

Sedgwick County

525 North Main Street 3rd Floor
Wichita, KS 67203



*Sedgwick County...
working for you*

Meeting Minutes

Wednesday, April 3, 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, 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 9:05 a.m. on April 3, 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; Ms. Christine Steward, Health Protection Director, Health Department; Mr. Kelly Arnold, County Clerk; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Justin Waggoner, Assistant County Counselor; Mr. Dale Miller, Director, Metropolitan Area Planning Department; Ms. Lindsay Poe Rousseau, Chief Financial Officer; Ms. Tania Cole, Assistant County Manager; Mr. Joe Thomas, Director, Purchasing; Ms. Penny Poland, Director, Fleet Management; Mr. Doug Williams, Interim Fire Chief; Ms. Karen Bailey, Chief Deputy County Clerk; Ms. Kate Flavin, Public Information Officer; Ms. Lynda Baker, Deputy County Clerk.

GUESTS

*Ms. LaTasha St. Arnault, President/Chief Executive Officer, Inter-Faith Ministries
Ms. Pamela Noble, Assistant Director, Prevent Child Abuse Kansas
Mr. Steve Coen, Recipient, 2019 Dr. Doren Fredrickson Award
Mr. Russ Ewy, Planning Consultant, Baughman Company
Mr. Lonny Wright, 1721 South Lulu Street, Wichita*

INVOCATION: Reverend Pamela Myrtis Hughes Mason, St. Paul African Methodist Episcopal

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, "Thank you. I have one individual signed up to speak on Public Agenda this morning, LaTasha St. Arnault. I hope I said you're last name correctly." Ms. LaTasha St. Arnault, President/Chief Executive Officer, Inter-Faith Ministries, greeted the Commissioners and said, "Pretty close. I'm impressed. St. Arnault, it's French Canadian, difficult. I just want to kind of make a few announcements about exciting things that we have coming up that we thought we'd share with you. As many of you may know, Inter-Faith Ministries (IFM) serves those living in extreme poverty, including the homeless. IFM was founded nearly 135 years ago with this mission in

mind, and since then, we have served thousands of individuals and families in this very community. Inter-Faith Ministries operates 3 homeless shelters and 105 low-income apartments, 43 of which are designated specifically for the chronically homeless. We also have Kansas' largest holiday distribution program. Some of you might have heard of it, Operation Holiday.

"IFM also participates in the Fill [Filling]-the-Gap lunch program where we serve kids lunches in our apartment complexes and those in the surrounding community. Finally, we have a street outreach team that actually meets clients where they're at, where we find them in encampments and other very stressful situations, where we build trust and rapport with those struggling. Our model really starts out with our street outreach team, and then basically what we do is we try to move them into emergency shelters, then our year-round shelter, and then eventually our apartments, our affordable housing program. We work really well with other community partners. We collaborate quite often. Obviously, that's in the best interest of the client. If we can't get them into our permanent housing, we try to work with them with others in the community with voucher programs and so on.

"Clients receive food, shelter, life classes, including budgeting, job placements, cooking, stress management, smoking cessation, just to name a few, and then as I mentioned before, we have wraparound case management for anyone that comes to our doors. Every year, we're serving about 1,400 unduplicated men, women and children that are homeless through our shelters. We also serve an additional 200 individuals and families through our permanent housing program. Then Operation Holiday, just this year alone, served 14,000 individuals and families providing basic necessities through the winter months, and of course, toys for the kids.

"With our 2 emergency winter shelters, we serve approximately 140 men and women each night. At those facilities, we are providing food, clothing, basic medical care and case management as well. Overall, each year, I have been serving nearly 16,000 Wichitans most vulnerable residents, and we find this work to be incredibly critical for the community at large, and we know you do too. Because this work is so important, we wanted to share a new event with you. This is the first year Inter-Faith Ministries will be hosting a Homeless for a Day Challenge. As you know, there is often a lack of empathy for the homeless, and the purpose of this event is to combat that and dispel many of the common misconceptions about this population while raising compassion and, of course, much needed funds for the homeless in our city. The event will be Saturday, April 27th, and we'll be hosting it on our Inter-Faith Ministries campus. Ms. St. Arnault continued, "As many of you might know, we have about a two-block campus from Murdock and Market, all the way from Market to 9th Street. So we'll be giving tours of campus, and we'll also be having participants stay in one of our emergency shelters. I think it's important to note that this event is not displacing any clients, that this facility is already closed for the season. On any given night, there are nearly 600 homeless Wichitans, and that does not count those that are staying with family or friends, what we consider couch surfing. It also does not count those living in their cars. Now while some suffer from mental illness or chronic poverty issues, many are just like you and me.

"This event, we want to really stress, is not about pretending to be homeless. It's about raising awareness for the serious challenges of our homeless population here in Wichita, and it turns participants into advocates. There are multiple ways to get involved, of course, as you can imagine, either participating. We also have a virtual option, but we hope that you guys will be advocates too, and share this with your

colleagues, family, friends and the community. Again, I really appreciate your time. I've passed out some materials for you guys to review, so we hope you share those with those in your offices, and my business cards as well, so we welcome you guys to come to campus any time that's convenient, either for the event or another time. We'd love to give you a tour and just talk a little bit more about our services here in the community. Thank you."

Chairman Dennis said, "Thank you, Ms. St. Arnault. I appreciate very much you being here today. The mission that you have dovetails perfectly with the mission here in Sedgwick County and much of the things that we do, so..."

Ms. St. Arnault said, "Yes."

Chairman Dennis said, "...we do appreciate you partnering with us and helping those that need help at the greatest time."

Mr. St. Arnault said, "Thank you."

Chairman Dennis said, "Thank you. Appreciate it. I do have one question, one comment. Commissioner Cruse."

Commissioner Cruse said, "Thank you so much for giving us this presentation. I mean, these numbers, I just kind of jotted them down. Six hundred people homeless on any given night? So in District Four, which is the district that I represent, I drive by every single day, and I see the same homeless people, and it just makes me sad. Commissioner Cruse continued, "If we don't do something as a community to help these folks, which I know that there is so much going on, but it's like what can we do as individuals? I want to take this challenge. It's actually on my birthday. What a way to start my 37th year, right?"

Ms. St. Arnault said, "What a way?"

Commissioner Cruse said, "What a way."

Ms. St. Arnault said, "Yeah."

Commissioner Cruse said, "So okay. Well thank you so much for being here."

Ms. St. Arnault said, "Yeah, thank you again. We really appreciate your guys' support and interest in the issues."

Chairman Dennis said, "Thank you very much. Again, thank you for being here. I don't have anyone else signed up to speak on the Public Agenda, but if anyone else is in the audience would like to speak, we'll give you an opportunity at this time. Seeing no one, Madam Clerk, next item."

CONSIDERATION OF MINUTES

A [19-242](#)

REGULAR MEETING MINUTES OF MARCH 6, 2019.
All Commissioners were Present.

Chairman Dennis said, "Thank you, Madam Clerk."

MOTION

Commissioner Dennis moved to approve the meeting minutes of March 6, 2019 and March 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** [19-256](#) REGULAR MEETING MINUTES OF MARCH 13, 2019.
All Commissioners were Present.
Action for this item was taken with Item A.

PROCLAMATIONS

- C** [19-254](#) PROCLAMATION DECLARING CHILD ABUSE PREVENTION MONTH.
Read by: Chairman David T. Dennis or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Dennis said, "Thank you very much. Commissioners, I have a proclamation that I'd like to read:

PROCLAMATION

WHEREAS, children are key to the state's future success, prosperity and quality of life and, while children are our most valuable resource, they are also our most vulnerable; and

WHEREAS, children have a right to be safe and to be provided an opportunity to thrive, learn and grow; and

WHEREAS, child abuse and neglect can be prevented by supporting and strengthening Kansas' families, thus preventing the far-reaching effects of maltreatment, providing the opportunity for children to develop healthy, trusting family bonds; and therefore building the foundations of communities; and

WHEREAS, we must come together as partners so that the voices of our children are heard by all and we are as a community extending a helping hand to children and families in need; and

WHEREAS, by providing safe, stable and nurturing relationships for our children, free of violence, abuse and neglect, we can ensure that Kansas' children will grow to their full potential as the next generation of leaders, helping to secure the future of this state and nation;

NOW, THEREFORE BE IT RESOLVED that I, Chairman David T. Dennis, and the Board of Sedgwick County Commissioners, do hereby recognize April 2019 as

CHILD ABUSE PREVENTION MONTH

in Sedgwick County and I call this observance to the attention of all our citizens.

MOTION

Commissioner Dennis moved to adopt the proclamation.

Commissioner Howell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner 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. 065-2019.

Chairman Dennis said, "Accepting this is Pamela Noble, Assistant Director of Child Abuse Prevention for Kansas. Thank you for being here today."

Ms. Pamela Noble, Assistant Director, Child Abuse Prevention for Kansas, greeted the Commissioners and said, "Thank you very much for signing the proclamation this morning. We in Kansas Children's Services League (KCSL) work very hard throughout the community and the state to prevent child abuse before it ever happens. Diana Schunn is with us this morning. She is the Executive Director for the Child Advocacy Center, and she is one of our many partners, and we also have many, we have some different case management programs that work with Inter-Faith Ministries and the homeless population as well.

Ms. Noble continued, "In 1976, the National Committee for Child Abuse Prevention, what's now Prevent Child Abuse America, asked that the states have individual chapters. Kansas was the first state to step up to the challenge. SuEllen Fried founded the chapter. She's in her 80s. She still is very active in child abuse prevention and bullying prevention and with a prison ministry as well. Our annual campaign has grown and changed quite a bit since 1976. In your packet, you have pinwheel pins. I also have a vase of pinwheels for you to set in one of the county offices, wherever you would choose. The pinwheel is the symbol of child abuse prevention. It symbolizes that children should have happy and healthy lives. They should have strong family bonds, and that we should all be working towards that.

"Prevention strategies we know are most effective when we collaborate with the public

and the private agencies. As I said, we work quite a bit with the Child Advocacy Center. We work with Inter-Faith Ministries. We work with the different homeless and domestic violence shelters and a variety of different partners across the city and the state. We know that programs and strategies that start early, that zero to three timeframe in a child's life, prenatal if we can get them, is really important. Home visiting, parent education, mental health services, self-help support groups, substance abuse treatments, respite care and quality affordable childcare all make a huge difference in the lives of children and families.

"In Kansas especially, strong families make strong businesses, so we want to invest in our families. We want to look at those parents who have grown up with a large number of adverse childhood experiences that affect their ability to go to work now, and we want to help them turn that around so those children are growing up in much more positive situations. For every dollar that we spend on the prevention side, we save seven on the back side, which equates to, productivity costs employers about \$147,000 over each lifetime. The Centers for Disease Control and Prevention show that implementing policies and strategies for child abuse prevention save taxpayers about \$80 billion annually.

"Friday, April 5th, this coming Friday, is wear blue day for child abuse prevention, so I encourage you all to wear blue. I encourage you to take pictures, and you can tag us on social media, using the hashtag great childhoods (#greatchildhoods), the hashtag wear blue (#wearblue), and you can at (@) KCSL, and then we can share that with all of our partners. If you want additional pinwheels to plant in your gardens, in your offices, whatnot, there is information in your packets on how to contact us, and we can get those for you. Questions?"

Chairman Dennis said, "Very good. Well, we sincerely appreciate what you do. We know how important that this is. I taught school for a number of years, so I think it's vital that we take care of our children. I know we do a lot of work with kids that don't have all of the advantages. That's why we have to have things like our Child Advocacy Center and..."

Ms. Noble said, "Exactly."

Chairman Dennis said, "...why that we have organizations like the Missing and Exploited Child Department [Exploited and Missing Child Unit that we've got. We sincerely appreciate what you do. We appreciate you getting the word out, and we hope that folks heed the message that you're providing for us today."

Ms. Noble said, "Thank you."

Chairman Dennis said, "Thank you very much. I don't have any other comments, but I appreciate it. Thank you. Madam Clerk, next item.

Adopted

D [19-264](#)

**PROCLAMATION DECLARING NATIONAL PUBLIC HEALTH WEEK
AND RECOGNIZING THE DR. DOREN FREDRICKSON AWARD
RECIPIENT.**

Read by: Chairman David T. Dennis or his designee.

RECOMMENDED ACTION: Adopt the proclamation.

Chairman Dennis said, "Thank you. Commissioners, I have a proclamation that I'd like to read:

PROCLAMATION

WHEREAS, during the first full week in April each year, the American Public Health Association brings together communities across the US to observe National Public Health Week; and

WHEREAS, everyone deserves to live a long and healthy life in a safe environment, and to make this a reality, we need to address the causes of poor health and disease risk among individuals and within our communities. We need to start new conversations with our neighbors and become advocates for positive change; and

WHEREAS, this year's theme "Creating the Healthiest Nation: For science. For action. For health" celebrates the power of prevention, advocating for healthy and fair policies, sharing strategies for successful partnerships and championing the role of a strong public health system; and

WHEREAS, National Public Health Week 2019 will become part of a growing movement to create the healthiest nation in one generation. During the week, we will celebrate the power of prevention, advocate for healthy and fair policies, share strategies for successful partnerships and champion the role of a strong public health system; and

WHEREAS, his legacy and that of many other public health champions, such as Steve Coen are commemorated through the Doren Fredrickson Lifetime Commitment to Public Health Award.

NOW, THEREFORE BE IT RESOLVED that I, Chairman David T. Dennis, and the Board of Sedgwick County Commissioners, do hereby recognize April 1 - 7, 2019 as

NATIONAL PUBLIC HEALTH WEEK

Christine Steward, Sedgwick County Division of Health – Health Protection Director, will come forward to accept the proclamation and to present this year's award.

MOTION

Commissioner Dennis moved to adopt the proclamation.

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. 066-2019.

Chairman Dennis said, "Very good. Well, welcome this morning."

Ms. Christine Steward, Health Protection Director, Health Department, greeted the Commissioners and said, "Also joining me today are a few members of the Coalition of Coalitions Building the Case for Public Health in Sedgwick County. Want to stand up? Thank you."

Chairman Dennis said, "Thank you all for being here."

Ms. Steward said, "As stated, National Public Health Week is this week, April 1st through the 7th, and is part of a growing movement to create the healthiest nation in one generation.

Ms. Steward continued, "This week, with the support of the American Public Health Association, we will celebrate the power of prevention, advocate for healthy and fair policies, share strategies for successful partnerships and champion the role of a strong public health system. Each day of the spearheaded American Public Health Association, National Public Health Week, we'll focus on a public health topic, including healthy communities, violence prevention, rural health, technology in public health, climate change and global health. Most importantly, today, the Sedgwick County Health Department bestows its annual Doren Fredrickson Lifetime Commitment to Public Health Award.

"Dr. Doren Fredrickson was the Kanas Health Foundation distinguished professor of preventive medicine at the KU (University of Kansas) School of Medicine in Wichita. He also served as the health officer for the Sedgwick County Health Department from 2002 to 2008. He passed away in August of 2008. His parents and many others describe Dr. Fredrickson as a humanitarian who focused his career on helping the uninsured and medically underserved. This year, we are excited to bestow the Doren Fredrickson award to Mr. Steve Coen, President and CEO (Chief Executive Officer) of the Kansas Health Foundation. Would you like to stand up here? Steve Coen has served as President and CEO of the Kansas Health Foundation since August 2008. Since joining the foundation in 1987, Mr. Coen has had a number of different positions, including Director of Public Affairs, Senior Program Officer and Vice President for Administration. Before coming to the foundation, Mr. Coen served as a Legislative Assistant to Senator Bob Dole in Washington D.C. and as State Director of his four Kansas offices.

"In addition to his professional experiences, Mr. Coen served as Chair of the Governor's Council on Fitness and is a member of the leadership counsel of the Greater Wichita Partnership. Mr. Coen's idea to develop a physically active healthy lifestyle course for high school students, earned him a national award from the American Alliance for Health, Physical Education, Recreation and Dance. He also received the 21st Century Community Champion Award given by the American Association of Family and Consumer Science to individuals who have made a significant contribution toward strengthening families. Mr. Coen completed his undergraduate work at Emporia State University and later earned a law degree from Washburn University in Topeka. So I believe Chairman Dennis has some remarks before the award is presented."

Chairman Dennis said, "Certainly do. First of all, I want to welcome all of the members that are here to honor Mr. Coen this morning. I especially want to recognize Becky

Tuttle, who is also a city councilwoman for Wichita. Thank you very much for being here this morning. On behalf of the Sedgwick County Commission, we're honored to have here this morning Steve Coen, the distinguished and retiring President and CEO of the Kansas Health Foundation. Steve served as President and CEO of the Kansas Health Foundation since August 2008.

Chairman Dennis continued, "He's held several different positions there since 1987, including Director of Public Affairs, Senior Program Officer and Vice President for Administration. Under Steve's leadership, the Kansas Health Foundation created the Kansas Leadership Center, established 20 years, \$60 million investment in the state community foundations called Giving Resources to Our World (GROW), developed innovative in-school physical education programs and recently launched the Can't Wait to Read early childhood literacy campaign. Steve has been a champion and an innovative thinker on matters that are essential to Sedgwick County government. During his tenure, the Kansas Health Foundation has been leading the community partner on public health in ways that have served our residents and moved our community collectively forward. Thank you, Steve. We appreciate all of your service to our community."

Mr. Steve Coen, Recipient, Dr. Doren Fredrickson Award, greeted the Commissioners and said, "Well thank you very much Chairman Dennis and Commissioners and the other people involved in this. I know that the Coalition of Coalitions, I know you played a big role in this. It is a tremendous honor to receive this. I knew Doren Fredrickson, obviously personally. I've been at the foundation 31 years, which I can't believe. It's gone by very quickly. He was a great man and a mentor to many of us. Very sad that he passed away so early, because he gave so much to this community. Really, this award belongs to many people. I almost feel guilty receiving it, because so many people contributed to the foundation's work.

"Obviously my wife, Monica, has supported me all these 31 years in many ways, so I really appreciate her support. Then also, all of the many staff people that we have at the foundation. We have some of them here today, and I'd like those that are here with me today to please stand. We had some others that were here earlier, and they obviously make our work possible at the foundation. We've had many over the years that have come and gone as well that have contributed all of this great work. When we were reading those grants, it's not just me that pulls those off. I can definitely tell you that. All of these people make that work happen.

"Also, I just wanted to briefly tell you that, you know, this public health award means a lot to us, because early in the foundation's history, our board made the decision that we were going to focus most of our resources towards public health, towards prevention, and because our society spends so much money on healthcare, which is very different than many other countries. We spend so much of our money in this country focusing on sickness rather than keeping our population healthy, and other countries actually have longer lifespans than the United States because they target more of their money on keeping their population healthy.

"Many people find that unbelievable, but if you look at lifespans in other countries, many other countries have longer lifespans than Americans do. We're really way down on the list, because they spend more of their resources on keeping people healthy, and that's what public health is all about, is trying to keep people healthy before they get sick.

Mr. Coen continued, "So our board made the decision that we were going to target our

resources on public health and prevention, population base approaches to health care. You all play a very important role in doing that by supporting the public health department in Sedgwick County. Fortunately, we have a good public health department in this county, not that it couldn't be better, but we do have a strong public health department, and that's really important in a community the size of Wichita. So all you can do to strengthen that public health department is really important, and to strengthen it into the future. So, I want to thank, once again, thank you very much for this very prestigious award. I appreciate it very much on behalf of myself and also the entire Kansas Health Foundation staff. Thank you so much."

Chairman Dennis said, "Commissioner Meitzner."

Commissioner Meitzner said, "Thank you, Chairman. Steve, just my sincere congratulations on a well-deserved award, and thank you for not only the public health stuff, but everything else you do in our community. I enjoy serving on various boards and efforts with you. You have a real positive impact on our community, and I just wanted to share my appreciation, and somehow your wife, Monica, is way too young to be retired. I don't know how she did it. Maybe she could write a book."

Mr. Coen said, "She's younger than me."

Commissioner Meitzner said, "Yeah, I know. Anyway, thank you again."

Chairman Dennis said, "Thank you. Steve, again, thank you very much for what you do for public health. One of the things that we don't really meet as with the board of public health here in regular session, but we are, and everything that we do and every motion that we make and everything that comes before this board, we always have to keep in the back of our mind that public health is part of our job here in Sedgwick County as Board of County Commissioners. So, you help us greatly in fulfilling our mission as the board of health for Sedgwick County. Thank you very much. I appreciate it. Madam Clerk, next item."

Adopted

APPOINTMENTS

- E [19-273](#) RESOLUTION APPOINTING SUSAN ERLLENWEIN (COMMISSIONER PETE MEITZNER'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.
Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Mr. Michael Pepoon, Interim County Counselor, greeted the Commissioners and said, "With your permission, Mr. Chairman, I'd ask that we combine Items E, F, G and H together, if that's alright."

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. 067-2019.

Chairman Dennis said, "I know we have Susan Erlenwein here to be sworn in."

Mr. Pepoon said, "Mr. Chairman, I'll go ahead and read the different items and explain the..."

Chairman Dennis said, "Okay."

Mr. Pepoon said, "...different people being appointed. Sorry if I confused things here with just combining the items. But anyway, the Items E, F, G and H are all appointments to our Animal Control [Care] Advisory Board, which is, of course, an important board of the county that provides policies and procedures for animal care in the community and valuable advice to the County Commission. Item E is appointing Susan Erlenwein to the board. She's an appointment by Commissioner Meitzner. She's being reappointed to this board. Items F and G are Chairman Dennis' appointments. Item F is Netta Otis. She is a member of an animal care organization and member of the board, and she is being reappointed. Item G is Shelley Seidl. She's volunteered for animal care organization. She's also a Chairman's reappointment to this board. Item H is another appointment by Commissioner Meitzner reappointing Geri Watts to the board.

Mr. Pepoon continued, "She has been involved with the Kansas State Animal Response Team, also an important member of the board. All the resolutions are in proper legal form, and I ask that the board approve the resolutions."

Chairman Dennis said, "Mr. Pepoon, thank you for that clarification, and on behalf of this Board of County Commissioners, we want to thank each of those individuals for volunteering to serve as advisors to this board. Susan, I guess you're going to get sworn in. Mr. Clerk."

Mr. Kelly Arnold, County Clerk, greeted the Commissioners and said, "Alright."

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 Animal Care Advisory Board, so help me God."

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said "I do."

Mr. Arnold said, "Congratulations."

Ms. Erlenwein said, "Thank you."

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

Ms. Erlenwein said, "Thank you for their appointment to the board. The animal care board has been working very hard the last couple of years with the staff at the Animal Control department. We've looked at what they need, whether they need more assistance in the regulations, what works, what doesn't. We've looked at other communities and their regulations and worked with our legal department on upgrading those regulations to better give them tools that they can use to help the health and welfare of the animals in our community. So I appreciate this reappointment, and we'll continue to work hard to help on all the animal issues. Thank you."

Chairman Dennis said, "Very good. Thank you, Susan. Please let the board members know that weren't able to be here today that we do appreciate their service also."

Ms. Erlenwein said, "I'll pass that on."

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

Adopted

- F** [19-271](#) RESOLUTION REAPPOINTING NETTA OTIS (COMMISSIONER DAVID DENNIS' REAPPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Action for this item was taken with Item E

- G** [19-272](#) RESOLUTION REAPPOINTING SHELLEY SEIDL (COMMISSIONER DAVID DENNIS' REAPPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Action for this item was taken with Item E

- H** [19-274](#) RESOLUTION APPOINTING GERI WATTS (COMMISSIONER PETE MEITZNER'S APPOINTMENT) TO THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Action for this item was taken with Item E

- I** [19-279](#) RESOLUTION REAPPOINTING SUSANNE BOESE (BOARD OF COUNTY COMMISSION REAPPOINTMENT) to the SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE IN POSITION #6 CITIZENS' ORGANIZATIONS.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Chairman Dennis said, "Mr. Pepoon."

Mr. Pepoon said, "Again, I will combine Items I and J, if that's alright. These are Commission appointments, not individual Commissioner appointments, to the Solid Waste Management Committee, which of course is important, originally developing the Solid Waste Management Plan and reviewing that on an annual basis for the County Commission. These are two-year appointments. Item I is a reappointment of Susanne Boese to the board. She fills the citizen's organization appointment on that board. Mr. Pepoon continued, "Item J is a reappointment of Clement Dickerson who is a representative of the board from the unincorporated area of the county, also a two-year appointment. Resolutions are in proper legal form, and I ask that the board approve the resolutions."

Chairman Dennis said, "Very good. Thank you, Mr. Pepoon. Any questions for Mr. Pepoon?"

MOTION

Commissioner Dennis moved to adopt the resolution.

Commissioner Howell seconded the motion.

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

VOTE

<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Commissioner 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. 071-2019

Adopted

J [19-277](#)

RESOLUTION REAPPOINTING CLEMENT DICKERSON (BOARD OF COUNTY COMMISSION REAPPOINTMENT) to the SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE IN POSITION #4 UNINCORPORATED.

Presented by: Mike Pepoon, Interim County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

Action for this item was taken with Item I

NEW BUSINESS

K [19-244](#)

CONSIDER REQUEST FOR PROPERTY TAX RELIEF PURSUANT TO K.S.A. 79-1613 IN THE AMOUNT OF \$1,497.11. DISTRICT 3.

Presented by: Justin M. Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Issue order approving property tax relief and authorize the Chairman to sign.

Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "Pursuant to KSA (Kansas Statutes Annotated) 79-1613, if a homestead is destroyed or substantially destroyed as a result of a flood, fire, earthquake, tornado, storm or other event declared a disaster by the Governor, the owner of the homestead can apply for a tax abatement or credit. The particular application that's in front of you on this agenda item is for a residence that was located at 478 North Pamela, which is in Wichita and also in District Three. A fire occurred on that property in January of 2018. Resulted in a total loss to the property. The owner of record is Ms. Jennifer George. She resided in the property and submitted an application for the property tax relief. By statute, there's three findings the Board of County Commissioners has to make, and I'll present the appropriate staff recommendations for each of those findings.

"The first one is whether this was a homestead. County staff recommends a finding that this was a homestead. It's a single-family home that was occupied by Ms. George at the time of the fire. A second finding is whether it was destroyed or substantially destroyed. The Appraiser's Office determined it was a 100 percent loss, so the recommended finding would be that it was destroyed. Then lastly, there's a required finding as to assessed valuation, which for the applicable tax year on this property, the recommendation would be the finding that it was \$13,685 as the assessed valuation.

"As a result of all that, the staff recommendation on this matter is to grant the requested property tax relief and authorize the Chairman to sign the order that's in your agenda. A couple other things I usually point out on these agenda items is that even if a property does meet all the requirements for relief, the Board of County Commissioners is not required to grant that relief. In addition to that, while this is not a public hearing by statute, generally a recommendation that you allow the property owner, applicant, agent or any other interested parties an opportunity to speak. It's just a simple majority vote of the Commissioners. I'd be happy to stand for any questions, too."

Chairman Dennis said, "Thank you. Any questions for Mr. Waggoner? I see no questions. Does anyone in the audience wish to speak on this subject? Seeing no one in the audience, I'll bring it back to the board."

MOTION

Commissioner Dennis moved to issue the order approving property tax relief and authorize the Chairman to sign.

Commissioner Cruse 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."

Approved

L [19-245](#)

CONSIDER REQUEST FOR PROPERTY TAX RELIEF PURSUANT TO K.S.A. 79-1613 IN THE AMOUNT OF \$946.78. DISTRICT 1.

Presented by Justin M. Waggoner, Assistant County Counselor

RECOMMENDED ACTION: Issue order denying property tax relief and authorize the Chairman to sign.

Mr. Waggoner said, "This particular application, same statute you just dealt with in the last agenda item. It's for a residence that was located at 319 South Vassar, which is District One. A fire occurred on that property on September 24, 2018. It results in a near-total loss to the property. The owner of record of the property at that time was Arlene Squire. She lived in the property at that time and died as a result of the fire approximately 10 days later from injuries suffered during the fire. The application for property tax relief was submitted by Lisa Squire. It's my understanding that Lisa Squire is Arlene's daughter. She's one of four beneficiaries that Arlene had included on a transfer-on-death deed that had been recorded in the Register of Deeds Office back in 2011. It's my understanding that the other three beneficiaries are siblings of Ms. Lisa Squire.

"Before delving into the three findings that the Board of County Commissioners is required to make on this, I did want to note that the overall recommendation from county staff on this item is to deny this application. The basis for that recommendation is because the applicant, Ms. Lisa Squire, was not the owner of the property at the time of the disaster, the fire in this case. The statute appears to contemplate that you need to be the actual owner of record at the time of the event.

Mr. Waggoner continued, "While noting county staff's overall recommendation, I will go over each of the three findings and also offer some additional thoughts on a potential alternative finding that the County Commissioners could make. First, whether this was a homestead or not. County staff recommends that the BoCC (Board of County Commissioners) make a finding that this was a homestead. It was a single-family home that was occupied by Ms. Arlene Squire. A second finding is whether the homestead was destroyed or substantially destroyed. In this case, the Appraiser's Office made a determination it was 94 percent loss. The recommendation would be a finding that it was substantially destroyed. The third finding is the assessed valuation. The applicable tax year for this property, the assessed valuation was \$8,626.

"While I've already presented the recommendation from the county staff that this be a denial, if the will of the County Commission would be to approve this item, such a finding could be reasonable under the following grounds. When Ms. Arlene Squire passed away, Lisa Squire and the other three beneficiaries became the owner of

record and became responsible for the payment of taxes of this property. The 2017 tax amount was used to determine what applicable taxes would be eligible for credit on this. But the first half of taxes, I'm sorry, let me back up. In the total amount for potential tax abatement would be \$946.

"Now the taxes are current through the first of half of 2018. As a result, it could be reasonable for you, as the County Commissioners, to conclude that Lisa Squire, as the successor-in-interest to Arlene Squire, could qualify for tax relief. Also, but for Ms. Arlene Squire, her passing, she would qualify for all three findings, if the Board of County Commissioners would make up the statute. If the Board of County Commissioners' will is to approve the applicant's request for relief, consistent with those grounds I just indicated, and also as an administrative matter, it could be appropriate to limit that relief to this particular parcel to where it wouldn't apply to any other parcels of the four current owners could apply for. If you have more questions on that, I'd be happy to answer that."

Chairman Dennis said, "Thank you. I'm sorry."

Mr. Waggoner said, "With that, I don't have any other comments, but I'd be happy to answer questions."

Chairman Dennis said, "Very good. Do we have any questions for Justin? Commissioner Cruse."

Commissioner Cruse said, "So I just want to clarify. So if Ms. Squire wouldn't have passed away, so she had it in her will that when she passed away all of her rights automatically transferred to her children, right?"

Mr. Waggoner said, "Commissioner Cruse, I'm not sure if she did or did not have a will, but she had transfer on death deed..."

Commissioner Cruse said, "Okay."

Mr. Waggoner said, "...and as an operation of that transfer on death deed, once she passed away, the property did transfer to the four named beneficiaries."

Commissioner Cruse said, "Okay, and you said previously that had she lived through this, she would have qualified to have this relief."

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

Commissioner Cruse said, "Okay."

Mr. Waggoner said, "I think under the theory that Lisa Squire is a successor in interest, but for Ms. Arlene Squire's passing, perhaps the board could make a finding that there should be a qualification for relief in this matter."

Commissioner Cruse said, "Okay. So I would like to make a motion, or do I have to make a..."

Chairman Dennis said, "Let's wait until we see if anybody from public..."

Commissioner Cruse said, "Okay."

Chairman Dennis said, "I'd be glad to..."

Commissioner Cruse said, "I'm learning here."

Chairman Dennis said, "Very good. Is anyone in the public wish to speak on this issue? Very good. I see no one. Commissioner Cruse."

MOTION

Commissioner Cruse moved to approve the order granting property tax relief.

Commissioner Meitzner seconded the motion.

Chairman Dennis said, "Very good. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. I'd like to just reflect on a little bit of history here. This law came to be because back in April of 2012, the Oaklawn community sustained a tornado that destroyed much of that. I'd say a good portion of that community was destroyed, and this is the same tornado that wiped out part of Spirit AeroSystems, and as a consequence, the Governor did declare a natural disaster, and we did our best as a community to rally around that community and help them rebuild, and it was truly a hardship for them. As much as I am very sympathetic to the passing of Arlene Squire, and my condolences to that situation. I'm very sorry that she succumbed to that fire, and I am very sorry for that.

"The original intent of KSA 79-1613 was for hardship of a community. There was an amendment made a subsequent year that provided this to be done without a declaration of disaster on an individual basis, but that was not the original intent of this law. I think that we continue to see these come before this board. I think we're the only community in the entire State of Kansas that is doing it this way. I think we need to clean this up a little bit. My opinion is the original intent of that law was very good, and I still support that, but I think it's kind of taken a turn in a different direction that wasn't intended. So here's my concern.

"We can't make things right for Arlene Squire because she did pass. That's, again, extremely unfortunate that that happened. But in terms of a hardship, the family is receiving her estate essentially. I'm not sure whether hardship is, and the intent of this is not to do anything other than try to help people get back on their feet, and that's why we did this. In fact, it was based on the idea of community because a community, for example, Greensburg or even Eureka, that had a very devastating natural disaster like that, the community itself needs to have some help, and it allows the governing body the opportunity to abate some tax so they help that community get back on its feet. It's based on hardship. I think we've gone so far away from the intent of 79-1613.

SUBSTITUTE MOTION

Commissioner Howell moved to approve the order denying property tax relief.

Chairman Dennis said, "Thank you. We have a substitute motion. Do we have a second? Do we have a second? Do we have a second? Motion fails due to a lack of second. I'll explain why that I didn't second that. I am concerned, as Commissioner Howell said, that we have a law in place that right now may be moving past where that

the intent was when it was first passed, and I think probably we need to have our folks put that on our legislative platform for next year to see if we can clean that up. But unfortunately right now, what I see is that because of the fact that a person passed away and couldn't do exactly what's being done, they're going to lose that opportunity to do it.

Chairman Dennis continued, "So I understand fully what Commissioner Howell said, and he was in the House at the time that this was passed, so I think that he has a very good knowledge of exactly what the intent was behind it, but I think as Commissioners, we need to take a look at it very closely and make a decision based on what we think is right. In this case, I think what's right is that just because someone passed and couldn't sign the piece of paper to ask for this, and their next of kin is asking for this, that we ought to grant that. So I will turn it over to Commissioner Meitzner."

Commissioner Meitzner said, "Thank you, Mr. Chairman. Justin, when you started your presentation either this case or the one before, what's the law today? Disasters, fire, flood? Can you repeat that?"

Mr. Waggoner said, "Sure. The way that it's worded now is that it has to be either an earthquake, flood, tornado, fire or storm or an event or occurrence which the Governor declared a disaster."

Commissioner Meitzner said, "So it's either of those or..."

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

Commissioner Meitzner said, "...the Governor declares a disaster somewhere."

Mr. Waggoner said, "That's correct. So a fire just by itself without a declaration disaster could be enough to qualify as an event."

Commissioner Meitzner said, "Okay. I hear the dialogue, and if we want to take a position for our legislative agenda next year, that's fine to clarify. I would agree that the word hardship is thrown around, and obviously this is a hardship case, so I'm supportive of what, and the rules today and as what you just read there, that's what the rules are, the laws, so thank you."

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

Commissioner Howell said, "Just a couple more things. Again, the law is permissive. It does not mandate that we have to take a position. It allows us the right to do so if we so choose. I do think we ought to be consistent. In that line, I think we ought to develop a local policy regardless of what happens with legislation. I think it's unlikely they would return this law back to what was passed in 2013. It's possible, but just as a reminder, I was the Representative of the Oaklawn community, which is why I wrote this bill. I mean, that's why this bill exists today is because, again, years ago, like when the Greensburg tornado happened, the county came after that event and said, please pay your tax bill, and it was very harsh and cold to a very difficult situation that the community was going through.

Commissioner Howell continued, "Oaklawn, much the same, was going through a very difficult time, so we wanted to have a way that a government could show some sensitivity to a community hardship. That's what was the intent of this bill. Again, it's

written to be permissive, so even though other communities do not do what we're doing today, they're in total compliance with the law by not providing an abatement because it is permissive, not a mandate. In a sense, when you abate one person's taxes, you are shifting that tax burden to every other taxpayer. It's not like we're lowering our need for tax revenue. We still passed a budget. We're still attempting to get the same revenue we had before, but when they calculate the amount of tax that's owed by each property owner, those numbers will shift. So, I don't know that, again, I'll stick with my original position that we should not approve this, because I think it's gone in a wrong direction.

"Again, this would absolutely be a hardship on Arlene Squire. If she was living, I would certainly want to help her get back on her feet, but to the families receiving her estate, it's not the same type of a hardship. I assume that they all have places to live. I don't know the details there. Again, so I would advocate that regardless of what happens today on this particular issue, we ought to consider developing a local policy that outlines exactly how we would handle these individual cases. We don't have a mandate by the law to do this. In fact, I think that entire thing that you read, Mr. Waggoner, actually was fairly debatable, in my opinion, and I think that the prevailing opinion is that the 'or' there applies to the natural disasters clause only, but I think there's another opinion that maybe all of those events should be a community-type event, not just an individual basis. So I think there's some controversy in the way that's worded. That's my opinion anyway. I'll stick with my original position, and I appreciate the opportunity to speak once again. Thank you so much."

Chairman Dennis said, "Thank you. Again, I understand Commissioner Howell's position on this, but as a taxpayer myself, and all of us up here are taxpayers, if you're told that you're going to pay taxes on something that doesn't exist anymore, why it's probably going to go against your grain just a little bit. So I can fully understand why that they would ask for this. I don't have a problem at all with asking our staff to take a look at our local procedures and come back with some recommendations for the Board of County Commissioners to decide if they want some local procedures, or if we want to hold it on a case-by-case basis as we're doing this event. I don't see anyone else that wishes to speak at this time. We do have a motion before the board to grant the relief on tax from this, and we fully understand that as we do this, why it is our legal folks' opinion that this is not the correct decision, but I think that we'll probably pass it anyway, so Madam Clerk, call the roll."

VOTE

Commissioner O'Donnell II	Aye
Commissioner Cruse	Aye
Commissioner Howell	No
Commissioner Meitzner	Aye
Chairman Dennis	Aye

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

Chairman Dennis said, "Thank you all. I appreciate everyone's thoughtfulness on this issue. Next item, please."

Approved As Amended

M [19-247](#)

A COUNTY ZONING CASE TO REZONE PROPERTY FROM RR
RURAL RESIDENTIAL TO SF-20 SINGLE-FAMILY RESIDENTIAL

LOCATED ON THE WEST SIDE OF SOUTH 151ST STREET WEST AND APPROXIMATELY ONE QUARTER MILE NORTH OF WEST MACARTHUR ROAD (151ST STREET WEST) ZON2018-00052.
Presented by: Dale Miller, Director, MAPD.

RECOMMENDED ACTION: Approve the rezoning as recommended by the Metropolitan Area Planning Commission (MAPC), adopt the findings of the MAPC and authorize the Chairman to sign the prepared resolution.

VISUAL PRESENTATION

Chairman Dennis said, "Thank you. Mr. Miller, before you start, I want to make sure that I declare that I have had ex parte contact on this issue, both the Citizen's Advisory Board (CAB) and from the developer of the property, and that I have not made any decisions on this at this time. So I don't know if any other Commissioners have had ex parte contact. If they have, why we need to declare it at this time. Seeing no one, Mr. Miller, could you present the case."

Mr. Dale Miller, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "This is approximately 78 acres that are outlined in the black tape there. It's currently zoned RR, Rural Residential, and they're requesting SF-20, Single Family Residential zoning, in order to develop a subdivision. As you can see here on the aerial, all of the, whatever green color that is is RR, Rural Residential. This little pink chunk down here is the only SF-20 in the immediate area. The RR has a minimum lot size of two acres, whereas the SF-20 has a minimum lot size of 20,000 square feet. However, the sanitation code, because there's no public sewers in the area, the sanitation code will trigger a one-acre minimum lot size, because they'll probably have to use onsite wastewater disposal systems."

Mr. Miller continued, "There is a rural water district line along MacArthur, and we've been advised that they are in discussions with the rural water district about trying to bring water up to serve the potential subdivision if this is approved. The applicant has developed a similar subdivision two miles to the east, Redmond Estates, on approximately 80 acres, and that particular development netted 53 lots of 1.02 acres in size. So it kind of gives you a comparison of what, if it's approved, of what may potentially develop. However, the total amount of lots may be impacted by drainage issues and how they have to detain and address any drainage issues."

"Currently, it is farm ground. It's grow-crop ground that is plowed and worked multiple times a year, as is the land around it in virtually all directions. There's a home right here, and these folks also own this ground. There's a home here immediately to the east, and these folks also own this ground, and then a little further north, there's a home, farmstead, up here. Based on the tax records, this is all this particular ownership owns. The rest of this that surrounds it is owned by a different ownership, for whatever that's worth. There is a 23.17 percent protest that triggers a four out of five vote to override the neighborhood protest."

"The concerns that the neighbors discussed were, if I can go back to the aerial, maybe you can see, existing on the site to the north and to the south are drainage terraces that I'm not sure how long they've been there, but they look like they've been there for a while, and one of the concerns was that these terraces currently address

the drainage that comes off of these neighboring properties, and that if this was redeveloped with a single family subdivision, then what will happen to the folks to the north and south. As you're aware, zoning is one step in development that before a subdivision can get building permits, they would have to come in and plat the property, and as part of the platting, there's a requirement to provide a drainage plan to county Public Works. The county Public Works stormwater engineer would review that drainage plan and ensure that it's in compliance with existing regulations.

"The current policy is that whatever rain drainage that runs off of this property today, is the amount that would be allowed to come off once it's developed. So if it's developed, it cannot let more water run off in the developed state than it does today. We had the stormwater engineer at [Metropolitan Area] Planning Commission, and it was his opinion that they will definitely have to provide a detention pond, and then slowly release that water over time to comply with that requirement. What we were told at the Planning Commission meeting and at the CAB meeting is that today, because this area is very flat, from one to two inch rain, a lot of the water comes down here. There's a little swale that runs here. It hits the ditch, goes down to a bridge in the section line road here, and that because the bridge structure is not big enough, water over-tops the road on occasion, and so that was one of the reasons they were concerned. The other is, this is a sand and gravel section line road, and they were concerned about the amount of traffic that could be generated from a subdivision that would be put in here.

Mr. Miller continued, "The policy that applies to that is if this is approved and they move ahead with the development, they will have to pave from MacArthur, because that's the closest paved road to their first entrance, wherever that turns out to be as part of the plat. Other concerns that were expressed were that folks that move in here are usually town people who aren't used to living in an agricultural area, and that they then take stuff into the fields that the farmer hits with his equipment and it tears his equipment up. I think one guy gave an example of he ran over an electric cord, you know, an extension cord that was out in the field.

"Another example is they say that when the foundations are poured, the concrete trucks dump whatever is not used as part of the foundation on each of the lots, that gets left for the property owner, and instead of it being disposed of properly, it either ends up in the ditch or they dump it into the field, and then the farmer hits it with his implements. So those were the kinds of things that were brought up as part of the discussion. Planning Commission recommended 12-0 to recommend approval. The CAB recommended 9-1 for approval, and let's see here, do I have anything else? That's the section line road that comes off of MacArthur. With that, I try and answer questions."

Chairman Dennis said, "Okay, any questions for Mr. Miller?"

Mr. Miller said, "The agent is here, Mr. Ewy, if you have specific questions."

Chairman Dennis said, "Very good. Mr. Ewy, would you like to say anything? Good morning, Russ."

Mr. Russ Ewy, Planning Consultant, Baughman Company, greeted the Commissioners and said, "I don't think I could really go over the details of the project any better than Mr. Miller just did. I will stand for any questions that the Commission may have."

Chairman Dennis said, "Very good. Does anyone have any questions?"

Mr. Ewy said, "Thank you."

Chairman Dennis said, "Thank you for being here. Does anyone else in the audience today who would like to speak on this issue? Seeing no one, Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. I do appreciate staff. You did a great job explaining that today, and you and I met earlier, and you explained it to me personally essentially like you did today. We had a number of questions and discussions. With the issue of the concrete, that would be considered illegal dumping if that was to happen. Can you talk about that?"

Mr. Miller said, "Yes. That would be an activity that potentially should be addressed at the time that an occupancy permit is reviewed, if it's there, but otherwise it would be illegal dumping, and to dump it particularly on to somebody else's property would be illegal and probably end up being a civil matter if there was damage to equipment."

Commissioner Howell said, "If the road was paved to that subdivision, if it was developed, would that stay as a township road?"

Mr. Miller said, "Yes..."

Commissioner Howell said, "The township would also receive..."

Mr. Miller said, "...as far as I'm aware, unless Mr. Spears has a different opinion."

Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer, greeted the Commissioners and said, "In most cases, we take them over after they're paved in most cases. We would take a look at it. Some of the townships are able to take care of paved roads, some are not, don't have the capability, but we would look at it. I would say more than likely we would take it over."

Commissioner Howell said, "Okay, alright, that's good information. I am a little interested in the water aspect. So the water, I assume, flows from north to south across the property."

Mr. Miller said, "Yeah, I think that's a fair representation. The way they described it, because of this little swale, part of it ends up going back to the east to the road, but it looks like the way that the swales are that that's the general flow."

Commissioner Howell said, "So that water issue you talked about, where the water covers the road once in a while, that happens currently, and so their concern might be that this would be more often or a worse situation. Is that what their concern was?"

Mr. Miller said, "They're thinking with the houses and the paving that go with houses, there's more [inaudible] surface, and so that's why the stormwater engineer indicated they would have to provide detention and then release it at a slow rate as opposed to just letting it run off."

Commissioner Howell said, "Okay, so you said one thing that I think was a little bit curious."

Commissioner Howell continued, "That is, with all the hard surface being put in there, you know, there'd be some driveways and some roofs and things like that, clearly there will be a little more runoff out of this area than there is currently, because right now, that hard surface would shed that water rather than soak into the ground, so there'd probably be a little bit more water after it was developed, but you also mentioned the retention pond that meters that out slowly. So even though there's more water, perhaps, that would be flowing away from the property because of the hard surface, it's more managed. Is that the right way to think about that?"

Mr. Miller said, "Right. The basic design, and Mr. Spears can probably do it better than I am, but the basic design is the stormwater detention ponds have to collect the excess water and then release it at the same rate as if there was no development. I'll let Mr. Spears add to it."

Mr. Spears said, "Commissioner Howell, the post-development outflow must be less than or equal to the predevelopment outflow. So we cannot calculate it right now, because like what you're talking about, the impervious area, we don't know how many homes. During a zoning case, we don't have a drainage plan, because there's different things that could possibly go in there. So after it's platted and we know what they're going to do, they submit a drainage plan to us. The impervious area is calculated, and then we have drainage ponds or detention that stores the water and lets it out at a controlled rate, no greater than what's coming out now. So that's the plan."

Commissioner Howell said, "Okay, I understand that now. Thank you for that explanation, and is the applicant aware of that in your understanding? Okay. Mr. Chairman, I would be glad to make a motion this morning. I asked for Mr. Waggoner to develop the best language. It's called option number five. I don't know if you have a copy of it or not, but I'd be glad to read this."

MOTION

Commissioner Howell moved to approve the zone change and establish a protective overlay for this property that would require that any drainage plan approved as a part of the plat for this property would not hinder or prevent the pre-zoning approval flow of the drainage on to this property.

Commissioner Dennis seconded the motion.

Chairman Dennis said, "Is there any discussion on the motion? I appreciate the work that the staff has done on this property. As I said, we did hear this at the Citizen's Advisory Board. A number of the property owners surrounding this were in attendance at that meeting. The motion that has been moved and seconded, I believe, solves the problems that came up.

Chairman Dennis continued, "The other problem was on the illegal dumping, but I know that I've been working with staff to make sure that when property is finished up, and we have the inspections on it, that the inspections make sure that that property is cleaned up before that they issue a certificate of occupancy. One clarification on the road as described by Commissioner Howell, this road is probably only a quarter of a mile or a little longer than that. Would we really take over an entire mile of road if we only have less than half of it paved, Mr. Spears?"

Mr. Spears said, "That is problematical. So, it's a safety deal is the one thing that bothers us. In this case, it's required just to go to the driveway entrance. We would have to look at that other half a mile."

Chairman Dennis said, "Okay, so it's not certain that we would take that entire mile over, and we're not voting on that today."

Mr. Spears said, "You're not voting on that today, and we need to look at that, because if you're going to pave half of that, part of that, we probably need to pave the other part of it and take the whole mile over. That's what goes through my head right off the bat, but we would look at it. We have had accidents of cars going from paved to gravel and gravel to paved, vice versa. So in those places throughout the county that had that situation, we paved the rest of the mile."

Chairman Dennis said, "I understand that, but it costs us over a \$1 million a mile to pave a mile of road, correct?"

Mr. Spears said, "Well, that's if you do the full meal deal, so there's other possibilities also."

Chairman Dennis said, "There's other possibilities. Alright, but in reality, they can pave to their nearest entrance. They don't have to pave all the way to the end of that."

Mr. Spears said, "From the paved road to the nearest entrance, that's right."

Chairman Dennis said, "So that could be as little as a quarter of a mile, and then we would pick up three quarters of a mile in that case."

Mr. Spears said, "Right."

Chairman Dennis said, "So, please talk us to before we get to that point, okay?"

Mr. Spears said, "Absolutely."

Chairman Dennis said, "It has nothing to do with this motion, but we need to discuss it a little further too."

Mr. Spears said, "We'd study it a little further."

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

Commissioner Howell said, "Thank you, Mr. Chairman. That was a very good observation. Thank you for the question. I would like to say that I think on our experience on these miles have been about 100, I think the last couple times we did this, it was like \$150,000 a mile, because we're not doing curb and gutter, storm drainage and things like. We're simply widening the road to the proper width and putting down a base and a top coat, so it's like \$150,000, if I'm about right, Mr. Spears. It's far from \$1 million, I believe."

Mr. Spears said, "Well last year we did 7.5 miles for \$1.5 million dollars, so I'm going to say that was around \$200,000..."

Commissioner Howell said, "Okay."

Mr. Spears said, "...on those."

Commissioner Howell said, "That helps quite a lot. I agree that we ought to do the whole mile if possible, if that conversation ever came up. I see the concern for safety. I'm aware of a few places in the county that that situation does exist, so I think we ought to have that conversation. But if the township owned the road, we would get the tax revenue, and they would have to maintain that road, so I think it's still an item of discussion, but I don't think we have any responsibility to resolve that today."

Chairman Dennis said, "We don't have to..."

Commissioner Howell said, "Okay."

Chairman Dennis said, "...make a decision, but it's something to think about in the future."

Commissioner Howell said, "Sure."

Chairman Dennis said, "Very good. I don't see any other questions. We have a motion and a second on the table. Seeing nothing else, Madam Clerk, call the roll."

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. 073-2019.

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

Approved As Amended

N [19-252](#)

A RESOLUTION AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS TO THE SEDGWICK COUNTY COURTHOUSE COMPLEX; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

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

RECOMMENDED ACTION: Adopt the Resolution.

Chairman Dennis said, "Good morning, Lindsay."

Ms. Lindsay Poe Rousseau, Chief Financial Officer, greeted the Commissioners and said, "So this item requests your approval for a resolution that would authorize work to be done on the Adult Detention Facility, and it states your intent basically to bond fund that work later this year. That work includes three main pieces. You heard that this is a

little bit different than what was included in your initial 2019 CIP (Capital Improvement Plan) when Tania gave her presentation to you on March 5th. We've expanded the scope of this a bit, and there will be further discussion with Commissioners on that throughout this process.

"The first piece of work is true to what was in the 2019 CIP, and that is for the remodeling of existing visitation space in the jail as well as an expansion that would bring that facility out slightly more to the street. The second component actually accelerates a piece that was in your 2021 CIP for replacement of roofs. That now, we believe, is necessary to do sooner, and so that is packaged with this, as well as the replacement of some generators that are greater than 30 years. So what this resolution would do is allow us to make those improvements. Because it is adjacent to the courthouse, it is a part of what by charter is defined as the courthouse complex. That's essentially three blocks around this building, and so as a result, we would be authorized to issue General Obligation bonds, and so this resolution spells that out. That amount would be enough to cover the cost of the work itself. We would issue those bonds later this year, as well as any cost to issue that debt. So we estimate, at this point, that that would be in the aggregate \$6,820,000.

Ms. Poe Rousseau continued, "Now, as we go through the project and those costs are truer when we actually come to you to do the bond issuance, those costs will be trued up, and we will only request to issue bonds for what is truly spent on the project. Now in addition, at that time, we could bind this with any other improvements that we want to bond fund, and so I'll talk to you about that here in a moment. We do have some intention to do that. We estimate, if we do do the full \$6.82 million, that the average annual debt service would be about \$432,000 per year. This is programmed into the forecast that you've seen at your retreat. So, of course, these bonds are subject to the county's debt policy. So though we are early in the process, I just want to give you some reassurance that we are well within those limits.

"What that policy does is it gives us five ratios. For the first four, we must be below at least three before we can issue debt, and those include per capita direct debt. So for example, every citizen that lives in Sedgwick County, we take our total debt for the county, our direct debt, and we divide that out by per member of the population, and so that limit is \$500 per person. With this, as well as the next item you'll hear about, we think that rate will be about \$200 actually, so we are well below that ratio. For direct debt as a percent of full market value, we have a limit of 1.5 percent. Again, that is the county's debt only. We estimate with this issuance that would be about .27 percent, so again, well below that ratio.

"Then we take a look at the entire debt of all taxing entities in the county, and so again, we take it on a per capita basis, and on that one, the limit is \$3,000, and this is the one area where we exceed our ratio, and we estimate that with this debt, that would put us at \$3,793. Again, the limit is \$3,000. But again, I'll point back to that earlier discussion about that first ratio. It is not the county's direct debt that is causing that to exceed. That is when you take into account the debt of all of the school districts, all of the townships, all of the cities, that's where we get above that threshold. But again, that is acceptable under our policy. The fourth ratio, again, takes that amount of everyone else's debt, including ours, and puts that as a percentage of the full market value. That limit is six percent, and with this debt, we expect that that would be about 5.41 percent.

"Then finally, the fifth ratio is one that we may never exceed. If we exceed it, we can't

issue debt per your policy, and that is the annual debt service that we pay as a percent of our total adopted budget for the general fund, plus our bond and interest fund, and that limit is 10 percent. Right now, if we include this estimated debt, that puts us at 8.18 percent, so we are still well within that ratio. So with that, I do want to say thank you to Joe Norton and Garth Hermann who are here today from Gilmore & Bell, our bond counsel, who did all of the hard work in putting this information together. I just get to present it. I'm sure they would be happy to help address any questions. I also would. If you don't have any questions, then I recommend your approval of the resolution today.'

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

Commissioner Meitzner said, "Thank you. Appreciate you explaining the one, two, three, four, what, the five categories. I don't know how important it is or if it's a typo. You said the last one, the annual debt service."

Ms. Poe Rousseau said, "Ten percent."

Commissioner Meitzner said, "In our package, it says 20 percent."

Ms. Poe Rousseau said, "Oh, then that is definitely an error, and I apologize for that."

Commissioner Meitzner said, "It is? Okay. I just didn't know."

Ms. Poe Rousseau said, "That was our very, very old policy, two back."

Commissioner Meitzner said, "Okay, alright. Very good. I don't have any other questions at this time. Thank you."

Chairman Dennis said, "Okay. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. Just back to those five gates to look at. That middle one, you said that we would be at \$3,793 per capita. What is it currently? Do we know the current number? It's over \$3,000 right now, is it not?"

Ms. Poe Rousseau said, "It is over \$3,000. I'll need to do some double-checking. I don't have it without that issuance, but I can get that to you."

Commissioner Howell said, "Okay. It's just more of a curiosity. I don't think that's going to change necessarily what I do here today. But these numbers that you show on the right, these are after this debt would be taken on."

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

Commissioner Howell said, "These are after debt numbers. Okay. Curiously, so you mentioned a number a minute ago, you said six million eight hundred and something, you gave me."

Ms. Poe Rousseau said, "Yes."

Commissioner Howell said, "What was that number again?"

Ms. Poe Rousseau said, "So that is the combination of the remodel, well the exact number is \$6,820,000. That comes from the combined three projects along with our

estimated issuance cost. So we would issue debt up to \$6.82 million. Again, we will true that up, though. That number may change before we come back to you in the fall."

Commissioner Howell said, "Okay, I don't see that number in the material here. I guess I see other numbers here, but..."

Ms. Poe Rousseau said, "It is in that analysis section under the project description..."

Commissioner Howell said, "Okay."

Ms. Poe Rousseau said, "...in the agenda item."

Commissioner Howell said, "Oh, I do see it now. Okay, thank you very much."

Ms. Poe Rousseau said, "Sure."

Commissioner Howell said, "Appreciate that very much. Do we normally issue debt for roofs and generators?"

Ms. Poe Rousseau said, "We typically would not, but because of the nature, just because of the virtue of the size of those, it wouldn't typically be economically prudent to do that, but because this work could be done in a way that would minimize disruption for the jail, we packaged that together. Again, we did not count on that \$887,000 in the 2019 CIP, and so we would either need to wait for 2021 when we do have that programmed into the forecast, but by allowing us to bond fund it packaged with this, we achieved some efficiencies also in the costs of the work that's going to be done on the project, and so we think that that's a prudent thing to do at this point."

Commissioner Howell said, "Okay, well generally speaking, again, I kind of state my personal policy on debt. I think this, at least the remodel and expansion certainly does fit something I would be glad to support. That is, this is unusual. It's fairly expensive, and it's something that would be very difficult to save up for, and I think it's imperative we get this done sooner than later. We've already demonstrated the need for this space, so I think those points pretty well. I'm a little concerned about the debt for the roofs and generators, although I think I will be willing to support it this time."

"Generally speaking, we have a lot of buildings. I don't know how many buildings we have in Sedgwick County, but I'm sure Tania knows that, but we have a lot of buildings in Sedgwick County, and we're replacing roofs pretty much every year."

Commissioner Howell continued, "In that regard, even though that one roof may last 30 years, we're doing roofs all the time, and I think we ought to have money in our cash budget to handle this rather than using debt, in my opinion. So generally speaking, I would rather use cash, but nevertheless, I appreciate your good work on this. Thank you so much for the answers. Thank you, Chairman."

Ms. Poe Rousseau said, "Sure."

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

Commissioner O'Donnell said, "Thank you, Mr. Chair. I just wanted to thank Tania and her staff for working on this for so long. This has been going on a couple of years now, and bringing it to fruition. I know the Sheriff is excited, the District Attorney is excited."

I think we're all excited too to get this done. It's been a long time coming, but Tania and her staff really did an exceptional job on this, so thank you."

Chairman Dennis said, "Very good. Thank you. Did bond counsel need to say anything to us today? Nothing? Very good. Okay. Well, I'll echo Commissioner O'Donnell's comments. We appreciate all the work that's been done to get us to this point. The biggest problem that we've got is space in this facility, and this is going to help open up some of the space so that we can give the DA (District Attorney) a little bit more room here, so we'll be moving a lot of the Sheriff's operations out of this building over into the new building. The one thing, I don't know if I might have missed it, the estimated completion date."

Ms. Poe Rousseau said, "I will defer to Tania on that one."

Ms. Tania Cole, Assistant County Manager, greeted the Commissioners and said, "We are estimating that it should be done by the end of this year. That's very hopeful. We will know for certain when we receive the bids. They will give us a timeline on the construction. So again, hopeful for the end of this year, but we'll know for certain when we get the bids in."

Chairman Dennis said, "Very good. Well we appreciate how rapidly this is coming together, because I know a lot of people are needing this space. I imagine when the vote is completed today, why, we'll hear some cheers coming from the DA's office downstairs, so I appreciate all the work. Thank you."

Ms. Cole said, "Thank you."

Chairman Dennis said, "I don't see any other comments. I don't think we have a motion, though, do we?"

Ms. Lynda Baker, Deputy County Clerk, greeted the Commissioners and said, "No, sir."

Chairman Dennis said, "No motion, okay."

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. 074-2019.

Chairman Dennis said, "Thank you very much. Thanks for everybody's work on this. Next item, please."

Adopted

O [19-261](#)

A RESOLUTION DECLARING IT NECESSARY TO BUILD OR REPAIR EXISTING BRIDGES IN THE COUNTY UNDER THE AUTHORITY OF K.S.A. 68-1103; AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF (2019 BRIDGE PROJECTS).

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

RECOMMENDED ACTION: Adopt the Resolution.

Chairman Dennis said, "Hello again, Lindsay."

Ms. Poe Rousseau said, "I didn't get very far. So this item is very similar to what we just discussed. However, this resolution declares an intent to build or repair certain bridges in the county, and then of course, authorizes the issuance of General Obligation Bonds to pay those costs plus any issuance cost. Thanks again to Gilmore & Bell for their work in preparing these materials for you."

Ms. Poe Rousseau continued, "So essentially, this resolution establishes the county's right to fund expenditures for certain projects with available cash, which we typically do, and then we reimburse those accounts with the proceeds of a bond issue. Again, this would be something that we would recommend that we couple with the Adult Detention Facility bond issue later this year. These programs, of course, have been included in your Capital Improvement Program. You did adopt a 2019 CIP last year that included four bridge projects to be funded with varying degree or levels of bond proceeds, and those bridge projects are outlined in your backup materials, or I'm happy to defer to Mr. Spears, if you'd like to talk about those specifically."

"The bonds authorized here would be sold again later this year. The resolution would permit reimbursement of expenditures up to 18 months prior to the date of that bond sale. So of course, we're well within that threshold, or completion of the projects, whichever is first. We have, again, included this debt service in our financial forecast that you've seen through this year. The preliminary estimate of annual debt service is \$256,691 over 20 years."

"As you heard in the prior item, we are within the provision of the county's debt policy. Commissioner Howell, Rick was actually able to text me the information that you had requested on current per capita direct overlapping and underlying debt, and as of the end of 2018, that number was \$3,750 as compared with \$3,793 with this debt included, and also updated to include what we expect other taxing entities to do. So with that, I recommend your approval of the resolution, but of course, I would be happy to stand for any questions, or I'd be happy to volunteer David to answer some as well. You're welcome."

Chairman Dennis said, "Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. Thank you, again, for the great work, Lindsay. You mentioned a moment ago, a number, five point something million. Can you give me that number again, the total cost of the..."

Ms. Poe Rousseau said, "So we are estimating \$4,065,000 total, but the annual debt

service, is that what you were referring to, the \$256,691?"

Commissioner Howell said, "That's the 20 years. You add all that up, what the total cost of this..."

Ms. Poe Rousseau said, "The grand total with principal and interest would be \$5,133,813."

Commissioner Howell said, "Okay, so to get \$4 million today, it's going to cost us \$5.133 million over 20 years?"

Ms. Poe Rousseau said, "Yes."

Commissioner Howell said, "Okay. I'll just state my position again. I assume this is going to pass, but I'd like to just, well before I do that, let me ask if Mr. Spears can tell us, what's the sufficiency rating on these four bridges, do we know?"

Mr. Spears said, "What was the question?"

Commissioner Howell said, "What's the sufficiency rating on these four bridges?"

Mr. Spears said, "B-473 is 28.5, B-482 is 42.5, B-484 is 18.6 and B-488 is 25.5."

Commissioner Howell said, "Okay."

Mr. Spears said, "Any bridge under 50 needs to be replaced."

Commissioner Howell said, "These will be total replacements, is that correct? We're not..."

Mr. Spears said, "Total replacement, yes."

Commissioner Howell said, "Repairing these really isn't smart. We do need to replace these bridges. I mean, you guys have looked at options, I assume, whether repair versus replace. An analysis was done."

Mr. Spears said, "No. Anything under 50 needs to be replaced. If you have over 50, around 70, you might could just replace a deck, but these have to be totally replaced."

Commissioner Howell said, "Okay. Just as, I guess, a reminder, two of you weren't here, but last year, I did not vote for the 2019 CIP because of this very issue. A couple of years ago when I first became a Commissioner, we spent the first couple of years trying not to do this practice. We stopped borrowing the \$4 million each year. We actually did fund the projects, though. We put in, I think, \$3.4 million the first year and about the same amount the next year trying to accomplish the work that needed to be done. I think we have that option again this year if we wanted to do that, to cash fund some things. The point I would make is, and this is a terrible analogy, but if you were to put some debt on a credit card and put some cash on a credit card and take the cash and pay off another credit card, that's essentially how I feel about this."

"I know these are important issues, and I don't want to ignore the importance of these. These issues need to be fixed. Okay, I agree with that. But the idea of just routinely paying off a \$4 million bond and taking on another \$4 million bond, it does add interest

costs to the county.

Commissioner Howell continued, "I don't know that that's necessary, so it's a choice we make. There's many governing bodies out there that do not do this type of activity. It is true that one bridge will last 50 to 80 years, and that one bridge should be potentially bonded out because it's a very long lasting piece of infrastructure. But we have 600 of these bridges across the county, and every year we do 10 to 15 bridges a year. So in that regard, it's a bit of a routine type of decision where we just automatically borrow and automatically pay off, and this is costing the county, in this case, over \$1 million in interest. So I just think the practice is wrong, and I don't want to support this again today, although I do support the underlying issue to fix these bridges. I don't like the idea of using debt to do so. I would much rather see us find another way. So with that, I'll probably be voting no today. Thank you, Mr. Chairman."

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

Commissioner Meitzner said, "Thank you, Mr. Chairman. Lindsay, tell me just for my knowledge, so this item and the previous one, do we put those in temporary notes, or just as a payable on the books, and then..."

Ms. Poe Rousseau said, "So essentially what we'll do is this work is completed within typically the scope of a year, and so we will come to you to request the authorization before we start even doing any work on that. You state your intent. The work will be done. We basically use general fund cash to front that..."

Commissioner Meitzner said, "Okay."

Ms. Poe Rousseau said, "...to the CIP fund, so we don't need to use any temporary notes, and then we reimburse ourselves in that Capital Improvement Plan fund essentially, when we do the bond issuance and fund the project specifically to the dollar that has been spent."

Commissioner Meitzner said, "Okay, and remind me, some of these bonds are 15 years and some are 20 years."

Ms. Poe Rousseau said, "Both right now are structured to be 20 years. That's our typical, per policy, that's kind of our standard. We have done some exceptions to that, but typically, it's 20 years. Just so you know, the policy says that we will pay off 30 percent of the principal in the first five years of those bonds, and 60 percent in the first 10 years, so it looks a little funky, and that's why we talk about the annual average debt service, because those numbers are slightly higher initially and go down in those outer years."

Commissioner Meitzner said, "Okay, so we reduce the principal early..."

Ms. Poe Rousseau said, "Right."

Commissioner Meitzner said, "...five years and ten years, and then it's..."

Ms. Poe Rousseau said, "Right."

Commissioner Meitzner said, "...twenty years."

Ms. Poe Rousseau said, "So then we pay off plus interest in those outer years."

Commissioner Meitzner said, "So do we package everything through the year, and then do it at the end of the year?"

Ms. Poe Rousseau said, "Right."

Commissioner Meitzner said, "Is that..."

Ms. Poe Rousseau said, "That's been our past practice, and so in this case, these two items would be the only things we're contemplating. We need to get your approval to do the work before you issue bonds. If Joe or Garth would like to say any more, they are welcome to."

Commissioner Meitzner said, "Okay. Thanks for clarifying."

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

Commissioner Cruse said, "So how long do these bridges typically last?"

Mr. Spears said, "Varies. A lot of times it depends how much salt goes on them. Some of the ones out on the township roads will last a lot longer than the ones on our county paved roads where we salt, but I'm going to say they'll last at least 50 years. We actually right now, from the latest report, if I can find that, 23 bridges over 100 years old."

Commissioner Cruse said, "Wow. Okay, thank you."

Commissioner Meitzner said, "This takes care of four of them? Four of the 23?"

Mr. Spears said, "No, these four are not those."

Commissioner Meitzner said, "Okay."

Mr. Spears said, "It's amazing those are actually in pretty good shape. They're out on township roads, they're smaller bridges and haven't had salt put on them. So they've lasted a long time, and it shows you we don't just go by age. It's strictly by sufficiency rating. It's a process that our inspectors go through on each bridge, and it's defined by the federal and state government."

Commissioner Meitzner said, "Good answer. Thank you."

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

Commissioner O'Donnell said, "Thank you. Lindsay, what's the interest rate on these bonds?"

Ms. Poe Rousseau said, "We have estimated a fairly low rate, right around three percent."

Commissioner O'Donnell said, "Okay."

Ms. Poe Rousseau said, "2.89."

Commissioner O'Donnell said, "Alright, thank you. I think that needs to be taken into consideration with some of the arguments that I do agree with Commissioner Howell that paying for things, cash sometimes does make sense, but these are pretty, in your years doing this, Lindsay, these are historically low, right?"

Ms. Poe Rousseau said, "Oh, yes. Absolutely."

Commissioner O'Donnell said, "That it's probably unsustainable over the life of these bonds in twenty years, we're probably not going to have three percent."

Ms. Poe Rousseau said, "I hope not."

Commissioner O'Donnell said, "Right, absolutely. So I think it is smart if we can get money as low as possible now, save up money in case interest rates do rise up in the future, and we need to be paying cash for something to avoid that. It would be smart, but three percent does seem pretty low, so thank you."

Chairman Dennis said, "Thank you. Well first of all, I believe that we need to be very conservative, but at the same time, we need to recognize that things that are 50 years, 60, 70 years, we've got bridges that are 100 years old, are items that we do invest in, because it's a generational issue. It means that if we save up the cash to pay for it, the people that are paying for it may not be around in time to ever drive across one of these bridges, and that is a fairness issue also. I also believe that right now the construction costs are probably as low as that they're ever going to be. Chairman Dennis continued, "Our interest rates are probably as low as we're going to see in the near future. But I truly do understand Commissioner Howell's philosophical view on this, and I know he voted against the CIP, and he'll likely vote against this today. So I guess I got a question. Do we have the ability to pull out his projects out of the CIP and start setting up a fund to pay for those in the future when we do have cash to pay for them in his district, and then allow the rest of the Commissioners' districts to have the projects completed?"

Ms. Poe Rousseau said, "I think there would be an option to structure our funding however we would want. I would defer to David, though, as to whether having that money saved up over time would be maybe the best way to approach those capital improvement projects."

Mr. Spears said, "That's a tough question. When you're looking at a large amount of money. We're replacing two bridges in Commissioner Howell's district right now, as he knows, on Pawnee, and those added up to quite a bit of money. I don't have it right off the top of my head, but you would have to figure out, you could use sales tax money for it, for roads or bridges, so you would have to get that in the program. Most of our sales tax..."

Chairman Dennis said, "I'm not talking about sales tax. I'm talking about in lieu of bonding, do we have the ability to set up a fund so that we can pay cash for those in his district so that we can comply with his philosophical desire to do that."

Mr. Spears said, "The cash fund that we have to pay for projects is the sales tax money that comes in. That is our cash fund that we use. We pay for many roads with that."

Chairman Dennis said, "But I'm not talking about sales tax funds, because we're not

using sales tax funds for this. We're bonding this."

Mr. Spears said, "Correct."

Chairman Dennis said, "What I'm talking about is rather than bond projects in his district, that if we then set up a fund so that he can do exactly what his philosophy says."

Mr. Spears said, "I got you, but the only fund I know of, of cash, is sales tax. Now Lindsay, you can help me with that."

Ms. Poe Rousseau said, "Yes."

Mr. Spears said, "That's all I know, the only cash fund you can set up to pay for the projects is with the sales tax cash fund."

Chairman Dennis said, "So we can't set up a fund?"

Ms. Poe Rousseau said, "We could. It would look a little different. We probably wouldn't fund it out of that sales tax road and bridge fund. We would probably use our cash-funded capital improvement side, which is something that David would not be familiar with. But as we have done in the past, to Commissioner Howell's point, when we did do transfers from the general fund to fund those projects, we could do something similar from the general fund to a capital improvement fund, or any number of projects."

Chairman Dennis said, "But we could take money out of the general fund and set it up..."

Ms. Poe Rousseau said, "Yes."

Chairman Dennis said, "...in a special fund, so at a certain point when we get to the point that we could pay for those, why, we could go ahead and do that project, couldn't we?"

Ms. Poe Rousseau said, "Technically, yes."

Chairman Dennis said, "Very good. Okay, Commissioner Howell."

Commissioner Howell said, "Two comments. Number one, in terms of generational use, we receive these pieces of infrastructure from people who have gone before us that have paid for them. Many of us enjoy those pieces of infrastructure for many years, decades even, without paying for the construction of those, because someone before us did that. So to the extent we would save up money and replace things when they're needed to be replaced is still a generational philosophical position. I agree that, you know, one generation should not pay for all of the infrastructure, but we're not. Even if you had a cash program versus a bonded program, in either way you want to do that, it's still a generational philosophical ideology. So I would argue that this is not using cash as putting all of the burden on one generation. That's not true.

"Second of all, if you were to compare these two programs, a bonded program versus a cash-funded program, to the extent that things are not emergency. If there's an emergent issue out there, we must take care of that. Again, as I mentioned earlier on

the space needs for the jail, that's an extraordinary situation. It's fairly expensive. It's unusual, and it's necessary right now, okay? So that to me is a reasonable way to go forward. If it's an emergent issue, I think that's an appropriate use of debt. If it's not an emergent issue, then we have options. If you compare a cash-funded program to a bonded program over the years, the cash-funded program will out-perform it every time, because as we save up cash, it earns interest. I don't know what interest we might earn on any money we have in any accounts, but I'm sure it's at least three percent."

Ms. Poe Rousseau said, "It varies, but yes."

Commissioner Howell said, "Let's just say it's three percent versus paying three percent. The [inaudible] is six percent, and at the end of the day, which one of those two programs will perform the best and provide the most infrastructure to provide the best things for the citizens of Sedgwick County? The cash-funded program will outperform it. To the extent that I would be singled out as a Commissioner for my part of the county, my district, and be dealt with differently than the rest of the county, in my opinion, is an offensive comment, and I would argue that we should not have a policy that treats part of the county differently than the rest of the county. My argument really is about philosophy, that the county should be using cash versus bonds for infrastructure that's not emergent."

"If it's an emergent issue, we should have that discussion. But to the extent we have the cash, and we have moved away from using bonds already, I noticed in the previous item, our debt right now is down just a little over eight percent. When I first got here, it was about twelve percent. We've done a good job of moving away from using debt. We've done road projects. We focused on projects that we could afford, and those that were the most important. We have used less debt to do that. So to the extent these are emergent issues, I would support that. If they are non-emergent, then I think we have options. I don't think we need to single out a part of the county. I think this is a point where I just think the county, as a whole, needs to move away from the habitual use of debt that's not based on the fact that it's an emergent issue."

"We have options. I think we ought to consider that, because this does cost the county \$1 million in interest, whereas if we did just the opposite, put the same money back from the bond service, for the bond service payments you're going to make, put the same money back into an interest-bearing account, you could do the same work down the road but would actually be able to do quite a bit more work by not wasting \$1 million on interest and actually earning interest instead. So a cash-funded program will outperform a bond program in every case. So, I think I've said too much already, but thank you, Mr. Chairman."

Chairman Dennis said, "Thank you. Well, I'm sorry if I offended you, but I am concerned every time when someone says that I've got a philosophical position against this issue, and they then vote against it, but they enjoy the fact that the rest of us support the entire county. So I will continue to support the entire county. I just want to point out the fact that we have people that say, hey, I don't want to do this, but I'm going to enjoy the benefits of it because the other four Commissioners are going to take the heat for it. So do we have a motion on this? No motion."

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>No</i>
<i>Commissioner Meitzner</i>	<i>Aye</i>
<i>Chairman Dennis</i>	<i>Aye</i>

County Clerk has assigned Resolution No. 075-2019.

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

Chairman Dennis said, "Motion passes. Next item, please."

Adopted

P [19-223](#)

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

Presented by: Joe Thomas, Director, Purchasing.

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

Chairman Dennis said, "How are you doing, Joe?"

Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "Doing well, thank you. Hopefully, you all are the doing the same. The meeting of the Board of Bids and Contracts of March 28th, we considered five items that we're bringing before you this morning.

**1. STONE FOR AGGREGATE DITCH LINING -- PUBLIC WORKS
FUNDING -- R175 PREVENTIVEMX-16+**

"This recommendation is to accept the low bid meeting specifications from H. Excavating, LLC, and that's for an initial purchase of \$52,300, and then we'd like to establish contract pricing for two (2) years with three (3) one (1) year options to renew.

**2. 3 EA. TANDEM AXLE DUMP TRUCKS EQUIPPED WITH SALT/SAND
SPREADER AND LIQUID ANTI-ICING & DE-ICING SYSTEM -- FLEET
MANAGEMENT / PUBLIC WORKS
FUNDING -- FREIGHTLINER DUMP TRUCK**

"This recommendation is to accept the proposal from Truck Center Companies - Freightliner & Fleet Pride, and this is in the amount of \$561,825, and we're establishing contract pricing for the non-warranty items for 3 years at the rates listed.

3. 2019 DODGE CHARGER POLICE PACKAGE AWD VEHICLES -- FLEET
MANAGEMENT/SHERIFF'S OFFICE
FUNDING -- DODGE CHARGER

"This recommendation is to accept the low bid from Davis-Moore Automotive, and this is in the amount of \$170,062.02.

4. 2019 CHEVROLET EXPRESS 3500 15 PASSENGER VANS – FLEET
MANAGEMENT/SHERIFF'S OFFICE
FUNDING -- SHERIFF TRANSPORTATION VAN

"This recommendation is to accept the low bid from Don Hattan Chevrolet, Inc., and it is in the amount of \$87,000, and we're establishing contract pricing for labor and parts at the rates listed for a period of three (3) years.

5. 2 EA. BRUSH TRUCKS -- SEDGWICK COUNTY FIRE DISTRICT # 1
FUNDING -- SEDGWICK COUNTY FIRE DISTRICT # 1

"This recommendation is to accept the low bid from Rusty Eck Ford, and that's in the amount of \$95,545.50.

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

Chairman Dennis said, "Thanks, Joe. Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. On Items two and five, I have a couple of questions. On these dump trucks, I assume we're going to sell them at Purple Wave. Can you guesstimate how much we might get for those? Do we have any history on what we've gotten in the past on these types of trucks?"

Mr. Thomas said, "I'll let Ms. Penny Poland answer that, if she can."

Chairman Dennis said, "Good morning, Penny."

Ms. Penny Poland, Director, Fleet Management, greeted the Commissioners and said, "Historically, we receive between \$35,000 and \$60,000 for dump trucks. These have a little bit more mileage than historically, so I would probably guess between \$25,000 and \$40,000."

Commissioner Howell said, "Okay. Now, on the Item number five, can you talk about what we would expect to get on those, probably guesstimate on the two brush trucks?"

Ms. Poland said, "I believe it was discussed around \$8,000 a truck."

Commissioner Howell said, "Okay. Mr. Chairman, I don't have any problem with any of the items being recommended today, except for I would like to revive a discussion we've had previously. I don't think we ended up going anywhere with it. We have a new Manager, Tom Stolz, who we'll want to bring everyone back up to speed on the discussion we had, and that is I think we ought to consider keeping these brush trucks rather than selling them on Purple Wave. The reason I would want to do that is number one, when we have brushfires in the middle of summer, when things get hot and windy, number one, I think they'll be very useful. Second of all, I think it helps us

get some more data as to how long these things will actually last. We have space at especially Andale. We're building a four-bay station, for example. That's a great location for an extra brush truck. Right now, those bays will have nothing in them, as far as I know.

"But for \$8,000, these trucks brand new are going to cost around, by the way, it takes about \$20,000 to put the pump unit on there and have it outfitted as a brush truck. So the real cost of these is around \$67,000 roughly each. Just round it off to \$70,000. So for a \$70,000 truck, we're going to sell the older one for about \$8,000. I know these old trucks are older. I'm not suggesting we shouldn't buy new trucks. I agree with the intent of the Bid Board today, but I do think that for \$8,000, I would rather hold that truck and have some use out of it, and continue to gain some data as to how long these things actually last in terms of what's going to break next, the engine or transmission or the pump system or whatever it would be, to the extent it has some value to Sedgwick County, I would rather see us keep that. I would call this a pilot program.

"Same thing on the dump trucks. If you have two brush trucks sitting there, and you have a brush fire, take the old truck. Put some more miles on it, get some more use out of it, to the extent that we're adding some more wear-and-tear to the older vehicle, we're saving the wear-and-tear on the newer vehicle. So again, that helps the Fire District, and just like the dump trucks, I think we should do the same thing with them. If you have to take a load, and you got two trucks sitting there, take the older truck. Put some more wear-and-tear on it.

Commissioner Howell continued, "The worst thing that's going to happen is we'll have a breakdown, but that's not that bad. They do most of their service here in Sedgwick County. We've got other vehicles ready to go should there be a breakdown. I think the data is valuable. I would like to see us have a pilot program to get more data as to how long these will last. Because I know that when we sell these dump trucks, for example, the townships love them because they say we sell our trucks very, in their opinion, early. To them, it's a brand new truck. They're getting a \$200,000 dump truck for \$35,000, and they love it. These things, although they have 200,000 miles by the odometer, okay, and by the engine hours, I calculated around 200,000 miles. These things can go a lot further. So for the money, I would rather see us keep these and get some more data, and actually launch an official pilot program to get more data as to how long these things will actually last. So I'll be glad to support the Bid Board recommendations, but I would like to see us not sell the items on Purple Wave."

Chairman Dennis said, "Thank you. Any other comments? Well to address some of Commissioner Howell's comments, I don't have a problem. I don't know what it takes to change our table of allowances on how many vehicles you can have. That's something that can be worked with staff. We might try some of these big dump trucks and see if you want to keep some of them around for a while. I don't have a problem. I need staff recommendation on what the wise decision is. I know last time I was out at Andale, I climbed up in their brush truck that they had out there, and it's a piece of crap. Okay? That's the technical term. So us buying something to replace that, because the truck is worn out. The one I got up in out there, the pumps are worn out, and if we talk about the worst thing that could happen is a breakdown, I think that's pretty critical when we're going out to fight a fire is to have a breakdown if we don't have something close that can replace it right away.

"If the firemen are out there already with this, how are they going to get back to get whatever they would need to get something else out there. So I don't know that running

a test on the fire engines, the fire brush trucks is the best approach for us. Possibly the ones on the dump truck might be, because I can see that, because I don't have an emergency when I've got a dump truck out there usually, we can probably take care of something there. But I don't want to put the public in jeopardy by saying that we're going to have a test and having a breakdown on a critical piece of fire equipment. Commissioner O'Donnell."

Commissioner O'Donnell said, "Yes, thank you, Mr. Chair. I am impressed, and congratulations to the fire department. Penny told me that these trucks, one of them is from 1992, one is from 1995, so we're talking vehicles that we've maintained from 25 and 27 years, which is great, and they'll be maintained until you get these new trucks in. But also, I think it's important to let everyone know that these are local dealerships that we're buying these trucks from. I know that's been a source of contention and discussion up here on the bench and throughout management, but I'm very happy to see that we're supporting local businesses."

Ms. Poland said, "Me as well, thank you."

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

Commissioner Cruse said, "Thank you for your presentation. I just want to point out yesterday when you were in my office, Penny, you mentioned the system that we use to calculate how often we replace vehicles and whatnot. The biggest factor I thought, just to make note of Chairman's point, is we want these things to run when they need to run. So I think its case-by-case basis. I mean, if that's what we're doing, we're going to spend additional staff time figuring out which trucks are good, which trucks are not. When was this system developed as to how we rotate and sell our vehicles out?"

Ms. Poland said, "The 15-point system was implemented in 2017. Historically prior to that, we used just an age and miles."

Commissioner Cruse said, "Okay, so you think the system is working pretty well?"

Ms. Poland said, "I do."

Commissioner Cruse said, "Okay."

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

Commissioner Howell said, "Thank you. I'm not suggesting that we would change the asset tables. I think we ought to, you know, keep these, earmark them as to be sold, so that would be how I would want to handle that. I don't want to change the tables, and say right now, we have five brush trucks, I don't want to say we have a need for seven. An old brush truck may be useful when we have these fires. We have five brush trucks. I would like to ask Chief Williams, is there a time when we have all five trucks out doing a fire response? Would an extra truck or two be a useful thing to the Fire District?"

Mr. Doug Williams, Interim Fire Chief, greeted the Commissioners and said, "Yes, there's times in the busy season in the past couple years, there has been times when we've deployed all of our apparatus at one time, including the brush trucks and the squads."

Commissioner Howell said, "Okay, and if you had more trucks, you would have a way

to use them, you think?"

Chief Williams said, "If we had more trucks, they would get used, yes."

Commissioner Howell said, "Okay, thank you. Then I certainly like the point system. I think it's done a good job, but I might point out that the 1992 only has 39,000 miles and the 1994 only 37,000 miles."

Chief Williams said, "I believe that that was a mistake in that printout on the bottom of that page. Penny had the exact miles, and they're both around 100,000."

Commissioner Howell said, "Okay, I would like to have the correct mileage. Then secondly, I would say our fleet maintenance people do a tremendous job. That everything you can imagine that needs to be done to these vehicles is getting done per schedule. They take care of everything. They don't let things languish. They don't accept deferred maintenance, and so in terms of an older vehicle being dependable, they are. I have driven many older vehicles in my life. In fact, I've only had one new vehicle my entire life. Most of my cars have well over 100,000 miles. I take good care of them, though. So just because it is an older vehicle, as long as it's well maintained, it doesn't mean it's not dependable. Yes sir, go ahead."

Chief Williams said, "Yeah, the mileage on one truck is 83,794, and the mileage on the other is 95,920."

Commissioner Howell said, "Okay, well thank you for the updated numbers. Again, just to make my point, I think that the data we would collect is valuable. The \$16,000 we would get to sell these, in my opinion, even if we were to hold these things for another year or two and still sell them, you would still get something for them on Purple Wave when you sold them a year or two down the road. But in the short-term, it would reduce the wear-and-tear on the new vehicle, and you have to compare new vehicle, \$67,000, versus old vehicle we would sell for \$6,000 to \$8,000. I just think the data is certainly worth it, and while we've got them, they may be useful to help us fight fires in Sedgwick County. So to make my point, I don't want to sell things prematurely. One of our goals is to be efficient. That means to wear things out, replace them when necessary, and these trucks have low miles. The number one reason that the points are over 15 is because of their age, not because of their condition. Thank you again, Mr. Chairman."

Chairman Dennis said, "Thank you. Any other comments? I'm not against old vehicles. I drive a '62 and a '63."

Mr. Thomas Stolz, County Manager, greeted the Commissioners and said, "Chairman, just a couple of things. First of all, thank you all for acknowledging how good a job Penny does. Her goal every year is to keep 95 percent of our fleet up at all times, and she is clipping along between 98 and 99 percent today. This goes for across the board, fire trucks, cruisers, dump trucks, the entire fleet."

Mr. Stolz continued, "Secondly, the fleet fund, there's a balance there, and so for the discussion today of whether we keep and do an experiment with an extra dump truck, an extra brush truck, I'd like a chance to consult with Lindsay and Penny and the Fire Chief and David to determine A: Where we put these vehicles, and what impact it would have on our fleet fund in the future and report that back to you after some analysis, if that'd be okay."

Chairman Dennis said, "Sounds good. Commissioner Howell."

Commissioner Howell said, "Just to be clear, I'm supporting the recommendations of the Board of Bids and Contracts, so I'll make that motion. My only comment is related to whether we should sell these and gather data, or we keep them and gather data. It's a rabbit-trail discussion, but it needs to be done at some point."

MOTION

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

Commissioner O'Donnell seconded the motion.

Chairman Dennis said, "Thank you. We have a motion and a second. I agree with the motion maker, and we do need staff to take a look at it. Very good. Any further discussion? Seeing none, Madam Clerk, call the roll."

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, "Next item, please."

CONSENT

Mr. Thomas Stolz said, "Recommend approval of Consent Items Q through AE today."

Chairman Dennis said, "Commissioner Howell, do you have something on consent?"

MOTION

Commissioner Howell moved to approve the Consent Agenda Items with the exception of Item Q (Quebec).

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>

Chairman Dennis said, "Now we'll address Item Quebec. Do you have [inaudible]."

Commissioner Howell said, "I do. I see Karen Bailey is here. If you don't mind, I have a couple of questions for you. Mr. Chairman, I have been studying Item Q for a little while, and I have a couple of questions. It references a KSA 80-304. Let me read just a minor portion of that. It says why we're doing it. It says that the reports shall be verified by affidavit and shall be examined by the Board of County Commissioners. If found correct in any conformity to the law, the board shall approve the report and accounts and the same shall be filed in the office of the County Clerk.

"It goes on it say if the report and accounts are found not to be correct or not in conformity to law, the board shall cite such township auditing board to appear before and correct any errors appearing therein. I have five townships coming from my district, and I have looked at those five reports more closely than the rest. I have actually looked at all of the reports. I appreciate, let me just say, I appreciate the great work that the County Clerk's office does, and especially Karen Bailey today. You do a great job helping townships with this type of work, and these reports are very important.

Commissioner Howell continued, "It's our one and only chance each year to look at the performance of these townships and make sure that they're held accountable, that they're doing their job correctly and everything makes sense. We're not going to question their decisions on how they spend money or how much tax they levy. That's really none of our business, but to the extent of their accounting of those dollars, that is important, and so I looked at the five townships that come into my district. I have a couple of questions, so I'm just going to ask if I understand this correctly. For three of them, and let me just reference Salem Township, Riverside Township and Gypsum Township, I can see how the numbers add up. The cash balance from last year plus the receipts, minus their expenditures, equals a new cash balance at the end of last year, 2018.

"It references any unpaid bills that they might have, and it says, does the cash balance for all funds equal the cash balance on December 31st, and they say yes. So for those three, I don't have any questions on those three. They all look like they're done very well. On the other two, let's talk about Minneha for just a moment. On Minneha Township, I see it says they have a cash balance of \$74,437.81, but they have unpaid bills of \$94,615. Does that mean that they have a negative balance, Karen? How should I read that?"

Ms. Karen Bailey, Chief Deputy County Clerk, greeted the Commissioners and said, "I believe that means that they actually held bills over to pay until they had cash for this year. I hope that was with the agreement of the vendor that they owed. They did run into some issues with their bonded building..."

Commissioner Howell said, "Okay."

Ms. Bailey said, "...that they constructed last year and the year before, so I think they went over expenses that they planned for that building."

Commissioner Howell said, "Okay. Is it generally allowed that they would have debt at the end of the year? Do we have any information about that?"

Ms. Bailey said, "You mean, whether they can have unpaid invoices?"

Commissioner Howell said, "Yes."

Ms. Bailey said, "I don't know that I have the knowledge to know that answer. We've been trying to get them to come in to compliance with the annual reports. Minneha Township has a Certified Public Accountant prepare their reports."

Commissioner Howell said, "Well there's a question, it says, does the total cash balance for all funds equal to the cash balance December 31st, and they put the word 'yes'. Would I be able to interpret this today that really should be a 'no'?"

Ms. Bailey said, "I don't know what that determination is on whether or not you include the unpaid invoice as whether or not they balance to their funds and their checking account balance, or their bank account balances."

Commissioner Howell said, "Okay. I guess I have some questions about this particular report, but let's go on to the next township, and that's Rockford Township."

Ms. Bailey said, "Okay."

Commissioner Howell said, "Their report actually adds up correctly, and they show there is no unpaid bills. However, I've heard through some of the constituents who contacted me through the last couple of meetings, and they said there were comments made at those meetings that they do have unpaid bills. The number they said was about \$170,000. That's not showing on this report. Can you tell me, I asked you, were you able to contact the treasurer and confirm any of that?"

Ms. Bailey said, "I have contacted the treasurer for Rockford Township, and that invoice that is outstanding is for several load tickets on trucking with Kansas Paving. Those invoices began coming into them in 2018. I was unaware until you brought it to my attention that they had unpaid invoices, and that information did indeed come out at their public meeting. So they incorrectly have filled out the annual report on the cover page by not showing an unpaid invoice to Kansas Paving."

Commissioner Howell said, "To that extent, I have some concerns about this particular report. Again, let me just say up front, I appreciate the township trustees. I know they have a very thankless job. It's a very difficult job, but I appreciate the fact that these people have stepped up to serve, and they are truly servants of their townships, and I appreciate their hard work. So I'm not trying to be negative towards them personally. I would say, though, if this is our job, according to KSA 80-304, our job is to inspect these reports, and to the extent I'm seeing this report, and possibly the Minneha report, it leaves me a question. I don't know that we should include these in our approval of all of the other township reports. I have some questions. So I don't mind giving this a little time for them to correct these reports, for us to reconsider these at a later date. Would that be allowed under the law? Do we have a timeframe where we have to approve these? Can we take some time?"

Ms. Bailey said, "You can definitely take some time."

Commissioner Howell said, "Okay."

Ms. Bailey said, "They are required to submit to you, or to our office for review, and then your potential approval by January 31st. So some of them didn't meet that compliance as well. However, I guess I would ask for your direction on Minneha. They have disclosed that they have unpaid invoices..."

Commissioner Howell said, "Okay."

Ms. Bailey said, "...but what further information you'd like for me to gather, if you'd like to see copies of those invoices that were unpaid and the reason on why they left them unpaid. I hazard a guess because they didn't have the cash to pay them. But I would have to have that information from them to clarify."

Commissioner Howell said, "I guess the report that we have in front of us, as far as I know, is accurate. That's what we're approving today is the accuracy. My only question would be whether they're allowed to have debt, and there's a question there about their positive balance, I think, is what that is trying to say there on that question. It's a little confusing to me, but..."

Ms. Bailey said, "Right."

Commissioner Howell said, "...I think they've answered the question incorrectly. So I'd just like to have that reviewed by someone, that that would be, I don't mind doing this even next meeting or two meetings from now."

Ms. Bailey said, "Okay."

Commissioner Howell said, "There's no timeline, but I guess I'd like to have someone, you know, verify whether or not that answer to that question is correct, if it should be a no, or is it accurate to say it's a yes. I don't understand what the question even means, exactly. But to me, that's a concern. I would like to give them an opportunity to, or someone, the Clerk's Office, to work with them and review that, just to ensure that one little tidbit is correct. Then on Rockford Township, I would like it if you would work with them, if you would be willing to come up with an updated report that is more accurate, because I think what I'm seeing right now, as far as I can tell, probably does have some errors in it, and I think we need to have an accurate report for us to adopt that."

MOTION

Commissioner Howell moved to approve Consent Agenda Item Q with the exception of the Minneha and Rockford Township annual expense reports.

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 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 As Amended

- R** [19-268](#) Agreement with the Kansas Department of Transportation (KDOT) regarding the treatment of noxious weeds growing on KDOT right of way in Sedgwick County. All Districts.
Approved on the Consent Agenda
- S** [19-285](#) Hire above minimum an Assistant County Manager for Administrative Services.
Approved on the Consent Agenda
- T** [19-269](#) One (1) Easement for Right-of-Way and One (1) Temporary Construction Easement for Sedgwick County Bridge 642-27-519; Project on 215th Street West between 13th & 21st Streets North. CIP# B-488. District 3.
Approved on the Consent Agenda
- U** [19-270](#) Two (2) Temporary Construction Easements and Two (2) Easements for Right of Way for Sedgwick County Drainage Project on 83rd Street South between Broadway and Seneca. CIP# R-264-62. District 2.
Approved on the Consent Agenda
- V** [19-260](#) CIP Amendment for Project B-497: Bridge Replacement on Ridge Road between 39th and 47th St. South. District 2.
Approved on the Consent Agenda
- W** [19-262](#) CIP Amendment to Project R-344: Greenwich Road from Harry to Pawnee. District 5.
Approved on the Consent Agenda
- X** [19-251](#) Bridge Design Contract for CIP Project B-496 located on 183rd Street West between 45th & 53rd Streets North; 797-J-3736. District 3.
Approved on the Consent Agenda
- Y** [19-267](#) Bridge Design Contract for CIP Project B-497 Located on Ridge Road between MacArthur & 47th Street South. District 2.
Approved on the Consent Agenda
- Z** [19-248](#) Plat.
Approved by Public Works. The County Treasurer has certified that taxes in 2018 and all prior years have been paid for the following plat:

CEDAR VALLEY ESTATES. DISTRICT 3
Approved on the Consent Agenda
- AA** [19-249](#) Plat.
Approved by Public Works. The County Treasurer has certified that taxes in 2018 and all prior years have been paid for the following plat:

SEILER 3RD ADDITION. DISTRICT 3

Approved on the Consent Agenda

AB [19-238](#) Order dated 03/07/19 to correct tax roll for change of assessment.

Approved on the Consent Agenda

AC [19-224](#) General Bill Check Register for March 13, 2019 - March 19, 2019.

Approved on the Consent Agenda

AD [19-225](#) General Bill Check Register for March 20, 2019 - March 26, 2019.

Approved on the Consent Agenda

AE [19-228](#) Payroll Check Register for the March 16, 2019 payroll certification.

Approved on the Consent Agenda

LEGISLATIVE ISSUES

Chairman Dennis said, "Mr. Pepoon, do we got anything today?"

Mr. Pepoon said, "Very briefly, Mr. Chairman. We got some exciting news yesterday that our bill, Senate Bill 129 Election Bill, which would allow citizens in Sedgwick County to vote at any polling place passed out of conference committee. It passed 124-0 in the House when it went through the House, so we just need to get the House and Senate to approve this, and it will be a great service to citizens of our county. We're also monitoring House Bill 2084, which is in conference committee as well. It deals with 911 fee, and an increase there that we're watching very carefully. The session of the legislature is about to wrap up, and they're mostly just dealing with conference committees now and conference committee reports on the floor. Then they'll be taking a break, so not much going on other than that right now."

Chairman Dennis said, "Any word on behavioral health?"

Mr. Pepoon said, "No, sir, we haven't heard any update on that. I'm sure that once our lobbyist has more time, once the session is over, that we'll be able to make some movement there."

Chairman Dennis said, "Very good. Any questions from the board on Legislative Issues? Seeing none, Madam Clerk, next item."

OTHER

Chairman Dennis said, "Other. Do any Commissioners have anything dealing with Other today? Just two things briefly. First of all, I want to welcome Dion back. This is his first meeting since his health scare. We're very happy to have you back. So we didn't talk about Daylight Saving Time today, so I don't know that we got anything in the paper tomorrow, but welcome back. We really do, you were in our thoughts and prayers. I'll let Commissioner Cruse talk next."

Commissioner Cruse said, "Thank you. I just forgot, I do want to welcome you as well,

so it's nice to see you back there. Hopefully, we have a lot of positive things happening in the county, so we'll be looking forward to some positive stories, possibly. One positive story is this coming Monday at Connie's Mexico Cafe, I'm having my first advisory board, and I see Philip here, who is hopefully going to serve on that. I'm just looking forward to creating some inspiring stories that we can spread throughout our county, because there is a lot happening. I just wanted to mention that Deborah Shaar with KMUW is going to be featuring one of our employees tomorrow, so take a listen to KMUW in the morning and afternoon. That's it."

Chairman Dennis said, "Very good. I have one more item. One service that Sedgwick County provides, our Register of Deeds, Tonya Buckingham, has put out some little flyers, and I've been passing those out anytime I'm around any veterans whatsoever, because the most important document that any veteran has is a DD-214 when they retire, because that tells them and their next of kin that they do have benefits coming from the Veterans Administration, and if you have a disaster where you have a tornado, your house burns down, something happens, and you've lost your DD-214, don't worry.

"If you've taken it up here to the Sedgwick County Courthouse and taken it to the Register of Deeds, they will file that for you, and it is a private document. Just because the fact that it goes into the Register of Deeds, Lonny can't come in off the street and say he'd like to have a copy of my DD-214, because they won't give it to him. It does have at least mine, I don't know if the new ones do, it has my social security number on it, so I don't want that divulged to anyone else. But if a veteran passes away, and their next of kin needs a copy of that DD-214 to get any kind of veteran's benefits, the result of that, it is on file.

"Also, when you take it down and give it to Tonya Buckingham and her folks, they will give you back five certified copies of that document that you can take home and put different places to keep available so that if you ever need one again. Chairman Dennis continued, "So I want to commend our Register of Deeds to having a service like this for our men and women that served our country, so I just wanted to pass that on. I do carry these around when I go to different locations that have veterans and pass it out and let them know. But we have an audience right now, so I wanted to get it out to those folks."

Mr. Lonny Wright, 1721 South Lulu Street, greeted the Commissioners and said, "And it's free."

Chairman Dennis said, "And it's free. Thank you, Lonny. It is free. We won't charge anything, and if you want to come up and get one, I don't think they'll charge you for it at that time either, so great job for our Register of Deeds. Thank you. We are not going to have an Executive Session as part of the Board of County Commissioners, so we're going to skip that item. Is that okay, Madam Clerk? Okay, very good."

EXECUTIVE SESSION

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:10 a.m.