

**MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
SITTING AS THE GOVERNING BODY OF FIRE DISTRICT #1**

**REGULAR MEETING**

**July 8, 2009**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 10:43 a.m., on Wednesday, July 8, 2009, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Kelly Parks; with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Karl Peterjohn; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Tim Millspaugh, Fire Marshal; Mr. Bob Lamkey, Director, Public Safety; and Ms. Katie Asbury, Deputy County Clerk.

**ROLL CALL**

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

**NEW BUSINESS**

- A. AUTHORIZATION FOR SEDGWICK COUNTY FIRE DISTRICT #1 TO SUBMIT AN APPLICATION TO THE ARRA ASSISTANCE TO FIREFIGHTERS FIRE STATION CONSTRUCTION GRANT FOR THE CONSTRUCTION OF FIRE STATION 35.**

**Mr. Tim Millspaugh**, Fire Marshal, Fire District Number 1, greeted the Commissioners and said, “We’re requesting authorization for Sedgwick County Fire District 1 to submit an application to the American Recovery and Reinvestment Act (ARRA) Assistance to Firefighters. This is for the construction of Station 35. As you probably see on your notes, the total project cost on this is about \$2.4 million, the fire portion of that is about \$1.9 million, 30 percent match that we have proposed in this grant application is about \$572,000 with the request for grant funds at \$1.3 million.”

**Chairman Parks** said, “Any questions of Mr. Millspaugh on this? Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “Tim, the 30 percent figure, can you give me a quick summary, in terms of how that number was arrived at?”

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**Mr. Millspaugh** said, “Mr. Lamkey dealt with the Division of Finance, they studied this. He will get up here, but they looked at what number would give us the best shot at giving us this grant.

It’s a very competitive grant, but I will let him go from here.”

**Mr. Bob Lamkey**, Director of Public Safety, greeted the Commissioners and said, “In looking at the guidance for the grant, it has a number of criteria that we are looking at. Among them are: size of the organization, number of calls that you make, the unemployment rates between 2007 and 2008, the kinds of calls you make, the improvements that this will make in the process. One of the other elements in the process was, there is no match that is required, but in several places it talks about how encouraged that is. In visiting with the Finance folks, and looking at the overall strength and weaknesses of our package, I felt in visiting with them that 30 percent gave us a sufficient amount of ‘skin in the game’ to enhance our opportunities to get the \$1.3 million that will allow us to build the fire station.

“So, Mr. Peterjohn, you and I had a conversation, it’s kind of like you’re playing cards, you have the cards in your hand, are they good enough to win the pot or not? That’s really the process we went through. It’s being very thoughtful about what the strength of our application is, it’s ready to build, we’ve got the land, we’ve got a design. What the weaknesses are, compared to other communities in the country, we haven’t been hit as severely economically, as rapidly, and our call volume is fairly low. It was really an opportunity to hit a threshold that was affordable to us, that would make us as competitive as we possibly could. That’s how we really came around to that particular number. It was really somewhere between 25 and 30 percent, and when I looked at and revisited the criteria and the strength of our submittal, I visited with Mr. Miller and we decided that was both affordable and appropriate.”

**Commissioner Peterjohn** said, “Thank you.”

**Chairman Parks** said, “Commissioner Norton.”

**Commissioner Norton** said, “This was a station we were already going to build anyway, was it not?”

**Mr. Lamkey** said, “This is a station that we were already planning to build anyhow and we had the site, the plans; it lends itself well to the criteria and the timing.”

**Commissioner Norton** said, “So 30 percent investment gets us 70 other percent that we don’t have to take out of general funds and the Fire District, so…”

**Mr. Lamkey** said, “That’s correct.”

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**Commissioner Norton** said, "...30 percent is not really a big deal because we were going to spend the whole 100 percent if we hadn't been able to apply for this grant."

**Mr. Lamkey** said, "That's correct. And given, again, the things that are happening in our community, it's an appropriate time to try to offset our costs with some of these other dollars."

**Commissioner Norton** said, "Okay. That's all I have, Mr. Chair."

**Chairman Parks** said, "Thank you."

**MOTION**

Commissioner Peterjohn moved to submit the application and accept the grant if awarded. This request will also authorize Chief Curmode to electronically sign the application as the official representative of the organization and submit.

Chairman Parks seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**Mr. Lamkey** said, "Thank you very much, Commissioners."

**Mr. Millspaugh** said, "Thank you."

**B. OTHER**

**Chairman Parks** said, "Under 'other,' just very briefly, I would like to ask that when you are looking at fireworks complaints, which we will probably discuss at a more detailed event later on, that you look at the 911 calls from 15 days before and 15 days after also. Because I was still receiving complaints from some of my constituents yesterday, so it's leftovers and then the ones that start way before."

**Mr. Millspaugh** said, "Okay. We'll look at that."

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**Chairman Parks** said, "If we can, when you're compiling those numbers, I don't want to have a 'gotcha' when you come up. Commissioner Welshimer."

**Commissioner Welshimer** said, "Most of my complaints came on the fact that, from people who thought that their fireworks were illegal in the County and found out from the signs that were put up that they weren't. I really didn't get any other types of calls. I think we ought to take a look at that and I don't know who, whether it's the Fire Department or who, would come up with some type of an alternative that we might take a look at, so that there might be some freedoms extended without harm to animals and crops and so forth. I would think that that would come from the Fire Department. Is that correct?"

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "Yes, ma'am."

**Commissioner Welshimer** said, "I would like to see some suggestions brought forward that we might consider."

**Mr. Millspaugh** said, "That is already in the works. We have started on that project already."

**Commissioner Welshimer** said, "Oh, good. You asked for it yesterday? Great. Thank you."

**Chairman Parks** said, "Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Yes, Mr. Chairman. I want to second Commissioner Welshimer's comments, even though I participated in the staff meeting, but I want to make it public since we are having this broadcast in streaming video because I do think we do need a full public hearing and full discussion and full opportunity for the public to participate. I've had some calls with people who have an interest in this issue and a lot of folks weren't aware. I think Chief Millspaugh, getting those signs out served an important function, in terms of identifying what the current law is in Sedgwick County, and I think there are a lot of people out in Sedgwick County who want to comply with the law and I think there were a lot of folks who were, frankly, a bit surprised when they discovered that they thought it was legal to be able to shoot off fireworks in Sedgwick County and discovered that it wasn't. I think they were even more surprised when they discovered that this wasn't something that we just passed or just done, that this goes back actually several decades. And so I think having a full public hearing and public discussion, and we might even want to even talk about holding a special Fire District meeting, I'm thinking in the evening, so people can participate at a time when it doesn't involve taking time off from a day job."

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**Chairman Parks** said, “And maybe out at one of the remote locations or even a fire department [station] in the district, I think, would be a good idea. Seeing no further discussion with the Fire Department, do you have anything else?”

**Mr. Millspaugh** said, “No. Just like to thank you for your support and tolerating all the calls that you did receive over the 4th of July week. Thank you.”

**Chairman Parks** said, “I might say that mine were about 50/50 actually. Some of the livestock people and the carrier pigeon people really appreciated the signs and the education to the other folks. Thank you. We’ll close this Meeting of the Fire Department District #1. We’ll go back to the Meeting of the Board of County Commissioners.”

### **C. ADJOURNMENT**

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There being no other business to come before the Board, the Meeting was adjourned at 10:51 a.m.

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

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**KELLY PARKS**, Chairman,  
Fourth District

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**TIM R. NORTON**, Commissioner,  
Second District

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**DAVID M. UNRUH**, Commissioner,  
First District

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**KARL PETERJOHN**, Commissioner,  
Third District

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**GWEN WELSHIMER**, Commissioner,  
Fifth District

ATTEST:

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**Kelly B. Arnold**, County Clerk

APPROVED:

\_\_\_\_\_, 2009