL POD VCT FLOORING REMOVAL –  
PROJECT SERVICES  
FUNDING - ADF JAILPOD VCT**

*"This recommendation is to accept the low bid from Great American Hardwood Flooring, and this is in the amount of \$547,801.*

*Mr. Thomas said, "I'll try to answer any questions you may have, and I'd be happy to recommend the approval of these three items."*

*Chairman Dennis said, "I don't see any questions from any of the Commissioners this morning. I know we've been briefed on each of these items."*

**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 Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

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

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

**Approved**

**CONSENT**

M. Agreement with the Kansas Department of Transportation (KDOT) for funding and construction of a bridge on Hydraulic between 111th and 119th Streets South with Federal Funds (CIP Project Number B 489) (District 2).

N. Request an addition to the Public Works Staffing Table.

O. A Resolution delegating authority regarding Water Rights and Water Wells for real property owned by Sedgwick County.

County Clerk has assigned Resolution No. 047-2019.

P. Treasurer Claim Certification.

Q. General Bill Check Register for February 13, 2019 February 19, 2019.

R. General Bill Check Register for February 20, 2019 February 26, 2019.

S. Payroll Check Register for the February 16, 2019 payroll certification.

Mr. Thomas Stolz, County Manager, greeted the Commissioners and said, "Recommend approval of Consent Items M through S."

**MOTION**

Commissioner Dennis moved to approve Consent Agenda Items Mike (M) through Sierra (S).

Commissioner O'Donnell seconded the motion.

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

**VOTE**

|                           |     |
|---------------------------|-----|
| Commissioner O'Donnell II | Aye |
| Commissioner Cruse        | Aye |
| Commissioner Howell       | Aye |
| Commissioner Meitzner     | Aye |
| Chairman Dennis           | Aye |

Chairman Dennis said, "Next item, please."

- M**     [19-170](#)     Agreement with the Kansas Department of Transportation (KDOT) for funding and construction of a bridge on Hydraulic between 111th and 119th Streets South with Federal Funds (CIP Project Number B-489) (District 2).  
**Approved on the Consent Agenda**
- N**     [19-193](#)     Request an addition to the Public Works Staffing Table.  
**Approved on the Consent Agenda**
- O**     [19-182](#)     A Resolution delegating authority regarding Water Rights and Water Wells for real property owned by Sedgwick County.

**Approved on the Consent Agenda**

- P     [19-159](#)     Treasurer Claim Certification.  
**Approved on the Consent Agenda**
- Q     [19-185](#)     General Bill Check Register for February 13, 2019 - February 19, 2019.  
**Approved on the Consent Agenda**
- R     [19-186](#)     General Bill Check Register for February 20, 2019 - February 26, 2019.  
**Approved on the Consent Agenda**
- S     [19-044](#)     Payroll Check Register for the February 16, 2019 payroll certification.  
**Approved on the Consent Agenda**

**LEGISLATIVE ISSUES**

*Mr. Pepoon said, "Don't have a lot to report at this time. Last Thursday was turn-around up in Topeka, which as former legislators on our board understand was a time when the original bills were to get through one of the either the House or the Senate and go to the other House or Chamber. Some of the bills we are tracking, House Bill 2084 involves a 911 fee increase that has been amended in such a way that could potentially cost the county \$100,000 if not taken care of, and we're going to be closely tracking that bill. A couple of our bills that we've been working on, House Bill 2238, our Nuisance Abatement Bill and Senate Bill 129, which is an Election Bill that would allow voters to vote at any polling place have stalled somewhat, but we're still looking at strategies to keep those bills moving. There's a bill today, House Bill 2345, which would allow some relief under the tax lid, which is being supported by the Kansas Association of Counties, and for right now, that's most of the activity that's going on up in Topeka from the county's perspective."*

*Chairman Dennis said, "Very good. Any questions for Mr. Pepoon? Commissioner O'Donnell."*

*Commissioner O'Donnell said, "I had lunch with Senate President Susan Wagle yesterday. She said that Jason had been working with her, and that her office was working with everything, and they fully supported our agenda. Felt really good about a lot of the things we were working on, so good report. Just that Jason had been working with her staff on everything, so she was very high on that yesterday, so just a good update. It's really beneficial to have so much legislative leadership in Sedgwick County, because they get it, and she was particularly interested in the bill that would allow anybody to vote at any polling location. She said we should have done this, you know, whenever we had electronic voting machines a decade ago. She couldn't believe we were that far behind. Apparently the rest of the state is looking at that, that they want to jump on that as well, particularly the more urban counties, the five major urban counties."*

*Chairman Dennis said, "Very good."*

*Commissioner O'Donnell said, "Good update."*

*Chairman Dennis said, "Thank you. Well I think our staff, our lobbyist, everyone is doing a great job up there in Topeka. I know we've got some issues that we're trying to get through. The legislators are listening to us. We had three come down to 911 a couple days ago to tour our 911 facility, to understand what the impact was going to be on that. The property tax relief, that's the one for transportation only, is that the one you're talking about?"*

*Mr. Pepoon said, "No, this is one that would just, it's got a formula that would give cities and counties a little more flexibility with the tax lid on averaging some mill levy and such. I don't know how much traction this bill has, but again, it's getting its first hearing today in House Tax, so we'll see how that goes."*

*Chairman Dennis said, "Okay, and 129 is the one that Commissioner O'Donnell spoke about. So those are several bills that are very important to us. We appreciate the update."*

*Mr. Pepoon said, "You're welcome."*

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

## **OTHER**

*Chairman Dennis said, "So any Commissioners have anything to discuss during Other? I do, and I forgot to bring it in, dadgum it. Anyway, I apologize, but I showed the Commissioners, we got a very, very nice, ginormous thank you card from all of the zoo employees thanking us for looking towards the future of the zoo and helping with the 25-year master plan. I will try and remember to bring that next time so everyone can see it. It was laying on my desk, and I just forgot to pick it up, but I just want to tell the folks from the zoo, they work very hard to make that the number one tourist attraction here in the state. We appreciate everything that they do every single day. We believe in what they're doing, and we thank them very much for the card that I didn't bring in. Anyone else have anything for Other? Seeing nothing, next item, please."*

## **EXECUTIVE SESSION**

*Commissioner Meitzner said, "Mr. Chairman, yes, I'd like to move that the Board of County Commissioners recess into Executive Session for 20 minutes, until 10:05 a.m. for consultation with an attorney for the county related matters deemed privileged in the attorney-client relationship in order to discuss pending litigation, and in addition, issues related to a possible waiver of the attorney-client privilege in limited circumstances, and that the Board of County Commissioners returns to this room from Executive Session no sooner than 10:05 a.m."*

*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 Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |



*The Board of County Commissioners recessed into Executive Session at 9:38 a.m. and returned at 10:07 a.m.*

**Approved**

[19-232](#)

**LIMITED WAIVER OF ATTORNEY-CLIENT PRIVILEGE.**

Presented by: Mike Pepoon, Interim County Counselor.

**RECOMMENDED ACTION:** Approve the Waiver.

*Chairman Dennis said, "State that during the Executive Session, no binding action was taken. Mr. Pepoon, do you have anything that you'd like to comment on?"*

*Mr. Pepoon said, "Yes I do, Mr. Chairman. You have before you a document that I have prepared, or actually the attorney for Karen Powell in my office has prepared, which is entitled Limited Waiver of Attorney-Client Privilege. The District Attorney's Office is wanting to interview Ms. Powell regarding a Kansas Open Meetings Act violation, a potential Kansas Open Meetings Act violation, and to do so, she would have to waive, or the board would have to waive its attorney-client privilege to allow her to do so for the very limited purpose of this investigation. I would request that you allow the Chairman to sign this limited waiver of attorney-client privilege, and go from there."*

*Chairman Dennis said, "Thank you, Mr. Pepoon. Do we have any questions for our attorney?"*

*Commissioner O'Donnell said, "No, sir."*

*Chairman Dennis said, "I don't see any questions."*

**MOTION**

*Commissioner Dennis moved to approve the limited waiver of attorney-client privilege for Karen Powell to discuss a potential allegation of a Kansas Open Meetings Act violation.*

*Commissioner Cruse 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 Cruse</i>        | <i>Aye</i> |
| <i>Commissioner Howell</i>       | <i>Aye</i> |
| <i>Commissioner Meitzner</i>     | <i>Aye</i> |
| <i>Chairman Dennis</i>           | <i>Aye</i> |

*Chairman Dennis said, "One other thing, I forgot to bring the thank you card in during Other. This is a nice thank you card from the Sedgwick County Zoo that shows the new entrance that we hope to fund on the front of it, and inside of it, we have signatures of the staff."*

*Commissioner O'Donnell said, "That's awesome."*

*Chairman Dennis said, "I want to thank them very much for sending this up to us. I apologize that I didn't have it in during Other, but it's much appreciated by all of our Commissioners. Does anything else need to come before the Commission?"*

**Approved**

## **ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 10:09 a.m.*