

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**May 12, 2010**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 a.m. on Wednesday, May 12, 2010, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Karl Peterjohn, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Kelly Parks; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Sherdeill Breathett, Sr., Economic Development; Mr. Glen Wiltse, Director, Code Enforcement; Ms. Claudia Blackburn, Director, Health Department; Ms. Deborah Donaldson, Director, Human Services; Mr. Steve Claassen, Facilities Director, DIO; Mr. Ron Holt, Assistant County Manager; Mr. Chris Chronis, Chief Financial Officer; Ms. Brandi Baily, Senior Accountant, Finance; Ms. Anne Smarsh, Accounting Director, Finance; Mr. Joe Thomas, Senior Purchasing Agent, Purchasing; Ms. Kristi Zukovich, Director, Communications; and Ms. Katie Asbury, Deputy County Clerk.

#### **GUESTS**

Mr. John Rolfe, President/CEO, Go Wichita  
Judge James Fleetwood, 18th Judicial District Court of Kansas  
Mr. Arnold Nicholas, Chairman, Advisory Council on Aging  
Mr. Bob Weeks, 2451 Regency Lakes Ct., Wichita, Kansas

#### **INVOCATION**

Led by Pastor Rick Cline, RiverWalk Church of Christ

#### **FLAG SALUTE**

#### **ROLL CALL**

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

#### **CONSIDERATION OF MINUTES**

Regular Meeting April 14, 2010

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All Commissioners were present

**MOTION**

Commissioner Welshimer moved to approve the Minutes as read for the regular meeting of April 14, 2010.

Chairman Peterjohn seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, "Next item."

**PROCLAMATIONS**

**A. PROCLAMATION DECLARING MAY 8 – 16, 2010, NATIONAL TRAVEL AND TOURISM WEEK.**

**Ms. Kristi Zukovich**, Director, Communications, greeted the Commissioners and said, "I'll read this for the record:

**PROCLAMATION**

**WHEREAS;** travel to and within the United States provides significant economic benefits for the nation; and

**WHEREAS;** the travel industry ranks as the fifth largest employer in the United States and among the top 10 industries when measured by employment; and

**WHEREAS;** 3.4 million travelers visit Sedgwick County each year contributing \$356 million a year to the local economy; and

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**WHEREAS;** leisure and hospitality services provide employment for 28,250 people in the Wichita metro area, generating a combined payroll of nearly \$368 million; and

**WHEREAS;** travel contributes to personal growth, health, professional advancement, education, cultural understanding and the enhancement of America’s image around the world; and

**WHEREAS;** President Barrack Obama signed the Travel Promotion Act on March 4, 2010, to promote travel to the United States, Kansas and Wichita to millions of international visitors; and

**WHEREAS;** travel can serve as a catalyst to help move the national economy forward.

**NOW, THEREFORE, BE IT RESOLVED,** that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim May 8 – 16, 2010, as

**‘National Travel and Tourism Week’**

in Sedgwick County and encourages citizens to join in this special observance with appropriate ceremonies and activities.

**Ms. Zukovich** said, “And it is dated May 12th and signed by our Chairman, Karl Peterjohn.”

**Chairman Peterjohn** said, “What is the will of the Commission?”

**MOTION**

Commissioner Norton moved to adopt the Proclamation.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh

Aye

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

**Ms. Zukovich** said, “Commissioners, we have a number of special guests here from Go Wichita, but we’d ask John Rolfe to come forward and he can tell us a little bit about this proclamation.”

**Mr. John Rolfe**, President/CEO, Go Wichita, greeted the Commissioners and said, “Thank you, Kristi, and Chairman Peterjohn and members of the Commission. Thank you also for your recognition of ‘National Travel and Tourism Week’ and this proclamation for May 8th through the 16th. I would just quickly say a couple of words and comments. First of all, I do have our team members and my colleagues with me here on the front row as well. And for you all, I’d like to say, thank you all for your continued investment in the industry, or in the hospitality, here in the Wichita and Sedgwick County area with investments in the Sedgwick County Zoo, certainly the Historical Museum, Exploration Place, and last, but certainly not least, the Intrust Bank Arena, it has truly been already in its first four months a significant enhancement to our industry, and I know it will be in the future, as we continue to have great events and another great venue to bring people into the Wichita area.

“So I certainly want to thank you for your investment in there as well. And I’d be remiss if I didn’t mention the investment by leadership of Mr. Ron Holt, who also serves on our board. We certainly appreciate having him involved with us also. We provided you with a small gift bag of information and a little bit of goodies inside of that bag for you. It talks a little bit about the industry and what’s happening in the area, in terms of economic impact, but more importantly, there’s some great chocolate covered sunflower seeds and a few mints in there, so if you get hungry you can snack on those. So, again, thank you for your recognition with this proclamation, and I thank you for your continued investment and support.”

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

**Commissioner Unruh** said, “Thank you, Mr. Chair. Well, John, I just want to commend you and all your staff for the great work you’ve done in promoting our community, and as you work hard at that, I know that this has a regional impact, so everyone in our south central Kansas gets the benefit from your efforts, and we’re proud and thankful for the work that you do. Just doing the

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mathematics in the proclamation, it looks like we have about 9,000 visitors here every day, any day on average, and an easier number for me to grasp than 3.4 million visitors, and so, considering that, you can see how much of an economic impact that it has for our community. So we're proud to do the proclamation and thank you all for your work."

**Mr. Rolfe** said, "Thank you as well. And you're absolutely right; it is 9,000, and spending about a million dollars every day, in terms of economic impact in our community."

**Commissioner Unruh** said, "I don't understand a million either."

**Mr. Rolfe** said, "You're pretty quick there."

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

**Commissioner Parks** said, "I believe, I'd like to also thank John for his hard work, and knowing that every day that we have that many people in town, it's always good to do that. I didn't realize how much a travel agency was busy until I had the Valley Center office next to one in Valley Center. Dawn's Travel is right up there by the Valley Center office that I have on Friday morning, and she does quite a bit of business in there on Friday afternoon and certainly during the other afternoons that she's there. But just wanted to say, John, that you've done a great job and thank the staff for working on this."

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

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

**Commissioner Norton** said, "Well, you know, we all want to have a great place to live, work, play, learn and visit. And one of the things that government does is try to create the infrastructure that promotes all of that. And I think we've worked hard as this Commission to understand that quality life is important to the citizens that live here, but also in a way to promote Wichita as a great place to visit, whether you have relatives here, or you just want to enjoy the amenities that we've created for our own citizens, and obviously, Intrust Bank Arena, Sedgwick County Zoo, Lake Afton,

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Sedgwick County Park, Exploration Place and the other centers of culture and entertainment that we promote have made a lot of that possible. So your job is to promote it, and talk about it, and tell the story, and ours is to work kind of behind the scenes, making sure that the infrastructure always stays sound and our community moves forward. So keep up the good work.”

**Mr. Rolfe** said, “Thank you, and we will.”

**Chairman Peterjohn** said, “Commissioner Welshimer.”

**Commissioner Welshimer** said, “Yes, John, thank you. And appreciate everything you’ve done, and I think we have many opportunities in the future to expand travel and tourism for this area with your help. Thank you.”

**Mr. Rolfe** said, “Thanks.”

**Chairman Peterjohn** said, “Mr. Rolfe, I couldn’t let you get away without becoming at least the last Commissioner to join in with a quick comment, but I’m going to throw in a question, too. Yesterday we had a presentation, and the folks who hold the dog show out at the Kansas Coliseum pavilions said that they were in the top 12 events that bring outsiders and visitors into our community, both from in and out of state. I was curious if you have, off the top of your head, who’s actually, if you know, among the top three or top five events and places that bring folks into our community? And just curious, in terms of which events, or which facilities, make up the top of our list at the moment?”

**Mr. Rolfe** said, “Well, I can’t just give you one particular event, because every year it might change. And I say that from the standpoint of, if we were to have an international or national convention, let’s say, like the National Square Dancers [Convention], which may come to Wichita, you know, every 3 to 5 years, or once every 10 years, of course, that year that might very well take the top event, in terms of attendance and room nights. This year and next week we’ll have the Society of Decorative Painters for this year, which will be a very large event. But on an ongoing basis, we do have a number of area events that take place, state events, such as the Sunflower Cluster Dog Show, the EquiFest, certainly the Kansas Livestock Association, Kansas Bankers

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[Association], a number of state associations that every year I could rattle off that do come here to Wichita, and they, again, would be in the top 5 or 10. And every three years we have, such as the Kansas League of [Kansas] Municipalities, which is another large event that has a significant economic impact. So a number of state associations that I could give you in the top 12, but certainly, Sunflower Cluster Dog Show, if that's the dog show you are referring to, certainly has an impact coming here every year, and we certainly enjoy what they do here in the community."

**Chairman Peterjohn** said, "We had a presentation from the Wichita Kennel Club and I believe..."

**Mr. Rolfe** said, "Kennel Club."

**Chairman Peterjohn** said, "...they were a part of that dog show. And I appreciate getting that insight; I think information is not only important for the Commission, but also for the public."

**Mr. Rolfe** said, "Right. So every venue is very important to us, because every group has different needs, based upon what type of show they are, if they are more of an agricultural, horse, a dog related show, to an educational type session. So hopefully that answers your question. So there's not one particular one, but certainly a number each year that come here and make a significant impact on our economy."

**Chairman Peterjohn** said, "Thank you very much."

**Mr. Rolfe** said, "You're welcome. Thank you."

**Chairman Peterjohn** said, "Next item."

**B. PROCLAMATION DECLARING MAY 2010 THE 50<sup>TH</sup> ANNIVERSARY OF THE SEDGWICK COUNTY COURTHOUSE.**

**Ms. Zukovich** said, "Commissioners, I'll read this for the record:

**PROCLAMATION**

**WHEREAS;** on the first day of May 1960, a newly constructed building located at 525 N. Main St. in Wichita, Kan. was dedicated to serve as the Sedgwick County Courthouse; and

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**WHEREAS;** this building has continued to serve as a place of justice and the preservation of the rule of law for the citizens of Sedgwick County, Kan.; and

**WHEREAS;** the employees and elected judges of the 18th Judicial District of the State of Kansas wish to maintain these noble ambitions without hindrance or delay; and

**WHEREAS;** the month of May 2010 marks the 50th anniversary of the aforementioned dedication.

**NOW, THEREFORE, BE IT RESOLVED,** that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim May 2010, as

**‘50th Anniversary of the Sedgwick County Courthouse’**

and calls upon citizens to join in commemorating all those involved in the establishment and maintenance of this building, as well as those faithfully dedicated to the responsibility of preserving for all of Sedgwick County, Kansans ‘free and independent courts for a free and independent people,’ as engraved on the front of this facility.

**Ms. Zukovich** said, “And it is dated May 12th, 2010, and it is signed by the Chairman, Karl Peterjohn.”

**Chairman Peterjohn** said, “Thank you. What is the will of the Commission?”

**MOTION**

Commissioner Unruh moved to adopt the Proclamation.

Commissioner Norton seconded the motion.

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

**VOTE**

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



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**Ms. Zukovich** said, “Commissioners, we do have a special guest, our Chief Judge, James Fleetwood, here to accept this proclamation.”

**Chairman Peterjohn** said, “Welcome to the County Commission.”

**Judge James Fleetwood**, 18th Judicial District Court of Kansas, greeted the Commissioners and said, “Thank you very much. I appreciate the opportunity to address this [inaudible] body. I am here representing, as you know, the 18th Judicial District, and I would just simply like to express my thanks for the efforts that have gone into maintaining, as stated, a free and independent court for this people. I do know that a lot of sacrifice and a lot of effort has been brought about by many people, yourselves specifically, as well as your staff, Mr. Buchanan’s staff, and my Court Administrator, Ellen House, and all of her staff. I am grateful for all their efforts. I’m grateful for this recognition, of not only the courts, but the concept of the rule of law here within this community. And I thank you very much.”

**Chairman Peterjohn** said, “Well, in this day of challenges and having a judiciary open less than five days in a week, I’m glad you were able to come down and join us on this Wednesday, and that it wasn’t on a Friday, and be able to participate in accepting this proclamation, Your Honor.”

**Judge Fleetwood** said, “Thank you.”

**Chairman Peterjohn** said, “Next item.”

**C. PROCLAMATION DECLARING MAY 2010 AS OLDER AMERICANS MONTH.**

**Ms. Zukovich** said, “Commissioners, I’ll read this for the record:

**PROCLAMATION**

**WHEREAS;** Sedgwick County is a community that includes 82,505 citizens age 60 and older;  
and

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**WHEREAS;** the older adults in Sedgwick County are among our most treasured resources, united by historical experiences, strengthened by diversity, and varied in perspective and backgrounds to bring wisdom and insight to our community; and

**WHEREAS;** increasing numbers of adults are reaching retirement age and remaining strong and active for longer than ever before; and

**WHEREAS;** the older adults in Sedgwick County deserve recognition for the contributions they have made and will continue to make to the culture, economy and character of our community and our nation; and

**WHEREAS;** our community can provide recognition and respect by improving the quality of life for older Americans by:

- Increasing opportunities to remain active and engaged in community life;
- Providing individualized services and support systems to maintain the dignity, independence and self-determination of older Americans as they age; and
- Combating ageist attitudes by honoring their past, present and future contributions

**NOW, THEREFORE, BE IT RESOLVED,** that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim May 2010, as

**‘Older Americans Month’**

and urges every citizen to take time this month to honor older adults and the professionals, family members and volunteers who care for many of them.

**Ms. Zukovich** said, “And it is dated May 12th, 2010, signed by our Chairman, Karl Peterjohn.”

**MOTION**

Commissioner Parks moved to adopt the Proclamation.

Commissioner Unruh seconded the motion.

**Chairman Peterjohn** said, “Motion and a second, Commissioner Welshimer.”

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**Commissioner Welshimer** said, “Well, I just want to say that I think we should include Sedgwick County in that, for all we do that the seniors enjoy, and they are enjoying, all of the senior centers and other activities that we have, and services where they’re needed, and I’m very proud of that.”

**Chairman Peterjohn** said, “Thank you. Seeing no further discussion, please call the vote.”

**VOTE**

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

**Ms. Zukovich** said, “Commissioners, we do have Arnold Nicholas, who is here to accept this proclamation this morning.”

**Mr. Arnold Nicholas**, Chairman, Advisory Council on Aging, greeted the Commissioners and said, “Thank you.”

**Chairman Peterjohn** said, “Welcome to the County Commission.”

**Mr. Nicholas** said, “Thank you. Glad to be here. My name’s Arnold Nicholas. As Chairman of the Advisory Board of the Sedgwick County Department of Aging, and on behalf of that board and of the individual members of it, also our Director, Annette Graham, and to the many employees and volunteers that work with the department throughout, and also especially on behalf of the over 82,000 older Americans that live in Sedgwick County, we want to thank you for this proclamation and for the support that the county gives to help older Americans have the tools of life necessary to continue to be active, productive members of Sedgwick County. Thank you.”

**Chairman Peterjohn** said, “Thank you. I would hasten to add that there are several chronologically gifted folks in front of you who are listening to your comments, and some of us have even run in 5ks recently, so...”

**Mr. Nicholas** said, “Way to go.”

**Chairman Peterjohn** said, “...I appreciate you coming down. Commissioner Parks.”

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**Commissioner Parks** said, “Well, I am very proud to say that Mr. Nicholas is my appointee to the aging committee, and he has done a great job there and I wanted to publicly thank him for that, and thank him for the citizenry he shows in Valley Center, also.”

**Mr. Nicholas** said, “Thank you.”

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

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

**Commissioner Norton** said, “Well, we know that there’s always that pull and push between promoting our youth and making sure they’re involved in the community and honoring the citizens that have built the community and have great insights into what it takes to be a good American, be a good citizen in your community. In this day and age, when we tend to be willing to castaway things so quickly, and it’s a user society, we have to be sure that we honor those that have got that storehouse of knowledge about the community and use that as long as we possibly can. So I’m glad that you continue to push that envelope and make sure that seniors are active in our community and add to the flavor and the tapestry that is a great city. Thank you very much for what you do.”

**Mr. Nicholas** said, “Thank you.”

**Chairman Peterjohn** said, “Thank you. Next item.”

**D. PROCLAMATION DECLARING MAY 16 – 22, 2010 AS NATIONAL PUBLIC WORKS WEEK.**

**Ms. Zukovich** said, “Commissioners, I’ll read this last proclamation this morning:

**PROCLAMATION**

**WHEREAS;** public works services provided in our community are an integral part of our citizens’ everyday lives; and

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**WHEREAS;** the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs, such as streets and highways, bridges, drainage improvements, noxious weed control and household hazardous waste collection; and

**WHEREAS;** the health, safety and comfort of this community greatly depends on these facilities and services; and

**WHEREAS;** the quality and effectiveness of these facilities, as well as their planning, design and construction, is vitally dependent upon the efforts and skill of public works officials.

**NOW, THEREFORE, BE IT RESOLVED,** that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim May 16 – 22, 2010, as

**‘National Public Works Week’**

in Sedgwick County, and calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions public works officials make every day to our health, safety, comfort and quality of life.

**Ms. Zukovich** said, “And it is dated May 12th, signed by the Chairman, Karl Peterjohn.”

**Chairman Peterjohn** said, “What is the will of the Commission?”

**MOTION**

Commissioner Norton moved to adopt the Proclamation.

Chairman Peterjohn seconded the motion.

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

**VOTE**

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

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**Ms. Zukovich** said, “Commissioners, we have our County Engineer and Public Works king, David Spears, here today.”

**Mr. David Spears**, Director, Public Works, greeted the Commissioners and said, “Thank you, Kristi. Since 1960, the APWA, which is American Public Works Association, has sponsored ‘National Public Works Week.’ Across the nation, our 29,000 members use this week to energize and educate the public on the importance of the contribution of public works to their daily lives; planning, building, managing and operating the essence of our local communities. APWA has selected ‘Public Works: Above, Below, & All Around You’ as its theme for the 2010 ‘National Public Works Week.’ Thank you for the proclamation.”

**Chairman Peterjohn** said, “You’re very welcome. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you, Mr. Chair. Well, David, we are pleased to do this each year, and recognizing ‘National Public Works Week,’ but we want you to make sure and let all your employees know, who work hard for Sedgwick County, that we recognize their value, we appreciate them and we’re pleased to make this proclamation.”

**Mr. Spears** said, “Thank you.”

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

**Mr. Spears** said, “Thank you.”

**Chairman Peterjohn** said, “Next item.”

**NEW BUSINESS**

**E. DIVISION OF COMMUNITY DEVELOPMENT.**

- 1. APPROVAL OF A RESOLUTION AND AN AGREEMENT AUTHORIZING A FORGIVABLE LOAN TO ATLAS ALCHEM PLASTICS, INC. D/B/A SPARTECH PLASTICS OF WICHITA FOR ECONOMIC DEVELOPMENT INCENTIVES, AND AUTHORIZING THE INTRA-FUND TRANSFER OF BUDGET AUTHORITY.**

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**Mr. Sherdeill Breathett**, Economic Development, greeted the Commissioners and said, “I hope that you’re all having a great morning thus far. Spartech Incorporated of Wichita/Sedgwick County has consolidated some of their nationwide operations and worked with the GWEDC (Greater Wichita Economic Development Coalition) to expand their plant here in Sedgwick County and to transfer some of their other facilities in the U.S. (United States) as well. Working with Sedgwick County, City of Wichita and the State of Kansas, the GWEDC has developed an incentive package subject to approval by this governing body, which includes a forgivable loan in the amount of \$15,000. Spartech is the leading producer of plastic products, including polymeric compounds, custom extruded sheet and rollstock products, and packaging technologies for a wide spectrum of customers throughout the United States and internationally. They are located at 1444 South Tyler Road here in town, and presently Spartech is operating in a 63,000 square foot facility and they lease over 100,000 square foot warehouse space there at the Garvey location, that’s nine miles just south of their current location.

“They are planning to expand their operations and the project includes leasing 34,000 square feet, and they currently have 75 employees and they plan to hire an additional 18 employees, with an average salary of \$35,000 a year. Spartech also plans to invest approximately \$7.5 million in new machinery and equipment, and today we have Steven Zutki from the Wichita facility, and Paul Mugalusco from New Jersey, and we, at this time, appreciate you guys just giving them the opportunity for them to come and share as well. We would recommend you approve the resolution and authorize the Chairman to sign.”

**Chairman Peterjohn** said, “Any of those gentlemen want to address the Commission, come to the podium?”

### MOTION

Commissioner Norton moved to approve the Resolution and authorize the Chair to sign.

Commissioner Unruh seconded the motion.

**Chairman Peterjohn** said, “Have a motion and second. Is there anyone else in the audience who would like to discuss this issue?”

**Mr. Bob Weeks**, 2451 Regency Lakes Ct., Wichita, greeted the Commissioners and said, “And I guess I have a specific question, and it’s probably more rhetorical than actually wanting a real

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number of this, but we're talking a fairly small amount of money here, it's \$15,000 from this body and another \$15,000 from the City Council over there. I see organizations like the Greater Wichita Economic Development Corporation's involved, the Wichita City Council's involved, the Kansas Department of Commerce is involved, and now staff and all of our time over here at the County Commission, so it seems like there's a lot of infrastructure and overhead devoted to what is in fact a relatively small amount of money of economic development assistance that we're giving.

“And that brings up just another thing, too, the scale of this; they're talking about \$7 million of capital investment, and other employee costs and so forth. It seems, again, that this amount of money is relatively small and maybe not really needed. Now, I understand that we do have to compete with other cities, and towns and counties that may be trying to lure companies to locate to them, and so that just means that we in Wichita here in Sedgwick County have to try even harder and harder and come up with even more money, which increases costs for everybody. Someone has to pay the cost of this special loan, both at the Sedgwick County level, and at the City of Wichita level and also at the State of Kansas level for their other incentives as well. And instead of having this type of centralized planning, I think, where we pick and choose companies that are going to get these loans, or grants, or tax abatements, or whatever, trying to decide which companies are worthy, what type of policy is going to identify the companies that are worthy of this type of subsidy, I would really encourage us to do, as this Commission did last August, to work at keeping taxes low for everybody. That, I think, is a proven economic development concept that will be best for this city and county in the long run.”

**Mr. Weeks** continued, “And as you know, right now, the Governor any day is going to sign a bill that's on his desk, or may be there any day, that's going to make Kansas very much more uncompetitive, that's the one cent statewide sales tax. Ask City Hall, I very strongly believe that they're getting ready to propose a lot of taxes to fund the increase, or the renovation of downtown Wichita. So I think we're really at a danger point where we may be going from a relatively low cost environment for business to a much higher cost with the sales tax and everything else. And so these are just some of the concerns that I have with this type of special, what I just call centralized government planning, let's just try to keep costs low for everybody and then we won't have to worry about making these type of economic development incentives in special cases. Thank you.”

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



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**Commissioner Norton** said, “Well, I’m supportive of this, and I think Spartech has been a good business entity in our community for years. And, you know, bringing extra jobs to the community for a small amount of money makes sense. And, you know, we often get criticized because we take care of big business, the aviation industry or whatever, and I think it’s wonderful when we have smaller businesses that are kind of hidden down in an area, not everybody knows about them, but they employ quite a few people and they are willing to move entity here to make it even better. So I’m going to be supportive of that little amount, whatever it is, to partner with the city and GWEDC to continue to try to make our economy drive as fast as it can.”

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

**Commissioner Parks** said, “I’m certainly going to be supportive of this. You know, I do go through these and read these, and I appreciate what Mr. Weeks says about this, that just last week, to give an example of why I can justify this \$15,000, by the way, we’re later on in the meeting spending \$20,000 for a party, so, you know, I think this is a less amount and we’re certainly going to reap more benefit from it. But the employees employed by the company will be paying state and federal income tax; they’ll have 75 to 100 legal citizens; that’s not really burdening our system. Sub-chapter 19 says that they’ll be in compliance with the state, federal and local laws without limitation, and as I started to say, last week we did meet with the Kansas Association of Counties, our county commissioners’ association, and there was one county that if we didn’t want this company, I know that they have a similar manufacturing base in their county that they would welcome them. So I’m certainly happy to support this in that we, and hopefully this will be the last one that we have to do for a while, but I’m sure in support of them to keep these employed people here and help keep this economy for this relatively small amount of money. Thank you.”

**Chairman Peterjohn** said, “Thank you, Commissioner Parks. We’ve got a technical problem that has popped up, and so I’m going to request that we recess, would 10 minutes do, I think from a technical side or less, until we get this squared away, and seeing no objection, we’re going to pick up this discussion as soon as we can get things in proper operation.”

**The Board of County Commissioners recessed at 9:37 a.m. and returned at 9:43 a.m.**

**Chairman Peterjohn** said, “I’m going to call this meeting back to order, and appreciate everyone’s patience over the fact that we had a little technical problem, and hopefully that’s been fully resolved here. I apologize to everyone in the room for the interruption that we had here, a rather unexpected recess in the middle of an Agenda item, which I think this is the first time this has happened, at least since I’ve been a Commissioner. So, I believe Commissioner Parks was finished, and if he wasn’t, I’ll let him...”

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**Commissioner Parks** said, "I have concluded."

**Chairman Peterjohn** said, "You have concluded. Okay. Commissioner Welshimer."

**Commissioner Welshimer** said, "I'm going to vote for this. I know it's been down a long road and it's a processes that we're going through to help our manufacturing industry. On the other hand, I'm very concerned and very worried about our economy here and what's in the future, and I have to agree with Mr. Weeks in his evaluation of the situation. We're paying around a \$1,000 a job to keep manufacturing jobs here, not only for bringing new jobs in, but for the jobs that are currently here. And it seems like we're losing our manufacturing industry faster than we're helping it out. I know we have competitors in other states and other countries that pay \$100,000 a job, and so we have to consider ourselves fortunate for what we do keep here, but on the other hand, I think we're up against a giant that is trying to trample over us and take away our manufacturing industry here. I think we should broaden our areas that we look at in businesses here and consider other ways to go. It's a long conversation to have, but, anyway, you know, our taxpayers are really worn out with what we give away, and things aren't coming back to them in the same way that we put it out. So I am going to vote for this, but I am very concerned and I plan to have more conversation on this in the future. Thank you."

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

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Sherdeill, we took this through our benchmarks for qualifications, and one of those benchmarks is a certain threshold for return on investment, and did we calculate that?"

**Mr. Breathett** said, "It was above the 1.3, which is our benchmark that we utilize, city as well as Sedgwick County."

**Commissioner Unruh** said, "Alright. Well, I agree with the comments of my colleagues and I'm going to be supportive of this. I think that the concerns expressed by Mr. Weeks are valid concerns, and we need to be aware of that perspective, and we also, however, are acutely aware of the competitive situation we're in and that we have to compete to keep these jobs here and to keep these industries here, and a fundamental philosophy of our approach to economic development is that we've established some benchmarks, and thresholds and measurements that below which we will not be involved, and above which, depending on the circumstances, makes sense for us to be involved in this way. And I think that this particular investment meets the test and I will be supportive. That's all I have."

**Chairman Peterjohn** said, "Thank you. As the 2010 Chair, I wanted to take the prerogative of jumping in at the end, because I find myself in the interesting position of agreeing with just about

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everything that's been said up to this point, both by the public, and I very much appreciate the Spartech folks, who I think they have been great corporate citizens, and I am delighted we're looking at an opportunity to expand and increase the number of jobs here in the community. We have a situation where we have 8.1 percent unemployment, according to most recent figures, and that is way too high. And I hope steps like this, and other pro growth, and pro economic development and job expansion activities will help bring that terribly high number down.

“But I would hasten to add that it is well below the national average of 9.9 percent in official unemployment numbers, and the fact that despite some recent discussion that Wichita is more like Detroit, Michigan or Youngstown, Ohio, instead of more like, let's say, Kansas City or Oklahoma City, it shows just how out of touch our masters in Washington happen to be. Because when the Brookings [Institution] Institute comes out with a study, and there was recently promoted in a front page newspaper article, discussing the fact that we were more like Detroit, Michigan or Youngstown, Ohio, instead of some of our other communities, and we have an unemployment rate that's well below the national average instead of well above the national average, I think there is some confusion in Washington, at least, and perhaps maybe just at the Brookings Institute, in terms of how communities like Sedgwick County and Wichita operate.”

“Having said that, I find myself in strong agreement with the comments that Mr. Weeks made, in terms of, you know, high taxes are a problem. High property taxes in particular are a problem, and I'm glad we've got some companies like Spartech that are continuing to grow, and expand and address these challenges. Before I became a Commissioner, we have had money available to promote certain ventures, and I really feel uncomfortable as an elected official helping to pick the winners and losers. I'd like to get this money out to all the entrepreneurs, all the business people who are trying to grow their business, build on the American dream in this community, as opposed to going through the process. But we do face a competitive environment where other communities are out there after jobs, and I know cases that I've been involved in where, you know, we were in the running and the business and the jobs went someplace else. So this often is a type of routine item, and I'll grant Commissioner Parks' point that this is a relatively small amount of money, but there are some important principles here.

“And we need to look at the fact that because we have high property taxes in Kansas, this is one of the reasons why we're...this is the effect of high property taxes and a way of getting around it, and trying to create an environment where people can grow a business, and whether it's in the industry

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where Spartech is in, or it's in an industry, some other industries, whether they are manufacturing, or retail, or whatever, it's important that we proceed in a way that we provide as positive a pro growth economic environment with a stable rule of law and with established boundaries as we can do. So I'm going to be supporting this motion, and seeing no further discussion, I'm going to call the vote."

**VOTE**

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

**Chairman Peterjohn** said, "Next item."

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

**2. LOCAL ENVIRONMENTAL PROGRAM GRANT PROPOSAL**

**Mr. Glen Wiltse**, Director, Code Enforcement, greeted the Commissioners and said, "We are requesting permission to apply for this grant through Kansas Department of Health and Environment. This is an ongoing grant; we've received this grant since 2003, I believe. This grant assists us in staffing our wastewater and water programs for private water wells. They do inspections on existing systems whenever properties sell and also new installations. We're requesting an \$89,000 grant from the state and requesting your permission to do so."

**Chairman Peterjohn** said, "What is the will of the Commission?"

**MOTION**

Commissioner Welshimer moved to approve the grant application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this application; and approve establishment of budget authority at the time the grant award documents are executed.

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Commissioner Norton seconded the motion.

**Chairman Peterjohn** said, "Motion and a second, Commissioner Parks."

**Commissioner Parks** said, "I did want to publicly thank Mr. Wiltse for meeting with me yesterday and giving me a detailed explanation of this, and I'm going to be totally supportive of that after that meeting. Thank you."

**Chairman Peterjohn** said, "I agree with Commissioner Parks' comments. Seeing no further discussion, please call the vote."

**VOTE**

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

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

**Chairman Peterjohn** said, "Next item."

**F. APPROVE PERMANENT STAFFING TABLE ADDITIONS FOR THE SEDGWICK COUNTY HEALTH DEPARTMENT HEALTH PROTECTION AND PROMOTION (HPP) SECTION.**

**Ms. Claudia Blackburn**, Director, Health Department, greeted the Commissioners and said, "Before you is a request to reallocate funds within the Public Health Emergency Preparedness grant to expand the Health Department's capacity for disease surveillance while maintaining capacity for medical volunteer recruitment. The Health Department is charged with monitoring the community for public health threats, both natural and manmade, and investigating those threats. Most of the time this relates to communicable disease surveillance, and understanding basically who is getting sick from what, and when that is more than normal, more than expected, and then being able to identify where in the community that is, who it's affecting and intervening to stop the spread of disease.

"Our experience over the last year with the 2009 H1N1 flu pandemic has shown that information learned from surveillance is key to an appropriate response. During the pandemic, using H1N1

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funding, we were able to expand our EPI (Epidemiology and Disease Surveillance) capacity from two full-time staff people to three, resulting in a more active surveillance system. Specifically we were able to set up a surveillance system with the schools, which, you know, is about 80,000 children. That gives us a lot of information about who is getting sick within the school system and tells us where we need to intervene. We also learned during the pandemic that our Medical Reserve Corps volunteers were really important to our efforts. They were responsible for being vaccinators in the clinic much of the time, and we really appreciated their work and appreciate them, but we also learned that just-in-time recruitment, and training and use in a response situation is highly effective as well. And so we believe that it's important to maintain our Medical Reserve Corps. We want to do that, but our proposal today will allow us to do that without having a full-time coordinator in that position. We are very grateful for the volunteers that we have, and that we had, for the H1N1 response."

**Ms. Blackburn** continued, "In short, what we're asking is to move a 0.2 FTE (full-time equivalent) epidemiology position to a full-time position, and to reduce our current medical reserve coordinator position from full-time to half-time, and then add an administrative assistant to provide clerical support to the epidemiology and public health emergency preparedness team. The cost for this is \$38,000 for 2010, and about \$49,700 for 2011, and all of that will be out of the Public Health Emergency Preparedness grant. It's basically a reallocation of the funds that we get to better serve our needs. We are not asking for any additional local dollars. So I do recommend that you approve this. I'd be happy to answer any questions and Janice McCoy, who's actually the program coordinator and very knowledgeable about these issues, is here to assist as well and answer any questions. Excuse me, I've got a tickle in my throat."

**Chairman Peterjohn** said, "That is not a problem. Commissioner Norton."

### **MOTION**

Commissioner Norton moved to approve the change request to the Health Department staffing table.

Commissioner Welshimer seconded the motion.

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**Chairman Peterjohn** said, "Got a motion and a second, further discussion, Commissioner Norton."

**Commissioner Norton** said, "Well I'm going to be supportive of this. I think it's important to note that through the public health system that we have that we don't remain static, that we don't think that what we did 10 years ago, 20 years ago, 50 years ago is what is good today. That after the last few scenarios that we've had of public health incidents that they debriefed themselves, they've looked inward and said, here's what worked, here's what didn't work, here's where we can be better, here's where we can shrink the organization, here's where we need to grow it, and I think that fluidity of public health is extremely important, because that's what takes care of whatever is the emerging issue that we need to deal with, not what has happened in the past. I'm going to be supportive of this, as I am of most public health issues."

**Ms. Blackburn** said, "Thank you."

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

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

**There was no audio/video from 9:57 a.m. to 9:58 a.m.**

**Commissioner Parks** said, "...some documents from the Manager, and since January 1st of 2006, we've added 300 more full-time employees to our county government and one of the growth areas that fuels inflation and higher taxes is employees, so I just can't, I haven't been convinced that this is an immediate need, and so I am going to vote that way. Thank you."

**Chairman Peterjohn** said, "Thank you. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Well, Claudia, I want to thank you for your presentation and also express appreciation that what this implies to me is that you all are continually analyzing the need for services and the structure you have to respond to those needs, and that you can be flexible in your approach and restructure yourselves in such a way that we can have the services that we need without new costs. I mean, all these costs are going to be born within a grant and by changes in how you deal with your contractual, and commodities and so forth. So we don't have an increase in cost in making this change. That's correct?"

**Ms. Blackburn** said, "Correct."

**Commissioner Unruh** said, "Well, I'm going to be supportive, and once again, I'm thankful that we have folks who know how to manage and I appreciate that."

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**Ms. Blackburn** said, "Thanks."

**Chairman Peterjohn** said, "I'd like to throw out a question. You said there is no local dollars involved in this transaction, can you be more specific, in terms of there's no local property tax impact on this, either, to increase local property taxes or to change property taxes?"

**Ms. Blackburn** said, "Right. This is the Public Health Emergency Preparedness grant. In the past, we've allocated more to contractuals than commodities, and right now we believe the priority is the epidemiologist and the administrative assistant, and so, instead of buying things, we're putting it into people who can actually serve us. And this is grant dollars, so it's not local property tax."

**Chairman Peterjohn** said, "Okay. Thank you. Commissioner Parks."

**Commissioner Parks** said, "I was going off of what our Finance Department was doing with the \$38,000 impact this year and the \$50,000 next year. I just guess I'd like a bit more of an explanation on that."

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "Commissioners, on page 40 of the Agenda, Commissioner Parks is referring to the budget impact, the total impact for this year, he is correct, \$38,000 and again, \$49,000 almost \$50,000 for January 1, 2011, through December 31, 2011. You can see how those numbers work. We're deleting some part-time positions and then we're adding a full-time position. Again, all that money is from a specific grant that Claudia Blackburn has identified, and we are moving money within that grant because we think the priorities are for hiring a full-time epidemiologist rather than some of the other things we had planned. And so, as Chairman Peterjohn has suggested or inquired about, there is no local property tax effect on this request. This money is in our hands from the federal government and we are asking you for permission to change from one category to another to address our needs in a different way."

**Commissioner Parks** said, "Okay. If I may ask, these people will be on our payroll though and they will be..."

**Mr. Buchanan** said, "Sure."

**Commissioner Parks** said, "...those benefits that the employees get along with that?"

**Mr. Buchanan** said, "Absolutely."

**Commissioner Parks** said, "And those moneys are derived from tax moneys?"



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**Mr. Buchanan** said, “Those moneys will not. All the benefits, all the costs for these programs are coming from the grant program.”

**Commissioner Parks** said, “Okay. Thank you.”

**Chairman Peterjohn** said, “Mr. Manager, if I could inquire a little bit further. I’ve had a constituent request, in terms of having some of this background information available online, and I know getting background information is part of a software upgrade. We’ve had software upgrades that we’re doing, in terms of our ability to put information available and have some of this background information that’s available to the Commissioners, just before I normally get mine Friday afternoon sometime, and having some of this information available online. Is this something that will become much more feasible to do once we get the new software available that this Commission, I believe, recently approved for communications in this area?”

**Mr. Buchanan** said, “We have purchased software to help with the agenda process and will give the public an opportunity to comment on agenda items online before the meeting. And to do that effectively, they’ll need to see the background information. I hesitate to give you a time because I’ve been told the time and it’s slipped my mind, Katie, do you know?”

**Ms. Katie Asbury**, Deputy County Clerk, greeted the Commissioners and said, “I do not.”

**Mr. Buchanan** said, “I’m inclined to think that we’ll be ready to go this summer.”

**Chairman Peterjohn** said, “Sometime this summer? Okay. Well, I know it’s one of the things that I, before I became a Commissioner, getting background information was always important. I know there are other citizens who follow closely what goes on with government bodies, and having some of this background information is important too. So, I appreciate that information, Mr. Manager. Commissioner Parks.”

**Commissioner Parks** said, “Claudia, if this grant goes away and we have to come back and reassess this, there are some timelines, aren’t there, like July and then around October 1st for state and federal grants?”

**Ms. Blackburn** said, “Yes, there are. What we do, I mean, if we lose a grant, we look at our overall department priorities and we decide what are our most important programs and reallocate funding accordingly. I mean, it usually means a loss of positions if we lose a grant.”

**Commissioner Parks** said, “So would it be last hired, first fired type of...”

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**Ms. Blackburn** said, “There’s a whole procedure that you use for reduction in force, and we work closely with Human Resources to make those decisions.”

**Commissioner Parks** said, “Yeah. Well I think that answers my question then. Thank you.”

**Chairman Peterjohn** said, “Seeing no further discussion, please call the vote.”

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	No
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

**Ms. Blackburn** said, “Thank you.”

**Chairman Peterjohn** said, “Next item.”

**G. DENTAL DISCOUNT PROGRAM ACKNOWLEDGEMENT FOR PARTICIPATION IN A PILOT PROJECT WITH THE NATIONAL ASSOCIATION OF COUNTIES.**

**Ms. Deborah Donaldson**, Director, Human Services, greeted the Commissioners and said, “I’m really pleased to bring this particular item to you today. I will assure you this has been months and months of work with NACo (National Association of Counties) to come up with a dental discount card. As you’re aware, you do sponsor a prescription drug discount card, which has consistently saved our residents \$100,000 a year on their prescription drugs. And so I think that’s been critical, and especially in these hard times, has been important. And that NACo continue to hear from people that dental continues to be an issue, and unfortunately, it’s one of the things when people have limited resources, they tend to just let go and don’t take care of their dental health. And so we’re hoping that with this card we’re going to see more people who will find dental care a little

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more affordable than they have in the past. This is a pilot, and we will be one of 38 counties who are going to be piloting this, very much like we did the prescription drug discount card. We are hoping that it is so successful, that is with that we will have all the other counties envious of us and asking to allow them to start it as soon as possible. I have served on this committee; I'm excited to bring this to you."

"There will be some differences, unfortunately. There will be a small cost to this particular card, which is \$59 dollars for a single person and that can be paid monthly at \$6.95, or for a family, \$69, or paid monthly at \$8.95. However, if they use the card, in most cases, they will more than make up what they have paid for that, because those discounts run everything from 20 to 50 percent and sometimes over 50 percent. It's easy for them to enroll. They can either call or they can go online and do that. So we are ready to start working on that implementation that will probably involve recruiting some additional dentists in our area. And as soon as we turn this in, we will be working with NACo to get the brochures and to move forward. I will be working on the implementation, and with me today is also Brandi Clarke, who also will be working on this. And I would request your approval and I would be glad to answer any questions."

**Chairman Peterjohn** said, "Thank you. What's the will of the Commission?"

**MOTION**

Commissioner Norton moved to approve the Agreement and authorize the Chairman to sign.

Chairman Peterjohn seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye

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Chairman Peterjohn

Aye

**Ms. Donaldson** said, “Thank you.”

**Chairman Peterjohn** said, “Thank you. Next item.”

- H. ENTER PHASE I OF PROCESS TO NEGOTIATE AN INVESTMENT GRADE AUDIT (IGA) AGREEMENT WITH CONEDISON SOLUTIONS TO PROVIDE ENERGY AUDITING SERVICES PER STATE CONTRACT NUMBER 10189 IN AN AMOUNT NOT TO EXCEED \$96,000.00.**

**VISUAL PRESENTATION**

**Mr. Steve Claassen**, Facilities Director, DIO, greeted the Commissioners and said, “Sedgwick County owns 2,300,000 square feet of facilities, excluding the Intrust Bank Arena, the Zoo and Exploration Place. These buildings make up a wide spectrum of various kinds of commercial structures, including court facilities, pavilions, social service facilities, conventional office spaces, detention buildings, fire, EMS (Emergency Medical Services), parks and recreation, Public Works facilities, lab and community buildings. We now have an opportunity to take advantage of a federal grant money that runs through the State of Kansas’ Department of Energy Office that will enable us to further improve and upgrade those elements of our building inventory that are aging and do not operate at the highest energy efficiency rates economically available to us. That’s what I’m going to describe to you this morning and ask for your endorsement of our planned action and authorization from the Chairman to sign the necessary documents to allow us to proceed.

“What are we trying to accomplish with this action? We want and need to reduce consumption of electricity, natural gas and the fossil fuels that are used to create those, as well as reduce domestic water consumption. We also would like to and need to reduce the tax dollars that we spend toward our utility bills. We want to upgrade our aging infrastructure. Some of our infrastructure, while maintained and operating satisfactory today, is getting near the end of its useful life. And pursuing this course of action will enable us to get that replaced using utility savings that are guaranteed to be sufficient to pay for those improvements. We also want to reduce maintenance costs by replacing portions of that infrastructure that is getting old and we would expect commensurate reductions to our maintenance costs. And, again, we want to do all that without having to request additional financial resources.

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“The actions that we’ve taken to date toward this end, you may remember late last year you approved our application for a federal Energy Efficiency Conservation Block Grant. That, as I said earlier, ran through the State of Kansas Energy Office. We were approved for that grant and have received about half of those funds. The elements of that grant were for us to purchase hybrid vehicles, to fund a staff position dedicated to improving our organization’s energy efficiency and moving us towards sustainable practices, and to fund energy audits and improvement projects, such as what we’re proposing here this morning.”

“We hired an Energy Coordinator in December. His name is Brian Leabo, and he’s here this morning. Brian, would you stand? Brian’s been working to collect data on our various 2,300,000 square feet of building inventory we have, as well as just getting familiar with those buildings. So Brian, together with me, Charlene Stevens, our Assistant County Manager, Marty Sigwing, Facilities Manager for DIO, Joe Thomas, who’s here, in Purchasing and Mark Coronado with the Corrections Department have been familiarizing ourselves with the details and benefits to use what the State of Kansas has labeled the Facility Conservation Improvement Program (FCIP). This program, made available and encouraged to be used by local governments, provides us with an opportunity to take advantage of the extremely low prices that they solicited through these qualified vendors to do the necessary audits, engineering and ultimately conservation projects.

“The Facility Conservation Improvement Program that we want to participate in provides for several things. It provides a competitively solicited vendor list. These are pre-qualified companies who have agreed to the terms and conditions and all the fees associated with the program, and it clearly defines contractually the professional services that will be offered within the program. As I said, the fees are pre-established at very extremely low rates, actually, given the amount of detailed professional work that’s required within them, and it guarantees that all the costs, project improvement costs, as well as pre-established fees, will be paid for by the guaranteed savings. The county should not have to pay a dime for any of the work that we’re talking about doing this morning here.

“So what are the next action steps that we’d recommend we take, pending your approval today? First, we would have a series of meetings and facilities tours described as a phase 1 energy audit. Our chosen energy company, or ESCO (Energy Service Companies), would lead and provide the necessary expertise for these preliminary phase 1 energy audits. I’ll talk more about who that chosen ESCO company is in just a minute. The work product from that phase 1 energy study would be a determination of what buildings are good candidates for energy conservation projects. If in our tours and preliminary studies we determine that a certain building has already had energy efficient lighting installed in it or HVAC (Heating, Ventilating and Air Conditioning) improvements, we’ll probably mutually agree that that’s not a candidate for further study. When we, and our energy service company, agree to a final list of buildings, and at this point we have made no contractual

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commitment of any kind to anyone, we'll be asked to sign a contract to do an investment grade audit. That's the third bullet point here. Investment grade audit is a comprehensive study of each facility we previously had agreed to. A team of engineers and energy professionals will descend in large numbers to scour these facilities to find projects that one, work for us the way we require them to work; two, to upgrade our infrastructure that is aging and becomes obsolete essentially and to three, again, do that in a way that gathers energy savings that will be sufficient to pay for those projects."

**Mr. Claassen** continued, "These projects are defined in sufficient enough detail into this portion of the work and they have sufficient confidence for them to be able to propose these projects, together with the guarantees that they pay for themselves in all the fees and costs with the program. This fourth bullet point here is that we will work with our energy contractor to build a package of energy conservation measures, or projects, that works best for us and in accordance with our goals and needs. The last bullet point refers to a contract with our ESCO to complete the package of construction work making up the energy improvement projects. The action recommended today does not authorize that step. We'd be coming back to you later with detailed information about what those projects are, how long they would last, what impact they'll have to the organization and it would require your subsequent authority to proceed. This slide graphically describes where we now are, and there are a series of steps that we wish to take, and then where we'd like to go.

"We're recommending ConEdison Solutions out of Overland Park, Kansas, as our energy services company. That's the top box in this graphic here. The light yellow series of boxes all describe work that occurs within the no obligation preliminary phase 1 energy audit phase. It's during this time that we meet with our ESCO to establish what facilities are their likely candidates for our savings. At the end of this process, we will agree to a list of buildings to study further and in much greater detail. We could also agree that there is no likely candidates, and if that's the case, if we don't really see projects within that preliminary audit phase that look like they're not promising candidates, we'll just simply part company and there's no commitments on anybody's part. If we do, however, see projects that look likely, and I think we will, that's described in the yellow series of boxes here. We would ask the Chairman to sign an investment grade audit agreement with our ESCO at the pre-established CIP (Capital Improvement Program) rates and not to exceed the \$96,000. The milestones in that second line of green boxes then describes some of the activities and work product that occurs during this phase of the work. This is where the real detailed research and project developments occur. The energy and utility modeling of our buildings happens here. Bid solicitation for our vendors would be taking place at this point in time, as well as financing scenarios are reviewed and scrutinized at this point.

"So why ConEdison Solutions as our vendor? As I said earlier, we did follow a process to come to recommend ConEdison Solutions. We formed a group of staff who were most likely to be working directly with whoever our vendor of choice would be to help make us this recommendation. That

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group was myself, Mark Coronado, Marty Sigwing, Brian Leabo and Joe Thomas. We shortlisted three active Midwest vendors that do work in this region from the pre-qualified state FCIP program to interview and complete checks of references. Our interviews were intended to be consistent. I think they were. We asked the same questions, tried to create a fair process. We were unanimous; our group was unanimous in our endorsement of ConEdison Solutions, believing them to be the best able to leverage expected energy savings into sustainable infrastructure upgrades.”

“ConEdison Solutions uniquely can offer to us complete vendor neutrality. If one of our energy projects is replacing HVAC equipment, they are not predisposed to a certain brand, creating scenarios where their equipment may look best. Unlike the other companies whose core business is selling, or manufacturing equipment or services, ConEdison Solutions focuses exclusively on providing professional services, very much like a design/build general contractor might provide in a more conventional building process. They were very responsive to our questions and needs. By that I mean that they did not come to us with preconceived ideas about what we would need or what approach should be taken. We believe that we will be able to work with those people toward projects that are important to us and maximize the improvements that we’ll be able to put in place.

“The third bullet point there, we asked them to bring to our interview their lead engineers and their project managers. It’s our judgment that their experienced and creative team will best work together with our staff. They have a great deal of experience right here in Kansas. In fact, they have done considerably more Kansas FCIP work than any of the other vendors on this list. Wichita State University, Pittsburgh State University, Emporia State, Kansas State, correctional organization with various facilities throughout the state are several of the clients that they have been working with recently. In fact, there are 26 Kansas clients that they have worked with in the last, I think, three to four years, so they are by far the most active here in Kansas.

“Lastly, and I referred to this earlier, the energy services business is their sole focus. We believe that at this time there’s a great deal of competition in the marketplace and using ConEdison Solutions will enable us to partner with them to craft projects that they can put out for bid to get the very best absolute value for Sedgwick County. Generally, the benefits of this program are it provides for an opportunity for needed, practical, cost-effective green projects that will be paying for themselves. It ensures that we will have county-wide energy efficient building assurance. We’ve kind of focused, as you may remember, we’ve done a big project in this building. I think this program will allow us to expand our focus to a much more broad list. And we’ll be able to document with hard data how much fossil fuel reductions we’ve been able to achieve. And although we don’t know the exact scope of work at this point in time, we have learned that the average energy project employs about 65 people, and we’ll want to make sure that we make that work available to local companies as much as possible.”

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**Mr. Claassen** continued, “So the recommended action that I am requesting will allow us to do two things. One, work with ConEdison to do the no obligation phase 1 preliminary energy auditing that broadly defines the scope of buildings we mutually agree will be focused on. We need to do that preliminary work in order to proceed to number two, which is to give the Chairman the authority to subsequently sign an investment grade audit agreement in an amount not to exceed \$96,000. That’s as far as this recommended action would take us. Before anything, any further obligations are made, or any wrench is turned, or project started, we would be required to come back to you to describe those specific projects and ask for your approval for those. So that is my presentation. I would ask that you approve this recommended action and I’m available for your questions.”

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

**Commissioner Unruh** said, “Thank you, Mr. Chairman. I need to make the Commissioners aware that my nephew holds a leadership position in ConEdison Solutions, and I would want you to know that I haven’t been involved in any of the interviews, or the selection process, have not discussed this with our Commissioners and I will abstain from discussion and voting. Thank you.”

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

**Commissioner Parks** said, “Once again, I would like to thank the department head and the staff for coming in and briefing me on this. I think that’s the best way to look at these things, and especially with consultants. I know I’ve been critical and supportive of consultants when I think they can save us money. And looking at this one, I think this one, if not breaking even, is needed and could save us, we’ll not be expending a lot of money for it on the bottom line. Now, I did ask yesterday when I was in a meeting with staff and Mr. Leabo if Mr. Leabo could do what the job, and I’m sure he could, to figure all this out, however, I put a pencil to it and it would take him about 230 years. So I think we need to get this done before that. Thank you.”

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

**Commissioner Welshimer** said, “Well this is an audit...”

**Mr. Claassen** said, “That’s right.”



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**Commissioner Welshimer** said, "...so we're going to have an audit report?"

**Mr. Claassen** said, "That's right. Very Extensive document. We've..."

**Commissioner Welshimer** said, "Very extensive document. Okay. Any other reports in the contract? Just the audit?"

**Mr. Claassen** said, "No. The work product, the deliverable if you will, of the investment grade audit is a highly detailed report of the audit that was done, and recommendations very specifically on what projects should be done. So it's more than an audit. It's more than a report. It's nearly a proposal. It's just a precursor to a contract that we would be bringing to you. But we have seen these documents done at Wichita State and some other locations, and then very impressed with the quality and quantity of information that's provided."

**Commissioner Welshimer** said, "But their audit and their recommendations are for work that they would do?"

**Mr. Claassen** said, "That's right. Actually it's work that they would work with us to coordinate to get done. ConEdison Solutions, as are the other vendors in this list, serve as general contractors, if you will. They don't have plumbers on their staff or demolition people. That work is contracted. That's where we would work together with them soliciting these bids. We'll see all these bids, participate with them in the selection of the vendors that are used."

**Commissioner Welshimer** said, "Well they could come up with little or nothing, or a lot of work on a lot of buildings."

**Mr. Claassen** said, "That's right. But the important thing to remember is we will be working with them every step. This is a big commitment on my staff's part. They will not recommend anything that we don't want to see recommended. For instance, the best example is everybody wants to save energy dollars by putting night setback devices on their equipment. And that works great in some applications, but we can't do it in the jail, for instance. I mean, it has to fit us. I mean, that's a very simple example, but so we have to mutually agree on what those projects are going to look like."

**Commissioner Welshimer** said, "Okay. Thank you."

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**Chairman Peterjohn** said, “Thank you. I’m going to jump in and second Commissioner Parks’ comments, because I agree that there are times when it may make sense to...we’ve done something similar when trying to address the journal entry problem with the jail side of things, in terms of restructuring so that we can get additional information so that we can make better decisions and save money. And I think this is going to fall under this category. I plan to be supportive of this first step, but I’m going to continue to want to closely monitor it and look for hopefully getting some details, in terms of specific paybacks, especially because I’m very concerned, because we’ve had several recent utility rate increases and we’re facing a number of others. And whether it’s water, electrical or any other form of utility, it’s going to be a challenge. Seeing no further discussion, let me check, do we have a motion?”

**Ms. Asbury** said, “No, we do not.”

**Chairman Peterjohn** said, “I didn’t think so.”

**MOTION**

Chairman Peterjohn moved to authorize Phase I of the process and authorize Chairman to sign the IGA Agreement when it is developed, subject to approval by the County Counselor’s Office.

Commissioner Parks seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

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### I. MONTHLY INTRUST BANK ARENA REPORT.

#### VISUAL PRESENTATION

**Mr. Ron Holt**, Assistant County Manager, greeted the Commissioners and said, "I'm here to give you the second of what will be an ongoing monthly report on the Intrust Bank Arena. This report was so anticipated that the Accounting staff has joined us this morning because they want to hear this great exciting, well, maybe not, I think they're here for the next item. I want to introduce Gary Desjardins, who is the SMG Regional Manager. Gary has direct responsibility for the Ford Center in Oklahoma City and oversight responsibility on a regional basis, which includes the Intrust Bank Arena. We also have joining us this morning Scott Neal, who is the SMG Assistant General Manager for the Intrust Bank Arena and we also have the SMG Director of Finance, Chris Kibler, who is at the Intrust Bank Arena joining us this morning. Some of the information I'm presenting today, I'll move pretty quickly past the slides because it's reinforcing what we presented to you last month. And so if I'm doing that too quickly for you and you have a question, feel free to stop me.

"Again, our goals are to provide oversight for the SMG contract and to provide you with a monthly report, so that we give you and the public information about the operations at the arena. We're going to quickly talk about the SMG agreement and the arena management business aspect of that, and then the specifics of the contract administration, we're going to talk about parking, going to talk about transit, and we continue to have on our Agenda for you Arena Sales Tax reserves, although at this stage, that's a no activity report to give you. Again, we talked last month in detail about arena management business. Just want to reiterate a couple of things today. That the roles and responsibilities of the promoter versus the building operator, they're very clear, they're very distinctive, and we want to continue to make sure we understand what the building operator can and cannot do versus getting acts here and/or not. The promoter and the building operator have distinct roles in event booking, and ticket sales and event management, as well as in building management.

"Again, there is a recognized hierarchy of power here. The artist, first and foremost, then the artist's manager, then the agent, the promoter and then the building operator, as far as getting acts to our community. The promoter, as we presented last time, generally retains over 90 percent of the revenues from gross ticket sales, while the building operator gets to keep about 10 percent of that. The building operator's business is the support stuff behind the event, like food and beverage and that sort of thing, premium seating and so forth. Events are typically booked in one of the following ways. Either the building contacts promoter or agent to try to lure that act or artist to the community. The promoter, most generally, this is the way it's happening, is booking dates within a region and/or the agent is routing a tour, books the building, then contacts a promoter."

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**Mr. Holt** continued, “And this last bullet, we continue to focus on, that relationship and opportunity for the promoter to make money are ultimately what brings a show to Wichita and will continue repeat business. Contract administration; these are the components of what we’ll be talking about as we go through what we’re doing in contract administration with this agreement. Again, the project team on the county side is myself as the Project Manager, the County Manager, the Chief Financial Officer, Kristi Zukovich and Mike Pepoon. On the SMG side, we have the General Manager of the facility, as well as the Director of Finance, are the key folks that we have liaison with in managing this contract. Our goals continue to be that SMG will promote, operate and manage the arena to ensure high quality services. And, again, the bottom line is SMG will be responsible for any net operating losses incurred during any fiscal year of the contract period.

“If we were managing this with a different kind of contract, then we would have public resources that SMG would be managing, and they would get paid a management fee to do that. In our case, SMG has all of the upfront risks and financial responsibility, and their reward comes in if they do it right, and a good job, they get a fee to a certain dollar amount of the net income, then the county gets its portion beyond that. Again we remind you that the management term commenced on January the 2nd of this year and it ends after five full years; 12/31/2015. Again, these are the compensation arrangements for the agreement. I won’t go over those again, but there is a hierarchy of how those, the net income, operating income, is paid at the end of each operating year.

“We are to get monthly reports by the 25th of the month on the prior month’s activities. And what I’m reporting to you today is the March activities, which the report we received, we did receive that report by the 25th of April, and we’re here today to make that report. We’re also going to get a management plan by October 1 of each year, an audit by April 1 of each year, capital improvements and equipment request will be included in that management plan and then there will be funding requests for emergency items during the year, if they are needed. Two aspects of our report; there’s going to be a community affairs aspect and the financial summary. The community affairs, we’re talking about event attendance and ticket sales, employee wages, benefits and employment, community groups, presentations and tours, local events and activities that SMG has participated in and then the upcoming events at the arena. Again, I won’t go through each of these, but down the left hand column of this chart, you see the events in March. We had 17 performances. There are 10 events listed there; 17 performances. There was a total of 85,660 people who attended events. Tickets sold; 81,737. Again, some of those events had comp [complimentary] tickets involved in them, so the ticket sales are less than the attendance, for an average attendance per event of 5,039. The gross ticket sales for events through March, or for those March events, was \$3,598,961, for an average cost per ticket sold of \$44.03.”

“The year to date through March report, again, combining the January, February report we made last month with the March report you see that there were 36 performances through March for a total

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attendance of 179,274; 4,980 folks per performance. Tickets sold; 169,226 gross ticket sales through March. For events that occurred for events that occurred January, February, or March; \$6,107,493, for an average ticket cost per ticket sold of \$36.09. For the month of March, SMG paid \$256,989 in wages; 47 full-time employees, 440 part-time employees. January through March, \$827,710 in wages and in benefits; 48 employees averaged here to date full-time and 423 average year to date part-time employees. Total number of community groups for March that volunteered and worked in the concession stands; 35. Those groups were paid \$37,824. SMG spent with Sedgwick County or Kansas companies for supplies, and equipment and that sort of thing during the month of March; \$354,311. And you see there, arena presentations or arena tours; 11. Local events or activities were two; the American Lung Association Fight for Air had an event there and the Central Plains Quad County Planning Forum, which I believe a couple or three of you, maybe four of you, Commissioners were at that event.

“January through March, this report, we had 12 groups volunteering, a total amount of \$96,814. Spending with Sedgwick County/Kansas companies; \$818,311. Seven pre-opening events, you see there were a number of events prior to that time. Local events, arena presentations and arena tours; 17 with some happening before the facility opened, and a total of 4 local events and activities through the month of March. Announced upcoming events in April, there were 4 events and 17 performances. May; 6 events, 7 performances. June; 3 events, 9 performances. July; 3 events, 3 performances. August; 4 events, 4 performances. October; 1 event, 1 performance that have been announced to date. We do anticipate additional events and performances to be announced as we go forward. Again, this is a good place to point out, however, that the summer months in this kind of business are usually slow activity. I think we will see a little bit higher activity in this first year because we have a new building, and all of the good hard work that Scott Neal, and Gary, and Chris and their folks are doing. But when we get to the finances, we just continue to offer that disclaimer, that caveat, if you would.

“Again, we’re going to talk about the financial summary. These are definitions of the items that are included in the financial summary there. I won’t spend time on them, but just as a reference point for your consideration. In the left hand column on this sheet, you see the events by category: concerts, family shows, sporting events, Wichita Thunder Hockey, we keep it separate from the other sporting events because they are the anchor tenant. Then we see the other events happening there for a monthly total of 19 performances. The net direct event income for the month of March was \$110,468. The net food and beverage was \$371,824. Other than that income was \$485,354. We had \$96,258 of other income for a gross building income of \$1,063,904.”

**Mr. Holt** continued, “Net operating, or building operating, expenses \$410,268. You’ll remember as we reported last time, those expenses are running just at, this is down a little bit, as the building begins to operate in a more consistent fashion after opening events, but around \$400,000; \$400,000 plus a month to have the doors open at the Intrust Bank Arena, for a net building income for March;

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\$653,636. When you add the January and February report to that, you get down to a bottom line of year to date total of gross building income; \$2,286,236. The building operating expenses to date; \$1,312,358 for a net building income of \$973,878. Excellent performance. Again, I just want to caution that when we start into the summer months, we're probably going to see that gross building income go down, but the building operating expenses are going to remain at that \$400,000 plus per month, so this \$973,000 or whatever may be added to it, in the next months, we're going to see that being used up, or at least a portion of it, during the summer months.

“Alright, switching to our arrangements with the City of Wichita for parking and for transit. Again, these are the aspects of that agreement that we're going to talk about. I won't spend any time on them. Again, I just put them there for reference for you. We continue to want to make sure we mitigate having to pay the City of Wichita any portion of that \$225,000 for the use of Lots A, B, C and D for arena events. And I'm happy to report as we, again, get to the bottom line, that in the month of March, the total revenue for the four lots; \$31,328. The operating costs for those four lots, for arena events during March; \$8,476 for a net income of \$22,852, and so for January through March; \$48,177 net income that the City of Wichita has realized from those four lots for arena related events. Again, we want to just caution that as we go into the warmer weather, it is possible that people will want to park further away and walk and/or take transit, and so those numbers may go down some. But, again, we're seeing for the few events we've had when the weather was very good, there are a number of people who still want to park close and are willing to pay for that, and we'll continue to hope that to be the case going forward, again, so that we do not have to come up with any moneys towards that \$225,000.

“Moving on to the transit services, again, these are the components of the agreement that I won't spend any time on. We have a commitment of \$93,120 for the county's portion of the transit for the shuttle service. But in the first three years, the City of Wichita, Wichita Transit got a grant, as you recall, and so our exposure there's \$32,500 per year. The ridership for March; 8,054 people rode the Q-Line for arena events during March and you'll see kind of how the makeup of that ridership was for the various events. Year to date in March; 21,410 folks have taken the Q-Line related to arena events. All of 2009; \$7,500. The parking plan of having close, accessible parking, close to the arena parking, as well as complimenting that with the Q-Line has worked, it is working and we are very optimistic that it's going to continue to work in the way that it should. These are the aspects of the Arena Sales Tax reserves that may need to be tapped during the year. We just remind you of what those are, and to this point, we don't have anything to report being paid against those.”

“Upcoming events, Nickelback; May 14th, I think that's Friday night. Star Wars in Concert; May 22nd. Tim McGraw, which should be a huge draw; June 11th. Michael Buble, I have my tickets already; June 23rd. Rush; August 20th. And then down in October, Carrie Underwood, who I read this morning is one of three up for the Country Music Association (CMA) awards of the year. So great events depending on your style of music. For tickets and for event information,

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www.selectseat.com and/or www.intrustbankarena.com. For parking, www.parkdowntown.org, and we continue to work with the City of Wichita and the Downtown Development Corporation to make that www.parkdowntown.org website more and more user friendly, and especially for people with disabilities and access challenged issues, and we'll continue to work on that. That's the report for March. Be happy to answer any questions that you might have. Otherwise, I would ask you to receive and file the report."

**Chairman Peterjohn** said, "Thank you. Questions or comments for Mr. Holt? Well I'm going to turn this over to Commissioner Parks."

**Commissioner Parks** said, "Well, you kind of joked at the first of the meeting about Finance being here, but in fact, I am anticipating the Finance being involved later in the year and seeing those numbers that come in, so I just thought I would say that."

**Mr. Holt** said, "Absolutely."

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

**Chairman Peterjohn** said, "What is the will of the Commission?"

### MOTION

Commissioner Welshimer moved to receive and file.

Chairman Peterjohn seconded the motion.

**Chairman Peterjohn** said, "And, Mr. Holt, I would be delinquent if I didn't point out, because I pointed out last month, and I think I'm going to continue to point out, that the figures you provided did not include any depreciation line item, and if we included depreciation, which any private business would be doing for that event, we'd have a significantly different number than the numbers presented today, in terms of just the revenue and expenses, is that correct?"

**Mr. Holt** said, "That is correct. And of course, one of the reasons for the Operation and Maintenance (O&M) reserve fund was the knowledge of two things. One; that these buildings generally over the long-term have some months where there's not a positive month, and also there's maintenance needs and generally accounting for depreciation is a way of funding for capital improvements. And of course, we have built into that Operating and Maintenance reserve fund the opportunities to do capital improvements. But yes, Finance Department, as a part of the county

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financial statements, is tracking, will be tracking, or recording, depreciation relative to the Intrust Bank Arena in your financial reports that you get from them.”

**Chairman Peterjohn** said, “So we’ll get them...”

**Mr. Buchanan** said, “Mr. Chairman, if I might...”

**Chairman Peterjohn** said, “Yes, Mr. Manager.”

**Mr. Buchanan** said, “The depreciation will be accounted for in the Comprehensive Annual Financial Report that’s produced every year, because the building is our building. We usually don’t use depreciation for tenants. And this monthly report is a report about SMG’s operation of that building as a tenant.”

**Chairman Peterjohn** said, “And I think that’s an important clarification to provide for the public and everyone interested in this facility, and the success we hope to see it continue to have. I was going to ask you, Mr. Holt, if there are fewer events, I would be assuming that perhaps there might be some savings on utility costs at that time, because, obviously, if you don’t have any...every event that I’ve been to at the arena, it seems like, you know, the lights are on, the sound system is going, although one event I went to recently had some struggles in that area, but there were a variety of utility costs that I would assume would have some variability to it, and if things slowed down a bit during the summer like you suggested, wouldn’t there be some opportunities probably for some utility savings? I mean, it won’t offset the full cost, but you would get some benefit, wouldn’t you?”

**Mr. Holt** said, “Some, Commissioner, but it’s no different than if you go on vacation for two weeks, I don’t think you see a significant decrease in your utility bill for that month. You see some, I’m sure, because you’re not having the use of an air conditioning, heating, lighting as much as you would if you were there. I would just say, yes, some, but I would at this point not say, I’d say it’s going to be fairly negligible relative to the overall utility cost. We’ll see and we’ll keep track of that.”

**Chairman Peterjohn** said, “Okay. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you, Mr. Chairman. Well, first of all, Ron, you’re slipping on your reputation for making presentations of being relentless and boring. This wasn’t boring. Appreciate your presentation. And I was just wondering, everything that we’ve got is so positive and upbeat, have you identified areas where we have not reached our goal, or have not reached our expectations, or there’s some sort of an issue that we have to deal with? Because everything sounds pretty good.”



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**Mr. Holt** said, "I don't know of anything now that pops out as something to be concerned about. However, and I'll say the reason for that, that this project had a lot of involvement from a lot of folks, including citizens. It's been managed well and I don't say that from my, certainly I've been proud to be involved in it, but because of the kind of project management focus we've had on this project, it's been managed well from the beginning to the end. We hired a world class management company for these kinds of facilities to run the facility, to operate the facility. And I think there was certainly, the Britt Brown Arena at the Coliseum served this community well for 30 plus years, very, very well. I think there was pent up demand for a newer facility, for a bigger facility, to draw many of these events that have come that we wouldn't have gotten, even with the renovated Kansas Coliseum, there are a half dozen or so events that have come to the arena that wouldn't have come to this community for that. So, I guess the word of caution is, we're going to continue to try to look at all aspects of the business, and we're going to try to anticipate problems and address them before they become major issues. At this point, I don't know of any."

**Commissioner Unruh** said, "Okay. Well that's good. I think it's a great deal of satisfaction for the management company, and for our staff, everybody worked so hard to know that we planned our work and we worked our plan, and it's working out. So that's very good. Congratulations."

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

**Commissioner Parks** said, "Since Commissioner Peterjohn brought up SMG, it's my understanding that, if I recall the contract correctly, anyway, SMG is paying the utility bill anyway, is that correct?"

**Mr. Holt** said, "It's part of that indirect operating expense, or indirect building expense, that you see on that report, yes, sir."

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

**Chairman Peterjohn** said, "Thank you. Commissioner Welshimer."

**Commissioner Welshimer** said, "The Britt Brown Arena is 30 years old now and the courthouse is 50 years old, do we have any financial records on the first years of the Britt Brown Arena that we could compare to this?"

**Mr. Holt** said, "I hesitate only because, going back 30 years, I'm not sure we have maintained documents back that long. I don't know."

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**Commissioner Welshimer** said, "I'd like to, if we can find some, I'd like to compare what we did with that compared to what we are doing now. Be an interesting..."

**Mr. Holt** said, "I will tell you, if you read the historical little pamphlet that WSU (Wichita State University) professor put out, one of the things he raved about in that pamphlet was we got Bob Hope and Elton John and there was some significant names here at the opening of the Britt Brown Arena during the late '70s, early '80s."

**Commissioner Welshimer** said, "Well, just be interesting to look back on the history and give us a little guidance on the future. Thank you."

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

**Commissioner Parks** said, "Well, along that line, if you'll recall, that's why I voted several months ago not to destroy those records that were at Britt Brown. Thank you."

**Chairman Peterjohn** said, "Thank you. Seeing no further...Commissioner Norton."

**Commissioner Norton** said, "Well I just want to say I'm still very proud of what we've done with the Intrust Bank Arena. I'm glad Gary, and Scott and Chris are here today to be the face before us of SMG's management group. We appreciate all they've done. Two down and 10 more to go in the first year, and I'm sure there will be a little dip in the summer, but I'm already excited about some of the groups that are here and there may be others that fall in along the way, and I anticipate fall to be very good. If you keep up with the buzz that's out in the world, there are some major groups and artists that are going to be back on the road again, and SMG is with Live Nation, and their partnerships around the United States and the world, I'm sure will bring some of those big events here, just like we've already had. And I'm very optimistic that it's going to continue to be something that's good for our community, that builds the quality of life and the economic value and that will make it a place that my grandkids are going to love for a long time. You know, that should be our focus. Not on us old guys that have enjoyed this community, but for the kids that are going to enjoy it many years from now. Thank you."

**Chairman Peterjohn** said, "Thank you. Although I'm going to say chronologically gifted rather than old guys. And I do very much appreciate the SMG folks coming here for this presentation. Seeing no further discussion, please call the vote."

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

**Chairman Peterjohn** said, "Next item."

**J. PRESENTATION OF GFOA AWARD FOR OUTSTANDING ACHIEVEMENT IN POPULAR ANNUAL FINANCIAL REPORTING TO SEDGWICK COUNTY FOR 2008 POPULAR ANNUAL FINANCIAL REPORT.**

**Mr. Chris Chronis**, Chief Financial Officer (CFO), greeted the Commissioners and said, "You'll be sorry to hear that I have no PowerPoint presentation, which probably means that I'm going to be mute. The county takes a lot of pride in our ability to manage the public's money, but that pride really doesn't mean anything if the public doesn't know how we're managing their money, if they can't get access to good information. And to that end, we go to pretty considerable lengths to make available to our citizens information about what the county is doing, and what successes we are having as a result of the money that we're taking out of the pockets of our citizenry. We post our budget online so that anybody that has a web enabled computer can see what our financial plans are. We post our capital programs online for the same reason.

"With the nudging from Commissioner Peterjohn, we have created the online county checkbook so that any citizen with access to a web enabled computer can see any check that the county has written going back to 2002, and they can aggregate that information to see how much we spent with a particular vendor, or for a particular kind of transaction, such as county travel or county salaries. All of those efforts have been undertaken in order for people to be able to know what the county is doing with their money. But they are lots of detail without lots of ability for people to discern among that detail what the real message is. To get the real message, we put together financial reports at the conclusion of each year that are intended to convey a report card, if you will, to citizens for the county's financial performance of the prior year."

**Mr. Chronis** continued, "The Governmental Finance Officers Association, the professional association of public finance, has established a program that creates criteria for best practices for that kind of public reporting of financial information. And one of those programs addresses what we term popular financial reporting. The county produces a report that looks like this, and we have just finished this report for last fiscal year, and we circulated it to you, and it's available to citizens, and we provide it to schools for student use and so forth. And this report identifies in a very simple to read format the sources of county funding, the uses of county funding and the accomplishments that the county achieved because of that funding.

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“This report, the popular financial report, is the third one that the county ever has prepared. We are here today because the second one that the county produced, this one for the 2008 fiscal year, was awarded the Award for Outstanding Achievement in Popular Financial Reporting by the GFOA, the Governmental Finance Officers Association. Now, in order to receive this award, Sedgwick County had to produce this report in a way that, as I said, is readily accessible to our citizens, easily understandable to the general public, not to people who have a finance background, and it has to conform with established best practices. There are only 200 governments throughout the United States that received this award for the year 2008. And in your Agenda summary, I noted that there were 161 governments that received the award for 2007. At the time I produced that Agenda summary, that was the most recent information available. We have just received the program results for 2008, and so 200 governments throughout the United States received this award. Sedgwick County is one of those and that is the second year that we’ve received it. And we’ve received it for the second report that we ever produced. So we take great pride in the quality of this report that was produced by our Finance staff.

“Now in your Agenda summary, I said that Sedgwick County is the only government in Kansas that has received this award, and for the 2007 year, the information that was available at the time, that was the case. In 2008, I want to point out that the City of Shawnee, up in the Johnson County area, also received this award. So there are now two governments in Kansas, 200 in the United States that received this award. In Sedgwick County, the popular financial report, what we term the financial year review, is produced largely by folks in our Accounting Department, and the lead on the project is Brandi Baily. And so I’m going to ask Brandi to step up here so that I can present this very handsome plaque to her, and I would ask her to introduce the other folks in the Accounting Department who worked with her in the preparation of this report. Brandi is one of our accountants, and since she’s the one that’s standing here, I’ll say she’s one of the very best accountants, but she has done an excellent job in producing this report now for three years, and so I’m very happy to present this award to her and ask her to introduce her colleagues.”

**Ms. Brandi Baily**, Senior Accountant, Finance, greeted the Commissioners and said, “I got the help with Sara Jantz, Daniela Rivas, Pam Kelly, who is not in the room, and then I also need to recognize Tony Guiliano, who did the creative work for us. So thank you for the award.”

**Chairman Peterjohn** said, “Thank you. I think we need a motion, and I will make one that we receive and file. And I want to thank, not only Mr. Chronis, but Mr. Bruun, and Ms. Smarsh and everyone else that that Ms. Baily mentioned in that regard.”

### MOTION

Chairman Peterjohn moved to receive and file.

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Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, “And I appreciate that we now have a motion and a second. Commissioner Unruh.”

**Commissioner Unruh** said, “Well thank you, Mr. Chair. Well I want to offer my congratulations. I mean, it’s remarkable to maintain that level of quality to Sedgwick County and to our citizens. One of the phrases in the backup indicated, or said, that this is evidence that what information you produce is readable, and understandable and easily accessible to our citizens. And that, after all, is I think the end goal for us, is to make sure that we are communicating well, and our citizens can understand what we’re doing and that we are very open and transparent in that process. So looks like you’ve achieved that goal. It’s great work. We’re proud of you. Thank you.”

**Chairman Peterjohn** said, “Thank you. Seeing no further discussion, please call the vote.”

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**K. PRESENTATION OF GFOA CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO SEDGWICK COUNTY FOR 2008 COMPREHENSIVE ANNUAL FINANCIAL REPORT.**

**Mr. Chronis** said, “The popular report that we were just discussing, as I said, is designed for people who don’t have a background in finance. For people who do, we have a somewhat thicker document that has considerably more details about the county’s financial performance, and this, too, is the subject of an award program by GFOA. This Comprehensive Annual Financial Report (CAFR) is for the 2009 fiscal year, and we just presented this to you about a month ago. The award that we are here to discuss today is for the prior year financial report, the 2008 report. And, again, it complies with criteria and best practices that have been established by the public finance profession.

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“There are about 10 percent of all eligible governments in the United States that receive this award each year. This is the 28th consecutive year for which Sedgwick County has received this award. There are, I believe, five other governments in the United States that have a longer track record of success in receiving this achievement for excellence in financial reporting. And so we take great pride, not just in this award for this year, but in the long series of reports that have been produced by this Finance staff and by our predecessors going back for several decades. Our citizens have been certainly well served by the production of that information. The reports we think, in fact we have been told, are certainly a factor of consideration by the bond rating agencies, the credit rating agencies that have given Sedgwick County a AAA rating from Standard & Poor’s and a AAA rating from Fitch Rating services. We think that this report is certainly a factor in our ability to achieve that excellent bond rating. This report was produced under the leadership of Anne Smarsh, the county’s Accounting Director, and so I would ask her to step up here so that I can present it to her, and I would ask her to introduce the folks in the Finance division that helped her with it.”

**Ms. Anne Smarsh**, Accounting Director, Finance, greeted the Commissioners and said, “Thank you. Good morning, Commissioners. I would like to ask that the accountants who are in the room to come up here so that we can introduce them and we can actually get them on camera, although they don’t want to do that. First of all, Brandi Baily, you just met her. Brandi is in charge of recording and accounting for our capital assets. That’s well over a half billion dollars, so that in itself keeps her pretty busy. She also works extensively with Marty Hughes, our Revenues Manager, so she works a lot on grants. Marty Hughes could not be here today, but he is our Revenues Manager and he makes sure that we comply with all the numerous grants rules that are out there for the various funding agencies we have.”

“Sara Jantz is our Cash and Investments Manager. At the end of last year, Sara was probably managing, what, right at a half billion in cash and investments. As we were bringing in, collecting taxes before they’re distributed out to the other tax districts, so she is also helpful in financial reporting. She works a lot really in training our other accountants, too, as they come in new to the county. Daniela Rivas happens to be one of our new accountants, relatively new. Daniela has gotten a lot of experience; she’s kind of a utility player right now. She did a lot of work on the last quarterly financial statements in actually compiling the statements and learning about some of the challenges that come in every quarter and then during the CAFR on that. Ginger Radley is not here today. She is our Accounting Manager. Ginger manages the Accounts Payable team here in the county. She also is our Debt Manager.

“Pam Kelly, our Internal Auditor, although she doesn’t technically work on the accounting team, she kind of takes off her internal auditing hat every once in a while and she helps us. And she is the one who really is responsible for compiling the statistical section in our CAFR. She does a lot of

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very detailed work compiling all of those statistics for the citizens' use. Try Bruun, our Deputy CFO, again, while he's not technically on our accounting team, he does a little bit more every year and he's learning. And when Chris gets up here every quarter and periodically and he says, you know there are a lot of people who do the work and he takes the credit, he's being very, very truthful on that. I hope I still have my job.

"This Comprehensive Annual Financial Report really is the tangible result of the financial reporting and financial results of our county for an entire year. When the people on our team, when they're asked, when we're asked, what do we do? We tell everybody we work for the citizens. That's what we believe and that's what we do. Although we might not be as visible as, you know, Mark Sroufe and the parks guys are, I think we are equally as important a piece of that entire puzzle, all the people, almost 3,000 people who work to serve the citizens in this county. So I'm very, very proud of the people on our accounting team. Each of them is a leader in his or own way on any given day. We appreciate the recognition from GFOA because we do work hard to keep up those standards. Thank you."

**Chairman Peterjohn** said, "Thank you. And I think we need a motion and a second."

### MOTION

Chairman Peterjohn moved to receive and file.

Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, "And we now have a motion and second. I would hasten to add, and I'm repeating myself from a previous meeting, but in November of 2008, as soon as I found out that I was going to become a County Commissioner, the first document, I saw it from the Manager's Office, was the most recent annual financial report data. So I very much appreciate all the hard work and recognition that comes in from the Finance Department in this area. Commissioner Parks."

**Commissioner Parks** said, "And I would like to second all those things and all those accolades, but also your work in getting those on the internet and out for the public. I think the checkbook on the internet is one of the high spots in the last few years of open records, so thank you for working and getting those things."

**Ms. Smarsh** said, "You're welcome."

**Chairman Peterjohn** said, "I agree. And seeing no further discussion, please call the vote."

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**VOTE**

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

**Ms. Smarsh** said, “Thank you.”

**Chairman Peterjohn** said, “Thank you. Thank you all. Next item.”

- L. APPROVAL OF AN APPLICATION WITH WICHITA NORTHWEST LIONS CLUB FOR THE SEDGWICK COUNTY ADOPT A HIGHWAY PROGRAM ON 21<sup>ST</sup> STREET NORTH BETWEEN ½ MILE WEST OF 119<sup>TH</sup> STREET WEST & 167<sup>TH</sup> STREET WEST. DISTRICT 3.**

**Mr. Spears** said, “Item L is an agreement with Wichita Northwest Lions Club for the Sedgwick County Adopt-A-Highway Program. They will be responsible for picking up litter along 21st Street North between one-half mile west of 119th Street West, which is the city limits, and 167th Street West. I recommend that you approve the agreement and authorize the Chairman to sign.”

**MOTION**

Chairman Peterjohn moved to approve the application and authorize the Chair to sign.

Commissioner Parks seconded the motion.

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

**VOTE**

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



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**Chairman Peterjohn** said, "Thank you. Next item."

**M. APPROVAL OF K.D.O.T. "FEDERAL AID PROJECTS REQUEST FOR CONDITIONAL RIGHT-OF-WAY CLEARANCE" FOR SEDGWICK COUNTY PROJECT 803-S ½ Q THRU U: 135<sup>TH</sup> STREET WEST FROM US-54 TO K-42. CIP# R-303. DISTRICT 3.**

**Mr. Spears** said, "In Item M, we are requesting your approval of a federal aid projects request for conditional right-of-way clearance for a project on 135th Street West between US-54 and K-42. Prior to bidding locally sponsored projects, KDOT (Kansas Department of Transportation) requires that the sponsoring local government certify that arrangements have been made from both the acquisition of right-of-way and the relocation of utilities. This certification is normally provided by the County Engineer on behalf of the County Commission. In this case, there is one parcel of right-of-way that must be obtained through eminent domain proceedings. The property owner has agreed to provide a right of entry to allow the construction to proceed while the eminent domain proceedings are completed. Federal regulations allow this kind of concurrent activity; however, KDOT requires that the governing body of the local sponsor complete this formal request for conditional approval. The important point to note about this document is that it represents a commitment by the county to complete the eminent domain proceedings without regard to the amount of compensation awarded to the property owner. Under normal circumstances, the county retains the option to drop the case if the award seems to be unreasonable. We recommend that you approve the request and authorize the Chairman to sign."

**Chairman Peterjohn** said, "Thank you. Questions or comments for Mr. Spears?"

**MOTION**

Chairman Peterjohn moved to approve and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye

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Chairman Peterjohn

Aye

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

**Chairman Peterjohn** said, "Next item."

**N. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON MAY 6, 2010.**

**Mr. Joe Thomas**, Senior Purchasing Agent, Purchasing, greeted the Commissioners and said, "There are nine items for consideration resulting from the meeting of the Board of Bids and Contracts of May 6th. Item 1;

**1. ROAD IMPROVEMENTS – PUBLIC WORKS  
FUNDING – R175 PREVENTIVE MAINTENANCE – SELECTED RDS**

"The recommendation is to accept the low bid from Vance Brothers, Inc. in the amount of \$354,109.80. Item 2;

**2. LIQUID CALCIUM CHLORIDE – PUBLIC WORKS  
FUNDING – PUBLIC WORKS**

"The recommendation is to accept the bid from Scotwood Industries, Inc. for a cost of \$1.12 per gallon and to establish contract pricing for one year with two one-year options to renew. Item 3;

**3. LATEX MODIFIED SLURRY SEAL – PUBLIC WORKS  
FUNDING – R175 PREVENTIVE MAINTENANCE – SELECTED RDS**

"The recommendation is to accept the bid from Ballot Construction Co., Inc. in the amount of \$875,279.63. Item 4;

**4. WEED CHEMICALS – NOXIOUS WEEDS  
FUNDING – NOXIOUS WEEDS**

"The recommendation is to accept the low bid from Crop Production Services, Inc. for an initial purchase of \$11,720.20 and establish contract pricing for one year. Item 5;

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**5. SHIELD ARMOR AND LIGHTS – SHERIFF’S OFFICE  
FUNDING – SHERIFF’S OFFICE**

“The recommendation is to accept the bid meeting specifications from First Choice Armor in the amount of \$18,016. Item 6;

**6. STRYKER COTS – EMERGENCY MEDICAL SERVICES  
FUNDING – EMERGENCY MEDICAL SERVICES**

“The recommendation is to accept the bid meeting specifications from Stryker and establish contract pricing for one year with two one-year options to renew. Item 7;

**7. LANDSCAPE PLANTING PLAN for NATIONAL CENTER for AVIATION  
TRAINING – FACILITIES DEPARTMENT  
FUNDING – NATIONAL CENTER for AVIATION TRAINING  
ARCHITECTURAL and ENGINEERING**

“The recommendation is to accept the low bid from Tree Top Nursery & Landscape, Inc. in the amount of \$215,617. Item 8;

**8. CHAIRS for NATIONAL CENTER for AVIATION TRAINING –  
FACILITIES DEPARTMENT  
FUNDING – NCAT FURNITURE FIXTURES & EQUIPMENT**

“The recommendation is to accept the quote from John A. Marshall for \$113,026.57. And Item 9;

**9. CHANGE ORDER #1 – CONSULTING SERVICES FOR STORMWATER  
MANAGEMENT (STRATEGIC BUSINESS PLAN AND PUBLIC  
AWARENESS STRATEGY)  
FUNDING – STORMWATER MANAGEMENT**

“The recommendation is to accept the change order with Patti Banks Associates in the amount of \$34,956. I’ll be happy to answer questions and I recommend approval of these items.”

**MOTION**

Commissioner Parks moved to approve the recommendations of the Board of Bids and Contracts with the exception of Item 7.

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Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, "Further discussion on Items 1 through 6 and 8 and 9? I would like to ask a question concerning Item 3. There was only one bidder on Item 3 and this is a 16.7 percent increase over what we had in place three years ago in 2007, is that correct, Mr. Thomas?"

**Mr. Thomas** said, "Yes, sir, it is. We contacted the other vendors that we solicited bids from, and several of them had products, but some of the products were not qualified, didn't meet the specifications for KDOT. And so, in one case it was involving the amount of setup time involved in the process they recommended."

**Chairman Peterjohn** said, "So we basically follow KDOT regulations, in terms of for product like this?"

**Mr. Thomas** said, "Yes, sir."

**Chairman Peterjohn** said, "Okay. Seeing no further discussion, please call the vote on items; let me clarify it, Items 1 through 6 and 8 and 9."

**VOTE**

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

**Chairman Peterjohn** said, "We're now on Item 7. What is the will of the Commission?"

**MOTION**

Commissioner Unruh moved to approve Item 7 from the Board of Bids and Contracts.

Commissioner Norton seconded the motion.

**Chairman Peterjohn** said, "A motion and a second. Commissioner Parks."

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**Commissioner Parks** said, “Well, you know, this is property that we don’t own, we’re leasing. I think the purpose of the buildings and everything else that were out there was for education. I just think that if we’re going to be green in the county, we should put in natural buffalograss and not have irrigation systems and spending more on water. That’s just why I’m doing this. I think a quarter million dollars, or right at, that’s too much to be putting in for that for what we’re going to be getting for it and the reasons at this time. I just have a real problem with that. Thanks.”

**Chairman Peterjohn** said, “Thank you. Additional comments? Commissioner Unruh.”

**Commissioner Unruh** said, “Well, thank you, Mr. Chair. I’m going to be supportive of this item in light of the fact that this was contemplated in the project initially and the amount that’s in this Agenda item is within the estimated project cost, and it is coming from the architectural and engineering...”

**Mr. Thomas** said, “Yes, sir.”

**Commissioner Unruh** said, “...category for the NCAT (National Center for Aviation Training) funding. The heart of the motivation in creating NCAT was to create a world class training facility and, well, it seems consistent with that goal that we have, not only the technical capability and the building facilities to handle it, but we have a campus that is attractive and is suitable for the definition of a world class training facility. So it’s all been planned for within the budget. I’m going to be supportive.”

**Chairman Peterjohn** said, “I would add for the record that the architect’s estimated cost was \$255,000 and the winning bidder, Tree Top Nursery & Landscape, bid was \$215,617. And while I share many of the concerns of Commissioner Parks, my understanding is this is going to be paid for out of the funds that had been established and committed earlier for the National Center for Aviation Training, or NCAT. And so I think the idea of having it fit more within our overall natural environment is laudatory. I think purchasing efforts in this area, and then the Bid Board has worked very well in this specific instance. Commissioner Welshimer.”

**Commissioner Welshimer** said, “Well, I think we want the facility to look nice and fill in with everything else in this category, so I’ll be supportive of the funding for this. We are in the process of building the classrooms, but we’ve had the administration building done for a long time and it’s been sitting there empty for how many months? Several months.”

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**Commissioner Unruh** said, "Approaching a year."

**Commissioner Welshimer** said, "Approaching a year. Difficult for the WATC (Wichita Area Technical College) administration apparently to move up there when they have other facilities to watch over in other areas, but I'm interested in how they're going to work that out in the end. So I'd like to see another report from WATC on that and their prediction for jobs for the graduates of NCAT. Thank you."

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

**Commissioner Parks** said, "Well I think with the price of water, and the irrigation system that's going in here and the use for that, and the potential for another kind of grass to go in there, I think buffalograss looks good myself, or natural prairie grass, so I'm just saying that for the record that you have to mow it less often, that takes out some of the equation for some of our expenses. And I think we need to look at more of our buildings around that we have to plant grass at to going to that. Thank you."

**Chairman Peterjohn** said, "I think that may be another opportunity probably defining Mr. Claassen's efforts that we discussed and voted upon earlier today. Seeing no further discussion, please call the vote."

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	No
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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

**Chairman Peterjohn** said, "Next item."

**O. CONSENT AGENDA**

- 1. Amendment to employment agreement with Katherine Grimsley, M.D.**
- 2. Acceptance of the 2010 Juvenile Detention Facilities Fund (JDFF) grant from the Kansas Juvenile Justice Authority.**

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- 3. Retail Dealer's Cereal Malt Beverage License Renewal for Lake Afton Store.**
- 4. 2010 Wichita Flight Festival Sponsorship.**
- 5. Order to correct tax roll for change of assessment dated April 28, 2010.**
- 6. General Bill Check Register of April 21, 2010 – April 27, 2010.**
- 7. General Bill Check Register of April 28, 2010 – May 4, 2010.**
- 8. Payroll Check Register for the week of April 24, 2010.**

**Mr. Buchanan** said, "Commissioners, you have the Consent Agenda before you and I'd recommend you approve it."

**MOTION**

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Welshimer seconded the motion.

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

**Commissioner Parks** said, "Well in that Consent Agenda, once again I referred to it earlier, we do have [Wichita] Flight Festival. We've been telling the people at the festivals, whether it be Riverfest, or Flight Festival, or whatever that we're cutting down. We did cut down a little bit this year. I am pleased to see that it is at McConnell Air Force Base and get their involvement. That's an important base for our community and for our nation. So that's why I was just going to say that will reflect my vote. Thanks."

**Chairman Peterjohn** said, "Further discussion on the Consent Agenda? Do we have a motion, sorry, motion and second's in place. Good. I'm going to add that I agree with many of the sentiments that Commissioner Parks just expressed, in terms of the fact that we have been able to reduce the cost from \$25,000 to \$20,000. Last year we had a much smaller event, and it was not at McConnell, and we did not have a national group like the [United States Air Force] Thunderbirds coming in like we have this year. And I am glad that for the 'Air Capital,' we're going to be in a position to have a large event. Two years ago, I took my children out on a very, very, very hot day at McConnell Air Force Base and the only challenge I was disappointed in is that the security

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requirements have changed compared to when I first began attending these events here in Wichita back in the 1970s and early '80s. But I think that this is going to be a positive for the community and I plan to support all the items on the Consent Agenda today. Seeing no further discussion, please call the vote."

**VOTE**

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

**Chairman Peterjohn** said, "Next item."

**P. OTHER**

**MOTION**

Chairman Peterjohn moved to recess into the meeting of the Fire District #1.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**The Board of County Commissioners recessed into the meeting of the Fire District #1 at 11:31 a.m. and returned at 11:35 a.m.**

**Chairman Peterjohn** said, "And we are back, I'm going to call the meeting back to order of the Board of County Commissioners, and we are back on Item P, I believe, 'other.' Commissioner Parks."



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**Commissioner Parks** said, “We had quite a discussion with the dog show, the people that run the dog show every year at the pavilions at the complex that we have out north, and that once again, it came to light that we needed an educational campaign about what is the Coliseum, what’s the Coliseum complex, what is Britt Brown. Many people still think that the big brown building is the Coliseum and we just need to make sure that they know that the pavilions are still open but the Britt Brown is closed. During that discussion, and we will continue to have these discussions, about tornado shelter. I have been contacted by several people that have used that, in fact, some people that are going to the flea market this weekend contacted me and said, where do we go for tornado shelter if we’re vendors at the flea market? So staff is working on that. And previously they had used Britt Brown for that purpose. So I just wanted to say that that’s in the process and being worked on by staff.”

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

**Commissioner Welshimer** said, “Well I don’t know if you’ve driven down Emporia, Emporia side of the arena, but the sculptures are up, and they’re very nice. And I hope you’ll take a look at them. One is a, sort of, it’s an artist’s rendition of a windmill and it changes its shape. It just keeps moving all the time, with the wind, it changes its shape. The one closest to the arena is two people standing there looking at it, waiting in line. And the third one is the most northern one, it’s small but it’s an interesting piece of sculpture. So I think we are very, I know the Arts Council and myself, we are very proud of the selections that we were given and chose for this site, and I hope people enjoy them.”

**Chairman Peterjohn** said, “Thank you. I’m going to discuss just briefly, it’s storm season again for everyone who was watching this via KPTS (Kansas Public Telecommunications Service) or streaming video. And Monday night we had a storm event, and I was pleased to see the performance of county employees, and also the performance of our colleagues across the street from the City of Wichita, because we had at one time it appeared we might have a tornado heading towards a densely populated part of our county. And while there was some storm damage, fortunately, no one was seriously injured. And I think we were very fortunate compared to other parts of the country and other places in Kansas and Oklahoma. So I wanted to pass that along. Yesterday we had a memorial for the law enforcement officers, and most recently memorializing Sedgwick County Sheriff Deputy Brian Etheridge and it was a very moving ceremony. I also had a chance to participate last Thursday at the vigil at the state memorial up at the statehouse grounds, and that was also a very moving and very poignant recognition of the literally hundreds of law enforcement officers in the time that Kansas has been a state who have given up their lives trying to protect their communities.

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“I would like to point out a couple other facts and segue off Commissioner Parks’ comments. There have been horse shows, last weekend and one coming up this weekend, up at the pavilions at Kansas Coliseum that remain open. And while the Britt Brown Arena itself is not open, we continue to have a strong interest in how that facility operates and how it performs. And I urge the citizens who have any interest in equine events, there’s some interesting stuff going on at the Kansas Coliseum pavilions this weekend, and for folks with that interest need to get out there and enjoy them. I would also add that I haven’t checked for today’s numbers, but the day before yesterday’s numbers, the population of the Sedgwick County Jail was 1,501, and that’s significantly below where it was last October when it was over 1,750 people. While that’s not a number that we can be completely sanguine about, it is a number that is a lot better and I think it reflects well on a number of groups and county employees who have been working through CJCC (Criminal Justice Coordinating Council) and in specific areas with pretrial services, and journal entries and the judicial branch in trying to make the judicial system work better.”

“And I throw out these numbers on a regular basis because while the jail population is only one piece, and probably the most visible piece of the judicial, I should say criminal justice iceberg, that’s facing Sedgwick County, I think it’s very important for people to have upgraded numbers on this. And I believe yesterday our Work Release Facility had 149 people in it with the capacity of 157. So it’s getting a little tight in that part, as that part of the 1,501. And, of course, we’re going to have to be sorting out what the legislature just did. They just wrapped up their session. My understanding is they may have made some changes to some of the state criminal statutes and that may impact our jail population. So stay tuned in the future on that. And I am going to now recognize Commissioner...seeing no other lights up here from other Commissioners, I’m going to recognize Commissioner Welshimer.”

### **MOTION**

Commissioner Welshimer moved that the Board of County Commissioners recess into Executive Session for 15 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation and legal advice, and that the Board of County Commissioners return to this room from Executive Session no sooner than 11:53 a.m.

Chairman Peterjohn seconded the motion.

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

### **VOTE**

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

**Chairman Peterjohn** said, “We’re in recess for Executive Session.”

**The Board of County Commissioners recessed into Executive Session at 11:43 a.m. and returned at 12:00 p.m.**

**Chairman Peterjohn** said, “We are back from Executive Session and recognize Mr. Euson, the County Counselor.”

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “Thank you, Mr. Chairman. Commissioners, while in Executive Session, we discussed a couple of cases, might want to take these separately. The first case we discussed was a workers’ compensation case involving a Kari Gourley who works in the Sheriff’s Department and is a workers’ compensation case resulting from an automobile accident. The recommended action for you would be to accept a settlement of a whole body impairment in the amount of \$21,953.50, leaving open issues relating to future modification of the award and a future medical payment.”

**MOTION**

Commissioner Parks moved to approve the workers’ compensation settlement for Kari Gourley in the amount of \$21,953.50.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

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**Mr. Euson** said, “And, Commissioners, the second case we discussed was the jail fees litigation, and in that case, the City of Haysville has made an offer to settle past amounts, that is for 2008 and 2009, in the amount of \$46,534 and that would be the total amount, including principal and interest, for those years and then their offer is to pay everything forward from January 1, 2010, including interest. And we would recommend that you accept that settlement.”

**MOTION**

Commissioner Welshimer moved to approve the jail fees litigation settlement with the City of Haysville for 2008 and 2009 in the amount of \$46,534.

Chairman Peterjohn seconded the motion.

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

**VOTE**

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

**Mr. Euson** said, “Thank you, Commissioners.”

**Chairman Peterjohn** said, “Thank you. We are back on item, I believe, it’s still ‘other,’ is that correct? I would at this point just make a quick statement based on our most recent decision that I think this vindicates that we’re trying to eliminate the free rider problem that we’ve had with the Sedgwick County Detention Facility, the jail, and I’m glad to see progress being made in this area. And now that Park City and Goddard are being joined with Haysville, the number of litigants is being reduced, and the settlement and agreements continue to proceed in the direction the county established, in terms of trying to eliminate our free rider problem with the Sedgwick County Detention Facility. Seeing no further comments, a motion to adjourn is in order and I’ll make it.”

**MOTION**

Chairman Peterjohn moved to adjourn.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, "We're adjourned."

**Q. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 12:05 p.m.

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

\_\_\_\_\_  
**KARL PETERJOHN**, Chairman  
Third District

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

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

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**KELLY PARKS**, Commissioner  
Fourth District

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**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

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**Kelly B. Arnold**, County Clerk

APPROVED:

June 2, 2010