

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

September 21, 2005

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, September 21, 2005 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Ben Sciortino; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Lucy Burtnett; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Sheena Lynch, Management Intern, County Manager's Office; Ms. Claudia Blackburn, Director, Health Department; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Ms. Deborah Donaldson, Director, Division of Human Services; Ms. Sheri Boeken, Office Administration, District Attorney's Office; Ms. Iris Baker, Director, Purchasing Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Ms. Sally Vu, TRIO, W.S.U.

Ms. Angela Milspaugh, City Coordinator, City of Haysville.

Mr. Kent Brown, City Administrator, City of Clearwater.

INVOCATION

The Invocation was observed by a moment of silence.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, August 31, 2005

The Clerk reported that all Commissioners were present at the Regular Meeting of August 31, 2005.

Chairman Unruh said, "Commissioners, you've had the opportunity to review the Minutes of

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August 31st. Are there any additions or corrections?"

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of August 31, 2005.

Commissioner Burtnett seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item please."

PROCLAMATION

A. PROCLAMATION DECLARING SEPTEMBER 27 – OCTOBER 1, 2005 AS "ADULT LEARNERS WEEK."

Chairman Unruh said, "Commissioners, I have a proclamation to read for your consideration.

PROCLAMATION

WHEREAS, Adult Education strengthens partnerships between businesses, industry, colleges and universities to improve employability of job seekers; and

WHEREAS, during the past 30 years, adult student enrollment in postsecondary education increased dramatically from 2.4 million in 1970 to 6.5 million in 2000; and

WHEREAS, the adults who were adequately prepared for work in the 1970's are forced to acquire diverse skills to find, or keep a good job; and

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WHEREAS, the TRIO Educational Opportunity Centers Program (hosted by Wichita State University) and the Wichita Area Technical College (Division of Adult Education), working in cooperation with surrounding educational institutions and community-based agencies to provide educational access to thousands of adults seeking to improve their job opportunities.

NOW THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 27- October 1, 2005 as

‘Adult Learners’ Week’

in Sedgwick County and encourage institutions of higher education and community based organizations to continue to promote and widen access to post secondary learning opportunities for adults.

Commissioners, you’ve heard the proclamation. What’s the will of the Board?”

MOTION

Commissioner Burtnett moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “And accepting the proclamation this morning is Sally Vu, from the TRIO Educational Opportunities Center at W.S.U. Welcome.”

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Ms. Sally Vu, TRIO Educational Opportunities Center, W.S.U., greeted the Commissioners and said, “Thank you very much for having me here today. On behalf of my executive director, Francis Ervin, who could not be here today because she’s in Washington, D.C. to find more ways to improve the adult education services here in Wichita, Kansas and in Sedgwick County. We do thank you very much for recognizing the need for the assistance for adults in our community to get encouragement to go back to school to improve their skills the transfer of skills, such as problem-solving and critical thinking. So, thank you very much for your time and consideration.”

Chairman Unruh said, “Thank you for being here this morning and we agree. Our involvement in post-secondary education and training opportunity has become more and more pronounced in Sedgwick County government, as we get involved in technical education and training. So, we are working in harmony with you to make sure that our folks have opportunities for options in career choices, as our society changes. So, appreciate your efforts.”

Ms. Vu said, “Thank you very much.”

Chairman Unruh said, “Thanks. Madam Clerk, call the next item.”

NEW BUSINESS

B. ISLAND ANNEXATION REQUESTS.

1. CITY OF HAYSVILLE.

POWERPOINT PRESENTATION

Mr. Robert W. Parnacott, Assistant County Counselor, County Counselor’s Office, greeted the Commissioners and said, “Let me get you a map up on the screen. This is an island annexation of course, which the type of annexation where the property is within the county limits, is not adjacent to the city that is requesting the annexation. They require the consent of the landowners and there is consent of all the landowners involved here.

As you can see, it’s a tract that going to be developed for residential development and it’s very close to the city limits already. The city has submitted us a certified resolution. Your role is to make a finding whether or not the proposed annexation will hinder or prevent the proper growth and development of the area or of any other city in Sedgwick County.

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And from a larger perspective you could see, if we had a bigger map I suppose, you could see that it really doesn't affect any other city. This is . . . MAPD has prepared a report, it's at page 12 of your backup. They found that this is consistent with both the county comprehensive plan and Haysville's growth plans. Again, no conflict with other cities. They can serve this area efficiently. There won't be any changes to fire services, so the MAPD recommendation is certainly that it won't hinder or prevent the proper growth and development of the area or any other city.

We have Angie Milspaugh from the City of Haysville here to answer any questions and I could answer any questions if you have any. If not, I think you could see if there's anybody in the audience to talk."

Chairman Unruh said, "Okay, thank you Bob. We do have a question from Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Bob, this isn't pertaining to this particular annexation request, but just in general, kind of refresh my memory. Island annexations, it has to be requested by the property owner or owners before an annexation can be done?"

Mr. Parnacott said, "You need the consent of the landowners, yes."

Commissioner Sciortino said, "And is that unanimous consent?"

Mr. Parnacott said, "Yes."

Commissioner Sciortino said, "Okay, that's all I had. Thank you."

Chairman Unruh said, "All right, thank you. Well I don't see any other commissioners with questions at this time, but are there any citizens who might want to speak? This is not a public hearing, but we would allow any citizens that live in that area that want to speak. I see no one moving. There is a representative from the City of Haysville here I see. Is there anything you would like to add?"

Ms. Angela Milspaugh, Haysville Coordinator, City of Haysville, said, "I'll just answer any questions."

Chairman Unruh said, "All right, thank you. We do have some more comments by commissioners. Commissioner Winters."

Commissioner Winters said, "Thank you. I'm going to be supportive of this, but Bob, I just had a

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question of refresh my memory about island annexations, it's been a while. A city can do unilateral annexation if the property is adjacent to the city. Now the city has this island annexation. Can a city do unilaterally off of the island, or does any other part off of the island need to be an island annexation?"

Mr. Parnacott said, "Until the city grows out to the island, they can't use that island annexation to do other unilateral annexations around it. Those would all have to be island annexation to . . . obviously in this case, you can see they're so close that inevitably they will be adjacent to that island."

Commissioner Winters said, "Right, I thought that was the way it was, but I thought that might answer any questions of any of those neighbors that might have that question. Thank you."

Chairman Unruh said, "Okay, thank you. Commissioner Norton."

Commissioner Norton said, "Well I'll be very supportive of this. This is raw farmland and it will be developed. I think they're going to put in around 80 homes, I believe. It should be \$150,000 homes and up. A beautiful piece of property, it sat in a family trust for many, many years. There is a little piece of land between Haysville and this proposed annexation and I believe that property owner eventually will ask to be annexed and it will link all this property together anyway, so I think it's going to be a good annexation. It will be certainly good growth for Haysville and Sedgwick County and truthfully, the south side of Haysville and the west side of Haysville is going to continue to develop and grow, as some of these farm properties have more value as development purposes than agriculture, so I'm going to be supportive. It is a good annexation and a good developer that's trying to build up on that area. That's all I have."

Chairman Unruh said, "Thank you. Well I see no other question and I guess we're ready for a motion."

MOTION

Commissioner Norton moved to make the required statutory finding; and direct the County Counselor to prepare an appropriate resolution and place it on the next available consent agenda for approval and signature by the Chairman..

Commissioner Sciortino seconded the Motion.

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

VOTE

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item please."

2. CITY OF CLEARWATER.

POWERPOINT PRESENTATION

Mr. Parnacott said, "Again, I'll bring up another map now. I'll incorporate by reference my remarks in general of island annexations for this one. This too is an island annexation. It's a little bit different set of facts. Here we have an already developed area. This is the City of Clearwater. Again, they have the consent of these landowners. The underlying situation is these were . . . I believe they were on well water, and the wells are now dry or getting dry and they need some city water services. They were originally in . . . they were in the Rural Water District #4 service area. However, that water district was not available to serve them at this time, so they've petitioned out of that district and the city has offered to provide services in exchange for annexation.

Again, we have a report from MAPD, in page 24 of your back up. Now due to the circumstances, here it's kind of outside of the growth areas that we would see in our comprehensive plan and I don't believe it's in the city's comprehensive plan growth area either. However, again they need service. The city is positioned to provide those services. I think they have to use a pump station to get the water up there, but that can be done. No effect on fire services. It's still going to be served by the Clearwater Fire Department, I understand.

So again, I'd indicate that the recommendation of the MAPD is to approve, that it would not hinder or prevent the proper growth and development of the area or of any other city and we have Kent Brown from the city to answer any questions and I'll take any questions, if you have any."

Chairman Unruh said, "Okay, thank you Bob. We do have a question from Commissioner Sciortino."

Commissioner Sciortino said, "Okay, the area . . . it seems like it's what, about two miles or a mile and half away from the city, if the blue is the city?"

Mr. Parnacott said, "Yes."

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Commissioner Sciortino said, “Okay. And it looks . . . is it just that the property just north there looks like it’s a subdivision or something and just some of the lots, some of the owners have requested annexation?”

Mr. Parnacott said, “These are the only ones they’ve received consent from.”

Commissioner Sciortino said, “Okay, and then only one person up northwest, in that other little housing has asked for it. The rest of them haven’t. If there isn’t water, how are the rest of them going to handle the water?”

Mr. Parnacott said, “I can’t answer than question. Mr. Brown is here. He can certainly take a stab at it.”

Commissioner Sciortino said, “Okay.”

Mr. Kent Brown, City Administrator, City of Clearwater, greeted the Commissioners and said, “We’ve been working on this for the last couple of years, with the residents in that area. We’ve had, within the original block, we had a couple of people that their wells went dry and they ended up digging about three to four wells in their property, getting very low volume of water very low rate of . . . not a lot of water coming out of their wells. We ended up that the first attempt at the project, we tried to include the whole quarter section of where the majority of the houses asking for island annexation came about. There was some opposition to that, people that had decent water in their wells didn’t want to be involved. They didn’t want to have to pay for the water line, to get the water up there, that type of thing.

So, after reworking it, coming back, we ended up with a different benefit district. It involved just the people who wanted the water and your question about the one house. There’s two houses that are away from the rest of them. There’s one to the east and one to the north that are not contiguous with the other property owners. They signed on to be part of the benefit district and they’re helping to pay for the water line to get the water up there.

Currently, the development to the northwest, or the north, a little bit to the west, is under

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development and there's going to be additional five-acre tracts built there. There will be about 26 additional homes. There aren't any homes on the property as yet. When those do, the water . . . they have to pay for the water line, but if they want to hook onto the water line, they have to request to be annexed into the city, and the developer wanted to be able to pay for the line and then, as people hooked onto the line, have them annexed into the city and so that's the situation that we've set up.

While we're in the process of building or constructing the water line at this time, they will be finishing it in a month or two, and the benefit district is worked out and they'll know that they'll have to pay for the water. This is just an additional item added onto it, as far as the annexation goes. And we've had a couple of other people start to inquire and say, 'My well is okay right now', but in a year or two, as additional homes go in there, the geology of the underlying earth as the more homes go in, the water just can't collect enough in one place for them to pump the water out enough to support their homes. It's in a shale type of geological area, and when there's just a few homes, it's not a problem. As you keep adding homes, it gets to be a problem and that's what we've seen, as that original quarter section has filled in, all of the sudden people start having problems, because it developed . . . it started development in '94, so it was 11 years ago and it's come about now where some homeowners have problems with water and they came to us.

We work with the Rural Water District, they have lines about a mile away, but they're not of the size to serve all these customers, so the rural water district, after talking to them, the homeowners originally contacted them and they said 'We couldn't do it for an appropriate price'. Then the homeowners came to the city, asked for help and you know, it's their request to the city. It wasn't the city going out and . . . but we try to find the best project as possible for the city council to get the water to them and enough people to pay for it to make it somewhat reasonable to get the water out there."

Commissioner Sciortino said, "Okay. Let me just ask . . . can I ask one more question?"

Chairman Unruh said, "Sure."

Commissioner Sciortino said, "Okay. How many homes . . . for example, there's some homes or some lots just south and a little east, it looks like. How many people would have to request before it would be proper or economically feasible for Clearwater to annex them and if, maybe later on one homeowner in those four or five lots to the south and west would ask for it . . ."

Mr. Brown said, "Right now, we have 44 properties that are part of the benefit district. Fourteen properties have asked for annexation, they're going to go ahead and hook on right now. As

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additional homes need it, they're going to have to pay for the waterline, but as they request to hook on, each case will be considered individually. We may be coming back to you every once in a while asking for island annexations. As you pointed out with the previous island annexation with Haysville, we will have to come back and ask for your approval again with additional island annexations. But when we get a few more to come together, we'll probably come back again."

Commissioner Sciortino said, "And you feel comfortable that the other services that are afforded to citizens, like police protection, etcetera, all that can be done for these citizens also?"

Mr. Brown said, "They're already part of the Clearwater community, even though they're a mile, mile and a half north. Our police department works with the Sheriff's Department on calls that are in the Clearwater vicinity right at this time. So, we've discussed it and know there's going to be a couple of extra things that we're going to have to do, but the city council has seen fit to this part of what the city wants to do."

Commissioner Sciortino said, "Okay, thank you. That's all I had."

Chairman Unruh said, "We have more questions. Commissioner Winters."

Commissioner Winters said, "Thank you. Kent, you might go ahead and identify yourself, to make sure the Clerk has your property ID."

Mr. Brown said, "I'm Kent Brown, City Administrator with the City of Clearwater."

Commissioner Winters said, "All right, thank you. Well Commissioner Sciortino, again to answer some of your questions, I first became a little bit involved in this about two years ago, I think, when people started having the problem and for whatever reason, the water is very spotty in that area. And the most calls I had were from people that had water and didn't want to be involved in this process. So again, I don't know how the water works in that area, but if we go back and remember when Commissioner McGinn was here, that was one of the things that she often talked about is that if developers are going to do these kinds of developments, they ought to be able to guarantee citizens that they're going to have adequate water. And if they can't do that, then it's probably not a good place to have development. But I'm pleased that the City of Clearwater has come forward and offered to find a solution for these folks that have a problem."

And I realize there are other issues involved, including police, but the whole driver on this deal was water, and these people that are doing the requesting for annexation feel that Clearwater is the only

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and best way that they have to obtain water service. So, even though this looks like it's very far outside of Clearwater, I appreciate the city coming forward and assisting these folks with what is really a pretty monumental problem."

Chairman Unruh said, "Okay, thank you. Well, it appears that it's a big problem and both the municipal government in Clearwater and the citizens have come to an agreement where everyone is happy and we need to move forward on this, but we have another comment. Commissioner Norton."

Commissioner Norton said, "Well Kent, it's not a stretch that along Clearwater Road there's going to be more and more development and that eventually, even though that's a little far north and out of your sphere of influence, it's all going to link together here at some point, along Clearwater Road anyway, don't you believe?"

Mr. Brown said, "Oh, absolutely. If the golf course comes up with expansion plans that they've talked about, which is between that development and the city, and other things start occurring, it's not unlikely."

Commissioner Norton said, "That's all I have."

Chairman Unruh said, "Okay, thank you. As we did on the previous agenda item, we asked if there were any citizens here that wanted to speak relative to this issue. I see no movement, so commissioners, if there's no other questions."

MOTION

Commissioner Winters moved to make the required statutory finding that approving these annexations will not hinder or prevent the proper growth or development of the area or any other city and direct the County Counselor to prepare the appropriate resolution and place it on the next available consent agenda for approval and signature by the Chairman.

Commissioner Norton seconded the Motion.

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

VOTE

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, Bob."

Commissioner Winters said, "Kent, thanks for being here. We would have needed that explanation."

Chairman Unruh said, "Very good. Next item please."

C. RESOLUTION ESTABLISHING AN ARENA CITIZEN DESIGN REVIEW COMMITTEE.

Ms. Sheena Lynch, Management Intern, County Manager's Office, greeted the Commissioners and said, "Before you is a resolution establishing the Arena Citizen Design Review Committee. The purpose of this committee is to receive input from the citizens of Sedgwick County relating to the design of the new arena to give input to the Sedgwick County Building Design Team. This committee will exist of 23 members, three of which are appointed by each county commissioners, one by the mayor of Wichita, one by each member of the Wichita City Council and one member at-large.

This committee will designate a chairperson to preside over the meetings and will meet as often as needed, as determined by the chairperson or county staff. Vacancies on this committee shall be filled by the elected officials responsible for the said position and shall be formally sworn before the Board of County Commissioners.

The term for the committee members shall be through January, 2007 or until the Board of County Commissioners makes a final decision on the design of the new arena. I would be happy to answer any questions."

Chairman Unruh said, "Well thank you Sheena. I don't see any questions right now, but this has just been part of our plan and as we are making progress each day, well this is the appropriate time to make these appointments and get these folks involved. So, I think we probably all will be very

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supportive of this, but commissioners, are there any questions or comment? Commissioner Burtnett.”

Commissioner Burtnett said, “Do we have any of the new members of this new design review committee in our audience today?”

Chairman Unruh said, “We do have and I was going to introduce them after we adopted the resolution, but now is a good time to do it. I see that we have Richard Taylor here as one, and Bob Hanson, Frank Bergquist is here and Whitney Vliet Ward is also here, right? I guess we can see you. We won’t have to make you stand up. I was going to have you stand up and wave, but we can see you all. Welcome to the . . . thank you . . . welcome to the commission meeting today. We appreciate your willingness to serve and participate in what’s going to be, we think, a great community asset. And I would also ask . . . well, let’s go ahead and take care of business and if any of you want to make a comment then, as soon as we get through with this, we would be happy to hear from you. We do have another comment from Commissioner Norton.”

Commissioner Norton said, “Well, just for the record, I wouldn’t have a problem, since we’re on television, of reading all the names from the appointees, other than just the ones in the audience, because I’m sure there’s folks that are doing business that couldn’t make it today, and I think this is something people want to know. This is a pretty big deal in our community and I think putting out the names of who is going to represent different districts and different commissioners and other elected officials would be very important.”

Chairman Unruh said, “Okay, very good. Sheena, do you have that list?”

Ms. Lynch said, “Yes, I do have that list.”

Commissioner Burtnett said, “Sheena, there is one typo, so when you get to the name, you’re going to say it wrong. It’s under my appointments, number ten, it’s B-R-U-N-S, not Burns, it’s Bruns not Burns.”

Ms. Lynch said, “The names are Franklin Bergquist, Lorenzo Breckenridge, Kristi Bruns, Brian Cartwright, Tiffany Farha, Sam Frey, Phil Garrison, Bob Hanson, Phil Hayes, Ron Jacobson, Joe Johnson, Roger D. Lowe, Mike Michaelis, Mack Moore, Gary O’Neal, Shelley Palmer, Frank Sietz, DeAnn Sullivan, Richard Taylor, Whitney Vliet Ward, LaVonta Williams, Kim Henning and Steve Hinds.”

Chairman Unruh said, “Okay, thank you. I think a good cross-section of our community to take part in this effort. It’s great. Commissioner Norton.”

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Commissioner Norton said, “Well, just another comment. This board was put together by three appointees from each county commissioner, one appointee from the mayor and each city council member and then one at-large for a group of 23 people, just so that the community understands the makeup, that we did invite the city to have their appointees to be sure that we had a broad base of folks and I’d like to comment on my three appointees, just so people kind of know who they are.

Brian Cartwright is a young man who is with Inner Motion who is I think an up and comer, as far as graphic arts and design and I think he’ll have an idea about function and design and all of that. Phil Hayes is a young man I’ve know for many, many years. He’s with the Arnold Group. I’ve watched him grow up and those two appointees, I tried to get folks under 30 years of age, because they’re going to enjoy this arena many, many years past some of us that will see it built but may not get to enjoy it for a lot of years, and Shelley Palmer is a young mother and business woman who has kids that are at the age that they’ll get to see it built and enjoy it for many, many years. So those are my three appointees and my thought process, to bring some younger folks to the table to describe what our arena should look like for the future. That’s all I have, Mr. Chair.”

Chairman Unruh said, “Okay, thank you commissioner. Is there any other comment, commissioners? What’s the will of the Board?”

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Burtnett seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Now, if any of the appointees are here, would you like to make a comment at all? You’re not compelled to, but we would offer that to you. I don’t see any movement, so anyway, you’ll be talking to us later as we make progress, but thank you all again for your willingness to serve. We have a comment from Commissioner Sciortino.”

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Commissioner Sciortino said, “Well, Richard Taylor is kind of a shrinking violet and he doesn’t like to really get out there and say anything forcibly, but once again I really think that there’s been almost a sea change in the attitude of the Building and Trades Union over the last few months, where they’re really wanting to take an active part in finding solutions that we grapple with. You know, as evidenced by their support of the concept of the arena, their willingness to serve on this board, and it’s very refreshing to know, and like I mentioned at last week’s meeting when there was the uncertainty as to what we needed to do to get prepared for the evacuees, Richard called and immediately said ‘Hey, if we can help revamp any building we’re ready to go’, our members are enthusiastic about helping, and that’s just a real refreshing feeling for me, to know that we have this big, viable asset at our disposal, should we need the help and I’d just compliment you and your membership and it’s kind of neat that we’ll be working together on hopefully many more projects. Thank you.”

Chairman Unruh said, “All right, thank you. Well, we are ready for the next agenda item now, I think.”

DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT

D. AGREEMENT WITH SUNFLOWER FOUNDATION FOR FUNDING OF THE TOBACCO USE PREVENTION PROGRAM.

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, “This morning, you’re being asked to consider an agreement between the Sunflower Foundation, Kansas Department of Health and Environment and Sedgwick County to assist the Tobacco Free Wichita Coalition with two projects.

One is an education campaign on second-hand smoke and the other is coordination of a youth tobacco survey that will be done in a random sample of Sedgwick County middle and high schools.

The education campaign will consist of messages geared towards best practices identified by the Centers for Disease Control for tobacco prevention, and they’ll include messages related to preventing the initiation of tobacco use among young people. They will promote cessation among young people and adults by promoting the Quit Line, which is a 24/7 tobacco cessation program. It’s a phone-based program. And also to eliminate non-smoker’s exposure to secondhand smoke.

The messages will emphasize personal responsibility for preventing secondhand smoke exposure of others. The Youth Tobacco Survey is part of a state-wide survey of middle and high school students and it will provide information to help us, and the state, assess what our needs are, in terms of planning for tobacco prevention in the future, and it will give us information about the tobacco

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use habits of adolescents and what their knowledge, attitudes and beliefs are about tobacco at this time. The grant amount is for \$18,000 and we recommend that you approve this agreement.”

Chairman Unruh said, “Okay, thank you Claudia. Commissioners, are there any questions or comment? I would just make the comment that the campaign message says ‘If it’s in the air, it’s in your lungs’ but the emphasis is on indoor secondhand smoke for most of the campaign. Is that correct?”

Ms. Blackburn said, “Right.”

Chairman Unruh said, “Okay. We do have a couple of comments. Commissioner Burnett.”

Commissioner Burnett said, “Well, speaking of the secondhand smoke, is this also going to address like chewing tobacco though, because that’s also another really . . . or is this just going to cigarettes?”

Ms. Blackburn said, “I think the emphasis is ‘if it’s in the air, it’s in your lungs’. And at this point, I don’t think the emphasis is on . . .”

Commissioner Burnett said, “I was looking at number four, under ‘use of grant funds’: to counter the use by youth of tobacco products. So that also falls in too.”

Ms. Blackburn said, “It may fall in . . . I mean, this is just a . . . I’ve just sort of gave you the highlights of the campaign. The campaign will also involved the Tobacco Free Wichita Coalition doing presentations and different things in the community, so I’m sure they can address that . . . they can and I’ll certainly bring that to their attention.”

Commissioner Burnett said, “Yeah, that would be good.”

Chairman Unruh said, “Okay, thank you. Tobacco Free Wichita Coalition, their purpose is to eliminate tobacco in all public facilities in the city. Is that . . .?”

Ms. Blackburn said, “I think that’s one of their purposes.”

Chairman Unruh said, “Okay, thank you. We have a question or comment? Commissioner Winters.”

Commissioner Winters said, “Thank you. Well I’m of course going to be supportive of this. My

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only question was, is this a campaign that somebody else is sending us to use, or will it really have a local flavor? Will it be created locally? Will the messages . . . I know the theme here, 'If it's in the air, it's in your lungs', but will there be some local connection to it or how does that work?"

Ms. Blackburn said, "Well my understanding is there are only two counties in Tex . . . in Kansas, excuse me, that are getting funds."

Commissioner Winters said, "You moved out of that state."

Ms. Blackburn said, "There are only two counties that are getting funds for this and the other county is Saline. And the Tobacco Free Wichita Coalition will actually get to chose what they want. There is a firm, Nye Associates, which is Wichita based, that they'll be using, but they will get to chose what they want. In terms of the tag line, I'd have to do a little bit more investigation to find out how localized it will be. And of course the market for any kind of campaign that comes out of Wichita is pretty large, from what I understand. It covers a good part of Kansas, so it won't just be Sedgwick County that gets the information."

Commissioner Winters said, "Yeah, but I think that's good. I appears that it will have a local flavor and it's not something that was developed in New York City for those from New York City. Thank you. That's all I had, Mr. Chair."

Chairman Unruh said, "Okay, thank you. Commissioner Norton."

Commissioner Norton said, "Is it true that Saline County is already . . . at least Salina is already smoke-free in most of their public spaces? Didn't they have a referendum on that at some point? Maybe you don't know that."

Ms. Blackburn said, "I don't know. I do know they have a comprehensive tobacco prevention program."

Chairman Unruh said, "Okay, thank you. Commissioners, I don't see any other lights on for comment. What's the will of the Board?"

MOTION

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

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Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you, Claudia. Next item please.”

DIVISION OF HUMAN SERVICES- COMCARE

E. AMENDMENT TO AGREEMENT WITH WICHITA PSYCHIATRIC CONSULTANTS TO PROVIDE ADVANCED REGISTERED NURSE PRACTITIONER SERVICES AT CRISIS INTERVENTION SERVICE.

Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, “This is an amendment to our agreement with Wichita Psychiatric Consultants. The amendment extends the time of the contract for another six months, so that the Advanced Nurse Practitioner, Paula Skinner, that is working with us, can stay on for another six months. We need the extension so that we have a little bit more time to try to find a full-time replacement, Advanced Nurse Practitioner, for that program.

Paula has worked out very well. She used to work for us at COMCARE, so she’s very aware of our computer system and she has been providing excellent care. We are recommending that you approve the agreement.”

Chairman Unruh said, “All right, thank you. Are there any questions of Marilyn, commissioners?”

MOTION

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

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Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

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

DIVISION OF HUMAN SERVICES

F. TRANSFER OF \$10,754.67 TO UNITED WAY FOR EMERGENCY OVERFLOW SHELTER SERVICES FOR HOMELESS INDIVIDUALS.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "The county has been a long-time supporter of homeless services through a number of different areas within Human Services. You've certainly done wonderful things, in terms of the Center City program, which deals with individuals who are homeless and also have a mental illness and also through the COMCARE Crisis Intervention program.

Another long-term commitment the county has made to homelessness is the overflow shelter and that's the item we're bringing to you today. This allows for transfer of funds to the United Way, in partnership with United Way and the City of Wichita.

You might wonder about this odd amount, the 67 cents, but that was because we allocate \$12,500 to this purpose. Well, last year our vendor, the Salvation Army, did a wonderful job and only asked for funds that they documented in terms of their actual expenses to provide this, and so at the end of the time, they had a little over \$5,000 that they had not expended and so we are just simply transferring the difference between that amount for our portion to make up the \$12,500, so that is

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why you're seeing this kind of strange amount.

We're pleased to say that we are adding beds in our community, so we're actually seeing demand for this service decline. Previously, we tended to serve 450-some individuals, unduplicated, and this last year the number was 354. That's an average of about 60 people per night. Previously, that was running about 72 people per night. Anyway, I would be glad to answer any questions and I would recommend your approval."

Chairman Unruh said, "Okay, we do have some questions, Debbie. Commissioner Winters."

Commissioner Winters said, "Thank you. Debbie, who will be providing the service again? Will it be Salvation Army again, as they did last year?"

Ms. Donaldson said, "Another RFP will be issued and certainly, with our experience last year, we're hoping they do apply."

Commissioner Winters said, "Okay, thank you. That's all I have."

Chairman Unruh said, "All right, thank you. Commissioner Norton."

Commissioner Norton said, "Well, with everything that's happened along the Gulf Coast, I think you know we start to see the face of homeless around the country and in times of disaster. And I think it's put a new emphasis on the face of homeless that you have in your community day after day and I know we're having very important dialogues right now about the philosophy of dealing with homeless and how do you shelter them. How do you do that on an ongoing basis and how do you do it when the coldest days of winter happen and I think that will go on for a few years.

It's nice to know that we've got inner-agency support. You know, we have quite a few non-profits and governmental agencies that are at the table, trying to understand homelessness, trying to understand folks that are one paycheck away from being homeless. Not chronic homeless, but homeless and we need to continue to work on that. I'll be very supportive of it and it's also comforting to know that we're using the money wisely. That we're not over spending, we're not

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building huge icons of space that have no use many days out of the year. That we're using our money very wisely and I congratulate obviously the Salvation Army for doing that, but all of the centers and non-profits that help us deliver homeless services in our community. That's all I have."

Chairman Unruh said, "All right, thank you. Commissioner Sciortino."

Commissioner Sciortino said, "Thanks. Debbie, not to belabor this a little bit, but could you run through that math again. We have \$12,500 annually and last year we allocated that to the Salvation Army, but they only used how much?"

Ms. Donaldson said, "Well, okay it would be 37.5 minus \$5,235."

Commissioner Sciortino said, "Wait a minute, 37-5 what?"

Commissioner Winters said, "That's the total, time three."

Ms. Donaldson said, "I'm sorry \$37,500."

Commissioner Sciortino said, "\$37,500 is what? What is that?"

Ms. Donaldson said, "That is what they were awarded and they actually used \$5,200, approximately less, so their total amount would have been \$32,300, yes."

Commissioner Sciortino said, "Okay, and how do we get . . . I'm still trying to get to the \$10,754.67."

Commissioner Norton said, "We got reimbursed a third of the savings."

Ms. Donaldson said, "Yeah, it's a third of that. That would be \$1,745.33 of county funds that were not utilized. Remember, there are three partners."

Commissioner Sciortino said, "Okay."

Ms. Donaldson said, "So, that would be us, the City of Wichita and United Way, and each of us would have saved that amount of money."

Commissioner Sciortino said, "Got it. Okay. And so we're within a few dollars of it. Okay. Thanks."

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Chairman Unruh said, "Okay, thank you. In our ability to serve this particular component of our population, do we send people out to make contact and how do the homeless folks know where to go and when to go and we've got people on the street to contact them? Is that the way we do that?"

Ms. Donaldson said, "We have outreach workers and case managers who are always on the street, working with people and then, of course, you know, word of mouth within the homeless community, they become aware of different options also."

Chairman Unruh said, "Okay, thank you. Commissioner Winters."

Commissioner Winters said, "Well I guess then just to follow up on that, how many people, for the public's information, does COMCARE have out there on the streets working in our Center City program?"

Ms. Donaldson said, "We have a staff of approximately 25 and there's going to be a couple of clerical folks put on the overall. These are folks who are providing direct services."

Commissioner Winters said, "All right, so when some in the community wonder if anything is happening, I mean, Sedgwick County has 25 people out working on this issue every day of the year. So I mean, it's not like we're not paying attention and some, of course, believe that much more needs to be done and they're probably right, but I think it's important to know that Sedgwick County is involved with our Center City project, in a pretty large way. Thank you, Mr. Chairman."

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

Commissioner Sciortino said, "Yeah, thanks for that, Tom. That's what I wanted to expand upon a little bit too, because, you know, we hear 'Golly, we ought to build this big, huge 365-day a year center', we're not doing anything. Look, you're only doing \$10,000. But it would be interesting, maybe later, sometime later on, you could share with us how much actual dollars this full-time staff is costing, or is being committed by the county, plus you have Breakthrough Club, you have a lot of

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these other mental health services that we provide, a large portion of which are to the homeless. It would be interesting, at least for me, to find out exactly what kind of a financial commitment the county is making on an annual basis toward resolving this problem, or at least easing some of the problem, because I think we do our share, and then some, so I'm very proud of what we're trying to do. And sometimes we don't get the credit and people are quick to complain about what we're doing, because we don't blow our own horn maybe sometimes, rightfully so. It's something that we just feel we need to do. We don't have to blow our horn about it, but I think the county is doing a lot toward trying to ease this problem. Thank you."

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

Commissioner Norton said, "Well, and homeless . . ."

Mr. William P. Buchanan said, "Excuse me, Commissioners. The answer to your question is how much. In the 2005 budget, it's close to \$1,500,000 that we dedicate to the homeless program alone."

Chairman Unruh said, "Thank you, Mr. Manager. That's an impressive number. Commissioner Norton."

Commissioner Norton said, "Well, and that was my point. If we look at this, homeless is a pretty complicated issue because there are the chronic homeless, there are the homeless that are there because of mental health issues and then are the new homeless because of economic or financial difficulties, they've gone from being family living and having a job and taking care of their kids to out on the streets. So, there's many layers to this and one size does not fit all. Trying to solve the chronic homeless problem of someone with drug addiction problem, and/ or mental health problems is different than someone that's just chronically out of work and doesn't want any help. Those are all different than the people that have lived in a house and had a job and provided for their family and because of health reasons or economic circumstances, find themselves living out of a car and trying to seek other methods to take care of their family and that's very complicated.

And I believe Sedgwick County is very engaged. As the Manager said, it's not about \$10,700. That's just overflow shelters for folks on the coldest nights of the year, when we really fill up. It's not about what we try to do, day in and day out for our community of folks that find themselves in difficult times. That's a much bigger number and a lot more people engaged in that than most people would think. That's all I have."

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Chairman Unruh said, “Okay, thank you. Well I think most everything has been said that needs to be said, but it’s a big problem and we’re making a significant commitment to solving homelessness. This is one piece of it, and I think . . . well, I will be supportive and I’m sure the commission is going to be approving, but are there any . . .?”

Commissioner Sciortino said, “Yeah, I have one embarrassing thing I have to reveal on myself. If I get a fast-fax in the future, I’m going to turn the back of the page and get all of the information, so I don’t have to be quite as stupid sounding as I am occasionally.”

Chairman Unruh said, “It’s never stupid to ask a question, but it’s always good to turn the page.”

Commissioner Sciortino said, “I turned the page and the answer is right there.”

Chairman Unruh said, “All right. Commissioners, what’s the will of the Board?”

MOTION

Commissioner Winters moved to approve the funds transfer.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you, Debbie. Next item please.”

G. ADJUSTMENT TO THE DISTRICT ATTORNEY STAFFING TABLE TO CHANGE ONE CASE COORDINATOR POSITION AND ONE STAFF ATTORNEY POSITION FROM HALF-TIME TO FULL-TIME.

Ms. Sheri Boeken, Office Administration, District Attorney’s Office, greeted and the

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Commissioners and said, "Requesting an adjustment to our staffing table, bringing one attorney position, permanent part-time, with full benefits, to full-time as well as the support staff position. I'll be happy to answer any questions you may have."

Chairman Unruh said, "Well, a straightforward request. Do we have any questions or comments for this adjustment? Commissioner Norton."

Commissioner Norton said, "I assume this has gone through the filters of Human Resources and the other appropriate parts of the county, that we've looked over it?"

Ms. Boeken said, "It has."

Commissioner Norton said, "Yes."

Ms. Boeken said, "It has received their blessing."

Commissioner Norton said, "Yeah, good. That's all I have."

Chairman Unruh said, "All right. Commissioner Winters."

Commissioner Winters said, "The only comment I was going to make is our backup material indicates that the office of the District Attorney's Office operating budget is sufficient to meet the obligation, so . . ."

Ms. Boeken said, "Mrs. Foulston is confident that she can work within her allocated budget."

Commissioner Winters said, "All right, thank you."

Chairman Unruh said, "Okay, very good. Any other questions, commissioners?"

MOTION

Commissioner Norton moved to approve the adjustment to the District Attorney Staffing Table.

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Commissioner Burtnett seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

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

H. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF SEPTEMBER 15, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the 15th results in seven items for consideration today.

1) CHANGE ORDER #3, RECORDS MANAGEMENT SYSTEM- SHERIFF'S OFFICE FUNDING: COPS TECHNOLOGY GRANT

The first item is change order #3 for the records management system in the Sheriff's Office and the recommendation is to acknowledge the expenditure with Intergraph Public Safety in the amount of \$5,000 and approve authorization of an additional change of \$4,000, for a total cost of \$9,000.

2) BIO-METRIC IDENTIFICATION SYSTEM, HARDWARE & SOFTWARE- SHERIFF'S OFFICE FUNDING: SCAAP

Item two is bio-metric identification system hardware and software for the Sheriff's Office and their

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recommendation is to accept the low bid, meeting specifications, from the Phoenix Group Incorporated for an initial cost of \$9,100 [sic] and five year maintenance costs totaling \$11,250, for a total five-year cost of \$20,360.

**3) CHANGE ORDER #1, IBM HARDWARE MAINTENANCE- DIVISION OF INFORMATION & OPERATIONS
FUNDING: DATA CENTER**

Item three is change order #1 for IBM hardware maintenance for the Division of Information and Operations. And the recommendation is to approve the change order for Decision One in the amount of \$6,324.

**4) CISCO EQUIPMENT- DIVISION OF INFORMATION AND OPERATIONS
FUNDING: EQUIPMENT RESERVE FOR VoIP**

Item four, Cisco equipment for the Division of Information and Operations. Recommendation is to accept the low bid from SBC in the amount of \$33,511.40.

**5) DEMOLITION AND PARKING LOT CONSTRUCTION FOR JDF- FACILITY PROJECT SERVICES
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item five, demolition and parking lot construction for the new juvenile detention facility for Facility Project Services. Recommendation is to accept the low bid from Cornejo and Sons Incorporated in the amount of \$247,785.

**6) MOTOROLA RADIOS- FACILITY PROJECT SERVICES
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item six is Motorola radios for the new juvenile detention for Facility Project Services. Recommendation is to accept low bid of First Wireless in the amount of \$67,820.

**7) ASH DISPOSAL- PUBLIC WORKS
FUNDING: HIGHWAY ADMINISTRATION**

And item seven is ash disposal for Public Works and recommendation is to acknowledge the expenditure with C & D Recyclers of Kansas for a total of \$32,127.86.

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Would be happy to answer any questions and I recommend approval of these items.”

Chairman Unruh said, “Thank you, Iris. Commissioners, are there any questions or comments about this bid board? Commissioner Norton.”

Commissioner Norton said, “As always, anything that’s a high ticket item, I like to have extra comments on and that’s the demolition and parking lot destruction for JDF, almost a quarter of a million dollars, so it went out to 13 bidders. Did they all supply a bid?”

Ms. Baker said, “No. It went out to 13 bidders, it went out to general contractors, went out to paving contractors, it went out to demolition contractors and we brought them together and eight various entities attended the pre-bid meeting and our goal was to have a general contractor, a prime contractor to manage the whole project. We didn’t care if it was demolition or paving contractor. So we left it open for them to pick a partner, for those who needed a partner and generals to go over to people when they need it and eight vendors attended that pre-bid meeting and two responded.”

Commissioner Norton said, “Okay. And this is part of the Capital Improvement Project and is incorporated in that original figure that we had for that project.”

Ms. Baker said, “Correct.”

Commissioner Norton said, “That’s all I had.”

Chairman Unruh said, “Okay, thank you. You want to make a comment? Commissioner Winters has his light on.”

Commissioner Winters said, “Mine was about item seven, so . . .”

Chairman Unruh said, “So here we go. David Spears, why don’t you make a comment.”

Mr. David C. Spears, Director, Bureau of Public Works, greeted the Commissioners and said, “I just wanted to comment, on item seven, that fly ash . . . not fly ash, that ash was from the January ice storm, and FEMA and the state will pay about 85% of that cost of that 32,000.”

Chairman Unruh said, “Okay, very good. Commissioner Winters.”

Commissioner Winters said, “Well my comment was just going to be, just for public information, something most people probably wouldn’t think about, just the burn piles that Sedgwick County had for mostly out in the county, just to dispose of the ash from those burn piles is \$32,000 bill, so

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again, just another significant measure of how big that storm was. Thank you.”

Chairman Unruh said, “All right, thank you commissioner. Any other comment or question? What’s the will of the Board?”

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you, Iris. Next item please.”

CONSENT AGENDA

I. CONSENT AGENDA.

1. Amendments to Employment Agreements (seven) with COMCARE psychiatrists to update terminology and clarify insurance coverage; and to adjust Dr. Xu’s salary in recognition of board certification.

- **Lin Xu, M.D.**
- **David Hon, M.D.**
- **Rex Lear, M.D.**
- **DeAnn Jenkins, M.D.**
- **Shreeja Kumar, M.D.**
- **Andrew Ike S. Lauronilla, M.D.**
- **Susan Brewer, M.D.**

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- 2. Contract with Prairie Travelers, Inc. to provide operation of a recreational trail.**
- 3. General Bills Check Register(s) for the week of September 14 – 20, 2005.**

Mr. Buchanan said, “Commissioners, you have the consent agenda before you and I would recommend you approve it.”

MOTION

Commissioner Sciortino moved to approve the consent agenda as presented.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Commissioners, that brings us to the end of the agenda for our regular meeting. We can have our comments of community interest at the end of the Fire District meeting, so if there’s nothing else to come before this meeting, I will adjourn the Regular Meeting of the Board of County Commissioners.”

J. OTHER

K. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 10:05 a.m.

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

DAVID M. UNRUH, Chairman,
First District

BEN SCIORTINO, Chair Pro Tem
Fifth District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

LUCY BURTNETT, Commissioner
Fourth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2005